## SURPRISED **ATTORNEYS**

#### Interesting Incident in Yesterday's Work of Securing a Jury.

Boise Architect, Who Has Qualified Objections to Capital Punishment, Is Passed for Cause by Both Sides.

- THE THE

(Special to The Daily News) Boise, May 25-The most interes ing feature of the long struggle to secure a jury in the Haywood murder case occurred today. A man who dec ared himself op-posed to capital punishment but qualified the statement by saying that he would favor it in the event of war or if the case arose in connection with the work of a organization seeking to destroy society. rie did not believe in anarchists and would be willing to hang one of them if he had committed a murder in pursuit of the

plans of the organization.
This man was J. E. Tourtlote, a Boise architect. When first examined by the state Tourtlotte declared that he was strictly and conscientiously opposed to capital punishment as a general proposition. He could think of only two instances where he could vote to hang a man. He said that if a man was convicted of has ing been a member of an organization which had menaced society, an organization which had committed depredations and had taken lives, as he expressed it, "by the wholesale, like anarchists," he believed he should be hanged and the quicker the better. He also said in war if a man was found guilty of being a rebei-a traitor to the cause in which he was enlisted—the death penalty would be none too severe. He said he had an opinion regarding the guilt or innocence of the accused but not an opinion that he would

pe willing to render a verdict upon.

There was some surprise when Borah calmly announced the state would pass the man for cause, but apparently no one was more surprised than Mr. Darrew. He looked up quickly, appeared to gasp for oreath, ganced at the juror and then at Borah. The two attorneys smiled as their

eyes met.
"You pass this man for cause?" asked

Darrow wonderingly, replied Borah.

Mr. Darrow at once began questioning the man regarding his prejudice to capithe man regarding his prejudice to capiall punishment and the repiles were the
same as had been made to Borah. In
swering another question Touritotte repiled: "But I am absolutely opposed to
e death penalty except in such instances
is I have described,"
"That looks go d to our side of the case"

"We are sa isfied with you all right on that matter but now I am asking you her ways as well as in that particular." Darrow asked: "Have you thought in our mind that this defendant may belong o such an organization as you have said came under your exceptions—an organization which has menaced society, as you

"I had not thought of it," replied Tourtotte, "until you spoke of it, but now I can

see how he might be."

Tourtlotte was very speedly passed for cause by the defense. After the noon recess and just before court convened he asked for permission to address the court. He stated to judge Wood that he had honey the matter over certifilly and had thought the matter over carefully and had come to the conclusion that he could not possibly sit on the jury because he was against capital punishment. The court put the matter up to the attorneys. Those of the defense said they were perfectly satisfied. After an obje Borah was asked to ask Tourtrotte a few questions to be certain he had not m prehended his position regarding his will ingness to vote the death of a person, a member of an organization which me-naced society, etc. He was satisfied apparently with Tourtlotte's answers, which were just the same as had been given in the foregoing and he announced that the prosecution was satisfied to keep the jur-

or in the box. court refused to excuse him. The Idaho law provides that a man shall not be required to serve on a fury in a capital case if he has conscientious scrup-les against capital punishment. It is thought Tourtlot e may invoke that law before the jury is finally sworn and that the judge will be obliged to excuse him but on the other hand he has made the exception which, as will be claimed by the state, applies in this oase.

Better progress was made today, three recemptory challenges being accepted. There remain two peremptories for each side and there are 13 men remaining in the last ranel. It is probable these will be exhausted on Monday when another venire will have to be issued.

Boise, Idaho, May 27 .- After getting one more juror today in the Haywood the panel was exhausted and special venire for 61 more men was is sued by the court, which then adjourne

until Friday morning. days to get the needed men. Thursday, Memorial day, is a hollday, and therefore court adjourned over until the date

.udge Wood remarked as he an: nonneed the adjournment that the jury would be filled during Friday and Saturiay or the panel exhausted, thereby implying that he would keep them at work early and late to push the matter to a conclusion. There remains one peremotors challenge for the state and

of the judge to his case, saying he could

would attend to the matter at the next session of the court.

It is understood that the juror is exempt from duty on his conscientious scruples against capital punishment, unless disqualification of his statement makes him eligible. It is thought that judge Wood intends to look the matter to the purchase the statement of the constant of the statement of the constant of the statement of the stat ip thoroughly before court meets again Tourtlotte should be excused there would be five more men to qualify, pro-vided the three remaining peremptories

be exercised.

There is one seat vacant noy on the state's peremptory challenge of Henry Curtis today.

