

TEXT OF JUDGMENT IN MIDWAY-VERNON CASE

The following is the full text of chief justice Hunter's written judgment delivered at Victoria in the matter of the Midway and Vernon railway subsidy...

Having regard to the fact that it is very important to all the parties directly concerned in this undertaking, and to the government, as well as to the residents of the Okanagan valley, through which this road is being constructed, that the matter of this question should be set at rest at once, and also having regard to the fact that the appeal court will be sitting shortly, and that my opinion will be subject to review by that court, and that no doubt having regard to the circumstances of the case that court would permit a speedy appeal, I think it proper to give judgment now.

In the year 1901 the Midway & Vernon Railway company was duly incorporated by an act of the legislature of British Columbia; that act was passed on May 11th of that year. The act provides among other things that the clause in section 3 of the British Columbia Railway Act should apply to the company in the same manner and to the same extent as if the same had been set forth by clause in the act...

In the next year the subsidy act called the Midway and Vernon Railway Aid Act, 1902, was passed; and by section 2, notwithstanding the lapse which had taken place with regard to the former act, that act was to have the force and effect as if it had been re-enacted...

Now, the sole question submitted by his honor the lieutenant governor is the opinion of the court as to whether or not the act was in force on December 7, 1905; in other words, whether the construction of the railway was commenced on or before the 1st of January, 1904.

On December 26th of that year, according to the evidence, Mr. Wood and Mr. Ashcroft proceeded to Vernon. Mr. Ashcroft on the instructions of the syndicate, located some five miles of the line south of Vernon in which work was engaged for some two thousand feet. Part of that work was completed by the syndicate at the first day of January, 1904, and that act shall be null and void.

great deal of construction actually done before that stage arrived. But that is not what the legislature required. All that the legislature required was that the actual construction of the railway should commence on or before that date. It could have been completed by simple means for the legislature, if it had seen fit to require that construction to the value of \$10,000, or whatever sum it chose, should be completed before a particular date in order to secure that a substantial construction should commence. But that is not what the legislature in its wisdom has seen fit to do. It has simply required that the construction should commence on or before that date. And I take it in the case of the largest undertakings such as the Canadian Pacific railway it is not necessary that the work should be done in some insignificant act of turning the first sod.

Now, there has been something said about the matter, by people that had no money. And it was also suggested that it was quite evident from the financial capacity of these people that they were not in a position to carry out the construction of the railway. It is not possible to go on in view of the amount that this road required for its construction. But we must remember in this connection that the railway construction costs huge sums of money, that the only possible way in which railways can be built, and in which they originally are built, is by the aid of the public.

OF INTEREST TO MINERS

Harold Cook, Arrowhead, B.C., writes as follows: "I am sending you a few samples of a mine I have just discovered. If it is please let me know for I am only a boy 10 years old and haven't got any money. We are sorry about it, but we have to give it up to have to disappoint our young correspondents by telling him that his samples are no good. The white rock with black spots in it, is an altered granite, whilst the yellow stained rock is quartz, neither of which will contain any amount of silver. I shall be pleased at all times to answer such enterprising young men as Harold Cook, as well as assist them in every way possible.

A. H. Nelson, B.C., writes as follows: "I am sending you a few samples of a mine I have just discovered. If it is please let me know for I am only a boy 10 years old and haven't got any money. We are sorry about it, but we have to give it up to have to disappoint our young correspondents by telling him that his samples are no good. The white rock with black spots in it, is an altered granite, whilst the yellow stained rock is quartz, neither of which will contain any amount of silver. I shall be pleased at all times to answer such enterprising young men as Harold Cook, as well as assist them in every way possible.

The group of "Rarer Metals" we give an account of this week are similar to copper, arsenic, etc. They are called platinum, rhodium, iridium, and osmium. They are all very rare and of little commercial value. They are all very rare and of little commercial value. They are all very rare and of little commercial value.

Now, there is another point though, that I should like to mention. It is that the act was passed in 1902, and that the construction of the railway was commenced on or before the 1st of January, 1904. It is not possible to go on in view of the amount that this road required for its construction. But we must remember in this connection that the railway construction costs huge sums of money, that the only possible way in which railways can be built, and in which they originally are built, is by the aid of the public.

