THE DAILY NEWS

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LIBRARY LEGISLATIVE ASSEMBLY.

LONGBOAT'S LONG STRIDE

Lands Him Winner of 25 Mile Marathon Race Ashland to Boston

Canadian Runner Beats Caffray's 1901 Record by Better Than Five Minutes Time 2 hrs. 24 mins. 20 4 5 secs.

Boston, Mass., April 19.—Thomas Longboat, the well known Indian runner of the west end Y. M. C. A., Toronto, Ontario, broke the record today, for the Boston Athletic club 25 mile Marathon road race from Ashland to Boston, and defeated a field of 114 runners, after the most closely contested race since the event was inaugurated in 1897. Longboat covered the distance in 2 hour, 24 minutes 20 4-5 seconds; this is 5 minutes, 24 4-5 seconds faster than the previous record, which was established in 1901, by J. J. Caffray, of Hamilton, Ontario.

Robert Fowler, of the Cambridgeport Gymnasium association finished second, also within the previous record. His time was 2 hours, 27 minutes, 54 4-5 seconds. J. J. Hayes, St. Bartholomew's club, New York, was third, in 2 hours 39 minutes, 38 3-5 seconds.

Following finished in order: W. O'Mara, Cambridge; J. J. Lee, Roxbury; Charles E. Petch, Toronto, Sidney H. Hatch, Chicago; J. H. Neary, Natick, Mass.; and John Lindquist, Brooklyn, N. Y., all finished in time under 2 hours and 40 minutes.

All of the leaders finished in good condition, although nearly all showed signs of the strain of the race and there were several sharp contests for places as the runners came into the last few miles. The conditions at the start were poor. It was chilly and clouds of dust were raised by the runners as they started on their long journey. Before five miles had been covered, however, a light rail began to fall which laid the dust and striking the faces of the runners freshened them considerably. As Longboat, never faltering in his long mechanical stride, neared the finish line, he was applauded by fully 100,000 people who, despite the rain, had waited in the streets for hours. The race was started promptly at noon at Ashland, with F. G. Meeks, New York, in the lead. Longboat was back in the bunch with Spring, of New York, closely watching him. For the first five miles, the younger and less experienced runners kept alternating in the lead, but Longboat and the veterans were always within striking distance. As the runners came in South Farmingham, Lorse of New York, took the lead, with Frank, Lebarre, Petch, Carr, Longboat and Spring following in the order named. At South Farmington depot the leaders just crossed the railroad track before a long train came by and compelled the others to wait. Fowler and Hayes were among those held up. Between Farmingham and Natick, Lee took the lead and Longboat and Spring passed Carr and Lebarre. Passing Wellesley college each runner received a cheer from the college girls who had lined up to see them pass.

After leaving Wellesley, the runners were compelled to climb several long hills, but Longboat merely lengthened his stride, and one by one picked up the men who had been leading him. At Auburndale he wrested the lead from Lee, and slowly drawing away, broke the tape at the finish a third of a mile ahead of the second man, Fowler. Fowler ran a well judged race, but began his spurt too late. He was closely followed by Hayes throughout the entire race, but the latter could not hold the pace which Fowler set in the last five miles. Six minutes after the third man, the other runners began to come into the finish only seconds apart.

FOSTER ARRAIGNMENT

MINISTER OF JUSTICE EXPOSES THE REAL FACTS OF CASE

EX-FINANCE MINISTER'S SPECIAL PLEADING UNAVAILING

Ottawa, April 19—Parliamentary history does not furnish a parallel of the brilliant and scholarly speech delivered in the house by Hon. Mr. Aylesworth, minister of justice, in reply to a statement made by Hon. Mr. Foster, whose questionable dealings with the trust funds of the Foresters, under the shelter of what is known as the Union Trust company, had been so scathingly commented upon by the royal commission on insurance.

For many months Mr. Foster, smarting under the publicity which attached to the revelations before the commission, had threatened and pleaded and supplicated for an opportunity to place himself in a better light before his fellow members of the house, and was given an opportunity upon voting the money for the expenses of the commission in committee of supply.

The honorable gentleman took full advantage of his opportunity and strove with all his ability to make the worse appear the better cause. The prominent pleas made in his three hour address were:

1. That the matters were private and should not be revealed.

2. That the commission overstepped its powers and was not impartial.

3. That the whole affair was a scheme to ruin him politically.

Mr. Foster's anxiety to explain his handling of the trust funds led some people to think that probably he had an explanation that would appeal to reasonable men and that he had been misrepresented and prejudiced. After hearing his appeal, made with all the casuistry and logic of which he is possessed and all the accompaniments of gestures well known to the trained politician, there is only one conclusion to arrive at, only one verdict to render. Mr. Foster did the things charged against him. He was guilty of handling trust funds irregularly and in defiance of statutory enactment.

With respect to there affairs Mr. Foster directed his energies to disputing the legal aspect of his position, contrary to the views expressed by the minister of justice. He denied few things, but entered upon long explanations of many things of small importance.

The house heard him for hours with the greatest patience. He was met with no interruptions, few questions. His listeners carefully analyzed every sentence impartially for everybody realized that the political future of a public man was at stake. At the conclusion of the statement judgement was suspended until Mr. Aylesworth had replied, and then the result of the verdict was no longer in doubt, a few simple words express much for they convey the whole story.

Mr. Foster had failed to convince the house.

As he failed to convince the house, so he will fail to convince the country, for the house is representative of the country. It may perhaps be an occasion of regret that a man of the undoubted ability and brilliant parts of Mr. Foster should be lost to public life, but it is better so than that a man who had failed with respect to lesser trusts should by any possibility be placed in charge of the greater ones pertaining to his country.

Hon. Mr. Aylesworth approached his subject in a calm and judicial manner, never once sacrificing logic to oratorical effect, but upon occasion rising to the lofty heights of cogent reasoning and unanswerable deduction.

The minister of justice indicated that the commission was appointed in the public interest to investigate the operations and the transactions and investments of every life insurance company doing business in Canada. Mr. Aylesworth alluded to the alacrity and willingness with which officials of other companies had produced their books, and compared this with the attitude of Mr. Foster, who had only done so fearing the consequences of a refusal. Answering Mr. Foster's complaint that he was not allowed counsel, the minister of justice reminded him, that he (Foster) was only a witness, and that in no court was a witness allowed counsel, neither was it necessary for the court always protected a witness. In Mr. Foster's case, however, he was allowed counsel in the person of a very eminent man, Mr. Nesbitt, who participated freely in the discussion.

The minister of justice expressed surprise at Mr. Foster's complaint at not being allowed to give his whole story in view of the fact that he asked and received permission to make a statement before the commission, and in fact, did make a very extended statemnet after having informed the commission that they had searched him right through. He had concluded his remarks in these words:

"I thank you, your honor, for allowing me to make this statement, and I do not think that I should leave this box without acknowledging your unvarying courtesy to me; though I have sometimes had the audacity to question your ruling, it has been on a question of principle and nothing personal of course. I do not think I ought to leave either without acknowledging that so far as Mr. Shepley is concerned he has treated me with unvarying courtesy and

(Continued on Page Two)

BODWELL'S LONG SPIEL

HIS ADDRESS TO FULL COURT NOT YET FINISHED

IS MAKING A MASTERLY SUMMING UP OF THE FACTS.

(Special to The Daily News)

Victoria, April 19.—Bodwell held the attention of the full court all today in the Star vs. White appeal and had not finished his address for the Byron N. White Co. when the court adjourned. The court decided to continue the hearing on Monday and Tuesday. Mr. Justice Morrison goes to Vancouver tomorrow but returns Sunday.

The Vancouver full court sittings were further adjourned until Wednesday. There will be no court tomorrow.

Davis' reply in winding up the whole case next week promises to be a brilliant effort.

Bodwell scored well today, particularly upon the fact of Sizer's inability to satisfy the chief justice, when the judge and two experts visited the mine, of conditions sworn to exist by Sizer in court. Also upon the fact that plaintiffs' almost entirely confined their presentation of the case to the showing in the lower levels of the mine, carefully keeping away from the facts to be found on the surface and in the upper mine workings. Much of today was taken up with the elaboration and reiteration of these two points, followed by a lengthy and most careful analysis of large sections of evidence in which Lennie's careful and painstaking preparation of the case, and Lennie personally, played an important part, Bodwell consulting Lennie very frequently. Bodwell is making a very masterly summing up, leaving no point uncovered, hence the necessity for further time.

William Wayte has setled the Empress hotel difficulties. The new building is to open on Dominion Day for sure. Completion has been ordered rushed.

FAVORABLE PROSPECT OF A SETTLEMENT

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

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 conditions in the coal mines of the west were grossly exaggerated. There was no strike and no lockout. The only difficulty arose through the operators putting 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 workmen's representative on the board stating that he expected the men would return to work tomorrow. Mackenzie King will leave tonight for the scene of the trouble. To Duncan Ross and 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 settlement were in the direction of coercion, when the policy of the government was for conciliation. When Mackenzie King reached Fernie on Tuesday they expected 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 western lines. He added that the C. P. R. is hauling coal all the way from Montreal to St. Paul and Duluth to relieve the situation out west.

At the afternoon sitting Oliver gave the views of the different collieries, 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 scarcity of cars.

(Special to The Daily News)

Coleman, Alta., April 19.—The following official statement has been given to your paper for publication by Messrs H. N. Galer, manager of the International Coal & Coke Co., and R. G. Drinnan, general superintendent of the Crow's Nest Pass Coal Co.

The dates mentioned throughout are important as is the entire statement in the public interest. It puts an entirely 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 creating such a crisis in the whole of Western Canadian industrial conditions.

Mr. Galer, speaking for the other officials, said: "After the break up of the conference at Calgary, nothing further was done until the 6th instant, Saturday last, when we received here a notice 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 I received formal application from president Sherman for a board of investigation. Our formal reply was made the next day, Sunday, and delivered Monday. Sherman's notice of application was found to contain so many irregularities and was so far out of accordance with the Act's requirements as to cause a delay, that we made our own separate application to the department for the appointment of an investigation board on Monday the 8th, so we didn't lose a day. This was served on the local union officers here and on 10 non-union 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 be one of Sherman's main kicks. It was done to save time and not to cause delay as he claims.

"On Wednesday, 10th instant, a telegram was received from the minister of labor, Lemieux, asking if we all consented to one board for all the operators. This was agreed to by wire on same date, the four companies being the Crow's Nest Pass Coal Co., the International Coal & Coke Co., the Canadian-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 notifying 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 on I would consider it an offense under the Act; section 57 provides expressly that pending investigations no discontinuance 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 not operate. The men held a meeting and ballotted on the referendum vote called for by Sherman, by a majority of 285 to 4, to strike; and Sherman notified us that after we had posted notices on the 8th instant. (Sherman knowing the law thoroughly and that no immediate change could be made under the issued circular, as mentioned in minister Lemieux's telegram) ,stating in the meantime he couldn't inform employes under what terms and conditions they were working. This was deliberately misleading the men, because there could be no change from the old conditions until the investigation.

