

## CHIGNECTO POST AND BORDER.

SACKVILLE, N. B., DEC. 24, 1885.

## THE PRIVY COUNCIL JUDGMENT.

The Privy Council have decided that the Dominion License Act is unconstitutional. To those who identify authority with truth Sir John Macdonald's opinion as a constitutional lawyer is somewhat shaken. To many of the ablest lawyers of Canada, however, authority will not be taken for truth, and while they must bow to the decision as they would bow to a statute, they look upon the judgment of the final court of appeal for Canada as another case in which law is not the perfection of reason.

Our constitutional law is particularly uncertain. The same subject matter often falls into the Federal or Provincial legislative jurisdiction, according to the standpoint of the judicial onlooker. No cast iron rules of construction can be applied to the British North America Act. While some matters are clear and easy of fixing as to jurisdiction, the great bulk of the difficult questions arising under the Act must be decided by a process of compromise. The work of the Privy Council is really not so much judicial as it is legislative. And just as legislative acts will give rise to difference of opinion as to the policy of the act, so the judgments of the Privy Council will in many, if not the most of cases, fail to give universal satisfaction, as to the *rationes decidendi*. The Privy Council have heretofore had a clear field, untrammelled by precedent, and have charmed the threads of their judgments with their logical arrangement and precise diction. Their judgments, however, are now quite numerous, and the time has come when they must be given a more moderate and their former decisions. As work of art these judgments have been in striking contrast to the judgments of our own courts. It now remains to be seen whether or not their oracular deliverances are more rooted in reason than the methodically and rhetorically erudite judgments of our own judges.

In this particular case the Privy Council have come in conflict with their former decisions. The Scott Act despite the sentiments of temperance advocates and declaration of party orators, is a license act. Not a license act in the light of a revenue law, it is true, but, nevertheless, a license act, authorizing wholesale and vendors' licenses. The Dominion License Act is a license act, but equally true not a license act in the light of a revenue law—an act like the Scott for restricting, and for moral and temperance purposes, controlling the liquor traffic—an act that made provision for even greater restriction, yet even the total prohibition of the liquor traffic. The Supreme Court of Canada recognized the hearing of the judgment of the Privy Council in the Scott Act case and saw its inconsistency with what they thought was the better for their reputation that they did not. For ourselves, we are somewhat anxious to know the reasons which led them to decide that the Parliament of Canada in the Scott Act can authorize the sale of liquor in quantities not less than ten gallons and cannot authorize in the License Act its sale in quantities not less than two gallons, when both Acts have the same object in view of ensuring good government.

If the present decision stands unreversed by a future judgment of the Privy Council, temperance people may tremble for the fate of the Scott Act if it again comes before the high court of appeal.

The election in Kings takes place next Thursday. The grounds of opposition to Prof. Foster have narrowed down to two: first, he has betrayed his temperance principles; second, he has "no stake" in the country. It has been a study on the part of Prof. Foster's opponents for some time past to entrap him into a false position in the temperance cause. That he is a true temperance man to him, no well-informed man can doubt. It is true, he is not a man for a' that; however, a disqualification? Are men because they are poor to be delarded from positions of public honor and trust? Joe Howe was a poor man—was he any the less beloved and trusted by his countrymen? Alexander Macdonald and John A. Macdonald are poor men; are they the less held in honor? Why should the man without wealth be deprived of promotion? Is there not brains, independence and honesty amongst the great mass of the people, who are not rich? Is not a man a man for a' that? It is a shameful, deluding, shocking doctrine to preach that a public man should be ostracized because he is poor. The so-called Liberal papers, who condescend to use such weapons to defeat Prof. Foster, do themselves infinite discredit.

The good dozen of the *Transcript* has ceased purveying information on the Cape Railway Terminus. So far, so good, but genuine piety would lead him to go further and express sorrow and contrition for his misleading and deceptive utterances.

John Magee and his wife were arrested in London last Friday on a charge of attempting to extort money from the Prince of Wales by writing threatening letters. The affair has caused a sensation.

