

# SOCIETY WEEK BRIM FULL

## HOLIDAY SPIRIT HAS ATTACKED SOCIAL NORFOLK.

### CALENDAR WAS WELL TAKEN UP

The Dancing Party Given by Mr. and Mrs. George D. Butterfield and the Wednesday Club Events on Tuesday Were the Week's Features.

[From Saturday's Daily.] The holiday spirit is at hand in a social way so far as Norfolk is concerned, and the calendar of society folk has been filled to the brim with delightful activities during the past week. The Wednesday club entertainments on Tuesday with readings by Mrs. Dearborn were clearly the leading club features of the week, while the dancing party given by Mr. and Mrs. George D. Butterfield Friday evening was easily the week's formal feature. A number of pleasant smaller and more informal gatherings helped to round out a week to be long remembered.

### Pleasures of the Week.

One of the prettiest dancing parties yet given in Norfolk was that Friday evening at Marquardt hall in which Mr. and Mrs. George D. Butterfield entertained a large number of their friends. The hall had been beautifully decorated for the occasion, with the red and green of Christmas abounding everywhere. Tiny red bells, dangling from long slender green arcs that were suspended from the ceiling, were a pretty feature, while clusters of hollyhocks encircling all of the pillars in the room, protruded their proud red heads from settings of green ferns, and added a new charm to the room. A row of these surrounded the orchestra platform, adding to the scene's effectiveness. There were twenty-nine delightful numbers on the dainty monogrammed program and the dancing continued from 9 o'clock until 3 in the morning of Saturday. During an intermission when the dances were half finished, a delicious lunch was served in three courses and with each plate went a pretty red carnation. Mr. Johnson of Lincoln sang a solo during this intermission, which was well received. The music, in keeping with the other features, was delightful and the entire party, so complete in each detail's preparation for the guests' perfect pleasure, was in all ways one of the happiest affairs of the kind Norfolk has seen.

One of the pleasant club events of the season was that undertaken and so successfully executed by the Wednesday club Tuesday when Mrs. Dearborn gave an interpretation from Ibsen's "Brand" at the Congregational church in the afternoon, with Womans club members as guests, followed by a supper in the evening at the home of Mr. and Mrs. D. Mathewson at which husbands of Wednesday club members were special guests, with a very few other friends. After the supper, which was prettily served at little tables, Mrs. Dearborn entertained the assembled clubfolk and their guests with miscellaneous readings of a lighter type than had been heard in the afternoon. Mrs. Dearborn formerly lived at Wakefield, Neb., and it was at that place that Mrs. Mathewson, through whose courtesy the program became possible, became acquainted with the elocutionist, whose home is now in Minneapolis. Mrs. C. E. Greene sang a pretty solo during the evening. Mrs. Haggard of Sioux City, Mrs. Bucholz of Omaha and Mr. and Mrs. L. M. Keene, Jr., of Fremont, were among the out-of-town guests. After the evening's program had been completed, Mrs. N. A. Rainbolt in a clever speech presented a cut glass vase filled with flowers to Mrs. Dearborn as a token of the club's appreciation and also a beautiful rose tribute to Mrs. Mathewson.

Mrs. Sol G. Mayer pleasantly entertained a few friends at luncheon Friday afternoon for Mrs. Bucholz of Omaha. Five hundred was enjoyed during the afternoon, at which Miss Helen Bridge won the high score prize, a pretty bouquet of roses, while American Beauties were presented to the out-of-town guests, Mrs. Bucholz, Mrs. Haggard of Sioux City and Mrs. Keene of Fremont.

Mrs. D. Mathewson entertained informally a very few friends of Mrs. Haggard on Wednesday afternoon. Five-hundred was played during the afternoon hours, at the close of which a delicious lunch was served.

Mrs. George D. Butterfield entertained officers of the Wednesday club at 11:30 o'clock luncheon on Wednesday for Mrs. Dearborn of Minneapolis, who left on the 1 o'clock.

Miss Glennie Evans entertained the members of the J. N. club Thursday night at 8:30. Dinner covers were laid for ten and a very pleasant evening was passed.

Mrs. S. E. Hewins and Mrs. R. W. Williams entertained the Ladies Aid society of the M. E. church on Thursday afternoon at the home of Mrs. Williams.

