

The Colonist.

THURSDAY, AUGUST 31, 1899.

THE MACPHERSON INTERVIEW.

We do not think any injustice is done Mr. Macpherson, M.P.P., in suggesting that he did not write the letter to the News-Advertiser which appears in this morning's Colonist. In the first place, there is too much of the "Smart Aleck" about it to emanate from a sober-minded man like Mr. Macpherson. In the next place, it gives itself away, for in the first paragraph the writer professes to be familiar with the course of the Colonist, as he doubtless is; and in the second he claims to be quite the reverse, which is Mr. Macpherson's position. The letter deals with an interview which our Vancouver correspondent, Mr. A. E. Goodman, had with Mr. Macpherson, the interview having been printed in Sunday's Colonist.

The letter purports to be a denial of the interview, but in point of fact it is nothing of the kind. It is simply a tirade of abuse against our correspondent. Mr. Goodman has taken the matter up, and made an affidavit on the subject, which we also print this morning. This affidavit states that the interview, as printed in the Colonist, was as nearly as Mr. Macpherson's words as our correspondent could get it, and that it is just as stated by Mr. Macpherson. Mr. Goodman is well known in Vancouver, where his reputation is excellent, and his statement made in the affidavit will be accepted by every one.

We think we can understand Mr. Macpherson's position, and any one who has been much around the British Columbia legislature will appreciate it. Almost every day of the session members rise to questions of privilege, claiming to have been misreported. The Colonist has on many occasions had the best possible proof that there was no misreporting in such cases, and the irresistible inference was that the member, on seeing what he said in print, feared to go on record, and wanted to take it back. That Mr. Macpherson stated to Mr. Goodman what was printed in the interview is not open to doubt. That he has been persuaded to think it misrepresented him we also readily admit. Mr. Macpherson has invited question by signing the letter in castigation, but we feel disposed to feel sorry for him for having been persuaded to do what we are sure his better nature revolted against.

Mr. Macpherson's letter defines his position for the benefit of the Colonist. It is that if the government lets the Eight-hour and Alien laws alone, and introduces other measures of which he can approve, he will support them. We note that Mr. Macpherson was careful not to sign a letter declaring himself to be a supporter of the government. He puts himself down as a conditional supporter only. And this is where the interview with Mr. Goodman pleased him, except that he was more guarded in the interview than in the letter. But then he spoke the interview, and he clearly did not write the letter. Mr. Macpherson will not, on reflection, feel particularly grateful to the people who have persuaded him to sign the letter. It puts him in a position from which he cannot escape. It also puts the government in an awkward place, for it secures the opposition vote necessary to pass the government. Mr. Helgesen has said he will oppose the government if they do not repeal the Eight-hour and Alien laws. Mr. Macpherson says he will vote against them if they do. So one or the other of them is lost to the government certainly. And this one vote added to those of Messrs. Higgins and Martin makes the opposition nineteen, and nineteen is a majority of the house, with the Speaker in the chair.

THE PORT ANGELES BY-LAW.

We submit that the action of the City Council in regard to the Port Angeles by-law cannot be sustained—that is assuming the postponement of the submission to the taxpayers is to be construed as the assertion of a right on the part of the council to decline to submit it. We shall not do the Mayor and those who seemed to be acting with him the injustice to suppose that they were influenced by an alleged opinion expressed by some one as to the right of the government to aid a railway company having a connection with a foreign country. That there may be no doubt on this point we may inform the council that this point has already been decided. The first decision will be found in the early reports of the Supreme Court of Canada and it was, if we remember right, confirmed by the Judicial Committee of the Privy Council. It arose in connection with what were known as the Houlton Branch Railway bonds, where the legislature of New Brunswick sought to authorize a company to build a line connecting with one in the state of Maine and to issue bonds upon the road. It was held that a provincial legislature could not legislate. But this case has no bearing, as far as we can see, upon the application now before the city council, or if it has there is a proper way to test it. A by-law can be framed that will not be open to the objection that it goes further than the legislature could grant authority to the council.

