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**KERR & PRINGLE, ST. JOHN, N. B.**

**IN THE SUPREME COURT**  
**IN EQUITY.**  
 BETWEEN  
**THE CENTRAL TRUST COMPANY,**  
 OF NEW YORK, PLAINTIFFS,  
 —AND—  
**THE BUCTOUCHE AND MONCTON**  
**RAILWAY COMPANY, CHARLES**  
**A. PEARSON, JUNIOR, AND**  
**CHARLES F. HANNINGTON,**  
 DEFENDANTS,

There will be sold at  
**PUBLIC AUCTION**

at and in front of the Post Office in the  
 city of Moncton, in the County of West-  
 morland and Province of New Brun-  
 swick, on

**THURSDAY, THE THIRD DAY OF AUGUST**  
 next, at 12 o'clock, noon, pursuant to the  
 directions of a Decretal Order of the Su-  
 preme Court in Equity, made in the above  
 cause on the seventh day of April, in the  
 year of our Lord one thousand eight hun-  
 dred and ninety three, with the appro-  
 bation of the undersigned, a Referee in  
 equity duly commissioned, appointed and  
 sworn to act in and for the County of  
 Westmorland, under and by virtue of an  
 Act passed in the 49th year of the reign  
 of Her Majesty Queen Victoria, intituled  
 "An Act respecting the administration of  
 Justice in Equity," the lands and premises  
 described in the plaintiff's Bill and in the  
 said Decretal Order, which said lands and  
 premises are described in the said Bill and  
 in the said Decretal Order as follows:

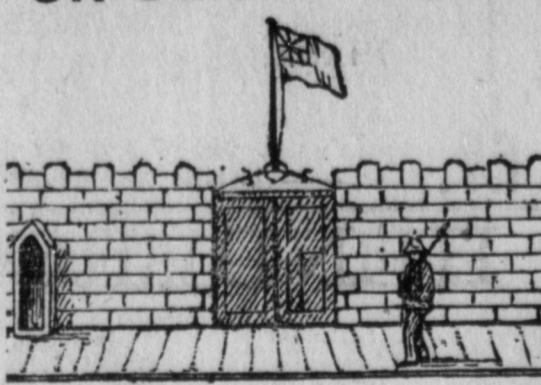
"All and singular the line of Railway  
 of the said The Buctouche and Moncton  
 Railway Company extending from the  
 point in Buctouche where the line begins  
 to the point in Moncton where the line  
 ends, a distance of about thirty-two miles  
 constructed or to be constructed, together  
 with all lands, buildings, bridges, fixtures,  
 telegraph line or lines and structures of  
 every kind and nature whatsoever, and all  
 improvements and additions thereto, and  
 all sidings, side tracks and turn-outs now  
 owned by the said Railway Company or  
 which may hereafter be acquired by it for  
 the use of the said line of Railway. And  
 also all easements, rights of way and rights  
 in land of any kind or nature whatsoever  
 now held or hereafter to be acquired for  
 the use of the said line of Railway. And  
 also all rolling stock, cars, engines, rail-  
 ties, machinery, tools and materials of  
 whatsoever kind, and all other personal  
 property of every kind and nature what-  
 ever, now held or hereafter to be acquired  
 for the use of the said line of Railway. And  
 also all leaseholds, leases and rights  
 under the same now held or hereafter to  
 be held for the use of the said line of Rail-  
 way. And also all other contracts, rights  
 under contracts, choses in action and rights  
 of any nature and kind whatsoever, legal  
 or equitable, now held or hereafter to be  
 acquired for the use of the said line of  
 Railway. And also all powers, privileges  
 and corporate rights and franchises, in-  
 cluding the franchise to operate said line  
 of Railway now held or hereafter to be  
 acquired for the use of the said line of  
 Railway. And also all other property,  
 estate, right, title, interest or thing which  
 the said defendants or either of them now  
 own or hold or may and shall hereafter  
 acquire or hold necessary or convenient  
 for the use, occupation and enjoyment of  
 said line of Railway, excepting always,  
 nevertheless, all subsidies given or granted  
 to the said Railway Company by the Gov-  
 ernment of the Province of New Brun-  
 swick or the Dominion of Canada or other-  
 wise in aid of the said line of Railway."

For terms of sale and other particulars  
 apply to the Plaintiff's Solicitors.  
 Dated the Eleventh day of May, A.  
 D. 1893.

