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New Marine Bill.

THE SURVEY OF SHIPS.

The following Bill, dealing with the survey of foreign-going and Labrador vessels, has been passed by the House of Assembly:

1. Section 2 of Chapter 172 of the Consolidated Statutes, (Third Series) is hereby amended by striking out all the words in such section after the words "prosecution of such fishery or fisheries."

The following sections are hereby added to the said Chapter:

3. No sailing or auxiliary vessel shall be employed in the foreign trade of the Colony, or shall start with cargo from any port therein, which has not been built according to a class of port. Classification or classification society at least equivalent to Schedule B of the said Chapter 176, and so recognized, as hereinafter provided, under a penalty of not exceeding one thousand dollars, to be recovered in summary manner, from the owners of the said vessel before a Justice of the Peace by any person who may sue for the same, of which penalty one hundred dollars shall go to the person so suing, and the balance to the Minister of Finance and Customs for the use of the Colony.

Before any such sailing or auxiliary vessel shall proceed on a foreign voyage, notice shall be given by the

owner, agent, or master of such vessel to the Surveyor of Shipping or his Deputy, that such vessel is or at a certain date will be cleaned and in every way ready for survey, and any such owner, agent, or master of such vessel who does not give such notice and have his vessel surveyed as required by this section, shall be liable to a fine not exceeding one thousand dollars. This section shall apply to fishing and coasting vessels engaged in the Labrador fishery.

5. The Surveyor or his Deputy shall forthwith survey every such vessel, and may make such recommendations as he may consider necessary for putting such vessel in such condition as he may consider seaworthy and fit to carry perishable cargo; all of which recommendations shall be carried out by the owner or master; and the ship shall then receive from the Surveyor or Deputy Surveyor a certificate of seaworthiness. No such ship shall receive a clearance for any voyage unless and until a certificate of seaworthiness is exhibited to the Customs officer.

6. A certificate of seaworthiness shall not be granted in respect of any vessel unless she is found to be at least of such construction and fastening as is provided for in Section 3 of this Act, and tight, well caulked and fully equipped with masts, spars, sails, riggings, boats, pumps, chains, cables, anchors, water tanks, hatches,

hatch-covers, life-buoys, signal flags, and other necessary and usual machinery and equipment of every kind, in good order and condition, and having deck-lines and load lines duly marked, as hereinafter provided.

Any Surveyor or Deputy Surveyor who wilfully omits or neglects to survey any vessel or to make proper recommendations, as provided in the next preceding section, or who knowingly and improperly grants a certificate of seaworthiness in respect of any vessel which is not of such construction, fastening and equipment as is necessary under the provisions of this Act to entitle her owners to such certificate, he shall be liable on summary conviction, to a fine not exceeding one thousand dollars or, in default of payment to imprisonment not exceeding three months.

7. Any vessel owned in Newfoundland at the date of the passing of this Act, whether built in Newfoundland or otherwise, which shall not be qualified as set forth in Section 3 of this Act, shall, on the first occasion on which she shall be in a port in this Colony, after the passing of this Act, be submitted for survey; and unless she shall be found to be constructed and fastened in a manner at least as good as that required by Section 3 of this Act, she shall not receive a certificate of seaworthiness; provided, however, that if it shall be reported by the Surveyor or that such a vessel is in his opinion fit to continue in the North Atlantic Trade for a short period, the Minister of Marine and Fisheries may issue a special order to the Lloyd's Surveyor or local Surveyor empowering him or his Deputy to grant such vessel certificates, if the vessel be otherwise in accordance with the provisions of this Act, for a period of not more than six months from the date of such survey.

If any vessel not registered in or owned in this Colony shall come to this Colony in order to obtain a cargo, and shall be surveyed in accordance with this Chapter, and shall be found unfit to receive a Certificate under this Act, a temporary certificate may be issued, permitting such ship to sail from Newfoundland with cargo for any port in North America (but not for a trans-Atlantic voyage), provided, however, that a list shall be kept of all vessels in respect of which such certificate shall have been issued, and no such certificate shall be issued more than once in respect of any such vessel.

DECK LINES.

9. (1) Every vessel owned or registered in Newfoundland, except (a) vessels under 100 tons register employed solely in the Coastal trade, (b) vessels engaged solely in fishing, and pleasure yachts, shall be permanently and conspicuously marked with lines, (in this Act called deck lines) of not less than twelve inches in length and one inch in breadth, painted longitudinally on each side amidships or as near thereto as is practicable, and indicating the position of each deck

or covering board which is above the water.

(2) The upper edge of each of the deck lines must be level with the upper side of the deck plank next the waterway at the place of marking.

(3) The deck lines must be white or yellow on a dark ground, or black on a light ground.

(4) The expression "amidships" in this Section shall be held to mean at about that point at which the main deck of the vessel approaches nearest to the water line when the vessel is in ordinary trim.

10. (1) After the passing of this Act, no vessel shall be permitted to clear from a Newfoundland port, bound to a foreign port, unless she has plainly marked upon each of her sides, amidships, or as near thereto as practicable, in white or yellow on a dark ground, or in black on a light ground, a circular disc twelve inches in diameter, with an horizontal line eighteen inches in length drawn through its centre.

(2) The centre of this disc measured from the top of the statutory deck line in accordance with the Imperial Board of Trade Regulations, shall indicate the maximum loadline in salt water to which it shall be lawful to load the vessel.

(3) The position of the disc shall be fixed with the tables used by the Imperial Board of Trade, subject to such modifications, if any, of the tables and the application thereof, as may be approved by the Governor in Council.

(4) If a vessel is so loaded as to submerge in salt water the centre of the disc indicating the load-line, the vessel shall be deemed unseaworthy, and such submersion shall be a reasonable and probable cause for the detention of the vessel by any Government official who may view the same after three months from the date of the passing of this Act.

11. (1) If any owner or master of a vessel fails without reasonable cause to cause his ship to be marked as by this part of the Act required, or to keep her so marked, or allows the vessel to be so loaded as to submerge in salt water the centre of the disc indicating the load-line; or

(2) If any master of a vessel proceeds to sea after having been notified by any Government official, either orally or in writing, that he must not sail because the loadline or centre of the disc marking on his said vessel is submerged, or in any words to that effect, and without having altered the stowage of his vessel, so as to bring the loadline to the surface of the water, or without having satisfied the said official or the Registrar of Shipping, or some person appointed by him for the purpose that the said loadline is not submerged; or

(3) If any person conceals, removes, alters, defaces or obliterates, or suffers any person under his control to conceal, remove, alter, deface or obliterate any of the said marks, except in the event of the particulars thereby denoted being lawfully altered, or except for the purpose of escap-

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ing capture by any enemy, or proceeds to sea, he shall for each offence be liable to a fine not exceeding \$1,000.00.

12. The Governor in Council shall appoint the Registrar of Shipping to approve and certify on their behalf by himself or by any person authorized by him, the position of the disc indicating the load-line.

13. The Governor in Council may make regulations as to the mode in which the disc and the lines or marks to be used in connection therewith are to be marked or affixed on the vessel, whether by painting, cutting or otherwise; and as to the mode of

application for, and form of, certificates under this section.

14. The sections of this Act relating to deck lines and load lines shall not apply to vessels classed in any approved Governmental classification or approved Classification Society, and carrying the deck lines or load lines assigned to them clearly marked on both sides of the vessel.

15. The Governor in Council shall from time to time determine what British and foreign Governmental classifications or Classification Societies shall be deemed to be approved for the purposes of Sections 3 and 14 of this Act.

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