

He has brought under review, not only every act of the present Government, but every idea having reference to its motives and proceedings, and with respect to which it might be possible for him to raise a doubt or question of their integrity since the very moment of their coming into power.

Mr. COLES (the Leader of the Opposition) Mr. COLES. Of fully reviewing the policy of the Government, and criticising the acts of the Government, we have no other opportunity than that which is afforded us in the course of the discussion of the Address; and the hon. member from Assam is only making a legitimate use of that opportunity.

Mr. HOWLAN. The Hon. the Leader of the Government is very polite; he is indeed notorious for his politeness; but he is much mistaken if he thinks that, either by a courteous or unceremonious introduction, he can turn me aside from the course which my duty to the country imperiously ought to pursue. I am quite as well acquainted as he is, both with the rights and duties of members of the House, and with the privileges extended to them by parliamentary rules and usages; and whilst I shall always be found willing to be kept within due bounds by the first, I shall ever, when I believe the good of the country demands it, exercise to the utmost latitude of my privilege, whatever talent or ability I may possess to bring to strict account those whom I believe to have been guilty of malversation in the administration of public affairs. I contend that there was nothing in the state of the Colony to warrant the extraordinary precautions to which the Government had recourse at the time of the late election, and also whilst declaring that there was no occasion whatever, on account of any existing or impending danger, to remove the powder from the magazine, I maintain that it could scarcely have been removed to a more unsuitable place. Who, indeed, but a set of silly old women or men only fit to take counsel with them, could have made choice of a damp old green-house as a suitable depository for gunpowder? The Irish Society had, for forty years back, walked in peaceable procession, through the streets of Charlottetown, on St. Patrick's Day; and neither by word nor deed, nor by any sign or token, had they ever given occasion to the authorities to suspect them, either of disloyalty or design to break the public peace or violate the law; and yet, with a full knowledge of the peaceable and loyal character which the Society had always preserved, even from the day of its formation to the very hour of its being attacked by the breath of a crazed calumnia or, the Government thought proper, without investigation or inquiry, to pass sentence of condemnation upon it—if not by name, yet certainly by every other mode by which the object of their terror and excommunication could be indicated. The Government had a very large revenue at their disposal; but, on that consideration, they could find no right to indulge in a lavish or needless expenditure of it. In the needless erection of what they styled the new Barracks—but what the Hon. Col. Gray had been saying about more sheds—they had expended about £10,000 or £15,000.

The Hon. the Solicitor General, Mr. HAVILAND rose to order. The Hon. Col. Gray, he said, had not styled the Barrack buildings "more sheds"; but, when speaking of them had used the proper military terminology, and called them "sheds." It was certainly much to be regretted that any hon. member, how much soever he might feel himself at a loss for point in argument, should seek to supply it by misrepresentation.

Mr. HOWLAN. The Hon. Col. Gray, when speaking of the new Barracks, called them "sheds." I distinctly heard him call them so; and I distinctly state upon the honor of a gentleman, that he said they were nothing but mere sheds. But by whatever name they may be called, whether "sheds" or "huts"—and either word, to my apprehension, is sufficiently expressive of their insufficiency for the purpose for which they were designed, and to which—in the great discomfit of those who have been obliged to live in them through the winter—they have been appropriated. Well these "sheds" or "huts" have cost the Colony from £10,000 to £15,000; and yet so insufficient have they been found for the purpose of housing Her Majesty's Troops, that it has been asserted, on good authority, that neither men nor office would have suffered more had they been left out under canvas, all winter. The unfair mode by which the contract for building the new Barracks was given to the Superintendent of Public Works, was—indeed, of all consideration of the needlessness of the creation—an act of condescension on the part of the Government, which ought to be, and which, in all probability, would, in due time, together with other acts of their maladministration, be visited upon their heads with all the severity of public reprobation. It was very well known that one gentleman in Charlottetown, who, with a view of tendering for the contract, had prepared plans and specifications of the intended erections, called at the Office of the Superintendent of Public Works, at 10 minutes to 12 o'clock, at noon—the hour of the last day on which, according to public advertisement, tenders could be received—for the purpose of giving in his tender, and that he enquired who her any other tenders had been sent in or left, and the reply he received was in the negative. Now, if that was true—and there was no reason to doubt it was so—Mr. Alley's tender must have been sent in after the expiration of the time limited for the reception of tenders; and, consequently, must have been unfairly received and accepted. I know that, in answer to this charge of unfairness, the Government reply that, in accepting the tender of the Superintendent of Public Works, they accepted the lowest tender—the only other tender exceeding it by £2,000. But this explanation does not, by any means, exonerate them from blame. The contractor being himself the Superintendent of Public Works, who was to superintend the execution of his contract? I sincerely believe that Mr. Alley, the Superintendent of Public Works, is a skilful architect and an honest man; but I do not believe that, in the performance of a large contract, and one in which private interests are opposed to public interests, it is proper to allow a man—however great at his reputation for skill and honesty may be—to be the judge, valuator, and superintendent of his own work. The duty of the Government, to say the least of it, was—if they really were in a dilemma—to have honestly and honorably exonerated themselves from it, by depriving Mr. Alley of his office of Superintendent of Public Works. At the time they accepted his tender for the erection of the new Barracks, and appointing, to that office, another competent person, in his stead, to superintend the completion of that contract. However, instead of doing this, the Government were of opinion, it would seem, that in Mr. Alley's reputation for skill and honesty, they had a sufficient guaranty for the due performance of his contract; and they, therefore, left it entirely to himself to proceed with it as he thought proper. And what has been the result of this?—Not to say misapprehension—confusion? Why, simply that the buildings have not been erected according to the plans and specifications, that the work is in many respects shamefully incomplete and imperfect, and the materials of very inferior quality. The Hon. the Leader of Government had said that they (the Government) wished the whole business to be properly investigated and the buildings to be fully inspected.

