

THE FRONTIER.

PUBLISHED EVERY THURSDAY BY THE FRONTIER PRINTING COMPANY.

O'NEILL, NEBRASKA.

NEBRASKA

A library is to be established in the high school at Newport.

Prof. Norton, principal of the Ashland schools, died last week.

Humboldt is perfecting arrangements for her Fourth of July celebration.

A new grain elevator is one of the improvements Tekamah is figuring on for this summer.

Cora Bloss of Wilcox took a dose of Paris green with suicidal intent. She is likely to recover.

The Sure-Hatch incubator company has commenced the erection of a factory at Clay Center.

The Superior Creamery company is sending out from one to two cars of butter per week—all going to Butte, Mont.

The St. Paul creamery has started up again. The old building was burned last summer, but the owners rebuilt.

The contract for building the new court house at Wayne has been let to Rowles & Moore of Omaha for \$25,660.

There is not a vacant business building in the town of Friend and dwellings are very scarce. Every contractor has work for months ahead.

Joseph H. Ruby committed suicide near Beemer by shooting himself through the head with a revolver at the house of Miss Mary Vlach, who shot herself a few days before. They were betrothed.

Hon. D. A. Harris of Unadilla has accepted a position in the United States customs service in Cuba and will leave for Havana to take up his duties as soon as his commission arrives. His salary is \$2,700 per annum.

There will be about 200 Russians transported from Hastings to Peoria, Ill. They will leave Hastings Monday and will go direct to Peoria, where they will be taken into the country to work in sugar beet fields. They will return to Hastings next fall.

A telegram from Governor Poynter to W. H. C. Chinn announced the news of the severe wounding in the knee of his son, Grant Chinn, serving in company K of the First Nebraska regiment in the Philippines. Young Chinn enlisted in company K from Columbus.

"Alliance is a mighty busy place these days," says Assistant General Solicitor Kelly of the Burlington, who has just returned from a week there. "Every house in town is filled, and it is impossible to rent one anywhere. The hotels are so filled that I had to sleep in a chair the first night I arrived there."

York county is overrun with insurance agents, who are soliciting nearly every kind of insurance in the country. A number do not have authority from the auditor to collect and some have been soliciting for companies that are not authorized to do business in the state. Hail insurance agents are thick and agents representing different companies are fighting for business.

Not for eight years has North Platte witnessed the erection of so many new buildings as are now in course of construction, and before the close of the year fully \$50,000 will have been expended in this direction. These improvements, together with the fact that there are absolutely no vacant residences in the city, has had a tendency to stiffen prices on all classes of realty.

Henry Brown, a farmer living six miles west of Trenton, was found dead on the prairie. He was a soldier of the civil war. He obtained a divorce from his wife at the last term of the district court and had been living alone for some time. His neighbors supposed he had gone to the Soldiers' Home at Grand Island until his body was found. He had not been seen for about two weeks and from the condition of the body he has probably been dead all that time.

W. E. Krause, vice president of the First National bank of West Point, met with a serious and almost fatal accident. He was returning from Omaha and inadvertently stayed on the train until it left the depot on its journey west. After a block or two Mr. Krause realized where he was and seizing his valise he rushed to the platform of the car and jumped off. This occurred nearly three-quarters of a mile from the depot, when the train had attained a speed of twenty-five miles an hour. He was picked up unconscious and his injuries may prove fatal.

Oscar Yeager of Decatur was brought to Tekamah last week and lodged in jail, charged with the murder of John Egleton. It appears that Egleton was plowing some lots in the Decatur townsite that he had cultivated for the last twelve years, and that recently Oscar Yeager purchased some lots adjoining. The dispute was over where the line ran who held the title to the lots. Oscar Yeager saw Egleton plowing there and remonstrated with him regarding the matter. It is said that Egleton told Yeager to get a surveyor to run the line, then he would know where the boundary was. Mr. Yeager returned to his team a few hundred feet distant, unhitched them and taking off a singletree he returned to where Egleton was and dealt him a blow on the side of the head that felled him on the spot. Yeager then left the premises, leaving Egleton lying in the furrow. He was removed to his house by friends, but never regained consciousness.