**FREDERICK W. EMMERSON,**  
 Referee in Equity.  
**WELLS & WELCH,**  
 Plaintiff's Solicitors.

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**YOU**  
 Have a Very Bad Cough,  
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 Have Lost Flesh Through Illness,  
 Are Threatened With Consumption.

**IT WILL**  
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 Heal Your Lungs,  
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 Prevent Consumption.

SMALL & LARGE BOTTLES 50c. & \$1.00.

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**ISAAC TRENHOLM,**  
 Buctouche, June 16 1892. (6m)

**MARBLE**  
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 On and after Monday 17th October  
 1892 the trains will run daily (Sunday ex-  
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Accommodation for Moncton, St. John and Halifax,	12.23
Accommodation for Campbellton,	13.12
<b>WILL LEAVE HARCOURT.</b>	
Through express for St. John and Halifax, (Monday excepted),	5.25
Accommodation for Campbellton,	12.45
Accommodation for Moncton, St. John and Halifax,	13.05
Through Express for Campbellton, Quebec, Montreal and Chicago,	21.00
All trains are run by Eastern Standard Time.	
D. POTTINGER, Chief Superintendent.	
Railway Office, Moncton, N. B., 20th Oct., 1892.	

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 Manufacturer of  
**CARRIAGES,**  
**SLEIGHS,**  
**TRUCK WAGGONS,**  
**CARTS, ETC**  
 Repairing done expeditiously, promptly  
 and in the best style.  
 Satisfaction guaranteed. Factory on  
 the premises lately occupied by the Messrs  
 Bustard.  
**HARCOURT, KENT CO., N. B.**

**Apollo!**

The stallion Apollo will travel the  
 following routes in the County of Kent  
 every week alternately during the season.  
 Monday morning, 29th instant, he will  
 leave the Royal Hotel stable, Kingston,  
 and proceed to Buctouche, where he will  
 remain from Monday night till Wednesday  
 morning at Hanigan's Hotel stable;  
 thence to McKee's, at Little River, and  
 Wednesday night at James McNairn's, St.  
 Mary; Thursday, noon, he will be at  
 Wm. McNairn's, Mill Creek, and Thurs-  
 day night at Charles McDonald's, South  
 Branch; Friday at Kingston, remaining  
 there till Monday morning. The follow-  
 ing week he will leave Kingston Monday  
 morning, and be at Alex Robertson's at  
 noon; Monday night at Matthew Whit-  
 ney's, West Branch; at Thomas Irving's  
 Coal Branch at noon Tuesday, and at  
 Joseph Cails, Ford's Mills, Tuesday night;  
 Wednesday through Trout Brook to Har-  
 court, where he will be at the Eureka  
 Hotel stable at noon; Wednesday night  
 at Clark's, Bass River; Thursday, noon,  
 at Robert Clark's, Bass River, and Thurs-  
 day night at Docite Babineau's, St. Louis,  
 remaining there till Friday afternoon;  
 leaving there he will return to Kingston.  
 Terms made known on application to  
 groom.

**ANTHONY MCNAIRN, JR.,**  
 GROOM.  
**JOHN ROBERTSON,**  
 MANAGER.

**Bathurst School Inquiry.**

**BATHURST, May 31.**—Judge Fraser  
 duly opened his court of enquiry into the  
 Bathurst school trouble yesterday after-  
 noon. Bishop Rogers and several other  
 priests were present and Rev. A. F.  
 Thompson and several other clergymen.

After the Judge's commission and the  
 charges had been read Mr. Lawlor sub-  
 mitted that fuller particulars should be  
 given so that answers could be furnished to  
 the complainants. All he wanted was a  
 fair field and no favor.

Mr. Skinner said the particulars were  
 full enough and he did not think the com-  
 plainants could give more. They depend-  
 ed on the evidence bringing out the facts.

Hon. Mr. White remarked that he de-  
 sired the fullest investigation but it was  
 his view some of the statements purport-  
 ing to be charges are not violations of the  
 school law or regulation.

The Judge said the fullest scope should  
 be given in the interests of all concerned,  
 and if he found that Mr. Lawlor was taken  
 unawares the fullest opportunity would  
 be granted him to meet the case.