The circumstances leave the date of

the completion of the jury in doubt. It may be accomplished by Saturday night and clear the way for the actual action and clear the way for the actual action of the trial on Monday morning, and then again the jury may not be com-pleted until some time next week. pieted until some time next week.

During the examination of Harmon
Cox today to fill the seat vacated by the
last peremptory challenge Saturday,
there was a remarkable sparring match

between Darrow and Borah.

Darrow sought to get the juror 'o admit that he was prejudiced or otherwise disqualified, but failed. For an hour and a half he kept up a running fire of questions. Borah took exception to the methods pursued, and there was constant fearing that interested the to the methods pursued, and there was constant fencing that interested the crowd in the court room. Borah was smiling and composed, while Darrow was rather flustered and apparently anxious. It was plain he wished to get off without a peremptory challenge, and he often drove well over the lines in his questioning. Borah intervening on his questioning, Borah intervening on

each such occasion. The juror was finally passed for cause. Before court adjourned, Mr. Richardson, for the defense, called atention to the fact that only one member of a labor union had so far been brought in by the sheriff. He said there were probaby 5000 persons in the country qualified for jury duty. Of these less than 60 were bankers, but there had been eight bankers on the paner and only one member of a union, though there were 1200 union men in line in the list labor day parade. Richardson thought the sheriff had not summoned the furors from the "body" of the country

dence in sheriff Hodgin and was sat-isfled he would discharge his duty pro-

casting reflections upon the sheriff. When ber to be called was under consideration Richardson said they had been unlucky with the even numbers and suggested that it be made uneven. The court said he was a little superstitious himself and would make the number 61.

#### HAS EARNED PROMOTION

SUPT. LAWRENCE'S TRANSFER TO NEW DIVISION HAS WITNESSED CREAT CHANGES IN KOOTENAY

James S. Lawrence, who has just been appointed superintendent of a new C.P.R. division which has been created on the main line, with headquarters at Medicine Hat, extending from Swift Current to Calgary, on the main line, the Lethbridge section from Dunmore Junction to Macleod, and the Macleod branch from Macleod to Calgary, in all some 575 miles, came to British Columbia from Toronto in 1886 to take the position of train dispatcher at North Bend, and afterwards at Kamloops, and from the latter point was transferred to Nakusp as trainmaster of the Nakusp and Slocan railway. Later he was made trainmaster of the Boundary section at Smelter Junction, and when the bridge was built across the Columbia river and the sections in the Kootenay dis-

trict consolidated, was appointed to the position of superintendent at Nelson, At the time Mr. Lawrence came to Nakusp the only railways in this dis-trict were those from Nakusp to Three Forks and Nelson to Robson, in all 63 miles, and there were required to handle the business at that time two train crews, one on each branch. At the present time there are 304 miles of main line track in this district, and it requires some 40 locomotives to handle the business; so that it may be stated that Mr. Lawrence has been connected with the development of the Rootenay

istrict since its inception. Since the time he has been superin tendent, some three years, all the smelt-ers and mines in the district have more than doubled their output, and he now predicts that with the difficulty in the Crow's Nest Pass settled, the output from now on will be far in excess of mything in the history of the district.
While Mr. Lawrence regrets his departure from the district, with the development of which he has been associated for so long, he feels that he canno decline promotion when offered, and will always have the most kindly feel ings for his many friends here and will take much pleasure in watching

Mr. Lawrence leaves for Medicine Ha

orrow morning.

At the mining recorder's office on May 28, certificates of work were issued to W. J. Murphy on Buoabeck, to Henry Reichert wa'ta Walla and Victor: to John B Baxter on Plata Verde, and to J. P. Swedberg on Palender. S. Pigeon recorded the location of the Eldorado on Wid Horse creek. An option was granted by John Waldbeser, R. Hunnex and E. W. Wilson to F. C. Farnham on the Emerald frac tion, Standard fraction, and Gold Standard near Erie; consideration \$15,000, payable \$1000 on May 25; \$7000 on June 25, and \$7000 on July 25. F. C. Farnham, later, for valuable consideration assigned the option to R. A. Huichinson of Spokane.

preprinted two for the defense. It is altogether probable that juror Tourdotte, who was the cause of such a remarkable situation on Saturday, will also get off.

