Kettle Rive Mines vs Bleasdell

(Judgment by Mr. Justice Walkem.)

The following important decision as to mining shares is one of several judgments delivered by Mr Justice Walkem in Rossland at the closing of the court there on December 26 last.

Kettle River Mines, Limited, plaintiff, vs. Bleasdell and others, defendants.—Judgment of Mr. Justice Walkem.

The question I have to decide is one of considerable importance especially to mining companies. It is stated in a "Special Case," which, in substance, is that the plaintiff company was first incorporated under the provisions of the "Companies Act, 1890," as the "Kettle River Mining & Development Company, Limited," and then incorporated as the "Kettle River Mines, Limited," under the Companies Act of 1897, by virtue of section 5 thereof, with a capital of $1,200,000, represented by that number of shares of a stated par value of $1 each.

Four hundred and five thousand shares in the original company were issued at their par value, and with a special stipulation that they should, forever, be non-assessable, to Hagelberg and Hagen, as the price of the "Christina" mineral claim which the company bought from them.

Thirty thousand shares were set aside as "Treasury shares" for the development of the mine; but they proved to be unsaleable; and 495,000 shares, the balance of the 1,200,000, were reserved for three promoters, namely, 33,000 for Fear and Repass, and 165,000 for one Langley.

Fear and Repass sold 112,000 of their allotment, for which certificates were issued, at their request, direct to the purchasers; and they abandoned the remaining 218,000 shares. This abandonment, to my mind, is a most significant circumstance, for it practically means that they threw up a prospective fortune of $218,000, if there is a shadow of truth in the representations made by them to the public, first, as promoters, and next, as trustees of the company, that the shares were worth $1 each. Moreover, the inference is irresistible that these promoters knew or thought that the Christina was valueless, and that they therefore came to the conclusion, after foisting 112,000 shares on the public, and thus extorting all they could from it, that it would be better to throw up the 218,000 shares and thus escape the shipwreck which they saw ahead, than to retain the shares and be engulfed in it. In view of the scathing language used by eminent English judges in similar cases, I consider that what I have said is very moderate.

I have next to consider Langley's share in the transaction. Amongst other things, 30,000 shares of his allotment were, at his request, issued in different proportions by his colleagues, and I have no hesitation in saying co-conspirators, Fear and Repass, (all three being at the time trustees of the company) direct to the defendants, who had previously bought them from him at 4c. each, on the faith of his personal statement, which turned out to be false; and of the further assurance of the company, which was conspicuously printed on the face of the share certificates that were shown and issued to them and which was also untrue, that the shares so paid were "fully paid and non-assessable." However, the defendants bought in open market, as it were, and not from the company; and they were also innocent purchasers, inasmuch as they bought from Langley without notice that the par value of the shares had not been paid.

The company being financially embarrassed, the trustees called a special general meeting for the purpose of re-incorporating it, under the Companies Act, 1897, as provided by section 5 of that act; and assessing all promoters' shares so as to obtain means for paying its debts.

At the meeting, 635,010 shares were represented, namely, 400,000 vendors, and 235,010 promoters'; but the defendants' 30,000 shares were not represented.

The first objection taken by Mr. Galt, on behalf of the defendants, is that the notice given for the holding of the meeting led his clients to believe that their shares would not be assessed; but the notice plainly states that the meeting would be asked to consent which it eventually did by a large majority, to re-incorporation, and to all promoters' shares being made assessable.

A second objection by Mr. Galt is that the majority vote, composed, as it was, of 400,000 "vendors" votes, was oppressive and illegal, as it enabled that majority to benefit itself at the expense of the minority; but I fail to see this, for the vendors had a right to insist upon the debts of the company being paid, and also to the mine, which they had transferred to it, being properly developed. See, passim, Menier vs. Hooper's Telegraph Works, 9 Chy. App. 350.

In accordance with the decision of the meeting, calls amounting to 2 cents per share were made on all promotion shares; and, as the defendants refused to pay them, these proceedings were brought with a view of enforcing payment. (See Act of 1890, S. 24.)