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 operators and give an answer as quickly as possible. On Saturday, 13th, I received 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, Sherman replied he would meet a deputation on Tuesday, 16th instant. Messrs. Stockett, Galer and Rogers went to Fernie and a conference was arranged for 23rd instant, when all parties 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 his appointment and the Bankhead, Canmore and Lundbreck operators nominated F. B. Smith of Edmonton, as their board representative. On the morning of the 15th, I told the secretary of the local union here that under the law the company could make no change in conditions of working hours, or labor pending the investigation and the secretary understood this clearly. Notwithstanding this, in the night of the same day the president and secretary of the local union and another employee, 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 expressly forbids us to alter until the conciliation board has 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 agreement at any time. In the morning on the 16th, the whistle bley for work, four men turned out, but they left the engineers, firemen and fanmen at 5 o'clock, on the condition that we didn't attempt to work the mine.

"On the 17th president Mitchell wired Sherman, in fact they must have received 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 going direct must have reached Sherman 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. Union officials are declaiming the men. Not only have they not made Mitchell's telegram public but on Thursday it is still a rumor of its having been received at all, and they 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 matters. No delays were thrown in the way. In deliberately misleading the men, the union officials are responsible for the present precarious industrial situation.

"By posting notices to keep away from the mines the executive board has violated section 60 of the Act providing a penalty for anyone inciting encouraging 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 prosecute thousands of miners for violation of the Act and has already stated that the Act cannot be enforced. The law to be of much service should provide that the leaders should be punished for any violation and not the employes, who have been cruelly misled in this case. We have fulfilled every condition of the Act and have gone out of our way to expedite the proceedings 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 today by the Granby over the Great Northern and no freight of any kind will be received by agents of the C. P. R. owing to coal shortage. None but passenger wheels on the C. P. R. turned today here. Sunday night, the Dominion Copper Company's Boundary Falls smelter will blow out its two furnaces, owing to inability to secure either coke or ore. The Granby smelter is also short of both and must blow out shortly. The B. C. Copper Company's smelter is in a better position than either of the other two smelters as considerable coke is on hand, but it is a question if the C. P. R. can move even the ore 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 Boundary alone are thus either directly or indirectly affected by the coal miners walk out in East Kootenay, though all plants will be kept runing as long as possible. This week's output of ore promises to be the largest in many months, but will from now on be almost completely curtailed.

(Special to The Daily News)

Grand Forks, April 19.—The Granby smelter has about enough coke on hand to run for a week. Superintendent Williams states that the furnaces will be kept 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 labor troubles in the Crow's Nest Pass occurs, the smelter will close down entirely soon. The C. P. R. quit hauling ore yesterday for lack of coal and the Great Northern will soon be in a similar 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 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 more discreet in handling the men and their mines are not closed.

The rumor that Hon. W. H. Cushing is leaving Edmonton for the seat of the trouble to offer his services toward a settlement is also favorably received. He is well known to enjoy the confidence of both operators and miners.

C. P. R. officials say they can run important 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.

Calgary, Alberta, April 19.—The situation at the Bankhead mine indicates that there will be no work there tomorrow. The manager of the mines states that 130 miners worked today, 150 being the full complement. On the other hand the men state they are only cleaning up preparatory to quitting. The miners brought out their tools on quitting work this afternoon.

The special meeting of the board of trade last night to consider the serious situation with regard to the coal supply was a record meeting of that notable institution for many years past. All day long men were discussing the situation and when it became known that the faint hope that had existed of a supply 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. officials 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 present sources. In ever case unfavorable answers were received and the Canadian Pacific had, therefore, no option 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 settlement, either by agreement or by the interevention directly of the dominion government, cannot be arrived at by the end of the month there will not be a wheel turning on the C. P. R. in these districts. The urgency of the situation was illustrated by an incident which occurred during the day. A rancher desired to take a team of horses down the river to a point below Granite. No transportation offered over the C. P. R. and the rancher appealed to the mayor for help by means of the loan of a scow to get his horses on the other side of the lake so that they could be walked down.

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 restricted while possessing inferior sources of supply at points in Washington. It was, thus, no surprise that the meeting of the board last night was well attended.

The resolutions passed, after a discussion 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 available in British Columbia and Alberta, to meet at the same time and place as the conference of Tuesday next at Fernie, between the operators and miners, with the object of impressing upon the latter body the strong disapproval with which the country regarded any evasion of the Lemieux act; and the other resolution calling 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. McMorris, H. Byers, J. L. Retallack, Blake Wilson, H. G. Goodeve, J. Irving, R. Hinton, A. Kelly, W. W. Beer, F. M. Black, S. Kelly, E. K. Beeston, T. Morley, R. W. Hannington, J. M. Lay, A. W. Dyer, P. Lamont, J. Gilker, E. Baillie, W. A. Macdonald, R. Webb, W. H. Jones, T. Procter, F. J Deane, Bruce White, L. B. deVeber, F. Phillips, T. Deasy, J. A. Dewar, mayor Gillett, I. G. Nelson, E. A. Lindsley, James Johnstone, J. A. Macdonald, H. E. Douglas, G. P. Wells, J. G. Billings, J. J. Campbell, W. E. Cook, of Kaslo; W. E. Koch, H. Wright, F. M. Chadbourn, R. 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 the account of the miner's side of the case in the same issue of The Daily News was correct; and of a telegram, a special to this paper, from the coal operators, published elsewhere in today's issue.

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 to do the same, at the same time sending telegrams 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 it would have any moral or other effect.

G. P. Wells thought some recommendation ought to be made to the government as to what remedy would be probably effectual.

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

R. W. Hannington pointed out that one of the causes of the strike was the failure of the Alberta government to pass an 8-hour law, as promised, and that the miners had practically refused to return to work in Alberta until such a law was enacted. Therefore no conciliation or arbitration as to wages would affect the matter.

J. Johnstone supported Mr. Black on the ground that the Crow's Nest Pass Coal company was not getting enough of its coal and should be allowed to sell it at a higher price than $2. Then the company would be in a position to pay higher wages.

J. J. Campbell thought that the operation of the mines by the government was rather a radical view.

W. A. Macdonald agreed with Mr. Campbell that the recommendation was extreme. If this were to be taken as a precedent then any or every board of trade in the country on the ocurrence of any strike in any industry might call upon the government to operate that industry.

E. A. Lindsley reminded the meeting that the big coal strike in Pennsylvania had been settled by the threat of president Roosevelt of taking over and operating the mines.

F. J. Deane supported Mr. Lay's motion as to a delegate from the board of trade to the Fernie conference as an amendment to that of Mr. Black. He thought that if the operators could be persuaded to withdraw the notice as to a reduction of wages, the men would go back to work.

R. Hinton urged that the delegate be instructed to impress both sides that the feeling of the country would be dead against that side which placed any obstacle in the way of speedy settlement.

F. M. Black altered the eancting clause of his resolution to the following:

"Be it resolved that this board emphatically condemns the prejudicing of a case about to be referred to arbitration by action of either party after application for a settlement has been made, when such action only accentuates differences, and calls upon the government to protect public welfare by assuming immediate responsibility and arranging for the operation of the offected collieries until such time as the board of conciliation shall have reported."

On this being put to the vote it was carried with one dissentient voice.

The secretary was then instructed to send this resolution by wire to the acting premier, the minister of labor and minister of mines.

The motion of Mr. Lay was then considered and was altered to read that delegates from this, and other boards of B. C. and Alberta, if possible, attend at Fernie at the time of the conference and do their best to impress the conferring parties with the gravity of the situation.

As carried unanimously and president Starkey was unanimously selected as the delegate.

R. E. Beattie, of Cranbrook, thought the first resolution of the board objectionable to the men but the second was one of which he could approve.

COMBINES DO EXIST

Finding of Parliamentary Lumber Committee of Enquiry

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, letters, price lists and other papers and documents laid down before them as exhibits, which, together with the minutes of their proceedings, are herewith submitted for the information of the house.

Your committee are 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 included all three provinces until recently, 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 associations have been to annually inhance the said prices, as appears from the price lists themselves and the bylaws, minutes, books and correspondence and evidence of witnesses in regard to the said operations.

"Your committee also finds that more recently the manufacturers formed an association known as the "British Columbia Lumber and Shingle Manufacturing association" which, in the opinion of the committee, amounts to a combination and co-operates with the said retail association, and on the part of these manufacturers a good deal of evidence was submitted to show that their prices were not excessive, but before concurring in that view, your committee think that there should be more evidence as to the cost of production of the manufacturers. Your committee also has to take into consideration the fact that the cost of lumber to the settler is materially affected by the cost of the freight as well as by the cost and profits of the manufacturers and retailers. (Sgd.) T. Greenway."

This report was prepared by a subcommittee, 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 Quartermasters of Steamer Cassiar.

(Special to The Daily News)

Vancouver, April 19.—Two quartermasters on the steamer Cassiar were arrested this morning on a charge of abduction, which will probably 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 Ellis, aged 14, last Monday while on their way home from school, took them that night to the steamer and smuggled them into their room where they were kept in close confinement through the round trip of the steamer to the north coast. The girls were reported to the police as missing early in the week and a constant search has been made for them. Last night one returned home 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 questioning 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 Canadian Northern railway bill, asking for powers to build an additional thousand miles of railway in Alberta and Saskatchewan was held over at the railway committee meeting today, at the request of the company. This is due to the determined stand taken by western members not to allow charters for more mileage until such time as the roads already built have given the people adequate service. As it is the whole system of the Canadian Northern was said to be paralyzed.

SENKLER DECLINED OFFER

(Special to The Daily News)

Vancouver, April 19.—The announcement 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 result was his turning the offer down yesterday.

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Published at Nelson Every Morning Except Monday, by F. J. DEANE

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THE COAL SITUATION.

That the probability of an early fuel famine is viewed with grave alarm in Nelson was amply evidenced by the attendance at the special board of trade meeting last night. Rarely has so representative a gathering been assembled in the board rooms and the serious manner in which every speaker dealt with the subject under discussion emphasized the gravity of the situation.

Nelson business men and the representatives of large industrial concerns were present to express their dismay at the disastrous circumstances that threatened the industrial well being of this section of the province, if an immediate settlement of the dispute between the operators and their employes be not reached.

In the opinion of all present the time had arrived when the outside public, which would be seriously affected by a prolongation of the present idleness at the mines, should speak out plainly and take whatever steps might be deemed advisable to bring about a resumption of operations.

The suggestion of Mr. J. M. Lay, subsequently embodied in a resolution, unanimously adopted, that the Nelson board send a delegate to Fernie to meet both the operators and the men, with a view to presenting the public's side of the case, was an eminently sensible one. If the other boards of trade of the interior act upon the Nelson board's request and also send delegates, it is quite probable that the influence they will bring to bear upon the contending parties may have a beneficial effect. So far in the dispute no consideration whatever appears to have been given to the interests of the great public whose comfort and convenience are jeopardized.

As we remarked yesterday, these repeated disputes at the collieries, involving periods of non-production and consequent ruinous loss upon large industrial concerns as well as grave discomforts to many innocent people, is creating a public sentiment that will result in very drastic proposals being urged upon the dominion government for the control of the coal fields. This sentiment was expressed last night in the support given Mr. Black's resolution.

Today we publish a statement from the operators, alleging bad faith upon the part of the union officials and declaring that they have done everything within their power to avoid a dispute. Technically, no doubt, the operators have complied with the requirements of the new law, but they seem to have acted all through without due regard for the known temper of the men and certainly without any special consideration for the consumers.

Our Ottawa despatches announce that Mackenzie King has left for the scene of trouble and is to be present at the conference on Tuesday next. Minister of labor Lemieux asserts most positively that he will enforce the law strictly. There is ground for hope therefore that the coming conference will result in action that will mean the immediate resumption of operations.