The position which we wish to take this morning does not relate to the constitutional question, if any is involved, nor to the merits of the proposal, but to the construction which the mayor and certain aldermen seem to place upon the law under which they act. The power of the city

council to pass by-laws for the raising of money is given by sections 68, 69 and 75 of the Municipal Clauses act. Section 68 begins by saying that "every municipal council may" and then goes on to speak of the purposes for which money by-laws may be passed. Section 69 directs how certain kinds of by-laws must be brought before the council, and this section applies to the Port Angeles Ferry by-law. Section 75 prescribes the procedure for bringing the question to a vote. It is section 68 that vests the power in the council, and we claim that the word "may" therein used will be interpreted by the courts as "must." This is a matter of very great importance. Some four hundred qualified voters have asked the city council to submit a certain proposition to the taxpayers. Other propositions are taking shape and will be submitted. It is possible that a proposition may be so popular that instead of one-fourth of the voters asking for it nine-tenths of them may do so. It is important, therefore, to know if the city council has the right to decline to accede to the request of the taxpayers when made according to law. We submit that the council has no discretion whatever in the matter, and that it must submit the by-law. If it is not the proper interpretation of the statute, one obstinate man may defeat the desire of the whole city.

That the word "may" will be sometimes interpreted "must" or "shall" is a well settled principle in the law, and the circumstances under which it will be so interpreted are also well settled. The city council has no inherent jurisdiction. It is unlike the Crown, which has certain prerogatives, and unlike the courts, which derive from the Crown some of these prerogatives. By the Municipal Clauses act the legislature conferred certain powers upon the council, and when the act says that the city council may do a certain thing under certain conditions, this is to be understood as a grant of power, not as the creation of a discretionary authority. The powers of any body created by statute go no further than the statute authorizes. Therefore when the legislature has said that on a certain thing being done the city council may do a certain other thing, the only power which the council possesses is to do the thing which it is told it may do. It has no power to refuse to do it, nor to simply omit to do it and thus make what has been done to comply with the law of no effect. The conferring upon a statutory jurisdiction of power to do a certain act on certain conditions having been complied with, does not carry with it the right to refuse to do the act. The Municipal Clauses act was passed for the purpose of providing machinery to carry out the wishes of the people in the matter of municipal government. The legislature could have provided that the Chief of Police should have the power to submit by-laws, if it had seen fit to do so. Realizing that occasions are likely to arise when the people would desire to vote money for certain purposes not already provided for in the act, the legislature declared that under such circumstances a certain proportion of the taxpayers must move in the matter before the city council could submit a by-law to be voted on. As we have said, instead of directing that the petition should be submitted to the city council, the legislature might have said that it should be directed to the Chief of Police. We mention this to show that the fact that the body to which the petition must be addressed is an elective one cuts no figure in the transaction. The petition has been duly signed, and it is clearly the legal obligation on the City Council to submit it for the approval or rejection of the taxpayers.

If the view which we have above suggested is correct, it follows that the persons promoting this petition have a right to apply to the court for a mandatory injunction compelling the council to act upon the petition. We suggest that the council will do well to incur any such litigation and attendant expense, and that very much the wisest course is to allow the taxpayers to have the opportunity to express their views upon the proposal at the earliest possible day. We think it unfortunate that other matters are being mixed up with this one, for the injury done thereby will be general. If the promoters of different objects get into an altercation, the result may be that the taxpayers will turn them all down. By far the best plan is for the city council to keep its skirts free from any suggestion that it is favoring one project as against another, and when the provisions of the law have been complied with in regard to any proposed by-law to lay the question promptly before the people, so that it may be disposed of by the next meeting take the petition in question of the table and proceed to act upon it as the law directs.

A PRESIDENTIAL ISSUE.

The indications now are that the presidential election next year in the United States will turn upon the question of territorial expansion, or Imperialism, as some of the papers, with a characteristic fondness for high-flown terms, call it. Bryan, who is likely to be the Democratic candidate, is outspoken against expansion. He has hitherto only represented one section of his party in this respect, but very recently Richard Croker has recanted his views, and has declared the voice of Tammany to be against retaining the Philippines. A conspicuous and not unimportant section of the Republican party is of the same opinion, so that there is a very great deal of doubt as to what the result will be if expansion is made the crucial issue next fall.

