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A common furnace may cost you \$5 or \$10 less than a Sunshine," but if it eats this up the first winter in extra fuel, what do you gain? Nothing, but all the annoyance and extra work that go with a poor furnace.

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M^cClary's

LONDON, TORONTO, MONTREAL, WINNIPEG, VANCOUVER, ST. JOHN, HAMILTON.

The Wood-Vallance Hardware Co., Sole Agents

UNDER FALSE PRETENCE

SURPLUS OBTAINED BY ISSUE OF WORTHLESS LICENSES

block 4593, southeast Kootenay, and filing applications for certain lands there, they were skating on very thin ice and that when the fragile foundation gave 'way the government and those who reposed confidence in them would be sub merged. Our position was strengthened by the opinion of sir Hibbert Tupner who pointed out the irregularity and impolicy, if not the dishonesty, of adoptnad previously applied and run the chance of fighting for the properties in the courts. Perhaps it would be an exaggeration to say that fifty applications have been filed on one claim: but it is ing a system that would permit all aphave been filed on one claim; but it is a notorious fact that some of the claims are as thickly plastered with location notices as European tourists' baggage with the labels of the different hotels at which they stopped when "doing the continent." The warning was unheeded. The government wanted money. The province's proportion from the dominion tax of \$100 collected from each nigtail hal fallen entirely off, and Mr. Tatlow was anxious to present a surplus; so it was deceided to issue licenses and file applications over and It may have been unintentional; but it was a remarkable coincidence that the pigtail tax and the southeast Vocation prospecting license, were the same in amount. The itching palm of the minister of finance was soon filled with substantial results. Some 500 licenses were issued and the revenue was enriched by about \$50,000. From this sum a surplus and lock up the lands

legally and under a false pretence. Every person who filed on the land was told that he would have a chance to hold the government agent said; "we do not promise that Tom, Dick and Harry will get the claims. All we can say is that SOUTHEAST KOOTENAY COAL AND
OIL LAND SCANDAL.

(From the Vancouver World.

So long ago as June 17, 1904, The World warned the provincial government that is issuing licenses to prospectors for coal and petroleum lands in block 4532 southeast Kootenay and file and honorable course for the government. and honorable course for the government was to have refused to receive an ment was to have refused to receive an application for land that had been previously filed upon? Instead of discouraging the jumping of claims they have encouraged it. Instead of preventing confusion and ill feeling they have thrown petroleum on the flam caused a heartburning in the caused a heartburning in the public mind that will not be quenched for a long time. If a man pre-empts a tract of land he has to show that the same Why was the same policy not pursued in the case of the southeast Kootenay lands? Why were application after application received and filed with the inevitable result of never-ending law-suits and a disputed ownership which will retard progress and development and cause the very name of Kootenay oil lands to become a stench in the nos-trils of every fair-minded man. The de-cision of the full court in the suit of Leckie vs. Watt, et al, on appeal ex-poses the action of the government in all its deformity and shows that the policy tion for the possession of the coal and oil lands of southeast Kootenay. The government is richer by \$50,000, some one will say. But is it richer by that about \$50,000. From this sum a surplus was declared. "In spite of the failure of the Chinese head tax we are able to show a fair surplus," quoth the minister in presenting his budget. Fifty thousand dollars, to not more than one-tenth of which the contraction of the contraction the in presenting his state than one-thousand dollars, to not more than one-tenth of which the government had a legitimate claim, has been received il- the mining claims now being worked

were enjoined, would not the country be the sufferer to a disastrous extent? And if the opening of the mineral, coal and oil wealth of Kootenay is to be retarded, it were better that Mr. Tatlow never had it in his power to announce a sur-plus in spite of the failure of the Chin-

KIRMESS ALL ARRANGED

PLANS FOR THREE DAYS CARNIVAL IN AID OF LIBRARY

ATTRACTIONS TO INCLUDE BANG-ERS' REVIEW BY LORD AYLMER

Arrangements for holding of Kirmess are now in progress and will be continued without intermission until the big event takes place. Although the first of the three days of cannival will be Wednesday, June 20, there will be plenty to occupy the time of the promoters, and of all taking part, during the four weeks intervening between now and them.