As I have already stated, the defendants purchased from Langley, and without notice that the shares were not paid up. Mr. Nelson, counsel on behalf of the company, contends that, even under such circumstances they are liable for the calls by virtue of the first part of section 20 of the act of 1890. I give the section in full:—

"20.—Each shareholder, until the whole amount of his stock has been paid up, shall be individually liable to the creditors of the company, to an amount equal to that not paid up thereon, but shall not be liable to an action therefor by any creditor before an execution against the company has been returned unsatisfied in whole or in part; and the amount due on such execution shall, subject to the provisions of the next section, be the amount recoverable with costs against such shareholder."

The section evidently refers to a case where a creditor sues, and not to a case, like the present one, when the company sues. Still, the section is useful, inasmuch as it shows to what extent a shareholder may be made liable in respect of his shares.

Mr. Nelson further contends that, in its general effect the section is similar to section 25 of the Companies Act (Imp. 1897, which enacts that:—"Every share in any company shall be deemed to have been issued, and to be held, subject to the payment of the whole amount thereof in cash, unless the same shall have been otherwise determined by a contract duly made in writing and filed with the registrar of joint stock companies at, or before, the issue of such shares."

This section is, obviously, more stringent than our section 20, for nothing short of a full cash payment for "paid-up" shares is to discharge a shareholder from liability to calls; but I agree with Mr. Nelson when he says that in other respects the two sections are analagous, or, in pari materia. In Burkinshaw vs. Nichols (3 App. Cas., 1,004) the effect of section 25 was discussed at great length; and the unanimous opinion of the house of lords was that shareholders in the position, for instance, of the defendants are not liable for calls on shares which are marked paid-up. In that case, certificates were issued which represented the shares to be fully paid up. A person to whom some of them were issued—say to Langley—sold the shares in the ordinary course of business to others—say to the present defendants, who bought on the faith of their being marked "paid-up" without anything to cause enquiry as to whether such was the fact or not; and it was decided that, as against such purchasers, the company was bound by its statement that the shares were paid up, on the ground that it was evidence on which, as against the company, a purchaser was entitled to rely. In his judgment, Lord Cairns says: "In the course of business Coulton transfers, for valuable consideration, to a transferee, a share, as to which there is a statement made in the certificate by the company that the money has been paid up. Now, I desire to know in what way this section (meaning section 25 of the Imperial act) "affects a transfer of that kind. It appears to me that it leaves altogether untouched the question of the payment of the money upon the shares, which payment it declares shall, no doubt, be an attribute or a condition of every share in the company. But how that is to be, or what is to be evidence of that payment it leaves altogether untouched. If the money is paid, and if the receipt is given for it, of course, no question could be made that the transferee would have the right to hold it as a paid-up share; but if a receipt is given for the money by the company, and the share passes into the hands of a person who has given valuable consideration for it and knows nothing about the fact that payment has not really taken place, there is nothing whatever in this section which would in any way invalidate his title. He comes before the court not in any way affecting to break in upon the enactment which I have read. He says 'I bow to the words of the enactment. I have not in any way attempted to interfere with it, but I have taken, in the course of business, a share, in regard to which I have the representation of the company that section 25 has been complied with.'"

The observations of Lords Hatherley, Selborne, and Blackburn are to the same effect. Lord Hatherley, in his judgment, also says: "Reference was made yesterday to a case which decided that it is not the duty of a purchaser, if there is nothing to raise his suspicions, to make complete researches, which he would, indeed, find great difficulty in bringing to a satisfactory solution, as to whether the certificates handed to him, representing a given state of things were true. It is much more expedient for the general safety of mankind that the persons whose duty it is to make full, true and correct representations of this nature should be assumed to have made them and should not be permitted to dispute them, than that the person to whom they are made should be bound to bestir himself to ascertain whether those representations are truly and justly made."

Lord Blackburn further remarks that the law of estoppel, which he characterizes as being an equitable one, is in no way affected or modified by the Companies Acts.

Hence the present plaintiff company is estopped from saying to the defendants that the shares, which were issued as being "fully paid and non-assessable" were not paid up. In other words, the company can not be permitted to approbate and reprobate in respect of its certificates.

The position of the defendants appears to me to be exceptionaly strong, inasmuch as when application was made for the certificates of the shares they bought from Langley, the trustees might have put them on their guard by telling them, which they failed to do, that the shares were not paid up. More than this, they might have refused to issue certificates marked paid-up when the fact was otherwise.