Today he twice called the attention of the index for his case saving he could Local real estate continues active and

V. A.

### not take the path. The judge said he week'S ORE SHIPMENTS NEWMINES DEPARIMENT

BOUNDARY OUTPUT REMAINS VERY MUCH REDUCED

SMELTER RECEIPTS IN DETAIL FOR PAST WEEK

Neither the Granby nor the Dominion Copper company have recommenced ship-ping, and in consequence the output from the Boundary country is on y a fraction of what it would be under ordinary circum-

Appended will be found the ore shipments and smelter receipts in detail for the pas week and year to date in tons
BOUNDARY SHIPMENTS
MINE Week

160 65	Mother Lode		79,697 64
3	Other mines	0.09790	297,002
200	Total	6,372	376,763
	ROSSLAND SHIPME		
4	Centre Star	1,447	34,534
	Le Roi	3,012	52,807
3	Le Roi No. 2	535	8,880
10	White Bear, milled	250	2,200
	White Bear	116	992
	Other mines		3,370
	Total	5,460	102,783
ä	KOOTENAY-SLOCAN SH	IPME	NTS
	Sullivan	600	12,600
	La Plata, milled	425	8,925
12	Queen, milled	185	3,88
	Eva. milled		690
1	Whitewater, milled		460
	Hunter V	79	2,023
1	Queen Victoria	126	1,561
	St. Eugene	612	5,83
	La Pata	. 64	1,374
3	Vancouver	41	285
	Silver Cup	41	376
	Payne	18	18
10	Whitewater Deep	64	255
)	North Star	164	343
4	Last Chance	31	325
	(1) (1 TO SOME OF HERE TO THE STATE OF THE SECOND STATE OF THE SE		0.716

Total ..... 2,870 47,655 The total shipments from the mines in the above districts for the past week were 14,702 tons and for the year to date 527,201

B. C. COPPER CO. RECEIPTS Greenwood, B.C.
Mother Lode ..... 6,350 79,697 23,429 ..... 6,350 103,126 Trail, B.C.

Centre Star 1,447

Le Roi No. 2 535

Queen Victoria 126

White Bear 116

St. Eugene 245

La Pata 64

No. 2 535

La Pata 64

No. 2 535

La Pata 64

2.740 87.925 HALL MINES SMELTER RECEIPTS Neison, B.C. 3,548

7.648 LE ROI SMELTER RECEIPTS Northport, Wash.
Le Roi ...... 3,012 32,299 ..... 64 796 62 1,822 Other mines ..... ..... 3,118 35,641

MARYSVILLE SMELTER RECEIPTS Marysville, B.C.
Sullivan 600 12,600
The total amount of receipts reported from the local and foreign mines for the past week were 13,264 tons, and for the year to date 508,809 tons.

CALIFORNIA-GIANT Rossland, May 25-W. Yolen Williams, who has been appointed superintendent of Callfornia-Giant Mining company, arrived in the city last evening and is arranging for the beginning of work on the Giant and California mineral c'aim of the conolidated company. The mach nery which has been closed down for several years will have to be overhau'ed and put in shape and then a good sized force of me will be put to work. Those who are th best informed as to these two properties are certain that they can be dev into a valuable mine.

#### SECTIONMEN ON STRIKE

G. N. R. Has Trouble With Italian Extra Gang at Waneta. Ymir, May 27.—Last Saturday the Italian extra gang employed by the Great Northern went on strike.

The railway company, it seems, ordered the conditions of the conditions

dered the conductor to cut off the en-gine and leave the men at Waneta un-til they could get over their indispo-sition to work. The men got wind of this and resisted the train crew, plac-ing obstructions on the track and threatening to shoot the engineer if he pulled out without their cars. The en gine and caboose came to Ymir and se cured the provincial constable stationed here, who took with him two deputies Messrs. Archibald and Harbottle. As soon as these men reached Waneta the Italians quieted down and the engine and caboose proceeded to Northport

leaving the extra gang at Waneta still The workmen report that they have a grievance. In the first place they did not want to come to British Codid not want to come to British Co-lumbia; owing to the high cost of liv-ing, preferring to work on the south end and on the Midway extension. As a compromise, the men claim, the rail-way company agreed to allow them 11 hours time per day, to allow them Sun-days, although they were not to work more than 10 hours, and no work was to be performed by them on Sundays. The men claim that the railway com-pany went back on its promise, hence

SKETCH OF SCOPE OF WORK AND PLANS FOR FUTURE

HON. WM. TEMPLEMAN DETER-MINED TO MAKE GOOD

(Special Correspondence.) Ottawa, May 23.—The liberal administration is the intimate friend of progress. If there is jone characteristic more than another, of its signal career that has served to establish that fact it is the activity, continuing ceaseless ly throughout the last ten years, with which the nation's industries have been promoted. Famed for her resources of infinite variety and magnitude, Canada has been blessed with a controlling authority whose records, open to every one of her citizens for perusal and investigation, show a policy of progress which has made her great among na

