

THE HERALD

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Bye-Elections On.

The PATRIOT of yesterday states that the writs for the bye-elections for Charlottetown and the second district of King's County have been issued. Nominations will be held on March 9th, and polling on the 16th. That leaves exactly three weeks from today till election day; not a very long time indeed. How is it that the Cardigan district is omitted? One seat in the Cardigan district has been vacant since the death of Mr. James E. McDonald, five months ago, still the Government does not open the constituency along with the others; but opens Charlottetown which has not been vacant five days. Why this discrimination? The PATRIOT commends the promptitude of the Government in bringing on the election in Charlottetown so soon after the seat became vacant. No doubt it will equally commend the Government for leaving the St. Peter's district closed for eight months after the vacancy occurred and for refusing to open Cardigan, although a vacancy existed there for five months. With this Government everything must bow to political exigency. Why have the Government failed to give the people an account of the public business for the year 1903 before calling on these bye-elections? One of the first acts passed by the Provincial Liberal Government after coming to power in 1897 was that authorizing the publication of the public accounts for each year immediately after the close of that year; yet here we are two months after the close of the year and no public accounts are published. In the face of this, the Government have the effrontery to ask the people to vote for them in two bye-elections without any knowledge as to the manner in which the business of the Province was conducted during the year 1903. It is quite probable that \$50,000 were added to the Provincial debt last year; but the Government insult the intelligence of the electors by asking for support without giving account of their stewardship. If the public accounts made a good showing we may depend they would be published; but otherwise the people must be kept in the dark. The Government have violated all their promises; they have rolled up the Provincial debt to about \$700,000; they have collected about half a million of dollars from the people in taxes for which they have given little or nothing in return; members of the Executive and supporters of the Government in the Legislature have flagrantly violated the laws of the land and have been found guilty by the courts; the Government insult the intelligence of the electorate by asking for support without giving an account of how they have conducted the people's business. Are the people willing to continue supporting a Government so deeply steeped in political iniquity?

Lane Versus Whear.

JUDGMENT AGAINST DEFENDANT ON EVERY POINT.

In the enumeration of cases in which judgment was given by the full bench of the Supreme Court on Saturday last and published in another column of this day's Herald, our readers will observe that in the case of Lane versus Whear, the unanimous decision of all the judges was against Mr. Whear, on all points. He forfeited his seat in the Legislature and incurred the full penalty of the law. Our readers are already fully acquainted with the particulars of this case. They will remember how the Opposition in the Legislature were unable to extract from the Government any information regarding an expenditure of money in connection with the Supreme Court, amounting to about \$3,000. Although the required information could not be obtained, the discussion of the matter developed a very strong suspicion that the money had been received by Mr. Whear and other legal gentlemen, occupying seats in the Legislature, in contravention of the Independence of Parliament Act. Having failed to gain the required information in the House, the opposition announced their intention of appealing to the court. In anticipation of an action at law

Mr. Whear had the suit in question instituted against himself, through the instrumentality of his friend Mr. Lane. The declaration set forth that "the defendant is indebted to the plaintiff in the sum of eight thousand dollars, being the penalty sought to be recovered in this action for that the defendant being a member of the Legislative Assembly of the province of Prince Edward Island did enter into a contract or agreement with a department of the Public Service of the said province under which public money of the province was paid to the defendant for professional services as a counsel engaged by or on behalf of the Attorney General in connection with certain Crown business before the Supreme Court of said province, and after receipt or payment of said counsel fees or moneys whereby he became disqualified to sit or vote and while under such disqualification did sit and vote as a member of the Legislative Assembly, contrary to the provisions of the General Assembly of said province."

