## Premier's Speech

Mr. Hardy's Effective Rejoinder to Mr. Whitney's Address

Considered One of His Parliamentary Efforts.

Cogent Reasons Why the perhaps a more marked comparison-House Was Called Together.

The Position of the Government Most Satisfactory.

It Still Retained the Confidence of the Electorate-Opposition Hopes Dashed-The Rights of Constables Defended - Sorry Plight of Mr.

Whitney's Lieutenants-The Fish-Hon. Mr. Hardy's speech in the house, in reply to Mr. Whitney, is conceded to have been one of his ablest parliamentary efforts. It was an excellent example of his debating force and readiness, and a most effective presentation of the government's case. Mr. Hardy, who was received with loud applause, began by congratulating the mover and seconder of the address to the thione. He did not call to mind during his 25 years of service in the legislature that he had ever heard more able speeches in discussions of public questions than they had heard from the mover and seconder of the address, and congratulated the house that these gentlemen had seat, and early, not a sign of disconpent has attractive colors, but we must entered it. I congratulate my honorable friends (Mr. Whitney) also on his powers of speech, which he has shown during the last two hours. If speech had contained as much of what might be called intellectual abil-ity as it did of physical force, it should said Mr. Hardy, "I know of no more have almost paralyzed my attempt to answer it. One would have thought to hear some portions of the speech of my honorable friend that he was really leading the majority of this house instead of the minority; that he really that majority of 25 desired to have. A great deal of his speech was what might be called brag, and I will not, therefore, for a single instant attempt to answer that kind of | house together. It is an important reaargument. His speech was devoted to criticism, but not destructive criticism. What has he destroyed? On the other hand, what has he built up? What new policy has he laid down? What policy has he formulated? What has he brought forward upon which to ask this house at this moment to pronounce in his favor? I venture to say that the verdict of the house would be that the honorable gentleman has made out | no case upon that point upon which he was so hypercritical in relation to the two ministers, in respect to whom he has moved his amendment. The hon- met at that time. Now it might have orable gentleman used rather strong his defeat, perhaps. You would almost tion might at that time not reached, that concludes the whole judge from what he says that he had have been in his seat, for question. The illustration is so overexpected defeat, unless, perhaps, for a single hour about the 1st of March last, when his hopes took flight and winged and soared away into the empyrean-(laughter)-but only to fall to the ground like a balloon, which goes aloft, loses its inflation, and comes to earth again simply a bundle of rags. Disappointment seems to have got possession of his soul, and he uses strong language. He employs such expressions as "dry rot government," "emasculated government," "battered and torn and bleeding government." These are strong expressions to hear upon the floor of this parliament. One would think the honorable gentleman had been rolling around Santiago or some other place -(laughter)-that he had real cannon booming in the ear, or heard the ping of the Mauser bullets. dict; took it like men. (Applause.) We did not complain; not even at the mathe last parliament, however-(cheers)-and three or four more than the elections were over. Therefore, we gests that the turning point in our career, our downward career, occurred when Sir Oliver Mowat left this government. No doubt we lost a great leader and a great giant, whose counsel was sagacious and wise, whose life was a long life, illustrating what might be called honest government, integrity in public life. Yet there was not a day or hour during the twenty years hich my predecessor was in that they did not point out that he was a feeble leader, that he lacked strength, that he did not possess the confidence of the people, and that it was only by some fortuitous events that he happened to maintain his post here. Yet he as gone and they have discovered

respectful distance. THE LIQUOR VOTE It is rather curious now, if Sir Oliver Mowat had been leader we would have had a larger majority.