We can but express the sincere hope that this will be the case. A continuance of the present situation would mean untold loss and suffering to the whole of western Canada.

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Waste Baskets, $2.50.
Trinket Boxes, 45c, 75c and $1.00.
Lace Boxes, $1.60.
Paper Knives, 25c.
Jardinere Stands, $1.50, $1.90, $2.00.
Tabourettes, $6.00. Etc., Etc.

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FOSTER ARRAIGNMENT

(Continued From First Page)

all who have been associated with him, the officers and others, have been more than kind."

Mr. Aylesworth emphasized the duty of the commissioner to make a rigid examination into the affairs of all insurance companies without fear or favor and disclaimed any undue pressure upon Mr. Foster's company—the Union Trust company. He cited the contention of Mr. Foster's counsel, that while the investments of the Foresters might be examined, those of the Union Trust company were outside of the scope of the commissioners' powers. The minister of justice showed the fallacy of this view—that because the Foresters had handed over their funds to the Union Trust company to invest, the investments could not be followed. He contended that subsidiary companies formed for the purpose of handling insurance funds came properly within the scope of the commission, and instanced the objections raised by counsel for companies other than that represented by Mr. Foster, to prevent such examinations, and how in every case the objection had been overruled, all came within the law, all were treated alike. Mr. Hellmuth, counsel appointed by the Ontario government to watch the proceedings before the commission, upheld the opinion of the commissioners in these words:

"I should have thought that if it had been shown that the Union Trust company as stated by my learned friend, Mr. Shepley, has been really a creature of the Foresters, created by them for the purpose of investing their funds, not directly, but indirectly an investigation would be as proper as an investigation into the investments made by the creature of the creature."

Mr. Aylesworth carefully traced the history of the formation of the Union Trust company, with Mr. Foster as manager, and how $1,996,000 of its total $2,000,000 of capital stock was bought by money of the Foresters, that in other words it was a subsidiary company or creature of the Foresters, and their money and their's alone, was represented by its capital stock, with the exception of $4000 which four gentlemen took, including Mr. Foster, to qualify as directors.

The minister of justice made an extended reference to the law of the country which wisely throws about the funds of insurance companies, restrictions as to the course of their investments. He depicted in graphic language the various expedients to evade the law practiced by those interested, who, finding themselves hampered by the restrictions which the law has cast about their investments endeavor to set the law at naught by forming a trust company which to all practical purposes, shall be another name for the insurance company itself. In such case every restraint and every guard may be cast to the winds and wild speculation takes the place of legal investments, and the funds of the widow and fatherless are gravely imperiled.

This very course has been adopted in the creation of the Union Trust company of which Mr. Foster was manager for all of its $2,000,000 of capital except $4000 was the money of the Foresters, and the Trust company speculated with it irrespective of the restraints imposed by the insurance laws. Evils such as this had been unearthed in consequence of the labors of the insurance commission, which throughout had acted only in the public interest and that the law might not be violated.

Mr. Aylesworth devoted some time to the consideration of the plea made by Mr. Foster that his operations as manager of the Trust company had been successful. The minister of justice, in severe language, invited the house to consider what would have been the case had the speculative transactions of Mr. Foster with the funds of the Foresters resulted disastrously? His opinion was that it would have been a repetition of the Ontario bank affair, the manager of which is now a convicted felon.

Mr. Aylesworth caustically alluded to the fact that Mr. Foster had received a commission of $5000 while manager of the Trust company, out of the trust funds. This amount Mr. Foster disputed, but he admitted it was $1250. Mr. Aylesworth severely criticized this incident, denouncing the act in unmeasured terms particularly in face of a resolution passed by the Trust company directors that no officer of the company should receive commissions from the opposite side. Every penny of the commission was the property of the Trust comany wrongfully received by Mr. Foster, the manager of that company, while in its employ and transacting its business. Mr. Foster explains this incident by saying it arose out of land transaction, the money to finance which was borrowed by himself and others from the Foresters direct.

Another case of taking commissions from trust funds arising out of another land transaction is admitted by Mr. Foster in the following letter:

"Toronto, Jan. 5, 1904.

"Yours of Jan. 2nd duly received re Pritchard's sale of Swan river district lands. The contracts will be with the Union Trust company in trust. Cash pay-

(Continued on Fifth Page.)

CURED OF RHEUMATISM

Mr. Wm. Henry of Chattanooga, Tenn., had rheumatism in her left arm. "The strength seemed to have gone out of the muscles so that it was muscles so that it muscles so that it was useless for work," he ays. "I applied Chamberlain's Pain Balm and wrapped the arm in flannel at night, and to my relief I found that the pain gradually left me and the strength returned. In three weeks the rheumatism disappeared and has not since returned." If troubled with rheumatism try a few applications of Pain Balm. You are certain to be pleased with the relief which it affords. For sale by all druggists and dealers.

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STAR vs. WHITE APPEAL

E. P. DAVIS' VIGOROUS SUMMING UP OF EVIDENCE

DEALS WITH DEFENDANTS' EXPERTS WITHOUT GLOVES.

(Special Correspondence)

Victoria, April 16.—When the Star vs. White litigation is finally ended it may be found that the law suit has meant to the mining experts what the war in South Africa proved to be for so many British generals—the grave of many reputations.

The evidence before the full court was concluded during the afternoon session today and E. P. Davis, K.C., for the plaintiffs, the Star M. & M. Co., headed by John M. Harris, commenced his summing up of the case for the court. He announced that he would be comparatively brief leaving Mr. Taylor to deal with the evidence in detail and when the court adjourned at 5 o'clock this evening, the leading counsel for the plaintiffs had nearly completed his review. He will be followed by Mr. Taylor, and then Mr. Bodwell and Mr. Lennie will be heard. The court sat longer today than usual and will continue to sit longer hours for the rest of the case so as to insure closing the hearing of the appeal by next Saturday evening. Mr. Bodwell was absent again today from the court room on account of his brother's death. He expects to resume the case tomorrow.

Very unexpectedly Davis dropped the cross-examination of Elmendorf this morning after half an hour's work, declaring that further questioning had been rendered unnecessary, as also had the calling of further witnesses by the plaintiffs. Mr. Lennie cross-examined S. S. Fowler at some length as to the finding in an adjoining mine; Oscar White was in the box for a short time, as was also W. S. Drewry, but none of the actual evidence produced today was of a new or startling character.

Shortly after the court met this afternoon Mr. Davis commenced his summing up of the whole case for the plaintiffs, and a very forceful and vigorous address was continued for nearly three hours, the chief characteristic of which was a strong frontal attack on the defendants' experts and their testimony viewed in the light of the results of the new work, the defendants' experts said later that Mr. Davis was very "abusive" but that is hardly a fair term since the counsel, while attacking the testimony fiercely at times, always fell back on the alternative suggestion that the denfendants' witness had been carried away with their desire to support the contention of their side of the case; that their judgment, knowledge, idea of fair play and presentation of the disclosed facts of the case had gone all to pieces. But with limitation such as mentioned, Davis tore to pieces the original testimony and that given to the full court by Mr. Elmendorf and Mr. Bochmer declaring that the independent evidence of Zwicky and Clark practically proved the plaintiffs' chief contention.

When the court opened this morning Mr. Davis continued his cross examination of expert W. J. Elmendorf. Mr. Elmendorf said that the four veins to the north and south as shown in the new work were mineralized at the same time the main Slocan Star vein was and that the barren section of the vein was accounted for by the presence of the superabundant mass of porphyry as shown on the model. There might be other reason for the barren stretch but the witness advanced the presence of the porphyry as, in his opinion, the probable reason. Then the counsel read many extracts from the evidence taken at the trials at Nelson of Mr. Elmendorf himself and of several of the defendants' witnesses and Mr. Elmendorf was asked to explain the references and square them with conditions as shown by the new work. Counsel apparently made but little progress with the expert as compared with what took place yesterday. Many of the questions asked were plainly put on the court notes for reference on the argument of the whole case, and as a matter of fact no new matter was adduced than that already given in this correspondence. After half an hour of wordy warfare with the expert, Mr. Davis dropped the witness rather unexpectely and after some brief explanations to Mr. Lennie, Mr. Elmendorf resumed his seat.

In his answers to some of Mr. Lennie's questions Mr. Elmendorf incidentally explained how experts differ. The chief justice, Mr. Sizer and the witness visited and examined all the mine workings in company, during the progress of the first trial and before judgement was given, at the point in the turn to the north of the Star vein on No. 5 level as the defendants' say and where the plaintiffs say the black fissure cuts off the vein, a very close inspection was made by his lordship, said the witness. "I saw what Mr. Sizer saw and he saw exactly what I did, we differed as to description and as to what we saw meant geologically. As a matter of fact the new work has disclosed a fissure to the south and at the time of the joint examination Mr. Sizer pointed out a crack at this point and declared a probable fissure to the south. I then thought no fissure would be found to the south. The work has proved that Mr. Sizer was right and I was wrong—but the continuation of the fissure does not affect our case."

Oscar White was recalled on a point overlooked in his former examination touching the fault formation of an adjoining mine to the properties under review. The fault, as shown in this mine, lies nearly at a right angle direction to the fault direction as claimed for the black fissure in this mine.

To Mr. Davis Mr. White stated that he did not agree at all with Mr. Fowler's description of the fault fissure in the adjoining mine. He knew Mr. Fowler was the mining engineer in charge of the adjoining mine in question and should know all about the mine formation, direction of faults and other points. He contradicted Mr. Fowler's statement as to direction of fault, point blank, and added that no such fault as Mr. Fowler contended for, in line with the black fissure extended, existed. On Mr. Fowler's map of this mine being produced the witness denied the real existence of the faults as shown on the map. There might be a "slip" at the points referred to but no fault. There was a distinct difference between a slip and a fault. He, the witness, was looking for an extension of the black fissure from the Slocan Star mine as claimed by Fowler, when he examined the adjoining mine. He did not find it as Mr. Fowler had sworn he had, and declared positively several times that it could not be found.

W. S. Drewry, provincial land surveyor, called by Mr. Lennie, said he had surveyed the new work recently done at three points in the new workings and had reproduced the work on the court map.

Mr. Taylor said the only point he would dispute re the correctness of Mr. Drewry's work was the reproduction of the new work at the so called No. 2 vein on No. 5 level. This work was not correctly shown on the map. To Mr. Taylor the witness described his notes of the No. 2 vein plan. He declined to admit the correctness of a plan of the working made by Mr. Fowler on a scale half an inch to a foot.

A turn in the fact of the vein was the point disputed. It was this matter that caused much controversy at the trial one morning last week, when Mr. Bodwell declared that Mr. Fowler's pencilled sketch on the map showing this new

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86 Acres of good land about one mile from the City limits, with frame house 26x24 feet, and lean-to 10x18 feet; two acres slashed and over one acre ready for garden. Water record on creek, and a good spring for house use. Price only $50 per acre. Terms $500 cash, balance on time.

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In Fairview, 4 lots cleared but not cultivated, with small frame house. Price $675.00.

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All kinds and all colors of Ladies' and Gents' Clothing

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Flannels, Blankets, Curtains, Silks, Etc., a specialty.

Gloves renovated to look like new.

Steam Carpet Cleaning

Your patronage solicited.

