

POLICE COURT CASES HEARD

Three Men for Murder Remanded — Evidence in House-breaking Case — Fire Chief Blake Lays Complaint

At the session of the police court yesterday afternoon Ahmed Abdulla, man, Sultan Rousou and John Sterling, appeared on the charge of murder. No evidence was taken, as the witnesses have not yet reached the city. They were then remanded.

Further hearing was taken in the case of Albert Connell, Arthur Kelly and James Cain, on the charge of breaking and entering the summer home of L. R. Ross on the Sandy Point Road, and Wm. M. Ryan appeared for the three defendants.

The first witness called was James H. Peacock, a resident of Sandy Point Road, who testified that on the Saturday evening preceding Christmas week he was in the city market selling produce. Having finished his business he was on the way home and heard a horse and wagon approach and two shots were fired. When the team advanced the driver, Albert Connell, invited witness and his two sons to have a drive. At the time of the drive two others were in the wagon with Connell, which the witness believed to be the two other defendants in the case. When he reached his brother's residence he, along with his two sons alighted, and the three in the wagon proceeded onward, telling witness they were en route to a Mr. Crowley's. Later, when witness reached home, had a lunch and had gone to bed, he heard the dog making a noise, and his wife went to the window. Witness did not arise but when he awoke the next morning he saw blood stains on the road near his residence towards the church.

Cornelius Donovan, who resides a short distance beyond the former witness, testified that on the Saturday evening preceding Christmas he went to bed at about eleven o'clock. About 12:15 the following morning he heard a team coming down the road, he arose and went to the window, and saw a white horse attached to a wagon, apparently a lumber wagon or a heavy express. About one hour later he heard a team coming in the opposite direction and going to the window saw that a white horse was attached to a wagon. He heard talking, and the horse or shafts of the wagon was hit by a whip and the driver was using the horse over.

Cross-examined by Mr. Ryan he said that he could see no one in the wagon, nor could he swear that the horse was attached to a wagon, as it was quite dark at the time, but presumed from the noise being made that such was the case. He further added that he could not recall that Connell was the driver, or was he accompanied, as he could not see distinctly as it was dark, the sky being overcast.

William Hogan, of Hogan's livery, Union street, appeared and added that shortly after Connell was arrested a white horse was returned to the stables. The horse belonged to Hogan's stables and had been used by Connell for near a week.

This completed the evidence in the case and postponing the provisions of the Intoxicating Liquor Act, to recite such an injustice, the order nisi will be made absolute and the conviction entered against the defendant on November 4 quashed, for the reasons stated.

Chief Blake of the Fire Department appeared to lay a charge against Edward Morrell, father of the owner of a garage in Carleton street.

Chief Blake stated that Engineer Piercy visited the garage on Carleton street, and found that the chimney was in a bad condition, shavings on the floors, and a pot of tar being boiled on the stove in the main shop. He contended that Morrell was liable to a fine of twenty dollars for the offence and asked that the case be prosecuted.

When Mr. Morrell took the stand it was plainly shown that they had the wrong man, as Mr. Morrell stated he did not own the garage, but a Mr. Williams owned it, and was renovating and remodeling it for his son, who was going to purchase it. The other witness added he did not hire the carpenters, who were boiling the tar on the stove, nor had he made the shavings. The case was then set aside until the son returns and is able to give evidence as he is under doctor's care at the present time.

IS AWAITING HIS DISCHARGE

Sergeant Dionne Will Return to His Duties in Civil Service Department — His Brother, Demetrius Killed at Vimy

Sergeant Dionne of Edmundston, N. B., is in the city awaiting discharge from the service, and will immediately resume his duties in the civil service department, in which he was engaged for fourteen years previous to the outbreak of the war.

When he was broke out he enlisted and finally identified himself with the 15th Canadian unit under Colonel D'Aigle. On reaching England he was transferred into the Forestry Corps, and crossed to France, where he spent fourteen months in the "other" sunny fields of the land "France".

He returned home on the Aquitania recently, and will soon be in his old pre-war duties in the service of his country again. Nor is he the only brother who donned the uniform to beat back the German hordes from France and Belgium. Another brother, Demetrius, fell in action at the famous battle of the Somme in April, 1917, in the defeat of the Hun.

Sergeant Dionne spoke of Lieutenant J. A. LeBlanc, who is well known in this city, having at former time been in a local firm here, and later joining the Canadian Battalion, he went through the scrap, and today is with the army of occupation, who are on the Rhine. Relative to this officer he paid a beautiful tribute and added that his sentiments were those of all the men who came in contact with him overseas as an officer in the Canadian divisions. The speaker had recently received a field card from Lieutenant LeBlanc, informing him that he was in the near future leaving Germany en route to England and then home.

