

Hog cholera prevails in Ohio, Indiana and Kentucky.

George W. Frost has been confirmed Indian agent for the Crow.

The Russians appear to be getting away with the Turkish baggage these times.

The Russian General Gourka, it is reported, recently died from wounds received in battle.

In a saloon fight at Upper Sandusky Ohio, last week, Henry Coons was killed by Dennis Shay.

If Stanley Matthews resembles Brigham Young, says the Rochester Democrat, it must be because Brigham is dead.

Trouble continues between Mexicans and Americans on the Rio Grande, and several small fights have recently occurred. At Eagle Pass, the Mexicans crossed into Texas and taking down the American flag, insufficiently guarded, ran up a Mexican flag.

"Blue Jeans" has appointed Dan. Vorhees to succeed the lamented dead Senator, Morton, in the U. S. Senate. Blue Jeans was ready, and watching anxiously and impatiently. The great Senator had scarcely drawn his last breath when the appointment of Vorhees was announced.

The Grand Master and Grand Patriarch of the I. O. O. F. of Indiana, issued circulars calling upon the various encampments and lodges in the state to take action on the death of their late brother, Senator Morton. The military companies from several cities in the State attend the funeral.

The Douglas county Republican Convention "whereas" prefacing the resolutions adopted, says: "There are less than 1,000 farms in Douglas county, and upwards of 200,000 acres of land awaiting the plowshare of the husbandman!" Can it be, "less than 1,000 farms" in Douglas county?"

Since "Sammy Tilden" has returned from his trip across the water to see how England honors Grant, and has been "interviewed" and "serenaded," he says, in referring to the late Presidential campaign: "I swear" - now hold on, Samuel! Let Nels Patrick do the swearing. You are too old to indulge in any such idiosyncrasy.

"Canada Bill" has thrown his last card. He died the other day at Reading, Pennsylvania, of consumption. He died penniless and his funeral expenses were borne by an old friend. His right name was Wm. Jones. He was an English Gypsy and came to this country seventeen years ago. Having operated in Canada is why he was called "Canada Bill."

News of elections in the Eastern States is very meagre as we go to press. Nothing more reliable than indications, which are that New York has gone Republican, Pennsylvania Democratic, Wisconsin Republican. The Connecticut Legislature elect is Illinois, Republican. Most of these States elect only minor offices.

The Governors of States have been in the habit of appointing for State Thanksgiving the same day named by the President for National Thanksgiving. We think this is a wrong practice. It's a humbug and virtually does away with State Thanksgiving. If there is anything in this Thanksgiving custom at all, and it is proper, and beneficial to humanity, let it be done right. If there are to be a National Thanksgiving day and a State Thanksgiving day they should be on different days; otherwise the less is swallowed up by the greater, and the Governor's proclamation is meaningless. Let thanks be given as a great nation, unmixd, and a national holiday enjoyed - let it be purely and solely a national matter - appointed by the Executive of the nation, whose call is sufficient without the proclamations of Governors. And then, either before or after the national rejoicing, let the Governor of each State, who has faith in this business, appoint a day for his people to praise and give thanks for the blessings enjoyed as a State. These are some of our ideas about Thanksgiving times.

There is a fear resting in the mind of the Northern people in regard to the people of the South, that is, that you will not do your duty to the President in obeying the amendments of the Constitution, which secure to all life, liberty, property, rights, and to the fruits of their labor. If you will obey these amendments, I believe this country of ours will be in peace and quiet. - Secretary Sherman at Richmond.

So do we! And we believe there would have been "peace and quiet" long ago without any "policy" if those amendments had been obeyed. So does Mr. Sherman believe it.

But suppose they don't obey them, what then? Mr. Sherman answers, "So help him God, and with the approval of the Southern people, the President will carry out the policy to end anyway." The aid to be received from the Lord in such business cannot be depended on, but there can be no question about the "approval" of the Southern people. - Inter Ocean.

Wade Hampton still speaks of the population of South Carolina as "my people." President Hayes, like the style, and would say "my party," if he thought any body would know what party he meant. - Hawkeye.