Mr. Whitney intimated that he did not say that. Well, whatever may be said on that point, the attempt was made at all events to convey the impression that we have lost througt Sir Oliver's absence to an appreciable extent. It is merely a matter of argument. I think, perhaps, we have, and yet the Reform party never were more united than they were at the last election. We polled 56,000 more votes than we did then under Sir Oliver's leadership,

than Sir Wilfrid Laurier polled in 1896 in that tremendous campaign which dent is our support. The English wrested the Dominion from the Conservatives. Where was the falling off it is built up slowly, broadening of Reformers? What does my honor- down from precedent to precedent; able friend mean by it? True, he took system is built upon precedent, some seats from us. We repaid the recognized, followed, allowed in every compliment. He took eleven seats oc- debate, and in every work relating to cupied by Patrons and Independents. the constitution of parliamentary pro-That is where he got his verdict. Tak- cedure, and parliamentary practice. ing these facts we may well congratu- And yet my honorable friend has tried late ourselves. True, my honorable to ignore it. In the Globe's article, the friend fought a very vigorous cameditor, no doubt, found it possible to paign in a variety of ways. He does give only a very brief outline of the not owe his defeat to the cause which cases. It is a rule that a cabinet minhe mentioned here just now, to the ister shall in this country, that a cabicontrol of the liquor interest by the Ottawa Government. How preposter-

Mr. Whitney-The honorable gentleture to say the nonorable gentleman has nothing he can show. I defy him honorable friend faltered. here. (Loud ministerial applause.) I defy him in the courts of law-(continued applause)-and I can tell the honorable gentleman something which, perhaps he may know, which is not very much to his credit nor to the credit of his party.

bonorable gentleman knows.

POSING FOR EFFE Y.

The premier charged that the Opfor effect. Every member was tent on their countenances as they an-Toronto in August. A good many men come to Toronto in August, and stay pleasant place than this very room short session.

THE CONSTABLE VOTE. of chief importance in calling the THE DEFEATED OPPOSITIONISTS. lating to the Legislative Assembly Therefore, we are bound, both under the constitution and the law, to have discredit in that. been very inconvenient to meet at that time. The hon, leader of the Opposi-

the honorable gentleman might whelming that these others pass into have been unseated in the meantime. Gentlemen sitting with him, and gentlemen here might have been un- to this point, that it was unkind and seated in the meantime. It would have ungenerous to throw discredit been immaterial to them. It is of no importance to them whether they have than four or five who were to be his 22 or 42 at their back. (Laughter.) But companions in the government, accordjority and to control the house—(min- ed under or stranded. It was unkind to ning and sitting in the committee isterial cheers)—and unless they have that great statesman, St.John, who was a majority at their back when the to have been minister of education, and and healthier than in the smaller coma majority at their back when the house meets they must hand over the house to the gentlemen who have.

THE PREPARED TRAP. . Sandfield Macdonald, in the fall of thought he had a majority, but the election courts unseated several before the call was made, so when he met No man could prophesy. We went to the house the seats of seven of his sup-the country and we accepted its verhe was defeated. Should we not take of education. warning and notice the example? No jority of eight; one more than we had one can tell what may happen in these election trials. They are very uncertain. I think it was Sandfield Macwe had in the parliament of 1883, when donald who said they were quite as uncertain as a horse race. Perhaps they have no great reason to complain. are. Would we have been wise and (Applause.) My honorable friend sugto have been placed in a cul-de-sac? Between 60 and 70 petitions were filed. The courts could not dispose of them all before January, much less could we have had the appeals decided or have the new elections over by that time. We were forced to call the house together that we might not be driven into that cul-de-sac, or put in that pocket, or, speaking politically, put into a hole.