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If you want to buy Fruit Land see me.

That is my business.

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NELSON, B. C.

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Nothing but fresh and wholesome meats and supplies kept in stock.

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Kootenay Fruit Lands for sale in 10, 20, and 40 acre blocks.

I have a few bargains now, write for my lis

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MRS. WM. ROBERTS, Proprietoress

The best meals that can be provided in this market, cooked under the supervision of the proprietoress, who is a fiverite carterer.

Nice airy rooms, newly furnished; bath for guests.

The best wines, liquors and cigars can be obtained at the bar.

TERMS: $1 AND $1.50 PER DAY

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Cars Pass the Door

Fruit Tree Pruning and Grafting

Done by L. Pogue, Victoria St., Nelson. Orders should be sent in Early.

A stock of Sions, or tree cuttings for grafting kept on hand, of the best annual bearing trees.

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An ideal location for fishermen and tourists; good sandy beach for bathing; all boats stop at the hotel, special attention to ladies and children.

G. & J. SNOW, Proprietors.

TO WORKINGMEN NOTICE

Whereas, at the Last Chance and Surprise mines, Chinese kitchen help is at present employed, to the exclusion of White labor.

Therefore, be it resolved that this organization, Sandon Miners' union No. 81, of the W. F. of M. reaffirming its opposition to the employment of Orientals within its jurisdiction, strongly condemns the position taken by the management of the properties in question, and counsels workingmen everywhere and those favorably disposed toward organized labor to be governed by this action.

SANDON MINERS' UNION

A. SHILLAND, Secretary.

Cut Flowers

In any quantity ready now and for Easter offerings. Carnations, assorted, single and double, Daffodils, Hyacinths, white and light blue Narcissus, white Doelicus Alliums White, Palms, Ferns and Rubber Plants. E. GRIZZELLE, Florist, Nelson.

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From points Ontario, Quebec, Maritime Provinces, St. Paul, Chicago and United States. On sale daily till April 30.

Send for your friends while the rates are low. Full particulars on application to local agent or write

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All continental rates and sailings on application. If you are contemplating taking an ocean voyage drop us a line and we will be pleased to furnish you with full information promptly.

J. S. CARTER, D.P.A. Nelson. W. P. F. CUMMINGS, Gen. Agt, Winnipeg

Synopsis of Canadian Homestead Regulations

ANY available Dominion Lands within the Railway belt in British Columbia, may be homesteaded by any person who is the sole head of a family, or any male over 18 years of age, to the extent of one-quarter section of 160 acres, more or less.

Entry must be made personally at the local land office for the district in which the land is situate.

The homesteader is required to perform the conditions connected therewith under one of the following plans:

(1) At least six months' residence upon and cultivation of the land in each year for three years.

(2) If the father (or mother, if the father is deceased), of the homesteader resides upon a farm in the vicinity of the land entered for, the requirements as to residence may be satisfied by such person residing with the father or mother.

(3) If the settler has his permanent residence upon farming land owned by him in the vicinity of his homestead, the requirements as to residence may be satisfied by residence upon the said land.

Six months' notice in writing should be given to the Commissioner of Dominion Lands at Ottawa of intention to apply for patent.

Coal lands may be purchased at $10 an acre for soft coal and $20 for anthracite. Not more than 320 acres can be acquired by one individual or company. Royalty at the rate of 10 cents per ton of 2000 pounds shall be collected on the gross output.

Deputy of the Minister of the Interior

N.B.—Unauthorized publication of this advertisement will not be paid for.

CERTIFICATE OF IMPROVEMENTS

Black Prince Mineral Claim, situate in the Nelson Mining Division of West Kootenay District. Where located: On Queen Victoria mountain, near Beasley Siding.

TAKE NOTICE that I, Frank C. Green, acting as agent for Aaron H. Kelly, Free Miners Certificate No. B449, and Thomas Brown, F.M.C. No. B868, intend, sixty days from the date hereof, to apply to the Mining Recorder for a Certificate of Improvements, for the purpose of obtaining a Crown Grant of the above claim.

And further take notice that action, under section 37, must be commenced before the issuance of such Certificate of Improvements.

Dated this 26th day of January, A.D., 1907.

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

CERTIFICATE OF IMPROVEMENTS

The Eye, Ell and Eye Fraction Mineral Claims; situate in the Slocan Division of West Kootenay District—Located on Robinson creek.

TAKE NOTICE that I, J. Murray McGregor, Free Miner's Certificate No. B1615, 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 before the issuance of such Certificates of improvements.

Dated this 2nd day of April, 1907.

6-4 J. M. McGREGOR.

The Servant Girl Problem

is a difficult one to solve in Nelson if you stick to the old methods. But instal

A GAS RANGE

and you will soon discover that with its help, you can get along as well without a girl as you formerly could with one. TRY IT AND SEE—NOW. Twelve Dollars will put in stove and connections. 'Phone us for particulars.

NELSON COKE & GAS CO.

'Phone 37 and we will promptly call on you.

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Doesn't
shrink

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We authorize every dealer in Pen-Angle Underwear to replace, at our cost, any garment faulty in material or making.

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WHEN
Your Stomach
TROUBLES YOU

and you are afraid to eat because of the suffering you know must follow; when you are plagued with wind, headache, pains in the stomach or back, Biliousness or Constipation.

TAKE MOTHER
SEIGEL'S SYRUP

Price 60 cts per bottle, sold everywhere
A. J. WHITE & CO., MONTREAL

For Dinner—use WINDSOR TABLE SALT. Its fine purity adds a new delicious savour to vegetables, meats and salads. Never bitter.

158

work at this point, was incorrect and he, Bodwell, had had a correct drawing put on by Drewry during recess, calling from the bench an expression of opinion that the map should not be "tampered" with by any one without the permission of the court. Mr. Bodwell had exclaimed to Mr. Taylor at the time "your nose has disappeared," meaning that the turn or nose of the vein as claimed could be seen by Mr. Fowler, was gone. Mr. Drewry swore positively that his plan was correct and Mr. Fowler's was wrong, so far as the point involved.

Mr. Fowler was then called and he swore to the correctness of his sketch of the turn in the vein, not shown on Mr. Drewry's plan. His plan or sketch was on a scale of half an inch to a foot. He gave his measurements in detail describing minutely how he found the "nose" or the turn in the ore. His sketch was an exact representation of what was seen in this new working. The witness' note book with rough plan and notes made at the time was put in evidence. Then Mr. Fowler's attention was directed by Mr. Davis to Mr. Oscar White's contradition as to the direction of the fault fissure in an adjoining mine, from what he, Mr. Fowler, had claimed. In addition to reiterating his former statement that the direction of the main fault fissure in this adjoining mine was identical with that of the direction of the black fissure as claimed by the plaintiffs, the witness said the filling of the fault fissure in the adjoining mine was also identical with the filling of the black fissure. Miners used the terms "slip" and "fault" interchangeably.

To Mr. Lennie, Mr. Fowler, after the Monday adjournment, explained how he made the survey of the disputed plan. He had used a Bounton compass in determining the bearings, a transit, as used by Mr. Drewry would be more correct, but his compass would determine accurately the "nose" of ore which Mr. Drewry's plan did not show up. This curve or "nose" was the only difference between his and Mr. Drewry's plan. The witness then went again over the fault found in the adjoining mine, without altering his former testimony. He admitted faults in the mine where Oscar White located them, and in addition claimed the other fault as located by himself as the mine's main fault fissure In the White faults, the fissure cut off the ore and it was found again about 200 feet to the south. The main fault did not cut off the ore at the points shown on the plan but the ore was shown cut off by the fissure at other points in the workings. The main fault fissure alluded to was the same as the black fissure, identical in make up generally.

Mr. Fowler's cross-examination closed all the evidence in the case. Mr. Davis announced that although he had intended offering further testimony for the plaintiffs, he had concluded this was not necessary and he commenced his summing up of the case as to why, in view of new evidence and of the evidence at the first trial, the judgment of the learned chief justice, dismissing the plaintiffs' action with costs, should be reversed and a judgment given by the full court finding in favor of the plaintiffs, the Star Mining & Milling company.

Mr. Davis said he would be comparatively brief in his argument, leaving to Mr. Taylor to go into the evidence more fully. He alluded to the many contradictions in the expert evidence and said only a view by the court would assist in clearing up the matter. He would lay great stress on the new work last done in view of what was said at the first trial would be found if the work were done, and what has actually been found to exist. In this latter case he would argue in favor of what evidence was, not necessarily the most trutnful, but the most reliable for the court to relie upon. If experts took a position at one stage of the suit and afterwards abandoned -- or changed it materiaiy, it was a strong point upon the question of unreliability. Mr. Harris had first thought the Slocan Star vein had extended on to the south, where it bends to the north, right across the porphyry. When Mr. Harris' engineers examined the ground before the trial they said Mr. Harris was mistaken and they explained what, from their standpoint, had taken place geologically at the point in question. The theory advanced at the trial by the plaintiffs had been maintained right along and was maintained today. Their contention, quoting from his own opening at the first trial, counsel said that they denied the extention of the Slocan Star vein as claimed by the defendants. There was a fault fissure, called the black fissure for the purpose of identification, cutting off and abruptly terminating the Slocan Star vein at its western end. This black fissure was a separate and non-ore bearing fissure, running at right angles to the Slocan Star vein. If the contention was right the black fissure would be found to extend on its course north and sfouth past where the present development shows it. The fissure was older than the vein and cuts off the latter plainly, the wall of the fissure being clearly seen extending on at what the defendants call the bend of the Star vein.

Continuing Mr. Davis said that original position had never been changed by the plaintiffs and the new work done had proved that their original contention had been proved. Then counsel turned to the contradictions amongst the defendants' own experts and to the changes of front which he said they had clearly been forced to take when confronted by what was shown by the new work. It was originally agreed among the experts and with the approval of the court that the new work asked for would decide the moot questions one way or the other, although the defendants had at every point again and again resisted the many applications made to have this new work done.

"I have a very grave suspicion that Mr. Elmendorf always thought that the doing of the new work would settle the case; that he thought so before it was done and thinks so today, now that it is done."

Turning to Mr. Sizer's original testimony counsel showed what that expert said would be demonstrated by the new work. First in the south where an extension south would show the black fissure extending in that direction and of course, doing away with the theory that the Star vein turned north at this point. Then at the north end at the point "B", an extension north would show the black fissure extending in that direction cutting off the Slocan Star vein at this point.

The new work at these two points, together with the other observed facts would determine whether the black fissure cut off the Star vein and would show that the Star vein did not make the two bends as claimed by the defendants and as shown on the plan in court. This was the position, counsel said, taken by expert Sizer at the first trial before the work was done. He, Sizer, was then willing to take his stand on what the new work would prove. Mr. Sizer had been ridiculed by Mr. Bodwell and had been held up as an expert who would square his evidence with whatever theory suited him and he was held up to the court as absolutely unreliable and all sorts of rather plainly put suggestions were made. Continuing counsel read many extracts from Mr. Sizer's original testimony as given under cross examination by Mr. Bodwell to show that his position taken at this time was clear and definite; that the fissure extended north and south cutting off the Star vein, and proving that the Star vein had no turn. Further, as to the characteristic filling of the black fissure, that it would be found extending north and south with walls or bounding planes.