A great deal will depend upon the results attending the operations in the Philippines during the next few months. If they are attended with reasonable success, the people may be roused up to a sufficient pitch of enthusiasm to once more entrust their affairs to Mr. McKinley, but if a better record is not made before the rainy season sets in next year, a wave of popular indignation will sweep the Republicans out of office. We do not condemn the determination of the United States to subdue the Philippines. There is no reason to suppose that the ownership of the Islands by that country is one of the legitimate results of the war, and the government has a right to resort to arms to make its title good. No nation would have done otherwise than insist upon the surrender of the Islands by Spain, and the payment of \$20,000,000 for them was an act of needless charity. Having acquired the sovereignty of the Islands, it was not in human nature to surrender it to Aguirre. There is no reason to suppose that the latter could establish a stable government. Sooner or later some European power would have intervened and taken possession of the archipelago, under the name of a protectorate. A choice of evils was presented to the United States, and we think the lesser was taken. Doubtless the people were very much carried away by the hurrah over Dewey. It is not to be supposed that they were unwise indeed and imprudent in their new responsibilities. Dewey had fought an opera bouffe battle, and it pleased the people of the United States to think that he had added an empire to the United States before breakfast. Nevertheless, looking back at what has transpired, it is difficult to suggest any other line of action which their government could have taken with safety and honor.

Theoretically, and if consistency with the alleged principles of their government is to be considered, the United States, since extinguishing Spain's title has not acted honorably. An effort to impose upon a people a government which they do not want is hardly in accord with the dictum of the Declaration of Independence, that governments derive their authority from the assent of the governed, unless indeed that principle is to be held to apply only to people with white skin, who speak English. But theory is one thing, and practice is very often quite another, as our neighbors have already found out on several occasions. Nevertheless, in the event of a square party issue on expansion, these theories of government will play a very important part, and may influence the whole result of the campaign.

But it is not alone by the Philippines that the policy of expansion is presented. What is to be done with Cuba? Every argument against permitting the Philippines from setting up a government for themselves applies with equal force to the Cubans. Probably the latter are, in point of fact, less fitted than the former to maintain an orderly government under their own rule and property will be safe. Having driven Spain out of Cuba, it is clearly the duty of the United States to do so again become a scene of turmoil. The anti-expansionists realize this, and they dread the responsibility.

A CANADIAN KANSAS.

The News-Advertiser says that the opposition represents "class sectionalism" and predicts that on an appeal to the people the government would win several seats in Victoria "by virtue of its progressive and popular social policy." For some time there has been evidence that Mr. Cotton intended to commit Mr. Semlin to socialism—that is to an attempt to control business interests by legislation and set up a government which would have a censorship of men's private affairs. There was in some quarters a disposition to attribute the socialist tendency of recent legislation and administration to Mr. Martin. The Colonist always held this to be a mistake and claimed that the present government was only giving effect to the socialistic ideas which had been championed by Mr. Cotton and his associates while in opposition. Since the resignation of Mr. Martin this has been shown in a most conspicuous manner by the utterances of the News-Advertiser. First we had it falsely asserting that a conspiracy existed on the part of certain rich men to supplant white labor in British Columbia by introducing Orientals in large numbers, and now we have the same paper declaring that it is the legal obligation on the government to do so legal proceedings for a penalty for illegally sitting, even if he should believe himself to be qualified.

HOW PARTIES STAND NOW.

Following is how the members of the house stand at last accounts: For the government: Messrs. Semlin, Cotton, Hume, Henderson, McKechnie, Forster, Munroe, Deane, Tisdale, Kidd Kinchant, Kellie, Wells, R. Smith, Nell, Green—18.

Opposed to the government: Messrs. Turner, Helmecken, Hall, McPhillips, Eberts, Booth, Pooley, Higgins, Robertson, Bryden, Dunsmuir, Martin, Macpherson, McBride, Ellison, Smith, Baker, Irving, Clifford—19.

THE BRITISH COLUMBIA MOVEMENT.

Government papers taunt the Colonist with not specifying by name those whom it expects to take the leadership of affairs after the present government is defeated. It will be time enough to mention names when those to whom the new government will have to look for support have selected their leaders. We can tell our critics one thing, and that is that the movement for good government will not be checked by any discord among the opposition and its allies over individuals. The new movement is distinctively a British Columbia movement. It is not being engineered in the interest of any political combination or locality, and when they were unable to do so legal proceedings were commenced in order to prevent the security from being tampered with by socialist legislation. Millions upon millions were taken out of the state, the amount being limited, as was afterwards stated in a subornatorial message, only by the ability of creditors to compel debtors to pay. What caused capital to take alarm was not the legislation actually enacted, but the fear that mischievous legislation would be placed on the statute book. Once let it become known abroad that