This fact must have been made plain ly apparent during the session of 1906-1907 by the organization of a federal department of mines. The magnificent mineral resources of the country have long riveted the attention of the world, and no stronger evidence of the gov-ernment's appreciation of this happy. ernment's appreciation of this happy circumstance is needed than the alac-ricity with which the first minister of the department, Hon. Wm. Templeman, and his officials, have proceeded with the details of organization. From all sections of Canada have come expressections of Canada have come expressions of satisfaction at the creation of the new department, and the mining men of every metaliferous region within her boundaries realize that no stone will be left unturned to assist in the

There cannot possibly be a soul in this immense country who does not understand, in a general way, the pressing importance of a separate de-partment of mines. But if the readers of this article will take time to peruse the appended statistics they will be more strongly seized of the necessity

The estimated value of the mineral production of Canada for the year 1906 was \$80,000,000, an increase of nearly \$60,000,000 over the production of 1896. The following will show the total output of the different years since the re-

1	put of the different years since the re
1	turn of the liberal party:
1	1906\$80,000,04
į	1905 69,525,17
į	1904 60,073,89
3	1903 61,740,51
1	1902 63,211,63
1	1901 65,804,61
4	1900 64,420,98
1	1899 49,234,00
1	1898 38,412,43
1	1897 28,485,02
1	1896 22,474,25
1	Of this splendid total of \$80,000,00
1	for 1906, the metallic production wa
ł	\$42,979,269, divided as follows:
ı	Copper, Pbs
1	Gold, Yukon 5,600,00
1	Gold - 11-11 - 1,000,0
я	Gold, other sources 6,423,90

was the chief factor, its total being 9,916,-177 tons, representing \$19,945,032. The foregoing admits of but one logical conclusion, namely, that if the mineral production of Canada has increased by 300 per cent in ten years, there is every reason to expect that at the end of the reason to expect that at the end of the next decade a production almost startling in its magnitude will be shown. For be it remembered Canada as a mineral domain is but a growing child. New treasure troves are being opened up every year and the far famed Cobalt as a mineral decay. eral camp is only about three years old. The wisdom of the federal government in organizing a department of mines to father this great industry must, therefore,

now painly patent.

Mining men, of course, are anxious to know as much about the new department as possible. The act which created it states that it "shall administer all laws enacted by parliament of Canada relating to mines and mining and shall also have the man ssigned to it by the governor in cour il." It consists of two branches, the Mines branch and the Geological survey.

It would be well, perhaps, to reproduce those portions of the act which specify the functions of the two branches. Those of the mines branch are.

(a) To collect and publish full statistics of the mines branch are applied for the mines branch are the mines branch are the mines of the mines branch and of the mines.

of the mineral production and of the min-ing and metallurgical industries of Can-ada, and such data regarding the economic minerals of Caneda as relate to the pro-cesses and activities connected with their utilization, and to collect and preserve all available records of mines and mining

works in Canada.
(b) To make detailed investigations mining camps and areas containing eco-nomic minerals or deposits of other eco-nomical substances for the purpose of de-termining the mode of occurrence, and the extent and character of the ore bodies and deposits of the economic minerals or other economic substances.

(c) To prepare and publish such maps plans, sections, diagrams, drawings and llustrations as are necessary to elucidate the reports issued by the mines branch. (d) To make such chemical, mechanic and metallurgical investigations as are found expedient to aid the mining and metallurgical industry of Canada.

(e) To collect and prepare for exhibition in the museum specimens of the different ores and associated rocks and minerals of Canada and such other materials as are necessary to afford an accurate exhibit of the mining and metallurgical industries The functions of the geological survey

shall be:

(a) To make a full and scientific exam-(a) To make a full and scientific examination and survey of the geological structure and mineralogy of Canada; to collect, classify and arrange for exhibition in the Victoria Memorial museum such specimens as are necessary to afford a complete and exact knowledge of the geology, mineralogy, paiscontology, ethnology, and found and flora of Canada; and to make such chemical and other researches as will best tend to ensure the carrying into

effect the objects and purposes of this act.
(b) To study and report upon the facts relating to water supply for Irrigation and for domestic purposes and to collect and preserve all available records of ar

tesian and other we is.

(c) To map the forest areas of Canada and to make and report upon it vestiga-tions useful to the preservation of the for est resources of Canada.

