

THE NEWTON ENTERPRISE.

"For us, Principle is Principle—Right is Right—Yesterday, To-day, To-morrow Forever"

NEWTON, CATAWBA COUNTY, N. C., THURSDAY MARCH 22 1888.

NO. 7

VOL. X

COUNTY DIRECTORY.

COUNTY OFFICERS.

SHERIFF—S. L. Yount, Newton.
COUNTY CLERK—P. A. Hoyle, Newton.
REGISTER OF DEEDS—G. W. Cochran, Newton.
TREASURER—G. W. Rabb, Newton.
CORONER—M. T. Saunders, Monks.
COUNTY SUPERVISOR—J. S. Bandy, Bandy's.
COUNTY SUPERINTENDENT OF PUBLIC INSTRUCTION—R. A. Yoder, Conover.

COURTY BOARD OF EDUCATION.

Rev. J. A. Fell, Chairman—Newton.
Rev. S. Bridges—Catawba.
Rev. F. Murrill—Hickory.
Rev. R. A. Yoder, Secretary—Newton.

COUNTY COMMISSIONERS.

A. G. Corpesing, Chairman—Jacob's Fork.
L. H. Whitener—Hickory.
M. A. Abernethy—Monks.
M. S. DeWitt—Newton.
A. M. Hault—Newton.

TOWNS OFFICERS.

MAYOR—H. A. Fort, Yoder.
COMMISSIONERS—R. J. Shipp, J. R. Gaither, W. L. C. Killian.
SEC. AND TREAS.—T. R. Abernethy, MARSHAL—J. S. Allen.

POSTMASTER.

Miss Rosa Campbell.

ARRIVAL OF MAIL.

EASTERN MAIL—Arrives at 1:07 P. M.
WESTERN MAIL—Arrives at 5:21 P. M.
SOUTHERN MAIL—Arrives at 9:22 P. M.
LONDON MAIL—Arrives at 10:12 A. M.

TAYLORVILLE MAIL—Tri-weekly—Leaves Tuesdays, Thursdays, and Saturdays at 6 A. M. Arrives, same days at 7 P. M.

LINCOLNTON HOUSE ROUTE—Semi-weekly—Leaves Tuesdays and Thursdays at 5 P. M. Leaves Wednesdays and Fridays at 7 A. M.

Dr J B LITTLE DENTIST.

Has permanently located in Newton, N. C., and offers his professional services to the citizens of Catawba county. Work done at reasonable rates and warranted to give satisfaction.

L L WITHERPOON ATTORNEY AT LAW, NEWTON N. C.

ASPEN GROVE Stock Farm. R. P. REINHARDT.

J. E. THORNTON, Keeps constantly on hand all sizes of Wood Coffins and different qualities, as fine as can be bought anywhere for the same money.

YOUNT HOUSE, W. E. YOUNT, Proprietor, NEWTON, N. C.

J. C. Whiteside M. D. J. C. PHYSICIAN AND SURGEON

Dr P F Laugenour, Dentist,

Newton, N. C. Does all kinds of Operative, Prosthetic or Mechanical Dentistry.

A Word to the Public.

We are prepared to do all kinds of work in our line in first class style. Soberness and cleanliness strictly observed.

BILIOUSNESS

Is an affection of the Liver, and can be thoroughly cured by that grand Regulator of the Liver and Biliary Organs, **SIMMONS LIVER REGULATOR** MANUFACTURED BY **J. H. ZEHLIN & CO., Philadelphia, Pa.**

HEADACHE

Proceeds from a Torpid Liver and Impurities of the Stomach. It can be invariably cured by taking **SIMMONS LIVER REGULATOR**

SUPREME COURT DECISIONS.

Reported for Wilmington Messenger.

Rockingham county—Galloway vs. Carter. (Error)—(Smith, C. J. dissenting)—Willk. Construction of 1. That it is settled that when the estate created by a will defeasible and the intention of the testator is doubtful, and the property itself, and not the mere use of it, and the time is not definitely fixed at what it shall be absolute if there be any period in intermediate between the death of the testator and that of the devise or legatee, at which the estate may fairly in view of the whole will be taken as that entered by the testator.