As stated above these proceedings were instituted by Mr. Whear against himself, to save himself if possible from the evident disastrous results of any suit that might be entered against him by the Opposition. The declaration supplied the information required by the Opposition. But Mr. Whear defendant demurred against Mr. Whear plaintiff and the case was argued at great length before the judges, Mr. F. L. Hazard K. C., appeared for Whear plaintiff, alias Lane, and Attorney-General Peters for Whear defendant. Several objections were raised by the attorney-general to show that the defendant had not incurred the penalty by sitting and voting after the termination of the contract. The Chief Justice, and his associate Judges brush aside all these objections and deliver judgment against Whear defendant, as elsewhere set forth, on all the points, and declare that he has forfeited his seat in the Legislature and incurred the full penalty of the law. Fortunately for Mr. Whear defendant, the penalty will not be exacted by Mr. Whear plaintiff; and in forfeiting his seat in the Legislature he steps into the nice fat office of Postmaster of this Province with a salary of \$2,200 a year. It is not often that one so severely condemned by the courts escapes the penalty in such a satisfactory manner!

The offence proved against Mr. Whear and in which the judges have given their decision is a most serious infraction of the law of the land involving a very heavy penalty. Mr. Whear foresaw that to him the consequences would be ruinous in case of conviction and in order to avoid such disastrous results forestalled the Opposition by bringing the action against himself. Perhaps he thought that by this means he could succeed in preventing the argument before the court. Whatever he may have conjectured in this connection, the case has been threshed out and the judgment given proves the correctness of the contentions of the Opposition and establishes the guilt of Mr. Whear. Had the road to a comfortable and high salary office not opened to him the forfeiture of his seat in the Legislature would be rather awkward for him; but he would never be pushed for the penalty, as he was, both plaintiff and defendant in the case. By the time the judgment was given, however, he was, through the instrumentality of his friends at Ottawa, independent of the Legislature and could snap his fingers at the judgment of the court; as he had been appointed Postmaster with a good fat salary. This is all very well so far as Mr. Whear is concerned; but where is the Leader of the Government and other members of the Executive in the matter? The Leader of the Government who is also Attorney-General of the Province, is bound to see that the laws of the Province are not violated with impunity. He is sworn to do this; so are the other members of the Government. But in this case, the Leader of the Government and the other members of the Executive, as well as their followers in the Legislature were a unit in concealing from the public the information demanded by the opposition, regarding the expenditure of some \$3,000 of public money in connection with the department of justice. The judgment delivered by the judges of the Supreme Court, in the case under review upholds the contention of the Opposition, lays bare the hypocrisy of the Government in the matter and proves the guilt of those charged. No only did the Government conceal the evidence of guilt and abet the

criminals in the Legislature, but the Attorney-General goes into court and undertakes to defend the guilty ones. What do the people think of a Government that not only fail to uphold the laws of the land, but conceal the evidence of wrong-doing and whose Attorney-General goes to court and endeavors to prevent condign punishment from overtaking the criminals? Do the electorate of this Province consider such a Government any longer deserving of their confidence?

Our Ottawa Letter.

MR. BRODEUR BELIEVES IN PROTECTION.

Hon. L. P. Brodeur the newly elected Minister of inland Revenue, is duly qualified to enter the ranks of the Conservative party. It is true he has always been a pronounced free trader, but like most of his colleagues his views are modified to suit his political surroundings. Mr. Brodeur represents a constituency which is a large producer of tobacco. At a meeting held in Marieville the other day he expressed his gratification that the farmers of Quebec had been able to largely increase their production of "the weed." Then Mr. Brodeur went on to point out that the Laurier government was responsible for the encouragement of the tobacco growing industry.

But horror of horrors, how did Mr. Brodeur reach his conclusion? He submitted that in 1897 the market for Canadian tobacco was limited by the importation of 9,609,000 pounds of foreign leaf. The government then imposed a duty of 10 cents per pound on tobacco and last year the importations had fallen to 7,700,000 pounds. As a result of protection the Canadian tobacco grower enjoys an increased market and the foreign farmer is compelled to get along with less Canadian money.

Having disposed of the farmer's side of the case, Mr. Brodeur announced that in 1896 only 474,100 pounds of Canadian tobacco was manufactured. In 1903, with the increased duty of 10 cents per pound, no less than 3,167,200 pounds of Canadian tobacco was finished and put on the market. In 1896 there were 10 tobacco factories in Canada. In 1903, with the additional 10 cents duty, 27 Canadian factories were in operation. All of which is a source of comfort to Mr. Brodeur—Free Trader.

