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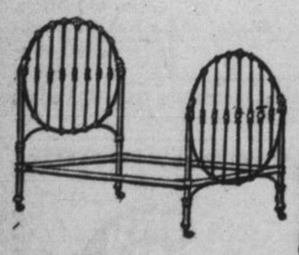

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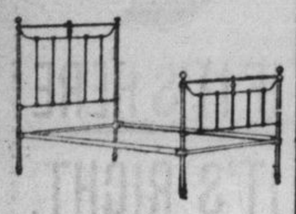

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New 1908 stock just in, Axminsters, Wiltons, Brussels, Tapestries.

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Direct from Mills of England, Austria and Switzerland. No better variety shown.

Repair and Upholstering promptly done.

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Spring Of 1908.

We are ready now to show you Rugs and Carpets, in better values, softer colorings and an assortment as large as any Carpet House in Ontario.

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Brussels, Axminsters, Wiltons, Velvets, Tapestry, Wool, Union Hemps and Japan Matting. We have them all.

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Nobody ever is. Rent day always comes too quickly. Why not get along without him? Buy a home this Spring. I can show you some that you'll be glad

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ACT IN TIME.

LOOK AT

208 University Ave. This is a comfortable frame 7 room dwelling, cheap

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126 Nelson street, single brick, 7 rooms, modern, just built, at a bargain,

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428 Johnson street, single frame 7 rooms, bath, deep lot.

See Us Anyway.

McCann,

51 Brock Street.

BRICKWOOD GOT OFF

JURY RETURNED A VERDICT OF "NOT GUILTY."

A Moving Address By Sir William Mulock Before He Discharged Brickwood—The Alibi of the Prisoner.

After being out an hour and fifteen minutes, the jury on the case of James Brickwood, charged with outrage, brought in a verdict of "not guilty," and the accused was discharged by Chief Justice Sir William Mulock. The case was opened at 9.30 o'clock, on Wednesday morning, and was given over into the hands of the jury at 8.50 o'clock, in the evening.

"The jury has brought in a verdict of 'not guilty,'" said his lordship, during the course of his remarks to Brickwood. "They have taken a favorable view of the evidence; it might have warranted a different view. For your sake, I hope that you will take warning by the narrow escape you have had, and entirely change your mode of living. Yielding to your passions, and your appetite for drink, have brought you to a very serious position. Notwithstanding, the jury have taken a very considerate view of the case, no doubt having regard for your youth, but do not allow success on this account to lead you into further trouble. Try and recover your manhood, and take care of yourself. You have yet many years of life, and you may be a useful citizen. You spoke of your mother and your desire not to let her know that you got under the influence of liquor. Remember, when you are home, that you are always subject to temptations, and the next time, guard yourself so that you will do nothing that you will need to conceal from her. Keep away from your evil companions."

"Be a man," continued his lordship. "Resist all these temptations, and live a life of honesty. Go back home, and get your mother's blessing, and don't stop and meet old companions. Go back to your mother, and bring joy into her heart, and live a good honest life. That is my hope and wish for you. This is the second time that you have appeared before the courts on a similar charge. You may be successful twice, but you must remember that the pitcher that went to the well many times, was broken at last. See if you can make good use of your life, for life is one of the most sacred things given to man. The jury has forgiven you, and the world will forget; try and lead a good life."

His lordship said that before discharging Brickwood, he would like to ask him if he would promise to lead a better life.

"Yes, I will," said Brickwood, in a firm voice.

"Very well, you are discharged," said his lordship, in conclusion; "go home and break away from all evil companions. Let this serve as a warning to you."

Crozier, Devine and Mozier were arraigned before the court rose for the day, and all of them entered a plea of "not guilty" and the case was proceeded with to-day.

The Evidence Offered.

When the court resumed its session on Wednesday Sergt. Nesbitt was recalled by the crown counsel, and asked questions concerning the location of the shack, referred to in the evidence, and this closed the evidence for the prosecution.

Joseph Mozier was then called by the defence. He said that he had known Brickwood about two weeks before the night of February 15th. He met Brickwood on this night, at the corner of Bagot and Princess streets, and walked a few blocks with him, and left him at the corner of King and Princess streets. When he left Brickwood it was 9:15 o'clock.

George Lennox, barber, who conducted a shop on the north side of Princess street, on February 15th last, was called. He said that on this evening Brickwood was in his shop at 9:30 o'clock. He was certain that Brickwood was in the shop when the gun at the fort was fired at 9:30 o'clock.