Miss Helen Weber had a birthday party Thursday. She was seven years old and had seven little girls with their dolls. Dainty refreshments were served.

The Kaffee Klatch was pleasantly entertained last Saturday by Mrs. Weatherly and Mrs. Warrick. The O. M. C. club was pleasantly entertained by Miss Matilda Hermann Wednesday night.

Trinity church ladies cleared something more than \$50 on their chicken pie dinner Thursday.

### Coming Events.

Mr. and Mrs. George D. Butterfield have issued invitations for a dinner party next Friday evening, December 14.

The West Side Whist club will meet with Dr. and Mrs. Bear Monday evening.

### Personals.

Mrs. M. D. Tyler has returned from an extended visit in Illinois. Mrs. C. E. Burnham spent a few days during the early part of the week in Tilden.

Mrs. Joseph Shoemaker of Omaha is a guest at the home of Mr. and Mrs. E. P. Weatherly.

Mrs. Haggard of Sioux City, who has been visiting with Mrs. D. Mathewson, returns home today.

Mrs. W. H. Bucholz has been visiting with her parents, Mr. and Mrs. N. A. Rainbolt, and with Norfolk friends during the week.

S. Butterfield of Chicago, who is a guest at the home of his brother, W. H. Butterfield, has been quite ill during the week.

Miss Louise Wells left Saturday morning for a visit of several months with Miss Edith Butterfield of Chicago and with her sister, Mrs. Deuel.

Mr. and Mrs. L. D. Nicola of Foster arrived in the city Friday evening to attend the Butterfield dancing party. They are guests at the home of Mr. and Mrs. A. J. Durland.

Mr. and Mrs. L. M. Keene, Jr., of Fremont, who spent Thanksgiving at the home of Mrs. Keene's parents, Mr. and Mrs. J. S. McClary, remained during the past week for a visit with Norfolk friends.

### HOTEL INDUSTRY.

The location of Norfolk should in a general way assure the permanent prominence of the city and doubtless will do so. Among the factors that contribute to that supremacy, which are doing much more to impress adjacent communities with the advantages and the growing importance of the leading city on the Elkhorn, are her fine hotels. The first-class establishments, the Oxnard and the Pacific, are conspicuous examples of uniform excellence.

Like all other cities, Norfolk is continually striving to broaden her "sphere of influence," while here is an avenue by which from \$50,000 to \$100,000 is added to the sum total of trade, and not only is the expenditure made by commercial travelers, but the steady growth in volume of that feature of the year's transactions is almost wholly due to the good will of these true-hearted knights of the grip. While the outsiders have done so much, the citizens have hardly realized the magnitude of these enterprises. Traveling men having homes of their own still belong to the army of advance agents of Norfolk's bright future.

Both hotels make all purchases of supplies direct from the retail dealers at home, though a short sighted policy leads many hotel men to buy at wholesale. Mr. Foote has always patronized home dealers and Mr. Schiller, though a new man, expresses the same sentiments in regard to standing by his neighbors, since a home feeling and a patriotic spirit are true essentials in the structure of a harmonious and thriving community.

The more modest establishments provide for the traveling public with similar results in impressing the transient guest with what is best in the fabric wrought out in years of toil on the ancient prairie, now the site of a stirring railroad center.

Norfolk hotels, including the eating house at the Northwestern station, give employment to perhaps 100 people the year around. The incomes of these hundred persons are spent in Norfolk.

A hotel can bring people to a city or drive them from it. Norfolk's hotels, maintaining a high degree of excellence, have become homes for many of the commercial travelers in this territory and as a result they spend their Sundays and holidays in Norfolk.

Among the hotels of the town are the Queen City, the Norfolk House, the Atlantic House, the Deutsche hotel, the Cottage Home, Union House, and many others.

Restaurants may be included in the same general list, because, while not providing lodging, they are constructive industries in a community from the fact that they turn the grocer's and the meat man's sale articles into money that circulates through the business channels of the town. The Zirfas restaurant is the largest exclusive cafe in the city, and does a large business day and night. Among others are the Freythal restaurant, the Vall restaurant and the Union Pacific restaurant up town and the Perry restaurant at the Junction.

### NEW MILL FOR HERRICK.

Fairfax Milling Company Has Signed Articles of Agreement. Herrick, S. D., Dec. 10.—Special to The News: Articles of agreement have been signed by the Fairfax Milling company under which they are to begin the construction of a large flouring mill at Herrick, S. D.