There was nothing "quibbling" about Mr. Sizer's statement then, such as Mr. Elmendorf exhibited when pressed in like manner at that time. The plaintiffs agreed that if the work asked for did not prove what they, the plaintiffs said it would, they, the plaintiffs, would be out of court for good. As to what the work did show the evidence of Mr. Zwicky and Mr. Clark should settle. They were independent parties entirely and they agreed the other day, that the black fissure, they said "a" fissure, extended north and south as shown up in the work done under their direction, with well defined walls and vein filling. Such evidence must carry great weight Bochmer, the defendants' new expert, practically agrees with Zwicky and Clark. There is no getting away from his admissions. He puts it differently of course, he was bound to do that. He finds two fissures, one within the other, with "spurs" or "branches" extending off. This "spur" to the south and the ore to the north are readily the black fissure extended. Bochmer and even Elmendorf admit that a vein goes off at the points in question, they saying that they are branch veins or spurs of the Slocan Star vein. The defendants always claimed that the walls of the Star vein clearly turned at the two points, that these walls could be traced by the eye; that these walls could be seen today or any day. That not merely the ore turned but the walls did. Now the new work shows a fissure extending to the south 28 feet wide, with ore in it, and "I am not going to insult the intelligence of this court by suggesting that this fissure does not extend up to the surface and go down to the lower levels as Mr. Elmendorf had the hardihood to advance the other day when he got behind the most extraordinary shield that an expert ever run up to keep the rain off him, viz., that he could form no opinion from all he knew and saw whether he would expect this fissure to go down and to extend to the surface. His statement stamps him as a witness who should not be believed. I do not charge him with wilful perjury, but he has been so carried away in maintaining his side of the case that his evidence cannot be believed or taken seriously. If he spoke truthfully then he does not know his business or he was hanging back and trying to mislead the court."

Turning to Oscar White and Cavanaugh's contradiction of Mr. Fowler, counsel said that the surrounding circumstances showed both White and Cavanaugh either as utterly reckless witnesses or as men who did not know their business. They either intended to mislead the court deliberately or they were so dense that they did not understand really what they saw in the mine workings.

Referring to the evidence given on the turning point to the south counsel read extracts from the original testimony given by Mr. Elmendorf that he could form no opinion if a vein branched off to the south, as afterwards ascertained by the new work. "I think," said Mr. Davis, "that if Mr. Elmendorf had turned his colossal mind seriously to the subject; if he had really wanted to instruct the court, he could have said, as Mr. Sizer said, that a fissure might be found extending on to the south. Was his testimony given to inform or misinform the court at this and at other points in the workings?"

The defendants have to connect the Slocan Star vein in the east with the Silversmith vein in the west and to do this they use 1200 feet of the black fissure to do it. There was Bochmer's version, that the plaintiffs could take, that at the north end of the black fissure where the defendants say their vein turns to the west and the Silversmith vein is found, there is no vein, no sign of one to be found, while Bochmer goes on to admit the undoubted existence of a fissure, a spur, or a branch vein along to the south which the plaintiffs say is the black fissure.

Then Mr. Davis recalled the story told by professor Parks at the first trial in Nelson, Parks being an expert for the defendants. Parks swore that no other vein existed at the turning points that he, the witness, saw with his own eyes, the wall turning, the foot and hanging; at some places the walls were not visible, but he marked on the plans where the turning could be seen at all the different levels, some 11 different points. Now since the new work had been done, Mr. Parks was shown to be clearly wrong, and he could not have seen what he thought he saw, for it is now known that the walls are not there as Parks thought he saw them. Parks also swore there was no evidence of a crack or fissure to the south, but the new work has proved a fissure 28 feet wide and it is impossible to have the walls turning and all 28 feet too, and the fissure is now admitted. Thus all the defendants' expert witnesses are found to have sworn positively to certain conditions now shown to be absolutely untrue. That being the case the court can place no confidence whatever in all else these experts testify to. On the contrary all that Fowler, Sizer and Atwater swore to and swore would be found if the work were done, had been proved to be the case by what is found in the new work, hense the stress laid on it.

The evidence given by N. J. Cavanaugh at the first trial was touched on, Mr. Davis saying that Mr. Cavanaugh posed as an expert and contradicted S. S. Fowler promptly. Mr. Cavanaugh followed the work at the turns when the drift was being driven. He saw the walls at the turn, there was no break in them, no sign of a fissure. That was Mr. Cavanaugh's testimony, but the 28 foot fissure has since been found and the walls Mr .Cavanaugh traced around never could have existed, although Mr. Cavanaugh said: "You can pass your hand right around the sides of the wall at the turn."

Alexander Sharpe's story at the first trial showing where that well known mine manager had been clear that there were well defined walls at the turns and no evidence of a fissure extending north and south as shown to exist by the new work was dwelt on in detail as showing the unreliability of "sure" expert testimony. Sharpe was unusually positive that the defendants' were right and the plaintiffs altogether wrong in their respective theories.

At this stage the court adjourned for the day, Mr. Davis to continue his address tomorrow morning.

Contributions to the sufferers in China from famine will be received during this week by any member of the foreign missionary society of the Presbyterian church or by J. R. Hunter of the Nelson Hardware company.

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Pot Plants, Funeral Designs, Garden and Vegetable plants of all kinds, write to Frache Bros., Florists, Columbia, B.C.

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Two blocks from City Wharf. The best cellar a day house in Nelson.

NO CHINESE EMPLOYED.

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Until further ordered the members of No. 2 Co., R.M.R. will meet for drill every Friday evening at 8 o'clock. It is necessary that every member of the company attend this drill if he wishes to qualify as a member of No. 2 Co. Rifle association.

Recruit class every Wednesday evening at 8 o'clock.

LORNE STEWART, Captain.
No. 2, Co., R.M.R.

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Applications for the position of salesman of the Kootenay Fruit Growers' Association for the year 1907, will be received by the undersigned up till 12 o'clock noon on Monday, April 22, inst. Applicant to state experience, salary required per month, or for the season and also to furnish satisfactory references as to character and ability. The successful applicant will be required to furnish bonds to an amount agreed upon.

D. C. McMORRIS, Secretary
April 15, 1907.

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I have been appointed agent for the well known STUDEBAKER WAGONS and have a car on the road, expected to arrive shortly. I am also agent for the Oliver Plow.

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NOTICE

In the matter of an application for the issue of a duplicate of the Certificate of Title to Part (73 3-10 acres) of block "A," of Lot 1239, Group 1, in the District of Kootenay (Map 701)

NOTICE is hereby given that it is my intention to issue at the expiration of one month after the first publication hereof, a duplicate of the Certificate of Title to the above mentioned lands in the name of J. P. Manhart, which certificate is dated the 6th day of July, A.D., 1900, and numbered 3317K.

H. F. MACLEOD,
District Registrar.
Land Registry Office, Nelson, B.C., 12th April, 1907. 8

THE DAILY NEWS CLASSIFIED ADS.

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FOR SALE—Complete drug store fixtures, show cases, wall cases, shelf bottles. Everything complete; inventory, $2235; $1000, third cash, balance 3 and 6 months. Canada Drug and Book Co. 300-tf

FOR SALE—$65 will buy a two roomed shack on a float; just the thing for summer. Apply McDermid & McHardy. 307-3

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LAND FOR SALE—508 acres, or half, in the Slocan valley; suitable for fruit, stock raising and dairying purposes. Water right. Will sell 50 acres. Apply to H. Nixon, Bonnington Falls, Nelson. 304-6

FOR SALE—Eggs for hatching from the following breeds that win and produce winners: Barred Plymouth Rocks, Buff Orpington, White Wyandotts and White Minorcas, $2 setting; Black Leghorns and Silver Spangled Hamburg, $3 a setting. H. M. Read, Creston, B.C. 288-26

FOR SALE—Eggs for hatching, Black Minorca and White Wyandott eggs, $1.50 per setting, 15 eggs; $7.50 per 100 in incubator lots. Prize bred Pekin duck eggs, $1.50 per setting 11, eggs. M. B. Edwards, Hume Addition, P.O. box 274. 288-26

FOR SALE—Why pay fancy prices for Kootenay fruit land when you can buy the best land in the country at locator's prices. Ranches from 40 to 160 acres; also guide mountain climbers land seekers. Will and fishermen. Apply at or address Lindsay's boat house, Nelson, B. C. 262-18

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FOR SALE—McClary range, No. 10, suitable for hotel or camp. Box 355, Nelson. 302-6

FOR SALE—Tomato plants, May delivery. F. M. Blacks' ranch, Phone A277. 302-tf

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A. MACDONALD & CO.—WHOLESALE Grocers and Provision Merchants.—Importers of Teas, Coffees, Spices, Dried Fruits, Staple and Fancy Groceries, Tobaccos, Cigars, Butter, Eggs, Cheese and Packing House Products. Office and Warehouse, corner of Front and Hall Streets. P.O. Box 1095. Telephone 28.

CAMP AND MINERS' FURNISHINGS

A. MACDONALD & CO.—Wholesale Jobbers in Blankets, Underwear, Mitts, Gloves, Boots, Rubbers, Overalls, Jumpers, Mackinaws and Oilskin Clothing, Camp and Miners' Sundries. Office and Warehouse corner of Front and Hall Streets, P.O. box 1095. Telephone 28.

ASSAYERS' SUPPLIES

THE B.C. ASSAY & CHEMICAL SUPPLY Co., Ltd., Vancouver, B. C.—Importers and Dealers in Assayers' Supplies. Sole agents in British Columbia for the celebrated Battersea Crucible, Scorifiers and Muffles and Wm. Ainsworth & Co.'s fine Balances, Chemical and Physical Apparatus, C. P. Acids, and Chemicals Platinum, Sodium and Potassium Cyanide, Quicksilver, Carbonate and Bicarbonate of Soda, Borax, Borax Glass, Silver, Free Lead and Litharge.

MINING AND MILLING MACHINERY

WASHINGTON MACHINERY & SUPPLY Co.—Dealers in Engines, Band and Circular Sawmills, Atkins' Saws, Wood and Iron Pulleys, Leyner Compressors and Drills, Pumps and Hoists. Prompt attention. Reasonable prices. Courteous treatment. Spokane, Wash.

LIQUORS

E. FERGUSON & CO., WHOLESALE Liquors and Cigars. Agents for Pabst Beer. Vernon St., Nelson, B.C.

MISCELLANEOUS

To Poultry Keepers and Piggeries—Sufficient food to keep a dozen pigs and 100 poultry all the year round can be obtained free for taking away. Apply at Strathcona hotel. 293-tf

LOST

LOST—On Baker street, between noon and 1 o'clock on Friday, bunch of four keys. Finder please return to this office. Reward. 308-tf

HELP WANTED

NELSON EMPLOYMENT AGENCY
J. H. LOVE, Manager

WANTED — Machine miners, muckers, cooks, sawmill laborers, bushmen, railroad construction men, laborers, tiemakers, shingle bolt cutters, waitress, hotel porter, chambermaid, carpenters, lumber grader, $75 and board.