Mary Vlach, daughter of Joseph Vlach, living about three miles north of Beemer, committed suicide by shooting. She had for a long time suffered from a sore leg, and this it is thought, is what induced self-destruction.

Manager Weitzer of the Norfolk sugar factory has received orders to proceed with improvements at the factory, which, when finished, will mean enlarged facilities for carrying on the work. The changes to be made contemplate an enlargement of the filter press room, and placing of new filter presses and the entire rebuilding of the refining department.

BARTLEY CASE UP AGAIN

Affidavit Supporting Motion to Dissolve Injunction.

IT IS FILED BY ATTORNEY GENERAL.

He insists that the injunction is not sustained—Facts in the case do not support move by bondsmen—Contention raised not new.

Lincoln dispatch to the Omaha Bee: Attorney General Smyth filed a long affidavit in the district court here today in support of his motion to dissolve the injunction obtained by the Bartley bondsmen to prevent the further prosecution of the case against them on the bond until after the state first prosecutes and determines the liability of the Omaha National bank on its depository bond for \$201,884 of Bartley's shortage.

In the affidavit filed the attorney general insists that the injunction is not sustained by the facts in the case. He says a number of the allegations in the petition for a permanent injunction are untrue, especially wherein it is alleged that the principles and the sureties on the depository bond ever agreed to indemnify the sureties of Bartley on his individual bond from loss, damage or liability by reason of the conversion, diversion or loss by embezzlement of the deposits in the Omaha National bank. He also denies that the petition tells the truth when it says Bartley's bond was never approved by the governor. Mr. Smyth further avers that neither the governor nor himself has ever claimed, nor did they ever claim, that the Omaha National bank is liable on the depository bond for the whole or any part of the money embezzled by Bartley. Neither is it true, he adds, that the bondsmen of Bartley are not able to plead, nor are they wholly remediless, except by the interposition of a court of equity, to sue at law and get justice in that way. In fact, says Mr. Smyth, there is not enough truth in the allegations contained in the petition to justify the issuance of any injunction by the court.

The contention raised in this suit, the attorney general explains, is by no means a new one. Bartley's bondsmen raised it and argued on the point before Judge Dickinson during the trial in Omaha of the suit when it was at first brought. Judge Dickinson has held against the contention in a written decision which the attorney general says he will submit to Judge Frost before whom the injunction suit is to be tried in the district court here. The same question was argued at length in the briefs filed by the bondsmen when the supreme court passed on the case and the attorney general points to the fact that the supreme court decided the case generally in his favor as rather indicating what its stand in the matter was.

In Memory of Stotsenberg.

Governor Poynter has received a printed copy of an order read before the Sixth cavalry, United States army, at Fort Riley, Kan., concerning the death of Colonel John M. Stotsenberg. The order is as follows:

The regimental commander announces to the regiment the death of Captain John M. Stotsenberg, Sixth cavalry, U. S. A., and colonel of the First Nebraska volunteer infantry regiment, at Calumit, Island of Luzon, while gallantly leading his regiment against the entrenched insurgents. Captain Stotsenberg was born at New Albany, Indiana, November 24, 1858. He entered the military academy July 1, 1877, and graduated therefrom June 11, 1881, and was assigned second lieutenant of this regiment.

Captain Stotsenberg served with this regiment continuously from the time of his joining until September, 1895, and was distinguished for fidelity, soldierly qualities and devotion to duty.

He was a distinguished graduate of the infantry and cavalry school at Fort Leavenworth, Kan., class of 1897. In that year he was detached as instructor of military science at the University of Nebraska and so favorably impressed the governor of that state that he appointed him major of the First Nebraska volunteers at the outbreak of the Spanish-American war and later he was promoted to be colonel of that regiment.