### Ladies Make Over \$100.

Ainsworth, Neb., Dec. 10.—Special to The News: The Congregational Ladies Aid society had a grand time in a hall here yesterday. They had a bazaar and dinner and supper and took in during the day and night over \$100 and everyone seemed to enjoy themselves.

# WAYNE GAME CALLED OFF

## NORFOLK HIGH SCHOOL TEAM HAD PLANNED TO PLAY.

### BASKET BALL TO BE TAKEN UP

Lou Dillon's Race Was Pronounced Fair—Investigation Was Taken up in New York—Coach Staggs of Chicago Offers New Football Rules.

The Norfolk high school team had planned to play a game at Wayne Saturday afternoon against the normal school of that place, but just before train time the Wayne team manager telephoned and instructed the local gridiron warriors not to come, as the collegiates were in no shape for a game. The field there is of grass and it was said that it would not be very hard to play on, even though the ground were frozen.

The season is ended so far as Norfolk is concerned and the local team will make no more dates. Basketball will be substituted at the high school.

### RACE WON ON ITS MERITS.

#### Trotting Association Says That Lou Dillon Was Not Doped.

New York, Dec. 8.—After an all-day session the National Trotting association decided that the Memphis gold cup race was won on its merits, and dismissed the charges against E. E. Smathers. Sensation after sensation was sprung in the hearing of the charges in the famous Lou Dillon "doping" case, until the climax was reached when affidavits were produced mentioning C. K. G. Billings, the millionaire owner of Lou Dillon, in connection with the charges against Elmer E. Smathers, former owner of Major Delmar.

The members of the National Trotting association were stunned at the disclosures made by the lawyers for Smathers. While the evidence does not specify Mr. Billings, several telegrams were produced signed by Mr. Billings' secretary and addressed to Ed Saunders, the man who made the first charge against Mr. Smathers.

Saunders swore that Smathers had paid him \$5,000 to inject eight ounces of "dope" into Lou Dillon's body, so as to "stop" her in her race with Major Delmar. The affidavit was read from Saunders this afternoon in which he says he was paid to make the charges against Smathers, and that they were absolutely without foundation.

George W. Spear was the most damaging witness against Smathers. He swore orally that Smathers had requested him to open negotiations with Saunders to see if Lou Dillon could not be fixed. Spear says Saunders offered to do the job for \$10,000, but Smathers thought that too much and told him to drop it.

#### Had Bad Character.

The defense immediately produced numerous witnesses who declared Spears' character bad. It was shown where Spears had been implicated in other shady deals. One of these was the famous Temple Bar case for which he was suspended. One witness also charged that he had suspected Spear of having driven a steel bar into a horse's spine to prevent it going in a race. Saunders' affidavit showed that he had met Murray Howe through an introduction by Spear.

Several veterinary surgeons were introduced, among whom were Dr. Julius W. Schriebe, state veterinarian of Tennessee, and Dr. D. E. Block, of the government bureau of animal industry. Both swore that Lou Dillon showed no evidences of having been "doped."

Dr. Schriebe attended the horse immediately after she came off the track. He swore that she had nothing but a plain case of "thumps."

After the verdict in the case Mr. Smathers said: "This case should have been labeled Billings vs. Smathers. A decent man would have fought in the open."

"The evidence showed conclusively that all this was done by Billings through a bunch of crooks in his employ. He is the Lord Dunsun of America. He is a 'counterfeit' and a 'four-flusher.' He has a wider yellow streak in him than there was in Lou Dillon. I say all these things here in New York because I want Billings to know I am here. I'm going to remain here."

"He is no sportsman. He always plays the baby act. He did it at the horse show, and when he was 'miffed' he jumped out, played the baby act, sold his horses and I got his Part Four—his red ribbon winners. I want the public to know what kind of a man he is. That's why I say these things."

"The testimony shows that Billings was dealing with a bunch of perjurers and crooks, and got his just deserts," continued Smathers. "I will say finally that I believe the board of review should take cognizance of the testimony given today with a view of giving Mr. Billings what he deserves. He never was a sportsman and he never will be. Why, the way that bunch of crooks secured possession of the gold cup while I was away from my home will show you just what brand of citizens they are."