Witness stated further that Brickwood stayed in his shop until he closed up at 11:20 o'clock and that during that time he did not go out. Brickwood was under the influence of liquor and was sleeping part of the time while in the shop.

James Blake, another witness called, stated that he knew Brickwood. On Saturday, Feburary 15th, he was in Lennox's shop about 10:15 o'clock, and corroborated the evidence of the previous witness, about Brickwood being in the shop. He said that Brickwood was in the shop when he entered, and when he (the witness) got out of the chair Brickwood was still there, and asleep.

To Mr. Hutcheson witness said he thought it was strange that Brickwood was arrested but did not tell his story to the police.

"You made it known to me over a month ago, did you not?" asked Mr. Mowat.

"Yes, I did," said the witness.

The accused, James Brickwood, was then called. To Mr. Mowat the witness said that on the evening of February 15th he walked up and down Princess street, and met Joseph Mozier. He walked with Mozier a short time, and left him at the corner of King and Princess street. He had been drinking, he said, and did not go home, and did not want to go home, so went to Lennox's barber shop.

Witness denied, positively, being with the Topping girl, at the shack, on the night of February 15th. He said that he was not acquainted with Crozier, and had never seen him before until he saw him in the police court. Devine he knew slightly. Witness denied the evidence given by Constable Naylon about his (the witness') conversation with Devine when in the police cell. Witness said that he was brought before the Topping girl, and that at first glance she did not say that he was one of those who had assaulted her. She afterwards asked him to say "sugar," he did so, and she said, "yes, that is the fellow, lock him up."

When asked his age witness said that he was seventeen years old.

Brickwood said that he had been drinking on this night, both before and after supper.

The accused claimed that Sergt. Nesbitt offered to let him go if he only admitted being one of the guilty ones, the sergeant making the remark that he was the youngest of the lot.

To his lordship, Brickwood said that on the Saturday night in question, after seven o'clock, he went into the Congress hotel alone, and was served with three or four drinks. Later, he was served liquor at Spence's hotel. There were four or five others in Spence's bar, when he was there. It was a few minutes to nine o'clock, when he was at Spence's hotel, and this was all the liquor he had that night.

James Crozier gave evidence next. To Mr. Mowat, he said that he knew Minerva Topping. He met her at the corner of King and Brock streets on February 15th. The girl spoke to him first, and he told her he did not know her. The girl said, "It's all right; I had a date with a fellow at the post office, but he did not show up." Witness said that he walked several blocks with the girl. The latter had a bottle of whiskey, and after she had given him a drink, she took a drink, too. Later, on the suggestion of the girl, he went with her to the steamer Pierrepont, and went on board with her. Here, the two drank the rest of the whiskey, and witness claimed that afterwards he had relations with the girl, and paid her fifty cents, which she accepted.

Witness denied being at the shack, and said that he did not know Brickwood. When the girl left the boat, he went to the corner of Brock and Ontario streets and talked with a friend for some time. It was just 9:30 o'clock, when he left the boat, and when he left his friend, he went to Beefsteak Jack's restaurant to get something to eat.

Asked by his lordship, Crozier said that he never went under the name of "Tom" McKenzie and did not know any person of that name.

The Conversation Denied.

Michael Devine, when called, denied that he had a conversation with Brickwood in the cells, the one referred to by Constable Naylon. Witness stated that he was not with Brickwood on the night in question, and was not at the shack. On the Saturday night in question, witness said that he was out, leaving his house about eight o'clock. He attended the Princess theatre, but did not know what time it was when he left. He was not drinking, but went to Paradis' hotel, and remained there until about eleven o'clock. He was engaged in conversation with Mr. Paradis' son. Later, he went out and met Crozier and went into the restaurant with him. He was later arrested in the restaurant.

Thomas Ewart, a prisoner at the jail, said that he knew Minerva Topping. On March 19th, when in conversation with witness, the Topping girl told him that Devine, Mozier and Brickwood were not the men implicated in the case.

Another prisoner named Babcock stated that he knew the previous witness, and the Topping girl. He overheard a conversation between the two, in which the girl said that Devine, Mozier and Brickwood were not implicated in the case. The girl spoke to Ewart first. When she told this to Ewart the latter asked her why she was going to swear against them, whereupon the girl said, "I am not going to appear against them."

