Improvements, for the purpose of obtaining Crown Grant of the above claim. And further take notice that action, under section 37, must be commenced before issuance of such Certificate of Improvements. Dated this 26th day of January, A.D.,

F. C. GREEN, Nelson, B.C.

CERTIFICATE OF IMPROVEMENTS The Eye, Exe and Ell Fraction Minera Claims; situate in the Slocan Division

of West Kootenay District-Located or Robinson creek. TAKE NOTICE that I, J. Murray Mc-Gregor, Free Miner's Certificate No affits, intend, sixty days from the date ereof to apply to the Mining Recorder or Certificates of Improvements for the

pose of obtaining Crown Grants of the bove claims. And further take notice, that action nder section 37, must be commenced be-pre the issuance of such Certificates of nprovements

Dated this 2nd day of April, 1907. -4 J. M. McGREGOR. and

days

and

NTB

B906

A.D.

Arling

B521

00 6600

above

before

ENT

n and

livision

On

NOTICE is hereby given that three months after date application will be made to the Lieutenant-Governor in Council, by the "Yale-Kootenay Ice, Fruit, Fuel and oultry Company, Limited" to change the ame of the Company to the "Kootenay be and Fuel Company, Limited,"

Dated this 10th day of April, A.D., 1907 ARCHIE MAINWARING-JOHNSON licitor for the Company, Nelson, B.C.

ERTIFICATE OF THE REGISTRATION OF AN EXTRA-PROVINCIAL OOMPANY

"Companies Act, 1897."

HEREBY CERTIFY that the "Kootenay Copper Company, Limited," has this day been registered as an Extra-Provincial company under the "Companies Act. 1897." carry out or effect all or any of the bjects of the Company to which the legslative authority of the Legislature of British Columbia extends. The head office of the Company is situte at the City of Spokane, in the State of

Washington. The amount of the capital of the Com any is fifty thousand dollars, divided into The head office of the Company in this rovince is situate at Creston, and O. J. liggens, farmer, whose address is Creson, is the attorney of the Company, not mpowered to issue and transfer stock.

'he Company is limited. The time of the existence of the com any is fifty years from the 29th day of ugust, 1906. Given under my hand and seal of office

at Victoria, Province of British Columbia, this 14th day of January, one thousand nine hundred and seven. [l.s.] S. Y. WOOTTON, Registrar of Joint Stock Companies

The objects for which the Company has en established and organized are: To locate, buy, sell, lease, bond, develop ork, operate and deal in minerals, mining laims and mining properties of ever and and description, in the Province of British Columbia, Dominion of Canada and in the States of Idaho and Washington,

the United States of America: Also to carry on the business of purchas. ng, selling, milling, matting, stamping and educing ores and minerals of every kind and description in the province of British. Columbia, in the Dominion of Canada and he States of Idaho and Washington, in the nited States of America: Also to buy, sell, erect, operate electric ight and power plants for the purpose of

ining and treating ores and furnishing lectric lights and power necessary and nvenient for the uses and purposes of his company in the conduct of its said business in the Province of British Colum-bia, in the Dominion of Canada, and im he States of Idaho and Washington in

the United States of America: Also to locate, buy, sell, lease, bond and leal in water rights; and to build, buy, sell, lease, operate and deal in ditches, flumes, dams, reservoirs or other works of a similar character necessary and conmpany in the conduct of its said business in the Province of British Columbia, the Dominion of Canada and in the ates of Idaho and Washington, in the United States of America:

Also to locate, buy, sell, lease and deal n mill sites; and to buy, sell, lease and onstruct, bond, work, operate and deal in nills, concentrators, smelters, reduction works, sawmills, warehouses and mining machinery, materials and buildings necessary and convenient for the uses and purnoses of this Company in the operation. If its said business in the Province of

British Columbia, in the Dominion of Canada, and in the States of Idaho and Washngton, in the United States of America: Also to buy, sell, bond, lease, construct, perate and deal in railroads, ferries, tramways, trollies or other means of trans-portation for transporting ores, mining and ther materials necessary and convenient for the uses and purposes of this Com-pany in the operation of its said business

the Province of British Columbia, in e Dominion of Canada, and in the States Idaho and Washington, in the United Green states of America: Also to buy, sell and deal in timber and imber lands, and to cut, transport, saw sixty to the and manufacture timber into marketable roducts, necessary and convenient for the aining ses and purposes of this Company in the operation of its said business in the Pro ace of British Columbia in the Dominio Canada, and in the States of Idaho and of Im-

Vashington, in the United States of Am A.D. rica. Also to encumber, lease, mortgage and issue mortgage bonds upon each and every B.C. nd all the foregoing kinds, classes and descriptions of real and personal property that may be by this corporation acquired, INTS owned and held in accordance with the foregoing provisions and declarations, in such manner and form as may be pro-

ided by law: And finally to do and perform, withinie territory aforesaid, any and all such acts and things as may be incident, requi-Fre homas site, proper and expedient for the carry-sixty ing out, in their fullest and broadest sense, the objects and purposes for which this corporation is organized.

VOL. 5

SHERMAN'S STATEMENT

District President Reviews Situation From Men's **View Point**

Unit n Determined to Secure Its Demands From Operators-C. P. R. Announces Inability to Move Ore

A notification was sent out yesterday by the Canadian Pacific railway to the various smelters and mines in the Kootenay and Yale districts that from today no ore shipments could be accepted until the railway had a visible supply of coal on hand.

The C. P. R. local officials concerned in this notification stated to The Daily News vesterday afternoon that the situation was so serious that the company had been obliged to inform the smellers that they are not in a position to han-dle any ore from the mines after yes-terday night until a supply of coal could be assured for engine use. There is only sufficient coal on hand locally to supply passenger trains for another week or ten days at the outside. The department was in receipt of a wire from Michel advising it that the man would not work except at the instance of the officers of their union until the time of the conference which is set for next week. It follows necessarily that the department cannot accept lumber for outward shipment. At the present time the department is accepting local

freight in small lots. The board of trade is in receipt of the following telegram from the Calgary board and have in consequence called for a special meeting this evening at 8 o'clock in the board of trade rooms:

Calgary board of trade strongly urges immediate action board of conciliation in the matter of the miners disagreement. Freight traffic has ceas ea entirely nere. Passenger traffic is to stop in a few days. Miners are leav-ing work in large bodies though no strike has, apparently, been officially declared. Output of coal has, practi-cally censee, manufacturing plause clos-ing. Situation most serious in nistory of western Canada. Ask your co-oper ation to prevent fatal demoralization of western business. (Sgd.) E. L. Richardson, Secretary board of trade.

"Calgary, April 17. 1907." There are only small stocks of fue on hand at the various smelters, the rouble in the fall and winter having prevented any accumulation of any moment. The Boundary smelters and the Trail smelter have a little, but not much ahead and at the same reduction works there are small supplies of ore but these cannot last over more than a day or so if the plants are run at their normal output. By curtailing this out-put by blowing out several of the fur-

naces an output can be maintained for a week or ten days but this is apparent ly the limit. The bins will soon be emp tied and cannot be refilled. Locally the smelter authorities are

not inclined to say anything but it is known that the Hall Mines smelter is no better situated in regard to a stock of fuel than the other reduction works.

Fernie, April 18-District president Sher man has given your correspondent the fol-lowing detailed statement of the employees' side of the case in the present dispute:

"The facts pertaining to the disputes which exist between the coal operators in Atberta and the Crow's Nest Pass of Brit ish Columbia, and their employees are not generally known. The public has been

permitted to get that kind of information which conveys the idea that the miners are in the wrong. This is perhaps due to the fact that on the part of the employed no correspondence has been sent out and their case has not been brought to public "So far as the press accounts go it would mappear that the conciliation boards, which have been appointed by the minister of

ilabor under the Industrial Disputes Inves-tigation act, were brought into existence the request of the employers, whereas the fact is that it was upon the employees initiative that such was done, "While there are many reasons for the

trouble which exists, the proximate cause of the crisis may be said to have been the tactical mistake on the part the operators in serving upon their employees and in posting up in conspicu tous places, after such request for a con ciliation board had been sent in, notices changing the wage scale from 10 to 20 per cent in the way of reduction. The em mlovees when they found that they could make an agreement with the operators, immediately took steps to place themselves under the new law, hoping and expecting thereby to bring about what they con-ceived to be justice to themselves. Instead of cooperating with the employees in conciliation board appointed, every operator raised technical objections to the procedure on the part of the em-

act requires that the application for the appointment of a board shall set out the steps which have been taken by the respective parties to the dispute to bring about a settlement. In compliance with that part of the act the mine workers set forth the proceedings taken at the joint conference which took place during March at Calgary. The demand made at

not a demand made upon each company itself, but it was supposed that the oper-ators' delegates thereat had sufficient auhority to receive in behalf of the cor any represented by him, a demand mad "In their reply to the request for a board of conciliation, made by the mine work-ers, each company set forth in stereotyped form the following: 'No claim or demand such as is set out in paragraph two of th statement accompanying the said reque has been made on behalf of the employe

of this company to the company.' Thus as it were, discrediting the .operators' as "The raising of technical objections of this kind irritated the employees not a little, and resulted in the United Mine Workers refusing to have any furthe dealings with the operators' association as such. But the technical objections raised in this way were very speedily brushed side, and red tape found no place in the rocedure adopted by the minister of jabor to the credit of the department of labor e it said that a greater expedition in bringing the board of conciliation into exis-tence could not have been expected, and were it not for other considerations there

s little doubt that the mine workers would have continued work. The notice given by the operators that a new wage scale would come into effect on the 10th of May acted as a red flag to a bull. It was impossibl to convince the men that what was state in that notice could not be done. The dis-satisfaction became general and hundreds of men acting upon individual initiative. nmediately quit work. "So much has been said as to the insis

tance of the mine workers upon a closed shop that the public has received the idea hat that is their position. To negative this impression, the mine workers, through ther executive, published a declaration that hey did not insist upon the closed shop therefore this contenion fails to the ground. What they do insist upon, and what they intend to get if they possibly can, is a fortnightly pay day, and an 8-nour day from bank to bank with respect to the province of Alberta. They also ask or an all round increase of 10 per cen ipon the present scale of wages. They hink that as the operators are sharing n the common prosperity of the country. nd as mine workers elsewhere have had heir wages increased voluntarily by the perators, that there is no reason why ney should not share in this prosperity If at any time a reduction in the wag scale should take place it is not now when he prosperity of the country was never

"They also object to the attempt which the operators have made to impose upon them a condition whereby they may not ask or be given legislation in their behalf without paying therefor in the way of re-The clause which the operators in that

respect seek to have made read as follow. This agreement is made and executed having regard to and in reliance upon a consideration of the present law and con-litions regarding the various matters hereby disposed of, and if in any time here-after and during the life of this agreement the laws are altered or varied and new laws are made so as to impose any new or further burdens upon the company, the company is at liberty to modify the onditions of this agreement so as to mee the new or altered condition created by the statute law.

"Whether right or not, the miners, es becially those in Ailberta, think that the statute law is not what it should be, and hey naturally look for amendments there-. Under the circumstances they objec the proposed muzzle being put upor egislation.

"Another matter which they most strong object to is that arising out of the pro osed term of the agreement which reads s follows: 'Any breach of this agreement by any of the parties concerned is not to yold the said agreement but the same is to continue in full force and effect.' "The injustice of this paradoxical clause s so axiomatic that it needs no explanaion. Why should either party be at lib

erty to break the agreement and still say hat it is in force. It violates the most ary principle of reach of contract. "With few exceptions the press has not een given the facts so that the trouble

s not known. The Calgary Herald, e.g. contains an article stating that it has very arefully examined into the wages paid iners in eastern British Columbia and berts and makes it appear that the average wage is \$1500 per annum. Such is not the case. While at some of the mines n Alberta, good wages are made, it is i act that very few men make even labor ars' wages in other mines, especially those

at Coal creek. "These false statements purporting t be published after careful investigation go a long way towards irritating the al eady indignant multitude of mine work "If ever men were unitel the mine work

ers are at this time and they claim that before they will give in they will suffer mprisonment. They say that they have een hammering away at the legislature for amended laws; that they have received nothing but promises, and that the time has arrived when they should take the matter into their own hands and by dras tic methods get that which by no other means they are able to obtain, "The situation may become improve

but it is extremely doubtful whether i will be until the operators give way to the demands of the men, and the legislaure of Alberta pays some heed to the claims of the mine workers. "It is further claimed by the miners

that politics have been allowed to control the situation, and that by catering to the vote of the people at large in Alberta the politicians have had to ignore the mine

workers. "These miners think that as there is n wood grown on the prairies, and that coal is a necessity, so that sooner or later the farmers will realize that only by frinedly cooperation with the producers of fuel can their own lot become a comfortable one, so that there must be no throwing down of the one class for the other

NELSON, B. C., SATURDAY, APRIL 20, 1907

that conference was, technically speaking FAVORABLE PROSPECT OF A SETTLEMENT

Deputy Minister of Labor, Mackenzie King, on Way to Fernie---Lemieux Promises Strict Enforcement of New Law

THE WEEKLY NEWS

Vice-President Lewis of U. M. W. of A. also on way to Fernie with instructions to avoid strike and secure settlement through conciliation. Speedy resumption of operations imperative if entire business this section not to be crippled. Transportation Companies cannot haul freight of any kind-Nelson Board of Trade last night decided to send delegate to Fernie to represent views of public to operators and men and invited cooperation of all boards in interior-Operators issue statement, alleging that Sherman withheld telegram from Mitchell instructing the men to remain at work

Ottawa, April 19.—Lemieux stated in the house today that reports as to con-ditions in the coal mines of the west were grossly exaggerated. There was no strike and no lockout. The only dff-ficulty arose through the operators put-ting up a notice that wages were to reduced on May 10th. That was against the law. He intended to enforce the law. He intended to enforce the law. He intended to enforce the law. He read a telegram from the work men's representative on the board stat-ing that he expected the men would return to work tomorrow. Mackenzie of the trouble. To Duncan Ross and Ottawa, April 19.—Lemieux stated in the house today that reports as to con-ditions in the coal mines of the west were grossly exaggerated. There was no strike and no lockout. The only dif-ficulty areas the work the no strike and ho notatic. In our, dri ficulty arose through the operators put-ting up a notice that wages were to be reduced on May 10th. That was against the law. He intended to enforce the law. He read a telegram from the work-men's representative on the board stat-ing that he expected the men would seture to work tomorrow. Mackenzie return to work tomorrow. Mackenzle King will leave tonight for the scene of the trouble. To Duncan Ross and Ralph Smith, Lemieux said he would

Ralph Smith, Lemieux said he would enforce the law. Fielding also addressed the house on the labor troubles. He said that all the suggestions in the press for a settle-ment were in the direction of coercion, when the policy of the government was for conciliation. When Mackenzie King reached Fernie on Tuesday they expect-ed a settlement. Lewis, vice president of the men's organization, was on his way to Fernie with instructions from Mitchell to oppose a strike and to look to conciliation for a remedy. Shaughnessy stated today that the C. P. R. is not confiscating coal on the

P. R. is not confiscating coal on the western lines. He added that the C. P. R. is hauling coal all the way from eal to St. Paul and Duluth to relieve the situation out west. At the afternoon sitting Oliver gave the views of the different collieries. the views of the interest contents, showing that when the Lethbridge strike existed, the whole trouble was for lack of transportation facilities. There was plenty of coal and miners were at work, but there was a scarrity of cars.

(Special to The Daily News)

Coleman, Alta., April 19 .- The following official statement has been given to your paper for publication by Messra H. N. Galer, manager of the Interna-tional Coal & Coke Co., and R. G. Drintendent of the nan, general superintende Crow's Nest Pass Coal Co.

The dates mentioned throughout are The dates mentioned throughout are important as is the entire statement in the public interest. It puts an en-tirely different aspect on the action of the men or of president Sherman as their leader. The labor leader's action in the light of these carefully verified facts would appear inexplicable in creat-ing such a crisis in the whole of Western Canadian industrial conditions.