Sergeant Dionne has a brother, Alfred, a graduate in Arts from St. Joseph's University, graduating in the year 1918.

CONVICTION WAS QUASHED BY JUDGE

Frank Totton Wins Case on Appeal — Mr. Justice Crockett Criticizes Parts of Prohibition Act as Being Un-British.

His Honor Judge Crockett delivered an interesting judgment in the case of the King vs. Robert J. Ritchie, ex parte Frank Totton in Supreme Court Chambers yesterday morning.

Totton was convicted by Magistrate Ritchie on Nov. 4, 1918, for having liquor other than in his own private dwelling, and fined \$200. An appeal by way of certiorari was taken by William M. Ryan, the defendant's counsel, on the ground that the magistrate acted without jurisdiction in convicting the defendant without having first put him on his defence as required by section 139 of the Intoxicating Liquor Act. In his judgment yesterday his honor quashed the conviction, making the order nisi absolute.

His honor handed down a very lengthy judgment, criticizing parts of the prohibition act as "un-British." At the hearing on certiorari, J. D. P. Lewis appeared on behalf of the attorney-general, and Mr. Ryan in support of the application to have the conviction quashed. Affidavits as to what took place in the police court were filed by Mr. Ryan in support of the application, and also by Totton. Affidavits in reply were filed on behalf of Chief Inspector Wilson and Sub-Inspectors McAlinn and Garnett.

In discussing these, his honor said: "I have carefully considered all the affidavits, and I am convinced, notwithstanding the specific allegations of Mr. Wilson and his two sub-inspectors to the contrary, that the defendant was not properly put upon his defence, and that he was not afforded the opportunity to which he was entitled of answering the case for the prosecution. I find myself unable to reconcile the affidavits of Mr. Wilson and Mr. McAlinn either with the evidence or with each other."

His Honor said that the provision giving the accused no right of appeal, and giving to the inspector the right to appeal to two courts, seemed to be of the principles of British law, viz. that a man was presumed to be innocent until his guilt was conclusively proven, and put in its place the presumption that a man was guilty until he conclusively established his innocence.

After dealing with some arguments advanced by the attorney-general, His Honor concluded by saying: "I cannot assent to the proposition that the supreme court has been rendered by this extraordinary legislation so powerless as to be incapable of disturbing the conviction made by the magistrate without giving a defendant an opportunity of making a defence, and that there is no remedy for such an injustice beyond a complaint to the attorney-general. Having no doubt whatever that this court has the power notwithstanding the provisions of the Intoxicating Liquor Act, to recite such an injustice, the order nisi will be made absolute and the conviction entered against the defendant on November 4 quashed, for the reasons stated."

TWO MILITARY FUNERALS HELD

Remains of Captain William Kee and Private James Gould Were Escorted to Fernhill Yesterday With Full Military Honors.

With full military honors the funeral of Private James Gould was held yesterday from his late residence, 72 Acadia street. The services were conducted by Rev. Dr. Hutchinson of Main Street Baptist church and interment was in Fernhill cemetery. A firing squad from the 7th C. G. R. accompanied the remains.

The funeral of Captain William Kee, son of Mr. and Mrs. John C. Kee, was held yesterday afternoon with full military honors. A firing party of about one hundred men from the 7th C. G. R. under the command of Captain R. J. Smith, M. C., with Lieutenants Palmer and Macdonald, and District Band marched to the home of the deceased at 208 Pitt street, and from there accompanied the body to St. James' Church, on Broad street, where the impressive funeral service was conducted by Rev. H. A. Cody.

The funeral procession then slowly wended its way to Fernhill cemetery where the final service took place. Three volleys were fired by the soldiers and the bugler sounded the last post.

The pall bearers were Captains Gregory, Pitt, March, Patchell, Evans and Kierstead.

Major Heron attended the funeral representing Brigadier General Macdonell. The late Captain Kee went overseas a few years ago with the Royal Air Force. From France he went to Italy and later returned to France where he unfortunately was gassed. He was sent to hospital in England where he died, and his body reached St. John a couple of days ago on the steamship Minnedosa.

Floor committee—Mrs. M. B. Edwards, Mrs. Stewart Skinner, Mrs. L. P. D. Tilley.

Decorations—Mrs. Edwards, Mrs. J. Roy Campbell, Mrs. W. Foster, Mrs. Mary L. Harrison, Miss Edith Skinner. Tickets and programmes—Mrs. Simpson Jones.