He served with distinguished courage and capacity in the campaign terminating with the fall of Manila and in the subsequent campaign against the Filipino insurgents.

Captain Stotsenberg was a man of tireless energy, careful and conscientious in the performance of every duty. His genial nature and sterling, manly qualities made him beloved and respected by all with whom he came in contact.

As a special mark of respect the officers of the regiment will wear the usual badge of mourning for thirty days.

The order was signed by First Lieutenant F. C. Marshall, acting adjutant to the regiment, and was drawn up by order of Major Lebo.

Homes on Nebraska Lands.

Now that the deeds to the Nebraska lands have passed to the company, says the Omaha Bee, the land department of the Union Pacific railroad will leave nothing undone which will tend to induce settlers to come to Nebraska and locate along its line of road.

Appraisers have been in the field for several weeks putting new values on the Union Pacific land and relisting it. The old classification has been found unsuitable. Much of the land was listed for farming purposes, which is now being put under the head of grazing lands. There is also a readjustment of prices with the tendency generally lower. These lands have been out of the market for a year, and a special effort will be made to attract attention to them on the part of homeseekers. Other lands of considerable area, on which the contracts of sale had been allowed to lapse, will also go on the market again. The company will take full advantage of the summer homeseekers' excursions to bring out prospective settlers, and a traveling agent will be located at Chicago.

STATUTE OF USES.

State Supreme Court Holds as Not in Force in This State.

Chief Justice Harrison has written an opinion for the supreme court, holding that the "statute of uses" is not in force in this state, it not being of the laws of Nebraska. This "statute of uses" involves a point of the common law handed down from the time of Henry VIII. of England and has always been a much disputed point among Nebraska attorneys. The supreme court has never ruled on it before, hence the importance of the decision to the lawyers of the state.

The decision is in the case of the Farmers' and Merchants' Insurance company against Ivers Jansen, taken to the supreme court on error from the district court in Saunders county. The court adheres to its original decision in the suit, which was a reversal and remanding of the case, and holds that the "statute of uses" is not of the law of the state and therefore cannot be enforced. The original statute of uses, adopted during the reign of Henry VIII, was set forth in full in the pleadings and the following interpretation was placed upon it by one of the attorneys in the case:

"If A, owning real estate, shall convey or will it to B, under an agreement between them that notwithstanding the conveyance A, or some other person or corporation, shall have the rents or profits arising from the real estate, notwithstanding the conveyance made by A under that agreement, he shall have the title he had before he made the conveyance."

In the case in question the defendant transferred his property to his wife and the wife transferred it to a third person who afterward transferred it back to her. Jansen claimed all this was done with the agreement between himself and wife that the property was to be for his use and to remain under his control and direction. When there was a loss on the insurance policy the insurance company asserted that the property had changed title, without the consent of the company, and that the transactions were directly contrary to the terms of the policy. The original owner claimed the property had not changed hands, at least that there had been no change in the insurance interest. He claimed that he had the same title he had before the conveyance was made, arguing on the supposition that the statute of uses was in force. The lower court gave Jansen a judgment against the insurance company, but the decision of the supreme court reverses it and remands it for another trial with instructions to the court below that the statute of uses is not in force.

Some lawyers assert that the "statute of uses" if applicable at all in the United States, would not be in the states comprising the Louisiana purchase, that territory never having been under the control of England or subject to its common law. Missouri is the only state in the territory that has given a decision on the point, and it is considered of importance because in that state there is a statute on the subject. In a number of eastern states the courts have held that the statute of uses is still in force.

State Employment Bureau.

All persons desiring help and all out of employment should write at once to the state labor bureau and let their wants be known. The legislature of 1896 and 1897 passed a law making this a free employment bureau for the entire state.

Those who want help should state in their applications exactly what kind of help is wanted, in what branch of labor, etc. Those who want situations should state sex, age, height, weight, trade or branch of labor, length of service or experience, references, etc.