Mr. Galer, speaking for the other offi-cials, said: "After the break up of the conference at Calgary, nothing further was done until the 6th instant, Saturday ast, when we received here a notic from the secretary of the local union giving the statutory 30 days notice of required change of wages, hours and conditions of labor. On the same day 1 received formal application from presi-dent Sherman for a board of investigation. Our formal reply was made the next day, Sunday, and delivered Mon-day. Sherman's notice of application was found to contain so many irregularities and was so far out of accor dance with the Act's requirements a to cause a delay, that we made our own eparate application to the department for the appointment of an invest board on Monday the 8th, so we didn' lose a day. This was served on the local union officers here and on 10 nonunion men and posted at the mines. This is the notice of reduction, Sherman is making a kick about, although he knows we can make no change until the investigation board has made its report in the case. The law instructs us to give notice of intention to change and our action at this time was only similar to that of the men. This was strictly according to the Act and yet seems to one of Sherman's main kicks. was done to save time and not to cause

ielay as he claims. "On Wednesday, 10th instant, a tele gram was received from the minister of labor, Lemieux, asking if we all con-sented to one board for all the operasented to one board for an opportunity of a same date, the four companies being the Crow's Nest Pass Coal Co., the International Coal & Coke Co., the Can-adian-American Coal Co., and the Western Canadian Collieries Co. On the same day, the 10th, the secretary of the local union at Coleman wrote me notify-ing me formally that they required and would take a holiday on the following day, giving no reasons. My immediate reply was that if the notice was acted eply was that if the notice was acced on I would consider it an offense under the Act; section 57 provides expressly that pending investigations no discon-tinuance of work will be permitted, On Thursday, 11th, our whistle blew for work and with the exception of two or three men, no one turned out. We could The men held a meeting not operate. The men held and ballotted on the reference called for by Sherman, by a majority of 285 to 4, to strike; and Sherman no-

On Thursday, 11th instant, Sherman wired me asking for a conference with vice-president Lewis and the district union officials. I wired him that I would communicate with the other op-erators and give an answer as quickly as possible. On Saturday, 13th, I re-ceived a reply that Mr. Lindsey could not return before the 21st, and wired Sherman asking if he would meet a deputation to arrange a conference. On Monday, 15th, Saerman replied he would meet a deputation on Tuesday, 16th in-stant. Messns, Stockett, Galer and Rog-ers went to Fernie and a conference was arranged for 23rd instant, when all par fies are to be there. On 15th instant at the request of Lindsey, from Ottawa, we nominated by wire, our representative on the board, J. L. Parker. On the 17th that gentleman received notification of that gentleman received notification his appointment and the Bankhe Canmore and Lundbreck operators no inated F. B. Smith of Edmonton,

their board representative. On morning of the 15th, I told the se ntative. On the tary of the local union here that under nge in conditions of working hours, or labor pending the investigat and

or labor pending the investigation and the secretary understood this clearly. Notwithstanding this, in the night of the same day the president and secre-tary of the local union and another em-ployee, waited on me as an officially appointed committee, stating that a meeting had just been held and it had by unanimous vote decided to refuse to go on shift again until some agreement had been signed with them. I pointed out that they already had their former agreements, which the new Act express-ly forbids us to alter until the conclia-tion board as reported. They stated that was not satisfactory, on the same lines as Sherman's misleading circular, that they didn't konw what conditions they were working under. They were, they said, open to negotiate a new ageethey said, open to negotiate a new agee-ment at any time. In the morning on the 16th, the whistle bley for work, iour men turned out, but they left the engineers, fremen and fanmen at 5 y'clock, on the condition that we didn't'

Clock, on the condition that we didn'ty attempt to work the mine. "On the 17th president Mitchell wir-ed Sherman, in fact they must have re-seived it prior to then, because Mr. Lindsey received it also from Mitchell in time to rewire it here and we got it before noon on the 17th. Mitchell's wire before noon on the 17th, Mitchell's wire going direct must have reached Shergoing direct must have reached Sher-man long before we received the twice repeated wire. The wire, as is already known, advised Mr. Lindsey as follows: "We have advised Sherman to have

the men remain at work." "Now note what happened in the face of that telegram. Uunion officials are decieving the men. Not only have they not made Mitchell's telegram public but on Thursday it is still a rumor having been received at all, and or of its have practically denied the whole thing to interviewers. Their circular of 8th instant, misleads the miners as minister Lemieux states. The dates given by me show clearly that every effort was made on our part to expedite ters. No delays were thrown in the way. In defiberately misleading the men, the union officials are responsible for the present precarious industrial

"By posting notices to keep away fro the mines the executive board has vio lated section 60 of the Act providing penalty for anyone inciting encours ing or aiding a strike or lockout and everyone should bear this clause in mind. Sherman relies on the fact that the operators would not proceed to sands of miners for lation of the Act and has already that the Act cannot be enforced. The law to be of much service should pro-vide that the leaders should be punished for any violation and not the em-ployes, who have been cruelly misled in this case. We have fulfilled every ondition of the Act and have gone out of our way to expedite the in every way."

(Special to The Daily News)

Phoenix, April 19.—Ore traffic in the Boundary is practically at a standstill, with the exception of some ore sent out with the exception of some ore sent out today by the Granby over the Great Northern and no freight of any kind to get

W. A. Macdonald agreed with Mr. Camp-ell that the recommendation was extreme. If this were to be taken as a precedent big coal srike in Pennsylvania had been settled by the threat of president Roosevelt of taking over and operating the

tence of both operators and miners. C. P. R. officials say they can run im-portant freight and passenger trains for about a week if the mines all close. The C. P. R. confiscated all coal in the yards and on the way to Calgary today. the yards and on the way to Calgary today. Calgary, Alberta, April ... The situation at the Bankhead mine situation at the Bankhead mine indicates that there will be no work there tomorrow. The manager of the mines states that 130 miners worked to-day, 150 being the full complement. On the other hand the men state they Deane supported Mr. F. J. are only cleaning up preparatory to quitting. The miners brought out their n as to a delegate from the board of rade to the Fernie conference as an imendment to that of Mr. Black. He hought that if the operators cou d be pertools on quitting work this afternoon. uaded to withdraw the notice as to a're The special meeting of the board o lucion of wages, the men would go

trade last night to consider the seriou situation with regard to the coal sup R. Hinton urged that the delegate be ply was a record meeting of that no structed to impress both sides that the feeling of the country would be dead against that side which placed any obstacle able institution for many years past. All able institution for many years past. All day long men were discussing the situ-ation and when it became known that the faint hope that had existed of a sup-ply being discovered. somewhere had been dissipated by the notification of the Canadian Pacific that from today no freight whatsoever would be accepted. It was generally accepted that milk and water measures would not cope with the circumstances. The local C. P. R. offi-cials had wired to the coast, where the in the way of speedy settlement. F. M. Black altered the eancting claus of his resolution to the following: "Be it resolved that this board emphat cally condemns the prejudicing of a cas about to be referred to arbitration by ac tion of either party after application for ettlement has been made, when such ion only accentuates differences, and calls upon the government to protect public welcials had wired to the coast, where the vice-president, W. Whyte is at present, and to other points to ascertain if any coal could be obtained from outside the fare by assuming immediate responsibility and arranging for the operation of the offected colliprice until such time as the board of conciliation shall have reported." present sources. In ever case unfavor-able answers were received and the Canadian Pacific had, therefore, no op-On this being put to the vote it was can ried with one dissentient voice. The secretary was then instructed to tion except to take the action they have done. What coal there is on hand, and the supply is extremely limited, will be used for passenger trains, and if a set-tlement, either by agreement or by the interevention directly of the dominion evacument cannot be arrived at by the send this resolution by wire to the ing premier, the minister of labor labor and ninister of mines. The motion of Mr. Lay was then con sidered and was altered to read that dele-gates from this, and other boards of B. ment, cannot be arrived at by the gates from this, and owned at Fer C, and Alberta, if possible, attend at Fer nd of the month there will not be a theel turning on the C. P. R. in these C, and Alberta, it preserves and do nie at the time of the conference and do their best to impress the conferring partheir best to impress the conferring ties with the gravity of the situation. districts. The urgency of the situation was illustrated by an incident which eccurred during the day. A rancher desired to take a team of horses down .s carried unanimously and pre-Starkey was unanimously selected as the delegate.

question if the C. P. A. can move even the one on its short run of three or four miles. The mines will continue, using as many men as possible, but must lay off some muckers when stopes and ore bins are filled with ore, a matter of but a short time. Some 2000 men in the Bordiner along are thus men in the Boundary alone are thus either directly or indirectly affected by the coal miners walk out in East Kootruning as long as possible. This week's output of ore promises to be the larg-est in many months, but will from now on be almost completely curtailed.

(Special to The Daily News) Grand Forks, April 19 .- The Granb smelter has about enough coke on hand to run for a week. Superintendent Wil-liams states that the furnaces will be tept going till the coke is exhausted For the past week seven furnaces have been making a remarkably good record. One was blown out last night, and unless a speedy adjustment of the labo troubles in the Crow's Nest Pass of irs, the smelter will close down en-rely soon. The C. P. R. quit hauling ore yesterday for lack of coal and the Great Northern will soon be in a simil lar position. The management does not expect to procure coke from the east as the coal shortage would probably prevent delivery in any case

(Special to The Daily News) Calgary, April 19.-The coal situation calgary, April 19.—The coal situation still causes alarm here, though people are pleased to notice that there is still a chance of keeping the Bankhead mines open. They pin their faith on the C. P. R. as in the opinion of the majority the company has been mor discreet in handling the men and thei mines are not closed.

The rumor that Hon. W. H. Cushing is leaving Edmonton for the seat of the rouble to offer his services toward a settlement is also favorably He is well known to enjoy t the confi

for help by means of the loan of a scow horses on the other side of

the lake so that they could be walked Appeal to the Great Northern elicited Appeal to the Great Northern elicited the fact that that company, though at present not refusing any freight, yet deriving its principal supply from the Crow's Nest companies was also re-stricted while possessing inferior sour-ces of supply at points in Washington. It was, thus, no surprise that the meet-ing of the board last night was well at-tended

ing of the board last night was wen at-tended. The resolutions passed, after a dis-cussion which lasted for an hour and a half, were carefully revised and were two in number, the one appointing a delegate to an informal conference of board of trade delegates from every board of trade delegates from every board of trade available in British Co-humble and Alberta to meet at the same lumbia and Alberta, to meet at the sam time and place as the conference Tuesday next at Fernie, between t Tuesday next at Fernie, between the operators and miners, with the object of impressing upon the latter body the strong disapproval with which the coun try regarded any evasion of the Lem-ieux act; and the other resolution call-ing upon the dominion government to arrange for the operation of the mines, by government appointees, if necessary, pending a settlement. There were present: F. J. Starkey, president, in the chair; S. M. Brydges, secretary; A. T. Walley, D. C. McMor-ris, H. Byers, J. L. Retallack, Baike Wilson, H. G. Goodeve, J. Irving, R. Hinton, A. Kelly, W. W. Beer, F. M.

Wilson, H. G. Goodeve, J. Irving, R. Hinton, A. Kelly, W. W. Beer, F. M. Black, S. Kelly, E. K. Beeston, T. Mor-ley, R. W. Hannington, J. M. Lay, A. W. Dyer, P. Lamont, J. Gilker, E. Bail-lie, W. A. Macdonald, R. Webb, W. H. Jones, T. Procter, F. J Deane, Brnce White, L. B. deVeber, F. Phillips, T. Deasy, J. A. Dewar, mayor Gillett, I. G. Nelson, E. A. Lindsley, James John-stone, J A. Macdonald, H E. Dougles, G F. Wells, J. G. Billings, J. J. Camp-bell, W. E. Cook, of Kasho; W. E. Koch, H. Wright, F. M. Chadbourn, K. E. Beattie, of Cranbrook, and A. Lean. The meeting was opened by the reading of the telegram from the Calgary board of trade, published in yesterday morning's issue; of another from president Sherman, of the United Mine Workers, saying that of the United Mine Workers, saying that the account of the miner's side of the case in the same issue of The Daily News was

orrect; and of a telegr ram, a spec his paper, from the coal operator ished elsewhere in today's issue. perators, pub-

J. M. Lay moved that the board send a delegate to the Calgary. conference on April 23 and try to get the B.C. boards o do the same, at the same time sending telegame to the elegrams to the provincial and do segrams to the provincial and dominion governments urging immediate action. T. G. Procter did not see the use of sending a delegate and did not think i would have any moral or other effect. G. P. Wells though some recommenda-tion ought to be a similar to consumman as to what remedy would be probably ef-

F. M. Black moved that as both side had ignored the Lemieux act, this board condemns such an action and recommends that the miners shou'd resume work under government operation, whilst the enquiry was being held under the new conciliation

R. W. Hannington pointed out the causes of the strike was the failur of the Alberta government to pass an S-hour law, as promised, and that the miners had practically refused to return to work in Alberta until such a law was Therefore no conciliation or arbitration e to wages would affect the matter.

J. Johnstone supported Mr. Black on the ground that the Crow's Nest Pass Coa company was not getting enough of it oal and should be allowed to sell it at a bigher price than S. Then the company would be in a position to pay higher wages. J. J. Campbell thought that the opera-tion of the mines by the government was rather a radical yiew.

delegate. R. E. Beattle, of Cranbrook, thought the first resolution of the board objectionable the second was one of which he could approve.

COMBINES **DO EXIST** Finding of Parliamentary Lumber Committee of Enquiry

NO. 52

Report States Both Retailers and Manufacturers Have Formed Combines and Work in Cooperation

Ottawa, April 19.-Thomas Greenway presented to parliament today the report of the lumber committee, which is as

follows: "Your committee, have during the course of their inquiry held some 30 sittings and examined 32 witnesses, and have had a large number of books, let-ters, price lists and other papers and documents laid down before them as exdocuments laid down before them as ex-hibits, which, together with the min-utes of their proceedings, are herewith submitted for the information of the

These two associations and results of the operations of the opinion that the prices charged for lumber are excessive; your committee find that there has existed for some years past, and still exists, an association known as the "Western Retail Lumbermen's association," and this association in-cluded all three provinces until recent-ly, when the retailers of Alberta formed a similar one of their own called "The Alberta Retail Lumber association." "These two associations amount, in the opinion of your committee, to a combination and the objects and results of the operations of these two associa-tions have been to annually inhance the said prices, as appears from the price lists themselves and the bylaws, min-utes, books and correspondence and evi-dence of witnesses in regard to the said operations."

"Your committee also finds that ecently the manufacturers form recently the manufacturers formed an association known as the "British Co-lumbia Lumber and Shingle Manufac-turing association" which, in the opin-on of the committee, amounts to a com-

these manufacturers a good deal of dence was submitted to show that it prices were not excessive, but be concurring in that view, your commi-tee think that there should be more dence as to the cost of production the manufacturers. Your committee so has to take into consideration ler is materially affected by the cost of he freight as well as by the cost and the fre the freight as well as by the cost and profits of the manufacturers and retail-ers. (Sgd.) T. Greenway." This report was prepared by a sub-committee, comprising Hon. Thomas Greenway, E. A. Lancaster and W. M. Slocan and approval by the general committee.

TWO LITTLE GIRLS ABDUCTED Taken on Trip North by Quarte

of, Steamer Cassiar. (Special to The Daily News)

Vancouver, April 19.—Two quarter-masters on the steamer Cassiar were ar-rested this morning on a charge of ab-duction, which will probably be changbably be changed to a more serious charge tomorrow morning. It is alleged that the men. Bruce Edwards and F. Ortago, met two girls, Ida Bell, aged 12, and Myrtle El-lis, aged 14, last Monday while on their and told of the trip, stating the other girl and Ortago were about to leave for Seattle. This pair were later arrested in a rooming house and after question-ing the girls further, the police arrested Edwards. The officers of the steamer state that the men must have taken meals to the girls through the entire trip as not a glimpse of them was seen by any person in authority.

C. N. R. SYSTEM PARALYZED

(Special to The Daily News) Ottawa, April 19.—The Cahadian Northern railway bill, asking for pow-ers to build an additional thousand miles of railway in Alberta and Saskat-chewan was held over at the railway committee meeting today, at the request of the company. This is due to the de-termined stand taken by western mem-bers not to allow charkens for more pailease until such time as the roads al-ready built have given the people ade-quate service. As it is the whole sys-tem of the Canadian Northern was said to be perclared be paralyzed.

SENKLER DECLINED OFFER

(Special to The Daily News) Vancouver, April 19.—The announce-ment was made this morning that J. H; Senkler of the law firm of Wilson, Senkler & Bloomfield, had during the week declined the offer of the position of governor of the Yukon. Last Friday he received a message from Dawson on the mater and during the week was in communication with Ottawa. The final (Special to The Daily News) tion with Ottawa. result was his turning the offer down

LUMBERMEN **HEARD FROM**

Appeal to Government to vefer Imposition of Increased Royalty

Fulton Si s: "New Royalty Not to Be Collected Before - January Next" --Hall's Bill for Relief of Nelson

Victoria, April 15 .- Dr. Hall has inred a bill into the legislature t amend the Municipal Clauses Act which today passed the municipal committee. The bill is of special importance in Nelson which has been placed in such a peculiar position by the fact that the penditure for schools must be includ-i with ordinary municipal expenditure. Hall's amendments will exclude debt due to money used for school purposes and sinking funds in that connection from the 20 per cent limit beyond which

the municipality may not go. Ross has introduced a bill to make i possible for the governor-in-council on petition of at least four-fifths of the inhabitants of any community to create a curfew district and children under the age of 14 years be prohibited from being on the streets after 9 o'clock except with a guardian.

This afternoon the estimates were again in committee. Oliver probed into the votes in Cot-Oliver probed into the votes in Col-ton's riding where, in addition to a large general vote, there is \$70,000 for roads in North Vancouver and South Van-couver, which the government contended was according to a promise made when the government lands were sold, and intended to open them up. Of the supplementary money set aside in Richting to \$15.000. Tatlow said only \$7000 was spent mostly to repair bridges washed out.

Cotton ascribed these to acts of providence, which Oliver turned to account by saying if it had not been for these acts of providence, Cotton would not have ben elected, and that it was a peculiar thing that washouts were only in

conservative ridings. ince waited nn the government today They took exception to the proposed in-crease in the royalty from 50 cents to 75 cents. They argued that it unsettle financial arrangements and re-sult in it being difficult for millmen suit in it, being difficult for minimum and loggers in get money to carry on business, as the banks and moneyed men would fear that other increases would follow from year to year. They recommended that the bill be held over. government promised to consider the matter.

The delegation represented the coas millmen, loggers and l' and interior : ense holders.