WANTED—Setter and dogger for Hamilton 3 block carriage, twin engine feed; capacity 40,000 per day. Also trimmer man, capable of tallying. Apply the Hosmer Lumber Co., Ltd. 306-6

WANTED—Young man wishes place to learn bar tending. Apply R. News. 306-6

WANTED—Experienced lady stenographer for out of town. State salary expected and references. Address C.W.C., Daily News office. 307-6

WANTED—Clerk familiar with coal mine office, to look after payroll, etc. State salary expected, experience and references. Address C.W.C., Daily News office. 307-6

WANTED—By gentlewoman, position as lady help, cook or housekeeper. First rate cook. Mrs. McDonnell, Lamerton, Alberta. 307-2

WANTED—Young man wants place to learn cooking. Apply A. Daily News. 306-6

WANTED—Experienced bookkeeper and collector, wholesale or retail, wants position. F.Y., Daily News. 306-6

WANTED—Reliable commercial man seeks position as manager or would consider partnership. A.C., Daily News. 306-6

WANTED — Furnished rooms for light housekeeping. Address Po. Box 438, Nelson, B.C. 304-6

WANTED—Men and women to learn barber trade; wages while learning, situation guaranteed; particulars free. Moler System College, 206, Carrall Street, Vancouver. *304-26

WANTED — Waitress at Queen's hotel, Comaplix, B.C. 303-6

WANTED—At once, planerman. China Creek Lumber Co., China creek. 276-tf

WANTED—Competent nurse, five children Chinaman kept. Apply box 836, Cranbrook, B. C. 282-tf

WANTED—Hotel porter. Apply at once to Royal Hotel. 280-tf

WANTED—Coatmaker. Dress Knight and Devine, Revelstoke.

WANTED—Fruit lands in blocks from 1000 acres up. No fancy figures considered. Apply H.O., Daily News, by letter. 299-tf

WANTED—Experienced help. Apply at Mrs. Flints' dressmaking parlors. 299-tf

Workingman's Employment Bureau

WANTED — Cooks, cookees, waitresses, laundresses, chambermaids, and girls for housework, men for mills, steel sharpeners, men for mines and lumber jacks.

Positions wanted by clerks, bookkeepers and office men. W. Parker, phone 233.

WANTED — MISCELLANEOUS

WANTED—Men and women to learn barber trade in eight weeks; tools free. Graduates earn $15 to $35 weekly; help secure positions; secured over 10,000 last year for our graduates in U.S. Catalogue free. Moler System Colleges, 402 Front avenue, Spokane, Wash. 253

CORDWOOD WANTED — We want to make a contract for deliveries of cordwood to begin at once at the rate of one car weekly. Hall Mining & Smelting Co., Ltd. 253-tf

WANTED—To purchase, large, clean cotton rags. Pressroom, Daily News.

FOR SALE

FOR SALE—Owing to ill-health of proprietor in Cascade, the B.C. hotel, well furnished and two lots. Apply J. A. Bertols, Cascade, B.C. 308-6

FOR SALE—Cheap, one 2 h.p. Gray gasoline engine, nearly new. Apply to P.O. box 45, New Denver, B.C.

FOR SALE—Sail boat, first class condition, rigged complete, also anchor and moorings, perfectly sound. Splendid chance to get cheap boat for summer, will pay for itself in boat hire in few weeks, is anchored at city wharf. Cheap for cash. F.S., Daily News. 306-3

REAL ESTATE

CHARLES J. HURT, MEMBER OF THE Interstate Investors' Association, has unrivalled facilities for the wide advertising of farm and fruit lands. Box 764, Phone 308, Nelson, B.C.

ASSAYERS

E. W. WIDDOWSON, CHEMIST AND Assayer, Nelson, B.C.—Gold, Silver, lead or Copper, $1 each; Gold-Silver, $1.50; Silver-Lead, $1.50; Zinc, $2; Gold-Silver, with Lead or Copper, $2.50. Samples arriving by express or mail will receive prompt attention. P.O. Drawer, 1198; Phone A97.

FOR RENT

FOR RENT—Two newly furnished rooms, with private family, central locality, all modern conveniences; gentlemen only. Apply P.O. Box 54. 304-6

FOR RENT—Furnished house, for summer, $25 a month. Apply D.N., Daily News. 304-tf

Damaged

STOP AND CONSIDER

BUY NOW AT

$7.50

PER SHARE

STOCK WILL SOON DOUBLE

A Small Investment Will Make You a Good Life Income

DON'T INVEST YOUR MONEY IN WORTHLESS, LOW PRICE and other WILDCAT MINING STOCKS

Read every word. Read the truth. Better than real estate. Better than copper or silver, A Canadian gold mine that has panned $300,000 to the ton. The sensation of the mining world. A limited number of shares. Prices will raise rapidly. Shares soon all gone.

BUY NOW AT

$7.50

PER SHARE

STOCK WILL SOON DOUBLE

Fully Paid Non-Assessable

The Opportunity of a Lifetime

Fully Paid Non-Assessable

A Small Investment Will make You Independent for Life. Read the Proof. Read the testimony of eminent Canadian Government Geologists and other mining engineers.

LAURENTIAN GOLD MINES, LIMITED is the holding company of Anthony Blum Gold Mines Limited, owning and operating Blum's Famous Laurentian Mine, including 1,115 acres of mineral lands equal to 55 U.S. mining claims; title patented and guaranteed by the Crown, situated in Manitou Lake District, Kenora Mining Division, Ontario, about 25 miles south of Dinorwic and Wabigoon stations on the Canadian Pacific Railway.

THE LAURENTIAN MINE has a complete plant and equipment, including 20-stamp gold mill, cottages for employees and other necessary improvements. The mine is in successful operation and producing gold.

EMINENT CANADIAN GOVERNMENT GEOLOGISTS AND OTHER MINING ENGINEERS declare that the LAURENTIAN MINE has more gold in sight in the small space opened than any other mine in the world, and that the rich ore should continue in depth several thousand feet.

EXTRACTS FROM PRESS CLIPPINGS.

"GREAT EXCITMENT OVER RICH STRIKE NEAR GOLD ROCK."

"Anthony Blum is destined to be one of America's mining millionaires. A short time ago a contract was let to sink 50 feet on one of his mining locations. At a depth of 25 feet or thereabouts phenomenally rich ore was struck, which produced the greatest excitement. The contractors endeavored to keep the matter a close secret until Mr. Blum (then in Boston) could be communicated with, but as is the case in the history of all great discoveries, the news leaked out, and now great preparations are being made to thoroughly prospect the unexplored territory of the district on the advent of spring. Independently of the rich strike at 25 feet, the quartz, which is of a dark blue color had a fine grained texture, has panned very freely right from the grass roots."—Wabigoon Star.

Positively only $50,000 more of Canadian Laurentian shares will be offered by us. These shares will be advanced in price in one week. This mine is claimed to be the

RICHEST GOLD MINE IN THE WORLD.

and the shares may be worth $25.00 by midsummer, as well as paying large dividends. This is the one great chance to make an investment in Canada's Richest Gold Mine. A sane, safe investment for sane people. Call or send in your orders.

"BLUM'S RICH MINE."

"'I never saw riches samples of gold in my life,' said Mr. T. W. Gibson, director of the Bureau of Mines, today."—Toronto Star, Dec. 19, 1905.

ADDRESS pLL ORDER TO

From the Wabigoon Star, Wabigoon, Ont., Thursday, March 29th, 1907:

MORE DISCOVERIES AT LAURENTIAN

Another Strike of Extraordinary Richness, equalling, if not Surpassing, Those previously Recorded in Manitou's Bonanza Gold Mines.

A telephone dispatch to this office from Gold Rock, announces that another extraordinary strike was made at the Laurentian mine on Monday last. The ore body uncovered is said to equal, if not eclipse, the phenomenal strikes recorded in this paper in December, 1906 and later in October, 1906, when samples of ore were brought in exhibiting masses of gold hanging together, with scarcely any rock to adhere to, representing thousands of dollars to the ton. It will be interesting to note that the strike of Monday was made in the foot wall of the raise, about 30 feet above the 200 foot level. The drifts, which have been recently driven under the direction of superintendent Nickerson, are in the hanging wall of the formation which may account for the nondiscovery of the wealth of ore before Monday. Whether or not the ore body is a continuation of the Bonanza vein of the 80f oot level, the enormous richness of which created such a sensation all over the continent, has not yet been ascertained. Possibly it may be another. But in any event a wealth of ore at depth is assured.

BLUM'S LAURENTIAN, NEAR WABIGOON, LINED WITH GOLD.

"The gold strike in Blum's Laurentian Mine surpasses in riches all previous discoveries. The raise from the first level is now 50 feet up, and ore continues all the way as rich as the ore on the first level, which astounded the world when the strike was made last December. The drift connecting the top of the raise with the main shaft is now being driven, in which massive gold was encountered, and which machine drills could not penetrate. A single blast broke down over $15,000 worth of gold. Three-fourths of the weight of ore is native gold, valued at over $300,000 per ton."—Sept. 27, 1906, Winnipeg Free Press.

"BLUM'S MINE PAYS $300,000 TO THE TON.

"Richer by far than any mine ever before discovered, the Laurentian, in the Rainy River District of upper Canada, owned by Anthony Blum, the Brookline prospector, has been made more valuable and richer still by the striking of a new drift, which has already assayed $300,000 to a ton, and is expected to grow wealthier in virgin gold as it sinks deeper into the earth."—Boston Journal, Sept. 29, 1906.

"Since the mass of gold was encountered in the sub-level, which the machine drills could not penetrate, the winze has been sunk deeper and penetrated the rich ore shoot. The rich gold ore is now known to exist from 30 feet to 270 feet—the bottom of the shaft."—Montreal Star, Nov.3, 1906.

$100 invested in Crow's Nest Pass Coal in 1896 is now worth $285,000 Laurentian Gold Mine Shares should be as good, for it is claimed to be the Richest gold Mine in the World

WHY THESE SHARES ARE BEING SOLD

Mr. Anthony Blum, who discovered the Laurentian Gold Mine, is well known to some of the largest business firms in Winnipeg. Mr. Blum decided that never would he let the Laurentian Gold Mine get into the hands of a few rich capitalists, as he believes the mines of a country belong to the people at large. Therefore, a limited number of shares are for sale in this territory at $7.50 per share.

TWO MILLION DOLLARS WAS REFUSED FOR THIS MINE

Hundreds of thousands of dollars have ben spent developing this mine and it is being successfully worked and producing gold which has panned $300,000 to the ton. Shares are worth, par value, $10.00. A limited number offered at $7.50 per share. These shares will soon be much higher. Better subscribe now and reap the profits of the advance.

ALLEN & MUNRO

SUITE 3, MCKAY BLOCK, WINNIPEG

All Orders must be accompanied by Cash in Full $7.50 Per Share

Steamship Tickets to and from all parts of the world

Your Next New Suit

DO YOU INTEND to be correctly and stylishly dressed this spring and summer? If you insist on getting

THE SOVEREIGN BRAND

clothing you are sure of perfect style, fit and general satisfaction. The up-to-date clothier knows, and keeps this brand—ask for it.

W. E. Sanford Manufacturing Co., Ltd.

HAMILTON, ONT. - - - WINNIPEG, MAN.

Complete Mining Plants

Works at Montreal

"Allis-Chalmers" Mining machinery. "Lidgerwood" hoisting engines. "Ingersoll" rock drills, air compressors, and coal cutters. "Bullock" motors and generators.

Branch Office Nelson

ALLIS-CHALMERS-BULLOCK, LTD.

