

LEGAL ADVERTISEMENTS.

PROPOSED CONSTITUTIONAL AMENDMENT

The following proposed amendment to the Constitution of the State of Nebraska, as hereinafter set forth in full, is submitted to the electors of the State of Nebraska, to be voted upon at the general election to be held Tuesday, November 4, A.D. 1902.

A Joint Resolution proposing to amend section one of Article fifteen, of the Constitution of the State of Nebraska, relative to the manner of submitting and adopting amendments to the Constitution of the State of Nebraska: Be it Resolved and Enacted by the Legislature of the State of Nebraska:

SECTION 1. That section one of Article fifteen of the Constitution of the State of Nebraska be amended to read as follows: Section 1. Either branch of the legislature may propose amendments to this constitution, and if the same be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered into the Journals with the yeas and nays, and published at least once each week in at least one newspaper in each county where a newspaper is published, for thirty days immediately preceding the next election of senators and representatives, at which election the same shall be submitted to the electors for their approval or rejection, and if a majority of the electors voting at such election on such proposed amendment, shall vote to adopt such amendment, the same shall become a part of the Constitution. When more than one amendment is submitted at the same election, they shall be submitted as to enable the electors to vote on each amendment separately.

All ballots used at such election on such amendment or amendments shall have written or printed thereon the following: For proposed amendment to the Constitution relating to (here insert the subject of the amendment) and the vote of each elector voting on such amendment or amendments shall be designated by the elector by marking a cross with a pen or pencil in a circle or square to be placed at the right of the lines the words "For or Against" the proposed amendments, as he shall desire to vote thereon, or by indicating his preference on a voting machine when such voting machine is in use.

I, Geo. W. Marsh, Secretary of State of the State of Nebraska, do hereby certify that the foregoing proposed amendment to the constitution of the State of Nebraska is a true and correct copy of the original enrolled and engrossed bill, as passed by the Twenty-seventh session of the legislature of the State of Nebraska, as appears from said original bill on file in this office, and that said proposed amendment is submitted to the qualified voters of the State of Nebraska for their adoption or rejection at the general election to be held on Tuesday, the 4th day of November, A. D. 1902.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln this 22d day of July, in the year of our Lord One Thousand Nine Hundred and Two, of the Independence of the United States the One Hundred and Twenty-seventh, and of this state the Thirty-sixth.

GEO. W. MARSH, Secretary of State.

SHERIFF'S SALE.

By virtue of an order of sale, directed to me from the clerk of the district court of Holt county, Nebraska, on a judgment obtained before the clerk of the district court of Holt county, Nebraska, on the 28th day of June 1902, in favor of Charles E. Gibson as plaintiff and against James C. Wood, as defendant, for the sum of one thousand six hundred and forty dollars (\$1640) and costs taxed at \$26.73 and accruing costs have levied upon the following real estate taken as the property of said defendants to satisfy said order of sale, to-wit:

The southeast quarter (se $\frac{1}{4}$) of section twenty-five (25) in township thirty (30), north of range ten (10) west of the sixth principal meridian in Holt county, Nebraska, and will offer the same for sale to the highest bidder for cash, in hand, on the 6th day of October, A. D. 1902, in front of court house in O'Neill, Nebraska, at the hour of 10 o'clock a. m. of said day, when and where due attendance will be given by the undersigned. Dated at O'Neill, Holt county, 17th day of September, 1902.

C. E. HALL, Sheriff of said county.

ROAD NOTICE.

To all whom it may concern: The commissioner appointed to locate a public road commencing at a point between the northeast corner of section twenty-two (22) and the northwest corner of the northeast quarter of section thirty-three (33), township thirty-two (32), range eleven (11), and on the north line of section 33, to the east line of section line running through said section; thence running south from said point on the half section line to section 33, to the east line of said section thirty-three (33) in township thirty-two (32), range eleven (11) west of the 6th P. M. in Holt county, Nebraska, has reported in favor of the establishment thereof and all objections thereto, or claims for damages must be filed in the County Clerk's office on or before noon of the 8th day of October, 1902, or such road will be established without reference thereto.

E. S. GILMOUR, County Clerk.

SHERIFF'S SALE.