In reply to Kergin's questions today as to whether the federal government had granted the G. T. P. any portion of Tsimpsean Indian reserve and what the provincial government had taken, Tatlow replied saying that from the report of a debate which took place in the dominion house of commons, the government understands that the Indians of the Tsimpsean Indian reserve have surrendered to the dominion government whatever rights they have in the lands comprised in said reserve, an that the dominion government have conveyed such Indian title to the Grand Trunk Pacifis, or rather have under-taken to convey such title to the said company.

The provincial government have advised the dominion government and the Grand Trunk Pacific railway, that if the Indians have made such surrende above mentioned, that the absolute title to said lands is now vested in the province of British Columbia.

Fulton replying to Oliver tonight said that the increased royalty would apply to timber cut under licenses issued under the Act prior to 1905, as well as the new one and also to that cut under the old lease system. The government intends to make the new rate of royalty apply only after January next, so as to give millmen who have contracts made on the basis of the old rate a chance to work out their contracts

STAR vs. WHITE APPEAL DETAILED ACCOUNT OF PROCEED-INGS AT VICTORIA

(Special Correspondence)

Victoria, April 9.-Vein or fissure? Will the full supreme court of B, C., composed of Irving, Martin and Morrison, J.J., follow the decision of chief justice Hunter delivered 24 months in the Star Mining and Milling Co. vs. the Byron N. White co., and declare against John M. Harris' contention, or will it reverse the learned chief justice and find in Mr. Harris' favor in the famous extra lateral rights case, the first of its kind in B. C.? The hearing before the full court by

way of appeal from the finding of the chief justice dismissing the plaintiff's acting with costs-and very heavy costs were taxed-commenced here yesterday morning and while the court wants the appeal ended this week, it looks as if it would extend over the greater part of The Daily News has covered briefly the chief points so far brought out by Messrs Havis and Taylor from experts Size control of the local expert told the second sec Forder, and has made clear that the plaintiff's claim to have succeeded, through the new work ordered by the sound and his new been so proved be-to the south showed the fissure plainly

ers judgment, but the plaintiffs are making a great fight and the defendants are taking up the matter very seriously, whatever they may say at the moment When the full court assembled yester-day Davis, K.C., explained that certain eliminaries would have to be arranged, the new work done would have to be put upon the plans and the models would have to be refixed, they having suffered in their journey to the coast, and in addition all the maps were not on hand. After some sparring between counsel, Mr. Davis suggested that W. E. Zwicky and his foreman, George Clark, of Sandon, under whose super-vision the new work ordered by the full court, was done, should be called as witness by the court, and each side left at liberty to cross-examine. Mr. Zwicky and Mr. Clark were really officers of the court and the plaintiffs should not be obliged to call them as witnesses. Mr. Bodwell said it was a matter of indifference to him who called the witnesses, his learned friend or the court. After lunch the court finally ruled that for the present neither Mr. Zwicky nor Mr. Clark need be called, it would be time enough if any dispute arose about the work being done properly, apparently a note contingency.

Contragante d'ar serie

Mr. Davis thereupon opened the case on appeal for the plaintiffs, giving a orief summary of the proceedings fro the time shortly before the writ was is-sued in July, 1901, up to the decision given by chief justice Hunter dismissing the action, with costs, some two years ago. The position taken by the parties hroughout was fairly clear. The defen dants claimed the Slocan Star vein run-ning along the Star and then turning north and after a distance turning to the west and going into the Silversmith claim, the whole course of the vein being like an inverted letter "S." admittedly went into Rabbit Paw and Heber fraction ground and took out ore from these, and if their contention was from these, and it their contention was correct they had a legal right to do so. The plaintiffs' claimed that the long line of the inverted "S" was a fault fissure, christened the "black fissure" because of its formation, the predominating contents of the vein being black, and that in place of the Star vein continuing down at the bend to the north, it was cut off there and was ended. Two of the most important parts of the new work ordered by the court were at the south and north ends of the curves, the plain tiffs contending that if work was done there the fissure would be found extending south and north, proving its existence as a fault fissure. The third point was whether ore found at a certain point in the long line of the inverted "S" was a vein, or drag ore, if the latter, the laintiffs were out of court.

Then counsel took up the judgment of Hunter C.J., and waxed mildly sarcas tic over some of the language used, par ticularly in the light of the work recent ly done. The black fissure was " ly done. The black fissure was "a myth." The theory of its existence was one "based on ingenuity born of des pair," and expert Sizer had been ridi culed for his "ingenuity." As to No. vein it also had no existence and Mu gizer had been called a "vein finder" for his trouble. A great effort had made at the trial to laugh the plat l to laugh the plainting case out of court and the learned trial judge had taken the "myth" theory and run away with it. Well, the work had been done and it would now be shown that the black fissure had a real exisence; that it was found extending northrly and southerly, just as the plaintiffs claimed it would be found. The despised "No. 2 vein" was proved up and the theory that the ore at this point was drag ore must now vanish. In a word he con ention always made by the plainlffs that the black fissure ended the course of the Star vein were it encounered it was now quite clear as the fresh widence would demonstrate beyond any easonable doubt.

Mr. Davis then called expert Frank L Sizer of Helena, Mont., whose story at the trial in Nelson is well known to all readers of The Daily News. Mr. Sizer repeated briefly the effect of his former estimony that the Socan Star vein was cut off and abruptly terminated at westerly end by the black fissure, that the vein was clearly faulted by the fissure. The new work recently done at the north and south ends of the fissure oved that the witness' original conute description of the work at the south erly extension was then given, the most striking part of which was the finding of a stringer of ore varying from 4 to 5 to 18 inches in width and gradually pinching out before the 100 feet of ne work was finished. The stringer was in the black fissure, but was drag ore, dragged to where it was found from the Slo can Star vein. There was nothing un-usual or unexpected in finding the stringer where it was. It was found at the same time the Slocan Star vein was and was moved to where it was found in the black fissure. It could not pos sibly have come where it was after the black fissure was formed. Turning to No 2 vein called by the defendants 'drag ore" the witness said that the last work at the point proved the existence of No. 2 as a perfectly formed and dis-tinct vein, with well defined strike and dip. The only difference the witness ould make in his original story as told in Nelson, brought about by what could be learned from the new work, at any one of these points, was as to the post tion of the porphyhy intrusion, which he admitted had a flatter dip than he thought it had. This, however, was not material to the case. Then Mr. Bodwell tackled the witness

much in the same manner he did at the trial, but possibly not even with the suc cess he had at Nelson. Mr. Sizer stuck to his ground and answered the questions showered on him in quick succession, briefly-for an expert-occasionally insisting quietly for added explanations, a practice in which he was sustained by

ed. In no way did he differ from Mr. Sizer's version, but he went at great length into the facts and used his own their original contention was methods of showing how he arrived at y and all doubt. Whether this will be to the south showed the fissure plainly for a certainty when the full court deliverextending in that direction. It had the

THE WEEKLY NEWS, NELSON B. C., SATURDAY, APRIL 20 1907

The stringer of ore found in the extension of the fissure was drag ore from 'A' vein, probably the Star vein. The new ent condition so far as the surface is ground showed the fissure extending to the south with identically the same feaures as the main extension to the north. After agreeing with Mr. Sizer through-out that the new work made it certain that the black fissure (1) extended north ed at the various stages of the earth's and south: (2) abruptly terminated the Slocan Star vein at its westerly ending, and (3) proved conclusively the existence of a well defined No. 2 vein, also cut off by the black fissure, the witness identified a number of large photographs, a foot long by 9 inches wide, of the new workings in detail and explain-ed to the court how these pictures showed up actual existing facts today. Then he branched off and told Mr. Taylor that when he and J. M. Harris visited the workings about March 1st they discov-ered an apparently hidden drift that had been walled up so far as the witness could tell, with the intention of preventing an inspection of it. This was in the extreme western section in Sil-versmith ground. The witness and Harris got into the drift and found it 130 long. The showing there went to feet long. The showing there wen prove the correctness of some of plaintiffs' theory at the trial and the incorrectness of the defendants' testi-nony. They also noticed some new work done by the defendants, not apparently upon any ledge but indicating a "fishing" for favorable evidence. The work in question noted was done at 2 or 3 different points. There might be other work, but they particularly noted the places mentioned. Mr. Fowler closed a few minutes before 5 p.m. and the court adjourned,

Victoria, April 10.-The appellants closed their side of the case today in the hearing before the full court of the Star M. & M. Co. vs. the Byron N. White Co. Outside of the photographs identified by Mr. Fowler, and the evidence of that gentleman and Mr. Sizer, on the new work done under the order of the court. Mr. Davis brought out nothing startfirst taken plus what is disclosed by the new work. Mr. Bodwell evidently takes the case very seriously as now framed since he spent the better part of today cross examining S. S. Fowler, M.E., of Nelson, on his story as to what the new work showed up. This was further evi-denced when Mr. Davis closed his case this afternoon after calling W. E. Zwicky, of Kaslo, and George Clark, of Zwicky, of Kaslo, and George Clark, of Sandon, the two men, who had charge of the new work as manager and foreman, respectively, and Mr. Bodwell com-menced his side of the case in support of the learned chief justice's judgment. of the learned chief justice's judgment. The counsel declared the new work had advanced the case no further than when it was last on trial, but he made an adiress of some length hefore calling his first witness and it became known that the views of Max Bochmer, a well known American expert were to be submitted to the court, not merely on the new work, but on the whole case, Mr. Bo mer starting from the commencement things and just getting fairly way when the court adjourned. It fur her transpired that the defendant have done further work on their own account and that they will offer evidence as to this.

Mr. justice Martin announced that regarded the present hearing as prac-tically a new trial and he personally hoped the parties would submit all the vidence they thought would be of any In reply to Mr, justice Irving, Mr

Bodwell and Mr. Davis agreed in stating that the evidence would probably be all in on Friday afternoon, but how long t would take to argue the case neither counsel could say. On his cross-examination this morn

ng. Mr. Fowler told Mr. Bodwell how he took or superintended the taking of the numerous photographs put in. The witness declined to put any interpreta tion upon the discovery of the "hidden drift," referred to in his examination drift." in chief. The drift looked, judging from tention was perfectly correct A minthe age of the timbers, as if it had been He did no ask for any explanation about the drift being lagged, or walled up. It struck him as a suspicious circumstance.

It was the conceaiment that struck him at the time that made him suspec that there was something in the he defendants wanted to hide. What that something was he did not know. He believed that the concealment was done purposely to prevent those having a right to inspect the workings seeing what was there. He thought the main point it was intended to conceal was the fact that the porphyry intrusion was not encountered until the face of this 130 foot drift was reached. That fact, the winess thought had a distinct bearing on the defendants' contention as part of their case. It would, in the witness' t was shown where the porphyry intrusion actually came in at the concealed point. The bend of the Slocan Star vein round the mass of porphyry intrusion was the point involved. A long discus-sion betwen witness and counsel fol-lowed on the state of the extreme western workings in the Silversmith, the ex-istence of a vien of ore, drag ore or ore in place, being involved. The witness enied the existence of a vein, or of ore in place, the ore found being strictly "dragged ore" from where, Mr. Fowler aid, he could not say. The expert's iew, of course, directly contradicts the vidence of the defendants' experts, who ave sworn and will no doubt swear again, that a vein is plainly to be found the workings in the section of the claim in question, that ore is in place there, that it is not drag ore, and that a arge quantity of ore has actually been mined and taken out in the course of development. Gradually the examination yer and the expert as to the geological formation of the country through which the Slocan Star vein, and the black fissure ran through. Both participants in the struggle had the advantage of going all over the question in court at the trial and when this general examination came

existed before the formation of the Star vein, though probably not in its pres-

concerned. Did the porphyry mass offer equal re sistance with the Slocan Star slate! formation? were gone into over and over again. The point involved, of course being, did the Slocan Star vein turn and bend around the porphyry intruding mass or was a fissure formed cutting off the vein abruptly. As a geo-logical demonstration the work of the morning was highly interesting, but the uestions involved were treated wholly rom a technical standpoint.

If porphyry is found in the Slocan Star vein, it would mean that the por-phyry was there first. If the porphyry was mineralized, it might have become before it got into the vein, but prohably was mineralized at the same the vein was formed. Turning to the new work at the ex-

ension to the south, the witness wa asked about the stringer of ore found here. It was drag ore, not the probab-it was shaved off a vein nearby, probabhere. It was drag ore, not ore in place. y the Slocan Star vein, and brought to ts present position in the black fissure, by movement. At the hoist on No. 5 vel, the Slocan Star vein on the floo of the lead was approximately 80 feet wide, where it butted up against the black fissure. No. 2 vein was located 145 feet away, and the witness was asked how far ore could be dragged. It could be dragged and probably was dragged from the Slocan Star vein 145 feet away, the witness said. This concluded Mr. Bodwell's examination and it can fairly be said that he left the expert pretty much just where he found him.

To Mr. Taylor, Mr. Fowler went fully again into the question of drag ore and where it was usually found, and the ause of its 3 pearance. Turning to the formation of he porphyry intrusion the witness and and that two kinds of porphyry we're found in the workings caused or some of the mass cooling more that rapidly hen the other. he had seen or heard to date had altered or modified his original expressed opin-ion that the black fissure cut off abruptthe Slocan Star vein at its westerly

Mr. Davis hen called W. E. Zwicky the mining signeer of Kaslo, under who e direction the new work recently done, was carried out. Mr. Davis origin Zwicky said he superintended the work directed by the court. He had not con-sulted with either of the parties to the He had never given evidence in the action before. He carried out the instructions of the court as set out in the order. He described running the crosscut in the southern extension and aid he stopped when he came to the wall. Where the wall was reached there was a radical change in the material en-countered. Continuing the witness went on to describe the other work done on the southern extension, giving a minute description of the material encountered till the wall was reached at this point. The winess said the new work showed the extension of the black fissure to the outh. He had no hesitation on thu oint, but answered positively. o No. 2 vein the new work done there said, he found in the 50 feet run, shipping ore and quartz. The walls we n place. He was satisfied that he was ollowing a vein as far as he went. At the northern extension the new work showed the extension of the black fissure in a northerly direction. He proceed ed 13½ feet and stopped when he reach ed the wall. What he crosscut at this point was the same fissure that he cross-cut at the southern extension already

tambler-Cariboo, American Boy and ome Ainsworth properties. To Mr. Bodwell, the witness said the stringer he encountered in the southern extension was on the footwall of the fissure. The footwall of the No. 2 vein was not well defined. Pressed on some general questions as to the rest of the workings outside of the three points where the new work was done, the witess asked to be excused from express ing an opinion. He did not around" when passing in and out of the

eferred to. He was manager of the

Walliam George Clark, of Sandon, niner, foreman for Mr. Zwicky in doing the new work ordered by the court, was then called by Mr. Davis. He started the crosscuts in the south extension from the footwali of the fissure and stopped when he came to the wall to let Mr. Zwicky see if it was all right. He des-cribed the material he went through. cribed the material he went through agreeing with the former witness as to make up. He was on duty while opinion, injure the defendants' case if all the work was done. He found a stringer of ore in the footwall of the fissure.

