

LACROSSE IN COUNCIL.

THE ACTION OF REFEREE CHITTY AT THE RECENT CAPITAL-SHAMROCK MATCH UNDER REVIEW.

THE LEAGUE REJECT THE PROTEST OF THE BOYS IN GREEN—A WARNING TO OFFICIALS TO EXERCISE A LITTLE MORE JUDGMENT IN FUTURE—THE PRESENTATION OF THE CASE MADE BY THE SHAMROCKS—A CONVINCING ARRAY OF FACTS.

Exuberant verbosity, and an apparently irresistible inclination to discuss any subject but the one really at issue, characterized the proceedings at the Lacrosse League special meeting, held last Friday, for the purpose of considering the protest of the Shamrock Lacrosse Club, with reference to the recent Shamrock-Capital match. It was clear from the outset that the case had been already decided in the minds of at least two of the four gentlemen present. Mr. Stuart would, of course, on behalf of his club, the Capitals, oppose the granting of the protest, and Mr. Bramley's (the Montreal delegate) intentions were hardly less patent. There remained, excluding Mr. McDonnell of the Shamrock Lacrosse Club, Mr. Macpherson of Cornwall, who appeared favorably disposed towards the Shamrocks, but who betrayed considerable vacillation throughout the evening, and finally seconded the motion to reject the protest, overcome, though surely not convinced, by Mr. Stuart's persistent loquacity. Mr. McDonnell, thus left alone, fought the battle of his club gallantly to the very end. He was firm in adhering to the principles laid down by him at the opening of his carefully prepared statement of his club's case. He held that the referee, in the match under consideration, had violated the spirit of the rules and he appealed to his brother delegates to take such action as would mark their disapproval of such arbitrary conduct on the part of such officials in the future. The law, he pointed out, literally interpreted, only required that the referee should suspend a player guilty of an offence against the rule regarding deliberate fouls; expulsion for an entire game could only follow a subsequent offence. Tansey had not been suspended. Then Mr. McDonnell argued that Tansey's offence, committed in hot blood and under the most intense provocation, could not be regarded as "deliberate." The elements of deliberation had been entirely absent. The referee had also disregarded the rule requiring him, before deciding as to a foul, to hear evidence on both sides. But Mr. McDonnell laid much greater stress upon the contention that the ideas of the referee had been altogether repugnant to the spirit which prompted all lacrosse legislation. The ruling of a man off for an entire match was a penalty the imposition of which none but the most extraordinary and exceptional circumstances could justify. Such a sentence was unprecedented in modern lacrosse, and, indeed, in the history of the game; only one instance could be cited of such a punishment having been inflicted.

Mr. Stuart was bombastic as usual, and spent the greater part of his time in endeavoring to impress upon the meeting that the boys in green were a bad lot and the Caps were angels. He made several allusions to the incidents which occurred on the old Shamrock grounds in 1893, and with a measure of extreme one-sidedness and unfairness quite forgot the Kelly incident on the Ottawa grounds in 1894. His memory of any good action on the part of the Shamrocks was lamentably feeble. In 1894 there were 11,000 spectators on the old Shamrock grounds, the largest gathering which has ever assembled on a lacrosse field, and Mr. Stuart was not nearly enough to acknowledge the fact that the Capitals received fair play. In 1895, on the new Shamrock grounds, there was an assemblage of more than 8000 people, and again Mr. Stuart manifested a spirit of narrowness and prejudice which smothered any particle of sentiment of just appreciation of the fair treatment accorded to the Capitals on that occasion. Mr. Stuart also spent some of his time in referring to the fact that protests, such as the one before the meeting, were calculated to do injury to the national game, while he was beautifully oblivious to the thought that his reference to the past was the surest way to engender a feeling of bitterness between the clubs.