2. That the general rule in doubtful cases is to construe the estate absolute and indefeasible rather than defeasible, but such rules of interpretation do not apply when from the whole will a different intention of the testator clearly appears—they serve to ascertain what the intention is, to the end that it may become operative and effectual.

3. That the argument that the testator's disposition of his property was unwise and inconvenient, and might result in injustice to some of his children, and has so resulted, cannot be allowed to effect or give direction to the intention expressed; he certainly had the right to dispose of it as he did whatever may have been the motive.

That by a "child's share" was meant his share of the whole—not his share of a part of the estate, else the testator would have said so. The clause is inserted in the will at the orderly and proper place in apply to the whole of the property disposed of; it does so apply in terms, and nothing to the contrary appears.

Beaufort County—Brady vs. Hodges. (Sheriff) (No error)—Sheriff—Unlawful Arrest—Damages.

In an action to recover damages for an unlawful arrest and imprisonment, it appeared upon the trial that in a chain and delivery proceeding instituted against one A. by B., the latter sent out a warrant directed to the sheriff, commanding him to take from the said A. a certain hog. That while executing the warrant the female plaintiff encountered him and swore he should not take it, claiming it as her own, at the same time presenting a pistol. That the defendant thereupon arrested the plaintiff, and she was lodged in jail for an hour or more.

1. That even if the hog did belong to plaintiff, it was under a claim of property asserted under the law by B., and the sheriff was but doing what the writ commanded him to do.

2. That there are reasonable limits within which force may be exercised in defence of property, but in the case of an officer armed with legal process the limit is much narrower, and certainly life cannot be put in peril in resisting the seizure.

3. That the statute (the Code, sec. 1130) regulates proceedings to be had upon and arrest of one engaged in committing a breach of the peace, and from the record this seems to have been strictly pursued and without unreasonable delay.

Held. That where there is no irregularity in the proceedings for the condemnation of the land—which is not questioned here—the commissioners acted upon the proper rule in estimating the value of the benefits, though they cannot exceed the extinguishment of the claim for compensation for the property taken, nor constitute a counterclaim.

2. That a general verdict is sufficient unless errors enter in it, and if such there were it ought to appear: the response meets the order, and if it did not, objection should have been made when the report was submitted.

Martin County—Simmons, Guardian, vs. Biggs, Administrator. (No error)—Administration—Insurance—Distributors—Assets.

This controversy was submitted under the Code §667 et seq upon a "case agreed" in substance as follows:

H. & W. defendant's intestate were married in 1866—that during his life, H. (the husband) took out policies of insurance in several companies for the benefit of W. (his wife) and children; that they had issue (the plaintiff's wards) who survived them both—that W. died in September and H. in November, 1886, and defendant was appointed administrator of both—that the defendant intestate owed no debts, but the estate of H. was largely insolvent.

The plaintiff claims that subject to his charge for commissions and administration he is entitled to receive from defendant the said fund derived from the insurance for his wards as distributees of W.—the defendant (the plaintiff's wards) who survived them both—that W. died in September and H. in November, 1886, and defendant was appointed administrator of both—that the defendant intestate owed no debts, but the estate of H. was largely insolvent.

The plaintiff claims that subject to his charge for commissions and administration he is entitled to receive from defendant the said fund derived from the insurance for his wards as distributees of W.—the defendant (the plaintiff's wards) who survived them both—that W. died in September and H. in November, 1886, and defendant was appointed administrator of both—that the defendant intestate owed no debts, but the estate of H. was largely insolvent.

Coneland vs. Smith, 79 N. C., 303. cited and approved.

1. A presentment by a Grand Jury should be in writing and contain a summary of the accusation, the names of the persons presented and the witnesses who can give evidence of the facts of the offence, but it is not necessary that it should be signed by all the Grand Jury, or at all—though it should be presented to the Court by the foreman in their presence, when it becomes a record of the Court.