The organization meeting was well attended and plans are already clearly defined. There will be 12 booths in the agricultural hall, each designed and decorated to represent a different nation, and presided over by ladies and girls in costumes appropriate to their assuméd nationalities.

Deasy of the city fire department, has promised to aid in organizing a parade for one day.

It is probable that a smlittary parade for one day.

It is probable that a smlittary parade will be one of the attractions. The date for the damual insepection of No. 2 company R.M.R., will coincide probably with the data day of Kirmess. The inspecting officer this year will be general lord Aymen, inspector general of the Canadian forces. The old review ground east of the tramway park is no longer available and captain Forin has promised to use his influence to have the inspection take place in the recreation grounds.

A three days carnival in midsummer is a very ambitious undertaking even for the enterprising laddes of the library board. But it is safe to say that Nelson will be there all the time and that there will not be a duli moment.

If the affair prove as successful financially as it will deserve, and as it will decidely as it will deserve and as its promoters confidently expect he Nelson public library will be free from pecuniary embarrassment and will be in a position to really supply the wants of its many patrons for at least the remainder of the ourrent year.

B. C. FRUIT INDUSTRY

(Winnipeg Commercial)

There is a decided increase in the interest that outsiders are telking in British Columbia äs a fruit growing country, and a great movement is taking place there in that connection. The land is being bought very rapidly in the fruit growing districts. Places that a year or two ago were thought to be only suitable for mining are proving to be very valuable orchards. A visitor to Nelson recently said that the matter that impressed frim most that the interest taken by the people of that mining town in fruit gardens. This industry has proven itself to be most profitable to the grower. The wonderful freightly of the soil, combined with the midness of the climate, produces a perfect conditions which insures wonderful grows. The mornous territory to the east provides a market for every pound of fruit that can be raised at a market provides a provides a market for every pound of fruit that can be raised at a market price far greater than received by any other fruit growing country in America. At the present time this market is being supplied by Ontario. Washington and Oregon. The distance and time saved in transportation from the east and duty from the south gives this locality a great advantage. The Kootenay valley is what they call in British Columbia Moist valley. Irrigation is not required. In the first place there is sufficient rainfail and at the same time the sepage from the mountains, which begin at the immediate back of the lake shore, is sufficient to provide moisture for the trees in the latter part of the summer monais. The snow meiting during the summer gives source of several creeks which are utilized for household purposes. The meteorological record shows the duration of hright sunsidies is not exceeded by any other locality. The winters are mild and it is only in occasional years that the thermometer reaches the zero mark. The fact that the steamers make daily trips throughout the year is sufficient evidence of the mildness of the climate.

MINING RECORDS. Four locations, three certificates of

Four locations, three certificates of assessment work and three transfers, were recorded in the Nelson mining office on May 20.

John Waldbeser recorded the Crescent, on the south slope of Iron mountain, adjoining the Jersey, located May

Alex. McMillan recorded the White Elephant, on Sheep creek, four and a half miles from Salmo and opposite Deer creek, located May 11.

R. Henderson and J. A. Sullivan recorded the Copper Cliff, two and a half miles from Kitchener, adjoining the Silver Hill, located May 14.

Duck mountain, eight miles east of Kit-chener, located May 14. Certificates of work were issued Alice Linklater on the Alexandra and Edna, and to A. Marchessault, agent for

M. J. McPeak recorded the Violet of

he recorded owner, on the Annie.

Napoleon Gagnon, of Salmo, gave to
Dollard Barsalon, of Salmo, an option to ase the Joint and Double Joint for purchase the Joint and Double Joint for 19000. The agreement calls for active development at once.

M. J. McPeak, of Sirdar, transferred the Violet to J. A. Tiyo, of Sirdar, con-

ideration nominal.

William Kennedy, of Salmo, trans ferred the Resurrection to W. Cloffey, of Salmo, for nominal consideration.