(d) To prepare and publish such mars

plans, sections, diagrams and drawings at are necessary to illustrate and elucidate the reports of surveys and investigations. (e) To carry on ethnological and palaeon-

fore, is very wide and involves a arga number of officials. In the geological sur-vey alone there is a force of 60, while the mines branch also has its staff of experts, all of whom are specialists in their several lines.
Up to the passage of the bill and the

organization of the new department the two branches were under different minis-ters. Dr. Haonel of the mines section, reported to the minister of the interior, whose predecessor, Hon. Mr. S.fton, deserves great credit for his fansighted policy in organizing it. Director Low of the geological survey, for more than a year has been responsible to Hon. Mr. Tample-

man. This was a somewhat anomalous condition of affairs which the government was quick to recognize and which was been so successful y remedied.

A glance at the records of the two branches will bring out in bo d relief the excellent work that has been accomplished in the interests of the mining industry of the december. The mines bearing since of the dominion. The mines branch, sinc its organization some years ago has ac-tively concerned itself with the practical issues of mining and has issued a number of very instructive books, which printed by the thousands, have been distributed all over the world. Among these are reports which wil stand as authorities for many years, particularly the report of the commission appointed to investigate the zinc resources of British Columb a. The most important investigations of the mines branch are represented by the following

of magnetic ore deposits by magnetome-tric mensurements."
"Preliminary report on the limestones and the lime industry of Manitoba." "Preliminary report on the industrial value of the clays and shales of Mani-

als, manufacture and uses of hydraulic cements in Mani.oba,"
"Report on Frank disaster, 1904."

"Asbestos, its occurrence, exploitation "Report of the commission appointed to

nvestigate the zinc resources of British report of commission appointed to investigate the different electro-thermic processes for the smelting of iron ores and making of steel in operation in Europe."
"Preliminary report on the experiments conducted at Sault Ste. Marie under govrnment auspices, in the smelting of Can-dian iron ores by the electro-thermic pro-

"Final reports on the experiments conlucted at Sault Ste. Marie,"
"Report on Graphite," now in hands of he printer.

Just a brief glance at the geological survey whose important work, needs no advertisement. Its reports dealing with the mineral resources and general conditions of the countries which were then un-known to man are resorted to by everyone in quest of information. Such men as sir Wm. Logan, Dr. Selwyn, Dr. G. M. Dawson, Dr. A. P. Low and Dr. Bell, not to men ion many other eminent scientists, are among the beacon lights of Canadian history. Their field of operation has been every province and territory in Canada. It was Dr. Barlow's report on the Cobalt which drew the public attention to the fact that riches untold were lying dormant there. It was Dr. Dawson, who lighted the way for the explorer and prospector in northern British Co'umbla, while Richardson on Vancouver Island; F etcher and Feliphault in Nova Scotta, and Brunel and Ellis in Quebec, have done incalculable good in blazing the trail for the searchers for mineral weath and the investing capitalists who followed. Dawson City, the famed outstal of the Yukon, one its name to one of the most eminent men whom Canada has p oduced, Dr. G. M.

Dawson. The value of the operations of the geological survey is so thorough'y under stood that great things may be expected from it. Special efforts will be exerted by the minister of mines towards a progressive and organized campaign of go-logical exploration and development. To afford sems idea of the comprehensive work planned this year a glance at the schedule of operations will be worth while. This includes the following:

Investigation of the mineral areas of the outhern por on of the Yukon territory, acluding the copper deposits of Whitehorse and the rich silver deposits of Con-rad; the mapping and investigation of the coal areas along the Yukon river, between Whitehorse and Tantalus; an exploration of the upper waters of the Pelly and Stewart rivers, extending over two seasons, the return journey to be made over the nountsins and by the Grevel or some other river flowing into the Mackenzie.

Examination of the g-ology and economic minerals along the coast from the mouth of the Skeena river, B.C., northwards to the head of the Portland canal and thence along Bear creek. Deposits of copper, silver, gold and silver-galena are known in this section, but have not been

examined by the survey.

Continua ion of the mopping and investigation of the coal and copper areas in the vicinity of the Bulkley valley, Skeena river, B.C.; continuation of the mapping and geological investigation of the Similkameen valley, B.C.; completion, in two or three weeks, of Rossland; or of the Lardeau camp; if possible, investigations in the Slocan district.

Continuation of the Big Horn coal field examination, Alberta, northward from the Brazaau river to the Yellowhead Pass; continuation of the mapping of the Cas-cade, Palliser and Costigan coal fields, in the Rocky mountains, between the Red Deer and Clearwater rivers, Alberta Examination of the country lying to the north of the Canadian Northern raiway,

and extending across Saskatehewan river to 54 degrees north latitude, the east and

west boundaries being lines drawn through Prince Albert and the Pass.
Study of the surface geology of Saskatchewan with special regard to the

clays for brick, cement and other buildin material.