Rev. J. S. Allen, Methodist minister,  
 now living at Richibucto, was the first  
 called. He resided here for three years,  
 but could give very little information ex-  
 cept the substance of a conversation he had  
 with the school trustee, O'Brien, in 1889.  
 O'Brien told him that he had been attend-  
 ing a meeting at Father Barry's house  
 where Bishop Rogers, Father Varrily, K.  
 F. Burns and others were present and  
 when it was decided to substitute Sisters  
 of Charity for the Sisters of Notre Dame  
 who had been teaching school here. He  
 had no definite knowledge of why the  
 change was made.

John E. O'Brien, school trustee, testi-  
 fied that the meeting referred to was an  
 informal one; that it was held in 1890,  
 and that Bishop Rogers and Father Var-  
 rily were not present. The bishop was  
 in the house, however. Mr. O'Brien ex-  
 plained that the Notre Dame teachers were  
 not teaching under the school law and were  
 supported by the Catholic people. It was  
 considered advisable to engage the Sisters  
 of Charity, who could teach under the  
 law. They were engaged and their schools  
 became public schools. The Sisters were  
 examined by a gentleman who came from  
 Fredericton, but he did not know whether  
 a sister now teaching had undergone ex-  
 amination. The school trustees had full  
 control of the school rooms in the convent  
 building. Protestants as well as Catholics  
 attended the schools there. Of 98 pupils  
 on the average attending now 5 or 6 are  
 Protestants.

After dinner, Mr. O'Brien continued  
 his testimony. Before the Sisters came  
 the schools cost \$1,100; since then it had  
 increased to \$1,450, about all for salaries.  
 The teaching Sisters all received the gov-  
 ernment grant. The school board did not  
 keep the convent buildings in repairs.  
 Before the sisters came under the school  
 law there were 104 pupils taught in the  
 Convent at the sole expense of the Catholic  
 population; now this expense is borne by  
 the whole district. Of the forty-five  
 pupils in the school building, all but five  
 or six are Catholics.

In reply to the Solicitor General he said:  
 There was no truth whatever in the story  
 that the grammar school was closed to  
 force pupils to the convent schools, as they  
 were not high enough to take in such  
 advanced scholars.

To Mr. Skinner, witness said. The at-  
 tendance at the Grammar school, formerly  
 fifty-five, fell off largely after the convent  
 schools were opened.

Hon. Mr. White—The total number in  
 the convent schools has increased since  
 they opened. To put a sister in one of  
 the public schools would almost create a  
 riot. Such an act had aroused trouble in  
 the village. He would no more think of  
 arousing the Protestants in this way than  
 he would sending a Protestant teacher to  
 the convent to the annoyance of Catholics.  
 The act of the board of education in  
 providing dual schools met the wants of  
 all parties and decreased the number of  
 children running the streets.

**BATHURST, May 31.**—This morning Mr.  
 O'Brien again took the stand. Questioned  
 by Mr. White witness said there are  
 205 ratepayers in this district, about 24 of  
 whom are non-residents; 8 are corpora-  
 tions. The Protestants number 54—all  
 residents. The St. Lawrence Lumber  
 Co., is among the corporations, and Mr.  
 Burns, a Catholic, is its principal owner;  
 its assessment is \$26,000. The total assess-  
 ment on Protestants is \$45,650, on Cath-  
 olics, \$43,500. Exclusive of the St. Law-  
 rence Company the total valuation of non-  
 residents and corporations is \$36,450—  
 about \$5,000 being for non-resident indi-  
 viduals. The number of pupils in the  
 public schools in June, 1890, before the  
 Sisters of Charity came was 168 on the roll  
 and 106 of an average attendance. Six  
 months later there were 18 less.

The witness said the total cost of run-  
 ning the schools in the public building in  
 1890 was \$1,100. After the sisters came  
 the assessment was \$1,450, the increase of  
 \$350 being to pay for taking in the eighty  
 or more Catholic pupils under the law.

