

Goods for the heated season at prices that will make you glad. A STOCK OF EXCEPTIONALLY CHOICE MERCHAN-DISE-just the things you want nowawait you at our store. Why wait till later to supply your summer needs when Per pair, you can get big price concessions now? An inspection of our line will convince you. Bring the children, they'll be interested,





Hats Specially Designed for Our Trade

Here are Hats with a certain dig-nity of line demanded by conserva-tive taste, and undeniably becom-ing. Smart turban like shapes and hats with up turned brims. \$1.98 to \$5.98



There is no healthier sport that that of swimming. Every man woman and child should learn. Get your suit and teach the wife and \$1.25 to \$2.98



Perky Hair Bows

Choosing pretty Hair Ribbons is an all important question to every school girl. Here are New Ribbons in the prettiest colors and designs imaginable, and just the right body

8c to 75c yard

Prettiest of

Kimonas

GRACEFUL BECOMING STYLES.

Leisure hours are happier be-cause of just such Kimonos as these. Graceful, attractive models

of pretty materials—a choice of any one could not help but be accept-able, both in style and pleasing fit.

\$2.98 to \$3.98

Boys' Summer, Underwear

Egyptian Knit Underwear for make him comfortable.

Each 75c

Men's Work Shirts

Good weight Blue Sheeting, a

Each \$1.49

Bargains in

BOYS' TUB SUITS

Strongly made, will wash and

wear splendidly. We have them in

both plain stripe and white ground,

and pink stripe on white ground.

Priced at these 2 for 1 prices.



of shoe more correctly sets 'the style than any other. Here are shoes that are selected for their exact fashioning to the most desired and highly preferred styles of the season. We have them in both strap and lace.

Children's Rompers

\$2.75 to \$6.50

Rompers of nice Percale with collar effect and buttoned belt; button down back and at lower edge; elastic at knee, and breast



Each \$1.98

Children's Sleeping Suits Send the little ones to bed dressed in these comfortable

one-piece "Bunnies," which keep them warm from head Per Suit 69c

Children's Sandals

FOR COMFORT AND SERVICE.
These are an excellent Sandal for the little ones to wear in their roughest play. Pliable grain leather uppers with good wearing stitched oak soles; equipped with two straps and buckles.

l'e pair \$2.98

Dresses for Junior Bunglow Aprons Misses and for Little The large woman ample proportions of this Bungalow Sister

Apron of sturdy striped print; plain Percale forms front collar effect and Dress for six-to-fourteen display clever combinations and trimming touches, while the smaller girl is delighted with these becoming dresses, cuffs on short ki-mona sleeve; back simply styled, made of serviceable wool materbuttons at neck and is crossed by belt;

\$2.25 to \$4.98



pocket is conveni-ently placed on front.



Men's Denim **Overalls**

SPLENDID VALUES.

Each \$1.49

Inexpensive and Practical

One needs so many Wash Petticoats for Warm weather wear that the low price of this White Cotton model will be appreciated. The lawn flounce is completed by frill of scalloped eyelet embroidery. This good wearing garment has waistband run with tape. Each \$1.49

In the Supreme Court.

rected to the Minister of Agriculture and Mines to compel him to grant the applicant licenses of six mining locations at Heart's Desire and between Witless Bay and Heart's Delight, in conformity with an application made by him to the Minister on the 2nd of October last. The facts are not in dispute. It is admitted that his application was in proper form and nase in accordance with the requirements of the clauses of the Crown Lands Activeliating to mineral lands. The question in dispute arises upon the contion in dispute arises upon the con-struction of these clauses. The applic-ant contends that by filling his applic-ation with the Minister he acquired a right to the mining locations cover-ed by it and to have a license thereof issued to him by the Minister; that, is the absence of any counter vailing right by some other party or applicant, the Minister is under legal obligation under the statute to grant to him the license in the terms of his application,
—the issue of the license being a purely ministerial act which the Minister has no discretion to withhold. On the other hand, for the Minister it is con-tended that, if he has any authority at all to grant or issue licenses of min-ing locations, which he does not admit, the section of the Act under which the present application is made gives him a discretion in the matter which trol by writ of mandamus. The law re ony is contained in chapter 129 of the titled "Of Crown Lands Timber Mines and Minerals." This Act is divided into sections corresponding with the of this chapter without any staking 48, relates to mineral lands. It provides for a system of licenses and leases of mineral lands. A license sub-sec. 2, the "locations may be ap-

subject dealt with in each. Oue of being required and the first application these headings, beginning with section in writing shall have priority." Under gives the holder an exclusive right to search, prospect, explore in and excavate the location to which it applies for the purpose of proving the existence, extent and value of minerals that this difference in wording repre-therein or thereunder with a view to sents a substantial distinction between obtaining a lease. A licenses has a the position of the applicants, that the right to remove the minerals only for discoverer by his discovery earned a the purpose of being used as samples.
The object of these sections relating to license is to facilitate the explora-tion of the mineral lands of the Colony. Section 48 gives a general right to ing recognizes this distinction by give all persons desiring to obtain a lease ing the discoverer an absolute right to explore any lands in the Colony to to the license, but in the case of other applicants the minister is given a dis-Should any person discover minerals and wish to prosecute his exploraarea designated a location. By the from a different point of view in each clusive right to search therein for one the applicant and the conditions upon year. This exclusive right is the same as the general right he previously en- section 52, where it says "license may oyed under section 48, except that by obtaining a license he acquires an ex- authority of the minister to grant the clusive, instead of a common right to explore the location. The procedure to