M. Pasteur has now 78 patients under treatment by inoculation for hydrophobia.

Mr. Colby, M. P. for Stanstead, Quebec, one of the ablest members of Parliament, has been in Fredericton recently and states that in his opinion the Reorganization has about blown itself out, and that the Government will not materially weaken itself by it. From many other directions congratulatory evidence comes to the same tenor.

Mr. Blake arrived at Toronto on Tuesday from England.

## CAPE TORMENTINE.

This locality has suddenly found itself to occupy an important place in the public eye. Heretofore it has been known in the prose and verse of travellers; in newspaper discussions, the origin of as much romance as solid fact; and in the debates in Parliament, more than once creating there as much of a storm of wind and froth, as beats in wrath about its base. Now it is plunging forward in a new role. Everybody wants to build a Railway to this important place. The Sackville people, early one morning while Amherst was asleep, took the start and commenced a Railway. Then the Islanders put forth their strength and got one built on the other side to connect with it. This was all insufficient to meet the aspirations and hopes of this famed locality, and Senator Howland launched forth his scheme of a sub-way, so that people could go back and forth between the Cape and the Island dry shod, and trains meander through with loads of merchandise. This scheme seemed for the moment to be large enough to satisfy the highest vaults of ambition—but only for a moment. Next came a scheme to connect this great entrepot with Shediac, a survey was made, and a line evidently prepared by Nature herself was fortunately discovered. But even this does not suffice, for now we read in the *Canada Gazette* that Amherst proposes "to construct, equip and operate a railway from Intercolonial at or near Amherst to Cape Tormentine, and operate steam and other vessels in connection therewith." The Pacific Syndicate has not yet been heard from, but when it is, we have no doubt that happy spot will be selected as the Atlantic terminus of the Pacific Railway. In the meantime Cape Tormentine continues to be Cape Tormentine still, and to preserve its virgin reputation as the last strictly Scott Act stopping place on the route to the "tight little Island."

## THE SHORT LINE.

Halifax has been doing a good deal of scolding and shouting about ShortLine, resulting from the fact that neither Ontario or Quebec appeared to understand the consequence of Halifax, and the national importance of making her a ready way of making their own future, opening their own markets and channels of trade without Government aid, Halifax considers herself a sort of a doer, entitled to draw her living from the energies of other places. To satisfy her clamors, the people have been taxed to build a grain elevator, and in the absence of everybody willing to provide ships for it, the Government is charged with the duty of providing what they thought was the better for their reputation that they did not. For ourselves, we are somewhat anxious to know the reasons which led them to decide that the Parliament of Canada in the Scott Act can authorize the sale of liquor in quantities not less than ten gallons and cannot authorize in the License Act its sale in quantities not less than two gallons, when both Acts have the same object in view of ensuring good government.

Mr. Leckie, manager of the Canadian Coal and Railway Company, writes to the *Chronicle*, on 22nd, a vigorous letter criticizing the report of the Mayor and City Engineer on ShortLine, stating what has been done by the Dominion Government, by Quebec men, and by towns and municipalities west to secure a ShortLine, and asking how many dollars has Halifax contributed to the same object?

How, Thomas White in a speech a few days ago at West York, referred at length to the grievances of the Metis. One of them was that the "poor half-breeds were maddened by a long delay in receiving their crops." In answer to this Mr. White showed that only 23 persons engaged in Rice's uprising claimed to be entitled to relief, and that everyone of these had sworn that he was forced by Rice to take arms. Mr. White also stated that the Metis, it is the Government went out to England as servants among the Metis who did not know how to speak French, and who were not cordially unable to explain to the result being as alleged, that the Metis got alarmed and thought their lands were being taken from them. In answer to this Mr. White showed that no less than 80 per cent of the surveyors employed in surveying lands on which the Metis resided were French Canadians, and that the other 20 per cent were accompanied by assistants who spoke the French language.

The Stock Farm. The tax-payers are called upon this year to pay \$1,500, the deficit in the Stock Farm. This sum would have been saved if the Government had allowed the business to be managed by private enterprise. Messrs. Fawcett of this place offered to keep the stock, give the public the same benefits as now and pay all bills. The same offer was afterwards made by W. F. George and others, we believe. While the crops throughout the Province were exceedingly fine, the Stock Farm crops were a partial failure, buckwheat was injured by early frost, and the hogs and rust together took possession of the potatoes. A Government company composed chiefly of lawyers knows all about farming.