The last case to which I shall refer is that of Hirsche v. Sims, A.C. (1894), in which the Privy Council held (see p. 657) that, "It was not competent for trustees or directors to issue any shares at a discount, so as to make the holders liable for less than their full amount," and that where the shares passed into the hands of bona fide purchasers from the first holder, the company would, necessarily, be estopped from saying that they were not paid up. The Court also held that directors, or trustees, who issue such shares, are answerable for the difference between the price received for them and their par valu.

To state the effect of these decisions tersely and as applied to the present case, the House of Lords, virtually, says to an intending investor in shares: "If you buy shares at 10 cents each on certificates which represent them to be of a par value of $1 each 'paid-up' direct from the company, you are liable for the difference between the 10 cents and the par value, because you knew at the time you bought that you had not paid their face value. If, however, you have bought these same shares in the open market, on the same certificates and at the same price, you are not responsible for the payment of the difference, as you are entitled to rely on the company's statement in the certificates that the shares are paid up and non-assessable."

I have been referred to several other cases bearing on the same question; but it is needless to mention them in view of the above decisions of the House of Lords.

Mr. Nelson has also contended that the proper course for the defendants to have taken was not to resist the action, but to take proceedings to have the contract under which they purchased the shares rescinded; and he cited authorities to that effect; but these authorities apply to cases where the holders of the shares are purchasers direct from the company, and not from a transference, hence they do not apply here.

In view of the above opinions of the House of Lords, judgment must be entered for the defendants with costs.

Inventions Anticipated

(H. G. Archer in Good Roads.)

It is generally supposed that the first machine-gun, as we now term the class of weapons which literally pump lead on the enemy, was the "organ" gun invented by Mr. Gatling, and used in the American Civil War of 1863. It was followed by the mitrailleuse, on which the French army pinned their faith at the outbreak of hostilities with Germany in 1870. The failure of the mitrailleuse in that war, however, brought all machine-guns into bad odour, and fully ten years elapsed before these inventions next attracted serious notice. The new stage in their evolution was then ushered in by the appearance of the Gardiner and Nordenfelt guns, quickly followed by the invention of the deadly semi-automatic contrivance emanating from the brain of Mr. Hiram Maxim, and bearing his name. At the present day the Maxim gun, in the latest refinements of its beautiful mechanism, may be taken as the best-known and most ubiquitous of all machine-guns, but the general idea and purpose of the same were anticipated at the beginning of the eighteenth century by Mr. James Puckle, an original thinker and author of several curious works, who issued somewhere about the year 1720 an engraved broadside, entitled:

A DEFENCE.
Defending King George, your Country and Lawes
Is defending yourselves and the Protestant cause.
Invented by Mr. James Puckle,
For Bridges, Breaches, Lines and Passes,
Ships, Boats, Houses, and other Places.

The engraving shows a large revolver on a tripod, the breech of which is turned by hand, and contains six chambers, the contents of which are discharged in turn through a single long barrel. The tripod possesses an elevating arrangement, and the weapon can be swivelled in any desired direction. The part containing the chambers is removable at pleasure, and when one "sett" had been discharged, a loaded one was substituted. One "sett" is depicted as intended for a "ship shooting round bullets against Christians," a second as for one "shooting square bullets against Turks," but the reason for this curious distinction is lacking. The machine was also devised to discharge "Grenado shells." Like his successors in the same field of invention, Puckle appears to have tried to float his gun as a company; hence the following allusion that is made to it, as forming the basis of one of the many bubble projects of 1720, in a satirical print dealing with the wild-cat schemes of the South Sea mania of that year:

A rare invention to destroy the crowds
Of Fools at home, instead of foes abroad—
Fear not, my Friends, this Terrible Machine—
They're only wounded that have shares therein.

After this date we hear nothing more of "Puckle's Machine," and the idea itself lay dormant for another one hundred and fifty years. . . .