Continuation of the study of the geology along the route of the N.T. rallway in the western part of Ontario; continuation of the mapping and geology of the S more

sheet. Continuation of the mapping and geo-logical investigation in the western portion of Pontiac county, east of lake Temis-caming, Quebec; continuation of the mapping and resolvents. ing and geological investigation of the belt along the N.T. railway eastward from the crossing of the Bell river, Que; mapping and geological investigation of the best along the N.T. railway from Lu Tuque reference to the mode of occurrence in them of the valuable deposits of chrome iron ore, asbestos and copper. Continuation of the revision of the geo-

Continuation of the revision of the geo-logy of sou hern New Brunswick; con-tinuation of the mapping and geology in the environments of the city of St. John. Continuation of the mapping and geo-logical investigation in King's, Annapolis, Digby and Cumberland counties, N.S.; con-tinuation of the mapping and geopage of timation of the mapping and geology of the god bearing rocks in Lunenburg and Queen's counties, N.S.; investigation of the granites and other irup'ive rocks with special reference to the occurrence of tin and other valuable minerals.

The following special work will be un-

dentaken:
Investigation of the copper resources of eastern Canada.
Superin endence of the selection of the samples of coal at the mines, for the prac-tical coal tests. Study of each mining

Study and collection of fossils in Nova

Study and Collection of lossis in Novelscotts and New Brunswick to determine geological horizons.

In the foregoing reference is made to certain coal tests. These were in lated during the winter by Hon. Mr. Templeman and have been conducted at McGill university, which kindly paced its experimental plant at the disposal of the department for the purpose. The tests are for the purpose of ascertaining the prac-tical value of coal and up to the time of the investigation the only official know ledge of the chemical and physical com position of the several Canadian coals was confined to analyses of very small samp es made from time to time. The information gained through the tests will be of great gained through the tests will be of great value to all manufa turers in Canada using steam power, while the mine owners will have a definite value placed upon their coal. To those producing lower grade coal the information will be particularly useful, as it will show definitely the deficiency and the manner in which the quality may be raised to a higher grade.

Exhaustive test will also result in filum-inating information being given on the great importance of producer gas as a means of utilizing low grade fuels, such as lignite, peat, etc. This method of proas ngmite, peak, etc. In a method of po-ducing horse power is of comparatively recent use and its capabilities have not as yet been adequately realized by manufac-turers in those portions of the Canadian west at a considerable distance from bi-tuminous coal, but directly over extensive beds of ligni.e. Authorities state that agas of a higher quality can be obtained in the gas-producer plants from lignite than from high grade bitum nous coal. Unquestionably when the results of these tests are made known they will prove a boon not only to the manufacturers and mining people, but necessarily to the general public as well.

The importance of the department which has just been provided for cannot be over-

has just been provided for cannot be over-estimated. Every farmer in the dominion of Canada has nothing but sulogies to pronounce upon the splendid department of agriculture which, under the able adminis-tration of Hon. Mr. Fisher, has been of incalculable benefit to the country. It is the intention of the first minister of mines, Hon, Mr. Templeman, to make his mines, Hon. Mr. Templeman, to make his new department equally serviceable. It is a task greatly to his liking for he comes from a prov n e whose magnificent min-eral resources are a matter of world wide knowledge. His advocacy of a department of mines has been supported by the min-ing industry from the Atlantic to the Pa-cific, who have been unsinted in their expressions of appreciation at this strong evidence of the interest taken in Canada's nineral wealth by the Liberal administra

EQUITABLE OFFICER INDICTED New York, May 29.—Thomas Jordan, formerly comptroller of the Equitable Life Assurance society, today pleaded not gnilty to 18 indictments charging forgery in the third degree and one in-dictment charging perjury. Bail was fixed at \$10,000,000 on one count and Mr. Jordan was released, bail being fur-Mr. Jordan was released, bail nished by Eugene C. Potter.

The indictments were returned yesterday by the grand jury, which had been investigating some of the trans-actions of the Equitable which were lisclosed by the recent insurance investigation.