Mr. Brodeur has advanced an argument which has been tested and proved by the National Policy since 1873. He has shown that the farmer, manufacturer, and workman can be benefited by protection. Yet it is safe to predict, that when Parliament meets, Mr. Brodeur will vote against further protection for any one of the three great branches of Canadian industry. The new Minister should insist upon the Laurier government extending the "blessings bestowed on the tobacco grower to all classes or like Mr. Tarte, resign as a protest against the injustice done to the Canadian people as a whole.

THE RAILWAY MEN BETRAYED.

By every shallow pretense the Government has endeavored to make a favorable impression on the labor vote. When it comes hard practical measures for the relief of the workman, however, the ministerial enthusiasm is not so much in evidence. For example, Sir William Mulock, Postmaster General, pays as low as 93 cents per day to city sorters and stampers and 97 cents per day to letter carriers. Thus the Liberal party preaches and practices.

When the Railway Commission was formed Sir Wilfrid Laurier promised that one of the members would be a "practical railwayman." That was taken to mean that the railway employees would be represented by one thoroughly familiar with their needs. But as is well known no such officer was selected. The railway employees, who have been fighting for safety appliances on railways and other concessions, are, therefore, left to the mercy of Hon. A. G. Blair and two others who know nothing whatever of railway equipments. It is notorious that Mr. Blair strongly opposed the passage of any legislation which would compel railway companies to protect the lives of their employees, and asked to have the matter left to the Railway Commission. But after a hard fight the employees, representative, Mr. Harvey Hall, carried the day. It was subsequent to that struggle that the government broke faith with the railway men, and left their case to the tender mercies

of Mr. Blair, who is on record as an enemy to safety appliances. Here was a case in which labor could have been materially benefited by the government, but of course the lives of railway hands did not outweigh the political exigencies which required Mr. Blair's retirement and a position for Professor Mills. When labor learns to estimate Sir William Mulock's bureau at its true value, it will succeed in getting the ear of the government.

THE WEST IS SOLID AGAINST G. T. P.

"The Ottawa government will take note of the fact that the grain growers of Manitoba are not supporters of a policy by which it is intended to build a line of railway from Winnipeg to Moncton at a cost of considerably over \$100,000,000, and then hand it over to a private company for at least half a century; nor are they supporters of a policy by which the credit of the country is to be loaned to a private company to build a line of railway from Winnipeg to the Pacific coast, the ownership of which will remain in private hands in perpetuity. The resolution passed by the Manitoba Grain Growers' Association at Brandon reads:

"In view of the continued dissatisfaction arising out of our present transportation system in Canada, we reaffirm our confidence in government ownership of railways, the ultimate abolition of the transportation question, and in this connection beg to state that nothing short of actual ownership and actual operation in the interests of the people will be satisfactory to the public."

"This is the plainest English; it is a protest against the present iniquitous scheme of the government, having in view the throbbing of genuine government ownership for half a century to come. The grain growers of Manitoba believe with Mr. Blair, head of the government railway commission, that so far as the welfare of the country is concerned 'there is no object, good, bad or indifferent, to be attained by the government's course. It is not the destruction of the international railway which is the object of the government, but the maintenance of the status quo, which should be extended westward,' but it is a sheer unjustifiable squandering of the public money. The farmers of Manitoba, who 'are the mainstay of the west, want actual ownership and actual operation.' They are practically a unit in their opposition to the government's great gift operation, the unwieldy and costly one which is becoming more apparent each day. The original scheme was passed in haste; close friends of the government, Mr. Blair tells us, were in a hurry; they stampeded the premier. His best friends advise him to-day to change his policy."—Winnipeg Tribune (Liberal).

MR. CHARLES S. HYMAN'S RECORD.

The subsidized Liberal press is overdoing the Hon. Charles S. Hyman boom. The public memory is not so short that all recollection of Mr. Hyman's first campaign has passed away. It is, therefore, somewhat amusing to read of the new minister as a statesman and a man of unimpeachable character. The adulation showered on Mr. Hyman, while it may be in perfect keeping with the duties of the paid politician, is not so fitting when the man is tested in the light of the revelations made during the election trial of 1892, which resulted in Mr. Hyman being unelected.