As for Mr. Macpherson, there is little to be said. He favored Mr. McDonnell's views on the great question of principle; but he voted to reject the protest on grounds of expediency. It was late in the season; there was much of bad feeling between the Clubs; it was better to keep the boys away from each other for a few months, and so on. Meantime the Shamrocks are deprived of their chances for the honor to which, on the score of superior play, they are fairly entitled. Mr. William Bramley, Montreal, presided at Friday's meeting. The other delegates present were Messrs. W. Stuart, Captain, Mr. Macpherson, Cornwall; and C. A. McDonnell, Shamrock.

After some unimportant business, the chairman read a letter from the secretary of the Shamrock Lacrosse Club, Mr. G. A. Carpenter, asking for a meeting of the League to consider the decision of the referee, Mr. Chitty, in the previous Saturday's match, by which Mr. Tansey had been ruled off for the entire game, after having been seriously injured by the player whom he had been accused of fouling.

Mr. McDonnell—Mr. Chairman, I think it is only right that I should speak first in support of the letter.

The Chairman—We must first see if the meeting wishes to consider the question.

Mr. Stuart—As far as the letter is concerned, I think that this thing is ill-advised, and in the second place it is not enable and should not be brought here,

for reasons I propose to set before you. In the first place the Capital and Shamrocks mutually agreed upon the officials. These men were picked from Montreal, the city in which the game was played. Now, according to the rules of the game, the rule distinctly says all disputed points and matters of appeal that may arise during his continuation in office, from start to finish, during the match, inclusive of rests, shall be left to his final decision, without appeal. Now, I say that this letter is not in order; that the League cannot deal with that question at all; that when the Clubs mutually agreed on the man they accepted him under the conditions that whatever he did there was no appeal at all. If they were not satisfied with Mr. Chitty they need not have taken him. We did not force the man on anybody. I say when once you take a man and put the game into his hands you give him full control. I hold he had power to order the police on the grounds, and have the men arrested and locked up. Suppose you take the power away from the referee what are you going to do? At present I hold the thing is out of order. The League has no jurisdiction; the rules are plain.

Mr. McDonnell—The representative of the Capitals has propounded a rather curious doctrine. He said:—"If we accept a man as referee, that man can do what he likes." I give the League credit for better sense than to think that that doctrine will be supported by it. The referee is guided by rules which are laid down plainly, and if this meeting should muint in Mr. Stuart in his point of order it will simply establish a precedent, which will prevent consideration of the question, now or at any future time, as to whether or not a referee acted within the powers which the rules give him. If the referee turns a man off for any offence whatever, must we blindly accept his decision? We think the referee acted severely and harshly, and it is a fair subject for the League's consideration. All disputed points and matters of appeal? What does that mean? There must be more than one party to a dispute. The referee cannot appeal to himself. He must be appealed to by somebody, by the captain. I submit, Mr. chairman, that the point of order is not well taken, and I protest against such methods, which are directed for the purpose of preventing the club I have the honor to represent from obtaining a hearing on the merits of the protest it has entered.

Mr. Stuart—I contend that with this particular question of the referee the League cannot deal, because there is a rule which says that it is final and without appeal. Any other matters in detail can be brought in; but the question of the referee cannot. The rule says whatever he does is final and without appeal.

The Chairman decided that the discussion of the letter was in order, and Mr. McDonnell was proceeding to state his club's case, when the chairman drew attention to the fact that there were only four delegates present, so that a tie vote might easily result. In such a case would the chairman have a casting vote. Mr. Stuart urged strenuously in favor of allowing Mr. Bramley two votes, and Mr. McDonnell, supported, apparently, by Mr. Macpherson, was firm in his assertion of the principle of giving no one club such undue preponderance over the others. The Chairman of the League, said Mr. McDonnell, was only an officer thereof, appointed for convenience sake, as the representative of the body, for purposes of correspondence, etc. It had never been intended that he should have an additional vote on account of his office.

Finally, however, after considerable discussion, Mr. Macpherson seconded a motion, by Mr. Stuart, to allow the Chairman two votes in the event of a tie, whereupon Mr. McDonnell announced his intention of withdrawing, which caused Mr. Macpherson to withdraw his support of the motion, which was not put.