Petered Out. Mr. Colby, M. P. for Stanstead, Quebec, one of the ablest members of Parliament, has been in Fredericton recently and states that in his opinion the Reorganization has about blown itself out, and that the Government will not materially weaken itself by it. From many other directions congratulatory evidence comes to the same tenor.

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The Secret of Success. The reason why Hagar's Yellow Oil is so popular with the people as a household remedy for pain, is in the fact that while many liniments only relieve, Yellow Oil both relieves and cures Rheumatism and all aches, pains, soreness and lameness.

For Dyspepsia, Debility, Loss of Appetite, and Liver Troubles, use Hagar's Quinine and Iron Tonic. There is no preparation, old or new, that will so completely eradicate all impurities from the system. It makes Pure Rich Blood.

## Mount Allison.

Pursuant to notice published last week, the combined closing exercises of the Mount Allison Institutions were held in Lingley Hall on Tuesday evening. After devotional exercises, President Hinch expressed his pleasure at the interest manifested in the institutions as shown in the large audience present. The following programme was then effectively and successfully rendered:—

- Devotional exercises.
- Music: Organ solo. *Patience*.—Miss Burwash.
- Declamation by students of Male Academy.
- Latin version of Rock of Ages. *Gladius*.—Heber Keith.
- Oratorical: Ephraim Chapman.
- Thannatopsis.—John Phalen.
- Music: The Radiant Morn. *Woodward*.

- Recitations, Dialogues and original Essays by students of Ladies' Academy and College.
- The Freeman (selected).—Miss Alice Lawrence.
- Extract from Merchant of Venice.—Messrs. Allen, Dawson and Smith.
- Memoir: Tarncliffe, for Ben. P. Ruff.—Misses Crockett and Brown.
- Mystery (original essay).—Miss Agnes Dunn.
- Les Femmes Savantes (French Dialogue).—Misses Calhoun and Weldon.
- Memoir: Black, Blake, Robinson, Lewis and Black.
- Music: Vocal Duets. "Breezes of Night."—Miss Laura White and Mr. R. C. L. Harris.
- Cabinet Government (original).—C. H. O'Leary.
- The Closing Year (selected).—Miss Annie Mosher.
- Music: Overture, *Ray*.—Misses Mabel White, Huestis, Tweedie and Siles.
- Moral Courage (original).—Miss Ada Howard.
- The Norman Conquest (original).—R. J. Wright.
- Report on "Holy Spirit Come!"—Mortin.
- Music: "The Queen and Benediction." The reports made by Mr. Davis, Rev. Mr. Borden and President Inch, show that the Institutions are in a prosperous condition. The number of pupils attending the Male Academy sixty; at the Ladies' Academy there were eighty-four students, of whom forty-eight were boarders, while the number attending classes and lectures at the college was sixty-five; fifteen from the Ladies' Academy, and five from the Male Academy. Good work had been done during the term in all the departments, and the health and deportment of the pupils had been excellent. "Judging by the reports, and by the literary and musical exercises, the Institutions are to be congratulated upon a very successful term."

Out of Employment. Within a few days, the Joggins and Minidoc Coal Mines have closed down. By this, over 100 hands have been thrown out of employment. There must result a good deal of distress this winter, and a good many applications for help will be made during the term in all the departments, and the health and deportment of the pupils had been excellent. "Judging by the reports, and by the literary and musical exercises, the Institutions are to be congratulated upon a very successful term."

Ship Railways. The advantage of ship railways over canal, in cost of construction, cost of operating and in rapidity of transit is becoming every day more widely appreciated. The latest convert to the principle is the President of the United States, who in his last message to Congress commends himself unreservedly to the Transatlantic scheme.

Capt. Edin's Transatlantic ship railway scheme has received a great impetus from the recent action of the Mexican Congress in enlarging the concession to the railway, and guaranteeing it \$1,250,000 a year for fifty years, on condition that some other country guarantees twice as much for the same period.