Mr. HOWLAN. Well, if you do, appoint a Committee of the House to make the necessary investigation and inspection. [A laugh.] For let duty qualified, and, in other respects, judicious and disinterested persons, be called upon or appointed to make due examination into the whole matter. That the sending for the soldiers and the great consequent expenditure of public money, necessitated first by the transfer of the troops to the new Barracks, and lastly by the expenses of their encampment and the expenses incurred by employing them to sustain battalions and companies in the service of war, and the effecting of disbursements, and lastly in the erection of the sheds or huts, called the new or Victoria Barracks, might easily have been avoided, is, I think, fully proved by Sheriff Dodd's letter to the Hon. the Leader of the Government. In that letter, Mr. Dodd says he thinks the law might have been carried into effect simply by a due exercise of the civil authority, and, if the Government had given it full effect, there would have been no need of soldiers.

Mr. DUNCAN. Mr. D did not say so in the letter of which the hon. member has spoken. If he has the letter, let him read it; and he will find that he has misrepresented Mr. Dodd's words.

The measure proposed by Your Excellency with respect to the sale of the old Barracks and the building of the new ones, will receive your careful attention, when all the papers on the subject shall be submitted to me. The House of Assembly cannot, however, but regret that so large an expenditure, as would appear to have been incurred for this permanent work, should have been undertaken without the consent of the Legislature.

Hon. Mr. W. BURTON. I cannot allow the present discussion to terminate without saying a few words with reference to some points which it has embraced. One observation made by my friend, Mr. Howlan, touching the composition of the Irish Society, as respects creeds, may have induced the belief, on the part of some hon. members of this House, that all the members of that Society are Catholics. Now, that is not the fact. It is by no means an exclusive Society on the score of religion, and confined to Catholics only; for Protestants, as well as Catholics, being Irishmen, or of Irish descent, are, and have been members of it from its very origin to the present time; and I myself have had the honor of being its Secretary. Of the reverence for the law, of the humane and charitable dispositions, and of the good will borne to their fellow subjects in general of whatever nationality or church, which are characteristics of the members of that Society, I rejoice to be able to bear testimony with my friend, Mr. Howlan, and, as he has done, so do I so honestly declare that I am convinced there was nothing in the state of the Colony, at the time when the panic so unaccountably arose, to warrant the extraordinary—and in themselves alarming—proceedings to which, on that occasion, the Government thought proper to have recourse. As for any evidence of a disposition to riot or violation of the laws, at that critical point of time, as the Government then really believed, or pretended to believe it to be, I neither know of any, nor have I heard of any, save what actually took place, in this City, on the evening of St. Patrick's day, when three or four young men—gentlemen, I believe, they account themselves—either Irishmen or Catholics, however, took to their heads to break the windows of an Irish Catholic gentleman, Mr. McCreath. One of the soap-sellers was apprehended; and, on his being carried to the Police Court, he gave the names of his associates in the act of wanton mischief; but, as they all happened to be respectively connected, the matter was compromised. As respects such compromise, my opinion, however, is that when, before a magistrate, they are allowed to be entered into, merely in consideration of the respective position in life occupied by the offenders, they are directly calculated to bring the magisterial office and authority into contempt. A truly independent magistrate is so timorous or slavish-respecter of persons; and whether an offender, when brought before him, be one of the highest or lowest in the land, he deals with him simply with reference to the nature of his offence and the legal punishment due to it. The hon. gentleman concluded by saying he had had an opportunity of visiting the new Barracks, that he had been through every part of them, and that so far as he was capable of judging, he thought they had been a shameful job of it. I have, said he, had some experience in building; and although I cannot scrutinize a structure with a workman's or an architect's eye, I am able, I believe, to judge pretty correctly as to whether in the construction and finish of it, due regard has been had to the purposes for which it was intended; and I am quite satisfied that I judge correctly in declaring that the buildings of the new Barracks are not suitable for the purpose for which they have been erected—the accommodation of Her Majesty's Troops—at any season of the year, but particularly in winter, in a climate like this in which we live. It was the duty of the Government to have taken care that the Barracks should be so constructed and finished as to afford all the comforts and accommodations to which Her Majesty's Troops, both officers and men alike, are most justly entitled in their quarters, in any part of Her Majesty's dominions. In the new Barracks, some little attention indeed appears to have been paid to these matters, so far as respects the rooms of the married officers; although, even in those rooms, but little comfort can have been experienced by their occupants during the winter. As for the other rooms, they can have afforded but a very insufficient protection against the inclemency of the season now terminating; and the whole buildings are so open, loose, and unsubstantial, that it is impossible they can hold together for any length of time. But what else could have been expected, when the Government, as my hon. friend friend, Mr. Howlan, has observed, had given the contract to an officer of their own, without any guaranty or security for the due performance of it? It would, indeed, be well if a regular investigation of the whole matter could be made; for, although, in the event of due enquiry and examination into it, it would be found to have been a regular job, yet the exposure consequent upon such investigation would afford some satisfaction to the country; for, as affording the electors evidence, in addition to the great amount already before them, of the shameful manner in which the party at present in power have abused their confidence, it would help still further to open their eyes to the deceptions which have been practised upon them, and be an additional means of enabling them to choose more wisely at the coming general election.