Now, there is another point though, that I should like to mention. It is that the act was passed in 1902, and that the construction of the railway was commenced on or before the 1st of January, 1904. It is not possible to go on in view of the amount that this road required for its construction. But we must remember in this connection that the railway construction costs huge sums of money, that the only possible way in which railways can be built, and in which they originally are built, is by the aid of the public.

Now, there is another point though, that I should like to mention. It is that the act was passed in 1902, and that the construction of the railway was commenced on or before the 1st of January, 1904. It is not possible to go on in view of the amount that this road required for its construction. But we must remember in this connection that the railway construction costs huge sums of money, that the only possible way in which railways can be built, and in which they originally are built, is by the aid of the public.

Now, there is another point though, that I should like to mention. It is that the act was passed in 1902, and that the construction of the railway was commenced on or before the 1st of January, 1904. It is not possible to go on in view of the amount that this road required for its construction. But we must remember in this connection that the railway construction costs huge sums of money, that the only possible way in which railways can be built, and in which they originally are built, is by the aid of the public.

of these metals. When these are heated, they volatilize at 500 degrees, and the power of carrying off the precious metals with its fumes, often causing great losses, so that special precautions are necessary when treating these ores. The metal even in minute quantities has a very deleterious effect upon copper, and should any get into combination with it, it causes great trouble in removing the same.

Tellurium is found in nature chiefly in combination with bismuth, gold, lead and silver. Occasionally it is found in its native state. Though this metal has been known over a hundred years and is not so very expensive to buy, no known uses have been found for it. It is, therefore, sometimes called the "black sheep" of the metal family.

SELENIUM This metal was first discovered in 1817 by a Swedish chemist who found it present in the fumes dust of the lead chambers of the sulphuric acid works. It gave it its present name after the Greek word for "moon." Like tellurium it is closely allied to sulphur. Occasionally it is found in its free state but more often in combination with other metals, when it forms selenides. The metal can be either a dark reddish brown or a grayish black.

Selenium has been found very useful in electrical apparatus. It is used in the instruments for wireless telegraphy, and also in the photophone, a machine for sending photographs by electricity. It costs from 20 cents to \$1.00 for fifteen grains according as its purity is.

Harold Cook, Arrowhead, B.C., writes as follows: "I am sending you a few samples of a mine I have just discovered. If it is please let me know for I am only a boy 10 years old and haven't got any money. We are sorry about it, but we have to give it up to have to disappoint our young correspondents by telling him that his samples are no good. The white rock with black spots in it, is an altered granite, whilst the yellow stained rock is quartz, neither of which will contain any amount of silver. I shall be pleased at all times to answer such enterprising young men as Harold Cook, as well as assist them in every way possible.

A. H. Nelson, B.C., writes as follows: "I am sending you a few samples of a mine I have just discovered. If it is please let me know for I am only a boy 10 years old and haven't got any money. We are sorry about it, but we have to give it up to have to disappoint our young correspondents by telling him that his samples are no good. The white rock with black spots in it, is an altered granite, whilst the yellow stained rock is quartz, neither of which will contain any amount of silver. I shall be pleased at all times to answer such enterprising young men as Harold Cook, as well as assist them in every way possible.

The group of "Rarer Metals" we give an account of this week are similar to copper, arsenic, etc. They are called platinum, rhodium, iridium, and osmium. They are all very rare and of little commercial value. They are all very rare and of little commercial value. They are all very rare and of little commercial value.

Now, there is another point though, that I should like to mention. It is that the act was passed in 1902, and that the construction of the railway was commenced on or before the 1st of January, 1904. It is not possible to go on in view of the amount that this road required for its construction. But we must remember in this connection that the railway construction costs huge sums of money, that the only possible way in which railways can be built, and in which they originally are built, is by the aid of the public.

Now, there is another point though, that I should like to mention. It is that the act was passed in 1902, and that the construction of the railway was commenced on or before the 1st of January, 1904. It is not possible to go on in view of the amount that this road required for its construction. But we must remember in this connection that the railway construction costs huge sums of money, that the only possible way in which railways can be built, and in which they originally are built, is by the aid of the public.