DEATH OF OLIVER P. MORTON

Senator Oliver P. Morton died in Indianapolis at half past five o'clock on Thursday evening, Nov. 1st, after lingering illness of some months. He was born in Wayne county Indiana, August 4th, 1823; graduated at the Miami university; studied and practiced law; was elected circuit judge of the fifth judicial circuit of Indiana in 1852; was elected lieutenant-governor of Indiana in 1850, and became governor in 1861, when Governor Lane was elected to the senate of the United States; was elected governor in 1864; was elected to the United States senate as a republican, to succeed Henry S. Lane, republican, and took his seat March 4, 1867; was re-elected in 1872. His term of office would have expired March 4th, 1878.

"I AM WORN OUT."

From the Inter Ocean.

Senator Morton, at the close of a career remarkable for its intense activity and ponderous with the weight of results accomplished, laid down his life with the words "I am worn out."

Standing around his open grave today, the people of this country, realizing how much has been crowded into the years of his life; how much his incessant labors have accomplished, and how he never felt before, that he was worn out in the service of his country. One great speech or one great action has made many a man famous. Superior courage and boldness in times of danger; fertility of resource in great crises; readiness to assume responsibility when public opinion is running wild, and the future seemed dark, has given many men exalted reputations. Unselfish devotion to country; unflinching courage in forwarding the cause of the downtrodden; unflinching persistence in the performance of duty in the face of opposition, under the pressure of misrepresentation and calumny, and while harassed by able and unscrupulous enemies, have made many men heroes.

Remembering all this, the people who would stand in proper spirit by the grave of Senator Morton today should go back over the years of his public life, and view each separate act and deed that has made up his memorable career. It was a great thing to give one to public opinion when the government was threatened with destruction. More than any other man Mr. Morton did this. It was a worthy act to put a great State on a war footing, and hold it in the front line of national defense. Mr. Morton did this with pre-eminence. It was a test of practical statesmanship to meet the emergency in Indiana in 1862, when the Democratic Legislature left the Governor powerless, and the people seemed drifting into the arms of the country's enemies. The hour for action would have passed while statesmen of the philosophic school were engaged in citing constitutional precedents, or in enunciating principles of action. Governor Morton met the crisis with the sweeping energy of a Cromwell, and, acting on the instant and without hesitation, swept all the difficulties out of his path, and did all this with such circumspection that his every act stood the test of criticism in the cooler hours of a fault-finding era.

In the midst of the most exacting duties, and under the weight of unusual cares, it was the act of a great-hearted man to never forget the trials and sufferings of the soldiers in the field, and the sorrow and trouble and misery of widows and orphans at home. In such great heartedness, Governor Morton had scarcely a peer.

At a time when all the enemies of the Union were marshaled against the administration that had conducted the war, it was a great thing to successfully defend the government policy. No man did this more ably than did Senator Morton.

When the war threatened he was among the first to realize the danger, and the necessity for preparation to meet it. When the war came he was "the right arm of the government;" when the war ended he was foremost in the struggle to secure the results fought for. As Oliver Cromwell was the "most English of Englishmen," Oliver P. Morton was in all the phases of the great conflict the most American of Americans; and in all the struggles of his party the most Republican of Republicans.

Paralysis has sent many of the world's bravest and ablest men into quick retirement. Mr. Morton, waking to the realization that his lower limbs were dead and useless, rejoiced that his mind was clearer than it had been for months, and bravely shouldered a heavier load of responsibility than ever before. Tied to his chair and crippled by sickness, he became more terrible to his country's enemies and more efficient in his country's service than when in full health and strength. The sickness that would have caused a less resolute man to be remembered as a martyr made Senator Morton a wonder in activity and a genius in resources.

Many public men have been frightened away from paths of usefulness by slander and calumny. Struck at cruelly and relentlessly, wounded, it may be, to the heart, Senator Morton faced his slanders, and, heeding not their poisonous shafts, did his full duty as a public man. Made an invalid by the mental strain and activity incident to his work as Governor during the war, his invalidism, that should have been looked upon as a soldier's honorable wounds, was instead made the subject of cruel jest and calumny. It was something to bear such misrepresentation and slander, and not cry out at the injustice or blinch at the wounds.