Hon. the Leader of the Opposition (Mr. COLES) The Government do not appear to be disposed to attempt a vindication of their actions as respects the erection of the new Barracks; and, indeed, I am not surprised at the reluctance manifested by them to enter upon their defence against the charges preferred against them on that score. They have, without any management, further than that which had its origin in their own mismanagement of public affairs, incurred a crisis—expended one fifth of the revenue without the consent of the Legislature. They have, indeed, attempted an excuse for it, to the effect that having been necessitated to call in the aid of the troops for the preservation of the public peace, they were bound to provide suitable accommodations for them. That, however, to my mind, is a very insufficient excuse for the great expenditure which, without legislative sanction, they have incurred. But even setting aside, for the moment, all considerations of their utter disregard of that great constitutional principle which prohibits the chosen representatives of the people to be the only lawful holders of the public purse strings, can it be wondered at that the Barracks buildings, hastily run up, as they were, under no guaranty or inspection, in the fall of the year, constructed of unseasoned wood, and much of that also of the poorest quality, should be the mere open, crazy, and unfinished shells they are? The Government say that, at their own request, the troops having been sent hither, they were, by an Act of the Legislature, bound to provide suitable permanent accommodations for them; but that I deny. The troops were sent hither only for a temporary purpose; and temporary accommodations were all that should have been provided for them. The Hon. Colonel Gray—a good authority, I presume, on that question—has said that it is his opinion that the troops will not be left with us for any length of time. What, then, as I have before asked, will become of those buildings which have been needlessly erected at so great an outlay of money to the country? They cannot be converted into comfortable or desirable residences for respectable families;—they will not be available for that purpose; and will, therefore, for the three or four years through which they may last, become mere receptacles for the refuse of society,—hovels and dens of vice and misery, of the worst and most revolting character. Hon. members of this House, supporters of the Government, openly and candidly told me, in the matter of the unconstitutional expenditure incurred by them in the erection of the Barracks, they had committed a very grave error, and that their duty to their constituents, as well as their own regard for the great constitutional bulwark of public safety, required them to vote against the Bill. The power of the public purse vested in the parliamentary representatives of the people—would they feared, prevent their voting, in their places in the Legislature, in support of an indemnification to them (the Government) for the act, on the plea of the urgent emergency of their position. To these plain declarations of conscientious disapproval of the Government's unprecedented expenditure of public money, on their own responsibility, the Government replied that, unless they should be sustained by their votes, with reference to that question, in the Legislature, they would have to resign. This threat, it seems, had a mighty significance; and, by means of it, a few of their supporters who were wavering in their allegiance, or meditating revolt, have been forced back to perfect submission. That there was interested partiality or unfairness, as respects the Government's acceptance of the tender of the Superintendent of Public Works, at the eleventh hour, or rather just a few minutes before the time limited for the receiving of tenders had expired, is, I think, too plain. And, again, I contend that, under no circumstances, should the Superintendent of Public Works have been allowed to take such a contract as for the building of the Barracks—a contract which, in pecuniary amount, exceeded all the other public contracts in the Island taken together. And further, on what principles of fair and open dealing, I should like to know, did the Government—when it was found necessary to erect other buildings in addition to those included in his contract—give the additional work to him, at his own price, without allowing it to be

