

DAKOTA LEGISLATURE.

BISMARCK, Dak., Special Telegram, Feb. 2.
—A measure material affecting the interests of the territory was brought before the attention of the council to-day in the form of a bill introduced by Mr. Gamble providing for the organization of new counties. The numerous county seat wrangles, notably in Robert and Spink counties, are directly traceable to the insufficient provisions of the law as regards county organization. In framing the bill introduced to-day Mr. Gamble has taken the precaution to throw all possible safeguards about its provisions, so that there is little if any opportunity for fraud and its subsequent troubles. Under the present law a petition signed by fifty residents is the only requisite for the formation of a new county. Following are the provisions of Mr. Gamble's bill:

The governor, upon receiving a petition from 150 legal voters of the county desiring organization, shall proceed to call an election therein, fixing the time and place for holding the same, and transmitting the notice to the clerk of the district court in the judicial subdivision to which the unorganized county is attached. The vote to be taken for county officers and location of the county seat, the clerk of the court, register of deeds and commissioners, appoint judges of the election in the usual manner, and divide the unorganized county into voting precincts, posting five notices of election in said precincts and publishing the same in the county where their office is located. The governor appoints some non-resident supervisor of election in each precinct, furnishes ballot boxes and poll books and personally assists the judges of election in canvassing the votes. The ballots, after being counted, are to be strung on a card, sealed in a package, and placed in the ballot box together with one of the poll books, and the box carefully sealed. It is the duty of the supervisor in each precinct to return the box to the district clerk above named and the other poll book to the register of deeds, clerk of court, judge and two members of the board of county commissioners, all of the county in which the notices are published, to constitute the canvassing board, who perform their duties in the same manner as at any ordinary election. Illegal voting or interfering with the ballot boxes or poll books is made a felony, with severe penalties attached. The place receiving the highest number of votes is to be the temporary county seat.

It may afterward be changed in the manner prescribed by the terms of a bill introduced by Mr. Gamble several days ago. The two bills taken together provide for all emergencies, and if passed and approved will insure for the territory an immunity from the troubles that have for some time past been a blot upon her fair name.

By Mr. Smedley, establishing a reform school at Mitchell and appropriating \$15,000 for the erection of the same. By Mr. Cameron, establishing independent school district No. 4, Lake county. By Mr. Westover, authorizing school district No. 8, Cass county, to issue bonds to build school house. By Mr. Flittie, dividing Trail county into commissioner districts; fixing the salary of superintendent of public schools of Trail county; authorizing the board of county commissioners to transfer certain funds to a county fund, and establishing civil townships in Trail county. By Mr. Westover, to provide for the building of a court house and jail in Hamlin county. By Mr. Walsh, amending the act incorporating the city of Grand Forks; authorizing persons over whose lands railroads have been constructed to maintain actions to recover the land taken for railroad purposes or compensation for such taking; authorizing railroad companies or receivers thereof to determine the validity of proceedings appropriating lands for railroad purposes and to make compensation for such lands.

The memorial to congress praying for a grant of civil and criminal jurisdiction to probate courts, so amended that judges of probate courts shall be men learned in the law, passed the council. The council took up the governor's message at 3 o'clock and referred it by sections to the different standing committees. The bill relating to the county seat wars in Roberts and Spink counties was referred to the committee on military affairs. Just one week ago to-day council bill No. 24, relocating the capital of Dakota, was referred to a special committee to be appointed by the chair. President Westover asked that time be given him to select the committee. The committee was not announced until to-day. It consists of Messrs. Well, Kennedy, Pettigrew, Walsh and Gamble. Mr. Pettigrew took occasion to-day to put in a disclaimer to Senator Vest's statement concerning the admission of Dakota as a whole, and desired that 500 copies of house bill No. 10, memorializing congress for the division of the territory, be printed for circulation. The copies were ordered by a unanimous vote. But one bill passed the council to-day, appropriating \$75,000 for the construction of additional buildings for the hospital for the insane at Jamestown.

IN THE HOUSE.
But little business was transacted to-day by the house, a greater part of the time being consumed in discussing Mr. De Woody's bill amending the law providing for liens. House bills introduced:

By Mr. Vanosdel, providing for the taxation of lands when a change of title is issued, and amending the charter of the city of Yankton concerning the issuing of licenses to sell liquors. By J. P. Ward, locating the county seat of Turner county at Parker. By Mr. Dawson, amending the special laws of 1889 relating to county commissioners. By Mr. McCombe, creating a subdivision of the Ninth judicial district, consisting of Richland and Sargent counties. By Mr. Marshall, authorizing loans of credit in aid of the erection of four new buildings. By Mr. Martin, amending the civil code relating to articles of incorporation.