The Licensing Question. The case was heard by six judges and the Lord Chancellor. So strong were the arguments on both sides that the six judges were equally divided on the subject. Three were of the opinion that the restriction rested with the Dominion and three entertained the belief that it belonged to the Provinces. The Lord Chancellor, upon whom under the circumstances rested the responsibility of deciding what may be termed the existing vote, decided against the Dominion Act, his warrant for so doing being, it is understood, the decision, favorable to the provinces, rendered by the Supreme Court of Canada.

Trade Notes. Hillsboro Plaster mills have closed for the season. The small fishing at Newcastle and Chatham seems to be over.

Monoclon farmers propose getting musel mud from Shediac by train.

J. C. Ayer & Co., of Lowell, Mass., have been invited to contribute \$100,000 to the Canadian Customs for "irregularities."

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## The Butoche Mystery.

The Fate of Perry Still Undetermined—When and Where last Seen Alive.

The speculations and surmises which have occupied the public since the singular disappearance of Nenas Perry from the house of Anthony White, near Butoche river, appear to increase as time rolls on, and apprehensions of another McCarthy tragedy having been excited are freely discussed.

The circumstances, as related in the *Moncton Times*, are, certainly, to say the least, strange, and cannot at present be accounted for on any reasonable hypothesis.

Nenas Perry, a Canadian Frenchman, the missing man, came to the Dyrart House, in Cocagne, on Saturday morning, remained there until Sunday afternoon, when he left and went to Anthony White's, about two miles from Butoche bridge, where he remained until the 28th November. Perry it appears had money with him; Pascal Hebert saw him with four \$50 notes, besides other money, in Shediac; he saw one \$50 note, besides other notes. Anthony White borrowed \$5 from Perry to pay Woods for some hay. The date of this transaction does not appear, but after Perry disappeared White obtained a capias against Perry for \$6, which he swore Perry owed him. On the evening of night of Perry's disappearance (Friday) Damien Cormea came to White's to get him to drive Cormea to Damien Burk's, eight miles distant, where a horse was for sale. Cormea remained at White's till about 9 p.m., they drinking together. Then Cormea went off to a neighbor's (whose name is not given), where he remained until after midnight. Cormea roused up White, who had previously gone to bed, and they stayed about the house until about 3 a.m., when they left for Damien Burk's. Whether they had continued drinking does not appear, but before they left the house they went up stairs into Perry's bedroom; having left White's about 3 a.m., they stopped at Theophiles Bushway's and Jude Porri's and drank at both places, reaching Burk's about 8 o'clock, being 5 hours in travelling the distance. They offered Burk \$8 for the horse, which was refused, and they returned without having made a purchase. White subsequently sold the horse to another party for \$80. On their return to White's, Mr. White reported that when he got up in the morning Perry was gone. Peter Newlan says that on that morning, between 2 or 3 o'clock in the morning, he heard a noise like a quarrel in some of the neighbors houses and a short time after, about 2 a.m., he heard a wagon on the road, and saw men in it. This road is not on the direct road to Burk's. The row which Newlan mentioned was in a house kept by Joseph Elliott. Cormea was there; White says he, himself, was in bed, but Frank Hebert, who is a neighbor, is not on the direct road to Burk's. The circumstance should be cleared up. Mrs. White says that for two days previous to Perry's disappearance, he was in bed sick but he ate heartily and she thought he was preparing to go. When he refused to leave a neighbor's house, as he expected, he said, to go to the Doctor for Perry, who was very ill. Mrs. White says that Perry left behind an old musket, a rubber coat, a black frock coat, a tin containing some butter, and a tin of lard, and a truss found in the mattress of Perry's bed. Altogether, the matter has a very mysterious, if not tragic, character. Following the disappearance of Perry, the midnight wagon, the singular coincidence of White's wagon being at Osborne's the night of McCarthy's murder, the five or six hours taken in the dead hours of the night to drive eight miles, to Burk's, when Newlan heard a quarrel, and the fact that the truss being found under the feather bed, the discrepancy in the statements and uncertainty about the hours all go to show that some thorough investigation should be instituted. The search should be directed exhaustively to discover Perry alive, and if dead, his body. White and Cormea, above all persons, being the persons who last saw Perry alive, should be most anxious to have the matter solved, and thus being freed of the suspicions which the circumstances have thrown around them. We know not the men, their antecedents or characters, except so far as may be imagined from their drinking continually during the night, and occupying five or six hours in driving eight miles.