TRAIL LEAD RECEIPTS

The lead ore receipts at the Trail Smelter

The lead ore receipts at the Trail smelter, openated by the Consolidated Mining & Smelting company of Canada, Limited, for the month of April are appended in detail, given in pounds.

Mine Aurora

9,045 47,851 36,892 345,314 674 22,883 7,088 673 1,721,656

SUIT TO CANCEL CERTIFICATE OF IMPROVEMENTS

COMPLICATED LUMBER ACTION FROM ARROWHEAD.

On Mr. MacNeill's application John M. Smith was struck out as a party plaintiff, being liable for the defendants costs of action up to the trial.

The next action was that of Patrick Daly, William Coffy, J. Hughes and Jno. Ryan vs. John M. Smith; S. S. Taylor, K.C., for the plaintiffs, and A. H. MacNeill, K. C., for the defendant. This action, counsel for plaintiff claimed, turned on the previous one and the plaintiffs having succeeded as defendants in the previous action were entitled ants in the previous action were entitled to judgment as claimed in this. The plaintiffs' claimed (1) to adverse the application for certificate of improvements of the defendant as to the Edna Frac-tional claim, (2) for a declaration that tional claim, (2) for a declaration that the Edna and Kitten claims are invalid and non existing claims; (3) that the defendant is a trespasser upon the Yu-kon Fractional mineral claim; (4) for a declaration that the paintiffs are the owners of that part of the Edna and Kitten claims covered by the Yukon mineral claim. Judgment for the plain-tiffs was finally given with costs. tiffs was finally given, with costs.

The two actions above disposed of are more important than appears on the

fact of the proceedings.

It was stated yesterday that only one previous action seeking to cancel a cer-

plaintiff failed to prove fraud the certificate of improvement, and incidentally also the certificates of work issued, were upheld.

Mr. MacNeill contended that when a crown grant was applied for, under the terms of the act work done upon one mineral claim could not be applied upon another claim and he will obtain the opinion of the full court on the matter.

The next action tried was Frank S. Burr and Burr and Bush, plaintiffs, and the Arrowhead Lumber company, limited, and the Arrowhead Lumber company, limited, and testament if William R. Beatty, and W. W. Armstrong, executors of the last will and testament if William R. Beatty, deceased, and John H. Bush, defending for the plainiffs and W. A. Macdonald, K. C. and with him F. C. Elliott, of Trout Lake, appeared for the plainiffs and W. A. Macdonald, K. C. and with him G. S. McCarter, of Revelstoke, for the defendants, other than the defendant Bush, who was not represented.

The action is rather a complicated one.

represented.

The action is rather a complicated one but briefly the facts involved and the claims made are as follows: Burr and graims made are as follows: Burr and
Bush were in partnershop and entered
into a verbal agreement subsequently reduced to writing, with the Arrowhead
Lumber company, to do logging and stream driving operations on the Sal-mon river. The written agreement was dated October 31, 1904. On November 11,

dated October 31, 1904. On November 11, 1904, pursuant to this written agreement and as security for their due performance of it, as well as for advances made them by the company for the purpose of carrying on their work, Burr and Bush executed a chattel mortgage on all their logging pent and supplies. On December 6, 1904, the company, claiming default under the terms of the chattel mortgage made a seizure of all the goods and chattels contained thereof the judicial function.

PASS FOOTBALL

chattel mortgage made a selzure of all the goods and chattels contained therein.

The plaintiffs say the selzure was wrongful and without color of right, and in any event in excess of the amount claimed to be due. The plaintiffs claim \$440 for logs taken, \$3128 for goods seized, \$11,325 for special damages and \$1000 for general damages, in all \$15,893. The plaintiffs ask that an account of all the dealings be taken, that a receiver be (Special Correspondence)

Coal Creek, May 21—The local footballers defeated the Michel players in a well contested match player here last Saturday by a score of 3 to E. The match was played under the auspices of the Crow's Nest Pass Reague. Coal Creek players were winners in the league last year and have a good team this year. The Miche players are also making an excellent showing this year, having already defeated Frank and Fernie, so that the game played here on Saturday groused a great deal of interest.