THE FISHERIES. This, sir, apart from all other circumstances, would have induced me to recommend that a proclamation be issued for the calling of the house to- had a popular opponent, therefore it is gether if the other question had never risen at all, or had never been under The government had always known that he is still alive and the life of our consideration. That is the conhow difficult it was to make perfectly the administration. There is a great stable vote, and, then, there is the fishdeal of which we are proud; we were eries question. I am not saying in deal of which we are proud, we were eries question. I am not saying in this honorable friends have claimed educated at his school, and we looked any shape or form that the constable every election there during the last 25 upon him as a great man, not less to- vote had no influence with us, nor do I years, and at last their claim has been friend was going to prove by some day than he was then, but we think we yield to the suggestion of honorable have learned something of his record gentlemen opposite and their support- of agriculture, he challenged his honof twenty years, and we follow as closely in his footsteps as we can, at a fisheries question had nothing to do with it. From the point of material advantage, relating to the financial condition of the country, the fisheries question was perhaps the most important of them all. The leader of the opposition says he has talked with a gentleman who said there was an arrangement about the matter. If he had said a partial arrangement I could agree with him. It was arranged that fill the position well, although my honthe licenses now issued should not be canceled this year, but that the Do- I believe he can find them there. minion were to issue no more licenses, and we were to issue the new licenses next fall. They were to collect and pay his answer confessed that he has not over to us the fees for any licenses for one supporter on his side of the house tion of the fisheries, the institution of orable friend when he stood up to an office to direct them and to receive throw dirty water, foul water, on his the books and records of the fisheries friends; to say that he had not a far-

Another question is that relating to the business of the ministers who have not seats in the house. That is an important question. My honorable friend is entirely without his rights in moving a vote of want of confidence on that ground, entirely within his rights in making that motion, but he was not entirely within his rights in his arguments; his arguments were not straight. He attempted to whittle away the cases. He endeavored to make distinctions, paltry, petty, trivial distinctions; he did not meet the bold historical facts, the records as they appear in the book from which he read. He attempted to meet them, to explain Best away the principle of the cases; some he slipped over; some he glided over;

Mr. Whitney—I read every one.
Mr. Hardy—Yes, he read them; but I am speaking of the poverty of his comment, of his powers of distinction; in a small way he tried to undo the great and important principle of cases. In all these cases there is a disconstitution is not a written law, ous! The honorable gentleman was laughing up his sleeve when he said There is no question about that. My so to this government. The country honorable friend stopped there. He did simply guffaws at that kind of thing; not do himself quite justice. He read the country knows where the great bulk of the liquor interest went, the been dealing fairly as a leader of a great opposition, as leader of forty-two should do, he would have read "And no one should be introduced into Mr. Hardy—The honorable gentleman the government or continue therein had better explain himself now What! who is out of parliament, unless he is no! Ah! again in the future. I ven- likely to be returned by some constituency within a reasonable period." My Mr. Whitney-I read it on two other

pages. The Premier - He did not read it in that connection; he read the rule, but he refused to read the exception. Mr. Whitney-1 simply deny, with all the force I am capable of, that I did what the honorable gentleman accuses

The Premier-We must not be guileposition, in objecting to the house be- less. He said he came very near being called together, was merely posing guiling the country, and we will take care he does not beguile us. The serbe careful not to go too near him. The swered the summons with alacrity. No honorable gentleman must have known one is horrified at having to come to what he is doing, for he is an honorable gentleman and one whom it is a pleasure to meet. Mr. Whitney-I am not if what he

charges me with is true. The Premier - I will not accept his during the present day, and there can disclaimer that he is not an honorable gentleman. I think it was his duty to it is precisely the exception with which government.

son, but not of chief importance. By quite generously with my honorable met with the principal minister abour statutes, under our constitution, friends the defeated ministers. He spoke speaking from memory, section 87 of of their defeat as though it were a disthe British North America Act, pro-vides that this house shall meet once on in the sense he means it, as if it in every 12 months. It adjourned on was something unusual. It is unus-Jan. 17 last, and we should have been ual for ministers of this government to compelled to meet before Jan. 17 next. be defeated, although it was no dis-Under the constitution, our own act relating to the Legislative Assembly been defeated. Mr. Gladstone, Palmerreads in precise terms with the words ston, Disraeli, and, if I am not mistaof the act of British North America. ken, Salisbury, George Brown, Sir John Macdonald, John Bright. There was no