### LIST OF CHANGES.

#### Chicago Coach Will Do Much at Meeting of the Rules Committee.

Chicago, Dec. 8.—Coach A. A. Staggs, representative of the west on the American football rules committee, will favor a number of congresses in "new" football when he attends the

annual meeting of the all-powerful gridiron body in New York during the holidays.

The maroon director announced last night before his departure for his winter vacation that he would propose or support some six modifications in the 1906 rules at the eastern gathering, the suggestions being intended not as a remedy for minor flaws discovered during the tryout season just finished. Changes recommended by Staggs, if accepted by the committee, are aimed to affect the game only at the surface. The larger principles of the new rules will not be touched. The maroon professor is opposed to the most radical changes which have been offered, but agrees that several of the new statutes must be struck out.

Following are the changes which he will favor: In case of a forward pass touching the ground before touched by a player, allow the attacking team to retain the ball with a 15-yard penalty, instead of handing it over at the point where it was passed.

Allow tackling below the knees. Increase the time of halves from thirty to thirty-five minutes.

Allow the backs to pass the ball forward without first taking a position five yards out from the center. Instruct the head linesman to keep the yardsticks three yards out from the sidelines.

Make a more definite rule in regard to protecting the player catching a punt.

Coach Staggs' opinions in regard to several other proposed changes are likewise clear. Following are the changes to which he will stand opposed:

Increasing the number of downs to four in ten yards.

Allowing two forward passes to each scrimmage.

Allowing the linesmen to be drawn back five yards or less to help out the offense.

Substituting the "one-umpire" system entirely instead of the present "one or two" system.

### Jeff Not to Battle Just Now.

San Francisco, Dec. 8.—The Burns-O'Brien battle at Los Angeles did nothing toward reviving talk of a return to the ring on the part of James J. Jeffries, the general opinion being that either O'Brien or Burns would be as a child in the hands of the big farmer.

"I hanker after just one more battle," said the big fellow today, "but the man I fight will have to be a good one. I don't like the looks of the present heavyweights. They are not big enough. I don't need the money. All I want to do is to battle for the glory of America. No foreigner can take the title away from America without a fight as long as I can help it. Of course, if I get too old, I will have sense enough to keep out of the ring."

### DEED TO GREGORY TOWNSITE.

#### Tangle Finally Unraveled and Property Owners Have Title.

Sioux Falls, S. D., Dec. 10.—Although the town of Gregory came into existence on August 8, 1904, at the time the ceded portion of the Rosebud Indian reservation in Gregory county was opened to settlement, it was not until within the last few days that litigation involving the townsites came to an end, enabling the proper authorities to go ahead and give the residents deeds to the lots which many of them have been holding since August 8, 1904.

On September 16, 1904, County Judge Starcher offered final proof on the townsites, but this was rejected by the United States land office on the ground that there was no enumeration of the inhabitants asking that proof be made and no evidence of the legal requirements before proof on a townsite can be made. In November, 1905, Judge Starcher again submitted final proof upon the townsites, but in the meantime the town had been incorporated, leaving the matter of proof with the town authorities.

The commissioner of the general land office decided to this effect, that the proof should be made by the town authorities. Judge Starcher appealed from this decision to the secretary of the interior, and there the matter rested for months. There was considerable feeling on the part of the residents of Gregory toward Judge Starcher, and recently that gentleman decided to withdraw his appeal, thus ending the litigation. As soon as the preliminaries are arranged the lot holders, after more than two years of waiting, will be given deeds to their lots, and for months.

### West Point News.

West Point, Neb., Dec. 10.—Special to The News: At the bride's home in Cuming township, Miss Augusta, daughter of Mr. and Mrs. H. J. Simonson, and Henry VonSergern of Hooper were married at 5 p. m. Thursday, Rev. L. L. Lipe officiating. The couple left for an extended visit in Colorado Thursday.

The Tuesday club met with Mrs. Black. After parliamentary drill, roll call was responded to with suggestions on "Menu for a busy day." Mrs. John Thompson read a paper on "Breakfast Foods—Pro and Con." "Our Dietic Sins" was the theme of a paper by Mrs. Harry Wells. Mrs. Drebert of Lincoln sent her paper entitled, "Story," which was read by Mrs. Anna Reed Kuhle. The next meeting will be held at the home of Miss Charlotte Crawford on December 26.

