

purpose of obtaining Crown Grants or other claims.

And further take notice, that action under section 57, must be commenced before the issuance of such Certificates of Improvements.

Dated this 2nd day of April, 1907.

6-4 J. M. McCREGG

NOTICE is hereby given that three months after the date of this notice, to-wit: the 1st day of July, 1907, the Lieutenant-Governor in Council, do hereby give notice that the "Yale-Kootenay Ice, Fruit, Fuel and Poultry Company, Limited" to change its name to the Company to the "Kootenay Ice and Fuel Company, Limited." Dated this 10th day of April, A.D. 1907.

ARCHIE MAINWARING-JOHNSON,
Solicitor for the Company, Nelson, B.C.

[illegible]

accomplished. Auxiliary smelting and matting plants may have to be established to save freight on crude ores and concentrates, but the main business, it is believed, will be done within easy striking distance of this city. There is no doubt that Mr. Heinze and his associates have been working on this scheme for more than a year; it is just as certain they are working night and day on it now, and it is fair to presume that the day is not far off when it will be impossible for them to longer prevent the full disclosure of their plans. No such gigantic undertaking was ever

train accompanying him, McGowan was general manager, Ward, chief engineer, Hoghan, general superintendent of mines, superintendent, Morgan of the S. F. and N. and J. H. Kennedy, construction engineer, and a number of office men connected with the operating department. The party visited the Granby smelter this morning and left for Roseland at 9:30. A C.P.R. special arrived here last night.

SEEDING UNDERWAY
Balcarres, Sask., April 26.—Seeding is in full swing here. William Harrop has 160 acres of wheat in, and several others in this vicinity have close to 100 acres under crop.

STAR VS. WHITE APPEAL

(Continued from Third Page)

dence was fully made clear to the court. The ore found on was 280 feet long, continuous and in place. Then Mr. Sizer submits another alternative theory.

Mr. Atwater's inability to tell the difference between quartzite and porphyry was noted by counsel, who said it accounted for the plaintiffs not laying much stress on Mr. Atwater's testimony.

Taking up the claimed difference between Bochmer and Elmdorf, Mr. Bodwell said the difference if any was not in anyway inconsistent with the one theory advanced by both. Bochmer said his theory was merely a possible explanation of the branch spurs or fissures going out, on the course of the main Star vein he is clearly in line with Elmdorf. It was a good sample of Mr. Bochmer's absolute honesty as a witness, his sincerity not being apparent by Mr. Davis, who could only claim by Mr. Davis' own experts of the Sizer kind.

The position of the porphyry mass exactly accounts for the twisted and turned line of the Star vein. The twists and turns laughed at by the plaintiffs, is exactly what would be expected under the observed geological conditions as shown in the evidence. Professor Parks' plan of the different mine workings, showing the waifs throughout, and particularly at the turns, where they could be seen today, and had been seen by the chief justice, was dwelt on lengthily as going away with Mr. Davis' contention that only the ore with an apparent turn was found at the bend. Mr. Bodwell said he would stand on Elmdorf's description of what could be seen at the mine, would stand on this testimony on Elmdorf's veracity and ability, as being an absolutely correct statement of fact. If Mr. Elmdorf's veracity was conceded there was an end of what the plaintiffs contended for, an end of "ingenuity born of despair," as the chief justice says. In his judgment, the counsel then read many extracts from the evidence showing that the Star vein could be traced on its intended course as shown on the main plan. Many other references were also given, nearly an hour being taken up in giving the pages of the evidence where testimony on certain points could be found. The long barren stretch on No. 5 level some 1200 feet, was accounted for in various ways by counsel. On the surface this space was reduced to 400 feet. In the intermediate levels between No. 5 and the surface the 1200 feet was also greatly reduced. As a matter of fact, the ore runs in pockets, sometimes found on one level but not above, sometimes above and not below, so that the actual barren stretch in the vein, at all levels, is not 1200 feet, but much less, not more than about 400 feet.

The more or less sharp discussion which took place at the Elmdorf trial between Mr. Sizer and the chief justice, after the visit of inspection to the mine, and the cross-examination of counsel, which followed, were "gone into" at length by Mr. Bodwell, who declared he proved the annihilation of Mr. Sizer and all his evidence. This last evidence was all on what happens in the first bend in the vein, where the chief justice became convinced that the ore did bend around and that the plaintiffs' theory was "ingenuity born of despair."