Personal. Sir John Macdonald was granted the freedom of the Turners' Company in London, in acknowledgment of his services.

The Pope is suffering from a severe attack of insomnia, brought on by overwork and anxiety, and is said to be in an alarming condition.

The condition of Mr. Spurgeon's health continues to excite great alarm among his friends. He has again been to the South of France for the winter.

His Lordship the Metropolitan celebrated his eighty-first birthday last Saturday. Bishop Medley is still vigorous in mind and body, and is assiduous in the discharge of his ecclesiastical duties.

Scott's Emulsion of Pure Cod Liver Oil, with Hypophosphites. In General Debility and Emaciation. Is a most valuable food and medicine when the system is poor, and the ordinary food does not seem to nourish the body. This is easily digested and assimilated and gives strength and vigor to the enfeebled body.

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## New Advertisements.

## TEA. TEA.

From London, ex S. S. "British Queen".  
45 chests Choice Tea,  
20 Caddys, 20 lbs. each,  
Very choice. For sale at bottom rates.  
dec23 J. L. BLACK.

## Special Values

WE OFFER  
3 doz. Ladies' Cloth  
Jackets & Ulsters  
—AT—  
Two-Thirds Ordinary Value.  
PLEASE EXAMINE THEM.  
dec9 J. L. BLACK.

## Ladies' Trimmed Hats.

2 doz. Just Received.  
Latest Designs.  
dec9 J. L. BLACK.

## Xmas Gifts

## GOODS

WE OFFER IN  
Extensive Variety.  
Fresh! Choice! Cheap!  
—AND—  
Hundreds of Them  
—AT—  
J. L. BLACK'S.

## WANTED.

Butter and Pork  
IN EXCHANGE FOR  
GOODS.  
—ALSO—  
60 doz. Pairs Good Domestic Made  
MITTS.  
nov25 J. L. BLACK.

## LARD.

New and Fresh, in Small Tubs,  
Especially prepared for culinary purposes.  
nov25 J. L. BLACK.

## FLOUR, MEAL, &amp;c.

Always a Full Stock.  
Full Patent Flour, also lower  
grades;  
Oatmeal, Corn Meal, Buckwheat  
Meal;  
Pot Barley, Rice, Tapioca, Sago,  
Beans, &c., at  
nov25 J. L. BLACK'S.

## Sole Leather.

25 SIDES,  
For sale by  
nov25 J. L. BLACK.

## 50 CASKS

Best Kerosene Oil.  
U. S. REFINERY.  
BOTTOM PRICES.  
nov25 J. L. BLACK.

## FISH. FISH.

30 half barrels Labrador Herring,  
Very choice.  
5 half barrels Shad.  
Hard, Dry Codfish.  
Q.T.L.S. POLLOCK.  
nov25 J. L. BLACK.

## Iron &amp; Shoe Steel, &amp;c.

15 TONS LONDONDEIRY IRON,  
a full assortment of sizes;  
4 Tons SHOE IRON, all sizes used  
from 1 inch to 3 inches wide;  
1 Ton HORSE SHOE CAULK STEEL;  
1 Ton SHORT LINK CHAIN;  
Assorted and Oiled No. 14 WIRE, for  
baling hay.  
ALL AT BOTTOM PRICES.  
nov25 J. L. BLACK.

## Horse Shoes &amp; Nails.

40 KEGS HORSE SHOES, Philadel-  
phia and Snow Shoe shape;  
40 Boxes HORSE NAILS.  
nov25 J. L. BLACK.

## Tobacco.

RECEIVED THIS DAY:  
32 CADDIES "BLACK HAWK";  
6 Boxes "CHALLENGER";  
5 "HAWATHA" (Smoking);  
8 Cads "BIRD'S EYE";  
5 "GOLD COIN";  
15 "LITTLE SERGEANT".  
70 Pkgs.  
nov18 J. L. BLACK.

## RAISINS.

50 BOXES NEW FRUIT "VAL-  
LENCIA";  
25 Boxes "SULTANA";  
20 Boxes "LAYERS";  
Also Half and Quarter Boxes, price  
beginning at 6c. per lb., at  
nov18 J. L. BLACK'S.