The representative of the Shamrocks then presented the following statement of the case, with a number of affidavits. He subsequently reviewed it paragraph by paragraph.

MONTREAL, Sept. 23, 1893.

To the Committee of Management of the Senior Lacrosse League.

GENTLEMEN:—Pursuant to our formal letter of protest addressed to Mr. William Bramley, chairman of the League, and filed with him on the 22nd inst., I am instructed by the Executive of our Club to submit the following statement in further support of the contention of our Club that the action of Mr. Charles Chitty, the referee of the match in question, was extremely arbitrary and unwarranted, and the means of seriously impairing the strength and effectiveness of the team representing our Club to an extent which caused the loss of the match to our side.

Our Executive desires me to call your attention to the fact, that throughout the whole period of the operations of the present League there never was an instance of such an arbitrary action by a Referee at any match held under its auspices.

That our Executive furthermore declare that in no other organization in this country, save and except in the Canadian Lacrosse Association of Ontario, was such a penalty imposed, and when then inflicted it was in a case which bears no analogy to the present instance.

Another point which seems to have escaped the attention of the Referee is the extreme provocation which the player Tansey was laboring under as an outcome of a severe wound received at the hands of one Crown of the Capital team.

That our Executive also furthermore desire to say that while believing the Referee in question was free from any malicious intent to deprive our Club of its just rights, it nevertheless asserts, that rarely, if ever, did a Referee manifest such a measure of inexperience, or evince a similar narrowness of view in the interpretation of the spirit of the rules governing the League, as Mr. Chitty in the match in question.

That our Executive furthermore consider that the Referee in question failed to appreciate the magnitude of the injury and injustice which he was doing our organization, as well as erring in reaching a hasty conclusion upon a mat-

ter of so grave a nature, by not giving it a careful, calm and serious consideration, and exercising that measure of inquiry into all the facts surrounding the occurrence, which would have resulted in impartial action.

That since the inauguration of the game of lacrosse, it has been customary for a Referee to consult with the captains of the teams on the field, and that in this particular instance herein referred to, as may be verified by an examination of the solemn declarations of Mr. M. J. Polan, Captain of our team, Mr. R. J. Wall, and Mr. Tansey, the Referee in question, regardless of his avowed intentions, as openly expressed on the field in the presence of the players and captains of the teams, did forthwith, without any pretence of inquiry, order the player Tansey to leave the playing area for the remainder of the match, despite the fact that the said player was suffering great pain from a scalp wound, from which blood was freely flowing, the wound being the result of a blow from a cross held by one Crown of the Capital Team.

Our Executive also desire to direct your attention specially to the fact that the ruling of the Referee was made without hearing the player condemned, or the representative of his Club, and without giving either of them any opportunity to be heard. This was certainly a violation of what is recognized as the elementary principle in the application of the laws, not only of all clubs and societies, but of all civilized countries. That certainly no court of justice, however clear the law would be, would pronounce sentence, however trivial, without having heard the parties, or giving them an opportunity to be heard. In doing this, it appears to our Executive that the Referee clearly exceeded any jurisdiction that may be given him under the rules.

We beg furthermore to call your attention to the entire absence of any provision in the rules of the League conferring on the Referee, power to impose the extreme penalties provided for by Section 11 of Article 9, and we submit to you that in the absence of any express provision so empowering the Referee, he was entirely without right to inflict the penalty imposed on the player Tansey.

That our Executive, to show the absence of any deliberation on the part of the player Tansey, we submit the following statement:

That at the time of the difficulty which provoked the unjust action of the Referee, one P. O'Brien was in possession of the ball at the rear of the goal in the eastern portion of the grounds, and that the said player delivered the ball to another player of our team. That the said Crown, acting under the opinion that O'Brien would deliver the ball to the player Tansey, made a rush for the said Tansey, who was standing on the north side of the goal, and struck him with great force upon the head, thereby inflicting a serious wound, also committing a foul under the terms in Section 15 of Rule 9.