completed for in the usual way? It was very easy for the Government to say that no other person would have undertaken it at as low a rate of charge as Mr. Alley. Did they prove that by throwing it open to competition? No; they did not; and their having failed to do so was unfair to other tradesmen, particularly to him who, as well as Mr. Alley, had tendered for the first contract. But, in fact, everything connected with the building of the Barracks—besides the needlessness of the erection and the unwarranted appropriation of public money for that purpose—was open to serious objections, and had given rise to many well-founded complaints and occasioned strong suspicions of collusion and complicity. And what wonder that suspicious of collusion should have been excited when it was well known, in Charlottetown, that the flooring had been ordered, by a member of the Government, ten days before the tenders were opened.

Hon. the Leader of the Government (J. C. POPE) rose to order: The Hon. the Leader of the Opposition has said that the plank for the flooring of the new Barracks was ordered, by a member of the Government, ten days before the tenders for the erection of these buildings were opened. The insinuation, conveyed by the words of the hon. gentleman, is so plain and direct, that every other member of the committee must fully comprehend it. Plain and direct, however, as it is, there is not—in the sense in which the hon. gentleman wishes it to be understood—one word of truth in it. I am quite sensible that I am the member of the Government to whom the hon. gentleman has alluded; and I will now state the facts, which alone can have afforded any grounds for the charge so freely insinuated against me; at the same time reminding the hon. member that, by a reference to certain dates, the absence of all real foundation for what he has unjustly advanced as a fact, can very easily be shown. After Mr. Alley's tender—which was by far the lowest—had been accepted, he asked me—knowing that I was in the habit of importing flooring from Messrs. Primrose and Radford of Pictou—if I would telegraph to them for what he might require to enable him to fulfill his contract. This I at once agreed to do, and did; and, when agreeing to do so, I, at the same time, offered him any further assistance in my power, in the way of furnishing him with vessels for bringing the flooring planks, or any other lumber he might require, from the neighbouring Provinces.

Hon. Mr. COLES resumed. With reference, however, to what was said by the hon. member from Lot 11, being on my legs, I may as well state what I know of that occurrence, and the breaking of Mr. McCreath's windows. I was returning home from the Reading Room, about half-past 9 o'clock, in company with a friend; the noise occasioned by the smashing of the windows and the running away of the perpetrators of the mischief, attracted our attention, and, though we were not special constables, we thought it to be our duty to endeavour to effect the capture of the offenders. There were four of them, but only one was caught; and he, being taken to the police office told who the others were. The day following, the offenders went to Mr. McCreath, confessed their offence, and, finally, it was compromised. Now, had not the capture of one of those offenders been effected, as I have stated it was, and, through his confession, had it not been made known who his guilty companions were, the offence would have been set down to riotous members of the Irish Society. I will not go the length of saying that the Government really intended to imprison the Fenians; but I will say that I think it is very much to be regretted that the Government, by the alarming precautionary measures to which they had recourse at that time, gave cause to the credulous and fearful among us, to entertain a suspicion of disaffection and disloyalty on the part of the Irish Catholics in general, and of the Irish Society in particular. Nay, I will say more: I think it was, by no means, creditable to the good sense of the Government, that they had recourse to the alarming and irritating precautions, with no better grounds for the apprehension of their necessity, than the conception and utterances of a man of phrensyed mind and over-heated imagination. The apprehensions of bloodshed, murder, and pillage, at that time entertained by many of the quiet, peaceable, and respectable families in the country, were, I believe, wholly attributable to the incoherent declamation and warnings of that crazy individual. The alarm created by the diffusion of his wild imaginings, in several parts of Queen's County, adjacent to the City, was so great that many men brought their wives and children to the City, and, on the night of the 2nd of August, were armed and prepared for a midnight attack, by arming themselves with pitchforks and any other implements of husbandry which could be converted into either offensive or defensive weapons of warfare. The alarm—created by the same crazy individual, and the seeming credence given to his absurd utterances by the Government—took possession of the minds of hundreds here in the City; and every gun and pistol, for sale in our shops, was bought up by the frightened Protestants to defend their lives and property against what the Government, through the extraordinary precautionary steps taken by them—had given them the strongest reason to fear was on the very eve of fulfilment—a reconnoitred insurrectionary outbreak of Catholic Fenianism. The alarm, it is true, was soon found to have been a false one; but, though it passed off without the smallest injury to either person or property, having, through any act of violence, been experienced by any individual in the country, the bad feelings engendered by it—remembrance, on the one hand, provoked by undesigned utterances of defamation and dishonour; and mistrust and fear, on the other, too openly displayed, will, I am afraid, for a long time to come, be the cause of enmity between neighbours who, up to that time, had lived together in the exercise, towards each other, of the best and most generous affections of their nature. In my opinion, the precautionary steps taken by the Government were the chief, if not the sole, cause of the panic in Charlottetown; and, as they were had recourse to without cause, so are they without justification.