Mr. Bodwell then stated that he would be unable to conclude his remarks at the present session and the court adjourned at 5 o'clock until Monday morning.

In view of the references made in the argument to the extra lateral rights law of 1901, now repealed, but which governs this case, the claims in dispute being recorded under the old law, the two principal sections of the statute are given in extenso.

Section 31 provides: The lawful holder of a mineral claim shall have the exclusive right and enjoyment of all the surface included within the lines of his location and of all veins and lodes throughout their entire depth; the top or apex of which lies inside such surface lines extended downward vertically, although such veins or lodes may so far depart from a perpendicular in their course downward as to extend outside the vertical surface of such surface of location; but his rights of possession to such outside part of such veins or lodes shall be confined to such portions thereof as lie between vertical planes drawn downward as described above, and the end lines of this location so contained in their own direction that such planes will intersect such exterior parts of such veins or lodes; and nothing in this section shall authorize the locator or possessor of a vein or lode which extends in its downward course beyond the vertical lines of his claim to enter upon the surface of a claim owned or possessed by another; provided always, that a prior location on the dip of a vein or lode shall have priority over a subsequent location on the same vein or lode though such subsequent location may be upon the apex of the vein or lode; and provided always, that in cases where the land in which such claims are situated is lawfully owned or occupied by other than mining purposes, the above section shall be read subject to the rights and interests of such owners or occupiers. And it is hereby expressly declared that a location laid crosswise of a vein or lode so that its centre line crosses the same, instead of following the course thereof, will receive only so much of the vein or lode as it actually crosses at the surface and the side lines thereof for the purpose of defining the rights of the owners. A location shall be deemed to have been laid crosswise of a vein or lode if made by the centre line falling in the general course of the vein or lode is greater than 45 degrees.

Section 32 provides: When two or more veins or lodes intersect or cross each other on their downward dip, priority of title shall govern and the prior location shall be entitled to all the mineral contained within the space of intersection. Provided, however, that

the subsequent location shall have the right of way through the said space of intersection for the purpose of the convenient working of the said subsequent location; and provided also, that where two or more veins or lodes intersect on their downward dip, the oldest or prior location shall take the vein or lode below the point of intersection, including all the spaces of intersection.

WEEK'S ORE SHIPMENTS

RECORD TONNAGE SHIPPED FROM THESE DISTRICTS

REMARKABLE RUN OF THE GREENWOOD SMELTER

Two mines were added to the list of shippers this week; the B. C. Copper smelter at Greenwood has made a record run, close to 10,000 tons, and the record mark in shipments for this district, over 45,000 tons, has been reached. A temporary set back in the coal districts but if these are speedily adjusted it is more than likely that both records established will be passed before many weeks.

Appended will be found the ore shipments and smelter receipts in detail for the past week and year to date in tons.

BOUNDARY SHIPMENTS		
MINE	Week	Year
Granby	178,000	178,000
Mother Lode	6,808	63,649
Brooklyn	1,440	23,643
Queen	2,089	20,754
Snawhoo	1,720	18,083
Emma	1,388	13,888
Summit	303	3,023
Mountain Rose	140	1,802
B.C.	814	999
Oro Denoro	384	384
White Bear	149	577
Morrison	74	467
Strathmore	180	467
Duncan	21	21
Other mines	21	21
Total	55,208	812,000

ROSLAND SHIPMENTS		
Le Rol	Week	Year
Centre Star	1,414	25,238
Le Rol No. 2	386	6,646
White Bear	149	577
Other mines	500	2,230
Total	2,449	35,691

The total tonnage from the mines in the above districts for the past week were 43,775 tons and for the year to date 235,143 tons.

GRANBY RECEIPTS

Grand Forks, B.C.

Granby	Week	Year
Granby	19,836	178,000
Emma	200	2,000
Other mines	18	143
Total	20,036	179,313

B. C. COPPER CO. RECEIPTS

Greenwood, B.C.

Mother Lode	Week	Year
Snawhoo	1,290	10,750
B.C.	12	1,638
Emma	49	1,329
Oro Denoro	48	999
Morrison	150	469
Napoleon	378	636
Other mines	63	63
Total	2,040	26,067

DOMINION COPPER CO. RECEIPTS

Boundary Falls, B.C.