There need be no idealizing, no extravagant eulogy, at the grave of such a man. The simplest record of what he has done will be the best evidence of his greatness; and, as the people pile fact on fact - great words, great deeds, great results - they build a monument to his memory, and, looking upon it as the record of his labors, trials, and troubles they will wonder not that he was worn out. If the people can successfully sum up the results of his having lived, the sum total will call out more gratitude, will inspire more enthusiasm, and will give him more lasting fame than the record formulated in the warmest eulogy. And as he carried his load of work, of responsibility, and of care, not for himself alone, but for the nation, and carried all to his sick-room and to the end of his life, his dying words, "I am worn out," should possess for the public a rare significance.

HAYES AND MORTON.

WASHINGTON, Nov. 2.

The following was issued at a late hour this evening:

I lament the sad occasion which makes it my duty to testify publicly to the merits of an eminent citizen and statesman whose death yesterday at his home in Indianapolis has been made known to the people by telegraphic announcement. The services of Oliver P. Morton to the nation in a difficult and responsible administration of the affairs of the State of Indiana as its Governor at the initial juncture of the civil war, can never be overvalued by his countrymen. In all things, and all those he has been able, strenuous and faithful in the public service, and his fame with his countrymen rests upon a secure foundation. The several executive departments will be closed on the day of his funeral, and appropriate honors should be paid to the memory of the deceased statesman by the whole nation.

(Signed) R. B. HAYES. COMMITTEE TO ATTEND MORTON'S FUNERAL.

The Vice President appointed Senators Macdonald, Davis, Burnside, Bayard, Cameron and Booth as a committee to attend the funeral of Senator Morton.

The President issued directions early today that flags on all the public buildings be placed at half-mast, in respect to the memory of Senator Morton. The cabinet met, with all the members present, to pay proper official honors to the distinguished dead.

The Press on Senator Morton. Mr. Morton was a patriot. He loved his country sincerely. Every fiber in his nature was American. - New York Sun, (Dem.)

Mr. Morton's mental resources bordered on the marvelous, and to the last he controlled and led the majority. - Atlanta Constitution, (Dem.)

Morton was one of those grand figures who were always prominent when men looked away from the heart-sinking waste of battle to the unfaltering line stretched far behind the infantry, cavalry, and artillery. - New York Times.

Mr. Morton had all the qualities of leadership; a clear head, and indomitable will, a wonderful fertility of resource, a courage that never faltered, and a personal magnetism which drew from his followers and obedience as cheerful as it was prompt. - St. Louis Republic, (Dem.)

If that kind of service which saves States by doing what is presently to be done with prodigious force, with inexhaustible persistence, and with perfect faith, deserves to be remembered and honored, Senator Morton will certainly not be forgotten. - New York Evening Post.

The nation has lost its ablest statesman by the death of Morton. There have been many of his cotemporaries who surpassed him in some particular attribute, but none equaled him in the nearness with which he completed the circle of the great leader of men. - Philadelphia Times, (Ind.)

Oliver P. Morton was a leader because he was always ready to take the first risk himself. He was followed because he never faltered. He was feared, because he never retreated from his foe. Such men come to States like planets in the sky. They light and lead thousands to safety. - Philadelphia Press.

Riding on the impulse of the war, Mr. Morton was a kingly man. He made laws and men bend to that indomitable will which even death could scarcely conquer. Taking, as it was given him, the all commanding cry on behalf of the negro, he could make men forget the Constitution of the fathers in constructing the statutes of their children. - Cincinnati Enquirer, (Dem.)

No Excuse for any One Being out of Employment.