The foregoing statement is substantiated by solemn declarations made by Captain Polan, the player Tansey and Mr. Kennedy, which are submitted for your examination.

Our Executive, under these circumstances, believe that the action of the Referee was the result of the want of deliberation and was harsh and unjust.

It is also the opinion of our Executive that the spirit and intention of the rules, especially in regard to the portions coming within the scope of Rule 10, which govern the imposition of a penalty, that even in the light of the most strict interpretation of these rules, that a Referee, even had he power to inflict the extreme penalty, would not be justified in doing so without having previously indicated the temporary suspension for a portion of the match, as expressly laid down in the rules governing the penalties for fouls, and the occurrence upon which the Referee acted in the match in question, was not of a character to come within the scope of such an extreme and arbitrary action.

That our Executive urge upon your Committee to calmly consider the serious consequences which must ultimately flow from the formation of a precedent by which such an official can remove a player for the duration of a match.

That for the foregoing reasons our Executive request your Committee to annul the said match played between the Capital team and our team on the 19th inst., and order a match to be played over again at a date to be fixed forthwith, thereby placing our Club in the position which it occupied prior to the beginning of the said match.

The whole respectfully submitted on behalf of the Shamrock Lacrosse Club.

(Signed) G. A. CARPENTER, Hon. Secretary.

PROVINCE OF QUEBEC, District of Montreal.

I, Michael J. Polan, of the City of Montreal, in the District of Montreal, clerk, do solemnly declare as follows:—

1st. That I am captain of the Shamrock Lacrosse Club of Montreal, and officiated in such capacity in the contest between the said Shamrock Lacrosse Club and the Capital Lacrosse Club of Ottawa, for the Senior Lacrosse League Championship, held on the 19th day of September instant, 1893, in which one Charles Chitty acted as Referee.

2nd. That prior to the said match, and while the players of both teams were on the field, immediately preceding the facing of the ball, the Referee, in his usual remarks to the players and captains of both teams, announced that all disputes which might occur during the progress of the game would be settled by himself, jointly with the captains of both teams.

3rd. That during the progress of the third game in the said match a deliberate foul was committed by one Crown, the goal-keeper of the Capital Lacrosse Club, such foul consisting in the said Crown deliberately leaving the vicinity of his goals and foully striking Mr. J. Tansey, one of the players of the Shamrock team, upon the head, and inflicting a severe scalp wound, and this was so done by the said Crown at a time when the said Tansey was not in possession of the ball.

4th. That immediately after the above mentioned occurrence, the said Referee summarily ordered the said Tansey off the field for the remainder of the said

match, and this was so done by the said Mr. Chitty in direct contradiction to the arrangement arrived at immediately preceding the said match, which arrangement consisted in "that all disputes which might occur during the progress of the match would be settled by himself (the said Referee), jointly with the captains of both teams."

5th. That the said Referee, at no time prior to ordering the player, Tansey, off the field did he give me a hearing in the matter, notwithstanding strenuous efforts on my part to obtain one from him, but in answer to all my appeals he simply replied, "That's my decision, and it goes."

And I make this solemn declaration, conscientiously believing the same to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act, 1893."

(Signed), M. J. POLAN.

Declared before me, at the City of Montreal, in the District of Montreal, this twenty-fourth day of September, A.D. 1893.

(Signed), W. H. COX, Notary Public.

PROVINCE OF QUEBEC, District of Montreal.

I, Edward J. C. Kennedy, of the city of Montreal, in the District of Montreal, Physician, do solemnly declare as follows:—

1st. That I was present and witnessed the contest between the Shamrock Lacrosse Club of Montreal, and the Capital Lacrosse Club of Ottawa, which was held on the Shamrock Amateur Athletic Association Grounds on the nineteenth day of September, 1893.