Justice at Last.

At Washington, N. C., Monday morning, the steamer Beta, on her way to that place blew a signal to open the draw to the bridge. The bridgekeeper responded but found obstruction in the way. The draw could not be opened sufficiently for the steamer to pass. On investigation it was found that there was a rope hanging from a cross beam of the draw with heavy weight attached. When puffed up a lifeless body was found at the end of the rope to which was attached with the inscription "Justice at last." The proper authorities were promptly notified, and the body was left to dangle till day light, and until the coroner's jury could be empanelled. The body proved to be that of Win. A. Parker, who was tried for the assassination of Gen. Bryan Grimes some seven or eight years ago. He has been heard to boast of the deed on several occasions when in liquor. It seems that he had been consigned to the lock-up, a place partitioned off in the rear of the engine house with three cells for such cases. An old colored man at night looks after and attends to the wants of prisoners, he sleeping in an adjoining cell. He deposited at about 2 o'clock a. m. he was awakened by a slight noise and noticed that the light left burning was out, and before he could realize what was the matter he was confronted by at least a half dozen masked men, who told him to keep quiet on pain of death. They approached the cell in which Parker was confined, wrenching off the lock and carried him outside. He was heard to cry out "murder" once or twice. There is no evidence as to who the participants were in this transaction.

Bucklen's Arnica Salve.

The Best Salve in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. For sale by Abernethy & Williams.

OUR STATE PUBLIC SCHOOLS.

About Their Finances.

Since the war the following disbursements have been made.

In 1871.....	\$177,497.94
In 1872.....	173,375.52
In 1873.....	196,675.07
In 1874.....	297,090.85
In 1875 No report, about same as in 1871	
In 1876.....	343,163.14
In 1877.....	319,813.00
In 1878.....	324,827.10
In 1879.....	326,040.35
In 1880.....	352,882.65
In 1881.....	409,658.88
In 1882.....	509,736.02
In 1884.....	623,430.95
In 1884.....	640,245.00
In 1885.....	630,552.32
In 1886.....	671,116.65
In 1887.....	653,037.33

The Constitution of 1868 required the proceeds of the sales of swamp lands and the receipts from fines, forfeitures, penalties and certain other funds to be invested as an irrevocable fund, the interest of which alone was to be used for school purposes.

The Constitution as amended in 1875 while still requiring receipts from the same sources to be used for school purposes, gave to the General Assembly the power to distribute all school funds to the counties for immediate use. In 1876 the General Assembly enacted that the irrevocable fund should be retained but that it should not be increased except by the items mentioned in Art. 9, Sec. 4 of the Constitution from which nothing was received except from the sales of public lands, and but little from that source.

In 1881 the General Assembly directed that this fund should be distributed to the counties, and consequently in August, 1881, a distribution of \$114,883.24 was made, and in November, 1883, another of \$74,448.75 was made. These amounts were used by the county school authorities during the year 1882, '83, and 1884, and swelled the amounts applied during those years to school purposes, as will appear by the figures given above.

The question is frequently asked why the counties now get no money from the State fund. The answer is that the legislation now on our statute books does not contemplate putting any money into the State Treasury for schools, except such as comes from tax on acts of incorporation by the General Assembly and from the sales of public lands. Receipts from these sources have as yet amounted to but very little. Our statutes leave all other school funds in the counties where collected to the end that they may be used as rapidly as possible. It has not been thought wise or proper for this poor generation to attempt to accumulate a permanent school fund.

During the year 1871 and 1872 there was a tax of 6 2/3 cents on the \$100 of property; after 1872 and until 1881 the tax on property was 8 1/3 cents on \$100 of property, and after 1881 it was 1 1/2 cents, at which figure it now stands.

In addition to this general property tax the Constitution applies at least three-fourths of all poll tax both State and county to school purposes, which amounts to an average of about one dollar and fifty cents; within the limit of \$2.00 is reached the exact amount is 1.59 3/8 on each poll that is collected.