Advertising—Mrs. D. P. Chisholm, Miss Elizabeth Furlong, Cruikshank, Fruit punch—Mrs. R. Cruikshank, Mrs. Percy Thomson, Miss Grace Skinner, Miss Laura Hazen.

A. O. Skinner lent much assistance to those decorating the room. Ladies' first prize—Mrs. F. Mortimer; 2nd prize, Mrs. P. C. McNeill; 3rd, Miss K. Dismore.

Gentlemen's first prize, P. C. McNeill; 2nd, F. Mortimer; 3rd, Judge Armstrong.

VICTORY BALL IS ENJOYED BY A LARGE NUMBER

DeMonts Chapter I. O. D. E. to be Congratulated Upon Delightful Dance Held Last Evening — Four Hundred Attended.

A brilliant affair and an unequalled success was the verdict of those who attended the Victory ball held by the DeMonts Chapter, I. O. D. E., in the Knights of Columbus Hall last evening. It was a scene long to be remembered and was as thoroughly enjoyed by those who looked on as by those who danced as the many beautiful gowns worn by the ladies and the gay decorations of the rooms made the sight a very charming one. After the years of war with their anxieties the fact that this was a "Victory ball" and celebrated the coming of peace added greatly to the festivity and gave an unusual air of gaiety.

It was remarked that this was an opportunity for a number of debutantes whose entrance into society had been delayed by the lack of such social affairs to make their appearance and many pretty young girls were present whose dainty gowns and evident enjoyment added much to the occasion.

The ballroom walls were hung with flags and ornamented with symbols of peace, while across the ceiling was festooned white streamers, from which were suspended silver doves, which fluttered in the air. Over the main doorway was the badge of the Imperial Order Daughters of the Empire, with the Union Jack draped about it. At a given signal before the commencement of the dancing the room was darkened and the badge and flag were outlined in bright lights, giving a fine effect. The hallways, bridge rooms and supper rooms were appropriately decorated, and everything possible done to give the guests a most enjoyable evening.

At nine o'clock the Lieutenant-Governor and Mrs. Pugsley, attended by Lieut. Colonel James L. McAvity, entered the room to the strains of the National Anthem. They were received by Mrs. George K. MacLeod, Regent of DeMonts Chapter; Mrs. Walter E. Foster and Mrs. W. J. Ambrose, Vice Regents, and Mrs. A. W. Adams, Honorary Regent of the chapter. A hearty song before the dancing began.

The first dance on the programme was the "Victory Lancers" and for this the official set was formed and a number of others. Dancing in the official set were His Honor, the Lieut. Governor and Mrs. George K. MacLeod, Sir Douglas Hazen and Mrs. William Pugsley, Hon. Walter E. Foster and Mrs. W. C. H. Grimmer, Brigadier-General Macdonell and Mrs. Walter E. Foster.

A program of nineteen dances was carried out before Sir Roger DeMonts brought the delightful entertainment to a close.

Supper was served in one of the upstairs rooms, the supper table having in its centre a handsome silver centerpiece in which were placed geraniums and narcissi. The supper service was more varied than has been the custom for some years, and a committee of ladies looked after the wants of the guests most attentively.

During the evening two symbolic tableaux were given. A small stage had been curtained off at one end of the hall room and the lovely pictures were shown. The first was "Victory," and as the curtains parted to the strains of Rule Britannia, Miss Kathleen Foster, appropriately costumed as Britannia, was seen holding the sword typifying the Victory of the British arms. Above her was the word "Victory" in white letters.

The second tableaux shown later in the evening was "Peace," in which Miss Audrey MacLeod, dressed in white, stood in the center, aloft a white dove personified Peace. Both these tableaux were very lovely and met with well merited applause.

Bridge was enjoyed by a large number who nevertheless left the card tables at times to gaze upon the dancers and to remark upon the pleasantness of the occasion.

The Depot Battalion Band furnished the dance music.

Mrs. MacLeod, regent of the DeMonts Chapter, was crowned in black satin with overdress of black tulle, pearl and crystal lace on the corsage.

Mrs. William Pugsley wore a handsome costume of black panne velvet, silver bands on the corsage and touches of French gray. Mrs. Walter Foster was crowned in a costume of midnight blue panne velvet, ornamented with silver sequins and having draperies of black tulle. Mrs. Ambrose wore a silver brocade dress of black net.

Those in charge of the Victory ball were: General convenor—Mrs. George K. MacLeod, regent of the chapter.

Bridge—Mrs. Corlind Robinson, Mrs. J. Lee Daye, Mrs. Christie, Mrs. Andrew.