> The witness declined to express any opinion as to the result of what we done at any of the points where the ork was done, and Mr. Bodwell in his ross-examination got very little mation except as to the actual work

At 3.30 Mr. Davis announced his cas or the appellants closed, and Mr. Bod well opened the case for the respon-dents. Mr. Bodwell said that the result of doing the new work was exactly what he anticipated it would be when the plaintiffs asked to have it done. There was still the same balance of opinion to be struck between the experts. The defendants', counsel said, had in he way altered their case and would urge now development. Gradually the examination drifted into a batble between the law-by the black fissure, the latter having. no existence. What the plaintiffs' claim-ed to have found by the new work, has practically never been denied by the de-fendants. A fissure continuing to the

same ch aractéristic vein filling, the dom-inating character of which was black shining particles, the subordinate fea-tures not being so black or so saining. The mass of porphyry, said the witness, to No. 2 vein, it is still another question whether it is a branch vein or not. The new work has proved nothing that was not known before. There is nothing before the court that will assist it to d anything else than the chief justice did, decide the myth or falsity of the two expert opinions advanced. Mr. Bodwell called Max Bochmer, mi

ing engineer, a new witness introduce for the first time in the case. The wit for the first time in the case. The will ness said he was educated in Germany, and had practiced his profession for many years in the states and had er-amined and reported on many mining properties in the west during the past 28 years. He had recently examined the methods of the Shear Star asrefully for workings of the Slocan Star carefully for the purpose of this trial. He had ex amined practically the whole mine. was necessary to examine the working every few feet in order to speak intelli-gently. The witness first examined the surface outcropping of the Slocan Star vein which, he said, followed a most tortuous course, one of the most twiste

courses he had ever seen. The witness explained that he had had some work done on his own account an then Mr. Davis made a strong objectio to fresh evidence and a new ing offered to the court. He thought it most unfair if the defendants could, without notice to the plaintiffs, do any work they pleased, and then bring wit-Mr. justice Irving-The form of arder made covers the case. Mr. justice Martin-I should like to understand the matter. It seems pecul-

Mr. justice Irving-At present the ruling is that under the court's order, this evidence is admissable.

ing the porphyry mass, was described at length. Turning to the makeup of the length. Turning to the makeup of the Slocan Star vein the witness said that in length, nine-tenths of veins were barren, the rich sections only occasions occurring, so that the barren sections occurring, so that the barren sections in the Star vein need excite no comment. It is what might be expected. The Star vein followed a crooked course, but the witness knew of others still more crooked, the winding course was unusual but not surprising. Coming into No. 5 level, the witness declared for a new state of things, or rather his explanation of what caused the apparexplanation of what caused the appa explanation of what cansed the upper ent termination of the vein against the fissure, differed a good deal from any thing so far alleged on either side. I was the same story as that told by Mr Elmendorf at the trial but told in a diff ferent way and advancing different real ferent way and advancing different feedback sons for cause and effect. He took his evidence largely from the upper levels which have been worked out in place of the lower level used chiefly by the other witnesses. He was satisfied he said that the Slocan Star vein bent sound the corrbyry mass and that the so said that the storan said that the so round the porphyry mass and that the so called black fissure is not a fault fissure at all. Has no existence in fact

At this point the court rose for day. Max , MI

Victoria, April 11.—The hearing the appeal in the Star M. & M. Co. v the Byron N. White Co. took on a ne face today (Thursday) when the exam ination and cross-examination of Ma. Bochmer, the American mining exper from Montaina, was concluded. Bochmer, of course, supported the mail contention of the defendants that the Slocan Star vein's course was uninter rupted and could be readily traced all through the mine workings. He swept away the black fissure theory in his mamination in chief, but experie rouble with Davis on cross examin trouble with Davis on cross examines tion on this and some other points. Davis pressed the witness strongly on the extensions north and south of the fissure where the new work has been done and the witness admitted the extention but said they were measy creacity or spurs from the main Slocan. Star vein. Still further pressed as to how far these cracks could go to con-stitute an independent fissure, Mr. Bochmer said if they went far enough they might prove an independent fis-nure, but how far "far enough" was ounsel was unable to wring from th Turning to the northerly exten

Bochmer declared that the main vein of the Star turned west at a point 180 feet further south than any witness has s far said. The witness declared h could not set out the description of th vein as it turned west as no work h vein as it turned west as no work had been done there. If he is correct it would appear that Elmendorf has been mistaken as he traced the vein west where he said the workings followed it. Perhaps tomorrow if Mr. Elmendorf is called he will be able to explain the position taken today by Bochmer on the points where apparently the two ex-perts on the same side differ materially. Mr. Bochmer, who is a gray-haired midde-aged man, of very pleasant ad-dress, gave his evidence most exactly and painstakingly. He was not com-batative on cross-examination and an swered Davis' searching questions very uietly and briefly; whether his evi-lence has at all advanced the defend-

ants' case or has hurt it remains to When the court opened this morning the fourth day of the hearing before the full court, Max Bochmer, the American mining expert continued giving his evi-dence in chief on behalf of the defendexactly what they did before the learned | ants. He explained the new work he chief justice, that the Slocan Star vein | had done, and showed its place on the as shown on the model and map was | big map in front of the court. The big map in front of the court. The work consisted principally of further surface pits, which the witness said he found necessary to satisfy him as to the course of the Slocan Shar vein, and the ed to have found by the new work, has practically never been denied by the de-fendants. A fissure continuing to the north and south as shown, does not in any way affect the defendants invariable contention. The fissures claimed by the

make sure of his statement, he found a well defined vein in place. Speaking of the geological formation of the mountain the witness said that the slates were formed first and then

the veins. The irruptive rock clearly came after the slate formation. The porphyry mass, an irruptive rock, in the present instance, clearly pushed its way through after the slate formation ex-

Taking up the 5th level of the Star workings, the witness explained in de-tail and with numerous sketches made on the court blackboard, how he traced the courst of the Slocan Star vein from the east limit of the Star claim to its present known position, as claimed by the defendants in the western end of the Silversmith. Stress was laid on the sharp turning point to the north, where the plaintiffs say the black fissure is encountered, and where the defendants say the Star vein continues on its course." The witness, as might be expected declared wholly in favor of the plain continuation of the Star vein along the whole course. He expressly contradicted the conclusions given by contradicted the concustors it pleasantly Fowler and sizer, doing it pleasantly and showing where he thought they had been ied astray by the confused goo-logical conditions existing, admitting logical conditions existing, admitting that his first inspection left him with the view as expressed by the plainting experts, but that a more careful examnation convinced him that Fowler an ination convinced him that Fowler and Sizer were clearly mistaken. Having demonstrated the truth of the defend-ants theory, Mr. Bochmer proceeded to demolish, from his standpoint, the plaintiffs' black fissure. It was quite impossible, declared the witness, to prove real geological conditions by or-dering done 100 feet here and 50 feet there in the workings. What the plaincribe his inspection of the surface of the ledge and the new pits he had made. He found the vein continuous across the full length of the two claims. The gen-eral geological formation of the moun-tain was gone into in detail. The way in which the Slocan Star vein met the porphyry dyke and passed around it re-sumed its line of original dip after pass-ing the porphyry mass, was described at of the Slocan Star ven coming around a "horse" as seen in other parts of the mine. The so called black fissure was clearly not a fault fissures, that is, that the Star ven was not thrown some 700 feet from the south to the north and found again on what is called the Sil-computed weight and the source of the versmith vein. In support of his con-tention the witness gave seven distinct tention the witness gave seven distinct geological reasons, summing up his case, viz.: (1) The internal evidence within the crevices with pleces of an-gular rather than rounded particles, and gular rather than rounded particles, fact ore continuously solid for 280 feet northerly and 100 feet southerly, and ore continuously solid for 280 feet northerly and 100 feet southerly, and because ore can not be dragged in both directions, and no evidence of striation or uncommon slickensides visible; (2) no sign of faulting to topography, which would exist if faulting was as extensive as claimed; (3) decided difference in strike where no change in dip of the two portions. Physical impossibility of the fault existing as claimed; (4) out-crop of continnous veln; (5) physical conditions pointing to existence of fault are slao found in those portions of the vein admittedly not affected by any faulting; (6) faulted portion does not match other end in strike, vein con-tents or hanging wall; (7) actual bend-ing of the Slocan Star veln in the up-per levels and stopes to a direct parallel to the so called black fissure, proves that the veln does make the extraoru-inary bend.

inary bend. There is a continuous vein as claimed by the defendants, was the final conthe defendants, was the final con-sion of the expert. "Have you looked over the specimens

"No sir." said the witness, very em-phatically. "I regard hand specimens as dangerous and misleading, more likely to mislead than to give any valuable information. I have no use for them." The examination in chief concluded at 2.15 and Mr. Davis commenced to cross-examine the expert. The two possible explanations of the situation were either that the extensions north, and south of the black fissure were merely cracks or spurs, and that the black fis-sure existed before the vein and that the latter came along, filled it up and passed on its way to the west, making one continuous vein, or that the fissure and the vein were made at the same and the voin were made at the same time. The witness would not admit the possible existence of the black fissure as an independent fissure but on using strongly pressed by Mr. Davis said that if the "spurs" extended far enough north and south it might be af indep-endent fissure but he declined to say how far "far enough" would be and counsel dropped him at that on this noint. point.

The witness differed from Zwicky as to the county explored by the new work, to the south. In place of going through or to the wall of the black fissure, the 'wall" was that of a vein.

"I would not omit anything in my notes," said the witness, "if it was go-ing to injure our contention. I think a suppression of the truth as wrong as making a wrong entry. I put in my notes what I found, irrespective of who it helped or hurt." The witness was unable to speak of

the Slocan country formation at large not having visited any other properties han the ones under review.

Asked if the fissure as shown in the new work to the south was a continu-ation of the black fissure, the witness said he could not say without furthor work. The fissure might extend south for miles. It might only be a crack, a spur, or a branch, caused by the benda spur, or a branch, caused by the bend-ing of the Siocan Star vein. He repeat-ed that he could not say how far the fissure extended on south past the new workings. He could not say how far it should extend to be termed an in-sion of the black fissure there were two fractures, one going on north and the other, the main Siocan Star vein, go-ing on west. The fracture to the north might extend indefinitely, or it might be a spur only. The main vein to the west, the witness thought, had not been developed. A little work at the junc-tion of two fissures would not show up the plain course of the two. Mr. Boch-mer put the course of the main Siocan Star vein to the west in the north end i

of the turn at a different point to any case. He placed the turning point to the west and about 180 feet south from the point generally accep ed to date

As to the long barren spot in No. 5 level-1200 feet-the with he had known of such barren spots n er mines, in one instance he recall ed a barren spot 1500 feet long, but this was a mere crack, another case was 2500 feet long; this was a contact ven. As to the sharp turns in the Star vein and the similar instances given in chief the witness admitted that the most irregular course given was through lime, which accounted for the irreguarity. The other two instances given were under different conditions than those existing in the present insta_ >= under review. Counsel wrestled with the expert for

the better part of the afternoon, going over the question of what was shown by the new work, but if Mr. Davis sucbeeded in shaking the witness fur than already stated it will appear counsel's summing up of the case in the argument later on. Mr. Bodwell re-examined briefly and the expert was excused.

After some informal discussion, in which Mr. justice Martin again repeat-ed his view that the present hearing was in reality a new trial, and that he hoped counsel would submit all the evi-dence they deemed necessary, the court adjourned until Friday morning at 11.

Victoria, April 12 .- At the close of the day's proceedings in Star vs. White, it was made clear that the trial would take practically all of next week. As the hearing before the full court pro-ceeds all interested, judges, counsel and witnesses, are getting more and more on edge and today this was rather more noticeable than usual. Mr: Tay-lor's attack on Oscar White's account of the "hidden drift" and his question-ing of Mr. White all through was upon different lines than has been ado ed during the week with othe Then the court fell foul of Mr. Bodes. Then the court fell foul of Mr. Bod-well for getting Mr. Drewry to alter the main big map used by all the witnesses in telling their story. Mr. Bodwell had jeered at Mr. aylor saying that on the map being corrected Mr. Taylor's "nos of ore" on the 2 vein had disap peared, and Mr. justice Irving promptly objected to any "tampering" with the map without the leave of the court. Mr. Bodwell assumed all blame in the matter and admitted he should have asked permission before making any changes. While waiting for the court to come in, Mr. Taylor saw a red apple placed on the defendants' model: "Is that por-phyry?" he asked N. J. Cavanaugh. retorted the Nelson mi sharply, "its just an apple; don't you know the difference?" and the defendants' experts grinned approval at the

It was expected that Mr. Elmendorf would be the first witness today to ex-plain, or as the plaintiffs say, to explain away, the story told yesterday by Max Bochmer, the brand new experi import-ed into the case, who put a new com-plexion on many of the points involved by suggesting a totally or nearly wholly different state of geological affairs than maintained by defendants, as generally inderstood. But Mr. Elm kept in reserve and will not be called until Monday. At the close of the day all that had been accomplished was the examination and cross-exam-ination of N. J. Cavanaugh and Oscar V. White. "Nick" held his own with Mr. Taylor and Mr. White related how the 130 foot drift came to be "hidden," as described by Mr. Fowler, be orously cross-examined by Mr. Taylor on this and other points. Nothing very new was elicited from either witness either in chief or upon cross-examina tion. Some 40 odd samples were added to the already large collection now in the possession of the court, and the gen-eral trend of the evidence given supported the contention of the defendants that the Slocan Star vein extended and could be traced without a break on its entire course as seen upon the model. N. J. Cavanaugh told Mr. Bodwell that he was a witness at the first trial when he was an official of the defendant company; he had since severed all conn tion with the company. He identify several samples of rock taken from the new workings and from other portions, of the mine. The witness produced black vein matter taken all through the No. 5 level of what the defendants' call the Slocan Star vein, from east end to west end, the samples differing so far as could be seen, very little from what the plaintiffs call the characteris-tic filling of the black fissure. The other samples were taken with a view of contradicting what the plaintiffs of contradicting what the planting claim is the geological formation at dif-ferent points. In all about a dozen new samples were put in. Then Mr. Cavanaugh drew pictures the court black board of the dirst

on the court black board of the first turn to the north in the 5th level of the Star workings, he being on duty at the property at the time the work was being done, the point involved being whether the vein turned at the point or was, as the plaintiffs' claim, abruptly terminated by the black fissure. At the turn on the hanging wall there was three fee of clean galena. This ore could never be drag ore, it was ore in place. The ore shoots in the mine varied from 90 to 150 feet in length. The ore bodies found invariably were encountered in round invariably were encountered in wedge shape widening out as the work proceeded and tapering off at the end, these kidneys of ore always showed twists and turns, the ore occurences were all of the same character.

Sand States

The witness ridiculed the sugge that along the line of the black fiss two veins existed or that separate vein were originally found. He declared t Star vein held on its course as they he ed it when working on the No. level straight along from east to we as worked. Mr. Cavanaugh described recent visit of inspection made at t Ruth mine near the property under r view, and contradicted Mr. Fowler's ev dence given as to faulting shown the To Mr. Taylor the witness said he knew of mining was picked up fro practical experience of the past years. He declined to technically fine a fault but told what he had s in the formation when faults had be encountered in practical working. The instructions given the men when driving No. 5 level was to follow the Sta ledge and they did so the full length of that level as shown on the plan. Count sel pressed the witness closely on man of his answers given in the first tria as well as today, but Mr. Cavanaug held his own and fairly maintained | original position throughout the morning. There was a great deal of cross firing betwen witness and Ma Taylor. The counsel would ask: "W you swear that this sample is not dr ore?" and the witness would rep leisurely: "It is not ore at all to m way of thinking," and a string of ques-tions would follow. After a few ques-tions by Mr. Bodwell, Mr. Cavanaug

located.

After the noon adjournment Mr. Bod well called Oscar White, mine superin tendent of the defendant company. I said the work claimed by Fowler have been lagged up so as to conceal i from inspection, was not purposely con cealed, the lagging had ben done to por tect some rails that were stored ther while some of the exploratory wor was under way. The 130 feet of drif had been run about 18 months previou to the lagging in the erdinary course o development. He relterated that ther was nothing to conceal at the drift ' question. After the exploratory wor was completed the lagging was take down. He did not want the rails store in the drift used on the new work, tha was why they had been stored in th drift and the drift lagged up. Ther was no ther reason for what was done and he repeated there was nothing in the have been lagged up so as to conceal was no other reason for what was done and he repeated there was nothing in th drift his side wanted to conceal. If. Mr Fowler had asked him about the mat ter the explanation would have been a once forthcoming. The witness det identified several pieces of rock, in turn explanatory of what is shown at various months on the No. 5 here is adding the

identified several pieces of rock, in this explanatory of what is shown at various points on the No. 5 level including a speci-men of black slickensided rock with polished smooth surface next to the wall having the indications described a the predominating characteristics of the black fissure, but as a fact taken from the Eureka mine, having the Star vein half a mile away. All told Mr. White accounted for about 25 or 30 pieces of rock and fo half an hour or so the registrar wa kept busy marking up the new exhibit as they came along, singly and i groups of three or four pieces. The with ness described in detail how the minin was done on the No. 5 level in an around the first great bend to the norta his story practically agreeing with Cav anaugh's version and as related at the first trial. Incidentally, the witnes mentioned the visit of the chief justic first trial. Incidentally, the witness mentioned the visit of the chief justic to the mine and the lengthy visit pau by his lordship to practically every por tion of the workings in company with Mr. Fowler and the witness, this bein hefore the first trial was concluded before the first trial was concluded. To Mr. Taylor on cross-examinatic Mr. While repeated that the only re-son the 130 foot drift had been lagged t was to hide the rails stored up. It was not double lagged, Mr. Fowler was min mot double lagged, Mr. Fowler was taken as to the double lagging. darken as to the double lagging. In drift does show porphyry on its fact He had never been told of Fowler's dis covery. He ordered the drift to b opened up without knowing anything of Fowler's find. Mr. White declined to dispute any statement made by experner and particularly as to the sion or non-extension of the blac ure north in the new work. Zwicky work apparently stopped at a more less defined wall at the northern exten-sion. The witness declined to pose as echnical expert on "drag ore" but clared he could always tell the differ ence between ore in place and drag or as a practical miner when he encount ered them in the mine workings. "Are you aware," asked the counse "that No. 2 vein has been put on the pla differently from what it actually ap differently from what it actually

pears?" "No sir," said the witness. "Differently then, from the way M Fowler sketched it in the first i stance?"

"Yes, it is there now in the right p "And," added Mr. Bodwell, "you beautiful 'nose of ore 'has vanished." The witness continuing, said that the workings had been properly placed up on the plan by Mr. Drewry. He contra dicted Fowler and Sizer as to the an pearance of the material next to the footwall going into the new drift (of the No. 2 vein). Pressed as to state mants made when the action south store the No. 2 vein). Pressed as to stat ments made when the action first star ed Mr. White said he could not be su of an exact statement made six yea previously. Then a ten minute wrang occurred in which the court, counsel and the minute wrang action of the start of th body the witness got tangled up until M Bodwell suggested that time be given look up the evidence referred to an if necessary, Mr. White recalled to e Mr. justice Irving-I don't think a

change should have been made on t plan without our permission. Mr. Bo well refused to have his witness put t well refused to have his witness put t new work on in the first instance a Mr. Fowler did put it on. Mr. Bodwell-I fear I am to blame the matter. What Mr. Drewry put t on the map yesterday is the result the actual survey of the No. 2 vein a is right

right. Mr. justice Irving-I have nothing say as to its correctness. What I objecting to is any one tampering w the map that is used by both part without the leave of the count without the leave of the court. Mr Davis-Perhaps the "nose"

Mr. Bodwell-No, the plan is corr as now drawn, but I should have a

he turn at a different point to any He placed the turning point to west and about 180 feet to the from the point generally accep .date

to the long barren spot in No. 5 had known of such barren spots n mines, in one instance he recall a barren spot 1500 feet long, but this a mere crack, another case was o feet long; this was a contact ven. As to the sharp turns in the Star n and the similar instances given in the witness admitted that the irregular course given was through which accounted for the irregu The other two instances given e under different conditions that se existing in the present insta_2 er review wrestled with the expert for

better part of the afternoon, going the question of what was shown work, but if Mr. Davis suc ded in shaking the witness further an already stated it will appear in unsel's summing up of the case in the jument later on. Mr. Bodwell re-mined briefly and the expert was

After some informal discussion, in hich Mr. justice Martin again repeat-d his view that the present hearing as in reality a new trial, and that he ped counsel would submit all the evince they deemed necessary, the court journed until Friday morning at 11.