Barely fifteen years can have elapsed since the automatic coin-in-the-slot machine appeared in public places to supply customers with cigarettes, matches, chocolates, sweetmeats, stationery, etc., while in its latest phase this contrivance—in conjunction with a lighted street lamp—has been made available for the automatic purveyance of hot water and hot drinks. Surely, it may be thought, this extremely utilitarian invention can only have been due to the ingenuity of the present generation; and it is, therefore, startling to learn that the automatic machine is one of the oldest projects in everyday use, since it was known a century before Christ, being the invention of that great mathematician, Hero of Alexandria, who flourished B.C. 117-81. Hero invented what he termed a "sacrificial vessel which flows only when money is introduced," and a full description of this apparatus is contained in his famous treatise on pneumatics, reissued by Thevenet, royal librarian to Louis XIV. of France, in the year 1692. "If into certain sacrificial vessels a coin of five drachms be thrown, water or wine shall flow out and surround them," so runs the postulate; and the illustration accompanying the letterpress shows an ornate vase, with a slot at the top for the entry of the coin, and a duct on one side for the release of the liquid. The explanation of the mechanism inside the vase is very simple; the vessel contains another holding the wine, and near to the latter is placed a vertical rod about which turns a well-balanced beam. When the coin is dropped through the slot it falls on one end of this horizontal beam, which, being depressed, opens a valve suspended from a chain at the other end, and the wine commences to flow out through a pipe. When the beam has been depressed to a certain angle, the coin falls off, and the valve or lid, being counterweighted, again descends and closes the outlet so that the discharge ceases. This is exactly the principle upon which our modern automatic machines acts, bar such later refinements as the return of unsuitable coins. Did Hero, we wonder, place his machines along the streets of Alexandria, which was the most luxurious and stately city of antiquity? Were the small boys of Alexandria hauled up before the representatives of the Pirelemies for tampering with the machines by inserting counterfeit discs of the required weight and shape, and sentenced to receive six strokes with the rod of eelskins? But five drachms, equal to four shillings of our money, is a stiff price for a drink; the patrician alone could have patronized Hero's vase.

A BAD CASE OF ASTHMA.

Mrs. George Budden, Putnamville, Ont., says:—"I feel it my duty to recommend Dr. Chase's Syrup of Linseed and Turpentine, as I had the Asthma very bad, I could get nothing to do me any good. A good friend of mine persuaded me to try th's remedy, as he had tried it, and it cured me. I am thankful to-day to say I am a well woman through the use of this remedy. I keep it in the house all the time and wou'd not be without it."

HOME READING UNION.

An Association for Helping Those Who Would Help Themselves.

The National Home Reading Union is a purely philanthropic organization for the purpose of developing a taste for systematic reading among all classes of the community. With this end in view, courses of reading have been arranged to suit the needs of students, general readers and young people of both sexes. These courses are supplemented by a monthly magazine and book lists drawn up by some of the best read men in England. The fees, including magazine, are moderate. Special section: $1; General, 50 cents, and Young People's, 40 cents, fees 10 cents less in all sections for members of circles. These circles, which are highly recommended, are simply reading clubs of not less than five people, one acting as leader, with whom the Canadian secretary corresponds. In these circles books, or parts of them, may be read at home and then discussed at weekly or fortnightly meetings, or may be read aloud and form part of a social evening's entertainment. Papers or discussions or the criticism and analysis from the magazine may vary the programme. Members may buy their books where they please, but, by ordering them through the secretary, they get a reduction and also help the union. Societies such as the Y. M. C. A. or Y. W. C. A., can order the books, and often some rich inhabitant of a town might furnish them for a circle, and after the year's reading was complete, they might be presented to the public library, or go to form the beginning of a library where one does not already exist. To start branches in a town, public or drawing-room meetings are called, clergymen are asked to interest their congregations, and readers are asked to start circles. Notices in the papers also help to attract the attention of those who might otherwise not know of these courses, and to whom they would offer endless pleasure and profit. No one can be a constant reader of good books without becoming better and more tolerant. The reading of good books is made easy by the plan adopted by the union. If a boy or girl reads good books, they will not have time for the bad. If men and women have the life-giving food of a book at hand, they need not pick up trash that is so prevalent, and dissipate their moral and mental power on vicious froth. The union makes the supply of good reading regular and acts as a guide and friendly critic throughout the course. Readers of good books make good men and women, and good men and women make good citizens. Canada needs these men and women now, our cities need them, our prairies and mountains, mines and farms need them. The National Home Reading Union is certainly a step in the right direction for the national mental uplifting of our people, and for the promotion of a most delightful kind of education for young and old, rich and poor. For forms of application for membership, subject lists and full information, apply to the secretary, Mrs. Anson McKim, 37 McGregor street, Montreal.

TROUBLE OF AN OFFICE BOY.

I dunno whether mine is a trade or a perfeshun, but it's jolly hard lines, wotever it is.

I goes for the letters in the mornin' an' another chap sez:

"'Ello, been made a partner yet?"