In 1891 orders were issued by the Liberal machine to defeat Sir John Carling in London at any cost. Mr. Hyman was selected to do the trick. Accordingly, at a meeting held in that city on February 20th, a clothes basket full of beer was provided to entice the workers. Mr. Hyman was present to assist in the good work, and before the meeting dispersed \$2,000 was collected for expenses.

On February 24th and 25th similar gatherings were held, and on one of these occasions the Hyman supporters consumed two quarters each of beer. These were mild incidents of the campaign which marked Mr. Hyman's entry into public life. A gang of toughs were hired to assault Conservatives, and Chief Justice Meredith, of Ontario, was among those who received favors at the hands of the ruffians. A betting ring, a body of imported persons, bogus creditors, wholesale corruption and an honest man from London, where men were kept in a constant state of intoxication, were other features of that wonderful campaign. For a "new" Liberal Mr. Hyman's record of 1891 should appeal strongly. Perhaps that is why he is so much admired by the modern Liberal journals.

G. T. P. BROUGHT IN MYSTERY.

Cabinet ministers, including Sir Wilfrid Laurier, have been taking an active part in the bye-elections but in no instance has one of them taken the voters into confidence and explained the position in which the Grand Trunk Pacific deal stands. Everything was left to the imagination of the voter, in the hope that he, like Sir Wilfrid's followers in Parliament, would swallow the scheme whole. This was a most unwise and unstatesmanlike policy. Responsible government is founded on the intelligent vote of electors, but the Liberal party evidently labors under the impression that the common people do not count for much, and are, accordingly, not in a position to pronounce on the merits of large and important questions. Of course Sir Wilfrid and his colleagues are probably in no position to announce anything, but they should have at least admitted their ignorance of the whereabouts of the magnificent G. T. P. deal. In railway circles it is openly stated that the government is far at sea in respect of the entire proposition. The Grand Trunk Company has been fighting shy of the wildest scheme, and the government is at the mercy of those who were instrumental in hatching the project. While Sir Wilfrid is doing his best to patch up the many existing difficulties, his efforts will undoubtedly result in blunders greater than those into which the premier has already fallen.

POSITIONS MADE TO ORDER.

Hon. Raymond Prefontaine is the author of a circular, through his private

secretary, Jules Clement, which will go down in political history as the most remarkable that "has been." The Minister of Marine and Fisheries has invited applicants for government positions to state their qualifications, by whom recommended, the position sought, etc. The appeal is not unique in Liberal annals. In 1890, during the absence of Hon. Mr. Tarte, Sir William Mulock, acting Minister of Public Works, caused a letter to be sent to the faithful asking them to state what public works they desired to be constructed in their several sections. Sir William offered no defence for his action, which was most unjustifiable and was made the subject of severe condemnation. Mr. Prefontaine, however, professes to believe that an invitation, such as is issued and circulated on the eve of two important by-elections in the city of Montreal, is quite the proper thing. He desires, according to his own story, to ascertain what the office-seekers who have been besieging him really want. Mr. Prefontaine has abandoned the idea of determining for himself what his or other departments need. In future it will be for applicants to express their preference for this or that situation, and if the political pull is strong enough the people will be allowed to pay their salaries. The motto of the Laurier government hereafter will be "attempts made while you wait."

News From the War.

TOKYO, Feb. 18.—Another attack was made by the Japanese fleet on Port Arthur. The result is not yet known. The Government hopes it will clinch Japan's command of the sea, enabling her to have free movement in connection with the land campaign.

LONDON, Feb. 18.—The receipt of many far Eastern telegrams shows improvement in communication, and also some relaxing of the censorship. Still nothing is accurately known of the movements of the Japanese army, but the indications contained in earlier reports that the main body are already in Korea are not borne out.

NAGASAKI, Feb. 18.—The correspondent of the Telegraph says that last night Japanese soldiers on the point of embarkation were singing in the streets at many ports, besides Moji, Fukuoka and Kobe. Troops have embarked troops, horses, guns and ammunition. The Japanese legation officially confirms the report that Japanese torpedoes destroyed two Russian ships at Port Arthur on Sunday.