Now, there is another point though, that I should like to mention. It is that the act was passed in 1902, and that the construction of the railway was commenced on or before the 1st of January, 1904. It is not possible to go on in view of the amount that this road required for its construction. But we must remember in this connection that the railway construction costs huge sums of money, that the only possible way in which railways can be built, and in which they originally are built, is by the aid of the public.

change of traffic between the existing telephone companies; and, thirdly, to provide for direct oral communication. It is intended to provide that between two telephone companies, subject of course to conditions to be fixed by the board of Railway Commissioners. The equipment of telephone companies seeking to obtain this privilege of direct oral communication with another company must be up to such a standard as will give effective communication, and not be a nuisance for one company to listen to the other. It is intended to provide that as an essential requisite under modern conditions, as necessary almost as water and light. That is my view of it. When we are making provision for an effective control over private telephone companies we can have, consistent with private ownership, I think myself, that private ownership with sufficient government control is the ideal system."

SHIPMENTS INCREASING

The first quarter of 1906 shows the enormous total of 28,072 tons of ore produced in the districts of Kootenay and Yale, which is at the rate of 1,700,000 tons per year. That this rate will be maintained more than likely and indeed the probability is that it will be exceeded. It is estimated that a total tonnage of 2,000,000 tons will be nearly reached. At present there are about 100,000 tons of ore being shipped at a list of which, with the exception of a few items, are as follows: The total tonnage of ore shipped over the whole district at Pilot Bay and Frank, which is not given, however, only 37 shipped during the past month. This is a very large increase over the tonnage shipped during the past month, and is due to the melting of the snow. This tonnage has exceeded for the past month, and is due to the melting of the snow. This tonnage has exceeded for the past month, and is due to the melting of the snow.

The minimum prices during 1906, to date have been: For January \$16.50; for February \$16.50; for March \$16.50; for April \$16.50. The price of ore has advanced since then, the highest being \$18.00 per ton. The price of ore has advanced since then, the highest being \$18.00 per ton. The price of ore has advanced since then, the highest being \$18.00 per ton.

Table with columns: Mine, Ore, Lead, Silver, etc. Lists various mines and their production statistics.

Declarer Hugh County Loan Case to be heard by the court. The case involves the return of the loan case to the court. The case involves the return of the loan case to the court. The case involves the return of the loan case to the court.

ACRIMONIOUS DEBATE. Premier Scott Tells Why Haultain Was Passed Over. Reginald, April 6.—Premier Scott's acrimonious speech in the debate on the address today and enlivened proceedings with an explanation of why Haultain was passed over. The speech was acrimonious and enlivened proceedings with an explanation of why Haultain was passed over.

Table with columns: Mine, Ore, Lead, Silver, etc. Lists various mines and their production statistics.

Run into an Open Switch and is Totally Destroyed. Norfolk, Va., April 4.—A wreck occurred between Norfolk and Norfolk today, when the Cannon Ball train, bound from Boston, was run into an open switch and was totally destroyed. The wreck occurred between Norfolk and Norfolk today, when the Cannon Ball train, bound from Boston, was run into an open switch and was totally destroyed.

TO AMEND RAILWAY ACT FOR GOVERNMENT CONTROL OF TELEPHONE COMPANIES. MINISTER OF RAILWAYS' BILL IN PARLIAMENT. Last week in parliament Hon. Mr. Emmerson made a lengthy explanation in introducing the bill to amend the railway act, 1902. The majority of the sections, he said, were designed to correct little difficulties in the administration of the railway act, but the most important changes had reference to controlling the telephone companies. Later sections would be found to correct what must be recognized as a grievance in connection with the telephone companies. The bill did not go as far as some would expect, but at any rate it would be a distinct advancement. Without intending to prejudice the bill, he said all other interests would be found to be preserved. The first section of the bill gave leave to the supreme court on the question of jurisdiction. The second section permits acceptance of evidence in the form of affidavits of declarations where a witness is not content to appear in person. Section four permits directors of railways to declare dividends, which is now done in practice, but is not legal. Section four also gives the minister power to accept route maps of railways in sections instead of for the whole line. The board is given authority by another section to provide for uniformity in construction of rolling stock by a