By virtue of an order of sale, directed to me from the clerk of the district court of Holt county, Nebraska, on a judgment obtained before the clerk of the district court of Holt county, Nebraska, on the 10th day of May, 1902, in favor of The County of Holt as Plaintiff, and against George West, J. H. Keith, Trustee, and the unknown owners of the North Half of Section Seven, Township South East Quarter of the North West Quarter, South West Quarter of the South West Quarter of Section Seven, Township 32, North of Range 12, West of the 6th P. M. as Defendants, for the sum of One Hundred Eighty-One Dollars, and Twenty-Five Cents, and the costs taxed at \$23.33 and accruing costs, I have levied upon the following real estate taken as the property of said defendants to satisfy said order of sale, to-wit:

North East quarter of the South West quarter, and the North West quarter of the South West quarter of Section Seven, Township 32, North of Range 12, West of the 6th P. M. in Holt county, Nebraska, and will offer the same for sale to the highest bidder for cash, in hand, on the 3rd day of November, A. D. 1902, in front of Court House, in O'Neill, Holt County, Nebraska, at the hour of 10 o'clock A. M. of said day, when and where due attendance will be given by the undersigned. Dated at O'Neill, Holt county, 30 day of September 1902.

C. E. HALL, Sheriff of said county.

SHERIFF'S SALE.

By virtue of an order of sale, directed to me from the clerk of the district court of Holt county, Nebraska, on a judgment obtained before the clerk of the district court of Holt county, Nebraska, on the 28th day of June 1902, in favor of Charles E. Gibson as plaintiff and against James C. Wood, as defendant, for the sum of one thousand six hundred and forty dollars (\$1640) and costs taxed at \$26.73 and accruing costs have levied upon the following real estate taken as the property of said defendants to satisfy said order of sale, to-wit:

The southeast quarter (se $\frac{1}{4}$) of section twenty-five (25) in township thirty (30), north of range ten (10) west of the sixth principal meridian in Holt county, Nebraska, and will offer the same for sale to the highest bidder for cash, in hand, on the 6th day of October, A. D. 1902, in front of court house in O'Neill, Nebraska, at the hour of 10 o'clock a. m. of said day, when and where due attendance will be given by the undersigned. Dated at O'Neill, Nebraska, September 3, 1902.

C. E. HALL, Sheriff of said county.

NOTICE TO NON-RESIDENT DEFENDANTS

To Luman M. Cleveland, Emma A. Cleveland, Winfield Yates, Mrs. Winfield Yates (full name unknown), Ossory Jose, Mrs. Ossory Jose (full name unknown), non-resident defendants: You and each of you will take notice that on the 18th day of July, 1902, Herman Russell in the name of plaintiff, filed in the office of the clerk of the district court of Holt county, Nebraska, against Luman M. Cleveland, Emma A. Cleveland, Moses P. Kinkaid, Ervin Cleveland, Mrs. Erin Cleveland (full name unknown), Winfield Yates, Mrs. Winfield Yates (full name unknown), William Jose, Mrs. William Jose (full name unknown), Ossory Jose, Mrs. Ossory Jose (full name unknown), The Nebraska Mortgage and Investment Company, and Charles K. Collins, receiver of the Nebraska Mortgage and Investment Company, defendants, the object and prayer of which is to foreclose a certain real estate mortgage described in said petition.

Said petition alleges that on the 8th day of August 1886, the defendants, Luman M. Cleveland and Emma A. Cleveland, made, executed and delivered to the Nebraska Mortgage and Investment Company their bond in the sum of one thousand dollars (\$1,000.00), due August 1st 1894, with interest at the rate of 6% per annum, evidenced by ten coupon notes of \$125.00 each attached to said bond. That to secure the payment of said bond and interest, the said Luman M. Cleveland and Emma A. Cleveland on said day executed and delivered to said Nebraska Mortgage and Investment Company a mortgage upon and thereby conveyed to the said Nebraska Mortgage and Investment Company the following described premises to-wit:

