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MEN'S FURNISHING GOODSSHIRTS
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Our Complete Lines of Underwear, Hosiery and Shirts for Fall and Winter are now in Stock and ready for Inspection.

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QUEEN STREET, OPP. POST OFFICE**ARE YOU LOOKING FOR A GOOD VINEGAR?**

That will give your pickles the proper flavor and at the same time keep as long as you want them. We have Proof Cider and Proof White Wine at 50c gal., which will fill above requirements

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THE STORE FOR THRIFTY PEOPLE**A Dollar Saved is as good as a dollar Earned**

And this can be proved by buying Flour, Feed, Fruit and general Groceries where every dollar hits the mark to its fullest value. Try us when you want to buy at the closest quotations for Cash.

Yerxa's**SUGAR**Pure Cane Granulated sugar \$4.40 cwt
22 lbs " " \$1.00
26 lbs West India Sugar \$1.00
14 lbs Powdered Sugar \$1.00**Low Prices on all Patent Medicines****HEN FOOD**

Now is the time to make your hens lay. You can get the goods to do it with at YERXA'S.

CHICK FOOD
ALFALFA
BEEF SCRAPSFORCE FOOD
LAYING " " " " " "
BONE MEAL

10lbs Silver Skin Onions 25c, 7lbs Spanish Onions 25c, Squash 2c lb, Cabbage 5c each, Best White Potatoes 17c pk., Good Apples 15c pk., Eating Apples 25c pk., Crab Apples 15c pk.

Bananas 25c doz., Oranges 40c doz., Pears 30c doz., Lemons 12c doz., Dates 7c lb 4 lbs for 25c, Figs 10c lb, Seeded Rasins 14c pkg, Currants 11c pkg.

Fancy Barbadoes Molasses 37c Gallon,
5 Gallons \$1.75.**TEA AND COFFEE**Blue Banner Blend 29c lb 4 lbs for \$1.00
Black Tea 24c lb
Best Oolong Tea 35c lb
Good Tea 15c lb
Blue Banner Coffee 35c lb, 3 lbs for \$1.00
Boston Blend, Coffee 35c lb
Good Coffee 25c lb.**YERXA'S**

Queen St. Fredericton. Tel. 327.

Fall Millinery

Goods Arriving Daily

OUTING HATS

TAMS and CAPS

Miss Morgan, YORK STREET

FREDERICTON PEOPLE INTERESTED.

Several Fredericton citizens are stockholders in the Detroit United and Toledo Street Railway Companies, the stock of which lately took a decided slump on the Montreal exchange. They bought outright some months ago when the stock was in better sledding than it has been of late, and it was their intention to hold on until the price recovers. One citizen has twenty-five shares of Detroit, bought at 101, and others bought at prices ranging from 70 to 80. The stock is now quoted around 40. It has all along been paying a dividend of five per cent. Most of the Fredericton holders of Toledo bought at prices ranging from 27 to 35. This stock has been paying a dividend of two per cent on par, but at the last meeting the directors passed the dividend, thus sending the stock down in the vicinity of 10.

Opera House Motion Pictures same and nearly twice as long as St. John Nickel.—d.

EQUITY COURT DECISION**Judge Barker Disallowed Claims of Senator Thompson, People's Bank and McKeen in Estey Estate Matter—Moore's Claim Recognized.**

The R. A. Estey estate case, which is of particular interest to lumbermen, as it involves the question of liens to secure advances, was decided in the Equity Court at St. John Friday by Judge Barker. The facts of the case are as follows:

Richard A. Estey, lumber operator of Fredericton, having become insolvent, assigned under the provisions of the New Brunswick Act respecting assignments by insolvent persons to Hon. Frederick P. Thompson, Allan H. F. Randolph, John E. Moore and George McKean, on the twenty-seventh day of May, 1904, in pursuance of a resolution of the creditors which had been passed at a meeting requesting him to assign under the provisions of the act to the four persons named "to carry on the business of the said Richard A. Estey, complete his contracts and settle his estate in the best interest of his creditors." At a meeting of the creditors held soon after the assignment it was resolved that the words in the resolution of the previous meeting of creditors "and which had been introduced into the assignment, 'complete said contracts,' should be eliminated and the assignees should obtain the opinion of counsel upon the construction and validity of contracts made by Richard A. Estey with George McKean, John E. Moore and the People's Bank of New Brunswick, with power to obtain a decision from the courts thereon if by them deemed necessary.

A claim was made by the Hon. Mr. Thompson, who owned the land on which the Estey mill was situated and which mill had been destroyed by fire, that under the terms of the lease the estate was liable to reimburse him for the loss of the mill buildings and for breach of covenant on the part of the insolvent in respect of which Mr. Thompson claimed \$7,000.

A claim was made by Mr. George McKean that he had a lien on logs and lumber of the insolvent to the extent of \$20,000 for advances made for deals to be manufactured by Estey at his mills at Fredericton and to be ready for shipment in the season of 1904. The agreement contained the following provision: "It is agreed that for an in consideration of any and all advances that 'may be made by the purchaser on the above named deals that the 'purchaser shall have a lien on the 'deals either at the place of manufacture or in transit for shipment 'and also on the logs from which the 'said deals are being manufactured, 'wherever they may lay.'"

