

THE SEMI-WEEKLY TELEGRAPH.
It is published every Wednesday and Saturday at 2.00 a year, in advance by The Telegraph Publishing Company of St. John, N. B., a company incorporated by act of the legislature of New Brunswick.
C. J. MILLAGAN, Manager.

ADVERTISING RATES.
Ordinary commercial advertisements taking the run of the paper. Each insertion \$1.00 per inch.
Advertisements of Wants, For Sale, etc., 50 cents for insertion of six lines or less.
Notice of Births, Marriages and Deaths 25 cents for each insertion.

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Semi-Weekly Telegraph
ST. JOHN, N. B., SEPTEMBER 2, 1903

ST. JOHN'S OPINION.

The unanimous reaffirming of the St. John Board of Trade Friday of their resolutions of 13th January and 19th February makes it quite apparent that the opinion of the mercantile class, at least, in this community, is in favor of the trans-continental railway being constructed as "an extension by the government of the Intercolonial Railway from Montreal to the Pacific coast." This, we are satisfied, has been the opinion of the majority of our citizens from the moment the question of another trans-continental road was first mooted. In so far as least The Telegraph has correctly interpreted public opinion in this community.

With the Board's proposals in the event of Parliament being unwilling to undertake the construction of such extension from Montreal to the Pacific coast as a public work of the Dominion, we are not entirely in sympathy. As we have stated from time to time, The Telegraph believes that the best and safest way to provide that Canadian traffic coming over the new line shall be exported through national ports is by means of a traffic arrangement between the G. T. P. and the I. C. R. by which the latter would be entitled to all export freight to be taken at Montreal or Quebec. This would obviate the necessity of building a new road through New Brunswick which may interfere with the usefulness of the people's railway and would be the safest guarantee the country could have of the national idea being carried out. Traffic passing through Canadian ports, while all rivalry between St. John and Halifax as the great Canadian ports on the Atlantic seaboard would be merged in the even rate in vogue to both ports, making discrimination impossible.

At Friday's meeting the **Y.M.C.A.** strenuously advocated that the **Trans-Canada** Trunk Pacific being a foregone conclusion it was useless to re-affirm the principle of government ownership, and that better practical results might be obtained by concentrating their efforts on the amendment of the Grand Trunk resolutions now before Parliament so as to have not only unrotated freight but also traffic coming over the line exported through national ports. This was, however, not accepted, and the Board as the representative of St. John's commercial interests reaffirmed its original belief. Such action clearly indicates that the Hon. A. G. Blair has not misjudged or misconstrued the desires of the business men of the constituency which he has the honor to represent in Parliament, and that his great sacrifice in behalf of those great principles has not passed unnoticed by the business interests of this important city.

THE LAW OF BETTING.

Two cases of interest to the sporting fraternity were before our courts this week arising out of a foot race between local contestants. A number of false starts in the race were made, and finally one of the runners went over the course, and the referee declared him to be the winner. The race was for a sum of money in the hands of a stakeholder, and he was notified by the losing contestant to retain the money in his hands, on the ground that the start was not made fairly, and that consequently there was not a race. The stakeholder was desirous that the race should be re-run or that each party's share in the money should be taken back by him. To this the winner would not agree, and on the stakeholder refusing to pay the stake to him, brought his action in the Saint John County Court for the recovery. The action was tried by a jury, and after hearing a number of witnesses, whose evidence was principally directed to the point, as to whether the start was fair, they have found by their verdict that it was not. That amounts to a finding that there was no race, and therefore that the event upon which the money could be claimed by the successful contestant had not taken place.

A motion for non-suit was made by defendant's counsel at the close of the plaintiff's case, on the objection that the money deposited with the stakeholder was put up by backers of the runners, and that under the arrangement between them the money was to belong to the winner. This, it was said, made the stake a bet, and the contention was put forward, on behalf of the stakeholder, that as betting through the agency of a stakeholder, is contrary to the criminal code of Canada, the transaction was stamped with illegality, and the court would decline to assist the plaintiff. The court refused the motion of non-suit, considering that the facts should be pronounced upon by the jury, and their finding has made it unnecessary for the court to pass upon a nice question of law.