All information received by the bureau will be held strictly confidential and all services rendered will be free. Absolutely no fee will be charged in any case. This is a free employment bureau and is designed to do away with the private employment agency nuisance in the cities, by which so many worthy people are victimized.

All desiring help of any kind—carpenters, brickmakers, mill men, farm hands, city laborers, cooks, servant girls, or help of any kind, should immediately apply to this office and they will be put in communication with those in the line of service desired.

Persons out of employment should also write without delay. All unfilled applications should be renewed after thirty days.

Communications should be addressed to State Labor Bureau, Lincoln, Neb.

Boy Charged With Murder.

The second arrest of Ernest Bush in Denver on the charge of having killed Silas Bailey near Benkelman, Neb., on February 7, has revived the interest in that case and has created some talk locally because Bush's parents are said to live in Omaha. He claims his father's name is John Bush and that his parents moved there from Honey Creek, Ia., recently.

At the time the murder occurred Bush, a lad of sixteen, was working with Silas Bailey for a ranchman named Morris in Dundy county. One day Bailey disappeared and no trace could be secured of him. His body was finally recovered from the Republican river and it was found that he had been killed by a load of buckshot. Suspicion rested upon Bush and he was taken into custody. Owing to his age it was not believed possible for him to have killed the old man, so he was discharged at the preliminary examination. Since then more evidence has been secured which, it is believed, will convict him of the crime. He was located in Denver, placed under arrest, and is now awaiting trial in Benkelman.

Raising Figures on Bills.

W. D. Houck, W. V. Houck and T. W. Kennedy were brought to Omaha from Fairbury by Deputy United States Marshal Keim and lodged in the county jail to await the action of the United States grand jury. The men are charged with mutilating United States currency by raising and changing the figures on bank bills. Their work was most clumsy, and for this reason they succeeded in getting rid of but a few of the bills before they were caught.

When the Houcks and Kennedy were arrested a number of indecipherable pieces were found in their possession.

FAVOR OF CONFERENCE

Members of Commission Willing to Grant Requests.

THE FILIPINOS SEEK TO PARLEY.

Proposal is probably prompted by Native Congress at San Isidor—Ten Men Surprised and Put to Route Force of Two Hundred Insurgents—Matters at Manila Continue Quiet.

MANILA, May 15.—The civilian members of the United States Philippine commission are favorable to the meeting with a Filipino commission, which was suggested yesterday on behalf of Aguinaldo by Lieutenant Roys of the staff of General Gregorio Del Pilar, who came to General Lawton under a flag of truce, bearing the proposal. It is thought by the American commissioners that the idea may have resulted from a recent meeting of the so-called Filipino congress at San Isidor. The local Filipino commission, which is in close communication with the leaders of the rebellion, is doing its utmost to secure peace.

Ten members of Major General Lawton's band of scouts, under W. M. Young, the old Indian fighter, entered the town of San Miguel, about fifteen miles north of Norsegaray, not aware of what place it was. They found 200 Filipinos there, but the rebels, taking the scouts for the advance of General Lawton's army, fled after firing a few shots. Young and another scout were wounded and have been brought to Manila.

The Ninth infantry and a mountain battery of six guns have been sent to the front.

The uniform quiet now prevailing in Manila has led the authorities to relax the rule under which the city streets were cleared from 7 to 8:30 p. m. and there is in consequence the largest and most brilliant assembly of pedestrians and people in carriages at the concerts on the Luenta that has been known here since the Spaniards left.

Prof. Schurmann, president of the United States Philippine commission, gave a farewell luncheon today to Admiral Dewey, at which Prof. Dean C. Worcester and Colonel Charles Denby of the commission, with General MacArthur, Mrs. Lawton and others, were present. The health of the admiral was drunk with the utmost cordiality.