Replying to Mr. Skinner witness could  
 not give definite information as to the  
 school district and then retired. Bishop  
 Rogers was called by Mr. Skinner. His  
 Lordship defined the duties of priests in  
 the matter of Education. He gave at  
 some length a history of the Bathurst  
 schools since he became Bishop in 1890.  
 The Ladies of Notre Dame were teaching  
 here in 1890, but not under the law.  
 The Catholics murmured because they had  
 to contribute to both the convent and the  
 public schools and there was also com-  
 plaint because the sisters would not teach  
 boys. His Lordship explained the with-  
 drawal of the Ladies of Notre Dame under  
 these circumstances and how the Sisters  
 of Charity were engaged, showing that the  
 change was the voluntary work of the  
 Catholics here and was not due to him as  
 charged. Then he told how the sisters  
 when they came were granted local licenses  
 to teach. They could not obtain regular  
 licenses because the time for holding the  
 examination had passed. He referred to  
 the meeting held in Father Barry's house,  
 before referred to, but said he was not  
 present and that he had always avoided  
 interference with school affairs. In this  
 case he had given his official sanction to  
 what had been done.

Questioned by Mr. Skinner, His Lord-  
 ship said the Ladies of Notre Dame could  
 not teach under the law because they had  
 not permission from their superior. The  
 object of bringing the Sisters of Charity  
 was to teach under the law and to teach  
 boys. Religion is not taught in school  
 hours. Nothing objectionable to Pro-  
 testants is said or done. After school  
 hours Catholic children are given religious

education. His Lordship said he did not  
 know the letter of the school law and was  
 opposed to the non-sectarian features of  
 the law. As to sisters attending the  
 Normal School he said they could not do  
 so because they have retired from the  
 world.

These Sisters had no other  
 duty but teaching. He said he would not  
 consent to a Protestant teacher being put  
 in the convent building and a Sister put  
 into the other school house, unless there  
 was an understanding previously obtained.  
 Mr. Skinner asked the Bishop if it was his  
 unalterable determination not to submit  
 to the present school law, and that he  
 wanted separate schools: His Lordship  
 said he had submitted already; it was un-  
 avoidable, but separate schools are desired.  
 A condition of the Sisters of Charity com-  
 ing here was that they would not go to  
 the Normal School; they would get a  
 license otherwise. The convent school  
 building, he said, is not under the control  
 of the trustees as is the grammar school  
 building. The building would not be  
 under control of the trustees to such an  
 extent that the giving of religious in-  
 struction could be prevented. Another  
 of Mr. Skinner's questions was: "If  
 there was a conflict between the civil and  
 the canon law which would you obey?"  
 The Bishop said that would be according  
 to circumstances.

Replying to Mr. White, the Bishop said  
 he had been opposed to the passage of the  
 school law. He regarded it as unjust that  
 Catholics should have to pay taxes under  
 a law to which they were in conscience  
 opposed. The money paid to the Sisters  
 here went to the order. Mr. White read  
 to him the first paragraph of complaint  
 which alleges that the Bishop brought the  
 Sisters to Bathurst with a view of having  
 Protestant children taught in conventual  
 schools. The Bishop said this was false.

Mr. Skinner resumed his examination.  
 His Lordship said it was altogether im-  
 possible for the Sisters to attend the Nor-  
 mal School unless as in Catholic countries  
 that institution was Catholic. Brought  
 back to the question of religious education  
 in schools, His Lordship strongly upheld  
 the necessity of religious training for the  
 young. Asked why Protestants did not  
 insist on religious instruction in schools,  
 the Bishop said they are mistaken in their  
 views, and are gradually coming around  
 to the Catholic view. "Is it not impos-  
 sible for Catholic children under your  
 principles to attend a school with Protes-  
 tant children unless the Catholic religion  
 is taught," asked Mr. Skinner. His Lord-  
 ship said they did so attend in some places;  
 everything that was desired could not be  
 obtained.

Mr. Skinner questioned the Bishop as to  
 the civil rights of the Sisters, finishing  
 with this: "Could a Sister make an ar-  
 rangement with the trustees to teach school  
 without permission of a superior?" A  
 Sister, the Bishop answered, would require  
 permission from some superior. In a  
 general way, he has given permission.  
 Ordinary teachers do not require such per-  
 mission. No effort is made, he said, to in-  
 duce Protestant children to attend schools  
 taught by the Sisters.

**BATHURST, June 1.**—At the investiga-  
 tion this morning Bishop Rogers' examina-  
 tion was resumed by Mr. Skinner. In  
 reference to the first paragraph in the  
 charges His Lordship again pointed out  
 that false motives were attributed to him.  
 The movement to bring the Sisters here,  
 he said, was initiated by the people and  
 not by him. He again reprobated as un-  
 true the statement that he had in view the  
 teaching of Protestant children in the con-  
 vent schools. He knew Protestants could  
 attend the schools; possibly they would  
 attend. The arrangements to bring the  
 Sisters were made by Fathers Barry and  
 Varrily and he was not a party to it ex-  
 cept that he gave approval.