2nd. That during the progress of the third game of the said match I was called upon to attend Mr. M. J. Tansey, one of the players of the Shamrock Lacrosse Club, who had been injured during the progress of the said third game, a severe and deep scalp wound of about four inches in length having been inflicted upon the head of said Tansey over the region of the right frontal bone.

3rd. That it is my opinion that the said scalp wound upon the said Tansey must have been caused by a strong blow directed with great force upon the said Tansey.

And I make this solemn declaration conscientiously believing the same to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act, 1893."

(Signed), E. J. C. KENNEDY, M.D.

Declared before me, at the City of Montreal, in the District of Montreal, this twenty-fifth day of September, A.D. 1893.

(Signed), W. H. COX, Notary Public.

PROVINCE OF QUEBEC, District of Montreal.

I, Michael J. Tansey, of the city of Montreal, and District of Montreal, merchant, do solemnly declare as follows:—

1st. That I am a member of the Shamrock Lacrosse Club of Montreal, and as such was one of the players of the said Shamrock Lacrosse Team in the contest between the said Shamrock Lacrosse Team and the Capital Lacrosse Team of Ottawa, held on the Shamrock Amateur Athletic Association Grounds, on the nineteenth day of September, 1893.

2nd. That during the progress of the third game of the said match, at a moment when one P. O'Brien, a member of the Shamrock Lacrosse Club, was in possession of the ball, and had delivered the ball to another player of the team, a deliberate foul was committed by one Crown, the goal keeper of the Capital Lacrosse Team, such foul consisting in the said Crown deliberately leaving the vicinity of the goals, and foully striking myself upon the head and inflicting a severe scalp wound, and this was done by the said Crown at a time when I was not in possession of the ball, nor had I any immediate prospect of obtaining the same.

3rd. That immediately after the said foul was committed upon myself by the said Crown I beckoned to the Referee, the said Mr. Chitty, claiming a foul.

4th. That the said Mr. Chitty turned away his head and took no notice whatever of my signal at the moment, nor at any time after would he give me a hearing, but looked towards me and said, "You go off for the remainder of the match."

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act, 1893."

(Signed), M. J. TANSEY.

Declared before me, at the City of Montreal, in the District of Montreal, this twenty-fourth day of September, A.D. 1893.

(Signed), W. H. COX, Notary Public.

PROVINCE OF QUEBEC, District of Montreal.

I, Robert Joseph Wall, of the city of Montreal, and District of Montreal, merchant, do solemnly declare as follows:—

1st. That I am a member of the Shamrock Lacrosse Club of Montreal, and as such was one of the players of the said Shamrock Lacrosse Team in the contest between the said Shamrock Lacrosse Team and the Capital Lacrosse Team of Ottawa, held on the Shamrock Amateur Athletic Association Grounds on the nineteenth day of September, 1893.

2nd. That during the progress of the third game of the said match the Referee, Mr. Charles Chitty, summarily ordered Mr. M. J. Tansey, one of the players of the said Shamrock Lacrosse Team, off the field for the remainder of the said match, and I verily believe that the said Mr. Chitty did so order Mr. Tansey off the field for the remainder of the said match without in any wise allowing or giving the said Mr. M. J. Tansey or the Captain of the said Shamrock Lacrosse Team any opportunity of a hearing with regard to the foul committed by one Crown of the said Capital Lacrosse Team.

3rd. That at the time that the said M. J. Tansey was ordered off the field I was within ten feet of the said M. J. Tansey, and in consequence I was in a position to see all the proceedings.

And I make this solemn declaration conscientiously believing it to be true

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and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act, 1893."

(Signed), R. J. WALL.

Declared before me, at the City of Montreal, in the District of Montreal, this twenty-fourth day of September, A.D. 1893.

(Signed), W. H. COX, Notary Public.