Victoria, April 12.-At the close of the ay's proceedings in Star vs. White, it as made clear that the trial would ke practically all of next week. As the hearing before the full court pro-eds all interested, judges, counsel nd witnesses, are getting more and hore on edge and today this was rather hore poticeable than usual. Mr. Tayr's attack on Oscar White's account the "hidden drift" and his question-ig of Mr. White all through was updifferent lines than has been adopt during the week with other witness Then the court fell foul of Mr. Bod ell for getting Mr. Drewry to alter the ain big map used by all the witnesses telling their story. Mr. Bodwell had red at Mr. raylor saying that on the eared, and Mr. justice Irving promptly bjected to any "tampering" with the ap without the leave of the court. Mr odwell assumed all blame in the mat er and admitted he should have asked ermission before making any changes Vhile waiting for the court to come in Ir. Taylor saw a red apple placed on he defendants' model: "Is that por-hyry?" he asked N. J. Cavanaugh. No," retorted the Nelson mining man harply, "its just an apple; don't you now the difference?" and the defend its' experts grinned approval at the

It was expected that Mr. Elmendorf uld be the first witness today to explain, or as the plaintiffs say, to explain way, the story told yesterday by Max ochmer, the brand new expert importd into the case, who put a new com-lexion on many of the points involved y suggesting a totally or nearly wholly fferent state of geological affairs than interent state of geological analys than maintained by defendants, as generally inderstood. But Mr.- Elmendorf was kept in reserve and will not be alled until Monday. At the close of the day all that had been accomplished as the examination and cross-exam ation of N. J. Cavanaugh and Oscar White. "Nick" held his own with Taylor and Mr. White related how ne 130 foot drift came to be "hidden described by Mr. Fowler, being vig-ously cross-examined by Mr. Taylor n this and other points. Nothing very ew was elicited from either witness, ther in chief or upon cross-examina on. Some 40 odd samples were added the already large collection now in e possession of the court, and the gen ported the contention of the defendants hat the Slocan Star vein extended and ould be traced without a break on its ntire course as seen upon the model. N. J. Cavanaugh told Mr. Bodwell that was a witness at the first trial when was an official of the defendant any; he had since severed all connect ion with the company. He identified everal samples of rock taken from the ew workings and from other portions the mine. The witness produced black vein matter taken all through the No. 5 level of what the defendants' call he Slocan Star vein, from east end to west end, the samples differing so far as could be seen, very little from what the plaintiffs call the characterisic filling of the black fissure The ther samples were taken with a view of contradicting what the plaintiffs claim is the geological formation at dif-ferent points. In all about a dozen new amples were put in. Then Mr. Cavanaugh drew pictures

in the court black board of the first turn to the north in the 5th level of the Star workings, he being on duty at the property at the time the work was being one, the point involved being whether he vein turned at the point or was, as plaintiffs' claim, abruptly terminat by the black fissure. At the turn on e hanging wall there was three feet clean galena. This ore could never be drag ore, it was ore in place. The pre shoots in the mine varied from 90 feet in length. The ore bodies found invariably were encountered in wedge shape widening out as the work oceeded and tapering off at the end hese kidneys of ore always showed wists and turns the ore occurences ere all of the same character. Comparing samples produced by the

plaintiffs as drag ore, the witness said found identical ore in place at points admitted in the known portion of the Star vein, the witness added that he spoke as a practical miner and he men ioned many, instances of how the ore bodies taken out of the mine, looked at he various stages of mining.

Turning to the new work at the southern extension Mr. Cavanaugh described the formation, laying stress in the stringer of ore encountered and giving similar instances of "cracks" to elsewher he south in the mine where such small cracks had been exlored before this action was brought. No permanent ore body was ever

localed The witness ridiculed the suggestion that along the line of the black fissure veins existed or that separate veins iginally found. He declared the ein held on its course as they had it when working on the No. 5 straight along from east to wes rked. Mr. Cavanaugh described a visit of inspection made at the auth mine near the property under re-iow, and contradicted Mr. Fowler's evi-ence given as to faulting shown there. Taylor the witness said all of mining was picked up from experience of the past 20 He declined to technically define a fault but told what he had seen in the formation when faults had been ered in practical working. The instructions given the men when driv-ing No. 5 level was to follow the Star ge and they did so the full length of that level as shown on the plan. Coun-sel pressed the witness closely on many answers given in the first trial as well as today, but Mr. Cavanaugh held his own and fairly maintained his position throughout the There was a great deal of morning oss firing betwen witness and Mr The counsel would ask: "Will you swear that this sample is not drag ore?" and the witness would reply leisurely: "It is not ore at all to my way of thinking," and a string of questions would follow. After a few questions by Mr. Bodwell, Mr. Cavanaugh was allowed to stand down. After the noon adjournment Mr. Bodwell called Oscar White, mine superinndent of the defendant company. He said the work claimed by Fowler have been lagged up so as to conceal i from inspection, was not purposely con-cealed, the lagging had ben done to pro-tect some rails that were stored there while some of the exploratory work was under way. The 130 feet of drift had been run about 18 months previous to the lagging in the ordinary course of development. He reiterated that there was nothing to conceal at the drift n uestion. After the exploratory work was completed the lagging was taken down. He did not want the rails stored the drift used on the new work, that was why they had been stored in the drift and the drift lagged up. There was no other reason for what was done. and he repeated there was nothing in the drift his side wanted to conceal. If. Mr. Fowler had asked him about the matter the explanation would have been at. once forthcoming. The witnessen identified several pieces of rock, in turn explanatory of what is shown at various points on the No. 5 level including the new work, and also including a specimen of black slickensided rock with polished smooth surface next to the with wall having the indications described as the predominating characteristics of the black fissure, but as a fact taken from

half a mile away. it told Mr. White accounted All told Mr. White accounted for about 25 or 30 pieces of rock and for half an hour or so the registrar was kept busy marking up the new exhibits as they came along, singly and in ups of three or four pieces. The witness described in detail how the mining was done on the No. 5 level in and around the first great bend to the norta his story practically agreeing with Cav anaugh's version and as related at the first trial Incidentally the witness oned the visit of the chief justice the mine and the lengthy visit paid his lordship to practically every portion of the workings in company with Mr. Fowler and the witness, this being ore the first trial was concluded. To Mr. Taylor on cross-examination fr. White repeated that the only reason the 130 foot drift had been lagged up was to hide the rails stored up. It was not double lagged, Mr. Fowler was misaken as to the double lagging. The drift does show porphyry on its face. He had never been told of Fowler's dis-He ordered the drift to be ed up without knowing anything of er's find. Mr. White declined to te any statement made by expert mer and particularly as to the ex-on or non-extension of the black sure north in the new work. Zwicky's rk apparently stopped at a more or ss defined wall at the northern exten-The witness declined to pose as a "drag o ured he could always tell the differnce between ore in place and drag ore as a practical miner when he encountem in the mine workings. "Are you aware," asked the cou that No. 2 vein has been put on the plan differently from what it actually ap-

the Eureka mine, having the Star vein,

pears? No sir," said the witness. "Differently then, from the way Mr. Fowler sketched it in the first in-

stance? "Yes, it is there now in the right po-"And," added Mr. Bodwell, "your beautiful 'nose of ore 'has vanished." The witness continuing, said that the workings had been properly placed upon the plan by Mr. Drewry. He contralicted Fowler and Sizer as to the ap-earance of the material next to the twall going into the new drift (on No. 2 vein). Pressed as to state nts made when the action first start-Mr. White said he could not be sure an exact statement made six years Then a ten minute wrangle viously. curred in which the court, counsel and e witness got tangled up until Mr. odwell suggested that time be given to ok up the evidence referred to and ssary, Mr. White recalled to ex-

Mr. justice Irving-I don't think any lange should have been made on the an without our permission. Mr. Bod-ell refused to have his witness put the work on in the first instance and Fowler did put it on. Bodwell-I fear I am to blame in

natter. What Mr. Drewry put up-te map yesterday is the result of ctual survey of the No. 2 vein and iustice Irving-I have nothing to s to its correctness. What I am the leave of the court.

ed permission to let Mr. Drewry do the work and then put him in the box. **BIG VOTE** work and then put him in the box. Mr. justice Irving-How long will ounsel take for argument? 'Mr. Bodwell-Not less than four days my lord. Mr. justice Irving-When will all the vidence be in. Mr. Bodwell-Probably by Tuesday. Mr. justice Martin-Then next weel s occupied so far as the full court is Referendum Vote Among concerned, with this case. Mr. Davis-I am afraid that is so, but we should finish by the close of next week in any case. The court then adjourned until Mon day morning at 11 when Mr. Bodwell will call W. J. Elmendorf as his first witness, Mr. Elmendorf being the de-fendants' star expert witness at the

first trial. **OFFICERS AND ACCOUNTS**

ANNUAL MEETING OF THE 20,00 CLUB LAST NIGHT

HARLES REEDER OUTLINES RECLA MATION SCHEME

The upshot of the annual meeting of the 0.000 club last night was the appointment of a president, vice-president, treasurer, nd executive committee of 12, together with an honorary president, a discuss as to the accounts of the institution and

the appointment of a special committee to draft a constitution and bylaws. The chair was taken by T. G. Procter and there were 29 persons present, includ-ing Charles Reeder of Spokane, who was invited at the opening of the meeting t outline the scheme for the reclamation he Kootenay valley lands

Mr. Reeder said that the Kootenay val ley above Kootenay lake, contained some 80,000 acres which were all overflowed, half being in British Columbia, half across the line. The land was four-fifths meado land, the remainder covered with cotton-wood and brush which could be cleared at \$25 an acre. The land was fertile but not suitable for fruit. If opened up the city of Neison would chiefly benefit. It was not true that Montana had empowered company to work at the scheme on both ides of the line, that could not be done except with the permission of this prov nce. He did not intend to drain the lake, he dominion government would stop such a procedure. Similarily there could be no ttempt to flood the lake lands. At low water the level at Nelson was about 1 1-2 feet below the main lake, which in turn was 12 feet below Bonner's Ferry. In the flood of 1894 the main lake rose 33 feet, the west arm 28 feet. Mr. Reeder contended that if the banks were cut away at he various narrows and rapids the little ise of the present day would be let out. Hence, in this way the top flood would not be over 15 feet above low water. It was an engineering scheme and if there should come up a flooding of the lake lands he would withdraw all his requests. His scheme would not reclaim lands from the water all the year. It would shorten the flood time and much of the higher land, would be free atogether in normal high water. Low water level could not be dis-turbed except by dredging. If such were done then a collapsible dam would be necessary. But if the banks above low water were cut away then the flood water would get away more quickly but the low water level could not be disturbed. Mr. Reeder was of the opinion that the low needer was of the opinion that the low water in the winter was governed by the flow into the main lake but not by the narrows at Procier acting as a dam, making a reservoir of the main lake and alowing a gradual flow out of that water

ver many months. E. K. Beeston then gave some very good advice to the club as to the advisability of having a constitution, and E. W. Wid-lowson proposed, and W. H. Jones seconded that the club should adopt such a. constitution. Mr. Jones said in support that last year some \$650 had been appropriated for a folder, the club then having more than that amount to its credit. That: money was not then set to he credit of the folder but was expended in other ways and finally another subscription had to-be raised. This, the chairman had already explained had been promised but something like \$800 remained to be raised on those promises; \$200 had been paid but of this only \$80 remained. The motion carried. d A. W. Dver moved, seconded by D. C. McMorris, that the meeting appoint a com-mittee to draw up a constitution and bylaws and report at the next general meet-This carried and the following were appointed: Chief Deasy, A. W. Dyer, E. K. Beeston, W. H. Jones and D. C. Mc-Morris.

The election of officers was then proceeded with and the folowing were elected: Honorary president, W. G. Gillett; president, T. G. Procter; vice-president, E. F. Gigot; treasurer, J. M. Lay; executive, R. Joy, J. E. Annable, Reg. Webb, chief Deasy, A. W. Dyer, H. Wright, D. C. Mc Morris, W. H. Jones, E. K. Beeston and

. W. Widdowson. A. W. Dyer wanted a publication of the accounts of the institution and was told-that this had already been done. Mr. Dyer pointed out that the statement of the popularity contest as to the total receipts and how expended had never been published, but instead a bare statement hat the net receipts were so and so, and noved that the accounts of that contest e published. Not finding a seconder the tion dropped. A motion was then put and carried that an auditor be appointed, he selection being left to the choice of the xecutive. The meeting then adjourned.

MINISTERS' PAY RAISED Halifax, N.S., April 13-Salaries of the members of the Nova Scotia government will hereafter be \$5000 annually, in addition to their sessional indemnity of \$500 as members of the legislature and the premier will have \$1000 extra. to give effect to this has been introduced in the house of assembly.

DEATH OF "TRUTHFUL JAMES" "I'r Davis-Perhaps the "nose" will Come back now. Mr. Bodwell-No, the plan is correct as now drawn, but I should have ask-"Truthful James," died today.

PRIL 20 1907 THE WEEKLY N

Total, The manufacture of the start of the	IEWS, NELSON, B.C. SATURDA	
BIG VOTE	Grand Forks, B.C.	KIMINI
DIU YUIL	GRANEST BLCFIFTS Grand Forks, B.C. Granby	DOOLT
	에는 것 같아요. 또는 정말한 도시면 도시장 이것, 것이라 것이가 있었는 것이라요. ····································	n and n
FOR STRIKE	Total	P /
14. (1970) 1. (1970)	Mother Lode	n pi f - saine na A 🕁 National - Nicol - Saine
Defenendum Vote Amond	Snowshoe 480 3.30 B. C. 16 1.346 Bmma 16 1.249 Morrison 100 319 Napoleon 260 260 Ore Denore 176 176	Large Sun
Referendum Vote Among	Emma 10 1.200 Morrison 100 319	Luige Juin
Crows Nest Miners		Mine a
ls Becisive	Other mines 66	Em
ID DCCIDIVC	Total	E Strand
New Basis of Settlement Demanded in	Boundary Falls, B.C. Brooklyn	March Pay-roll Ex
Circular Issued by President Sherman	Rawhide	pects Favorab
-Ten Per Cent. Increase	Mountain Rose 96 1,599	crease in
	Idano	Contraction and
a second a part de	Total	Phoenix, April
Fernie, April 11.—At a mass meeting of the miners of Coal Creek and Fernie	Trail, B.C.	importance that t
held here this afternoon it was decided		ing industry is at
bya referendum vote of 741 to 42 to quit	Le Roi	ary district, the f
work unless the operators conceded their	St Eugene 668 2,598	at all the large 1
demands. The demands are embodied in the following circular issued by district	To Diata	the district, is in
president Sherman:	EUreka 428	section to approx
"In order that the public may under- stand what the demands of the Cana-	Queen Victoria 30	ployed in Boundar
dian mine workers are at this time, I	Queen 22	As the mines and getting into full
wish to state that we are willing for the sake of peace that the present standard	Other mines	after the delays
of rates shall be continued with an ad-	Total 4.790 67.423	all three smelters largements, to tre
vance of 10 per cent upon all rates. The minimum rate for outside labor shall be	HALL MINES SMELTER RECEIPTS Nelson, B.C.	tonnage of ore, i
\$2.50 for a ten hour day. That wages be paid every two weeks. That the eight	Tunter V 101 655	prevent, by the tin payroll will inev
hour bank to bank day be established at	Whitewater Deep 18 158 Whitewater 19 71 9 71	ately increased ti
all mines in Alberta. We do not desire	Other mines 4,4:b	quarter million n Monly wages, a
to enter into any legal technical agree- ment with any coal company in this	Total 138 5,329	up about \$100 per
district. An agreement as to wages and	LE ROI SMELTER RECEIPTS	district, more or l
hours will suit. All existing customs to be maintained. We do not insist upon an	Northport, Wash. Le Roi 1,412 17,065	approximate figur and wages paid for
open or closed shop Neither do we seek	First Thought 60 1,283	basis:
to keep any advantage over any coal company in a legal or technical manner.	Other mines 1,240 Total	Granby Mines- At mines
We are prepared to negotiate at once	Total	At smelter B.C. Copper Co
with any company in this district with- out waiting for an investigation board.	Sullivan 600 9,000	At mines
F. H. Sherman, District President."	The total amount of receipts reported from the local and foreign mines for the	At smelter
Vice-president Lewis, of the United Mine Workers of America, will be here	past week were 36,090 tons and for the	Dominion Copper At mines
next week.	year to date 369,655 tons.	At smelter
L. P. Eckstein, barrister of Fernie, has been appointed by every union included	SAMANIELS IN CLOCAN	Snowshoe High grade mines
been appointed by every union included in district 18, U. M. W. of A., which includes both the B.C. and Alberta fields,	SAWMILLS IN SLOCAN	Totala
as their representative upon the board	REPORTED THAT PATRICK CO AND	Totals At both mines a

REPORTED THAT PATRICK CO. AND W. HUNTER M.P.P., MAY BUILD O OPERATE EVELYN AND BUF-

FALO GROUP THIS SUMMER

Slocan, April 15.-J. W. Kyte, of Slocan, and William Horton, of Green-wood, have sold their interest in the Evelyn claim, situated on Four Mile Creek, near the Buffalo group, to Samuel Watson, acting for the Buffalo Mining company. The company has a tease on the Buffalo, and will work it and the Evelyn this summer. David McKechnie and famfly left this week for Edmonton, where they will

nake their home. William Hudson, an old timer in the locan, and at one time foreman at the Arlington mine, has returned to Slocan after an absence of several years. George Stahl has purchased J. W. Krite's one-half interest in the Wilson

house, here. It is reported that the Patrick Lumber Co., who own a large area of tim-ber land in the Little Slocan country, will erect a sawmill at Slocan City this It is said that a sawmill at the mouth of Four Mile creek, financed by William

Hunter, M.P.P., and others, is also planned. New piles are being driven at the C. P. R. wharf here.

governor Dunsmuir, of British

LOCATION.