The statutes apply now, and have for years, all fines, forfeitures and penalties imposed by the Superior courts and by the justices of the peace, most of the receipts from liquor licenses (all except from the wholesale licenses), receipts from auctioneers, estrays, article of incorporation issued by county Superior Court Clerks, and tax on dogs.

From these sources our school funds so far as they are levied by the General Assembly, are derived, and the funds are not put into the hands of the State Treasurer, but all are retained in the counties where they are raised.

In counties where the State taxes levied in the revenue law and in the school law, and the county taxes levied by the commissioners including school taxes, do not amount to more than 6 2/3 cents on \$100 of property, and \$3 on polls, the commissioners are required to levy enough tax, in addition to the funds secured under the general State levies as above mentioned, to continue the schools four months per annum.

In most counties, however, after providing for county expenses, the commissioners find no margin left for application to schools. Prior to the Supreme Court decision in Backs dale vs. Commissioners of Sampson county, 93 N. C. Reports, the commissioners were required to have four months' terms whether or not they exceed 6 2/3 cents tax on property and \$2.00 on polls. It will

be noticed that the receipts for 1887 were \$23,263.98 less than they were in 1886, while the laws were just the same. The fall off in receipts is to be attributed to the decision referred to, and to the failure, I think, of an unusually large number of persons to pay their poll taxes.

Some commissioners are now so managing county matters as to apply all the poll tax to schools, while others find that for ordinary purposes they do not need the full margin of 3 1/4 cents now left them by the General Assembly, and so levy something for schools as section 2,590 of the school law requires them to do.

The County Boards of Education press their claims upon the Boards of Commissioners and not unfrequently the commissioners are brought to great economy in their administration of county matters to the end that the schools may be brought up to the four months that the Constitution requires as a minimum. I cannot too much commend such consideration on the part of the County Commissioners, and can but cherish the hope that, to the end that our school system may be made more effective and more popular, all the commissioners will do everything in their power to increase the funds. Let them do this and go to the limitation. The money thus raised and applied, and indeed all school money under our system, stays at home—in the county where raised—and so does not impoverish either the county or the State. It is not the money we raise and keep at home that impoverishes us, but the money we send abroad—a fact worth remembering and considering.

The Great Storm.

Every citizen of New York who went out of doors this morning in compliance with the merciless requirements of affairs can say to himself that now truly he knows what a blizzard is. Now he knows what it is that overwhelming, all-searching, all-penetrating, life-destroying blast which stops the breath, paralyzes the lungs, and demoralizes the heat of the unfortunate that faces it or flees before it on the Western plains. The icy wind of this morning, laden with fine needles of snow, penetrated the clothing, froze upon the hair, blinded the eyes of men and beast, and was the first sample of the blizzard of the West that New York has ever known. There have been storms as bad, perhaps, in years long gone by, but we had not then learned to know them in their style and quality as the modern blizzard, that dreaded visitation of our North-west.

Every citizen this morning could take to himself a realizing sense of how it might be that a strong man should yield to the fury of the storm, or that one might fall down and die in a street of this great and crowded metropolis. It is many many years indeed since the city presented so extraordinary an aspect—business suspended, trains at a standstill, the streets choked with abandoned wagons, street cars and vehicles of all descriptions, struggling carriages with plunging horses desperately striving to convey merchants to where no business awaited them, shops closed as if a pestilence were abroad, and in every great avenue a stream of struggling, falling, and panting human beings seeking frantically to reach the lower city! Then, too, the air filled with rumors of accidents, the great avenues of approach to the city choked and cut off from communication of any kind, and a great sense of uneasiness and alarm pervading everywhere!

Those of our lady readers who would like to have an elegant, large package of extra fine, Assorted Ribbons (by mail), in different widths and all the latest fashionable shades, adapted for Bonnet Strings, Neckwear, Scarfs, Trimming for Hats and Dresses, Bows, Fancy Work, &c., can get an astonishing big bargain, owing to the recent failure of a large wholesale Ribbon Manufacturing Co. by sending only 25 cents (stamps) to the address we give below.