"No," sez I.

Then he hits me over the head, an', of course, the letters get split.

Then there's that Higgins; he's the bookkeeper, an' awl his cash goes in not payin' 's taylor.

"Chawles," he sez, "ef anybody comes for me, say I'm out."

A chap does come.

"Mr. 'Iggins is hout," sez I.

"Oh," sez he, "tell him 'is uncle called to take him out to lunch."

An' I gets whacked for that. 'Ow wos I to know it wasn't 'is taylor? No, a offis boy may be a objek of laffin' to some idiuts, but if you arsks me, he's more like a marter!—Answers.

The Logic of Luck.

(Irene Stafford in Globe-Democrat.)

Some one has recently been trying to make a kind of mathematical calculation as to the part that luck or chance plays in the affairs of men, and, as usual, with the didactic writer on this subject, reduces it to rather a harmless cipher in the general reckoning. Will, energy, perseverance win against it every time, and a run of luck lies wholly in the skill of the runner. This is all very familiar to the reader of Samuel Smiler and Success magazines, and would be greatly reassuring to human effort but for one drawback—it is not true. A very old authority tells us "it is not in the man that walketh to direct his steps," and the whole prepiexing history of humanity bears it out. Whether you call it luck, chance, providence or divinity, that mysterious something outside ourselves that shapes our ends, hew them how we may, instead of being nothing, is the overtowering verything in our mortal careers, and it is not by denying it, but by managing in some manner to compound with it that our hope lies.

"Into this world we come like ships
Launched from the docks, and stocks, and slips,
For fortune fair and fatal."

That is the chance, or, as it is well called, the accident of birth which just as surely sends one to "life's wine, honey and corn" as another to its vinegar only and pepper. And waht has the will or the energy of the individual to do with that? All the theorizing in the world cannot clear up that game of chance, and only the doctrine of free existence, which the Christian world as a body rejects, flings one ray of light upon it. It is a problem commonly left to the gods, which the stoutest advocate for man's power over his destiny will scarcely give the subject a voice in. There come those subtle and potential influences and agencies which at once begin to play upon the plastic soul and shape it for the heaven or hel lof being, and what has the "mewling, puking" infant to do with them? Chance nurses, chance guardians and an education that began 100 years before he was born all determine them for him. And, by and by, he swings into the ring of active life with cap and bells, or sword and buckler, or cloven hoofs and horns about as these unselected agents have fitted him out and chance opportunities, chance situations, even, begin to pay upon him and drive him hither and thither, till, at length, some chance slip on a sidewalk or turn of an east wind, or path of an invisible microbe cuts short his career and the ever-impending chance of death has found him.

Meantime the poets and philosophers are telling him blandly that he is the architect of fate and master of all the forces of destiny. Well, perhaps he is, but it is never by counting chance out in the wrestle, but rather by doing it full honor as a decent sort of ally that might perchance be on his side if he could make it in any way worth while. This, of course, is what all the psychologists of the hour are aiming to set forth in recommending us to swing boldly into the field with it and toss it about fearlessly like a ball, as Maeterlinck puts it, that is sure to return obediently to the fearless hand. For, strangely enough, there does seem to be some psychic law which makes the chance or occult influences in life respond in wondrous fashion to the will and attitude of the human being, and this, of course, is the thing which makes the practical minds declare that they can be counted out by the man of action. But with all respect to such sturdy philosophy, there is certainly a still stronger gain in counting them in, as Cromwell and other mighty men of action have found, although they did not call these influences in their lives by the name of chance. Here, indeed, is one of the perplexing points in the whole matter, that, though all the things strictly beyond the sphere of man's control or knowledge, commonly relegated to the domain of chance, might be supposed to have some beneficient, though unseen, power at the back of them, yet the devil has been so largely held to take a hand in them that the praying saint has had much ado to get his right to seek anything in the line of fair luck or fortune in his earthly enterprises well launched upon the world. More than one Cromwell has been called a "damned old humbug" because he solicited the aid of the invisible powers against his visible foes.

Indeed, between being taught that luck was mainly of the devil, which was sad to believe, or wholly of ourselves, which was impossible to believe, this problem of getting the good things of life or fortune into our own orbits seemed much involved. And meantime the weight of it hung over us everywhere, and no philosophy of the schools could take the issue of one hour out of the atmosphere of the uncertain.