COLUMBIAN COLLEGE OFFERED

\$10,000 FOR SCIENCE HALL.

Vancouver, April 12 .- Mayor Keary

of New Westminster, has received a offer of a donation from an unname

for the proposed provincial university provided the institution be located be

tween Vancouver and New Westminster

The offer was made known to premie

MeBride before his departure and will

James G. Brymner, New Westminster,

has been appointed warden of the pro-vincial jall in that city. The appointee is one of the best known citizens of that

place and has been a guard at the in-

FOR A RATIONAL SUNDAY

Toronto, April 15 .- A Rational Sun-

day League has been organized here. Goldwin Smith is one of the sympa-

stitution for three years.

thizers.

individual in the old country, of \$100,000

****************************** FATALITY HOPE-DUNSMUIR

MILLWRIGHT IS London, April 15.-Elizabeth IN MAIN Dunsmuir, daughter of lieutenant

ANOTHE

Rossland, B

usual quarter per cent on t the Consolidat

ing company

clared on Fri

on May 1st

amounts to This is the six

ed by the com it has disburs

gating a little

Columbia, was married here to-day to John Hope. The Canadian premier, sir Wilfrid Laurier, gave the bride, away Many gave the bride, away Many representatives of the nobility were present. The bridegroom is a surveyor, and owns a ranch near Calgary. IN AID OF UNIVERSIT GIFT OF \$100.000 CONDITIONAL UPON

from the deadly grip of the belt. Nicks, who leaves a wife and a son of ten years to mourn his loss, was one of the pioneers of the Kootenays. He lived in Kaslo for years, in the employ of G. O. Buchanan as a millwright and expert saw filer. Later he came to Procter, and of late has been engaged

in the same capacity with the Watts Lumber Co. He was a member of the Methodist church, and was held in high esteem by all who knew him. The remains will be taken to Kaslo, and the interment will take place there on Thursday morning on the arrival of

............................. CRIMINAL COURT OF APPEAL

e taken up with the government at ace. The same cable offered a gift of sta and to the Columbian college. New Westminster, for a new science hall. This will be promptly taken up. The Vancouver city council will be recommended by a committee to make a erant of \$1000 for relief of famine suf-

***************************** RESULTS ARE ENCOURAGING The shipment of between 700 and 800 tons of ore has just been completed

week and year to date in tons BOUNDARY SHIPMENTS MINE Weel .17,630 Granby . Jother Lode 4,863 1.888 Brooklyn 1,497 1,952 Snowshoe Rawhide 896 226 -7,268 2,718 Emma 1,665. 1,346 Mountain Rose 16 B. C. 512 512 Idaho 176 Oro Denoro . 100 596 Other mines 277,640 29,852 Total . ROSSLAND SHIPMENTS Le Roi? 37 237 2.458 23,874 1.006 Centre Star Le Roi No. 2 6,259 533 428 White Bear 1.700 Other mines 4.204 69.498 Total KOOTENAY-SLOCAN SHIPME 9,000 ullivan La Plata ... 1,131 La Plata, milled 6.375 425 3,967 Eugene 139 Queen, miled 185 second Relief, milled 2,185 1,439

480 324 Eureka Whitewater Queen Victoria 272 Whitewater Deep Lone Bachelor 195 4,798 Other mines 2.474 33.264 Total

The total shipments from the mines in the above districts for the past week were 36,530 tons and for the year to date 380,408 tons.

with the completion of the improveme now in process of installation at the pro-perties of the B. C. Copper and Dominion Copper companies. Unless there is a hitch the fuel situation there is every likelihood of a record summer in mining in the Boundary. This also applies to the Rossland district, where the taking over by the Le Roi of the Spitzee, gives an earnest of work on what is local y regarded as a promising property. Nearer to Nelson it may be noted that the Queen Victoria is about to instal machinery with a view to an increased outwill increase its output 25 per cent. The season has hardly opened as yet in many

as their representative upon the board of investigation, if one be appointed by

the dominion government, in pursu-ance of the Industrial Disputes Investi

WEEK'S ORE SHIPMENTS

MARKED IMPROVEMENT IN THE

ATENESS OF SEASON OPERATES

AGAINST SLOCAN

The chief news of the week is the pay

ent of yet another dividend by the Con

payable on May 1. This is the sixth di

lend since the formation of the company

The Boundary mines are shipping more freely and the smelter at Greenwood has

nade a record week. Large as are the totals they will be yet further increased

olidated Mining and Smelting

BOUNDARY DISTRICT

gation Act.

parts of the Slocan and Lardeau but there is every preparation for extended work this summer. In the Ymir and adjoining listricts capital is investing more largely han heretofore and the outcome will probably show in the sbipments before the end of the year. Appended will be found the ore shipments

and smelter receipts in detail for the past Year 158.224 46,84 22,20 18,057

101 funter V.



arge Sum Paid Out to **Mine and Smelter** Employees

rch Pay-roll Exceeded \$200,000-Prespects Favorable for Material Increase in Near Future

Phoenix, April 12 .- As showing the ortance that the mining and smeltindustry is attaining in the Bounddistrict, the figures of the March roll, which took place an Wednesday all the large mines and smelters in district, is instructive. It is estited that over \$200,000 was paid in this tion to approximately 2000 men em-oyed in Boundary mines and smelters. the mines and smelters are but just ting into full running order again er the delays of the winter, and as three smelters expect, with recent en gements, to treat a greatly increased mage of ore, if nothing happens to avent, by the time summer arrives this yroll will inevitably be proportion-by increased till it fully reaches the

arter million mark per month. Monly wages, as a rule, will average about \$100 per month per man in this trict, more or less, and the following proximate figures of men employed wages paid for March are on that

	Men. 525 350	Payroll \$52,500 35,000
	300 125	30,000 12,590
Co.—	350 150 75 200	35,000 15,000 7,500 20,000

\$207.50 At both mines and smelters the num per of men varies from month to month according to requirements, and while the tonnage shipped in the last month has not been as large as is expected for April, because matters had not been got-ten into full running shape after the necessitated curtailment of operations in the winter, not a little development work was done in advance-something which all the mine managers have in mind con-tinually, to be able to supply the large tennage of ore required to keep the smelting works in blast up to capacity. Nearly \$90,000 of the above amount was haid out in Phoenix camp alone.

and the second production and the second			
******	1		
DIVIDEND.			
i.C., April 13.—The ly dividend of 2½ he capital stock of ed Mining & Smelt- of Canada was de- lay, and is payable The dividend about \$120,000. th dividend declar- pany and up to date ed dividends aggre- o over \$700,000.			

AT	PRO	CTOR
PERSONAL PROPERTY.	NICKS	
DRIVE) BELT	Care Mas

WAS ONE OF THE PIONEERS OF THE KOOTENAYS.

(Special to The Daily News) Procter, April 16 .- An unforunate as cident, which happened in the sawmill here today, resulted in the death of Isalah Nicks. Nicks was at his work, when, by a misstep, he became entangled in the main drive belt and was instan ly killed. Prompt assistance was ren dered by his fellow workmen, but lif

London, April 17 .-- A bill constituting a criminal court of ap-peal, which has not heretofore existed in Great Britain, was in-troduced in the house of commons today by attorney general Walton. He explained that the measure would create the right of appeal against conviction for crime, similar fo that now exist-ing in civil cases. The bill pass-ed its first reading.

NEW ATLANTIC TERMINAL C. P. R. MAY ESTABLISH WINTER

PORT AT L'ETANG.

INTERVIEWED ON QUESTION M NICOLL GIVES GUARDED REPLY

Montreal, April 13.-D. McNicoll, manager of the C. P. R. was interviewed today with reference to reports from New Brunswick that on a recent visit to that province he inspected the port of L'Etang, of which there has been some talk lately of becoming a rival to St. John as the C. P. R. Atlantic terminal

John as the C. P. R. Atlantic terminal and winter port. Color has been lent to the rumor that the C. P. R. was interested in this place as a possible future shipping port through the fact that a charter has been obtained to build a branch line there, and which the C. P. R. was popularly supposed to be behind. Mr. McNicoll acknowledged that he had been to L. Etang and he added: "I

ad been to L.Etang and he added: "I may say that I was favorably impre with the place." He gave it to be under stood that the C. P. R. is not interests in a proposed railway to that place whatever its future course in that conection may be.



DELMAS' CHARGES.

SHE HAD IMPLICIT CONFIDENCE IN STANFORD WHITE

Pittsburg, Pa., April 16 .- The Leade this afternoon prints a six column state-ment from Mrs. C. J. Holman, mother of Evelyn Nesbit Thaw, in which she defends herself against accusations ex-pressed and implied against her during he Thaw trial.

She says that two nights after the night upon which Harry Thaw shot Stanford White she received this telegram from her daughter: "It is most important for you to say absolutely nothing."

Until now she has remained silen and has ben forced to take the defensive

and has ben forced to take the defensive because of the attacks made upon her by Mr. Delmas in his closing address to the Thaw jury. She denies that she alded the district attorney in any way and that she had been seen by Mr. Jer-ome, Mr. Garvan, or Mr. Hartridge. Mrs. Holman then details her strug-gle, following the death of her first hus-band, in her efforts to properly rear her two children and says her daughter first posed for an artist named Storm, of Philadeiphia, who met Evelyn at a summer resort when a little girl. "Florence," she says, "was in love with the stage." She did everything to discourage her but it was useless. The

discourage her but it was useless. The story of Florence's first meeting with Stanford White, she says, is substant-ially as told by her upon the witness stand. When Florence returned, she told her mother she had met "the grand-est man" and later when Mr. White est man" and later when Mr. White sent for her she went to his office. Mr White, she says warned her specifically against several young men with whom Florence had become acquainted, but did not refer to Thaw. Mr. White's words and actions were the personification of whole-hearted, disinterested generosity Mrs. Holman says, and if ever woman reposed implicit confidence in a man she says, she did in him. Mrs. Holman then asserts that if Florence underwen the experience that is said to have be fallen her, she did not take her into her

White, I would have done it my Speaking of the European trip, Mrs. Holman savs: "Every detail of the trip was a nightmare to me, Mr. Thaw joi ed us in Paris. Florence and I shar the same apartments. Mr. Thaw had apartments to himself. There was no pleasure in the tour for my. The things which appealed to Florence and Mr Thaw in Paris did not appeal to me Florence testified that we quarrelled frequently while in Paris. These disagree nents were caused by my protests i disits to various restaurants." In closing Mrs. Holman said: "I so

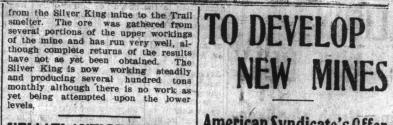
emaly affirm that my love for m laughter is as deep and intense as it we m when I first held her in my arms a help less babe. Regardless of all that ha transpired my affection is unaltered The door of my home is open to her and will open wide to her lightest tap today, tomorrow, and always, while l ive.

FATAL SNOWSLIDE

Foreman John Hilchey of the America Boy, Struck and Killed

Sandon, April 14-A snowslide last Frida swept across the American Boy ground earrying away foremar John Hilohey. H was walking on the trail between num four and five tunnels. The crews of bot the American Boy and Last Chance hav een searching for the body-since the acc dent. A large party, out this morning a daybreak, found the body a mile from the point where he was struck. The deceased collie dog "Bobs" was mainly instrumen tal in finding his master's body. The body from the shoulders down appeared body from the should be sweral cuts of the head. It is supposed that he was kille, instantly by timber in the slide, as bloo can now be traced down the slide. W. E. Zwicky, manager of the America.

boy arrived this morning from Victoria. The body has been removed to Kaslo and relatives, supposed to live in Edmonton, have been communicated with. The de-ceased was about 33 years old and leaves a widow and three children.



American Syndicate's Offer to Finance Phoenix **Copper Company**

Prepared to Put Up \$350,000 for Development Work-Boundary Falls Smeiter men Get Increased Pay

Phoenix, April 13.—If the present plans of the Phoenix Amalgamated Cop-per Mines, Ltd., work out as expected, the company will shortly be starting de-velopment with a fund of \$350,000 assured, to put the properties of the com-pany in shape to maintain heavy ore nents.

The company owns a block of nine claims in this camp, adjoining the mines of the Granby Consolidated on the south, and having 210 acres of mineralized ter and having 210 acres of mineralized ter-ritory, being what was known as the War Eagle and other claims in this camp. The War Eagle was worked some years ago, and still has an air com-pressor and general machinery plant. About a year ago the new company was formed, also taking in two other com-nanies and purchasing course of the panies and purchasing several adjoining

claims as well. President F. P. Buck, of the Phoenix Amalgamated, from the head office at Sherbrooke, Quebec, has notified share-holders that the company has had an offer for a large block of shares, which the board of directors think it wise to accept. The company has 500,000 shares of \$10 each, of which 200,000 shares are in the treasury. A New York and Bos-ton syndicate of monied men has offered to pay \$1.75 per share for these 200,000 shares of treasury stock, amounting to \$350,000, payable as follows: \$45,000 within 40 days after deposit of all the capital stock of the company with the capital stock of the company with the capital stock of the company with the Eastern Townships Bank, of Sherbrooke, Que, as trustee, and the balance of \$305,000 from time to time, as required to prosecute the work of development on the company's claims, work to be started within 90 days after the deposit of the stock as stipulated. A further op-tion on 200,000 shares of snarenolders, stock it also to be given at \$1.50 share, of which 50,000 shares shall paid for in 18 months and the balance

share, of which above shares shart be paid for in 18 months and the balance within 24 months. The directors have favorably consid-ered this proposition, and are now gath-ering the stock to act upon it. It is an-tisipated if the deal goes through, that development will be started at an early date, and thus add substantially to the payroll of Phoenix camp. Mr. Buck is expected to arrive here before the end of April, to make preliminary arrange-ments, if all goes well. Beginning April 1 the Dominion Cop-per Co. has raised the wages of the em-ployee at the amelting works at Boun-dary Falls to the level of that agreed upon has to becember between the British. Columbia Copper Co. and its employee at the time of the difference that occur-red at those works. At that time, when a new agreement was made for two

red at those works. At that time, when a new agreement was made for two years, the new scale between the British Columbia Copper Co. and its smeltermen, was raised somewhat above that then being paid at the Dominion Copper Co.'s works, and the management of the lat-ter has now voluntarily leveled up its smelter wage scale with the former. In follars and cents it means that the men dollars and cents it means that the men employed at Boundary Falls will now receive about \$1000 more per month then

Announcement is also made that W the experience that is said to have be-fallen her, she did not take her into her confidence. Continuing, she says: "Had she told me what she told the Thaw jury, it would not have been nec-essay for Harry Thaw to kill Stanford having charge of both its smelting and mining operations, L. R. Drummond, the local manager up to last week, hav-ing been transferred to the Nipissing mine at Cobalt, by M. M. Johnson, conhaving charge of D

mine at Conart, by M. M. Johnson, Con sulting engineer for both the Dominion Copper and Nippissing companies. Mr. Thomas has made many friends since coming to the Boundary from Salt Lake City, not quite two years ago, and

Lake City, not quite two years ago, and the appointment meets with general sat-isfaction from residents of the Bound-ary, as well as with those having direct dealings with the company. The last carload of delayed parts and fixtures for the enlargement of the Do-minion Copper Co.'s smelter, arrived at Boundary Falls this week, and the work of petime the new giant furnace in opof getting the new giant furnace in opof getting the new rapidly nearing comple-tion, and early May should see it in op-eration, when the reduction works are expected to be running through some 1400 tons of ore per day.

DEATH OF F. C. BODWELL

WELL KNOWN CIVIL ENGINEER AND SURVEYOR PASSES AWAY

Victoria, April 15.-Early this morn-Victoria, April 15.—Early this morn-ing F. C. Bodwell died at the Royal Jubilee hospital after a short illness. He was a civil engineer and surveyor, and a hrother of E. V. Bodwell, K.C. He was well known in the Kootenays and had been engaged near Edmonton locating the line of the G. T. P. The fumeral takes place Wednesday in Van-couver. ouver.