Brooklyn	Week	Year
Brooklyn	1,440	23,643
Sunset	738	8,004
Mountain Rose	140	1,708
Idaho	284	3,599
Total	2,602	57,154

TRAIL SMELTER RECEIPTS

Trail, B.C.

Centre Star	Week	Year
Le Rol	336	3,036
Snawhoo	1,499	10,198
Le Rol No. 2	386	6,646
St. Eugene	46	1,177
Silver King	645	991
White Bear	149	577
Providence	80	352
Idaho	31	24
Le Rol Chance	23	74
Sunset	31	74
Strathmore	26	26
Idaho	26	26
Duncan	21	21
American Boy	18	18
Other mines	18	18
Total	5,123	72,555

HALL MINES SMELTER RECEIPTS

Nelson, B.C.

Hunter V.	Week	Year
Hunter V.	50	705
Other mines	53	633
Total	113	1,338

LE ROY SMELTER RECEIPTS

Northport, Wash.

Le Rol	Week	Year
Le Rol	2,638	19,703
First Thought	219	1,502
Hunter V.	57	1,159
Other mines	57	1,159
Total	3,512	23,463

MARYVILLE SMELTER RECEIPTS

Maryville, B.C.

Sullivan	Week	Year
Sullivan	600	9,600
Total	600	9,600

THE TOTAL AMOUNT OF RECEIPTS FOR THE PAST WEEK WERE 43,775 TONS AND FOR THE YEAR TO DATE 235,143 TONS.

BELGIAN CABINET CRISIS

Minister of the Interior Troos May Form a New Cabinet.

Brussels, April 23.—King Leopold today held a lengthy conference with M. D. Troos, the minister of the interior, who has been attempting to form a new cabinet and in well informed circles it is considered certain that he will accomplish his task.

Troos Troops were encamped throughout the night in Laeken park, owing to threats by the socialists to march on the palace. After midnight the socialists held a meeting at which violent speeches were delivered, but the knowledge of the presence of troops in the park possibly caused the leaders to change their minds.

Michel, April 26.—William Gail, a Slavonian, who disappeared from his home on Sunday last, was found dead this morning about three miles up the mountain. The cause of his disappearance and death is still a mystery to his friends. Much sympathy is felt on all sides for his wife and three children, who have just left Michel on a visit to their former home.

M. J. HENRY'S NURSERIES AND REED HOUSES

Headquarters for Pacific Coast Green Garden, Field and Flower Seeds

Large stock of HOME-GROWN Fruit and Ornamental Trees now matured for future planting. No expense, loss or delay of fumigation or inspection. BEE SUPPLIES, Spray Pumps, Spraying Material, Greenhouse Plants, Cut Flowers. We do business on our own grounds—no rent to pay and are prepared to meet all conditions. Catalogue free.

M. J. HENRY

200 Westminister Road, Vancouver, B. C.

FREE FOR: ROYAL CROWN SAMP WRAPPERS

Drop us a post card asking for

FOR SALE

Hotel Hume, 2 lots and furniture, \$50,000. Block V, Balfour 12 lots, \$10,000. Lot 3 and B-1-2-3 block, with building, \$4,000. 7 lots block 4D, bearing fruit trees, 2,600. Lots 7 and 8, w half 9, block 14, with 8-room dwelling, \$4,000. 3 lots, town of Victoria, \$1,000. Half interest 30 acres Slocan Lake, \$750. Quarter interest Trout Lake City, \$2,500. Lot Atlin City, \$350. Half interest 160 acres near Kaslo, \$700. Running east 20 chains; north 40 chains. Half interest 70 acres, 3 miles up Cottonwood Creek, \$250.

J. FRED HUME

NOTICE

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 following described lands, situated in West Kootenay district: Commencing at a post marked "W. W. Fisher's S.W. corner post," about four miles from Burton City and marked "Wm. Fisher's N.W. corner post," thence 30 chains south; thence 30 chains west to place of commencement, containing 60 acres, more or less.

W. M. FISHER.

W. H. HAMILTON, Agent.

April 19, 1907.

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 following described lands, situated in West Kootenay district: Commencing at a post marked "A. L. McCulloch's N.E. corner post," being also the N.E. corner of P. M. Schenberger's pre-emption, thence 30 chains west; thence 30 chains north; thence 30 chains east; thence 30 chains south to place of beginning, containing 160 acres, more or less.

A. L. McCULLOCH.

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