Sergt. Nesbitt was recalled a second time, and said that the statement made by Brickwood about him (the witness) offering to let the prisoner go free, owing to his youth, was untrue.

This concluded the evidence, and it was six o'clock when Mr. Mowat commenced his address to the jury.

Addressing Jury.

Mr. Mowat, in his opening remarks, said that there was no half way house in the case. The jury had either to find the prisoner guilty or not guilty on the charge. He then referred to the girl's character. On two occasions, she had been discharged from places where she had been employed, because of improper conduct, and had admitted on one occasion, that she endeavored to poison herself. On another occasion, she had a date to meet three young men, and she had made the remark to one of them, that he need not come to her if he did not have the "tin." The prisoners from the jail, who gave evidence, had no cause for swearing falsely.

Mr. Mowat reviewed all the evidence, and referred particularly to what Crozier claimed took place on the steamer Pierrepont. He also referred to the evidence of Lennox, the barber, who swore that Brickwood came to his shop between nine and nine-thirty o'clock, and that he was there when he closed up his shop at 11:30 o'clock. Unless it was found that Lennox was committing perjury, the story of the girl must be taken as being untrue. Between Brickwood and the girl, it was a case of oath against oath. Which story would the jury believe? The crime was a most serious one, one for which the accused could be sentenced to death, if found guilty. Was it right that he should be condemned on the evidence of such a girl as the complainant.

Mr. Mowat, continuing, said that no doubt counsel for the prosecution, would have something to say about Canadian womanhood. In this case, he would say that it was no sample of Canadian womanhood. He did not wish to deny that the girl had been assaulted, but what he did contend, was that he (Brickwood), the accused, did not have anything to do with it.

Mr. Mowat also criticized the work of the police, stating that they had looked up evidence for the case.

Mr. Hutcheson, counsel for the prosecution, referred to the serious charge made against the prisoner, and said that it was a duty the jury owed to the state, to see that it was thoroughly investigated. The public must be safe-guarded, and this could only be accomplished through the work of the jury. Counsel for the defence had stated that there was no half-way house for the jury, that they must either find the prisoner guilty of the offence as charged, or not guilty, and that the penalty was death or a life sentence. It had only been in cases where some monster had been found guilty of ravishing a child, that such severe sentences had been imposed. A few years ago, a term such as seven years in prison, has been imposed, but of course this was a matter for the judge to decide. The jury was open to find a verdict of indecent assault, or even common assault. There was no reason to suppose that the police had made their story out of whole cloth, and had come to the court to perjure themselves.

"We cannot get along without the police," said Mr. Hutcheson. "The men selected for the force are men chosen from among our own citizens. Can you believe that they would do anything like that? They have nothing at stake, and what motive would they have in doing this? The fact that the complainant went to the police immediately after the affair, and complained, went to show that she had not been willing to have such conduct take place. Matches were lit in the shack, and the complainant had an opportunity of identifying the prisoner. There was a chance of Lennox, who told of the prisoner being at his shop on the night in question, being mistaken. Criminals do not go about their work in the open, and the police had a right to take such means as they did, to ferret out the case. The case must be viewed in a broad light. We all, perhaps, have daughters and sisters of our own, and they should be protected."

Chief Justice's Remarks.

His lordship said that the prisoner could either be found guilty of outrage, indecent assault, or common assault. The evidence was rather complicated. On the crown's side, there was the evidence of the Topping girl. It was quite clear that she was not a girl of good character. The question of credibility must be considered. At the shack, the girl might or might not have been willing to allow things to take place. If she was willing, then the prisoner did not commit outrage. If the prisoner had assisted others in accomplishing their purpose, he was guilty of an offence. The complainant was a wayward girl, but even so, no person had the right to abuse her. The crown had only one duty to perform, and that was to protect the innocent and to bring the guilty to justice.

Before the jury retired, Mr. Mowat pointed out to his lordship that one reason showing that it had been the Saturday night that Brickwood was in the barber shop, shown in evidence, was the fact that on the other nights in the week, the early closing was respected by the barber shops in Kingston.

"I hope that the early closing of the barber shops is respected better than the hotel closing on Saturday night," remarked his lordship.

Abandoned The Cases.

At the high court, on Thursday morning, the crown drafted the charges against James Crozier, Michael Devine and Joseph Mozier, and they were discharged by the chief justice. This was the last case on the docket, and the court finally adjourned shortly after ten o'clock.