FRANCE'S TRIBUTE TO CARNEGIE New York, April 17—Andrew Carnegie at the hotel Astor banquet of the national arbitration and peace congress tonight was desorated with the cross of the Legion of Honor of France in appreciation of his work for peace and his gift of the palace work for peace and ins girt of the parade at the Hague. The decoration was be-stowed by the president of France thr ugh baron Destournelles de Constant, amid great applause and cheering.

ELLISON WAS BUSY

Farmer Memb r for Okanagan Deals Death Blow to Two Labor Bills

Bill for Fortnightly Payment of Wages and Bill for Compulso y 8 Hour Day Were the Victims

(Continued from Third Page) Press Gallery, Legislative Assembly Victoria, April 18.-Today proved a bad one for labor legislation. The bill for the fortnightly payment of wages, inthe fortnightly payment of wages, in-troduced by Williams, was committed. Hawthornthwaite said he intended to amend it by making it apply to coal mines shipping coal and all industries within five miles of an incorporated town. Ellison objected strongly to the bill and moved that the committee rise. Macdonald said he supported the bill and thought it should be considered in

Ellison pressed his motion, which car ried, Grant and Schofield voting with the opposition and socialists. The bill to make compulsory an eight hour day in all industries, came up for

second reading. McInnes urged its sage, when Ellison moved the six months' hoist. He said that would act as a deterrent. If an eight hour day were granted, the socialists would want six hours or less and would finally want to do no work. Hawthornthwaite said capital could always get some renegade to do its

work. Mr. Speaker checked him as the lan guage was unparliamentary. He fin-ally got out of retracting the language. by saying that he did not apply it to Ellison. Ellison's motion carried, only three socialists and Jardine voting for

Macdonald's amendment to the workmen's Compensation Act to make con pensation payable in a lump sum was

defeated on second reading. Bowser moved the second reading of his immigration bill, and made a speech in support of it largely devoted to doon politics. He took exception t the disallowance by the dominion gov ernment of inimigration acts in the past. He said this was intended to prevent the G. T. P. bringing in ignorant hordes to construct its line. He said it was along the line of the Natal Act, the hordes to construct its line. The said Act, the educational test was that immigrants must read and write in the English language. Hawthornthwaite said Bowser's ora-

tion was unmitigated buncombe, bill was to provide for the coming The minion election and the making of the test, reading and written the test, reading and writing in English, instead of in some language of Europe, was put in by Bowser so that it wou disallowed and thus make material for the election. If it was to preven hordes coming in for the G. T. P., wha about the Hindus brought in by the C. P. R.? he asked, and called it the ver iest clap-trap.

Macdonald said that this bill was sim ply in preparation for the election. He pointed out that the liberal government at Ottawa had done good service for labor in shuting out the Chinese. If the G. T. P. was not built within the specified time it would be due to such an Act as thus which would prevent labor being obtained. He voted for the second reading trusting that the bill would be amended in committee. He said that the bill in its present s.ape would prevent many of the Salvationist this government intended bringing ou entering the country. He also advocated allowing Germans and others from nor thern Europe being allowed to enter.

FRUIT GROWERS MEETING nie, the Rel under his sur

QUESTION OF AFFILIATION WITH PROVINCIAL SOCIETY

REVISION OF BY-LAWS UNANI MOUSLY CARRIED

There was an interesting session of the Kootenay Fruit Growers' association yesterday afternoon at a special meeting of the society, the specified object of the meeting being the amendment of the bylaws of the institution. There also came up, however, the question of the affiliation of the local society with a one and if successful there will prob-reorganized provincial society which ably be established another large mine would look after the interests of the fruit growers of the whole of this prothe fruit in the northwest. Incidentally mine were upon a gold bearing quartz, came up the Lord's Day Act and the running from \$3 to \$15 a ton. This degeneral dissatisfaction and, in fact, it steamer to pick up the fruit.

day in November; (2) the president as well as the directors shall be appointed vice-president and secretary-treasurer shall be appointed at the first subsequent ums and quarterly meetings, but in

+

committee to the board of directors. Article 11 deals with exhibition stands. Article 12 conferring certain privileges upon associate membership on payment of an annual fee, is revoked. Article 13, now 12, makes the financial year end on October 31 and not December 31. Article 14 now 13, as to audits, is unaltered. Article 15, now 14, dealing with changes in the constitution is unaltered. In dealing with these revisions of the bylaws there was no exception taken by the meeting until article 9 was reached, when, by an amendment the letter book of the association was thrown open to any member of the board of directors. No other change was proposed. James Johnstone then urged the adop-

tion of a further bylaw by which each member of the Kootenay Fruit Growers' memoer of the Rottany association pays one dollar annually to a central association, the B. C. Fruit Growers. Mr. Johnstone declared that other local associations were affiliating with the provincial association and there would be the advantage of cheaper buying of supplies to say nothing of a better organized market. It was explained that the central as-sociation would apportion the markets so that local salesmen of the various

local associations would not be sending fruit to the same place, unless the supply were unequal to the demand, when noti-fication would be made by the central board. The question of the legality of charg-

ing a member of a joint stock associa-tion an annual fee for such a purpose was moote.d The mater was then dropped for the

noment and the bylaws as altered were passed as a whole. James Johnstone moved and T. Morley seconded, that the action of the board of horticulture in enforcing the cleaning

of orchards be endorsed. Mr. Johnston of orchards be endorsed. Mr. Johnsone said that on a recent visit to the coast and island he had seen many orchards overgrown with moss and infested with all kinds of pests. This carried unani-

mously. James Johnstone moved and J. Hyslop seconded, that delegates be sent to a con-vention of provincial fruit growers to be held at Sicamous on April 25 and 26, with a view of regulating the market in the northwest and appointing agents there to receive and distribute produce. In future, Mr. Johnstone explained, the B. C. association membership would be rectified to local explained that in-restricted to local associations and in-dividual members would no longer be permitted. There would be no chance of getting everything arranged for the

coming strawberry season. This carried and T. Morley was appointed delegate. A resolution was then passed, move

A resolution was then passed, moved by T. Morley and seconded by T. M. Sturgess, authorizing the affiliation of the Kootenay Fruit Grovers' associa-tion with the B. C. Fruit Grovers, and the head of the head is the head in the head the payment by the local to the provin-cial society of a per capita charge per annum not to exceed one dollar, the amount to be fixed by the B. C. Fruit

prevent the picking of fruit on Saturday as it could not be shipped on Sunday, and as no berries could be picked on Sunday none could be shipped on Mon-day. Hence no fruit could be shipped from Saturday to Tuesday. C. W. Busk pointed out that accord-ing to the C. P. R. arrangements fruit could not be shipped in that interval. Some discrepancies were pointed out as to the flat rates on fruit obtaining loc-ally and a committee was directed to be ally and a committee was directed to be appointed to take up the whole matter with the transportation company with a view of finding out what were their pro-presed arrangements for the summer.

BIG COPPER PROPERTY

NEW CONDITIONS UNDER WHICH RELIANCE WILL BE WORKED

PROVISION OF CAPITAL FOR

DEVELOPMENT PURPOSES

R. J. McPhee, the well known manager of the Ottawa mine, who has lately had the affairs of the old May and Jennie, the Reliance Mining company, ervision, makes the announcement that the Reliance will begin operations shortly under more fav-orable auspices. It will be remem-bered that the property closed temporarily in February, owing to the death of one of the principal stockholders, T. A. Noble, of Pittsburg, but now arrangements are on the eve of being perfected whereby the company can again start up work with a goodly development cap-

ital at their disposal. The scheme of development which was inaugurated tentatively by Mr. Mc-Phee at the commencement of operations last fall, is a somewhat ambitiou in the vicinity of this city, which cannot fail to employ a large number of men vince with regard to the marketing of The original workings of the Reliance general dissatisfaction and, in fact, it not been proved. From the indications was proposed that the association run of the surrounding country Mr. McPhee long ago came to the conclusion that the The changes in the bylaws are as fol-lows: (1) Date of annual meeting changed from January to first Wednes-depth being attained: in other words, that the ore would no longer be free milling but base. More than this, from by ballot at the annual meeting; (3) the the geological appearance of the surrounding country he was of the opinion, and that opinion is endorsed by other meeting of the directors. Articles four and five are unlitered, dealing with quor-would be found to carry copper. Some indications of this were to be seen in

c'e s the election of a director to fill a vacancy shall be made by the There are two veins upon the pro-

iron capping will be found the charac teristic copper sulphides of the Koote-nay and Yale districts. It is the copper that Mr. McPhee is after. The May and Jennie lies between the Eureka to the north and the McDonald group to the south, the same veins appa.ently running through all these properties. Nor is this all; for, on the othe side of the Kootenay river, to the north o the Eureka lies the famous Victoria group, lately acquired by James Cron in and associates. Apparently there i a big copper belt sweeping northwar over this part of the district for a con siderable distance. It is true that so far the dip of the vein on the Victoria can hardly have been said to have been established but Mr. McPhee thinks that when it is found, and the vast blanket like formation, or blow out, now being stripped and developed, is proved to be permanent at depth, it will be seen that the vein will strike towards the riverin the direction of the properties to th south. The copper percentages on the Eure-

ka are among the heaviest discovered in the country and while the McDonald is not as weil developed a property, yet similar conditions are observable there. t is upon these and other data that the management of the Reliance are founding their work. The first thing to be done was to drive

a crosscut tunnel from the side hill easterly into the two veins upon the Reliance. This was, as already stated, begun last fall and some 160 feet of work accomplished before the shut down came. Within another 200 feet Mr. McPhee average to the state of the sta down came. Within another 200 feet Mr. McPhee expects to strike the first vein, 160 feet below the deepest portion of the workings. But he does not ex-pect to find the ore of the same char-acter as that above, whose gradual al-teration had already been observed. He expects to get copper. The work will not cease there but will be run on an-other 300 feet to the big vein and it is here that the main workings of the pro-perty will be situated. To aid the work is the intention to install a compressor so that the prosecution of the big tunnel may be more expeditious.

It will be seen that there is consid-erable expanditure of capital contem-plated, not only for the boring but also for machinery itself. The depth of the tunnel will be about 500 feet below the outcrop on the main vein and the total length somewhere about 650 feet, giv-ing almost foot for foot in depth and prosscut. Once the main vein is tapped here will be a backing of some 500 feet, there will be a backing of some 500 feet, affording plenty of scope for the start-ing of upraises and formation of stopes. The undertaking is a bold one, but Mr. McPhee thinks that the conditions fully justify the expenditure and while he will not permit himself to state that conner one of the value of that on the copper ore of the value of that on the Eureka will be opened up yet he is con-fident that he has one of the biggest copper propositions of the country be-fore him and one that will not only bring good profits to the owners but will mean the employment of much labor to mandle the heavy tonnage involved in the exploiting of a copper vein 40 feet in width.

YIELD TO LUMBERMEN

ROPOSED INCREASE IN ROYALTY ON TIMBER WITHDRAWN

COTTON SECURES LARGE SHARE OF ESTIMATES FOR RICHMOND

Victoria, April 17 .- The government has announced a decision to leave the law affecting royalties on timber alone this session. Tatlow, before adjournment this afternoon, stated that in view of the fact that it had been brought to the attention of the government that the increase in royalty woud interfere with contracts made by millmen extending over some period on basis of the exist-ing law, it had been decided not to bring the new royalty inti effect until Jan-uary. As the house would meet shortly that and the government contemplated amendments to the Act which would increase the royalty as far as the industry warranted, with that warning industry warranted, with that warning now given it was therefore though best to allow the proposed amendments for this year to stand over. Macdonald asked if this meant that the sections increasing the royalty, in

the sections increasing the royalty, in he bill, would be dropped

Tatlow said that was what was in-tended. This decision was come to in response to the views of timbermen as expressed by delegations which waited upon them this week and the proposition put forth by Dr. King on the opposition side last night. The estimates passed committee of supply this afternoon. The socialists

raised an objection to every item af-fording expenditure for immigration or that could be connected with the Sal vation Army project, on the ground that labor was not needed in the province. Hawthornthwaite, on the vote for repairs and furniture for government house, took occasion to express disap-

proval of expending money on what was but a relic of feudal days and coupled with the governorship in his condemnaion, the practices about the house, such as carrying the mace and other red Tatlow retorted that if Hawthornth-

waite had the spending of the money, he supposed it would be on red flags and bombs, which threw the house into roars of laughter in which Hawthornthwaite heartily joined.

estimates today that Cotton got one quarter of the expediture of the prov-ince for Richmond riding.

On a point of order raised by Henderon that the bill had been changed to such an extent as to involve additional taxation upon the people from what would have seen the case as at first inpostponed to allow the speaker coming to a decision.

FOOTBALLERS ORGANIZE There was a lively meeting of the as-ociation football club of this city at the Bartlett house last night, J. C. Gordon be-ing in the chair. The president of the club was extremely emphatic in his remarks as ame an enthusiast in the game. He thought the club should be able to put up a game second to none in attractiveness his year and thought also they would un-

chains to

arry away tim

ning.

Dated March 8th, 1-07.

N. BANGS. Dated April 11th, 1907.

doubtedly be able to render a good account of all comers. On the election of officers being proceeded with it was discovered that the club was unanimous in its choice in every instance with the following results: Pres dent, G. P. Wells; honorary president Dr. Hall, M.L.A.; vice-president, C. Burt; ex-ecutive, Blake Wilson, W. R. Thompson, and H. A. Stewart; treasurer, G. W. Bart-lett; secretary and manager, J. L. Melghan. The election of the captain and vice ptain was left to the members of the club. The secretary was instructed to write at once to the Coal Creek team arranging a match for May 24.

Headquarters for Pacific Coast grown Garden, Field and Flower Seeds

Large stock of HOME-GROWN Fruit Large stock of Homin-Grown with Fruit and Ornamental Trees now matured for future planting. No expense, loss or delay of fumiga-tion or inspection. BEE SUPPLIES, Spray Pumps, Spray-ing.

ing Material, Greenhouse Plants, Cut

Flowers. We do business on our own grounds -no rent to pay and are prepared to meet all competition.

Catalogue 1cee. M J. HENRY 100 Wenninster I



Hotel Hume, 2 lots and furniture ... Block V. Balfour 12 lots 75 Lot 3 and E 1-2 2, block 1, with build-ings, partly rented, 345 month .. 10,000 7 lots block 44D, bearing fruit trees 2,500 Half interest 200 acres Slocan Lake.. 750 Quarter interest Trout Lake City.. 2,500 Lot Atiln City 250 Half interest 160 acres near Kaslo.. 160 acres Pass valley Half interest 70 acres, 3 miles up Cottonwood Creek.

J. FRED HUME



WRAPPERS Drep we a post card saking

TIMBER NOTICES

NOTICE is hereby given that 30 days after date we intend to apply to the Hon. the Chief Commissioner of Lands and Works for a special license to cut and carry away timber from the following delands, situated in West Koot

al's N.W. south; thence 80 chains east; thence chains north; thence 80 chains west point of commencement.

Located April 9th, 1907. J C. O. WOODBOW. C. O. WOODROW JACK PORTGAL.

No. 2 Limit - Commencing at a post planted 3 miles up and on the west bank of the first south fork of Poplar creek, marked "C. O. Woodrow's and Jack Portgal s S.W. corner post; thence 80 chains North; thence 80 chains east; thence 80 chains south; thence 80 chains west Located April 9th, 1907. C. O. WOODROW.

JACK PORTGAL.

NOTICE is hereby given that 30 days after date I intend to apply to the Hon. the Ohief Commissioner of Lands and Works for special licenses to cut and carry away timber from the following described lan situate in the West Kootenay district: Location No. 1-Commencing at a post planted about 20 rods west and 350 paces north of the confluence of the South Fork of the Salmon river and Wilson creek. about 14 miles south of Salmo, B.C., thene west 80 chains; thence south 80 chains; It was asserted in the debate on the thence east 80 chains; thence north 80 chains to point of commencement, Said point of commencement can be reached from the said confluence of the South

ince for Richmond riding. The university endowment bill was considered tonight on report. The gov-ernment voted down all amendments offered by the opposition, including that to reduce the reserve to one mil-lion acres, proposed by Macdonald. On the conservative side considerable on the conservative side constant on the sale constant on the conservative side constant on the second on the solution of the solutive side constant on the solutive side solutive solutive solutive solu

southwest corner, thence east 80 chains; thence north 80 chains; thence west 80 chains; thence south 80 chains to the place beginning, containing 640 acres, more Dated, this 26th day or March, 1907. C. E. LEGG. RALPH GILLISPIE, Agent. TAKE NOTICE that 30 days from date I intend to apply to the Hon, the Chief Commissioner of Lands and Works for a special license to cut and carry away mber from the following described lands Commencing at a post on the south side of the Nakusp and Sandon railway, near H. Irwin's N.W. corner post and marked "M. J. Cameron's northeast corner post," thence south 80 chains; thence west 8 chains: thence north 80 chains: thence east 0 chains to point of con

Dated this 11th day of March, 1907. M. J. CAMERON, J. M. CAMERON, Agent. thence east 80 chains, to place of com-NOTICE is hereby given that 30 days after date I intend to apply to the Hon. C. B. CUTTEN the Chief Commissioner of Lands and Works for a special license to cut and March 27, 1907. Located March 9, 1907. Location No. 2-Commencing at a post planted about 20 rods south and 30 chains west of the confluence of the North Fort fill a vacancy shall be made by the board upon eight days undice, not one month. Articles 7 and 8, dealing with the duties of the chair, are practically unaltered. In article 9, touching the rises of the secretary-treasurer the clause stating that no payments are to be made without the written consent of the secretary and president is expunged and the alteration makes the giving of a bond by the secretary optional with the board. Article 10 transfers the duty of passing of accounts from a finance

of the Salmon River makes a turn, and chains to the place of beginning, containing 640 acres more or less. Dated this 26th day of March, 1907. where a small creek from the southwes 4-9 · RALPH GILLISPIE

to chains, to point of commencement. Dated this 11th day of March, 1907.