WASHINGTON, May 15.—The following dispatch from Major General Otis, giving the status of the military situation as it now exists in the operations against the insurgents, was received at the war department today:

"MANILA, May 14.—Adjutant General, (Washington): Situation as follows: Lawton from Balinao has taken Ilde Fonso and San Fernando north, with slight loss and driving considerable force of enemy; gunboats and canoes will accompany 1,500 men under Kobbe up Rio Grande river from Calumpit, departing May 16; MacArthur remains at San Fernando, covering country. * * * Yesterday a messenger from Aguinaldo expressing a wish to send commission to Manila for conference with United States commission to arrange terms of peace; directions given to pass body of representative insurgents to Manila should it present itself. "OTIS."

Strain Too Great for Irving.

LONDON, May 15.—Sir Henry Irving, whose recent work in the title role of Sardou's famous drama, "Robespierre," at the Lyceum theater has been exceedingly trying, was taken seriously ill Sunday morning with an affection of the throat. Dr. Farrar, a specialist, was immediately summoned and as the result of his advice it is announced this evening that Sir Henry's part during the present week will be taken by his son, Lawrence. Lawrence Irving is Sir Henry's understudy in several notable roles.

The announcement of the illness brought a large number of professional callers this evening to Sir Henry Irving's residence in Grafton street, but his medical adviser has forbidden him to receive any one at present.

It is hoped that with complete rest he will be restored to his usual health by the end of the week.

Nebraskan Attempts Suicide.

CHICAGO, May 15.—John E. Degette of Nebraska City, Neb., attempted to commit suicide this morning about 10:30 o'clock by shooting himself at the Victoria hotel, in the presence of his bride of a little less than two months. It is said that the young couple had had a quarrel over a birthday present which Degette was going to give his bride and coming to the conclusion that she did not love him, he decided to do away with himself. Degette was left \$150,000 by his father, a banker of Nebraska City, two years ago.

One Hundred Thousand an Hour.

BUDA PEST, May 15.—M. Pultner, director general of the electricity company, read a paper on a new system of rapid telegraphy invented by Poljak & Virag, by which it is claimed 100,000 words can be transmitted within an hour. Experiments showed that even that number of words did not limit the transmission. Telegrams, however, must be previously perforated on slips of paper in the Morse alphabet.

To Defy Tammany.

NEW YORK, May 15.—Acting under orders from the national democratic committee, it is said, 100 Chicago platform democrats met tonight in this city and took steps to at once thoroughly organize the city and later the state of New York to defy Tammany hall. A committee of twenty was appointed to at once arrange the five boroughs to systematically work them. James R. Brown presided at the meeting, and after the meeting said that a contesting delegation of Bryan and Chicago platform men will be sent from this state to the next national convention.

BLAME SANGUILLY.

Cubans Say He Is at the Bottom of Unfavorable Reports.

HAVANA, May 15.—General Gomez has sent a message to Governor General Brooke that he will do himself the pleasure of calling at headquarters tomorrow morning at 9 o'clock for a further conference regarding the payment of the Cuban troops. The appointment for the interview is the result of a direct inquiry as to what General Gomez intended to do in view of the resignation and non-appearance of all the Cuban officers nominated by him to represent the several corps in the distribution of the \$3,000,000. General Brooke is determined to disregard for the present the reports that reach him from various sources as to the alleged intention of Gomez to withdraw his co-operation and thus to throw into confusion the carefully matured plans for distributing the fund.

He believes that the personal interview tomorrow ought to adjust the temporary perplexity. He is unwilling to consider Gomez as insincere or as acting in bad faith, but the governor general still retains the discretion reposed in him by President McKinley to abandon the effort to disband the late insurgents with the gratuity and to send back the entire amount to the United States.

The Cuban general, Rafael Rodriguez, speaking for Gomez today, said that the reports of a difference with General Brooke were absolutely untrue. The attitude of Gomez, he declared, had undergone no change and the principal generals of the Cuban army, as well as the rank and file, continued to support Gomez as they always had.