Carnefac Stock Food BEST BEST

OMERLICATED LIMBER ACTION
FROM ARROWHEAD.

(From Thursdays Dally)
At the assize systerings the civil action of the attorney general, vs. Daly and of the assize yet of the plaintiff claim, put in a counter claim and the plaintiffs claim, put in a counter claim and the plaintiffs claim of the attorney general, vs. Daly and of the attorney general, vs. Daly and of the attorney general, vs. Daly and the put of the feedman applied for a non- and Mr. Theylor of the feedman applied for a non- and the put of the feedman applied for a position of the ground that the plaintiffs to carry out the original and the plaintiffs to carry out the original and the plaintiffs to carry out the original proving from the ground that the plaintiffs to carry out the original and the plaintiffs to carry out the original proving from the ground that the plaintiffs contention that they had lived up to their end of the contract and that the cortificate of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the cortificates of work could be gone to the plaintiff of the stand at the foot of a high glacier that stretches away smooth as glass for about three miles, and all around you are the towering peaks of the mountains for you stand in the heart of the Selkirks. Words fall to give any conception of the grandeur of the surrounding scenery visible for many miles in all directions at the top of the divide. The drop down into the Winderemere country reveals many beautiful bits of scenery totally unlike that which one passes through coming up from this side. I think the trip from here to Wilmer could be made pleasantly in about four days. But if several parties were to make the journey in a season the arrangements for

MAHONEY GIVEN A CHANCE

several parties were to make the journey in a season the arrangements for guides, camping, etc., could be made very complete. The tourist hunting for scenery and just enough "roughing it" to make it pleasurable, who takes this trip will never regret it. I hope to see the trip properly written up by your 20 000 club

Decision of Judge Wilson In Cranbrool

Decision of Judge Wilson In Cranbrook
Stealing Case Warmly Approved.

(Special to The Dally News)
Cranbrook, May 23.—Denis Mahoney,
torney general vs. Dunlop, known to
mining men at the Pack Train case and
decided by Mr. justice Martin on August
15, 1900. In the action of attorney general vs. Daily, disposed of yesterday it
was claimed that in issuing the certificate of improvements for the Yukon
mineral claim the terms and conditions
of the mineral act had not been complied with in their entirety, but as the
plaintiff failed to prove fraud the certificate of improvement, and incidentificate of improvement, and incidentificate of improvement, and incidentally also the certificates of work is-

C.P.R. at Montreal. He lost his wife and child and since then had, most unhappily, given way to the drink habit. Indulgence in drink was his one besetting sin. Under the circumstances he enlarged Mahoney on suspended sentence, with a very strong warning that if he was in future found guilty of drinking he would be brought before his honor for sentence and dealt with in the severest possible manner, and sent to the penitentiary for years.

The universal opinion in that the sentence is an eminently sensible and just one. It gives the public confidence in the administration of the law, at the

in the administration of the law, at the hands of a judge who can exercise his common sense and knowledge of human nature without a shadow of the hyster-ics some times brought to the discharge of the judicial function

Coal Creek Pig Skin Chasers Defeat Michely Score of 3 to 2

A. H. Wallace, son of J. H. W. has returned from Toronto where ho completed his second year in the m department of Toronto university.

likely take hold of in the course of a few weeks.

Frank Phillips, president of the Western Pederation of Miners in B.C., is not going to attend the annual covention of the Federation which will open at Denver next Monday, Mr. Phillips and some of the other detegates who ordinarily would go to the convention will donate the funds which would pay their expenses to the defence fund for Mayer, Haywood and Pettibone, whose trial for the munder of former governor Steunenberg will come up at Caldwell next month. Ernest Mills, representing the province on the W.F.M. executive and some delegates from the Boundary and East Kootenay will attend the convention.

convention.