M. J. CAMERON

LAND NOTICES

NOTICE is hereby given that 60 days after

date I intend to apply to the Hon, the

Chief Commissoneir of Lands and Works for permission to purshase the following

described lands, in West Kootenay Dis-trict, situate on the south side of the Col-umbia river, about 7 3-4 miles west from

Robson, starting at an initial post marked

"R.A.H.," on the south side of the river thence 10 chains east; thence 10 chains

south: thence 10 chains' west: thence 10

chains north to the place of commence-ment, said to contain 25 agres more or less, said claim adjoining Cryderman's pur-

4-8 R. A. HOWE. Locator W. L. PAYNE. April 3rd, 1907.

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, situate in West

Kootenay District: Commencing at a post marked "Victor W. Odlum's southwest corner post," and planted west of Little

Slocan river, about six miles from the

mouth, running north 80 chains; thence east 80 chains; thence south 80 chains;

thence west 80 chains to place of com

VICTOR W. ODLUM.

NOTICE is hereby given that 60 days af-

ter date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the fol-

ribed lands, situate on the east

lowing described lands, situate on the east side of the Columbia river, adjoining Bur

ton City on the south: Beginning at a post marked "J. G. Billings' S.W. corner," running east 80 chains; thence north 40

chains; thence west 80 chains; thence

south 40 chains to point of commend

C. B. CUTTEN, Agent. March 27, 1907.

J. M. CAMERON, Agent.

flows therein. Located March 16th, 1907. Located March 16th, 1907. Location No. 3-Commencing at a post planted about 20 rods south and 80 chains east of the confluence of the North Fork of the South Fork of the Salmon river, and the South Fork of the Salmon river. and the South Fork of the Salmon fiver about 20 miles south of Salmo, B.C., thence south 40 chains; thence west 160 chains thence north 40 chains; thence east 16 hains to point of commencement. Located March 16th, 1907. PHIL BOSELY, Agent.

NOTICE is hereby given that 30 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for a special license to cut and cribed lands, situate in West Kootenay district on the East Fork of Missio creek, about 12 miles east of Rykerts, B.C. Timber Limit No. 1—Commencing at a post planted about 40 chains east of where East Fork of Mission creek crosse the international boundary line and mark-ed "Charles G. Reeder's southeast corner post," thence north 40 chains; thence west 40 chains; thence north 40 chains; thence west 80 chains; thence south 40 chain thence east 40 chains; thence south 40 chains, thence south 40 chains east 30 chains, to the place of com-

mencement. Located March 15th, A.D., 1907. CHARLES G. REEDER, Locator A. J. KENT, Agent. Timber Limit No. 2-Commencing at a post planted at Charles G. Reeder's south

east corner post of timber limit No. 1. and marked "Charles G. Reeder's southwest corner post of timber limit No. 2,' thence 40 chains east; thence 80 chains thence 40 chains west; thence 40 Located March 15th, A.D., 1907.

CHARLES G. REEDER, Locator. A. J. KENT, Agent. NOTICE is hereby given that 30 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for a special license to cut and carry away timber from the following described lands situate in West Kootenay district: 1. Commencing at a post marked "O. L. Boynton's northeast corner." planted at the southeast corner of Lot 7693, Group 1, hence south 40 chains; thence west 160

ess.

thence south 40 chains; thence west 100 chains; thence north 40 chains; thence east 160 chains to point of commencement. 2. Commencing at a post marked "O. L. Boynton's southeast corner." planted at the southwest corner of Lot 7683, Group L thence west 40 chains: thence north 150 hence west 40 chains; thence north chains; thence east 40 chains; thence south 60 chains to point of commencement. O. L. BOYNTON, Locator, J. R. BOYNTON, Agent.

NOTICE is hereby given that 30 days after date I intend to apply to the Hon., the Chief Commissioner of Lands and Works for a special license to cut and carry away timber from the following described lands situate in West Kootensy district: Commencing at a post marked "P.J.G.'s N.W.C.," planted about 70 chains north of Summit lake, thence east 80 chains to the west boundary line of the Ontario and Slocan Timber company's timber limits; thence south 80 chains; thence west 80 chains; thence north 80 chains to point

Located March 29th, 1907. 4-5 P. J. GALLAGHER. NOTICE is hereby given that 30 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for a special license to cut and carry away timber from the following de-scribed lands, situate in West Kootenay district: Commencing at a post planted at the south end of timber license 3.59, on Russell creek, thence 60 chains south, along J. T. Burgess' timber claim; thence 40 chains west; thence 60 chains south; thence 0 chains west; thence 100 chains north; thence 80 chains east, to place of com

GEORGE A. HUNT. Dated this 15th day of March, 1907.

ent, containing 640 acres more or

NOTICE is hereby given that 30 days after date I intend to apply to the Hon. scribed lands, situate in West Kootenay district, British Columbia; about eight miles east of the Columbia river, on the 4-8 nternational boundary line. Situate on South East creek, that empties into Fish creek, and adjoins the pice of land on the east located by Ralph Gillispie: Commenc-ing at a post marked "C.E.L." on the

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 Works for permission to perchase the following described lands, situate in West Kootenay District: Commencing at a post marked "M. E. M. Rogerson's land" and planted about five miles up Little Slocan River, on the west side, running 80 chains TAKE NOTICE that 30 days from date I intend to apply to the Hon, the Chief Commissioner of Lands and Works for a special license to cut and carry away timber from the following described lands: south: thence 80 chains west: thence 8 Commencing at a post 40 chains south of H. Irwin's N.W. corner post and marked "M. J. Cameron's northwest corner post," chains north; thence 80 chains east, to place of commencement. M. E. M. ROGERSON. C. B. CUTTEN, Agent. thence east 80 chains; thence south i chains; thence west 80 chains; then

March 27, 1907.

NOTICE is hereby given that sixty days after date I intend to apply to the Chief Commissioner of Lands and Works for pernission to purchase the following land, on Kootenay lake shore, in West Kooteloy district: Commencing at a post marked "T. G. Procter's S.W. corner." planted at the S.E. corner of lot 1683, thence north 20 chains; thence east 5 chains; thence south, following meanderings of lake, 20 chains: thence west to point of co

Dated this 11th day of April, 1907. T. G. PROCTER J. W. SMITH, Agent.

NOTICE is hereby given that 60 days af-NOTICE is hereby given that 60 days af-ter date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the fol-lowing described lands in Keotenay dis-trict, B.C.: Commencing at a post marked "J. Cameron's S.E. corner post," said post being on the west side of Upper Arrow lake, opposite Nakusp, and at the N.E. corner of lot 730, running thence west 16 chains; thence north 60 chains; thence east 7 chains; thence following the lake shore in a southerly direction 60 chains, more or less, to point of commencement, containing 60 acres, more or less. Dated this 11th day of March, 1907.

J. CAMERON

NOTICE is hereby given that 60 days at-ter date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for permission to purchase the fol-lowing described land, situated on the west side of Kootenay river, and covering all of A. L. Stewart's abandoned pre-emp-tion No. 759, and about one-eighth of a mille north of Angus Curry's pre-emption: Commencing at a post marked "Sidney J. Commencing at a post marked "Sidney J. Commencing at a post marked "Skiney J. Cummings' southeast corner post," thence north 40 chains; thence west 60 chains; north 40 chains; Lience west 60 chains; thence south 40 chains; thence east 60 chains, to place of commencement, con-taining 240 acres more or less. Dated this 25th day of February, 1907. SIDNEY J. CUMMINGS.

NOTICE is hereby given that 60 days after date I intend to apply to the Chief Com-missioner of Lands and Works for per-mission to purchase the following de-scribed lands situate in West Kootenay district: Commencing at a post marked "R. H. Ross," placed haif a mile north of Summit creek, adjoining Angus Curry's north and south line on the west side, running 40 chains north; thence 40 chains west; thence 40 chains south; thence 40 chains east to place of commencement. Located the 4th day of April, 1907. R. H. ROSS ANGUS CURRY, Agent.

NOTICE is hereby given that sixty days NOTICE is hereby given that sixty days after date I intend to apply to the Hon. they chief commissioner of Lands and Works for permission to purchase the foi-lowing described lands, situate in West Kootenay district: Commencing at a post-marked by name "Gerald Rees" N.E. cor-ner post," at the northwest corner of the purchase claim s'aked April 20th, 1906, by D. A. Boyd and F. J. Sammons, thence 20 chains west along the C.P.R. right of way; thence 20 chains south; thence 20 chains east; thence 20 chains north, to post of commencement. contribuing 40 acres more or less. more or less. Nelson, B. C., April 1, 1907.

G. S. REES

NOTICE is hereby given that 60 days after date I intend to apply to the Chief Commissioner of Lands and Works, at Victoria to purchase 160 acres of land on the east side of the Arrow lake, on Bates creek, and described as follows: Commenc-ing at a post marked "W.W.'s S.W. cor-ner," and planted at the southeast corner of lot 6003, thence 40 chains north; thence 40 chains east; thence 40 chains south; 40 chains east; thence 40 chains north; thence 40 chains east; thence 40 chains south; thence 40 chains west, to place of com-mencement, containing 160 acres more or less.

Dated. March 27, 1907. 4-11 W. WALTON. FRANK ORANGE, Locator.

NOTICE is hereby given that 60 days after date I intend to apply to the Ho chief commissioner of lands and works for special license to cut and carry away a special license to cut and carry sway timber from the following described land, situated in West Kootensy district: Commencing at a post planted on the west side of Lardo river, opposite S. W. corner of lot SZ, marked A. E. Fowler's. N. E. cornes, thence south 40 chains, thence-west 40 chains, thence north 80 chains, thence east 80 chains along west side of Lardo river to point of commencement. Dated this 6th day of March, 1907. Is A. E. FOWLER.

A. E. FOWLER

CERTIFICATE OF IMPROVEMENTS the Eye, EH and Eye Fraction Mineral

Claims; situate in the Slocan Division of West Kootenay District-Located on Robinson creek. AKE NOTICE that I, J. Murray Mc-Gregor, Free Miner's Certificate No.

Bi615, intend, sixty days from the date hereof to apply to the Mining Recorder for Certificates of Improvements for the purpose of obtaining Crown Grants of the above claims. And further take notice, that action

under section 37, must be commenced be-fore the issuance of such Certificates of

Dated this 2nd day of April, 1907. J. M. McGREGOF

NOTICE is hereby given that three months after date application will be made to the Lieutenant-Governor in Council, by the "Yale-Kootenay Ice, Fruit, Fuel and Poultry Company, Limited" to change the name of 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.



at Opening of Jamestown Exposition.

Vast Crowds Gather to Hear Him Spe Pressea Toward Grand Stand, Threatening Lives of Those in Front.

Norfolk, Va., April 25 .- Preside Roosevelt, the diplomats, naval and mi itary representatives of 37 of the nation of the world, and the governors of score of states, participated today the opening exercises of the Jamestow ter-centennial exposition. While the exposition, which is to be open unin November 30 next, is still far fro complete, the unfinished condition buildings and grounds was not allow to interfere in any way with today celebration of the three hundred that niversary of the first English settlement in America. From the firing of a sur rise salute of three hundred guns h United States artillerymen, throughout Roosevelt, the diplomats, naval and m United States artillerymen, throughou the pictureque review of the interna-tional fleet of war vessels anchored i Hampton roads and the ceremonies dedication, at which the presider spoke, until late tonight, when the ohi spoke, until late tonight, when the ohi-executive repaired on board the naw yacht Sylph to spend the night in th lower bay, the day was crowded wit notable incidents. Not the least im pressive of these was the president quickly assuming command of the si-uation in front of the crowded gran stand from which he spoke when panic seized the surging throng of spectators. Thousands of eager per sons in the rear of the gathering when were forcing their way forward, endaged and the lives and limbs of those w

were forcing their way forward, endan-ered the lives and limbs of those wh had the more favored position by th guard ropes. President Roosevelt had just been in troduced by Harry St. George Tucke the head of the Jamestown expositio company, when the disorder and urre-in the crowd reached its height and to civil guards in front of the grand star seemed to be swept from their post With the agility of a 'school boy, th president jumped upon the table which had been placed in the speaker's ba-cony and waving his arms cried out the men of Virginia to live up to the traditions of gallantry and cease th pushing and crowding which was threa-ening the lives of the women and chill ren in the assemblage, a throng which all but blocked the big grass cover plaza, known as Lee's parade. Th crowded heeded the president's war ing at first, but when he had settle down to hif speech, the words were fai by blown from his mouth by the sout easterly gale which was sweeping th

ly blown from his mouth by the soutl easterly gale which was sweeping th great parade. The immense audience then becan uneasy again and those on the outskir began to press forward once more their anxiety to catch his words. Th president was interrupted by this di order and officers and men of the Uni ed States cavairy were called up. The rode up and down along the front of th crowd and gradually opened it up an crowd and gradually opened it up at relieved the strain which at one tin threatened to sweep thousands again threatened to sweep thousands again the president's stand and the boxes cupied by the members of the matic corps. A detachment of artillerymen was a

so called into service and the thron who came to see and hear the pres dent settled down to an ordinary a semblage. Apparently oblivious to t position he occupied on top of a som Position he occupied on top of a som what shaky table not more than twi-feet wide and not more than twice the in length, president Roosevelt delivers his speech from this impromptu and u steady platform. It did not interfee in the slightest degree with the cha acteristic vigor of his delivery. Som of his statements, noticeably when r touched on the representatives of the many nations of the world, others we being directed to the soldiers and sal ors who took such a conspicuous pa on the day's program and yet othe were directed to the general public lift There were constant outbursts of a were directed to the general public lif There were constant outbursts of a plause and cheering. This approval w by the president to the gallantry of t men who fought in the civil war. A fairer day has never been seen th

that which attended the opening probably the most remarkable exposition ever held in the south. The he at times during the afternoon Somewhat oppressive but it was, te pered by a strong breeze. The mility ncamped about the exposition grou began the day's ceremonies with firing of the three century salute. So after from across the waters of Han ton roads came the boom of the w ship's guns signalling the beginning the review by the president of the n ormidable fleet of international b ships and cruisers the world has nessed in many years. On board tidy cruiser yacht Mayflower, the pre dent, with a few specially invited gues was greeted first by a roar of 21 gu from each of the vessels, foreign a American. Then as he steamed ald the line of the visiting men-of-war was saluted individually and in turn the line of the

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, situate in West Kootenay District: Commencing at a post marked "C. B. Cutten's southeast corner, and planted about six miles up Little Slo-can river, running north 80 chains; thence west 80 chains; thence south 80 chains;

of sais, thence south to chains; thence used 30 chains; thence north 40 chains; thence west 20 chains, to point of commencement, containing 50 acres more or lass. HAROLD SELOUS, Nelson, Feb. \$ 1907. NOTICE is hereby given that 60 days after

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, in West Kootenay Dis-trict: Situate on the Lower Arrow lake, about 8 miles west from Robson, and known as McCormick's landing, said land being on the north shore of said lake, commencing at a post period at the northcommencing at a post p'anted at the north-west corner and known as "initial post G.B.," thence 10 chains east; thence 5 chains south; thence 10 chains west; thence 5 chains north to place of commencement, said to contain 20 acres more or less.

G. BEAUMONT Locator W. L. PAYNE. April 3rd, 1907.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon. the Chief Commissoneir of Lands and Works for permission to purchase the following described lands, in West Kootenay Dis-trict: Situate about 8 miles west from NOTICE is hereby given that 30 days after date I intend to apply to the Hon. the Chief Commissioner of Lands and Works for a special license to cut and Works for a special license to cut and earry away timber from the following de-thence 5 chains south to place of comthence 5 chains south to place of com-mencement, said to contain 15 acres more or less, adjoining Annable's purchase. J. H. RINGROSE. 4-8 J. H. RINGROSE. Locator W. L. PAYNE. April 3rd, 1907.

NOTICE is hereby given that 60 days after date I intend to apply to the Hon, the Chief Commissioner of Lands and Works Chief Commissioner of Lahoa and Works for permission to purchase the following described lands, situate in West Kootenay district: Commencing at the southwest corner of Lot 4682, thence south 60 chains; thence west 40 chains, more or less to the Kootenay river; thence following the shore of same river northeasterly to point of commencement , comprising 180 acres, me or less.

PATRICK SHERAN.

Dated March 6, 1907.

Dated March 22nd, 1907. J. G. BILLINGS, Locator, J. CAMERON, Agent. NOTICE is hereby given that sixty days after date I intend to apply to the Chief Commissioner of Lands and Works for per-mission to purchase the following describ-ed lands, situate in the West Kootenay ed lanos, studie in the post about 20 District: Commencing at a post about 20 chains north of the S.E. corner post of lot 2542, thence south 40 chains; thence east