Our attention has been called to some new and useful cooking utensils, recently invented which make baking and cooking a pleasure, instead of a dreaded necessity. One of which, the Patent Centennial Cake and Bread Pan, made of Russia iron, is so constructed that you can remove your cake when baked, instantly from the pan, without breaking or injuring it, and you can remove the tube, and convert it into a plain bottom pan, for baking jelly or plain cakes, bread, etc. Another - the Kitchen Gem - a plated wire boiler or steamer to hang inside of an ordinary iron pot, for boiling or steaming vegetables, etc., which when done, can be removed perfectly dry, without lifting the heavy, sooty iron pot off of the stove, avoiding the danger of burning the hands with the steam in pouring off the hot water, and the vegetables can not possibly burn if the water boils dry, as the steamer does not touch the bottom of the pot. These goods are sold exclusively through agents to families, and every housekeeper should by all means have them. A splendid opportunity is offered to some reliable lady or gentleman canvasser of this county to secure the agency for a pleasant and profitable business. For terms, territory, etc., write to L. E. Brown & Co., Nos. 214 and 216 Elm Street, Cincinnati, Ohio.

THE SALT BASIN LITIGATION.

Demurrer of the State to the Petition of Messrs Bradford, of Washington, D. C., Sustained.

State Journal.

Yesterday at the sitting of the District Court for Lancaster county. His Honor, S. B. Pound, rendered his decision in the matter of the demurrer of the State to the petition of Robert H. and James S. Bradford, vs. the State of Nebraska.

In this case Messrs. Lamb, Billingsley & Lamberson appeared for the plaintiffs, who are attorneys and solicitors resident at Washington, D. C., and the Attorney General (Hon. Geo. H. Roberts) and the Hon. T. M. Marquette were attorneys of record for the State.

The petition set forth that J. Sterling Morton, Charles Manners and Andrew Hopkins had brought an action in the Lancaster County District Court against Jesse T. Green and Horace Smith, lessees of the State of Nebraska, to recover valuable saline and saline lands. The suit involved the title of the State to these lands, under the act of Congress, and on the motion and affidavit of the Hon. Geo. H. Roberts, then Attorney General, the State was admitted as a defendant, in order to protect its rights. The Attorney General thereupon employed the plaintiffs, with the advice and consent of the Governor, the Hon. W. H. James, (the legislature not being in session) as associate counsel for the State, as such assistance was necessary because of the large and valuable interests, and the intricate questions involved. The plaintiffs agreed with the attorney general, who was acting on behalf of the state, that they would assist him in the defense through all the courts until the suit should be finally terminated, on a contingent fee of \$10,000 and necessary expenses in the event of a successful issue, or no compensation in the event of an adverse issue. The terms and agreement were just, fair, reasonable and necessary. Under the agreement, at the October, 1871, term of the district court of Lancaster county, the plaintiffs assisted the attorney general on behalf of the said defendant in the trial of the cause. The matter was taken to the supreme court of the state; and at the July, 1872, term of that court the plaintiffs similarly assisted; and afterwards they also appeared at the October, 1874, term of court of the United States, where the cause had been taken by proceedings in error. In all the courts the discussions were in favor of the state; and during the whole time the plaintiffs gave great care, diligence, skill and attention to the state's business with the full knowledge, direction and assent of the governors and attorney generals of the state at several times and with the full and actual knowledge and assent of the legislature of the state. The plaintiffs expressly alleged that "the said defendant, the state, by its legislature and otherwise, expressly approved and satisfied the action of the said Attorney General in appearing and defending the said suit in the name of the State as party defendant, and had received, and still do retain all the benefits and advantages of the said litigation." During the progress of the litigation the plaintiffs paid out over \$300 for the use and benefit of the State. From time to time the Attorney General reported to the legislature, which took no definite action in the premises with regard thereto, for the reason, as the plaintiffs are advised, that the plaintiffs had their action for the recovery of compensation for said service. The suit regarding the saline lands finally terminated in favor of the State on the 29th of March, 1875. The plaintiffs had not been paid any part of the compensation agreed upon; and therefore, plaintiffs asked for judgment for \$10,000, with ten percent interest from March 29, 1875.

To the petition of plaintiffs T. M. Marquette, for the State, demurred that it did not state facts sufficient to constitute a cause of action against the defendant, and in favor of the plaintiffs.

The demurrer came on for argument at an early day of this term of court (the argument being reported at the time in the Journal) by Mr. Marquette for the State, and Messrs. Lamb and Lamberson, of Lincoln, and Covell, of Nebraska City, for the plaintiffs.