## New Advertisements.

## FOUND.

ON the shore at Upper Rockport, a  
small Flock of GEISE. The owner  
can have them by proving property and  
paying expenses.  
JOHN G. READ.

## Hair Switches.

LADIES wishing to have their own hair  
made up into Switches in superior  
style will do well to call on  
MISS ANNA MAIN,  
Upper Cape, Botsford. dec23

## Special Values

WE OFFER  
3 doz. Ladies' Cloth  
Jackets & Ulsters  
—AT—  
Two-Thirds Ordinary Value.  
PLEASE EXAMINE THEM.  
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20 Boxes "LAYERS";  
Also Half and Quarter Boxes, price  
beginning at 6c. per lb., at  
nov18 J. L. BLACK'S.

## New Advertisements.

## A GRAND

## ENTERTAINMENT

WILL BE HELD AT  
Temperance Hall, Baie Verte,  
—ON—  
Friday Evening, 1st January.  
Doors open at 7 o'clock. Performance  
begins at 8.  
Admission, 25c; children under 12  
years, 15c.  
Proceeds for Sidewalk extension.  
By ORDER OF THE COMMITTEE.  
Baie Verte, Dec. 22, 1885.

## Christmas Greeting.

THOMAS J. HORSLER  
IS STILL LEADING IN  
Stylish Overcoats, Suits, &c.,  
Good work and materials.  
THOMAS J. HORSLER,  
Merchant Tailor,  
Opposite Brunswick House,  
Sackville, Dec. 24th, 1885.

## BARGAINS!

## BARGAINS!

Call and see our Xmas Cards & Xmas Caps

## Overcoats,

## Ulsters &amp;

## Reefers.

Our stock is too Large.  
WE WILL SELL  
AS WE ARE  
BOUND TO CLEAR.  
Dunlap, McDonald & Co.  
Amherst, N. S., Dec. 23, 1885.

## Tenders for School House.

SEALED TENDERS for the Building  
of a Graded School House, also  
separate tenders for a Stone Foundation  
for same, will be received by the Trustees  
of School District No. 1, in the Parish of  
Westmorland, until noon on SATUR-  
DAY, THE 30th JANUARY, 1886.  
Plans and specifications can be seen at  
the office of C. H. Goodwin, Esq., Port  
Elgin.

## In the Supreme Court.

UPON reading the Summons granted  
by me in this matter on the twelfth  
day of October last past, returnable on  
the seventeenth day of October last past,  
and ordering Robert T. Allen and Ritchie  
Allen, their Attorneys or Agent, to show  
cause why the execution issued out of the  
Supreme Court against the said Charles  
W. Oulton and William H. Oulton directing  
the Sheriff to levy of the goods and  
chattels, lands and tenements in his bail-  
wick the sum of three hundred and thirty-  
five dollars and seventy cents besides  
Sheriff's poundage and other expenses be  
not set aside and why the order of Mr.  
Justice Palmer mentioned in said execu-  
tion be not set aside with costs, and  
upon reading the affidavits of Christopher  
Miller, Esquire, and Charles Wesley  
Oulton and on hearing Mr. Chandler, for  
said Charles W. Oulton and William H.  
Oulton, and Mr. Wells, for said Robert  
T. Allen and Ritchie Allen, and having  
taken time to consider I do order that the  
said Summons be dismissed without costs.  
Dated this twenty-first day of December,  
A. D. 1885.  
(Sgd) A. L. PALMER, J. S. C.

## LOOK AT THIS!

Prices Way Down  
—AT—  
T. H. Griffin's.  
An Immense Stock  
—OF—  
NEW GOODS  
JUST OPENING.  
—FOR—  
Everything Nice  
—IN—  
Watches, Jewellery, and  
Silverware.  
Fine Watch and Jewellery Repairing  
by skilled workmen a Specialty.  
T. H. GRIFFIN,  
AMHERST, N. S.

## THREE NINETY-FIVE.

Fifty barrels Flour, for Feed,  
—AT—  
Three Dollars and Ninety-Five  
Cents per Barrel,  
—AT