The north half of the southwest quarter and the north half of the southeast quarter (n $\frac{1}{2}$ s $\frac{1}{4}$ and s $\frac{1}{2}$ s $\frac{1}{4}$) of section twelve (12), in township thirty-two (32), north of range sixteen (16), west of the sixth (6th) P. M. in Holt county, Nebraska. That said mortgage was duly filed for record in the office of the county clerk of Holt county, Nebraska, on the 19th day of August 1886, and recorded in Book 49 at page 160 of the records of mortgages. That before the maturity of said bond, said bond and mortgage were for a valuable consideration assigned, endorsed and delivered to plaintiff and are still the property of plaintiff, and that thereon and from the 1st day of August 1894, to the 1st day of August 1902, the sum of two thousand and ninety-two and 50/100 dollars with interest at the rate of 10 per cent per annum, from the 1st day of August 1894, to the 1st day of August 1902, has been due and unpaid thereon the sum of two thousand and ninety-two and 50/100 dollars with interest at the rate of 10 per cent per annum, from the 1st day of August 1902, to the date of this notice, and no part of the same has been paid or tendered to plaintiff.

You are required to answer said petition on or before the 13th day of October, A. D. 1902. Dated at O'Neill, Nebraska, this 3rd day of September, A. D. 1902.

HERMAN RUSSELL, Trustee, Plaintiff. By E. H. BENEDICT and M. J. SWELBY, His Attorneys.

LEGAL NOTICE.

Lots number Ten and Eleven in Block number One of the Town of O'Neill, Holt County Nebraska, and Michael E. Bannin and Mrs. Michael E. Bannin, real name unknown, Edward J. Fitzgerald, and John Doe and John Doe, their real names unknown, non-resident Defendants, will take notice, that on the 22nd day of October, A. D. 1902, the County of Holt, Plaintiff, in its petition in the District Court of Holt County, Nebraska, against you and Mary Fitzgerald, John Fitzgerald, William Paul Fitzgerald, Mary Lillian Fitzgerald, and Mary Fitzgerald, as administratrix of the estate of John Fitzgerald deceased, defendant, the object and prayer of which is to foreclose a tax lien for delinquent taxes due plaintiff on Lot number Ten (10) and Lot number Eleven (11), of Block number One (1), of the City of O'Neill, Nebraska, for all the years from 1892 to 1901, and plaintiff prays to have said premises sold at Sheriff's Sale, as upon execution to satisfy said lien for delinquent taxes with interest and costs made, amounting to Ninety-Two Dollars and accruing costs, and for such other relief as may be just and equitable.

You are required to answer said petition on or before Monday, November 10th, 1902. Dated October 2nd, 1902.

THE COUNTY OF HOLT, Plaintiff. E. S. GILMOUR, County Clerk.

ROAD NOTICE

State of Nebraska, County of Holt, ss. To all whom it may concern: The commissioner appointed to locate a public road commencing at the northeast corner of southwest quarter of section twelve (12), township twenty-seven (27), range ten (10), in Holt county, running thence south along the section line a distance of two and one-half miles to the north-west corner of section twenty-five (25), township twenty-seven (27), range ten (10) has reported in favor of the establishment thereof, and all objections thereto or claims for damages must be filed in the County Clerk's office on or before noon of the 8th day of October, A. D. 1902, or such road will be established without reference thereto.

E. S. GILMOUR, County Clerk.

The best physic—Chamberlain's Stomach and Liver Tablets. Easy to take. Pleasant in effect. For sale by P. C. Corrigan.

The excitement incident to travel and change of food and water often brings on diarrhoea, and for this reason no one should leave home without a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy. For sale by P. C. Corrigan.

Henry L. Shattuck of Shellsburg, Iowa, was cured of a stomach trouble with which he had been afflicted for years, by four boxes of Chamberlain's Stomach and Liver Tablets. He had previously tried many other remedies and a number of physicians without relief. For sale by P. C. Corrigan.

Washington, D. C., Via G. N.

On Oct. 2, 3, 4 and 5 the Great Northern will sell excursion tickets to Washington D. C. at very low rates, account of National Encampment G. A. R. Through-tourist sleeping cars and free reclining chair cars from Sioux City. For Further information address or call on G. H. Hebert, Agt.

At the populist and democratic convention held in O'Neill last Saturday a fusion was effected by giving the democrats one nominee for representative. The ticket nominated is as follows: County attorney, A. F. Mullen representatives, E. M. Waring, of Verdigris and John Spelster, of Ewing. Populists in the western part of the county say the east end of the county hogged in the convention but they would have something to say when it comes time to vote.