Mr. John E. Moore claimed a lien on the Tobique Rockaway logs to the extent of about \$40,000 under an agreement made with the insolvent whereby Mr. Moore was to make certain advances on the logs cut from the lands known as the "Rockaway Lands" on the Tobique, the licenses for which were held by Mr. Moore and the logs from which were to be marked Moosehorn M. to distinguish them as Mr. Moore's logs.

The People's Bank of New Brunswick claimed a lien on certain lumber of the estate for about \$7,000, which it was claimed, was secured to the People's Bank of New Brunswick by security under the bank act.

The judgment of Mr. Justice Barker denies all claims excepting that of Mr. Moore.

In respect of the People's Bank it was decided that the claim was void under the banking act and that, therefore, the bank was not entitled to rank against the estate as a secured creditor.

In respect to the claim of Hon. Mr. Thompson, after referring to the covenants in the lease, it is decided that Mr. Thompson, as landlord has no right in equity to have the buildings made good under section 83 of the trustee act, nor has he a right to rank against the estate in full for his claim of \$7,000, and that he was not entitled to rank even for damages, as the act respecting assignments by insolvent persons is not an insolvent act, but an act for the equitable distribution of estates of insolvent persons and it would be contrary to equity to admit a claim for unliquidated damages in such a

case.

In respect of the claim of Mr. Geo. McKean for a lien on the manufactured lumber, or the logs from which the lumber was manufactured, it was decided as the lumber had not been manufactured and as the logs from which the lumber was to have been manufactured were not definitely ascertained and distinguishable no lien could exist, and so far as the claim of Mr. McKean rested on the resignation of the assignees in pursuance of which the assignment had been made Mr. McKean could not establish his claim thereby as he had been and was a consenting party at the meeting at which the resolution was rescinded and it was decided to submit all matters to a court of competent jurisdiction. Mr. McKean's claim to rank as a secured creditor must, therefore, be disallowed.

In respect of the claim of Mr. Moore, no question can arise under the bills of sale act, as Mr. Moore was the legal owner of the lands from which the lumber was cut having taken over the licenses to secure his advances and the title on the logs vested in Moore from the stump and continued to vest in him so that a bill of sale was not necessary and the act respecting bills of sale was not applicable.

It was also part of the agreement that the logs were not only to be marked with the moose horn, but also with an M. distinguishing them as Mr. Moore's logs. It was, therefore, decided that Mr. Moore is entitled to all logs so marked from the Rockaway licenses and lands as security for the balance, if any, due him.

A. O. Earle, K. C., and J. H. Barry, K. C., for the trustees, A. P. Barnhill, K. C., and A. S. White K. C., for Mr. Moore, A. I. Trueman for Mr. Thompson, A. O. Earle K. C., for Mr. McKean and J. W. McCready for the People's Bank.

QUEBEC POLITICS.

QUEBEC, Oct. 18.—Hon. Mr. Turgeon a member of the Quebec government has resigned his seat in the house for Bellechasse, but not his place in the cabinet.

He will immediately seek re-election and invites Mr. Bourassa, or any of his lieutenants, to contest the county with him. In other words, he appeals to his constituents to pronounce on himself and his accusers.

He has also asked Premier Gouin for a royal commission to investigate the charges against his department in connection with the Abitibi land transaction with instructions to examine Mr. Desjardins, of Belgium, and to hear witnesses in that country, if necessary.

The premier has granted the request and will shortly name the commission, but announces that this will not prevent a parliamentary investigation if asked for.

The bye-elections in Bellechasse and in Nicolet and Montmorency, made necessary by the entry of C. R. Devlin and L. A. Taschereau to the cabinet, will take place November 4 with nominations on October 28.

COSTUME CLOTHS

Have you bought the cloth for your new Fall Costume yet? If not, call at our store and we will show you some of the smartest and up-to-date materials the market can produce.

OUR LEADER is the Plain Venetian in the popular Brown Shade, Navys, Wine, Greens and Black at 90c per yard.

Some Very Nice Plaids in Panama Cloth in Green and Brown, Blue and Brown, \$1.00 per yard.

FURS

We carry a very fine range of Furs, in German, Otter, Grey Squirrel, Mink, Ladies' Fur Lined Coats, etc.

TENNANT & CLARKE Agents

New Idea Pattern 10c each

MAPLE**LEAF****RUBBERS**

WE BELIEVE ARE THE

BEST IN CANADA

We have Just Received a Fresh Supply in Ladies' and Gents' Sizes.

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DEALER IN RELIABLE FOOTWEAR.

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Wonderful Bargains in Gents Overcoats

Sale will Start SATURDAY, Sept 28th, and Continue until TUESDAY, Oct. 15th.

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STICKNEY**GASOLINE ENGINES**

IMITATED BUT NEVER EQUALED

Let some one else pay for the Experimenting, your money is safer in the one that always works.

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