Mr. Whitney - So was I. (Loud laughter and cheers.) The Premier-The finality has been the background and the shade and the shadow. And I go no further, except on gentlemen who were defeated. No less ing to the predictions, were also snow- tween sitting in the house in the morto that other great statesman who was to have been his minister of agriculture. It was unkind to Colonel Kerns, unkind to his fides Achates Willoughby, who was to have managed the govern-'70, called his house together. He ment for him-I was almost going to then to check the debate. That was say boon companion, but I meant no- not for the Liberals, that was for themthing serious by it. It is unkind to them all. Yes, and to Dr. Meacham,

> Mr. Hardy said that there was a rule, and that they would have been glad if they could have fulfilled the rule, instead of the exception. He saw that it was extremely inconvenient to have his colleagues outside of the house. The rule was not absolute and must be subject to parliamentary changes and possible defeat at elections. Convenience played a large part in the question. The premier quoted a number of instances, in addition to those which have already been mentioned, in which ministers had continued in office for lengthened periods without holding seats.

A GREAT COMPLIMENT. It is the greatest compliment that have sent the honorable commissioner of crown lands for 16 or 18 years here certain that Hamilton would be won. His honorable friends have claimed well founded. Regarding the minister country could displace him. If he were in the defiant mood of his honorable friend, prone to make rash assertions, he would ask him to stand up and name the man who could take the Mr. Whitney-There are several honrow to your right, who, I believe, would

attorney-general, continuing, said that his honorable friend had by which fees had not been paid. We have | who was qualified. (Derisive opposition had thrown on our shoulders the direc- cheers.) He had not expected his hon-

as either of the other questions to which I have referred.

THE DEFEATED MINISTERS.

less his honorable friend rose to a point the mark. The press on both sides of the house appeared to assume from the speak. He had given him one opportment of the mark. The press on both sides of the house appeared to assume from the speak. He had given him one opportment of the mark. The press on both sides of the house appeared to assume from the memorandum that he gave out that tunity to explain, feeling certain that he would put his foot into it, and he would accept the honoramle gentleman's statement. There was not an honorable gentleman opposite but should resent that statement of his leader in the strongest mannerreally had a man. But he challenged them to name a single farmer in the country who could take the place of John Dryden in the popular mind. (Cheers.) He did not mean to say that there are not good men who know something of farming, but there are not farmers who could be called upon who know a great deal about farming, but there is no man who can

combine all the qualifications of John Dryden. (Cheers.) Mr. Kidd (Carleton) interrupted with a remark, the purport of which was not distinguished, and the attorney-general accepted the interruption as a protest against the statement of the leader of the opposition, and added that the honorable gentleman did quite right to resent it. Resuming his argument, the attorney-general pointed out that the rule applicable in the case of the two ministers to whom he had referred was that they must find seats within a reasonable time. The whole question hinged upon the interpretation of that expression. What is a reasonable time? The government had no reason to ask the house to disre, and the law, and established precedents, and they could not allow their honorable friends to disregard them. They were bound by precedent on either side, and he was a little surprised at his honorable friends repudiating every pre-cedent that had been cited from Conservative authorities. He (the attorney-general) did not cite Sir John Macdonald's answer in the Morrison case because he did not approve of it in its entirety, but he adhered to the general doctrine which is propounded in it Mr. Morrison ought to have had a seat in the house long before two years and one month had expired; that was a precedent that should be avoided, and he did not therefore quote it. He not stand there to repudiate what had been done by the leaders of his party on that occasion. But his colleagues had been without seats for five months. Mr. Morrison was not in the house for two years. His honorable friend, Mr. Whitney repudiates Sir John Macdonald's arguments as wrong and unconstitutional, and pronounced the speech of the greatest leader the party ver had, and one of the greatest in the empire, upon a great constitutional question, to have been nothing but a

Mr. Whitney - I did not say it was a trick. The attorney-general, continuing, said that his honorable friends had pronounced it not to be a good argument, that Sir John gave an answer that was false, a trifling answer to a great question. That was the position in which he placed the great dead hero of the Conservative party-(cheers)but his repudiation came late. He had not disavowed the precedent all these years, and he shrewdly suspected the honorable gentleman's repudiation was not altogether devoid of self-interest. A with the permission of the hon. gentlemen of the Opposition during such a short session."