As it was found that there was no race, and the parties are thus restored to the position they were in before the contest, it would seem that the plaintiff should have had judgment for the return of his share of the stake, if his pleadings were properly framed for that purpose, unless it could be made out that the transaction was a bet within the prohibition of the criminal code. The criminal code provides that every one is guilty of an indictable offence, and liable to one year's imprisonment, and to a fine not exceeding \$1,000 who (a) becomes the custodian or depositary of any money, property, or valuable thing staked, wagered, or pledged; or (d) records or registers any bet or wager, or sells any pool, upon the result of any race; III of any contest or trial of skill or endurance of man or beast.

It is then enacted that these provisions shall not extend to any person by reason of his becoming the custodian or depositary of any money, property or valuable thing staked, to be paid to the winner of any lawful race, sport, game, or exercise; or to the owner of any horse engaged in any lawful race, or to bets between individuals, or made on the race course of an incorporated association during the actual progress of a race meeting. The code clearly exempts from its operation money to be paid to the winner of a lawful race, and the money may very well be held not to be within these words where it is not to be paid to the winner but to his backers. That is a question of argument and construction, which must be left to the proper tribunal to decide.

The other case came up on review from the City Court before Mr. Justice McLeod. The action was brought to recover plaintiff's share of a bet on the same race placed with a stakeholder, and paid over by him to the defendant after notice not to do so from the plaintiff. The legal question here is a very different one from that involved in the preceding case. The code protects betting between individuals. Does this permit of betting where a stakeholder is employed? If it does not then the parties betting were accessories to the indictable offence committed by the stakeholder, by being "the custodian or depositary of any money staked," etc., within the wording of the code. The plaintiff would be in pari delicto, as the law calls it, with the other wrong-doers, and would not be permitted to make use of the machinery of the court to get back his bet.

Bets between individuals may be made by Mr. Justice McLeod to include bets deposited with a third person. If it is so held, then the plaintiff will probably succeed in his action, for at common law the rule is that a person can revoke his authority to a stakeholder to part with his share of the stake money, and if the stakeholder then paid it away to the other party, he does so at his peril.

The decision of Mr. Justice McLeod will deal with a point of great interest. If the code strikes at betting under the circumstances in the case before him, and subjects the holder of a private bet to the consequences of a year's imprisonment, and a fine of \$1,000, it will be regarded as radical and very stringent legislation.

In a case which arose a few years ago in connection with a bet on an election contest in London between Sir John Carling and Mr. Charles Hyman, and the bet had been placed with a stakeholder, it was held by the Supreme Court of Canada, that a party to the bet could not recover the amount won by him from the stakeholder, and the argument that it was a bet between individuals within the exception in the code was overruled.

Betting on an election is of course contrary to public policy, and is especially prohibited by the section of the code in question. This may distinguish that case from one where the bet is made on a foot race, about which there does not seem to be anything unlawful.

THE QUEBEC-MONCTON SECTION.

The Toronto News, which usually is well informed regarding the government's policy, editorially advises the abandonment of the Quebec-Moncton section of the Grand Trunk Pacific and urges the extension of the Intercolonial to Parry Sound. A careful reading of the article gives the impression that the writer of it believes the plan he outlines has been considered and may be adopted, in which case the I. C. R. not only would not be duplicated but would be incorporated as a most important part of the new trans-continental, made an important carrier of through freight, and might be extended to the Pacific later on.

The arguments advanced by the News are, briefly: The Lewis-Moncton section is the most doubtful feature of the government's railway policy; it certainly will be costly, and it is not certain that a road by the route proposed will excel the I. C. R. in carrying efficiency, while for many years the new line would have no considerable local traffic; in the meantime the I. C. R.'s revenues must be impaired, and government ownership will receive a black eye; much Western traffic must come by the lake and rail route after the G. T. P. Pacific is built and so, even from the standpoint of the Eastern Provinces, the extension of the I. C. R. to the Lakes would be more satisfactory than the construction of the proposed Lewis-Moncton line; the cost of the Moncton line would

meet two-thirds of the expense of extending the I. C. R. to Parry Sound; to extend the I. C. R. and drop the new Moncton-Quebec line, would preserve the government road and render an already valuable national asset still more valuable.

Such are the principal reasons given by the News. That journal argues that the I. C. R. extension be not rejected "because Mr. Borden proposed it," but the News, of course, knows that Mr. Borden was not the first to propose it.