Mr. Stuart then gave his version of the matter, which was humorous and pathetic in turn. The picture he drew of the scene which followed after Tansey had received the blow from Crown, was a truly Stuartonian one.

The referee was also invited to stand before the lacrosse judges, and he was just as ready to persist in his avowals that he simply enforced the rules. The agony was ended at 1 a.m., when Capital and Cornwall joined in a motion to reject the protest, and Mr. Bramley chimed in with an emphatic "yes" in favor of the motion. There were several interested spectators present during the proceedings, among the number Mr. R. J. Cooke, president of the Shamrock Lacrosse Club; Mr. T. Butler, president of the Association; Mr. M. Kinsella, director of the same organization; Mr. A. G. Pittaway, president of the Capital Lacrosse Club and Mr. Gardner, president of the Montreal Lacrosse Club.

LA MODE NOUVELLE.

To the Public:

The success achieved by the special number of La Mode Nouvelle, published on the occasion of the Provincial Exhibition, was exceptional and surpassed anything so far published in taste and enthusiasm.

Of the twenty thousand copies we distributed on the grounds we are in receipt of many flattering compliments from all sides on the merits of the paper from every point of view. We have received numerous subscriptions during the past week. We now ask all those who have pursued this magnificent publication at their leisure, if it is not deserving of encouragement and worthy of a home in every Canadian family. We publish a journal of good taste, elegance and French style, and we call upon the public to encourage us and further our work. Our agents are going on the road and will visit all probable subscribers. We hope that they will be favorably received. The more subscriptions the better able we shall be to again enlarge our paper and give satisfaction to the public. We count on a large number of new subscriptions, and hope we shall not be disappointed. We take advantage of this occasion to thank those who visited our exposition of millinery goods, and who were good enough to compliment us on the same. We also thank the advertisers who accorded their patronage to our enterprise and hope they may continue to accord us their favors.

To-day, as in the past, we will do our utmost to maintain the position of our paper in the highest degree of excellence among the many publications of this kind which appear on this continent.

LA DIRECTION.

88 St. Denis street.

MR. POLAN RECOVERING.

Mr. M. Polan, the well known captain of the Senior Shamrocks, has been confined to his room ever since the Capital match with a severe attack of neuralgia of the stomach. In the discharge of his duties on the day of the match, he was obliged to spend several hours on the field, running through pools of water, and this, no doubt, occasioned the attack. On Tuesday morning the malady assumed a very acute form, and a medical practitioner was hurriedly summoned. Last night, however, upon enquiry from the medical adviser of the family, it was learned that Mr. Polan was resting easier.

RELIGION IN JAPAN.

Rev. L. J. Connolly, who labored among the lepers of Molokai along with the lamented Father Damien, but who left the afflicted island some months ago to enter upon similar work in Japan, writes from Yokohama:—"The Japanese are fluctuating. They have virtually lost their old religion and to-day as a nation they have none. They know something about the Bible, but as every man can interpret it according to the Protestant principle, the Japanese know not what to make of it."

"An exposition of Catholic principle has never appeared in the newspapers of Japan, so the Japanese remain in the dark. It is in our days not enough to preach in churches; the newspapers are the grand medium to bring things to the knowledge of the multitude."

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BE CHEERFUL.

When trials and disappointments fall to our lot it is but proper and right that we put up with them courageously and even cheerfully. But it is not required that we go out to meet trouble; it will come of its own accord and soon enough. Too many people there are who endeavor to peer into the future while looking through colored glasses. To all such everything appears dim and dark. There are shades and shadows everywhere, sunlight nowhere. How dismal and dreary must be the lives of all such persons!

You have had trials in the past? Very well; if you accepted them bravely the

indications are that the future will have triumphs in store for you. Don't climb mountains before you come to them. Concern yourselves only about to-day, its opportunities, its duties, its work, and, perhaps, its sorrow. The future will take care of itself.

Men like women to reflect them, but the woman who can only reflect a man and is nothing in herself, will never be of much service to him.—George MacDonald.

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