LEGISLATIVE COUNCIL. SATURDAY, August 21st. PETITIONS PRESENTED. By the Hon. Mr. McDONALD.—Two petitions of divers inhabitants of this Island, praying that a bounty of one dollar per barrel may be granted on all mackerel shipped from this Island. By the Hon. Mr. ANDERSON.—Of divers inhabitants of Lots 1 and 2, praying for the establishment of a post office at William Haywood's, Lot 2. Of certain inhabitants of Alberton, praying that an act may be passed to incorporate "The Western Bank." By the Hon. Mr. HENDERSON.—Of divers inhabitants of Lots 22, 23, and 31, praying for the opening of a new, and the closing of the old or Johnson's road, on the division line between Lots 31 and 23. O' Flora McLeod and Margaret Morrison, both praying relief. By the Hon. ATTORNEY GENERAL.—Of Francis Hydo, of Elliot River, praying for certain amendments of the Ferry Act. Of John Cairns and others, praying that an act may be passed to incorporate "The Maritime Fishing Company." By the Hon. Mr. McLAUREN.—Of John Beers, praying that the sum of £22 10s. be paid to him for a contract on the bridge at Beers' mill pond, may be paid. By the Hon. Mr. BEER.—Of certain members of the Order of St. Stephen Templars praying for an act of incorporation. Of Stephen Farquharson and others, praying for an amendment of the school act. Of Robert Jones and others, complaining of violation of contract by the lessee of Charlottetown Ferry, and suggesting certain alterations and improvements.

All the above petitions were ordered to be laid on the table except the last named, which was referred to a special committee consisting of the Hon. Messrs. Beer, Goff, and Walker, to report thereon by bill or otherwise. The Hon. Mr. HENDERSON, from the committee on expiring laws presented the following report:— The Act 12 Victoria, Cap. 1, intitled "An Act relating to the Limits and Rules of Justice in this Island," which was continued by the Act 18 Victoria, Cap. 21, will expire at the end of the present Session. The Act 14 Victoria, Cap. 11, intitled "An Act relating to Emigrants," and the Act 18 Victoria, Cap. 15, intitled "An Act to continue and amend the Act relating to Emigrants," will severally expire at the end of the present Session. The Act 18th Victoria, Cap. 13, intitled "An Act to consolidate and amend the Acts now in force relating to the Public Wharf at Georgetown, and other Wharfs," will expire at the end of the present Session. The Act 18th Victoria, Cap. 14, intitled "An Act to prevent the running at large of Swine within the Town and Royalty of Princeton," will expire at the end of the present Session. The Act 18th Victoria, Cap. 17, intitled "An Act to amend the laws relating to the manner of proceeding upon Controverted Elections of Members to serve in the General Assembly," will expire at the end of the present session. The Act 18th Victoria, Cap. 30, intitled "An Act to continue an Act to prevent the running at large of Hogs within the Town, Common, and Royalty of Charlottetown," is so far as relates to the Royalty of Charlottetown, will expire at the end of the present Session. The Act 22d Victoria, Cap. 6, intitled "An Act to authorize the appointment of a Harbour and Billiard Master for Hillsborough Bay, and that part of the Port of Charlottetown not within the control of the City Council," will also expire at the end of the present Session. The Act 19th Victoria, Cap. 1, intitled "An Act for Raising a Revenue" (continued with certain exceptions by 28th Vic. Cap. 3,) will expire on the 1st day of May next. The Act 28th Victoria, Cap. 3, intitled "An Act for Raising a Revenue," will also expire on the 1st day of May next.

R. HENDERSON, Member of Council. EDWARD HENDERSON, Committee. PATRICK WALKER, Member of Council. House adjourned.

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