Mrs. Will Preston, (nee Davis), died at her home in Oconto and her remains were interred in this county last Friday. She was formerly a teacher of the Cuming schools and was married but a year ago.

# HOPES FOR SUGAR PLANT

## Views of President Pasewalk of Industrial Company.

### OLD PLANT COULD BE LOANED

Distiller's Son Recently Visited Mr. Pasewalk and Conferred With Him in Regard to Establishing Distillery, Where Proposition Stands.

A young man whose father owns and operates a distillery in Peoria, Ill., recently visited Norfolk and talked over with H. A. Pasewalk, president of the Norfolk Industrial company, the possibilities open here for establishing a similar plant in Norfolk. He said that he was anxious to buy the old sugar factory buildings and land that goes with it, and that he would write. No word has been heard from him since and Mr. Pasewalk has concluded that his project has been dropped.

A local company, composed of Norfolk men and farmers in the vicinity of Norfolk, organized with enough capital to establish a sugar factory here and operate it, is believed by Mr. Pasewalk to be the solution of the sugar factory problem in Norfolk. He believes that within a couple of years such an institution might be established and operated at a profit.

### Would Go In It, Himself.

"If I could dispose of my present business and building I should be willing to go into such a company and organize it," said Mr. Pasewalk. "I believe that farmers in the country around Norfolk would be glad to cooperate by taking stock and paying for the same in beets—say \$100 or \$200 worth of beets each year. I am convinced that such an institution could be made to pay."

Attorney Smith of Grand Island was the last sugar projector to show interest in the factory here. He was anxious to start a factory and agreed to furnish the money, but he wanted the 4,000 acres of beets guaranteed. This was impossible and the plan fell through.

### What Norfolk Could Do.

Norfolk, or rather the Norfolk Industrial company, which owns the old factory and the 240 acres of land with it, will be willing, according to Mr. Pasewalk, to turn over the plant to any institution which will set up business here and employ from thirty to fifty people the year around. The property will not be given outright, but it will be loaned to the industry for simply the payment of taxes, just as long as the industry will grind out a product and employ labor. If the firm operating the plant so desired, the loan could be enjoyed for a thousand years, so far as the industrial company is concerned. What the company wants, according to Mr. Pasewalk, is to get some industry started which will benefit the community. The company has determined that a sugar factory could be operated to better advantage than any other type of industry, because of the wide knowledge in sugar beets among Norfolk farmers, and so this is more hoped for than anything else. No small institution, such as a little canning factory, can get hold of the factory buildings.

### Nine Good Boilers.

There are nine good boilers in the old sugar factory now. Each is a 125-horse-power boiler. They have been cared for well, and are in good shape. Carloads of lime have been put into them to preserve them.

Mr. Pasewalk believes that the beets would be raised. Without going out of his office he contracted last spring for 800 acres to be shipped to Ames.

### Views of One Citizen.

#### Confidence Can Never Grow Till Sugar Factory Buildings are Used.

Norfolk, Neb., Dec. 7.—Editor News: The future of Norfolk depends largely upon the use made of the old sugar factory.

That magnificent pile of masonry is a veritable haunted palace in any problem relating to the development of the city, and confidence will never grow in its shadow.

There must be some light ahead as to what use can be made of that building and until that light shines it is idle talk of any other industries. The old simile of a hub is literally true in regard to Norfolk. It is known to all that in position Norfolk is unique. Fremont has lately added a railroad and in that particular is a road ahead, but, commercially Fremont is a suburb of Omaha, while in north Nebraska and the Rosebud, Norfolk is without a competitor. During the time Norfolk has been waiting for the railroad situation to make a city, the country to the north and west has changed from a waste and a wilderness to a populous and flourishing domain.

A distillery for the manufacture of denatured alcohol has been discussed, and is worthy of careful consideration, for that movement will ultimately be the making of some industrial and commercial center. It is not necessary that one establishment occupy the entire set of buildings. Brooms, haying tools, windmills, scoop end gates and hand corn shellers are samples of the articles that employ a great deal of labor in their manufacture in proportion to the capital and amount of fuel required. The largest broom factory in the world is in Nebraska, and started when but little material was obtainable.

Beatrice owes its continued prosperity to plants that started small. I be-

lieve no big concern ever was inaugurated in Beatrice—they grew.