As a special offer, this house will give double the amount of any other firm in America if you will send the named ladies when ordering and mention the name of this paper. No pieces less than one yard in length. Satisfaction is guaranteed, or money cheerfully refunded. Three packages for 60 cents Address, LONDON RIBBON AGENCY, JERSEY CITY, N. J. March 1st 1 y.

SILK RIBBONS!

Those of our lady readers who would like to have an elegant, large package of extra fine, Assorted Ribbons (by mail), in different widths and all the latest fashionable shades, adapted for Bonnet Strings, Neckwear, Scarfs, Trimming for Hats and Dresses, Bows, Fancy Work, &c., can get an astonishing big bargain, owing to the recent failure of a large wholesale Ribbon Manufacturing Co. by sending only 25 cents (stamps) to the address we give below.

PERSONAL RECOLLECTION.

Homicide in South Iredell.
Monday evening Patton Beckham, a colored blacksmith, of Mt. Mourne, being under bond to appear before J. B. Cornelius, Esq., of Davidson township, the next morning, in the matter of the recent robbery of the store of E. C. Miller, of Miller post-office, went over to Eok. White's, on the way to "Squire Cornelius's," as it is understood, to stay all night. He and Eck went to the distillery of S. S. Caldwell and got a jug of liquor. They partook pretty freely of the liquor and left the distillery about night, taking the jug with them. About two hours after midnight they turned up at the old Moses A. White place, where Vine Nantz and his family, late of western Iredell or eastern Alexander are now living, and went in. They ate supper and afterwards sat down around the fire. It appears that by this time Eck White was helplessly drunk. He remembers nothing about what happened. The Nantz says that Beckham drew a knife and made a general assault upon the company and that they with difficulty saved themselves from being cut to pieces. He is described as having been in a furious rage. They admit that one of them struck him once on the head with his impulse to which, in the strain of excitement, the best troops are liable. Panic, like the fire on a prairie, ran back across the ravine and caused a momentary *saute qui peunt* among the disengaged troops about the dislocated ranks, and for the moment an outbreak of disorder had away. William was borne back in the pressure, reonstrating vehemently, with unlifted voice and flat of sword. Bismark was said to have got out astride a gun, and the royal staff was temporarily broken up. The panic was over in a few minutes and order restored; but the French had strengthened their grip on the plateau.

"The issue of the battle was still in suspense when under the last rays of the setting sun the last reserve of Germans, the Second Corps, came up at a double to the brink, of the ravine.

"In the lurid glare of the blazing village King William stood by the wayside and greeted his stalwart Pomeranians. High over the bicker of drums, the blare of bugles and crash of cannons rose an eager burst of cheering as the soldiers greeted their soldier sovereign and then followed their chiefs down into the full depths of the terrible chasm.

"The strain of the cries was dreadful.

"As we watched the issue in a sort of spasm of sombre silence the King sat with his back against a wall on a plank, one end of which rested on a shattered gun carriage, the other on a dead horse.

"Bismark, with an elaborate assumption of indifference, made a pretence to be reading letters.

"The roar of close battle swelled and deepened till the very ground trembled beneath us.

"Night fell like a pall, but the blaze of the adjacent conflagration lit up the anxious group here by a medley of broken troops on the littering slope in front came suddenly a great shout, which grew in volume as it rolled nearer. Hoofs of galloping horses rattled on the causeway.

"A moment later Field Marshal von Moltke, his face for once quivering with excitement, sprang from the saddle and running toward the King, cried out:

"It is good for us. We have won the plateau and victory is with your Majesty."

"The King sprang to his feet, saying: "God be thanked."

"Bismark, with a deep sigh of relief, crushed his letters in the hollow of his hand and with simultaneous hurrah, greeted the glad tidings. A sultan who chanced to be near improved the occasion in a quiet, practical way. He brought up a wine barrel and dispensed its contents.