SEUL, Feb. 18.—Three thousand Russian troops are encamped on the Yalu River.

BERLIN, Feb. 18.—Seventeen officers and 428 men of the Russian warships Varieg and Korietz were either killed or drowned when the vessels were destroyed.

Vice Admiral Tozo's official report of the work of the Japanese fleet at Port Arthur, briefly and modestly recounts the Japanese victory.

Vice Admiral Tozo left the battleground not knowing the full extent of the damage his torpedo shells had inflicted, but he was evidently confident that the Russians suffered heavily. A translation of Vice Admiral Tozo's report follows:—"After the combined fleet left Saseho on February 6 everything was planned. At midnight February 8th our advance squadron attacked the enemy at Port Arthur. Probably there will be gotten together in the Mediterranean a cruiser squadron, which can be despatched if necessary." The formidable and the Russes! may be sent to the China station, and also the two former Chilean battleships, as soon as they are ready: The Admiralty has notified the naval reserve men what ships and deposits they will join if called out. Every man on the active and reserve list has been assigned to his post in readiness for mobilization. At the time the enemy's advance squadron was for the most part outside of Port Arthur. "Of the advance squadron at least the battleship Poltava, the protected cruiser Askold and two others appeared to have been struck by our torpedoes." On February 9th, at noon our fleet advanced in the cleft of Port Arthur and attacked the rest of the enemy's ships about forty minutes. The result of the attack is not yet known, but it is believed considerable damage was inflicted on the enemy and I believe that they were greatly demoralized. "They stopped fighting about one o'clock and appeared to retreat into the harbor. In this action the damage to our fleet was very slight and our fighting strength is not in the least decreased. The number of killed and wounded was 58. Of these four were killed and fifty-four wounded. A report of the engagement of the squadron at Chemulpo has probably been sent to you already directly by Admiral Uru, as our advance squadron bore the brunt of the enemy's fire and after the attack the most part rejoined the main fleet. The Imperial Princess on board the ships are unarmed. "The conduct of all our officers during the action was excellent, not unlike that during the ordinary maneuvers. Since the battle their spirits have been high, but their conduct was very calm during the battle. This morning, owing to a heavy south wind, there was no communication between the ships, and no detailed report has been received from each vessel, so I report merely the above facts. "Too."

Advice from Che Foo says that the injured battle ships Oscarvitch and Reizvian have been floated, but the cruiser Pallada is still on the beach. It has been ascertained that the Japanese shell did not injure the forts at Port Arthur. She directed towards the disabled battleships were over them and entered the town. Shells directed at the forts struck houses on the hill. Paris advises that the admiral commanding the Russian fleet at Port Arthur has been recalled by the St. Petersburg Government as a result of the Russian defeat there. According to a dispatch received here, Admiral Skrydloff, who has been commander of the Black Squadron, is named as his successor.

LONDON, Feb. 13.—The only important war news is that inferred from the Russian attack on two small Japanese tramp steamers. It is assumed here that if as it appears, the Vladivostok squadron did the attacking, it

is out to harry the northern coasts of Japan. The rumor is revived that the Vladivostok squadron bombarded and wrecked Hakodate, but the source is unreliable and the statement is not regarded as probable. All else regarding the squadron is speculation. Nothing reliable concerning the Japanese fleet has been heard since Feb. 8. The army movements are equally hidden. The report of Mr. Allan the American Minister to Korea that there are 2,500 Japanese in Seoul is interesting here as indicating that the remainder have been conveyed further north.

RUSSIANS MOVING SOUTH.

There are rumors, based apparently on surmises, that the Russians are moving south from the Yalu River, but both belligerents are enforcing a most rigid censorship and not a single grain of fact can be expected. There are numerous reports and rumors. The Daily News reiterates that the Dardanelles question has been raised, but this is scouted elsewhere. Nothing more has been heard regarding the Russian Baltic Fleet, and in view of the difficulties and dangers involved in any movement the theory that it is en route for the Far East is now dismissed as most improbable. The Telegraph, which lately gave conspicuousness to a rumor of Germany's intention to block the Baltic if Great Britain became involved in the war, now gives prominence to a statement, purporting to have come from the St. Petersburg correspondence, to the effect that if the fortune of war goes against Russia, a diversion likely to lead to far-reaching results is confidently expected from Germany.