MORNING SESSIONS. My honorable friend did not deal or four distinct cases where the house

> Mr. Hardy-Gibson, MacLaren, Gladstone, Sir Robert Peel, made answer to the three cases. There are no less than four distinct cases-what appear to me distinct-to show that we, at all events, are not violators of constitutional practice. Mr. Hardy charged Mr. Whitney was an ignominious position for a with stating that the Liberals did not great party to take. He proposed to with stating that the Liberals did not uphold George Brown in that matter, but as Mr. Whitney denied that he had said so, Mr. Hardy made the correction and went on to express surprise that it was remarkable Mr. Whitney should complain of the calling of the house and then say that they were arbitrary. They wished to rule by legislative authority, and not by their own authority. Every argument Mr. Whitney made required and liberties of the people, in order that to be turned hind foremost, and he never saw so many slips. His honorable friend had not thought out his case able friend is prepared to sustain his well. What difference was there bemittee rooms. He had given notice of what the house intended to do, and when the debate was through, honorable gentlemen might debate as long as they pleased, they were not selves; they might debate as long as pleased, and as fast as they pleased. They would then have had their own way and the Liberals could sit and listen just as long as they could talk. His honorable friend knew full well that ordinary practice had been carried out, and knew also that the convenience of the opposition was always more or less consulted. Mr. Hardy took occasion at this point in his address to congratulate Mr. Whitney on the numbers and personnel of his fol-lowing, saying as he took in the entire chamber that a better house was never assembled during the 25 years that he had had the opportunity of sitting on the floor of parliament. (Aplause.)

THE RIGHTS OF CONSTABLES. In regard to the constable question his honorable friend contended that they wanted the law to govern. He would tell his honorable friend that the Hamilton has ever paid to any man to law would govern them. That was his answer to his statement. He had thought his honorable friend had some when the city was claimed to be over-whelmingly Conservative. (Cheers.) He legal argument to present showing that the words of Sir John Macdonald to the effect that the constables were not discreditable that he was defeated. entitled to vote were erroneous and incorrect and illegal. So many charges had been made that they were seeking to violate the law, to make an ex-postfacto law, to make a law that was not a law, that he thought his honorable authority that it was not law, for he had not yet seen one solitary human ers in the newspaper press that the orable friend to tell him who in this argument advanced by any human being saying that that was not the law (Ministerial applause.) His honorable friend with all the declamation and vehemence and villification that had taken place owed it absolutely or fill the place, who is in public life to the house if there was reason for or who expects to be in public life. expecting that the law was not plain to have shown it. There was no reaorable gentlemen sitting along the front son; could not be given either here or in the press or before the courts, and when he had an opportunity of orable friend doubts their capacity, but going before the court he ran away.

Mr. Whitney-I never ran away. Mr. Hardy-He refused to appear. He refused to instruct counsel to appear when the case might be argued. Mr. Whitney-I never had the opportunity, and the attorney-general of this province knows it and is responsible for the fact that I did not have an opportunity. (Opposition cheers.)

Mr. Hardy searched for papers to
prove his assertion, and as he had to

the house appeared to assume from the memorandum that he gave out that heir intention was to follow the precedent et at Ottawa.

The premier then read the following letters, in which the opposition were given full notice of the intended ac-

Toronto, June 18, 1898. Dear Sir,-I inclose herewith a copy of an order in council referring to the court of appeal certain questions arising under the election act. So soon as court is properly constituted an application will be made to have a day fixed for argument, and I am directed to say that the government will recommend the payment of counsel fees to the extent of \$200 to such counsel as you and the solicitors for petitioners may think proper to agree upon to argue the case, and for such other services connected thereto Mr. Bristol a copy of this letter and RADWAY'S with as may be proper. I am sending

of the order in council. Yours truly, (Signed) J. R. CARTWRIGHT. J. P. Whitney, Esq., Q.C., M.P.P., Dundas. Ont.