the province is in the hands of men whose ideas are socialistic, and a veritable panic will be caused, which will mean disaster to thousands and set British Columbia far back on the road of progress. It is the first duty of every patriotic voter to rescue it from the hands of these wreckers. British Columbia has no need for the experiments of social agitators, and the News-Advertiser is exhibiting a great wickedness in seeking to stir up class against class and to make socialism the key-note of the next provincial campaign. Harm will be done immediately. Let it once become known that the people are to be called upon to pronounce whether they will hand the province over to socialists and their tribe, and business will receive a terrible blow. Investors will hold aloof until the issue has been decided and if victory should rest with the demagogues, there will at once begin the withdrawal of capital. In the meantime a stop will be put to all chances for new investments. The situation is extremely serious. Of one thing we feel very sure, namely that if Lieutenant-Governor McInnes had for a moment imagined that in calling Mr. Semlin to the premiership he was doing what his supporters claim that the request ought to be acceded to is an indication that they concede his defeat in the house. It remains wholly with the Lieutenant-Governor to say if he will grant Mr. Semlin a dissolution, and we can readily suppose that this is a matter that has already received His Honor's consideration. It is a subject to which he must give a good deal of thought, for important results turn upon the conclusion which he may reach. We suggest that the course which he would be most likely to take would be to request Mr. Semlin to call the house together in early session, and that he will be governed a good deal by the result of the division which the government is defeated. One thing that His Honor must realize is that according to their own newspaper organs his advisers no longer command a majority of the house. They have confessed their defeat. Another thing we think may be taken for granted, namely, that he will not grant Mr. Semlin a dissolution to try conclusions with his own supporters, as the Province suggests.

Mr. Macpherson's views. We print an interview with Mr. Macpherson, M.P.P., that will be read with a great deal of interest. If it does not make his position wholly clear, it at least establishes that he cannot be counted as a government supporter. The interview removes all doubt as to the correctness of the Colonist's classification of the members. We reckoned Mr. Macpherson as among those opposed to the government, for the purpose of showing that Mr. Semlin has only a minority of the house with him. We made no claim as to Mr. Macpherson's attitude towards the old opposition, it being sufficient for the Colonist's purpose that he is out of the government ranks.

Mr. Macpherson's views regarding Mr. Cotton's position are especially interesting, and we think most people will agree with him in thinking Mr. Martin's charge against that minister of deliberate falsification to be one that ought to be investigated. He appears to think that neither party in the house is able to carry on business, and that a new election at an early day is unavoidable. We do not agree with him in this, for we believe that before the house meets a sufficient number of members will have declared themselves opposed to the government to give the opposition a sufficient majority on a vote of want of confidence to demonstrate that a dissolution is not necessary.

Back From Dawson.—There returned yesterday from the North two Victorians whose movements have been keenly watched by a large circle of people in this city. They are Frank Cryderman and "Chet" Cunningham. Mr. Cryderman left for the Yukon country in the spring of 1898, and was one of the first to reach Klondike. Since then all kinds of reports have come out about him, one to the effect that he had been killed. He has got as much life in him as ever, however, and with his partner, Mr. Cunningham, has done very well this past season, working their own claim.

A blank enamel brooch, containing a lock of Oliver Goodsmith's hair, for which his coffin was specially opened, was sold for 10 guineas at Christie's, in London, recently.

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the creation of a new British Columbia, which in population overshadows the Island, which for so long a time in the history of the province occupied the first place. For years the centre of political influence was necessarily on the Island. Now there is no such centre. The attempt to make Vancouver such a centre has failed, and largely because the people of Vancouver had too much good sense to be misled into such an egregious blunder. Some hasty individuals have argued that Kootenay ought to seize the present opportunity to claim this place, but we venture the prediction that the time has gone by when any locality in the province can occupy the position in respect to politics, which until the period of recent Mainland development Victoria held by the very force of circumstances. We hope to see a new government in office before more than a few months have passed, a government towards the formation of which the best counsel and advice available in every section of the province will contribute, a government which will give us a new date in British Columbia politics. It is time to bury the issues that have been the subject of contention heretofore. The new government should have no other legacy from that of Mr. Turner than the task of supplementing by new measures the principles of provincial development to which Mr. Turner was committed. It should have no legacy from Mr. Semlin other than the task of correcting the blunders made under his regime. There is too much to be done in British Columbia to permit any time and public energy to be wasted in harking back to old issues and fighting over again old political battles. The face of the province is towards the future. This is, or at least it ought to be, a progressing province. New people are coming in steadily; new industries are being established; new necessities are arising. It would be impossible to return to old conditions if any one wanted to, and no one wants to. The people of Victoria look with pride and pleasure upon the growing importance of the Mainland, and it is their just boast that their public men were far-sighted enough to pursue a line of policy which made the development of the Mainland possible. They are no more sectional now than they were when they supported the government of the day in the measures which opened Kootenay by railroads from the Canadian Pacific to the south. They are no more sectional to-day than they were when they supported the government in seeking to develop the northern part of the province. When the day comes to form a new government they will be found to be wholly above sectionalism, and to be ready to put in with the people of the Mainland in putting in office a strong British Columbia government, which will have only one object, namely the promotion of the welfare of the people of this great province. This is where Victoria stands, and we believe its attitude will meet with the hearty approval of the very great majority of the voters everywhere. We believe that this is also the real sentiment of Vancouver, and that all over the province the feeling is growing that the time has come to cast the mantle of oblivion over old issues and unite in a grand British Columbia movement.