FOSTER ARRAIGNMENT

(Continued from Page Two)

ment will be made to credit of vendors in Standard Bank of Toronto, on receipt and signing of satisfacory documens of agreements. Twenty-five cents per acre is to be paid as commission on sale. This can either be deducted from the cash payment or better, you can send a check therefor signed by the vendors in favor of myself. I will then deposit to credit of the vendors the whole cash payment and present check which will be paid therefor. Kindly see that purchasers are allowed to pay up whole amount due on lands at any time without notice or bonus.

"GEORGE E. FOSTER."

Accordingly a check for $2480, or 25 cents an acre on 9920 acres was issued to Mr. Foster. This, said Mr. Aylesworth, was trust money, money of the Foresters and although concealed in the Union Trust company, became a proper subject of inquiry by the commissioners and therefore, because the commissioners inquire into whose pocket the money went, they are assailed in the house by Mr. Foster as being false to every principle of honor and accused of desiring his political downfall.

Having control of the trust funds to a large amount, Mr. Foster entered into negotiations with several of his political friends, members of the house, to buy from them 200,000 acres of land upon which they held an option. Mr. Foster while manager of the Union Trust company, bought these lands for the Foster, McGillivray syndicate for $800,000 cash, a profit of $200,000 to his political friends. This money was advanced by Mr. Foster, manager of the Union Trust company, to Messrs. Foster, McGillivray and company, or a new entity called into existence for the purpose, and known as the Great West Land company. The security was the lands only, and the money was the money of the Foresters, which had been exchanged for the Trust company stock. The only assets this company had was its capital stock of $100,000 and its indebtedness to the Union Trust company of $900,000; 482 1-2 shares of this stock were divideed between Mr. Foster and two friends, some went to other parties, and 377 1-2 remained, it being understood that they were designed as compensation for the financier who should find the money to make the payments for the land.

These 377 1-2 shares were worth about $85,000 in cash, and were the property of the Union Trust company. Mr. Aylesworth carefully reviewed the duty of the commissioners to trace this money, which was trust money, therefore Foresters money. He went very carefully over the events which led to the six directors of the Trust company discussing as to whether these shares should be returned to Messrs. Foster and company. Finally a directors' meeting was said to be held, although it is sworn to by witnesses and directors that they knew nothing of it, in which the shares were transferred and referring to the incident, Mr. Aylesworth said:

"And at meetings where these three directors were in one instance in actual majority, there were 337 1-2 shares of the land company which had from the first been designated to be the absolute property of the trust company as consideration for making these advances, which were shares which had been earned by that company in the risk it had undertaken, diverted from the purpose for which they were intended and put into the possession, for their private benefit, of the three directors present, one of these being Mr. Foster himself."

Continuing Mr. Aylesworth charged Mr. Foster with participating wrongfully in profits that belonged to the Union Trust company, his direct accusation being in the following language:

"We have, at the very least computation, $85,000, which was the property of the Union Trust company, which had earned it, which had contracted for it, and which, by this transaction, and upon these minutes I have referred to, has passed from the possession of the company into the possession of its managing director, Mr. Foster, and his two fellow directors under circumstances where the remainder of the directors, who are credited with being present, say they never knew anything about it."

Mr. Aylesworth commented upon other transactions of Mr. Foster, one of them in particular referring to a sale to the Great West Land company of 8640 acres of land. No record of this appears in the minutes of the company. The Union Trust company owned 337 1-2 shares of stock in the Great West Land company and should have received the profits, but it apparently did not. No less a sum, said Mr. Aylesworth than $4320, was handed to the directorate or executive of that company itself. These men, of whom Mr. Foster was one, took $4320, which was the money of the Independent order of Foresters, and they continue to hold it. It may be commission, it is not called so, but it is, said the minister of justice, what I think if it were from the other side of the house and were a transaction in which any one felt there was a political significance, would be called a rake off and startling instance of graft.

When the minister of justice concluded, Mr. Foster was stripped of his specious covering and stood naked before the house, exhibited in his true colors, as a man who charges wrong doing and had himself been guilty as proved by the commissioners. Mr. Aylesworth paraded the various iniquities and breaches of trust, illegal profits and rake offs that Mr. Foster had enjoyed while acting as manager of the funds of the Foresters. He showed how companies were formed for the purpose of handling operations that could thereby be concealed and how the profits thus made were diverted by Mr. Foster from their legitimate channel.

CANADIAN INDUSTRIES PAY

Another Successful Year of a Leading Canadian Manufactory

Montreal, April 18—The annual meeting of the shareholders of the Slater Shoe Company was held at their offices in Montreal a few days ago. The address of the president laid stress on the continuous upward progress of the company's business since the standard price of Slater Shoes became the feature of their business.

The Slater company were the first Canadian manufacturers to adopt newspaper advertising as an adjunct to the more economical selling of their goods. In five years their business has more than doubled and in 1906 the increase over 1905 was exactly $200,000. While this year achieves the largest gross increase in a single year, it is also by far the largest percentage of increase in 12 months. The orders for the first 2 months of the present year exceeded those of the corresponding months of the previous year by $159,000.

Ninety-eight new agencies were opened by the company during the year. Orders came unsolicited from many foreign countries, including South Africa, the West Indies and from Newfoundland. The president pointed out the need for more factory accommodation. "We have outgrown our present quarters," he said. The directors arranged to hold a special meeting to deal with factory requirements and extensions.

The financial report of the secretary with the dividend declaration of 7 per cent on both preferred and common stock, and a subsantial balance added o their rest account, was received with approval by the shareholders.

The board of directors were elected as follows: Charles E. Slater, president; Wm. Starke, vice-president; Anson McKim, J. N. McKim, W. F. Borland, William Smith, J. W. Woods and major Robert Starke. R. Andrew and Co., Nelson.

As prices of all commodities and wages have gone up, I have had to raise the price of brick. Large quantities, $11 and small quantities, $12 at kiln and kiln run. W. Hancock. 307-2

Minard's Liniment Relieves Neuralgia

WHOOPING COUGH

I have used Chamberlain's Cough Remedy in my family in cases of whooping cough and want to tell you that it is the best medicine I have ever used.—W. F. Gaston, Pasco, Ga. This remedy is safe and sure. For sale by all druggists and dealers.

Minard's Liniment Cures Burns, Etc.

Strawberry Plants for Sale

No. 1 plants for sale, selected from 37 choicest varieties, and proved by actual trial to be best adapted to Kootenays; grown here. Write for particulars or send your order. Price $1 per hundred or $8 per thousand; 500, $4.00. Send cash with order. W. A. PERRY(Trail, B.C.

NOTICE

NOTICE is hereby given that the International Coal and Coke Company, Limited, will, upon May 1, 1907, pay a dividend of one per cent on its issued and outstanding capital stock. Said dividend will be paid to registered shareholders only, and the transfer books of the company will be closed from April 15, 1907, to May 2, 1907, both days inclusive. All unregistered shareholders should send their stock before the first mentioned date to the secretary at the office of the company, Fernwell building, Spokane, Washington.

Dated at Spokane, Washington, March 30, 1907.

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore existing between T. F. Jeffers and H. P. Gibson under the firm name of the City Transfer Company, has this day been dissolved, the said Gibson retiring from the partnership.

The business will henceforth be carried on by T. F. Jeffers, who will pay all liabilities of the City Transfer Company and to whom all assets due the said firm are payable.

Dated April 17th, 1907.

T. F. JEFFERS

I Will Photograph

YOUR LAUNCH
YOUR HOUSE
YOUR RANCH

for 50 cents

Photo Postcards my specialty. Surprise your friends in the east with your picture on a postal.

WM. D. CANDLISH

Opposite D. J. Robertson's Furniture Store Baker St., Nelson.

GEO. M. GUNN

WARD STREET NEAR POSTOFFICE

Manufacturer and dealer in Men's Fine Footwear. Repairing promptly done.

DON'T OVERLOOK THIS

320 Acres of First-class Fruit Land

with lake frontage, 22 acres cleared, 15 acres ploughed, 6 acres planted with assorted fruit trees, 1 acre in small fruits. Frame house 12 ft. x 16 ft. and furniture, plough, harrow, cultivator. Hot spring on land, which is of immense value as regards fruit growing, and three good streams on property. This land is situate on the east side of the Arrow lakes. Price $30.00 per acre. Easy terms; or will sell 160 acres of above property (the unimproved half), all FIRST CLASS LAND, easily cleared, free from rock, well watered, with lake frontage, for $20.00 per acre. Terms ⅓ cash, balance on time; or will subdivide above at slightly increased price.

R. J. STEEL

H. C. BLACK

B. C. LAND SURVEYOR

Office: Mara Block

P. O. Box 147 Nelson, B.C.

ATLANTIC STEAMSHIPS OF THE CANADIAN PACIFIC RY.

ROYAL MAIL SERVICE

FINEST AND FASTEST

"EMPRESSES"

St. John, N.B. (West St. John) and Liverpool

April 13th ..... Lake Champlain
April 19th ..... Empress of Ireland
April 27th ..... Lake Erie
*May 3rd ..... Empress of Britain

*There is a possibility that this sailing will be from Quebec.

S. S. LAKE CHAMPLAIN and LAKE Erie carry only one class of cabin passengers (second class) to whom is given the accommodation situated in the best part of the steamer at $42.50 and $45.

EMPRESSES—1st, $80, to $500; 2nd $45 and $47.50; 3rd $28.75.

J. S. CARTER, D. P. A., Nelson.

KOOTENAY HOTEL

for Miners, Smelter-men and Lumbermen

Every convenience. Electric piano. Rates $1 per day.

MRS. MALLETTE, Proprietress

Damaged

FOR SALE

We have good level fruit land to sell at reasonable prices on reasonable terms. We ask personal inspection.

H. E. Croasdaile & Co.

Office Next door Can. Bank of Commerce. Phone 247 Nelson, B.C. P.O. box 626

GALT COAL

Mined at Lethbridge, Alta. Unequalled for steam and domestic use. Car lots shipped to all railway and steamboat points.

W. P. TIERNEY

General Sales Agent. Box 823, Nelson, B.C.

We'd Like to Interview You Concerning the Spring Clothing Question

Clothes Talk

The continued patronage of well dressed men shows that our clothing can be depended on to satisfy.

It's the Fit that Stays, that Counts

Fit Reform clothes are cut by experts, tailored by skilled workmen. The clothes know their place and keep it. Test us for a season in your outfitting.

Emory & Walley

FIT REFORM WARDROBE

PRICE OF METALS

New York, Avril 19—Silver, 65 5-8; casting copper, 23 7-8; lead, $6.

London, April 19—Silver 30 1-4; lead, £20.

COPPER STOCKS

(Reported by McDermid & McHardy)

New York, April 19—The following are today's quotations for the stocks mentioned:

	Asked	Bid
Granby	130	120
Dominion Copper	5¾	5⅝
B. C. Copper	8	7¾

NELSON'S NEWS OF THE DAY

The cricket club is getting down to serious practice.

John McLatchie is back in Nelson after a prolonged trip to the Northwest.

E. Berney, the representative of the Mountain Lumbermen's association on the prairie, is in the city on a visit.

Next week will be produced the May Queen by the Nelson choral society, a cantata, which has occupied the attention of the singers since last fall.

T. Arnett of Souris, a well known retail lumberman, is here investigating the lumber situation in view of the present heavy demand for lumber in Manitoba.

W. Hill, who was arrested lately by the police as a suspected victim of paranoia, leaves for Calgary this morning entirely cleared by the medical authorities from the suspicion.