If Norfolk waits until there is a direct line of railroad from Sioux City to Niorara, the advantage is lost. Something may be done even then, but opportunity is knocking at the door today. I. N. Ernest.

### FELL DOWN STAIRS.

#### James Lynde Has Bad Fall and Hurts His Back—Not Serious.

Little James Lynde, son of Mr. and Mrs. J. L. Lynde, fell down the stairs in the Marquardt block at noon and struck on a foot scraper. His back was hurt but not, it is thought, in a serious manner. No bones were broken. The lad was taken home in a cab.

# OHIO MEN BACK OF BRIDGE

## SEEK TO HAVE YANKTON BRIDGE FRANCHISE EXTENDED.

### CONCERNS YANKTON-GULF LINE

#### An Effort is Being Made in Congress to Extend the Franchise Granted Some Time Ago for the Building of a Bridge Across Missouri.

Norfolk and the rest of northern Nebraska interested in the Yankton-Gulf railway project, in the interest of which Fremont Hill is now in Norfolk preparing to ask for county bonds to the extent of \$65,000 as a bonus for the road's building, will be interested in the following dispatch from Washington:

"It appears Ohio capital has become interested in the construction of a railroad and passenger bridge across the Missouri river at Yankton, S. D., and now Senator Foraker comes forward with a bill to extend the time given under the original character for another term of years. Congress in April, 1904, authorized the Winnipeg, Yankton & Gulf railroad to construct a combined railroad, wagon and foot bridge across the Missouri river at Yankton, but the company gaining the charter has not yet made a move to carry out the work. The concession is a valuable one and the company apparently does not desire to abandon it. New blood in the shape of capital has been enlisted and the life of the concession is sought to be extended by Senator Foraker, who, it is said, represents constituents who have invested in the project."

A two-thirds vote of all votes cast would be required to carry the county bonds.

### RAILWAY BALL COMMITTEES

#### Names of People in Charge Insure Successful Event.

Committees have been appointed by the Norfolk railway boys for the annual Christmas ball which is to be given at Marquardt hall Christmas night. Arrangements have been completed and the boys feel encouraged as to their prospects. The following committees insure a successful ball in every way:

Master of ceremonies: J. F. McGrane.

Assistants: H. V. Evans, V. S. Cummins.

Committee of Arrangements: W. I. Walling, N. F. Pfunder, G. L. Wantlin, Wm. Beck, P. H. Dingman.

Reception: Messrs. H. C. Dick, G. W. Sears, H. N. Mullendor, J. V. Johnson, O. P. List; Mesdames H. C. Dick, G. W. Sears, Nora Burnett, J. V. Johnson, O. P. List.

Invitation: F. G. Carrier, H. M. Beymer, Leon Lee, P. N. Lund, R. C. Demmons.

Floor: M. P. Ryan, G. L. Wantlin, W. Fox, R. F. Fisher, Wm. Beck, N. F. Pfunder.

### MUST PAY REGULAR FARE.

#### Central Passenger Association Abolishes Special Rates for Ministers.

The Central Passenger association, whose lines cover Indiana, Ohio, and the southern peninsula of Michigan, western Pennsylvania, Buffalo and part of Illinois, has just announced by circular a new rule for the sale of transportation to clergymen. Henceforth the tickets will be sold to clergymen on the basis of two cents per mile, except in cases where that rate exceeds the regular rate. As very nearly all of the Central Passenger association's territory, owing to action by the various legislatures, has a flat two-cent rate for the general public, the new order has the effect of obliging the clergymen, in nearly all cases, to pay the same rate as other citizens.

### HOLE FOUND IN MEDICAL LAW.

#### Woman Who Administers Viavi Remedies Released by Court.

Ponca, Neb., Dec. 8.—Judge Guy T. Graves dealt the Nebraska medical fraternity a severe blow when he directed a verdict in favor of Mrs. Helen Davis of Sioux City, who was being tried at the instance of Drs. Graham and Rubel of Allen for practicing without a license. Mrs. Davis, as the agent of the Viavi company, administered to the needs of a woman at Allen, for which she was arrested under the statute which says: "Any person shall be regarded as practicing who shall operate or profess to heal or prescribe for, or otherwise treat any physical ailment or ailment of mind of another."

Though Mrs. Davis applied her remedy to her patient, Judge Graves held that she was not a practitioner because she made no specific diagnosis of the ailment.