After, the jury had been sworn in, Mr. Hutcheson, the crown prosecutor, said that he had gone over the evidence in the case of the three young men very carefully, and had come to the conclusion that it would not be safe to ask for a conviction. There was no additional evidence to offer, apart from thatwhich had been given in the court on Wednesday. The girl had sworn to her story, and the men accused had denied everything. There was nothing to corroborate the evidence of the girl.

His lordship said as the crown would not proceed, the men accused would, therefore, be discharged. Counsel of the prosecution had interviewed him concerning the case, and he, himself, was of the opinion that the crown counsel was doing what was right. There had been evidence of admissions in the case of one prisoner, but in the case of these three men there was not. Evidence had been offered both ways.

In discharging the men, his lordship said that as there had been no evidence brought against them, it would not be proper for him to make any comments on the circumstances, and he thereupon discharged them, and the court was adjourned.

Hear Prof. Morrison on "Ghosts and Fairy Tales," Chalmers church hall, Friday, 3rd, 8 o'clock, 10c. and upwards.

$100 REWARD, $100.

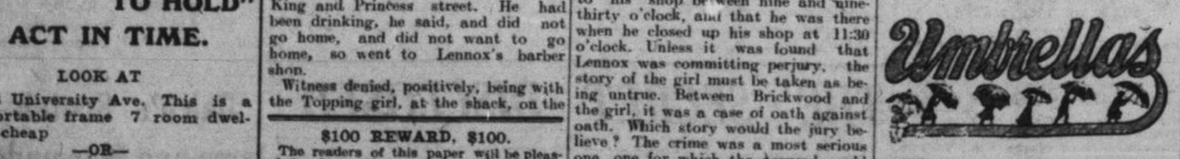
The readers of this paper will be pleased to learn that there is at least one dreaded disease that science has been able to cure in all its stages, and that is Catarrh. Hall's Catarrh Cure is the only positive cure now known to the medical fraternity. Catarrh being a constitutional disease, requires a constitutional treatment. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system, thereby destroying the foundation of the disease, and giving the patient strength by building up the constitution and assisting nature in doing its work. The proprietors have so much faith in its curative powers that they offer One Hundred Dollars for any case that it fails to cure. Send for list of testimonials.

Address F. J. CHENEY & CO., Toledo, O.

Sold by all Druggists, 75c.

Take Hall's Family Pills for constipation.

FOR THE APRIL SHOWERS.



We have them in all qualities from 50c. to $5.

This is the store that sells the best dollar umbrella in Kingston.

When you buy your new Spring Hat this is the store.

George Mills & Co.

Importers Of Fine Hats.

TWITTING BURROWES

ABOUT HIS IDEAS ON ANOTHER THEATORIUM.

He Says He Certainly Wants to Save His Own Bacon—What the Promoters of the New Theatorium Purpose Doing.

"I have been twitted several times to-day about my interview in the Whig concerning the bad prospects of a fourth theatorium in Kingston," said Annesley Burrowes, proprietor of the Bijou theatre. "You said these things to save your bacon, they said.

"Of course. I haven't much interest in other people's bacon, but I stated facts nevertheless, and if the other people choose to make use of those facts to save their own bacon they are welcome to do so."

"I have no doubt that the starting of a new theatorium would injure all the other theatoriums, but it won't hurt us anywhere near as much as it will the men who start it. The starting of a new place simply means that each of the four places will have 5,000 behind it.

"Now a town of 5,000 people, where there is no opera house, no park, and no other amusement, will support a theatorium and give a small profit, but it won't support the kind of theatorium we have in Kingston, with high film rentals, high rents, high electric bills, high-priced apparatus, and highly paid employees. Salaries in Kingston are as high as those paid in Toronto, or Detroit, and Kingston is content with nothing less. Twenty thousand people simply will not maintain four theatoriums under conditions as they exist here to-day.

"Moreover, the bigger a place is the fewer theatoriums it will sustain in proportion to its population. Kingston now has about 6,500 people to each house. Toronto has 23,000 people to each house. Detroit has about 40,000 people to each house, and so on, the reason being that in a small place all the people are close to the theatoriums. That is why the proportion of the population which attends theatoriums is smaller in a town like Kingston than it would be in Trenton or Smith's Falls.

"The idea that people will go to all four is another fallacy. They don't even go to all three. Most people walk casually down town and take in one house. A considerable number take in two. Only a few take in the three. Nobody will take in four. It will be too long a night's work. Three shows will satisfy anybody.