The provincial police are pussled over the disappearance of a painter named L. Melstraff, an Icelander, who has been missing since last Saturday. The man was engaged as a painter on the C.P.R. steamer Kuskanook up to May 19 when he left off work, complaining of feeling ill and started from the shippurds to consult steamer Kuskanook up to May Is the left off work, complaining of feeling ill and started from the shipyards to consult Dr. G. A. B. Hall. He never reached the doctor and has not been heare of since. He did not get his time when he quitwork and has not asked for his wages since. The police authorities will be glad to get some work of him

NEW GENERAL MANAGER

There has been a rumor for the past few days that a change was pending in the management of the Canadian Metal Company, limited. C. Fernau was seen yesterday by a reporter of The Daily News, and asked to affirm or deny the reported change referred to.

"Yes," replied Mr. Fernau, "I am no longer the general manager of the Can-

ROYAL CROWN

LAND NOTICES

NOTICE is hereby given that 60 days after date I intend to apply to the Hon, the Chief Commissioner of Lands and Works for permission to purchase the folowing described lands, situate in the West Kootenay District: Starting from a post marked "Harry Theodore Tilley's Southeast Post," about three miles east of Der Park, on Arrow lakes; thence 40 chains west; thence 80 chains morth; thence 40 chains east; thence 80 chains south to point of commencement, containing about 300 acres.

HARRY THEODORE TILLEY,

Sixty days after date I intend to apply to the Chief Commissioner of Lands and Works, Victoria, to purchase 160 acrès of land commencing at a post marked "D.D. M. S.E. Corner," planted on the west side of Lower Arrow take, at the northeast corner of Lot 2719, and running west 40 chains; thence north 40 chains; thence saist 40 chains; thence south along the lake shore to place of beginning.

D. M. MACDONALD.

Located May 28, 1906.

Located May 28, 1906.

Sixty days after date I intend to apply to the Chief Commissioner of Lands and Works, Victoria, to purchase 100 acres of land commencing at a post planted on the east side of Lower Afrow Lake, about 6 1-2 miles above F. Q. Fauquier's ranch and marked "J.H.W. N.W. Corner," thence south 40 chains; thence east 40 chains more or less to Porter's pre-emption line; thence north 40 chains more or less to the lake shore; thence west along the shore to point of beginning.

J. H. WALLACE,
J. E. ANNABLE, Agent.

Located May 28, 1906.

Sixty drays after date I intend to apply to the Chief Commissioner of Lands and Works, Victoria, to purchase 80 acres of land commencing at a post planted on the west side of Lower Arrow lake, about one mile south of the lower Narrows, thence morth 20 chains; thence west 40 chains; thence south 20 chains, more or less, to the lake shore, thence east along the lake shore to place of beginning.

HANNAH ANNABLE, Agent, Located May 23, 1906.

adian Metal company. My position of general manager has been filled by the directors by the appointment of Edward Riondel, of Lille, France, who has been in the city for the last couple of weeks looking over the affairs of the company. I am now only retained as consulting engineer."

One certificate of work, four locations, and three transfers were recorded in the Nelson mining office on May 23.

James A. Tiyo of Sirdar, has bonded the mineral claims Mayflower and Violet to Net McLennan of this city. The bond is for \$30,000 and calls for continuous work on the properties until December 1 next. Mr. Tiyo has developed these claims extensively and now has a considerable quantity of shipping ore in sight. The ore is gold copper and values average high. Shipments will be commenced at an early date Mr. Tiyo has other claims in the same vicinity which an American syndicate win likely take hold of in the course of a few weeks.

Wilson.

The locations are all on the Pend of Oreille river, about 20 miles above. Wanets, and were all made on May 18.

They are: the Iron Link, by T. R.

French; the Iron Mask by Issac Erickson; the Iron Horse, by A. C. Caldwell, and the Iron Crown, by C. I. Caldwell.

Pete Peterson, of Ymir, transferred to John Youngbery of Ymir, a quarter interest in his placer lease, on condition that the transferce shall make half the payments due. Wilson.
The locations are all on the Pend!

the payments due.

Third interests in the Silver Crest and:
Silver Queen, situated on the south fork:
of the Salmon river, were transferred by
May and John Waldbeser respectively to
C. E. Wilson, the consideration in each case being nominal.