The News says in summing up: "The government's policy is bold and progressive, and thoroughly meritorious in many of its features, and we are satisfied that if Sir Wilfrid Laurier would now so far revise his bargain with the Grand Trunk as to abandon the Moncton section, and declare for Intercolonial extension to the lakes, his action would be taken as an evidence of strength, rather than as a confession of weakness, and he would then present to the country a transportation policy which could not be successfully opposed."

Whether the News is right or wrong, the government's policy may be modified in some particulars, either now or when the engineers get to work. Complete surveys of the Quebec-Moncton route may prove that the expense involved and the failure to materially improve upon the I. C. R. will render the proposed line undesirable, in which case, no doubt, the I. C. R. would take over western export freight at Quebec in the winter and would also be extended to the Lakes. Should these things come about there would be less anxiety about Canadian freight going to American ports.

THE FOURTEEN PROFESSORS.

Fourteen professors or life long students of political economy in the Mother Country have issued a manifesto declaring against Mr. Chamberlain's fiscal proposals. They are men of unquestionable distinction in their department of knowledge. Among them are the well-known names of Alfred Marshall, of the University of Cambridge; J. S. Nicholson, of the University of Edinburgh; and F. Y. Edgeworth, of the University of Oxford. A contribution on the subject in question by men of their authority cannot fail to attract attention and to powerfully excite discussion.

The document of protest to which they have set their names does not do more than concisely state their objections. The necessity, to their minds, for this course is apparent. There would be inconvenience in presenting at excessive length an array of technical arguments in support of their views. It is, moreover, doubtful that while agreeing on the heads of their protest, so many men could unite in a presentation of reasons for their position. The method adopted by them is subject to at least two weaknesses. Their opponents will affect to find in it an air of pretentiousness and superiority. Because a man is a professor and a student of conditions as a theorist, he is not entitled to speak with oracular brevity, as though his deliverance was the last word on the subject. It is wholly unlikely that they wrote in such a spirit. Their object was probably to indicate to the people of the country the attitude of a large number of thinkers on economic questions towards a subject to which they had given years of professional study.

A more real danger to which they are exposed is that being unaccompanied by an exhaustive or sufficient body of argument, their general assertions will be overborne by a multitude of specific contentions that will be urged against them. Unless they reply with like detail, and debate the issues not with outworn platitudes, but with closest logic applied to the facts, the only effect that will be left on the public mind by their manifesto will be, that certain ridiculous professors, for unassigned or ineffective reasons, declared themselves against any change in the fiscal system of the country.

For instance, when they content themselves with the simple declaration that it is not true that an increase of imports involves the diminished employment of workmen in the importing countries, they think differently, and that will be eager to demolish the statement with every-day illustrations. The idea back of the professors' view is that if labor in one department is prejudiced by imports, another department is benefited, with the effect in the end of the displaced labor finding other employment. The theory is sound enough if of limited application. It would certainly be to the general advantage of British operatives where a machine used in the manufacture of say cotton could be purchased in the United States more cheaply than in Great Britain, to import it, though the effect would be to close up a British machine shop. The theory is unsound if the imports are of such a nature that a home industry is harmed or destroyed, and no other industry is assisted.

The Chamberlain policy, as far as it has taken shape, is, that imports are becoming too general and are undermining British industries without any compensating advantages. The professors may be able to re-state their position, and support it with cogent and overwhelming argument, but until they do, the man in the street will prove sceptical on this point at least.

Addressing themselves to the Chamberlain argument that a food tax would be followed by a rise in wages, they discuss it with the bare content that "the result that may be anticipated as a direct consequence of the tax is a lowering of the remuneration of labor." Well, weighty as is their authority, as great or greater names in their own science, have declared differently. Adam Smith makes the argument fairly that a rise in prices is followed by an increase in wages, and Jevons in whose memorial chair at University College, London, one of the subscribers to the manifesto sits, also is of the same opinion, if we recollect aright.

The questions raised come too closely

under the observation of the people, and touch too much the facts of daily life to be disposed of on the authority of any group of men, or without the full inquiry sought by Mr. Chamberlain.

SOME LONDON OPINION.