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Before The School Details of the Bu acted at Mon ing's Meo Attendances at Schools and S Classe

Owing to the lack of report of Monday evening school board had to be given more in detail Mrs. Pemberton wrote of a class of twelve boys Y. W. C. A. studying ph the use of the Pemberton similar communication, had been received by tion to the request being that the proceeds would establish. After a short discuss chair moved that in coe of gratitude to the of the grammarian, the and the request granted, the lighting be paid for Mrs. Pemberton's commu was carried. G. T. Burrows wrote lot contiguous to the Sp which would afford an ex for the children. The asked was \$1,000, and t stated, would be the easi likely be arranged. As th was \$100 as a deposit, could run over for a per with interest on the p. The offer was referre and grounds committee. On motion Mrs. Pemberton's application for which had been accepted file. Miss Arthur and Mrs. T. a satisfactory manner th from duty on the openi A communication from lett Merritt was then re lady offered her services physical culture. The n placed on file on motion Grant. Number of commu principals were read, ead to supply permisss school children to defray teaching of music quest to levy a fee of 5 cents pupil for this purpose, of the North West. A regular fee be double that of a tary. Miss Cameron, priff Park, had a little summe the desired funds. Thru understanding a concert arranged, even so far a sold. After dealing with the supplies, another matter suggestion Mr. W. Macpherson and flag for the South. Mrs. A. is principal. Chairman McInnes said a good thing to let the be what a flag was. While chair, Trustee McInnes question sent to the committee to report toget er of starting supplies, severely on the way, dan to some of the school des boys. His suggestion was ad Accounts to the amou such supplies were pass Then the music questio Trustee Marchant said he of any levies being plac on these school children poor families. He gave and though the levy mig sory it would cause the as his class mates much was a believer in the goo on a pupil, and was of the major number of the te at present teach the el dumentary. He had been importing a special tea pose. Trustee Hall agreed v chant. He was not opp of music, but to the which the principals prop more subjects. There was now than there was tim in favor of eliminating 5 to the number. Mrs. William Grant op vious speakers. Music, more of a recreation th benefit, besides, the noni would impose no great in Supt. Eaton stated th and an auditor. He said the system had been tried th in schools by those oth trustees. He said that the money for such ins paid by the board. He instance the board requi to vote \$100 for this pur the term in two school, day for professional serv a week in each of the tw until the end of the te would take up the two was finally disposed of opposing the levying of the subjects. The school management's A. O. N. O. C. the matter Gordon Grant was left chairman. The secretary next reat ment of the school atten as follows: High school... Central and Spring Ridge North Ward and Hillside South Ward and Kings Victoria West... Total... Boy's school—Division 4, 43; 5, 48; 6, 42; 7, 50; Girls' school—Division 4, 55; 5, 56; 6, 50; 7, 58; Spring Ridge—Division 4, 55; total, 204. Victoria West—Division 4, 37; 5, 45; 6, 46; total, 148. Hillside—Division 1, 44 North Ward... 4, 42; 5, 46; 6, 42; 7, 56 South Park—Division 4, 43; 5, 32; 6, 35; 7, 34 Kingston street—Divis tal, 78. Trustee Hall moved, Marchant. That a cop sent to each teacher, that the observations be regarded as a condition tween each teacher and the finance committee by a form of contract agreement with each board. Trustee Hall also was carried, that the 3, section ix of the tru that no teacher sh increased except from the calendar year shall no applicable in the case

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