Commissioners Proceedings.

O'Neill, Neb., Sept. 18th, 1902. Board called to order at 9 o'clock a. m. All members present. Minutes of yesterday session were read and approved.

On motion the bond of the Ewing State Bank was returned for correction.

The following petition was read. To the Honorable county board of Holt county, Neb. We the undersigned free holders of Verdigris precinct in said county and state most respectfully represent that we are desirous of having the qualified voters of said precincts vote on the following question to-wit:

Whether the county board of said county and state of Nebraska shall issue coupon bonds of said precinct for the sum of \$2500, payable January 1st 1903, drawing interest at the rate of six per cent per annum payable annually on the 1st day of January of each year the interest and principal thereof being payable at the office of the County Treasurer of Holt county. The proceeds of the sale of bonds to be used for the following purpose to-wit:—To buy a site and to erect thereon a township hall in the village of Page in said Verdigris precinct in Holt county Neb. Said building to be owned by Verdigris township and to be used as a township hall. Said building to be built principally of brick and lumber.

Your petitioners respectfully pray that this question be submitted on the 4 day of November 1902.

Signed by Robert Gallagher and fifty five others.

On motion the petition was referred to Supervisor Howard for investigation as to legality thereof.

On motion the matter of road prayed for by Antoine Tomjach and others be laid over for further consideration.

The following resolution was read. Mr. Chairman—I move that the road prayed for by Fred Schindler and others commencing at the south west corner of section line to the northeast corner of section 2, thence east to the northeast corner of section 2, 25, 10, be allowed, the same having been petitioned for a viewer appointed and the route viewed, and the same advertised and appraised according to law and that Huzo Lotgel be allowed damages in the sum of fifteen dollars and that the county surveyor be instructed to plat the road on the plat book and the clerk to make all necessary records on the county records and the road record book.

Signed H. C. HOWARD, W. S. GRIMES.

On motion the above resolution was adopted.

On motion the board adjourned until one o'clock p. m.

Board called to order. All members present.

The following petition was read: To the Honorable Board of Supervisors of Holt county:

Gentlemen—I hereby submit an offer of \$50.00 as a bid in case the county of Holt should bring an action for the foreclosure of taxes against lots 6 and 7, block 31, Bitney's addition to the village of Atkinson. A statement of the taxes now due amounting to \$97.45 is hereto attached.

Signed, J. S. BALLOU.

On motion the proposition was accepted and the County Attorney instructed to proceed to foreclose on the above described lots, notice of sale to be published in the Atkinson Graphic.

The following petition was read: To the Honorable Board of Supervisors of Holt county:

We, the undersigned electors, ask that a bridge be built on the section east and west between sections 28 and 33, township 29, range 13 in the center of south side of section 28, and the north side of center or $\frac{1}{2}$ line of section 33. Dated September 2, 1902, and signed by M. Lyons and nine others.

On motion the prayer of the petition was granted and the building of the bridge be referred to Supervisor Keefe.

The following resolution was read: Whereas, But one bid has been received for publishing the delinquent tax list for 1901 which the board consider to be from a paper of general circulation in the county and,

Whereas, It is the opinion of this board that in justice to the taxpayers and property owners in general, the delinquent tax list should be published in papers having a general circulation in the district where the land is located.

Therefore, I move that the publishing of the 1901 delinquent list be let as follows: To the Ewing Advocate: Deloit, Ewing and Verdigris precincts. To the O'Neill Frontier: O'Neill, Grattan, Sheilds, Rock Falls, Padcock, Scott, Steele Creek, Willowdale, Iowa, Inman, McClure, Lake, Conley, Chambers and Shamrock precincts. To the Stuart Ledger: Stuart, Cleveland, Dustin, Green Valley, Francis and Swan precincts.

To the Atkinson Graphic: Atkinson, Sand Creek, Sheridan, Fairview, Wyoming, Emmet, Pleasant View and Saratoga precincts, and that the rate for publishing said delinquent tax list shall be three cents for town

lots and six cents for each description of land.

Signed, FRANK PHILLIPS, W. S. GRIMES.

On motion the above resolution was adopted.