Certain London newspapers which are opposed to Mr. Chamberlain and the government and who hope to see the preference and the Balfour ministry defeated at the same time, are now busily quoting Sir Wilfrid Laurier and Mr. Henri Bourassa to show that Canada is opposed to the Colonial Secretary's plan and that he has raised a dangerous feeling among the French-Canadians. These writers would have the British public believe that Sir Wilfrid Laurier has declined in advance a proposal which has not been made and of which the details are not known either here or across the water. The Canadian Premier has not done anything of the sort. Nor did he take any new or unexpected position when he said this country's autonomy must not be impaired.

The London newspapers which are making campaign capital against the Colonial Secretary intentionally exaggerate the importance of the remarks of Mr. Bourassa at the Theatre National meeting and profess to see in them evidence of a danger which does not exist. The harmless Imperial defence resolution of the Montreal Congress was almost as unsatisfactory to ardent Imperialists as it seems to have been to some of the Bourassa party. But the resolutions adopted at the Theatre National were foolish because they were based upon conditions which are purely imaginary. It will be time enough to cry out when Mr. Chamberlain makes the extreme proposals concerning Imperial defence which his political enemies profess to believe he has in mind.

It is just as well in these matters to cross no bridges before you come to them. When Canada knows exactly what sort of arrangement the Colonial Secretary offers and sees how the British people deal with it at the polls, Canadians will soon decide where they stand. It is natural that Mr. Chamberlain's opponents should change him with planning a policy which Canada could not accept, but his friends expect he will make no such mistake.

OUR BRITISH VISITORS.

Canada is deeply in debt to the Mother Country because she has sent ten or twelve of her newspaper representatives to spy out the outer land. If they have any project aside from that, we do not know them. But, in these British newspaper men, the first output has shown a desire coupled with a knowledge which combined will do full justice to this province and to Canada in the large.

We wear no mask when we speak of these brethren of the larger newspaper world. We do not tell them of our manifold limitations. We do not tell them of their cousins who came out here last year and who set Toronto down upon the St. Lawrence. Nor do we remind them of the artist who shifted the Rockies from their base and gave the ribs of the continent another sternum. These men made errors which the present party will not repeat. These men have seen Canada in the large. They will go home, or should go home, blind to the lesser questions but all alive to the question of Canada's greater destiny. He was no fool—he was a London newspaper representative—who said that in our West there was making the greatest blend of races the world ever had known. He was looking to strength. What he said of application not to strength alone but to national spirit also—Canada, but Canada, first, Canada will see what the sacrifices are and what is demanded in return.

IN BAD TASTE.

That Mr. Tarte, in his Sunday speech to Quebec Conservatives, should have delivered himself formally, bag and baggage, to the Conservatives is not surprising, nor would his advocacy of high protection be offensive now if he had resigned from the cabinet at once when he failed to convert his colleagues to his old way of thinking. But that Mr. Tarte should make the alleged ill-health of Sir Wilfrid Laurier a text is surprising and in bad taste.

In portraying the Premier as a man broken physically and ruled by his cabinet, Mr. Tarte paints a picture which is so greatly at variance from the known facts that it must be put aside at once as not true to life. Mr. Tarte himself did not meet a broken and dispirited premier when Sir Wilfrid returned from England, as he must remember. The present session, long and exacting as it has been, has not shown that the Premier hesitated to exercise the full measure of authority which was wielded by the first minister under our system of government. When some of Mr. Tarte's protectionist friends made demands at Ottawa they did not find that they had dealt with a man who was either an invalid or in the hands of political regents.

In a word, Mr. Tarte appears to think Sir Wilfrid is very ill and the government is weak—because he, Mr. Tarte, was not permitted to dictate the government's fiscal policy. The weight of Mr. Tarte is known pretty accurately now. The government's majority against his protection amendment was the greatest recorded during this session. But when there is an election Mr. Tarte's measure may be taken even more stringently.

SIR THOMAS AS A WEEPER.

Several ordinarily sane American newspapers, which hitherto have treated Sir Thomas Lipton as courteously as he has treated their representatives, have suddenly reversed their policy and are asking

Men's Suits--Big Bargains.

Come, come, men of St. John, that great stock of Summer Clothing we have been telling you about—many of the suits will do to wear right through the Fall—will be gone if you don't look out, and you will have missed the best values of the year.

Have you already bought your Summer Suit? That will not make any difference when you see these suits. When it comes to getting an entire suit for almost the cost of the trousers, no man will hesitate long about replenishing his wardrobe.