Yesterday his Honor delivered his opinion, as follows: If the action can be maintained at all, it can be maintained under section six, of "An act to provide in what courts the State may sue and be sued," on page 19, of the laws of 1877; and in order to maintain an action under that section the plaintiff must have a contract either expressed or implied with the State, because his claim never was presented to the Auditor, and never by him allowed or rejected, and is not a claim which would suppose ought to be presented to him, it really being outside of any claims that should be brought before him in the first instance. These parties were employed by the Attorney General to assist in defending an important suit against the State; and it seems to be conceded that the Attorney General had no authority to employ them. He appears to have entered into a contract with them, but he had no authority, and therefore there is no contract in law, express or implied. It was beyond his authority, and he could not make a contract binding on the State. This seems to be conceded in argument; and, therefore, the only ground upon which to found an argument would be that the contract had been ratified by the legislature. Now, the question is whether they show that whether it had been ratified by the legislature; and in one place they allege that it was ratified, and immediately after they say that it was not. Like the Moor of Venice, who thought his wife honest, and then thought he was not, they allege that the legislature ratified the contract; and allege that the legislature did not. The petition sets forth that "these plaintiffs gave great care, diligence, skill and

attention to the defendants business, and about the said matter with the full knowledge, direction and assent of the Governor and Attorney General of the State \* \* \* with the full and actual knowledge and assent of the Legislature of the State" \* \* \* and the legislature expressly approved and ratified the acts of the Attorney General. This is where the petition alleges the legislature did ratify the contract, and now let us see where it says they did not: "The plaintiffs further show that from time to time the Attorney General of the State reported his action and the action of the plaintiffs in the said matter to the Governor of the State, who from time to time reported the same to the legislature, which took no definite action in the premises with regard thereto, for the reason as the plaintiffs are advised, that the plaintiffs had their action for the recovery of compensation for said service." Now I don't know how that is to be regarded; but in one place they allege that the legislature took no definite action upon the matter at all, and give the reason because they had other cause of action. I am inclined to think that the plaintiffs have not stated a cause of action in the petition. These are important matters; and I don't think that the statute contemplates that all sorts and kinds of claims shall be litigated, and that the State shall be sued for them. There is a certain class of claims that is intended the State shall be sued upon; and the question is whether this is one. I think, however, it is a proper matter to be reported to the legislature, and if the legislature is not satisfied to do anything, let it provide - as it has done by the second subdivision of the act - for reference to the courts. It is a proper case for the legislature to refer to the court if it deems it of sufficient importance, and they have sufficient matter entitling them to be heard; but without such action I hardly think the courts have authority.

The demurrer of the State was therefore, sustained, to which decision of the court Mr. Lamb, for the plaintiffs, excepted.

CRIMES AND CASUALTIES.

Richard Grant White has recently been charged with seduction and bastardy. He has a family.

Wm. O'Connors, a yard master, was killed by cars at Little Rock, on the 31st, ult.

At Dubuque, a man by the name of Chas. Green was arrested last week for raising money. He raised one dollar bills to five and tens.

A daring robbery of a jewelry store recently occurred in Minneapolis, Minn. A man entered Eastis Brothers' establishment, and requested to look at some diamonds. A case was placed on the counter for examination, and shortly after the man lifted the case and made tracks out into the darkness. Although he was followed with the cry of "stop thief!" he escaped. The amount of jewelry taken is about \$1,000. Detectives have spotted the man and are on his track. His name is Howard E. Banks, a printer.

Recently at East Liverpool, Ohio, a man named Winterkill becoming jealous of his wife killed her and then cut his own throat from ear to ear. They were each upwards of 50 years old, and his suspicions of his wife were utterly unfounded.

Recently at Johnston, Michigan, near Battle Creek, a man entered a house, whose occupants were all absent except a little boy, and demanded money of the boy. The boy went into a room pretending to look for money but returned with a rifle and shot the robber dead. He then went to a neighbor's and told what had happened, when the robber proved to be the neighbor himself in disguise. No names are yet given.