GERMANY'S MINISTER SCHEME.

The paper says: "Already proposals are affirmed to have been made by the chief of that state, which, if accepted will considerably complicate matters. The German Government is especially bitter with England and will support Russia diplomatically in any action tending to bring the question of the evacuation of Wei-Hai-Wei before the Hague Tribunal. Germany's fixed resolution is to avail herself of the recent crisis to win back Russian friendship and out France from favor, but the proposals which have emanated from Berlin are definite and concrete, and if accepted, are likely to interest Europe more keenly than the war."

ON THE VENUE OF REVOLT.

Several despatches from Continental Capitals call attention to the reported increasing dangerous internal conditions in Russia. The peasantry are represented as being in a condition of angry discontent and as fast passing beyond police control. The urban workers are declared to be equally dangerous. Circumstances point to the probability under certain contingencies of a revolution similar to the French Revolution. It is stated in Vienna that the revolutionary party in Russia is circulating a secret manifesto against the war, declaring that the task of the Russian people does not lie either in Manchuria or Korea, but in Russia, where domestic reforms are pressing. The manifesto concludes: "Japan is a free nation. Russia's Asiatic despotism and war will prove grave to the aristocratic regime."

It is admitted in St. Petersburg that the financial situation, though it has improved, is still critical. Some Banks are regarded as being in a perilous position. The Imperial Bank of Russia has raised its discount rate one per cent.

London, Feb. 18.—It is positively declared that there has been any encounter yet, although it is reliably reported that the Russians are going south from the Yalu River and a considerable body have occupied a strong position at Ping Yangris. There is nothing to indicate a contemplated attack on Seoul, where the Japanese garrisons have been strengthened during the past few days. The Japanese Government believes it will finally control the sea, is shown by the manner in which it is moving transports, and immediately impending traffic between Nagasaki and Chemulpo.

New York, Feb. 19.—War in the Balkans is predicted from a telegram to the Times from Washington, which says they are taking advantage of Russia's pre-occupation in the far East. Turkey is preparing for war with Bulgaria, and a march into Bulgarian territory is likely to be made very soon.

Berlin, Feb. 16.—The position of the German Government respecting the Russo-Japanese war is well defined. It is exact neutrality in fact, but in sentiment it is sympathetic toward Russia rather than Japanese predominance in China. The common talk in Ministerial quarters is that this is not a single contest for territory in Korea or Manchuria, but rather a combat of civilizations and of race ideals, and if one must choose between the white and the yellow, Germany stands by the white. The "Yellow danger" is accepted in Germany as a substantial fact, and it is believed that Japanese imitation has already resulted in injuring Germany's trade in the Far East.

St. Petersburg, Feb. 15.—For the first time since the beginning of hostilities in the Far East the Government tonight gave the Russian newspaper permission to publish the accounts received from abroad of the naval engagement off Chemulpo, in which the warships Varieg and Korietz were defeated. The war fever which has been aroused here and apparently all over the empire, or at least all over European Russia, in a single week is truly remarkable. Such patriotic demonstrations as have been made in St. Petersburg since hostilities began have been all the more astonishing because of the public indifference during the period of negotiations and almost to the hour when Japan struck the first blow at Port Arthur. But now, like Russia, the whole Empire seems to have been lashed into fury by defeat, and like a bear when it is wounded and angered, it is prepared to fight to the bitter end. The dreamy Russian character has been stirred to the street to play folk songs which the soldiers sing, while marching. The fact that the posthouse porters pay their last cent for the extra editions of the newspaper, and that the cab drivers do not charge military men for carrying them around shows how deeply the feelings of the people have been penetrated. Telegrams from almost every town in European Russia tell the same story of popular demonstrations in front of the Palace of Grand Duke Serge and before the Iberian Chapel, where stands the sacred image of our Lady of Doeris, before which the Czar invokes blessings when he goes to Moscow. Thousands of persons kneel for hours in the snow in front of the chapel praying for victory. The mobilization of the Reserves in Siberia and the Kahu district calls to

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