W. A. Greig, the well known local ericketer, has accepted a business offer from Vancouver and will shortly leave for the coast. Mr. Greig has tendered his resign nation as a member of the city fire brigade and it will take effect on June 1. Some arrangement should be made at

nce which would guarantee good music and plenty of it during the summer season. In eastern cities it has long been the custom for city councils to make a upon the giving of a certain number of open air free concerts, the time and place being designated when the grant is made. Everyone will recall with peasure the Everyone will recall with peasure tast Sunday afternoon band concerts here last year, but the band played all summer without getting a cent and a grant was made late in the season. Good open air concerts are deservedly popular and might be earranged for this season on a business basis.

# LEMIEUX ACT

Ottawa, May 28.-Wallace Nesbitt K.C., Toronto, who was a member of the conciliation board which has just successfully settled the labor dispute between the Grand Trunk Railway com-pany and their machinists, is in the

city, attending the supreme court.

Asked as to his opinion of the Lemieux Act, by which the Labor Disputes Act is now generally known, he spoke very favorably after having seen it in

operation.
"I think the act," said Mr. Nesbitt. "cannot be too highly commended. It is, of course, an experiment, so fas as is, of course, an experiment, so that this continent is concerned—quite unique in its character. I know it is being watched with the very greatest interest by the prominent leaders of interest by interest by the prominent leaders of tabor organizations and the captains of industry in the United States. Had such an act been in force in the United States in the recent difference in Chicago, where some 45,000 men were un der difficulties, restrained from going out, and while, after much trouble, a dispute was avoided, such an act which legally required the parties to get to-gether before the severe measures of a strike or lockout was declared, would

be viewed as a great blessing."
"What about the machinists' strike?"
"In regard to the machinists, they felt that some of the rules which pre-vailed for a great many years were center for information to accomp ny the report on the tests.

Co lection of specimens illus rating the forest wealth of Canada for the new Victorian museum.

Collection of mineral specimens for light school collections and for the Victoria museum.

Special study of rare minerals in various localities. would create the greatest confusion. The best evidence to my mind of the efficacy of the ac twas that, after the discussion, the men were apparently well satisfied with the explanations given, and I have no doubt whatever that many of the difficulties as to the rules relating to the employee disappeared when it was seen what was in the employer's mind and what they were seeking to overcome in the management of the business. Under such circumstances the men were willing to accept them even if they did think to begin with that they bore hardly upon them.'

them.'
"Then, as to wages?"
"In regard to wages, the men showed themselves most reasonable, after the various matters which affected the question were made plain to them. There is always the first thing to be admitted, and that is that a man is entitled to a living wage, and that after this there is the reasonable consideratitled to a living wage, and that after this there is the reasonable consideration that an employer can afford to pay when all the circumstances affecting his business have been reviewed. My experience has been that the men are not unreasonable when they find than their employer cannot pay more than he is doing, even if a more fortunate man in the same business does give a higher wage."

give a higher wage."
"So that your experience in this case has caused you to form a good impres-

sion of the act?"
"I think that the act is a very great step forward in the settlement of the vexed question of industrial disputes. If acted upon, in my judgment, it will in nearly every case stop either a strike or a lockout. It is a trite saying that there are two sides to a story, and the people are interested in knowing when people are interested in knowing when a quarrel springs up as to what the other side has to say. The act accom-plishes this by bringing the parties to-gether and an adjustment then becomes easy. Popular opinion will do the rest. Too much blame connot be put on the shoulders of an employer or employe who, without coming under the act, rushes into a strike or lockout, causing rushes into a strike or lockout, causing inconvenience and hardship to the community and a local table to the comand the industrial interests of the

"Would you suggest any amend-

"There is a question that is worth considering, and that is if the members of the board should be confined to Brit-ish subjects. In the case of the selection of a third party, it might be de-sirable to go outside. A reason for this would be to get away from the local atwould be to get away from the local atmosphere. It is sometimes difficult to get three good men, thoroughly familiar with the subject under dispute, who age not in some way connected with the matter. But this is only a mere suggestion on my part."

"Anything else you would suggest?"

"Yes; if an employer brings about a lockout by saying that he simply found it necessary to shut down his shop for

it necessary to shut down his shop for repairs, or the men saying they are simply taking a holiday, then the act should say in any dispute arising showing that the employer locks out and the men quit work it should be deemed un-der the act to be a strike or lockout, as the case may be. The onus should e cast upon the employer or employe show that it was not in fact under the circumstances re L'y a lockout or

The opinion of Mr. Nesbitt, who not very long ago was adarad and accepted a position on the sugara court bench of Canada for the sole reason of adding strength to the court of last resort in the dominion, is extremely valuable, and will be so regarded by all par-ties. That Mr. Nesbitt added dignity, lustre and legal acumen to the bench everyone agrees, but he cast aside the ermine as easily as he put it on for

the very much more lucrative practice of his profession.