Members of the Rossland board of trade were in the city yesterday and expressed the opinion that the Golden City would make strong representations to the dominion government on the question of the coal situation.

A requiem service was held last night by Rev. J. T. Ferguson over the remains of A. K. Wattie, which were shipped this morning to Valleyfield, the old home of the deceased. Many members of the fraternal societies to which deceased belonged, followed the hearse from the undertaking parlors of D. J. Robertson and company to the steamer.

P. J. Clark pleaded not guilty to the charges of nonsupport and cruelty to his wife yesterday morning before police magistrate Crease, but on Mrs. Clark entering upon her evidence he admitted both the charges. He was thereupon sentenced to 2½ months' imprisonment, two years on the first charge and two months on the latter, the magistrate reading him a severe lecture on his conduct.

A meeting of the executive of the 20,000 club was held last night at which it was decided to advertise for a secretary, to proceed with the erection of a building at the foot of Ward street and to at once commence a canvass for subscriptions, Messrs. McMorris, Nelson, Webb being appointed a special committee for the purpose. E. K. Beeston was appointed auditor for the club and the resignation of F. M. Chadbourn as secretary was accepted.

A special meeting of the Ladies of the Maccabees, called by the acting lady commander, will be held this afternoon at 3:30 in the K. of P. hall. As urgent business is to receive attention, all members are requested to attend.

THE STORE OF QUALITY

We are showing some exceptionally good values in

Evaporated Fruit

Good housekeepers will do well to see our stock before buying elsewhere. We have nothing but the freshest, brightest and best goods to offer; nothing old or shopworn.

For Saturday

We will have the usual complete line of greens on hand and can take care of your every want.

Robt. M. Hood & Co.

GROCERIES and PROVISIONS.

E. W. C. BLOCK NELSON, B. C.

PHONE 18.

FOR SALE

We are instructed by owner in England to sell five dwellings belonging to him at very reasonable prices, for cash.

These are a good buy for anyone requiring a residence or investment.

APPLY

H. & M. BIRD

NELSON, B.C.

BIRD CAGES

Now that the spring is here it is necessary that you look after the interest of your pets. We have anticipated this and have passed into stock a complete line of Japanned, Brass and Breeding Bird Cages, and would suggest that you make your selection early.

The J. H. Ashdown Hardware Co., Ltd.

NELSON BRANCH

HUME—T. P. Dickinson, Rossland; F. L. Ayers, Victoria; P. C. Small, W. J. Bates, A. Simmons, Vancouver; J. H. Green Raymond; A. W. Johnson N. J. Abbott, P. Morrison, A. Poly F. Dunsford, E. A. Lloyd, F. Robinson, W. A. Abert, F. Pidgeon, Winnipeg; N. A. Roberts, F. N. Jones J. Cronin, Spokane; D. Evans and daughter, Pincher Creek; G. O. Moxon, B. M. Fox, London; D. Ackley Duluth; G. Long and wife Silverton; J. W. Power, W. H. James Kaslo.

SHERBROOKE—M. Allen, J. Raulston, Swansea; F. Seton, Moncton; C. E. Carson, Colorado; P. Hemlock, Slocan; N. Thomas, F. Missquoi, Slocan; S. Seel, Grand Forks.

LAKEVIEW—P. P. Joyce, Calgary; E. B. Burnie, Golden; C. H. Hill, Sandon.

MADDEN—H. A. McMillan, Balfour; N. Remillard, Winlaw; J. Connor, Kaslo; T. W. McKenzie and wife, Lardo; E. Glenn, Gerrard; R. A. Langill, C. A. Bignay, Sandon; A. G. Blaine, G. L. Wells, Erie; S. G. Gillespie, Ainsworth.

NELSON—S. Blalock, Salmo; H. Rapperty, Scotland; F. Stevens, Portland; W. Patterson, Sandon; R. Esson, Nakusp; K. J. McKay, H. Burnty, Burton.

ROYAL—M. H. Morris, B. Kurtzman, Salmo; F. B. Schieffer, Slocan; J. M. Morton, Trail.

CLUB—J. B. Witherspoon, Thrums; A. H. McVittie, R. B. Angus, L. G. Cameron, Bonnington.

STRATHCONA—E. A. Rowland, S. H. Gope, Winnipeg; T. L. Arnett, Souris; W. G. Parsons Montreal; W. M. Holt Ottawa; T. C. Mackleston, Seattle; A. R. Poole, Valdez; A. R. Fingland, New Denver; H. H. Morris Vancouver; W. E. Cooke, Kaslo; J. C. Dufresne Blue Bell mine; A. E. Watts Wattsburg; J. R. Witton, Dundee.

QUEENS—E. H. Hunt and wife, Sark; Mrs. Bateman, South Wales; B. A. Savage, Longbow; F. W. Crawford Lardo.

BARTLETT — J. Ryan, F. Peterson, Ymir; L. H. Davidson Granite.

GRAND CENTRAL—T. J. Tanney, T. Needham, Mrs. C. Franker, Slocan; T. roncliff and wife, A. Morrison, R. Johnson, Rocanville; R. Fitzwilliam, S. L. Springer, F. W. Baker, Salmo.

KOOTENAY—G. Bertram, Calgary; W. Kinney, Nova Scotia; M. Arcole, J. Blair, J. Frasier, Coleman; P. Lambrey, Slocan; G. Beano, Castlegar; Mrs. Clare, Alberta.

BAD FREIGHT WRECK.

Several Trainmen Sustain More or Less Serious Injuries.

(Special to The Daily News)

Grand Forks, April 19.—A smash-up occurred yesterday morning to a freight train on the way down the Molson hill to Oroville, by which five men were injured, three of them seriously. The men were brought to the hospital in this city yesterday by Dr. Freer, of Oroville, and were attended to up to a late hour last night by Dr. Kingston. The names of the injured men are as follows: Dan Evans, of Vancouver, fireman, fractured skull, serious case; Dan Coghlan, of St. Paul, brakesman, eye hurt; William Brisnaham Grand Forks, engineer, spinal injuries, serious; Dan McSwain, fireman, P. E. I., not serious; Jos. Fowler, Wisconsin, brakesman, both legs broken, a serious case.

This morning Evans was still unconscious.

Rings and Brooches

OF ALL THE BIRTH GEMS

THE DIAMOND IS KING

and this month being Diamond Month we are showing a very large line of Diamond Set Rings, ranging in price from $5.00, 6.00 7.00, 8.00, 9.00, 10.00 to $700. Also a very fine line of loose

BLUE-WHITE WESSELTONS

See our window display

J. O. PATENAUDE

WATCHMAKER MANUFACTURING JEWELER OPTICIAN

PHONE 293

FARM TEAM FOR SALE

Team mares in foal, 3 and 4 years old, weight 2800 lbs. Perfectly gentle and sound.

NELSON TRANSFER CO.

We Sell The Best of Mens Shoes It's a habit of ours.

Our shoes have character just as much as the man who wears them. Choice selected leathers, skillful shoe building, correct styles, all points of detail well looked after, serve to make our shoes shoes with a character.

THE ROYAL

R. ANDREW & CO.

RIPE

Tomatoes

At 35c. per lb.

Roman Beauty, Grimes' Golden. Spitzenburg, Minkler, Greenings and Walbridge.

Bananas, Jumbo size, 50 cents per dozen.

Fancy California Oranges, from 30c. to 60c. per dozen.

Lemons 35c. per dozen.

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Phone 206 Baker St.

AT THE RIGHT PRICE

A fine 4-room cottage on Mill St. with stone cellar, verandah back and front. Two good level lots planted with 11 bearing trees and small fruits. $1450—$700 Cash, balance at 6 per cent.

WOLVERTON & CO., BAKER ST.

840 ACRES

Near Nelson

A snap. See me about it.

Cabinet Cigar Store

G. B. MATTHEW, Prop., Baker St.

After the long, cold winter, tone up the system with a bottle or two of Beef, Iron and Wine, Syrup of Hypophosphites, Malt Extract, or Cod Liver Oil preparations, all good tonics. To be had at

The Red Cross Drug Store

Baker St near Josephine, Nelson.

The Sign of the Fish

We sell everything the Fisherman needs. Strict attention paid to mail orders.

E. SUTCLIFFE, Baker St.

TOBACCONIST

Satisfactory Clothing for Boys

If you are proud of your boy you will have him as well dressed as other boys. To dress him best is to equip him with "Progress" or "Lion Brand" Clothing; the clothing that is made to wear, designed and finished equal to the manish ideas of dress.

The spring stock is here. Special showing in Norfolk Suits Prices $2.50 to $6.00.

J. H. Wallace

MEN'S and BOYS' OUTFITTER

Next door to Madden House

Sutton's Seeds

SELLING LIKE HOT CAKES

We also have Steele-Briggs' vegetable seeds in bulk, Simmers' 5c packages, and a full line of Grass & Clover Seeds, Chemical Fertilizers, etc.

The Brackman-Ker Milling Co., Ltd.

FRESH BISCUITS

All 10cts. a Package

KRISPO GINGER WAFERS
SOCIETY TEAS
VANILLA WAFERS
NEW ENGLAND GINGER SNAPS
SALTED CITY SODAS
PLAIN SODAS
GRAHAM WAFERS
BUTTER THIN
OATMEAL
LEMON CREAM

THE BELL TRADING CO.

Garden Seeds and Seed Potatoes

We are Selling Four Splendid Varieties of Seed Potatoes

Early Harvest (white)
Early Vigorosa (pink and white)
Naught Six and Everett (both pink).
Neaught Six is the big yielder and Everett took first prize at the fair.
4 lbs., 25c; 20 lbs., $1.00
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Mail orders filled promptly.

Wm. Rutherford, Druggist, Nelson, B. C.

Vegetables

Parsnips, Carrots, Onions, Potatoes Cabbage
Also Fresh Vegetables in season

C. A. BENEDICT

Corner Josephine and Silica Streets. 'PHONE 7

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We have just received a full stock of Dutch Onion Setts; also a full stock of bulk and package seeds.

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Shoes and that word is "Trustworthy." Never has a man put his faith or his foot in a Walk-Over shoe and had his confidence betrayed. Walk-Over quality, Walk-Over style, Walk-Over service are alike trustworthy and reliable.

J. A. GILKER

Baker St., Nelson, B. C.

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HIGH-CLASS TAILORS

A. & G. Frieberg, Managers

Diversity of Filing

devices into a compact arrangement is a feature of the Globe-Wernicke "Elastic" system appreciated by business men. Largest variety and highest quality.

FOR SALE BY STANDARD FURNITURE CO

We can furnish your

HOUSE
OFFICE
HOTELS
Complete

Standard Furniture Company

Undertakers and Embalmers
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$500 Cash and $1200 EASY TERMS

will buy a seven-roomed house on Water Street. All modern conveniences. This is an up-to-date home, conveniently located.

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Is It Worth the Trouble?

Some people think that it is not worth the trouble and expense to procure a beautiful head of hair. But what is a little trouble or expense compared to a beautiful head of hair. Those who have used the Seven Sutherland Sisters preparations and see what grand results they give cannot understand how they ever got along without them. It will be to your advantage to call and consult with the Seven Sutherland Sisters' representative at the Canada Drug & Book Company's store, and to give the Seven Sutherland Sisters' Hair Grower and Scalp Cleaner a fair trial.

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