At Terre Haute, Ind., last week, a young man named Sylvanus Burham, murdered in a freak of jealousy the girl he loved, named Rosa Tritt. After he had cut her throat and stabbed her in the breast, he set the house on fire and fled. He was an employe in the Tritt family.

In the vicinity of East Saginaw, Mich., a strange young man entirely naked, has been seen in the woods and attempts to capture him have failed. He is supposed to be an escaped lunatic.

In Kenton, Ohio, on the 31st, Wm. Shepley was found dead in his room. He was a victim of strong drink.

Dr. O. F. Newton, of Cincinnati, committed suicide at Hot Springs, Ark., on the 31st, by poison.

At Stillwater, Mich., on the 30th, ult., a boy named Chas. Ryan was accidentally shot dead by another boy while they were out hunting.

At St. Louis last week Wm. Wilners was sentenced to be hanged Dec. 14th, for the murder of A. W. Lawrence.

Wm. Van Wagner was murdered in Milwaukee last week.

At Janesville, Wis., on the 3d ult., as an employe in Robinson's show was passing an elk, the animal made a lunge at him, running a horn through the man's heart.

Panama, Oct. 30. - An attempt was made on the 29th to assassinate President Barrios, of Guatemala, by Felix Pages, a fanatic priest. The President was dining, when the priest entered and drew a revolver and fired. The first shot missed, and the President then closed with him. During the struggle a servant entered and shot the would-be assassin dead.

Cannot Afford It.

President Hayes cannot very well afford an irreparable breach with the party that elected him. Unlike Tyler and Johnson, he has no Democratic antecedents. He has never been anything but a Republican since that party existed, and before it was a Whig. While the Democrats are glad enough to profit by his policy, they hold that he was not honestly elected, and has no equitable title to his office. After doing their best to embroil him with his own party they will leave

WAGONS! WAGONS!

I have made arrangements with the Milburn Wagon Company, by which I can sell either 3, 3 1-4 or 3 1-2 Wagons for \$65.00 cash. Call and leave your orders at once. Five Dollars saved is Five Dollars made. Do not delay in giving your orders for the BOSS WAGON-FULLY WARRANTED. Buy the Milburn Wagon. For sale by THOMAS RICHARDS, Brownville, Neb.

LEGAL ADVERTISEMENTS.

COMMISSIONER'S SALE OF REAL ESTATE. Notice is hereby given that by virtue of an order of sale issued out of the District Court of Nemaha County, in the case of JAMES A. SMITH, vs. AMER. A. WARREN, their referees and commissioners, in the case hereinafter named, upon an order and decree rendered by the said Court, in a certain action pending, wherein Madison Smith and James A. Smith, by Amos A. Warren, their next friend and general guardian, and William Smith, are plaintiffs, and Charles Campbell, William Campbell, Cynthia A. Passon, Margaret E. Clark, and James A. Campbell, are defendants, we will offer for sale at public auction, at the door of the Court House in Brownville, Neb., on Monday, December 10, 1877, at 1 o'clock p. m., of that day, the following real estate in Nemaha County, Nebraska, to-wit: The north west quarter of section No. 14, township 25 S., range 10th W., containing one hundred and sixty (60) acres. Terms of sale, cash.

DAVIDSON PLASTERERS. Refers to WILLIAM H. HOOPER, J. and Commissioner. J. H. ROBERTS, Att'y for Plts. Nov. 8, 1877.

PROBATE NOTICE - Creditors will meet the administrator of Israel Cotton's estate at the County Judge's office, on November 23rd, 1877, at 9 o'clock a. m. All claims not presented by the last date will be deemed from their consideration by order of court. JARVIS S. CHURCH, County Judge.

ESTRAY SOW - Taken up by the undersigned, living near the fair grounds south of Brownville, a spotted sow with two pigs; pigs supposed to be about ten days or two weeks old. Taken up on Tuesday, 26th of September, 1877. 1875 W. T. ZOOK.

T. A. BATH is now proprietor of the City Meat Market, and is prepared to accommodate the public with

GOOD, FRESH, SWEET MEAT.

Gentlemanly and accommodating clerks will at all times be in attendance. Your patronage solicited. Remember the place, the old Pascoe shop, Main-st.

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