The following resolution was read: Mr. Chairman: Whereas, It appears that the board of supervisors on the 17th day of July, 1902, that being one of the days of the regular July meetings of the board, passed a resolution reciting that certain errors and omissions had been made in the assessment of the various banks of the county, and whereas the County Clerk of said county on said day was requested to notify in writing the officers of said banks to appear before this body on the 16th day of September, 1902, and show cause why the errors should not be corrected and the omissions supplied and also show cause why the surplus and the undivided profits of said banks should not be considered in fixing the valuation of the shares of stock and whereas said notices were duly served by the county clerk, and whereas on the 16th day of September, 1902, this matter was considered by this body and whereas nearly all of said banks appeared by their respected officers and upon investigation it was found that there had been errors in the assessment and that omissions had been made in the assessment of said banks; that in most cases the surplus and undivided profits of said banks had not been considered by the local assessor in fixing the value of the shares of stock for the purpose of taxation and said banks showing no good and sufficient cause why said surplus and undivided profits should not be considered in fixing the value of the shares of said stock and why said omissions should not be entered on the tax rolls of Holt county.

Therefore, Be it resolved by this board that we now proceed to correct said errors and supply said omissions and assess said banks in accordance with law; that in making the assessment we take into consideration the undivided profits and the surplus in addition to the capital stock of said banks in fixing the value of the shares of said banks; that we assess said shares of stock at their actual value on the first day of April, 1902.

Signed, M. KEEFE, JOHN MOLER.

The following resolutions were read. Whereas it has come to the knowledge of this board that a certain road on section line commencing at the common corner of section 32 and 33, and 28 and 29, in 31, 13, running thence south on the section line has been obstructed by the erection of fence and gate on section line across the public highway. The county of Holt claims the same as a public highway from the fact that it has been used as a public highway and public money expended thereon for more than ten years.

Therefore be it resolved, that the road overseer of that district be instructed to remove at once the obstruction on said road and the clerk be instructed to send a copy of this resolution to the road overseer of district No. 46.

On motion the above resolution was adopted.

The following resolution was read. Whereas it has come to the knowledge of the board that a certain road on section line commencing at a common corner of section 29 and 30 and 31 and 32 in 31, 13, running thence south on the section line one mile thence west one mile on township line has been obstructed by the erection of a fence and gate on section line across the public highway. The county of Holt claims the same as a public highway from the fact that it has been used as a public highway and public money expended thereon for more than ten years.

Therefore resolved that the road overseer of that district be instructed to remove at once the obstruction on said road and the clerk be instructed to send a copy of resolutions to the road overseer of district No. 32 and 46.

On motion the committee on court house be instructed to renew the insurance of \$2000 on the court house building.

On motion adjourned until tomorrow morning Sept 19, 1902 at nine o'clock a. m. E. S. GILMOUR, R. J. MARSH, County Clerk, Chairman. O'Neill, Neb., Sept. 19th 1902.

Board called to order at nine o'clock. All members present. Minutes of yesterday's session were read and approved.

The following report was read. Mr. Chairman—We your committee on tax and tax titles respectfully submit the following report on the petition of Dell Aken, We recommend that the prayer of the petition be rejected.

Signed JOHN MOLER, W. S. GRIMES, H. C. HOWARD.

On motion the report of the committee was adopted.

The following legal opinion were submitted by the County Attorney in answer to question. O'Neill, Sept 19 1902. To the Honorable Board of Surper-visors.

Gentlemen—In reply to the following questions asked by you. "In your opinion do you consider the surplus and undivided profits of a bank a part of the capital stock of the bank?" I will say that the capital, surplus and undivided profits added together fixed the value of the shares of the bank.—A bank with a capital of \$2500, a surplus of \$15000, and undivided profits of \$10000 is assessable on \$50,000, the value of a share of stock in such a bank is 200 per cent of the par value of said share of stock.

Yours Respectfully, ARTHUR F. MULLEN, County Attorney. Sept. 19 1902.

To the Honorable Board of Surper-visors. Gentlemen—In reply to the following question asked by you. "Should the assessment of the capital stock, surplus and undivided profits be made all together as one item or separate as to each stockholder?" Each stockholder be assessed on the shares that each owns. The capital, surplus and undivided profits should be considered together in fixing the value of his shares.