"A fourth theatorium will mean longer shows, higher-priced films, higher-priced and more singers and more elaborate decorations. It will be a merry fight all around. Somebody will go under.

"I notice that one of the local houses recently offered a half interest for sale, which it would scarcely have done if the business was a gold mine, but the new investors would find it pay better in the end to make that purchase than to spend their good money—get nothing for it but a fight."

It is rumored that one of the local theatoriums now doing business is likely to close in May. If that is so, there is a chance for the new one proposed. It is said that those behind the new concern intend giving a different kind of performance, doing away with illustrated songs. Five thousand dollars, rumor says, is to be put into the project.

New Theatre Wished Success.

Kingston, March 31.—(To the Editor): I notice in your issue of Monday an article which states that the man who would start up another moving picture theatre would be a Napoleon or an ass. It seems to me that the writer is afraid not that the new theatre would not pay so much as that it would pay and deprive him of his living. He seems to be looking after the welfare of the men interested, while it takes but little insight to see that he is quaking for himself.

Might I ask him if he were the first to start a moving picture theatre in Kingston, or was not Wonderland the first. Did the Wonderland people raise a howl because his came in to deprive them of their living? No, they acted like good sports; they lived and let live and they have prospered.

The men who propose starting the new moving picture theatre are men with ability, as well as means, and as a Kingston company I think they deserve the help and co-operation of the citizens of Kingston, and if the people do as they should, it will be the older theatres, not the new one, which will have to go out of business if any have to.

This new company is in trust with people in the city, who can make it a success, and they have the promise of some of the best talent in the city.

I have always supported the Bijou, but should a new theatre be opened for Kingston people by Kingstonians, I will be the first to support it, and I think it is the duty of all good citizens to do the same, and in such a case there will be no need of the manager of the Bijou fretting for the welfare of the new theatre. Here's to the new theatre; may it have all kinds of success.—A QUEEN'S MAN.

To Be Presentation.

A week from Tuesday night next, 14th inst., a very pleasant event will take place in the Ontario hall, when the members of the victorious 14th hockey team will be entertained by the citizens and presented with gold watches. The arrangements for the occasion are in capable hands, and a fine programme is being arranged for the evening. Boxing bouts, wrestling bouts and other forms of manly sports will be put on.

Had Bad Ear Trouble.

The skin became hard and dry, caused frightful itchiness and nothing helped till Dr. Hamilton's Ointment was used: it cured. Nothing known that is so healing, so antiseptic, so sure to alleviate all skin irritation. Try Dr. Hamilton's Ointment yourself.

Miss Effie Ash, Arch street, who has been ill in the hospital, has returned to her home.

TO-NIGHT AT THE GRAND.

"The Vanderbilt Cup" Will Be the Attraction.

Local theatregoers will be given an opportunity to see the production which caused more comment in New York than any five plays that were produced last season, when "The Vanderbilt Cup" comes to the Grand tonight. It is thoroughly a musical comedy, the automobile being the motive power from the rising of the curtain till its fall. W. K. Vanderbilt's cup race at Mineola, Long Island, is the foundation of the delightfully funny situations. Mr. Vanderbilt presents the trophy which is raced for by automobile drivers of the world each autumn on the smooth roads of Long Island. The story of the play hinges upon the efforts of a clever little country girl, who overthrows a plan to defeat her millionaire uncle's car.

Curt Willets, a wealthy gentleman, sends his lawyer to the country to bring back young Dorothy Willets, who is to be the old man's heiress. She is in love with Dexter Joyce, a wine agent, and the three journey to New York together and go to the Marjorie Wellington hotel, a hotel which is strictly for women.

"Ma's New Husband."

Playgoers of all ages, and people who have never entered a theatre, will find in "Ma's New Husband" entertainment of a wholesome, mirthful and enjoyable type. This, at any rate, is the concensus of opinion in other cities, where this jolly, three-act musical farce has been played. The melodious and catchy music, the many mirthful vocal numbers, the side-splitting comedy situations, the splendid cast, both in vocal and dramatic ability, the chaste and pretty costumes and the attractive scenic settings combine to furnish a performance that makes an appeal to everyone who enjoys a good, healthy laugh, and entertainment that is at once polite and pleasing. At the Grand on Saturday, April 4th, matinee and night.

From Chaps To Erysipelas.

The best remedy for all injuries to or diseases of the skin is Wade's Ointment. It not only cures wounds and skin diseases, but prevents many skin troubles by its antiseptic, germ destroying properties.