BONDED THE GLOUSTER

Dominion Copper Company Will Develop Property—Work on Diamond Hitch (Special to The Dally News) Grand Forks, May 25—Papers were signed today for the bonding of the Glouster group of copper properties in Camp to the Dominion Copper and while the exact amount of the bond will be terms of the bond actual development work will start immediately and be kept up continuously going until the bond is tifted. Cash payments are to be made at stated intervals during the life of the bond. The Glouster properties are owned by Tom Newby, Lee Mercer and Howard Charnett. This new owners will spage metither time nor money to make the Glouster property a shipping mine at an early date.

It is expected that the Diamond Hitch month, morking the content of the property as shipping mine at an early date.

date.

It is expected that the Diamond Hitch property will be added to the list of working properties this spring preparatory to enipping this fall. The Diamond Hitch is an exceptionally promising property having an immense showing of iron ore, showing good copper values. The property lies on Pathfinder mounts in and is owned by a stock company of residents of this place. DEATH OF A USEFUL MAN Providence, May 25—Francis W. Kenny, inventor of the first base burning coal stove and many other appliancesp for plumbers and hardware workers, is dead at his home in this city of old age.

VOL. 5

Sentence Passed Up of Train Robber Mr. Justice Irv

Coloquhoun Escapes With Year Term -Second Jury Four (Special to The Daily N

Kamloops, June 1.—Edwa Dunn will spend the remaind behind prison bars. may some day be a free mar tence being limited to twenty-Thus ended the second tr men accused of holding up express near Ducks and re nail bags. Very little fresh evidence

at the second trial, and by night session all the testimor shortly before 11 this mornin The addresses were complete jury retired by 4.00. After a absence they returned, present dict of guilty against all the In reply to the usual question bench, the prisoners replied had nothing to say and Mr. it

of this court is that you wards, be confined in the you, C wards, be confined in the you, Louis Colquboun, for

SHIPPING DISASTER AV

Away—Stop Gate Rose in its Montreal, June 1—By mere chan ping disaster, such as never bet Montreal, was averted yesterday in the carrying away of look Black's bridge, by the steamer an upper lake carrier. The strered the look from the harbor, to continue up stream, but we such headway that she collided upper gates of the look, carry away. The force of 15 feet of wo of which was the immense we extending from Black's bridge neur street, a distance of half began to rush out, when almos ately a stop gate, lying at the the canal in front of the look, we ately a stop gate, lying at the
the canal in front of the lock, w
up automatically by the force of
and prevented a loss of shippi
canal that superintendent O'B:
mated at a million dollars.
Hundreds of ancient and de
man bones have been unearthed
men excavating the foundation
new Royal bank building on i
street. The bones have evides
ouried for over half a century as
ready to crumble under the touch
splintered and smashed in all
by picks of the excavators. It is
they were relics of some long
indian fight.

APPEAL TO AUSTRAL

London, June 1—Eighty-six rad bers of the house of commons sued an appeal to the Australia not to support the fiscal prefere pending Commonwealth electic statement says that the questic erence was defeated by the n whelming majority in the history British elections, not because of good will, but because it meant food with no colonial return to c this tax. The appeal is therefor the interest of British workmen

PROGRESS ON BIG TUN PROGRESS ON BIG TUN Midway. June 1—Information town this week from the tun miles west of here is that it was see daylight through it some week. There are, however, so heavy rock cuts yet to complete expected these will be so far ad the time steel reaches those points that no serious delay is a It is expected that laying of ste gin about the second or third June. During the past week is littles of ties, bridge timbers and other materials have been arriv yard, which now presents a ver appearance. It is expected the will cover about a mile a day pieted grade until the first long reached, at which point a delagocasioned while the structure built, it being the intention to bridges and trestles as the steel wances.

MONSTER VESSELS BUIL London, June 1—The two ne ners, which are being built \$10,000,000 lent by the government ther will be launched next m

will be named the Mauritania ar itania, and will be the largest world has ever seen.
Each vessel will have a groof 33,200 tons, while they are 60, than any other vessel affoat. Teet in beam and in this respo feet in beam and in this resp first to surpass the Great Eas