The minister of labor, Hon. Rodolphe Lemieux, is therefore to be congratu-lated in having the endorsement and

LAND NOTIC

NOTICE is hereby given the after date I intend to apply the Chief Commissisoner of Works for permission to pur following described lands in W nay district, British Columbia: ing at a post marked "S. L. ing at a post merked "S. Lec corner," said post being at a miles west of a point three mile Columbia river, up Mosquito cre south 40 chains; thence west thence south 20 chains; thence chains; thence north 40 chain east 40 chains; thence north thence east 40 chains to place mencement, containing 320 acres cement, containing 320 ac

Dated this 23rd day of April,

NOTICE is hereby given that after date I intend to apply the Chief Commissioner of Works for permission to pu following described lands in nav district, on the east side of ow lake, adjacent to Octopus c mencing at a post on the north T. Beattie's application to purcha running east 20 chains; thence north; thence 20 chains west; chains to point of commenc taining 40 acres, more or less.

Dated at Nelson, B.C. this 2

May, 1907. NOTICE is hereby given that after date I intend to apply to the Chief Commissioner of La the Chief Commissioner of La Works for permission to purchase lowing described lands, situate Kootenay District: Commencing a planted on the south side of Lemear the mouth of the first Nor and marked "R. W. Gladstone east corner post," thence running west; thence 20 chains south; t chains east; thence 20 chains nor place of commencement.

April 29, 1907.

NOTICE is hereby given that 60 d date we intend to apply to the Chief Commissioner of Lands an for permission to purchase the described lands situate on the sou the West Arm of Kootenay k the West Arm of Kootenay lak mencing at a post adjoining B. V. N.E. corner, Lot 6892, thence 4 south; thence 30 chains east, t chains north, thence 30 chains point of commencement, contains acress more or less.

DELBERT DYE.

ERNEST HARROP.

May 8 1997

NOTICE is hereby given that after date I intend to apply to t Commissioner of Lands and We permission to purchase the folloscribed lands, in West Kootenay commencing at post marked "
N.W. corner," situated at the N.E of Lot 3815, Little Slocan valley south 20 chains; thence east 20 thence north 20 chains; thence

chains to point of commence ing 40 acres more or less. Slocan, B.C., May 20, 1907.

NOTICE is hereby given that after date I intend to app'y to the Chief Commissioner of Lay Works for permission to purch following described lands in West nay district, British Columbia: Coing at the center of the east bour Clark Marshall's (L. 808 G.), prethence north along east boundary shall's, McCormick's and McDevi emption claim 80 chains; thence chains; thence south 80 chains; the 40 chains to place of commencement aining 320 acres more or less.

Dated this 24th day of April, 1907 NOTICE is hereby given that after date I intend to apply to the Chief Commissioner of La Works for permission to purch following described lands in Wes nay district, British Columbia: O ing at William McDevitt's (L. 80

southeast corner, thence east 20 thence north 20 chains; thence chains; thence south 20 chains to nent, containing 40 JOHN H. McCOR Dated this 24th day of April, 190 NOTICE is hereby given that after date I intend to apply to the Chief Commissioner of La Works for permission to purel following described lands in Wes nay district, British Columbia: C ing at a post marked "Maggie I S.W. corner," said post being Cariboo creek and at the N.E.

Carlboo creek and at the N.E.

J. H. McCormick's purchase (L 8
thence east 60 chains; thence
chains; thence west 60 chains
south 40 chains, to place of co
ment, containing 240 acres, more
MAGGIE McDE
Dated this 24th day of April, 130 NOTICE is hereby given that after date I intend to apply to the Chief Commissioner of La Works for permission to purchas lowing described lands, situate Kootenay District: Commencing Kootenay District: Commencing planted on the west side of Upp lake about three miles south of and near W. O. S. evens' N. E. co marked "I. R Poole's S. E. corner west 40 chains: thence north thence east 40 chains; thence so the western shore of Upper Ar 80 chains more or less, to point menement, containing 320 acres

Dated Aril 29, 1907. NOTICE is hereby given that 60 date I intend to apply to the C missioner of Lands and Works mission to purchase the followin ed lands: Commencing at a p mear the S.E. corner of lot 2537 Kootenay and marked "H.N.'s ner," thence north about 65 cha west about 34 chains; thence about 80 chains; meandering a

H. NE

enay lake to point of con March 22nd, 1907.

NOTICE is hereby given the after date I intend to apply t