Ex-Sheriff Doucet, called by Mr. Skin-  
 ner, testified that at a Sunday service in  
 Bathurst church Father Barry referred to  
 the age of boys to be admitted to the con-  
 vent school, but could not remember par-  
 ticulars.

Cross-examined by Mr. Lawlor, witness  
 said it was usual to make announcements  
 concerning schools in the church. He did  
 not think the announcement was in the  
 nature of a direction. The desire to have  
 a religious order to teach was general.  
 The movement to bring sisters to teach  
 under the law met with the approbation  
 of the Catholics. As a Catholic and rate-  
 payer having children at the convent  
 school, he had no fault to find. The  
 priest said in the church, he thought on  
 Sunday, that when the Sisters of Charity  
 came big boys could attend their schools.

Rev. Thos. F. Barry, resident Catholic  
 priest in the town of Bathurst, was called  
 by Mr. Skinner. He said he was instru-  
 mental in bringing the Sisters of Charity  
 here in the summer of 1890. He attend-  
 ed the meeting of the trustees and repre-  
 sentatives of Catholics preliminary to en-  
 gaging the Sisters; where the Sisters were  
 to teach was not discussed. Something  
 was said about salaries. Nothing was said  
 about teaching under the law. It was  
 understood they would so teach. That  
 would mean Catholics and Protestants  
 could attend the convent school. It  
 would be a free school. He did not antici-  
 pate it would be a Catholic school.  
 The Bishop knew this meeting was to be  
 held. The Bishop communicated the  
 wishes of the people to the superiors.  
 They did teach the catechism he believed  
 after school hours when the Protestants  
 had retired. It was the duty of the teach-  
 ers to give religious instruction. Witness  
 related the announcement he had made to  
 his congregation in 1890 when the change  
 in teachers was made in the convent  
 schools. He understood that half a dozen  
 Protestant pupils attend the convent  
 schools.

Mr. Geo. W. Mersereau, School In-  
 spector for Gloucester, called by Mr. Skin-  
 ner, testified to the grading in the Bathurst  
 schools. He said he had made no special  
 report on the trouble in Bathurst except  
 one in 1892, when the Attorney General  
 asked him to make a workable scheme for  
 the village. He sent the report to the  
 Superintendent of Education, who told  
 him he gave the report to Hon. Mr. Blair.  
 He was under the impression that the cost  
 of schools has increased since the Sisters  
 came. This was due to the opening of  
 new schools. He considered there are  
 more teachers in Bathurst town and village  
 than are required. Some of the schools in  
 town were not satisfactory, and where  
 schools are deficient the blame is generally  
 placed on the teacher. He knew there  
 was some dissatisfaction with Miss Landry,  
 a French young lady, who was not qual-  
 ified to teach in the department in the  
 village for which she was engaged. She  
 was dispensed with at the end of the term.

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 Moose and Caribou Heads mounted in the best style.  
 Furs of all kinds dressed. Good collection on hand for sale  
 Skins tanned and made into mats.  
 Rare birds bought and fair prices paid. Arctic Owls particu-  
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 I guarantee that no moths will appear in my work.

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—OF—  
**Cod Liver Oil.**

Tasteless, Pleasant, and Efficacious. Cures Consumption, Bronchitis, and all diseases  
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 1 car Choice Barbados Molasses. 1 car Roller & Standard Oatmeal.  
 5 cars Flour—Verbena (Manitoba patent) Pearl, Sunbeam, Peoples'  
 and White Star.  
 1 car Eastern Herring. 1 car Med. & Hand-picked Beans.  
 1 car Salt, factory filled and coarse. 3 cars Sugar, granulated and Yel-  
 low.  
 1 cask Cream Tartar.  
 75 Choice Cheese. 125 half chests Tea.  
 50 drums Bi-Carb. Soda. 10 bbls. Washing Soda.  
 Also, Chase & Sanborn's Coffees, Morton's, Stephen's & Lazenby's  
 Mixed Pickles, Soaps, Spices, Vinegars, Confectionery, etc.

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**TEA and WINE MERCANT**

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