Supper—Mrs. Busby and Mrs. H. B. Robinson, convenors, assisted by Mrs. James Jack, Mrs. Ward Hason, Mrs. J. B. Cadby, Mrs. J. Morris Robinson, Mrs. D. P. Chisholm, Mrs. F. B. Schofield, Mrs. Ernest Harbour, Mrs. Sherwood Skinner, Mrs. Gordon, Miss Ada Bayard.

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CLOSING DAY OF CONFERENCE

Last Session of N. B. Institute of Y. M. C. A. Works Yesterday Afternoon—Address Given and Luncheon Served

The second day's session of the N. B. Institute of Y. M. C. A. Workers opened yesterday morning with devotional exercises by Rev. R. P. McKim, of St. Luke's church, who talked on the qualifications of Christian workers, taking for his text various passages from the First Acts.

Louis A. Buckley then spoke on the Canadian Standard Efficiency Test program, speaking of the four-fold development of the work and the association's duty in co-operation with the churches, stating that the entire program was based on the personality of Jesus Christ.

A. A. Campbell spoke on the returned soldier problem, and told of ways and means the Y. M. C. A. is using to greet and meet the returning man, and of the service that is being given by the "Y" on transports and at the various places of landing and disembarkation.

The conference adjourned at noon and at 12:10 the members were the guests of the High "Y" Club at lunch in the association building.

The luncheon was served by Mrs. Ralph Fowler, Miss Florence Dick, Miss Winnifred Smith and Miss Olive Flewelling.

Afternoon Session. The conference reassembled at two o'clock with devotional exercises led by A. S. McAllister.

Most of the afternoon was taken up with a discussion on town and country work by E. J. Arnot, who told of the plan of using the county as a unit with the organization of a non-equipment programme.

The closing address was by Louis Buckley, who told of the C. S. E. T. program in action, following which the conference was officially closed by Major Fred J. Smith.

The delegates who attended this year's conference were: Halifax—A. S. McAllister, L. A. Buckley, E. J. Arnot, A. A. Campbell, Fredericton—J. A. MacDonald, Wolfville—E. J. Woodworth, Toronto—Major Fred J. Smith.

WITH THE ARMY OF OCCUPATION

Mrs. E. W. Chase Receives Letters from Her Son Charles in Germany—Young Soldier is Sending Home an Iron Cross.

Mrs. E. W. Chase has received a couple of very interesting letters from her son Charles, who bravely marched with the army of occupation into Germany. Writing from Bonn, Germany, on December 26th, he says, in part:

"I am back with the Y. M. C. A. again, running a cinema. I have been billeted in this house two days, and the German people are very good. At the present time the daughter is playing the piano, and it is very pretty music. We are beginning to get winter weather, and we all feel the cold, it set in so quickly. I had a very good Christmas dinner, consisting of baked goose, vegetables, pudding with sauce and fruit. For supper had cold boiled ham, so you see I didn't do too bad."

"I remain your loving son," "CHARLES."

In a second letter, written in Westphalen, dated December 29th, 1918, the young soldier says, in part: "We are stationed in the Rhine and no word of going home, yet it will soon be coming by the news we read in the papers. We had a merry Christmas under the circumstances, and hope that I will be home to enjoy my next Christmas with my loved ones."

CHARLES. In a letter dated Westphalen, Jan. 5th, 1919, Pte. Chase says: "I mailed two German helmets to you yesterday and hope that they will arrive safe, and I may be sending another one in a day or so, so you can be on the lookout for them. I am trying to get an Iron Cross, and hope to get a few more souvenirs. I sent you a belt with a lot of badges on it, and tomorrow will send you another helmet and an Iron Cross."

"I will close now with love to all," "CHARLES."

Jones Gets Decision. Sydney, N.S., Jan. 28.—Harry Jones, of Halifax, got a decision over Joseph Guthrie, of Glace Bay, in the third round tonight. The bout took place at Burns' Gymnasium, Glace Bay, and was scheduled to go twelve rounds. Joe Urvanni was the referee. It is conceded by the spectators that Jones out-classed his opponent.

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LETTER RECEIVED FROM WATERLOO

Lieut. A. W. Thorne Writes Interestingly of Place Where Famous Battle Was Fought — Tells of Visit to Brussels.