that the Act by the difference in word

cense. I don't think that was the in-

tention. As I have said, it seems to

thority to issue the license of these locations which have been laid down

on the departmental plan and may be applied for without staking. I think

tions in that locality he may obtain bhain a license is dealt with under three different headings. Section 50 who apply for locations of which it is made; the licensee, under which it is made; the licensee, have expired. The discovery location upon filing his application is entitled have expired. The discovery location is identified for the purpose of the license by the staking; others by their espective numbers on the departmental plan. The whole scheme of the Act in regard to locations and licenses is built upon the staking by the discover-er of the minerals. The discovery locpositions of adjoining and other loca-

ation is the nucleus by which others are laid off and defined. The respective tions are fixed by that of the discovery location. Other locations are laid down on the departmental plan by reference to it and their positions on the ground are governed absolutely by their relative positions to the discovery loca-tion on the plan. The right acquired by the licensee and the purpose of the icense are in all cases the same. The object of laying out the surrounding country on the departmental plan is to avoid the necessity of requiring each applicant for a license to make a fresh staking for every application. The discovery location is made the basis of a system of laying off the basis of a system of laying off the others. The minister is thereby entitled to give licenses and leases of these locations without any staking. It is accordingly provided that licenses under sub-section 1 and 2 of section 52 may be issued upon the number of the location on this plan without any staking. In other words the out any staking. In other words, the number on the plan is used instead of the staking as a means of identifica-tion. I cannot think it was intended to give the discoverer any greater right to a license applied for on his staking than that given to other ap-

staking than that given to other applicants who apply on the number of the location on the departmental plan. If a discoverer has an absolute unconditional right to his license, applicants under section 52 have the same right. The difference in the wording of the section is due rather to the different point of view from which the application is regarded than to any intention to differentiate between the rights given to applithan to any intention to differentiate between the rights given to applicants. Section 50, sub-sec. 2, provides that "the placing of the discovery stake shall entitle the person making a discovery of minerals to a license for a period of one year from the date of the application for the same of a mining location of the area and dimension hereinafter described provided that application be made to the Ministry of Agriculture and Mines in the form prescribed by him, accompanied by the affidavit of the person placing such discovery stake within two months, and the sum of \$10.00 be deposited herewith." By the staking ne acquires a right to a license of the location from the date of his application provided he is, as required by section 59, "the person who having performed all necessary conditions shall have first made applications."

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be applied for by any person and if censes and leases may be granted thereafter according to the provisions GERALD S. DOY.E, right to the license, but that other applicants have no such merit upon Water Street, St. John's, which to base a right to a license and

Distributing Agent. minister to grant a license, it must be authority to do so. This authority he s bound to exercise to give effect to a me that the application is looked at right which the applicant acquires by as applicants under section of Oxford 49 L.J. G. B. p. 588. He says: "If the object for which the power is conferred is for the purpose license. It confers upon the minister authority to grant licenses on apduty cast on the donee of the power tion without requiring the applicant to deals with those who, having discovered and staked minerals, apply for a
discovery location. Section 52 sub-sec.
I deals with those who apply for locations that have been laid down by the
Minister upon a departmental plan.
Section 52 sub-sec. 2 deals with those
who apply for location for a license confers
who apply for location for a license confers
who apply for location for a license confers
the same right, when required
to the city after spending a
duty. It is not inaccurate to say
that the words conferring a power
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the applicant to
the intention as provided in section 48, but it does not take from the
applicant any rights he would otherare equivalent to saying that the
done must exercise it. It by no
means follows that because there is a
duty. It is not inaccurate to say
that the words conferring a power
intention, however, appears to be that
the applicants and report excellent salmon fishing while there, the largest
done must exercise it. It by no
means follows that because there is a
duty. It is not inaccurate to say
that the words conferring a power
intention a provided in section 48, but it does not take from the
applicant any rights he would otherintention as provided in section 48, but it does not take from the
applicant any rights he would otherare equivalent to saying that the
done must exercise it. It by no
means follows that because there is a
turned to the city after spending who have that right, when required a duty cast on the donee of a power Friday last. Mr. Clayton, member of alike, without regard to the section to exercise it, that a mandamus lies the Canadian Fisheries Association of to a license of the location applied for. Section 52, therefore, confers au-

the donee. On p. 589 says, "But there for a Government hatchery for the are cases in which the authority or propogation of salmon. power is not to do a judicial act and yet there is a duty on the donee to section 52 must be read in conjunction with section 48, and that though upon by those who have that right to straw.

exercise the power for their benefit." On page 590 he goes on: "The enabling words are construed as compulsory, whenever the object of the power is to effectuate a legal right. It is far more easy to show there is a right where private interests are concerned than when the alleged right is for the public only. In the same case Lord Penzance on page 580 says: "The above cases decide nothing more than this-where a power is deposited with a public of-ficer for the purpose of being used for the benefit of persons who are special-y pointed out, and with regard to whom a definition is supplied by the Legislature of the conditions upon which they are entitled to call for ts existence, that power ought to be exercised and the Court will require t to be exercised." I consider in this case that the applicant upon filing his application with the minister became entitled to a license of the locations in relation to the authority of the covered by it. This interpretation is strengthened by the uniformity It places an applicant under section filing his application in accordance with the statute. This principle of latter sections the right of an apconstruction is stated by Lord Black-plicant to a license of the location applied for by him seems undisputable.

(to be continued.)

Excellent Fishing.

to enforce it; that depends on the na-ture of the duty and the position of Southeast Arm would be an ideal spot

White flannel skirts are seen with exercise the power if it appears to be given to the dones for the purpose of making good a right and he is called with matching hats of ribbon, felt c

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