Chance, change, accident, indeed, fill the human horizon and determine the destiny of nation as well as individual. A strange cloud in the sky, a lost horseshoe in the path of the messenger, a cobweb over the hiding place of a prophet and all the forces of Europe are turned back. The only way to meet the difficulty is clearly to face it squarely and admit that in the Olympian conflict that seems to be going on somewhere man is tossed about very much as a shuttlecock between the battledores of the gods. The power of good and evil as the ancients taught us must be fighting still, and man is flung up or down according as serves their purposes or the ends of the battle. The good spirits do seem to flop down much like the gods or their messengers in the Iliad, and mysteriously turn the odds for their favorites, and it may be really that the devil helps his own. To choose his colors then and take their chances is about all that is left for the hapless mortal to do, but if he thinks those chances are not great a little honest following of the game will teach him better. Now, theoretically, most people profess to believe that the good is stronger than the evil everywhere, but the tremulous manner in which they risk their chances with it is one of the most amusing spectacles of this world. Perhaps it is one of the most discouraging ones, too, for the days when the gods most clearly declared themselves on the side of their followers were days when men sat down contdingly and talked with them in the old Hebrew fashion thus: "Now, Lord thou art God, and hast promised this goodness unto thy servant. Therefore, now Lord, let the thing that Thou hast spoken concerning Thy servant be established, and do as Thou hast said."

Next to the wisdom of admitting that the gods of what man calls chance are in the field, is the wisdom of admitting that they are there for truth and goodness, and whoever can post himself unswervingly on the side of such a faith is sure to have all manner of beautiful happenings in his life, though no logic of his own can quite account for them. It may not be in the line of the gold of Ophir, or the spoils of war; and then again, it may. But, at any rate, it will be in the line of those things, whether spiritual or material, which make for that ultimate good, that ultimate glory, against which no chance nor change of time can have any lasting weight. The fiery prophets of action, like Carlyle, may lash us out into the open field and crowned highway to make our chances, and to a certain point there may be wisdom in their philosophy. But after all the main chance has all been made for us, and the poet is more in the secret of it who breathes the prayer:

Calm soul of all things! Make it mine
To feel amid the city's jar
That there abides a peace of thine,
Man did not make and can not mar.

—Irene A. Sanford.

A MANIA FOR OPERATIONS.

Most physicians are anxious to try the surgeon's knife and recommend an operation for piles. A less cruel, less expensive and less risky method is the use of Dr. Chase's Ointment, a preparation that has never yet been known to fail to cure piles, no matter of what form or of however long standing. Don't think of risking an operation when you can be cured in your own home by the use of Dr. Chase's Ointment. The best physicians use it in their practice.

WEEKLY WEATHER SYNOPSIS.

Victoria Meteorological Office, 28th December to 1st January.

For the first three days of this week abnormally high barometric pressure prevailed throughout the North Pacific coast accompanied by moderate winds and generally cloudy weather and an absence of rain. During the night of the 28th this high barometer area moved south, giving place to an ocean low area, which crossed this province to the Territories accompanied by rain both here and on the Lower Mainland, while in Cariboo it caused a light snowfall.

From Saturday, 28th, to the end of the month extensive high barometer area covered the Pacific slope from Northern British Columbia to California. The weather during this period was generally fine and frosty, with light to moderate winds throughout this province and the adjoining states. On the night of the 31st a decided change in the coast weather conditions set in: the high barometer area moved south and east in advance of the extensive and important ocean storm which by midnight was centered off Vancouver Island. This disturbance caused a moderate southeast gale about Victoria, and the commencement of a phenomenally heavy snowfall on the Lower Mainland. By night of New Year's day New Westminster reported a fall of 18 inches, Chilliwack two feet, Vancouver less than a foot, while at Yale there was scarcely any. Considerable snow fell on the highland around Victoria, while in the city not more than .1 inch of melting snow fell, the rest being rain. During this day considerable rain fell along the coast from the Straits of Fuca southward to California, accompanied by high southerly winds. The latter part of this week has been intensely cold in the Territories, the temperature ranging from ten below zero in Alberta to 40 below in Manitoba.

Victoria had 14 hours and 54 minutes bright sunshine, .51 inch of rain, and a tenth of an inch of snow. The highest temperature was 48 on the 26th, and the lowest was 31 on the 31st.