The following interesting letter was received yesterday from Lieut. A. W. Thorne who is at present in France with the 5th C. M. R.:

Waterloo, Jan. 7, 1919. We are moving supposedly towards home. We have been on the tramp for quite a time now but I have hopes that they will not attempt to march us across the Atlantic on a stone floor and if you want to know what that is like take a couple of blankets and sleep on the ice of Lily Lake. Toilets, incidentally, I trust it does not mean much to you but it is a "let." It looks something like a bed but lacks many essentials. Still there is lots of bed in the tick and I have the aforementioned two army blankets. The room I occupy is what is commonly known as a sky-parlor, a little roof and lots of sky. I trust it does not rain while I am here. It is cold enough now but I expect it will be tris troid by morning. A good old Canadian bed in a warm house would appeal to me much the same as Heaven does to those who are leading the straight life.

War has its hardships and so does marching and billeting. One thing we are always getting nearer home. We have no definite information yet as to how or when we will be demobilized, but I expect we will go to Sherbrooke and be broken up there. They cannot quicken the process any too much to suit us. It is expected that our division will be the first from France to reach Canada.

While in London I visited Brussels. You know the place where they said "On with the dance, let joy be unconfined." It is still running on the same old lines. As far as I could see the war was fairly expensive. A room in a hotel only cost 13 francs, or about \$2.50. Breakfast only \$2. A lunch of restaurant cost anywhere from \$2 to \$20. They have lots of everything. I saw fairly good civilian shoes for 300 francs. The story can be told in a long letter. My fingers are about like icicles now so I'll have to stop. Yours etc., SANDY.

ANNIVERSARY WAS OBSERVED. The second anniversary of the Young Men's Catholic Institute was fittingly observed yesterday in the association building, Cliff St.

Following the regular activities a most interesting entertainment was held in the evening with a program complete in every respect.

After the overture by the Y.M.C.I. orchestra the social was officially opened with a speech by Joseph Harrington, chairman vice Judge McInerney, who was unavoidably detained in winter during the evening.

Henry Regan, representing the Knights of Columbus, who spoke of that organization's war activities; Lieut. "Burr" Tibbels, who had a particular message for the young men, P. J. Hogan, of Montreal, who spoke of the boy problem; John Stanton, who represented the Ancient Order of Hibernians; Thomas McCarthy of the Catholic Mutual Benefit Association; Ernest Harrington, of the St. Peter's Young Men's Association, and Father William Duke.

Father Duke took pleasure in congratulating the Y.M.C.I. officers and members on the work that had been accomplished during the past year, and was glad of the good opinion of the Institute held in the city generally.

He spoke of the excellent impetus given to bowling in St. John in former days by Archie Walsh, and by George Macree, and after touching on the present activities of the Institute and advising the members to help the Knights of Columbus in their work for the returned soldiers, spoke of the opportunities in Canada today for young men, and the necessity for self-improvement through such facilities as are provided by the Y. M. C. I.

The musical numbers of the program included a vocal solo by Gerald O'Neill, a solo by Arthur Bruns, selections by the Y. M. C. I. orchestra, a solo (encored) by Fred Joyce, a violin solo by Arthur Bowes, and a reading "The Life Boat" (encored) by Owen Call.

During the evening a telegram was read from Rev. J. P. Mulcahy of St. Mary's Cathedral, Halifax, who sent best wishes and expressed regret upon being unable to be present.

The big feature of the anniversary, however, with the young men at least, was the match game between Archie Walsh of Boston, a former St. John boy, now champion professional Canadian pin bowler of America, and Harry Sullivan and Thomas Cosgrove, representing Black's Alloys, and the Y. M. C. I. respectively.

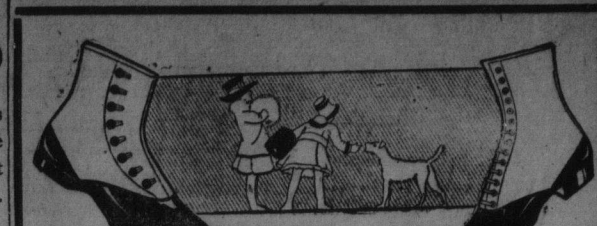
Walsh has a beautiful style, and develops the scientific side of the game to the utmost, developing breaks and moving down the pins with wonderful speed and precision. His best records are single string, 156, three string, 414, and ten-string, 1240.

Last night he rolled three strikes in succession, and in another string ran up four spares. He made a 19 out of one strike and from the four spares developed three 15s and one 16.

The results of the match are as follows: Walsh 110 90 104 131 97—532 Sullivan 89 81 107 90 107—489 Majority for Walsh—52 pins.

Walsh 128 109 101 112 70—556 Cosgrove 87 90 81 93 82—433 Majority for Walsh—123 pins.

Walsh was made out for Fredericton, where he will give a bowling exhibition, leaving there for Cambridge, where he is slated for a match game on Tuesday next. From there he goes to Portland, Maine, to roll a 10-string game on a side bet of \$200.00.



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