He flatly denied that there had been any meeting of Cuban officers at which Gomez had been present or held with his approval where a decision had been reached not to surrender the arms, and he explained that all the talk about a revolt in the army against the surrendering of the arms was the work of members of the former military assembly, "a group of malcontents behind Manuel Sanguilly, who can give no trouble and are not worth consideration."

In explaining the withdrawal of the Cuban generals who were appointed to serve with the Americans in distributing the \$3,000,000 General Rodriguez said that Rojas probably withdrew owing to the anti-Gomez influence of Nodarse because General Brooke had not appointed him civil governor of Havana, and Montegudo because he was busy in the province of Santa Clara, giving Major General Wilson the benefit of his co-operation there. Rodriguez expressed himself as confident that other officers of equal prominence and authority would be found to act with the Americans. As early as March 22, Gomez agreed that the arms should be stored in the military custody of the United States. This plan was clearly understood by the Cubans. Nevertheless the politicians and some of the more restless Cuban officers are today talking in a warlike strain, spreading exciting stories about "taking to the woods" and fighting the Americans, and attributing to Gomez things he never said.

Year of Jubilee Decried.

WASHINGTON, May 15.—The papal bull issued in Rome within the last few days decreeing that the year 1900 shall be a jubilee throughout the church is expected here shortly and will be announced in all churches throughout the country.

The issuance of a bull on the subject gives it special solemnity. It has been the custom to hold jubilees of the church every twenty-five years, and at one time these were the occasion for the gathering of vast concourses at Rome to receive the special dispensations and indulgences allowed during jubilee years. It is expected, however, by the highest church authorities here that the jubilee next year will be quite generally celebrated throughout the world, thus giving it a more universal aspect instead of being centered at Rome, though doubtless it will lead to many pilgrimages to Rome and the gathering there of distinguished churchmen.

The jubilee next year is considered more important than that held every twenty-five years, as it ushers in a new century and comes at a time when Pope Leo is old and very feeble, his 90th year having been completed in March.

To Preserve Friendships.

SAVANNAH, Ga., May 15.—The officers of the Thirty-first Michigan regiment, which is to be mustered out of the service next Wednesday, were dined tonight by the officers of the First Georgia, who were mustered out last fall. During the time the First Georgia was in the service it was brigaded with the Thirty-first Michigan and a fast friendship sprang up between the two commands. The entertainment tonight was given as a last token of the hospitality of the Georgians and a mark of their love and esteem for the men from Michigan. Before the Michigan regiment gets away the officers expect to present a loving cup to the officers of the First Georgia.

Ex-Governor Drake Ill.

CHICAGO, Ill., May 15.—Word was received here that ex-Governor F. M. Drake of Iowa is critically ill at his home in Centerville, Ia. Mr. Drake has been in ill health a number of years but when he retired from the presidency of the Indiana, Illinois & Iowa railroad at the time of the sale of the road about a year ago, his friends hoped he would regain his strength. He was taken seriously ill two weeks ago and since that time has been very low.

Revolution in the Oil Trade.

PHILADELPHIA, Pa., May 15.—It is reported that the British steamship Robert Dickinson, which arrived here yesterday from Shields, in ballast, will load a cargo of bulk oil at this port for Calcutta, and will afterward engage in the oil trade. The Dickinson will be the first tank steamship to load oil for the far east, and if the report of the intention of her owners is true, it indicates a revolution in the oil shipments and marks the end of sailing ships in the eastern oil trade.

A southern man who recently returned home after a visit to Boston said to a neighbor: "You know these here round, white beans?" The other admitted that he did. "We feed 'em to hosses down our way." "Yes," "Well, sir, up in Boston they take them beans, holl 'em for three or four hours, slap a little soy belly an' some molasses and other truck in with 'em and what do you suppose they do with 'em?" "Gosh, I do 'no." "Well, sir," said the first speaker, sententiously, "I'm d-d if they don't eat 'em!"

A coincidence is the antiquated plea of the plagiarist.

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