At New Westminster there was .26 inch of rain and 26.4 inches of snow. The highest temperature was 44 on the 26th, and the lowest 22 on the 30th and 31st.

Kamloops reports .2 inch of snow, highest temperature (42), on the 26th, and lowest (12), on the 30th.

The highest temperature at Barkerville was 28 on the 26th, and the lowest zero on the 30th.

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NOTICE is hereby given that application will be made to the Legislative Assembly of the Province of British Columbia, at its next session, for an Act amending section 11 of the "Kamloops and Atlin Railway Act, 1900," by striking out the word "twenty," in the seventh line thereof, and substituting in lieu thereof the word "fifty"

Dated at Victoria, B. C., this 13th day of December, A. D., 1900.

BODWELL & DUFF,
Solicitors for the Applicants.

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NOTICE is hereby given that application will be made to the Legislative Assembly of the Province of British Columbia, at its next session, for an act to incorporate a company with power to construct, equip, operate and maintain a railway, standard or narrow gauge, for the conveying of passenger and freight from some point on the line of the Canadian Pacific Railway at or near the outlet of Kamloops Lake, thence by the most direct and feasible route to the plateau of the Bonaparte river, thence to a point on the Cariboo wagon road near the One Hundred Mile House, thence to some point near the head waters of the Beaver river, thence following generally the direction of the Beaver to the confluence of the Quesnelle with the Fraser rivers; with power also to build a branch from the above described line to some point in the vicinity of Williams or Antler cree in the Cariboo district; and with the power to construct, operate and maintain all necessary bridges, ways and ferries, and to build, own and maintain wharves and docks in connection therewith, and to build, own equip and maintain steam and other vessels and boats, and to operate the same on any navigable waters within the Province; and with power to build,, equip, operate and maintain telegraph and telephone lines in connection with the said railway and branches, and to generate electricity for the suply of light, heat and power, and with power to expropriate land for the purposes of the company, and to acquire lands, bonuses, privileges or other aids from any government, municipal corporation, or other persons or bodies, and to levy and collect tolls from all persons using, and on all freight passing over, any such roads, railways, ferries, wharves and vessels built by the company; and with power to make traffic or other arrangements with railway, steamboat or other companies, and for all other necessary or incidental rights, powers and privileges in that behalf.

Dated this 13th day of December, A.D. 1900.

BODWELL & DUFF,
Solicitors for the Applicants.

NOTICE is hereby given that I intend to apply to the Chief Commissioner of Lands and Works for a lease to prospect for coal on the following described land, situated on the southeast branch of Telqua River, Coast District:

Commencing at a post on the bank of the Telqua River, about five miles above its junction with the Bulkeley River, said post being the northwest corner and identical with the northeast corner of James Thompson's coal prospecting claim: thence due south 80 chains; thence due east 80 chains; thence due north 80 chains; thence due west 80 chains to the place of commencement, and containing 640 acres more or less.

B. W. POWELL.

WO SANG,
85 Store Street. Victoria. B.C.
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NEW GOODS JUST RECEIVED..
Fit Guaranteed.

The H. B. A. Vogel Commercial College
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We teach through office methods entirely and use no text books or "system" for bookkeeping. We teach and place our students into positions in six months. Shorthand and typewriting. Send for illustrated prospectus.

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FOR SALE AT
195 YATES STREET, VICTORIA.
Good work Horses,; grain fed; weight from 1,250 to 1,600 pounds; also Wagons and

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, said post being the northwest corner of claim, and identical with the southwest corner of G. Lacroix's prospecting claim, and running thence south 80 chains; thence east 80 chains; thence north 80 chains; and thence west 80 chains to the point of commencement; and containing 640 acres, more or less.

Dated 4th December, 1900.
Located 4th October, 1900.
AMOS WELLS

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, said post being the northeast corner of the corner of G. Lacroix's prospecting claim, and running thence south 80 chains; thence west 80 chains; thence north 80 chains; and thence east 80 chains to the point of commencement; and containing 640 acres, more or less.

Dated 4th December, 1900.
Located 4th October, 1900.
J. J. WELLS.

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, said post being the southwest corner of claim, and identical with the northwest corner of Amos Wells' prospecting claim, and running thence north 80 chains; thence east 80 chains; thence south 80 chains; and thence west 80 chains to the point of commencement; and containing 640 acres, more or less.