King William took a hearty drink of thin red wine out of a cracked tumbler, giving the "German Army" for his toast.

Wives! Mothers! Daughters! BE YOUR OWN PHYSICIAN!

A lady who for years suffered from distressing female complaints, weakness, etc., &c. common to her sex, and had despaired of a cure, finally found remedies which completely cured her. Any sufferer can use them and thus cure herself, without the aid of a physician. From feelings of gratitude she will send two prescriptions—which cured her—and an illustrated pamphlet entitled "THE STRONG-ROSE TO HEALTH," and full instructions, sealed Address (with 2 cent stamp), Mrs. W. C. HOLMES, 688 Broadway N. Y. (Name this paper.) Oct. 13-87-1 yr.

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"Nasal Vicose, Catarrh and False Teeth."

A prominent English woman says the American women all have high, shrill, nasal voices and false teeth. Americans don't like the constant twittering they get about this nasal twang, and yet it is a fact caused by our dry stimulating atmosphere, and the universal presence of catarrhal difficulties.

But why should so many of our women have false teeth? That is more of a poser to the English. It is quite impossible to account for it except on the theory of deranged stomach action caused by imprudence in eating and by want of regular exercise.

Both conditions are unnatural. Catarrh troubles everywhere prevail and end in cough and consumption, which are promoted by mal-nutrition induced by deranged stomach action. The condition is a modern one, one unknown to our ancestors who prevented the catarrh, cold cough and consumption by abundant and regular use of what is now known as Warner's Log Cabin Cough and Consumption Remedy and Log Cabin Sarsaparilla, two old-fashioned standard remedies handed down from our ancestors, and now exclusively put forth under the strongest guarantees of purity and efficacy by the world-famed makers of Warner's safe cure. These two remedies plentifully used as the spring and summer season advance give a positive assurance of freedom, both from catarrh and those dreadful and neglected, inevitable consequences, pneumonia, lung troubles and consumption, which so generally and fatally prevail among our people.

Comrade Eli Fisher, of Salem, Henry Co., Iowa, served four years in the late war and contracted a disease called consumption by the doctors. He had frequent hemorrhages. After using Warner's Log Cabin Cough and Consumption remedy, he says, under date of Jan. 13th 1888: "I do not bleed at the lungs any more, my cough does not bother me, and I do not have any more smothering spells." Warner's Log Cabin Rose Cream cured his wife of catarrh and she is "sound and well."

Of course we do not like to have our women called nose talkers and false teeth owners, but these conditions can be readily overcome in the manner indicated.

Consumption Surely Cured.

To the Editor—Please inform your readers that I have a positive remedy for the above named disease. By its timely use thousands of hopeless cases have been permanently cured. I shall be glad to send two bottles of my remedy FREE to any of your readers who have consumption if they will send me their express and post office address.

Respectfully,
T. A. SLOCUM, M. C., 181 Pearl St., New York.
Dec 8 '87.—6m.

In order to cure whooping cough in Warwickshire village, Eng. they cut a piece of hair from the nape of the child's neck, chop it very fine, and spread it on a piece of bread and give it to a dog.

Women, Decey are Dangerous!

Madame Hever's Female Pills for Women never fail to always give speedy and certain relief Satisfaction guaranteed or money returned. Sent by mail, securely sealed, in plain wrapper, for One Dollar; three boxes for two Dollars. Particulars in letter for two cents in postage stamps. Address,
Mrs E. REVERE, Box 282, Jersey City, N. J.

In a little German village a young girl of 18 has for a fortnight lain in quiet slumber. She is kept alive by the injection of nourishing liquids, and round her bed a couple of medical men are watching every symptom with great attention.

ROYAL BAKING POWDER Absolutely Pure.

This powder never varies. A marvel of purity, strength and wholesomeness. More economical than the ordinary kinds, and cannot be sold in combination with the smallest amount of low test flour. It is made in the Royal Baking Powder Co., Ltd., only in Great Britain. Royal Baking Powder Co., Ltd., Wall St., N. Y.

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