Your second question—"Should the assessment of the capital stock assess the surplus and undivided profits of a bank." In reply I will say yes.

Your third question—"Should the surplus and undivided profits of a bank be assessed to the bank or to the stockholders"—In reply I will say. The surplus and undivided profits of the banks should be considered in fixing the value of the shares of stock as assessed in the name of the stockholders and not in the name of the bank.

Your fourth question—"Can the board of supervisors raise the individual assessment of a stockholder of a bank by adding thereto without notice to such stockholder" under section 447 of 1901 statute notice must be given before an assessment can be raised corrected or an error corrected or an omission supplied. Notice to the cashier of a bank is notice to the stockholders.

Yours Respectfully, ARTHUR MULLEN, County Attorney.

On motion the board adjourned until one o'clock p. m. Board called to order. All members present.

The following resolution was read. Mr. Chairman—I move you that the road prayed for by Antoine Tomjach and others commencing at the S W corner of section 34, township 26, range 10, west and running thence north two miles between sections 33 and 34 and sections 27 and 28 to the N. W. corner of section 27, 26, 10, be allowed, the same having been petitioned for, viewer appointed and advertised according to law and that Joseph Theondal be allowed damages in the sum of thirty dollars, Antoine Tomjach in the sum of ten dollars and Ferdinand Rinche in the sum of five dollars and that the county surveyor be instructed to plat the road on the plat book and the clerk to make the necessary records on the road record book.

On motion to adopt the above resolution the yeas and nays were called for. Yeas. Grimes, Howard, Moler, Marsh (4). Nays. Keefe, Kramer and Phillips (3). The resolution was adopted. The following petition was read. O'Neill, Neb. Sept. 19th, 1902. To the Honorable Board of Super-visors.

Gentlemen—The taxes on lots 10 and 11 in block 1 of O'Neill are delinquent for several years, and are now greatly in excess of the value of the lots. If foreclosed by the county I agree to bid \$60 for both if sold, and also to pay for a notice to nonresident defendants. Statement of taxes amounting to \$91.30 is hereto attached.

Respectfully Yours, E. H. WHELAN. On motion the petition was granted and the county attorney instructed to commence foreclosure and notice of same be published in the O'Neill Frontier. The following claims were allowed upon the general fund.

Table with 3 columns: Name, Court Claims, Apply on Tax. Includes John Nolan, D Camfield, Thos Barrett, P C Curtis, W F McBride, Earl Michale, R H Mills, J L Shanner, R A Sarchet, E Opp, C Carroll, G C Carroll, Wm Lord, N Grass, Ira Laphan, Robert James, Chas Harding, Chas Hall, Sherman Ayer, M Hurley, C C Millard, Matt Mechale, R L Luteye, A Haines, J S Cahill, A N Snell, D M Stewart, John O'Malley, C H Taylor, C C Sutter, Elmer Wise, C A Thomas, Mrs C B Thomas, C L Wood, F Sullivan.

The following claims were allowed upon the bridge funds. Galena Lumber Co. \$ 29.25 Wm Krotter & Co. 9.31 17.44 Louis Stebner 42.50 26.40 11.50 Ferdinand Seibert 9.90 C W Sanders 70.25 John Gorden 7.25 J D Kelley 12.00 Wm Krotter & Co. 27.51 J L Shoemaker 30.00 C H Dailey 7.50 W S Grimes 41.00 Matt Mechale 30.00 Chas Bigler 12.00 Townsend & Davis 885.50 Louis Stebner 26.00 Daniel Grady 28.00 apply on taxes.

On motion the contract for building the bridge across the Red Bird creek be awarded to A. J. Roberts for the sum of \$116 he being the lowest bidder. On motion adjourned until 8 o'clock to-morrow morning Sept 20 1902. E. S. GILMOUR, R. J. MARSH, County Clerk, Chairman.

PROSPECTUS OF THE New York Family Story Paper FOR 1902

Founded in 1878, the New York Family Story Paper enters its twenty-ninth year with a consciousness that its past record as the family paper of the whole country is the best guarantee of its future performance. It contains something of interest to the whole household, from its oldest to its youngest members; and while its stories are of more absorbing interest and thrilling incidents than the average tale published in the monthly magazines, yet its columns are kept scrupulously free of anything that might offend the most fastidious.

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