Toronto, June 17, 1898. Dear Sir,-I inclose a copy of a letter which I am sending to Mr. Whitney, and I also inclose a copy of the order in council referred to. Yours truly, (Signed) J. R. CARTWRIGHT. E. Bristol, barrister, Toronto.

Toronto, June 23, 1898. Dear Sir,-I inclose herewith copies of an order in council with regard to submitting to the court of appeal certain questions with regard to the elecact, and of a letter written to Mr. Whitney with reference thereto. Yours truly,

(Signed) J. R. CARTWRIGHT. Wallace Nesbitt. Esq., barrister, To-

This last was, the premier said, a letter to Mr. Wallace Nesbitt, counsel for the Conservative party, in connection with these petitions, who appeared in court, but took no part in the argument Mr. Whitney challenged the premier

to say that he was given an opportunity to appear, and asked to have Mr. Hardy point out to him where he had stated the date upon which the hearing would take place. The premier replied that the motion was an ex-parte one, and that no date

could be set, but that the opposition had been invited to arrange a date that would be convenient for both, but that the letter had not even been acknowledged.

The two leaders became engaged in a heated discussion as to the exact meaning of the correspondence, Mr. Whitney denying that Mr. Nesbitt was acting as counsel for the Conservative party. The premier then referred to the steps which had led to the calling of the legislature, and the terms of his memorandum, and outlined the form of action which it was proposed to take. A change had been made after due consideration from the suggested course of passing a declaratory act. and the bill which it was proposed to submit provided for the submission of the question to the courts.

After reaching the schedule of questions to be asked the court of appeal. the premier pointed out the interesting fact that the constables had enjoyed to vote for 50 years. if a right man occupied his neighbor's Thus Mr. Mardy said they had three | land, to which he had no title whatever, for ten years, he acquired & right to it by prescription.

Honorable gentlemen opposite had made an effort to deprive their fellowcitizens of the votes they had enjoyed for many years, and by that means they proposed to steal across the floor of the house between sundown and sunrise, and obtain possession of the seats on the treasury benches which they so longed to occupy. (Cheers.) It read a quotation from an authority which honorable gentlemen would not dispute, which they were constantly loking to for inspiration: "He that entereth not into the sheepfold by the gate, the same is a thief and a robber." (Loud cheers and laughter.) Honorable gentlemen and the party they represent are planting themselves in the way of the exercise of the franchise they might obtain an advantage of a few votes in the house. If his honorcontention the house would be prepared to listen to it. The attorney-general took his seat amid the most enthusiastic applause of his supporters, who after adjournment flocked around him to offer congratulations upon his splendid 

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the field. Pernaps that is not a safe way of estimating it. The last face to way of estimating it. The last face to battle, when the two parties were larged against each other, was in '90. If the books and records of the fisheries for years back. We have to make some provision in relation to that. This is a political standpoint; it is as important friends; to say that he had not a farmer on his side of the house he could name for the position.

Mr. Hardy searched for papers to for years back. We have to make some provision in relation to that. This is a man for the position.

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Mr. Hardy searched for papers to prove his assertion, and as he had to revert to the matter later. He went to revert to the matter later. He went to not o say that much had been said that," and rose to explain.

The attorney-general said that un-later which was wide of later to say that much had been said to revert to the matter which was wide of later to say that much had been said to revert to the matter which was wide of later to say that much had been said to revert to the matter which was wide of later to say that much had been said to revert to the matter which was wide of later to say that much had been said to revert to the matter which was wide of later to say that much had been said to revert to the matter which was wide of later to say that the had not a farming the provision of the books and records of the house he could name for the provision in relation to say that the books and records of the house

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