Cures eczema, salt rheum, scaly or itching eruptions of the skin, pimples, blotches, dandruff, etc. In big boxes, 25c., at Wade's Drug Store.

Noted Musician Called.

Robert Ambrose, composer of the hymn "One Sweetly Solemn Thought" and others that have won renown has died at his home in Hamilton, aged eighty-four. He was born in Chelsenferd, England, and had resided in Hamilton for nearly half a century. For many years he was organist in the Church of the Ascension. He had lived in Kingston for many years previously. A widow, two daughters, and four sons survive. One of these is Paul Ambrose, organist and composer, New York.

B. A. Hotel Arrivals.

H. B. Sherwood, Napanee; W. H. Milligan, Kelly Evans, W. N. McIlwraith, J. S. Muir, R. Flett, Toronto; H. W. Loughead, Sarnia; Capt. Richard Fitzgerald, Ogdensburg; Martin Sichel, Hamilton; H. W. Lind, London; F. L. Hall, Perth; James Irwin, Campbellford; George M. Wilkinson, Seattle; F. G. Wilcox, Worcester, Mass.; Robert Robinson, New Rochelle; James Livermore, Austin, Texas; Frederick Filmore, Boston.

Spring Importations Of 1908.

Prevost, Brock street, has received three cases of imported goods for his order clothing department, consisting of Scotch and English tweeds, serges, cheviots and vicunas. A great variety of them to choose from.

May Arrange Settlement.

The case of the North American Telegraph company, limited, against the Bay of Quinte railway, has been adjourned to Toronto, pending negotiations to bring about a settlement between the parties.

That languid, lifeless feeling that comes with spring and early summer, can be quickly changed to a feeling of buoyancy and energy by the judicious use of Dr. Shoop's Restorative.

The restorative is a genuine tonic to tired, rundown nerves, and but a few doses is needed to satisfy the user that Dr. Shoop's Restorative is actually reaching that tired spot. The indoor life of winter nearly always leads to sluggish bowels, and to sluggish circulation in general. The customary lack of exercise and outdoor air ties up the liver, stagnates the kidneys, and oft-times weakens the heart's action. Use Dr. Shoop's Restorative a few weeks and all will be changed. A few days' test will tell you that you are using the right remedy. You will easily and surely note the change from day to day. Sold by all dealers.

Crowns the World

KING HATS have the fashionable touch that crowns the world. Call in on your way down town and see the latest Spring Styles, at the New Men's Wear Store.

P. J. HUNT,

53 Brock street.

LEGISLATIVE ASSEMBLY

FOR RE-ELECTION

EDW. J. B. PENSE.

The candidate's public duties will prevent a systematic canvass. Will old friends, and many new supporters kindly reserve their pledges for his benefit?

Spring Has Come

and we have just received a choice lot of Feather Boas. See window display. We store Furs.

W. F. GOURDIER,

76, 78 and 80 Brock St. 'Phone 700.

Mirror Centre Pieces

FOR THE TABLE.

We are showing some pretty new patterns, edged with silver, in plain, pierced, and embossed effects, with or without feet, sizes from 8 to 14 inches across the top.

SMITH BROS.,

Jewellers, Opticians.

350 KING ST.

'Phone, 666.

Issuers of Marriage Licenses.

Wood's Phosphodine, *The Great English Remedy.* Tones and invigorates the whole nervous system, makes new blood in old veins. *Cures Nervous Debility, Mental and Brain Worry, Despondency, Sexual Weakness, Emissions, Spermatorrhœa, and Effects of Abuse or Excesses.* Price $1 per box, six for $5. One will please, six will cure. Sold by all druggists or mailed in plain pkg. on receipt of price. *New pamphlet mailed free.* The Wood Medicine Co. *Formerly Windsor.* Toronto, Ont.

BUSY

In Our Dress Goods Department

Every day brings many new buyers to our Dress Goods Counter and all go away delighted with purchases.

We certainly have goods and at right prices too.

If you want a New Dress be sure and see our display before buying.

White Waists

In a big variety of styles, all this season's buying. Prices range from 75c. to $5 each.

Embroideries, Insertions, Laces, Flouncing Embroidery, Allover Embroidery, Corset-Cover Embroidery. Dainty patterns to choose from.

We have the swellest range of Coats for spring to be seen anywhere in the city, $5 and up.

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"The Always Busy Store"