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| Men's \$6.00 and \$7.00 Tweed Suits now \$5.00 | Men's \$6.00 and \$7.00 Serge Suits \$4.50 |
| Men's 10.00 Tweed Suits now 7.00 | Men's 10.00 and 12.00 Serge Suits 7.50 |
| Men's 12.00, 13.50, 15.00 Tweed Suits 8.50 | Men's 13.50 and 15.00 Serge Suits 10.00 |

A Few Suits at Half Price.

Some lines are reduced to ones of a pattern in a size and these we are clearing out at Half Price. Former prices were \$12.00, 15.00, 18.00, 20.00. Come and get your size and pay half-price.

A Good Time to Buy Boys' Clothing.

Selling Boys' Clothing at such ridiculously low prices as these is enough to make and keep us busy. Come early if you want to beat the crowd.

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| Boys' Two Piece Suits, Size 7 to 12 years. | Boys' Three Piece Suits, Size 9 to 17 years. | Boys' Russian Suits, 3 to 8 years. |
| \$1.39 reduced from \$2.25, 2.50, 2.75. | \$2.95 reduced from \$3.50, 3.75, 4.00. | \$3.00 reduced from \$3.50, 4.00, 4.50, 5.00. |
| \$2.39 reduced from \$3.25, 3.50, 3.75, 4.00. | \$3.95 reduced from \$4.50, 5.00, 5.25, 5.50. | Kilt Suits, 2 to 5 years. |
| \$3.39 reduced from \$4.50, 5.00, 6.00. | \$4.95 reduced from 6.50, 6.75, 7.00. | \$2.00 reduced from \$2.50, 2.75, 3.00. |
| | | \$3.00 reduced from \$3.75, 4.00. |

All Wash Suits and Blouses Greatly Reduced in Prices to Clear.

GREATER OAK HALL,
KING STREET, ST. JOHN.
COR GERMAIN
SCOVIL BROS. & CO.

their readers to believe that, because of his defeat, the most popular of sportsmen has given a public exhibition of maudlin grief. Lord Dunsen did not understand Americans and he treated the American reporter accordingly. He was roundly abused in consequence. Sir Thomas Lipton made no such mistake. He talked fairly and freely to the reporters and, in the main, they were honest and courteous in return. The yacht races have been unusually dull this year and it may be that some black sheep in the flock of correspondents sent to Sandy Hook have attempted to make a sensational story out of airy nothing. In no other way can the outsider account for such nonsense as appears in several Boston journals, of which the following from the Herald will serve as a sufficiently disgusting example:

"Sandy Hook, L. I., Aug. 29, 1903.—Sir Thomas Lipton today told a reporter for the Boston Herald many important things bearing on the present contest for the America's cup. With streaming eyes the owner of the Lipton fleet sobbingly related how he has been deceived into believing the Shamrock III, to be the fastest yacht in the world."

The Irish knight has lost heart in his conquest. He admits sure failure this time, and intimates he will not challenge again. He was the bluest man on the face of the earth. Twice tears came into his eyes, and a drop slid down his cheek. "Oh, one," the Irish baronet said, "has any idea of how I have worried and fretted over this race. No man was more confident of winning anything than I was when I came over. I didn't bet; I no longer believe in gambling, but I would have been willing to bet the Enn or my watch (pulling the timepiece from his pocket) that I would win. It is the greatest disappointment that I have ever had in my life."

"What can I do? I have tried my best. I cannot design a boat; I cannot sail one. I have common sense and I can see that the Reliance is the better boat. There is no denying that I am sad and discouraged."

Sir Thomas turned to Col. Neill as though seeking for sympathy, etc.

"He weeps as he tells of his abandoned ambition," is one of the headlines over a similar story in the Boston Journal.

It is not necessary to point out that Sir Thomas Lipton is not the man to sob out his grief upon the shoulder of a Boston reporter, or below any visitor with his maudlin tears. The world will reject instantly all such overdrawn pictures of the challenger, and there will be no little indignation and amazement over the attempt to revive waning interest in the cup contest by creating for jaded American readers that impossible figure, Sir Thomas the Weeper.

ANSWERED.

Before the end of November, says the promoter of the Dry Dock, construction will have been commenced. There is answer enough to the Sun's query as to when the work will be begun. The Sun, of course, delights in symptoms of delay, but such are few and feeble.