Dated 4th December, 1900.
Located 4th October, 1900.
G. LACROIX.

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, near the southeast branch of Telqua River, north of R. H. Hall's prospecting claim, said post being the southeast corner of this claim, and identical with the southwest corner of H. B. Robertson's prospecting claim, and running thence north 80 chains; thence west 80 chains; thence south 80 chains; and thence east 80 chains to the point of commencement; and containing 640 acres, more or less.

Dated 4th December, 1900.
Located 4th October, 1900.
M. BATE, Jr.

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, said post being the southeast corner, and near the southeast branch of Telqua River, north of L. M. Clifford's prospecting claim, running thence north 80 chains; thence east 80 chains; thence south 80 chains; and thence west 80 chains to the point of commencement, and containing 640 acres, more or less.

Dated 4th December, 1900.
Located 1st October, 1900.
H. B. ROBERTSON.

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, said post being the northeast corner of claim, and identical with the northwest post of J. R. Neville-Aveling's prospecting claim, and running thence south 80 chains; thence west 80 chains; thence north 80 chains; and thence east 80 chains to point of commencement; and containing 640 acres more or less.

Dated 4th December, 1900.
Located 4th October, 1900.
J. O GRAHAME.

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, said post being the northwest corner of claim, and identical with the southwest post of Mark Bate' Junior's, prospecting claim, and running thence south 80 chains; thence east 80 chains; thence north 80 chains; and thence west 80 chains to the point of commencement; and containing 640 acres, more or less.

Dated 4th December, 1900.
Located 4th October, 1900.
J. R. NEVILLE-AVELING.

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, said post being the southeast post of claim, and identical with the southwest corner of Mark Bate, Junior's, prospecting claim, and running thence north 80 chains; thence west 80 chains; thence south 80 chains; and thence east 80 chains to the point of commencement; and containing 640 acres, more or less.

Dated 4th December, 1900.
Located 4th October, 1900.
JANE SHEPHERD.

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, said post being the northeast corner and identical with the northeast corner of James Thompson's coal prospecting claim: thence due south 80 chains; thence due east 80 chains; thence due north 80 chains; thence due west 80 chains to the place of commencement, and containing 640 acres more or less.

B. W. POWELL.

NOTICE is hereby given that 30 days after date I intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post, said post being the northeast corner of claim, and identical with the southwest corner of J. O. Grahame's prospecting claim, and running thence south 80 chains; thence west 80 chains; thence north 80 chains; and thence east 80 chains to the point of commencement; and containing 640 acres, more or less.

Dated 4th December, 1900.
Located 5th October, 1900.
F. W. ALEXANDER.
W. J. LARKWORTHY.
J. D. WELLS.

NOTICE is hereby given that 30 days after date we intend to apply to the Chief Commissioner of Lands and Works for a license to prospect for coal on the following described land, situate on Telqua River, in Cassiar District:—Commencing at a post said post being the northwest corner of claim, and identical with the southwest corner of J. O. Grahame's prospecting claim, and running thence south 80 chains; thence west 80 chains; thence north 80 chains; and thence east 80 chains to the point of commencement; and containing 640 acres, more or less.

Dated 4th December, 1900.
Located 5th October, 1900.
F. W. ALEXANDER.
W. J. LARKWORTHY.
J. D. WELLS.

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Resulting From Constipation and Deranged Liver and Kidneys, Dr. Chase's Kidney-Liver Pills Are Remarkably Effective.

Besides having a world-wide reputation as a kidney medicine and liver regulator, Dr. Chase's Kidney-Liver Pills enjoy the distinction of being the most valuable medicine which it is possible to obtain.

In nearly every family there frequently occurs ills and ailments arising from constipation or clogged, inactive liver or kidneys, which, if neglected, may become painful and even fatal. This is the time to use Dr. Chase's Kidney-Liver Pills. They cure the most severe forms of kidney and liver diseases. They also prevent these diseases by keeping the filtering and excretory organs healthy and active.

Instead of weakening the system and deadening the action of these organs, as do salts and other harmful drugs, Dr. Chase's Kidney-Liver Pills tone, invigorate and regulate them, and cure thoroughly and permanently. It is impossible to keep in the house a medicine of greater value to the family than is Dr. Chase's Kidney-Liver Pills. One pill a dose, 25 cents a box, at all dealers, or Edmanson, Bates & Co., Toronto.

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