The company will begin work at the specified time, less such time as the city required to make terms. The work upon the Dry Dock, in other words, will be commenced at the time first announced,

STEEL WIRE HOOP
Butter Tubs,
10 lb., 20 lb. and 30 lb.
MADE BY
THE E. B. EDDY CO.,
Just Arriving.
SCHOFIELD BROS.,
Selling Agents.

less the time taken by the City Council to arrive at a same conclusion.

It was not supposed originally that the council would back against the interests of the city. There has been some delay. But the work will be built. That is the main thing. The people will take note of it.

MARKED ACTIVITY
SHOWN IN ALL
INDUSTRIES.

New York, Aug. 28.—The Weekly Review of Trade will say tomorrow: There is still no indication of the depression in trade and industry that pessimists predicted would follow the decline in securities. Dispatches from all sections testify to the liberal distribution of merchandise and the disposition to prepare for greater consumption of all the necessities of life, while the crops are making good progress aside from some cotton districts in Texas. Trade is quiet at Boston, owing to the idleness in textile mills, although paper mills and shoe shops are busy. The number of buyers in New York is increasing and a heavy fall trade is anticipated.

It is gratifying to find that consumers of pig iron have at last apparently decided to place contracts without waiting for further concessions. The decline has now reached its limit, judging by the larger amount of contracts offered, and this is the most important indication of a restoration to normal conditions of prosperity in the steel industry.

There is sufficient business in the goods of New England shoe manufacturers to assure full operations of machinery several months. Buyers are now out of the Boston market after having sampled freely of next spring's goods. New orders are still arriving by mail, chiefly in supplementary lines of men's heavy shoes. Jobbers are now urgent for delivery of fall goods ordered some time ago, as wholesalers are behind with deliveries and retail stocks are running low. Quotations are fully maintained by the urgency of customers.

Domestic hides again average slightly lower, owing to heavy receipts of cattle. Thus far the liberal jobbing trade in dry goods has not affected the situation at the cotton mills where the percentage of idle machinery has increased. New business confined to imperative requirement, but these are increasing to some extent. Quotations staple prints are firmer and print cloths rose an eighth after ruling unchanged for several months, while the raw material advanced sharply. Export trade in cottons is dull. Woolens are quiet, and the only event of importance in silks was a special sale at low prices.

In the markets for the great farm staples

cotton has again monopolized attention. As anticipated by those most familiar with the situation, pressure was brought to bear on the short account during the clothing days of August and inadequate supplies outside the control of the clique necessitated the payment of considerable premiums in making settlements. Rumors of injury from insects and weather were freely circulated to facilitate the advance, but there was little encouragement to holders in conditions at manufacturing centers. Now cotton comes to market very slowly which is not surprising in view of the assured lateness of the crop, while exports are also making poor comparisons with preceding years.

Fallures this week in the United States are 376 against 238 last week, 174 the preceding week and 172 the corresponding week last year, and in Canada 23 against 5 last week, 22 the preceding week, and 31 last year.

Canadian Trade.
Despatches from the Dominion of Canada testify to a better volume of trade than last year, with farming returns especially satisfactory and firm prices secured for crops.

FOUND GUILTY
OF GOEBEL'S MURDER.

Georgetown, Ky., Aug. 31.—Caleb Powers has been found guilty and sentenced to death for complicity in the murder of Governor Goebel.

Shipping Notes.

The schooner *Malden*, 294 tons, loads plaster at Windsor for New York at 1.50.

The Allan line steamer *Bavarian* arrived at Liverpool on Sunday a. p. m. from Montreal.

Vineyard Haven, Mass., Aug. 31.—Schr. *Sadie Willett*, from Swan Island for New York, at this port this morning, reported when 25 miles southwest from Mallico (Me.), on the 28th inst., sailed through a quantity of spruce shingles and deals, which had evidently been lost from some vessel's deckload. Schr. John J. Perry, Clark's Island for New York, tore shingles during the gale yesterday. She proceeded this morning.

"Yes, sir," said the man in cell 711; "time was when I was admitted to the very best houses." "And what brought you here?" "They caught me coming out."

Doctor—"Now, you must give up both drinking and smoking." Patient—"Now, doctor, you're talking just like my wife."

Hot, tired, thirsty. A drink of Sovereign lime juice will cool and refresh you.