The house bill appropriating \$5,000 for the maintenance of the normal school at Spearfish, and the council bill appropriating \$1,125.00 for printing reports of the territorial auditor and treasurer, passed the house. Mr. Richardson's resolution endorsing the action of Messrs. Day and Miller, and denounced the Spink county men who had engaged them in effigy recently, passed the house to-day by a unanimous vote, as it did in the council Saturday. Councilman Walsh, in behalf of the regents of the North Dakota university, extended an invitation in writing to the members of the legislature to visit that institution at Grand Forks on Saturday next. The invitation was accepted by the council, and to the committee on education by the house. The latter body will doubtless accept. The excursion will leave here Friday afternoon, reaching Grand Forks Saturday afternoon. The afternoon will be spent in visiting the institution. Returning, the party will leave Grand Forks Saturday evening, staying over Sunday at Fargo, and arrive here Monday noon. Free transportation and entertainment will be provided.

BISMARCK, Dak., Special Telegram, Feb. 3.
—The event of the day in the legislature was Gov. Pierce's veto of Council Bill No. 65, changing the name of the village of Ordway to Independence. The message was brief, the reason stated by the executive for his disapproval of the measure being that protests had been received from citizens of Ordway, and that if the name be changed the people should be granted the privilege of voting on the question. The veto was evidently a surprise to many in the council, as the opinion has been freely expressed that if the governor did not approve the bill he would allow the three days to pass necessary to constitute it a law. Some discussion arose, a motion being made to table the message, when it occurred to the council that the proper thing to do would be to make an attempt to pass the bill over the veto. The roll being called, the motion was lost by a vote of 10 to 13. The vote stood:

Affirmative—Messrs. Cameron, Duncan, Farmer, Flittie, Gamble, Jones, Natwick, Pettigrew, Washlaugh and Westover.
Negative—Messrs. Austin, Bowdle, Day, Huetson, Kennedy, McLaughlin, Nickens, Richardson, Smedley, Twomey, Wagner, Wells and Walsh.

The following bills were introduced in the council to-day: By Mr. Kennedy, amending the laws providing for the destruction of Canada thistles, cocklebur and mustard. By Mr. Twomey, amending the criminal code relating to evidence. By Mr. Ananie, providing for the city of Scotland and amending the criminal code relating to evidence. By Mr. Austin, constituting Ransom and Sargent counties a judicial subdivision of the Third judicial district. By Mr. Day, providing for a board of county commissioners in counties where circuit townships have been established. By Mr. McLaughlin, amending the charter of the city of Grafton relating to the condemnation of public lands, establishing an independent school district of the city of Grafton and amending the charter of the city of Grafton relating to the granting of liquor license. By Mr. Flittie, providing for the planting of forest trees upon the prairies of Dakota. By Mr. Wells, creating and establishing a board of health for the territory, consisting of seven persons appointed by the governor with the consent of the council, to hold office for seven years.

COUNCIL BILLS PASSED.
Abolishing the tax commission, wheat grading commission and mileage tax on telegraph and telephone companies; granting telegraph and telephone companies right of way over public and private property. The original bill included a section abolishing the office of attorney general, but this was struck out by the judiciary committee. Amending the criminal code, referring to the settlement of bills of exceptions; defining the boundaries of Wells county; authorizing the commissioners of Yankton county to result certain lands of the county to the state, to be sold by public auction, to pay the bonded debt since funded and otherwise provided for; for the removal of the county seat of Bon Homme county. Mr. Nickens' bill creating the county of Fancher from the southeastern part of McHenry county was lost by a vote of 10 to 11. A bill introduced by Mr. Walsh, authorizing the board of commissioners of Grand Forks county to issue bonds to fund indebtedness, passed both houses under a suspension of the rules, and was signed by the governor. In the house the grain bill, prepared by the joint committee who recently visited the Minnesota legislature, was introduced by Mr. Smedley, and passed by a vote of 10 to 11. The bill appeared in the MINNESOTA PRESS some days ago. Other bills were introduced as follows: By Mr. Stebbins, to prevent the double taxation of property. By Mr. Hutch, authorizing the commissioners of Dickey county to fund outstanding indebtedness. By Mr. Jiddell, limiting the time of holding office by sheriffs and county treasurers to two terms. By Mr. Mark Ward, locating the county seat of Brul county at a special election to be held on the third Tuesday of May. By Mr. Gregg, enabling organized townships, cities and villages to construct irrigating ditches. By Mr. Martin, making it a misdemeanor to obstruct territorial code prescriptive evidence of such laws. By Mr. Barnes, incorporating the city of De Smet. By Mr. Eldridge, establishing a normal school at Big Stone. By Mr. DeWoody, providing for the transfer of land in Edwards and McDermott counties. By Mr. Riddell, fixing Feb. 26 as the time for the final adjournment of the Sixteenth legislative assembly. The house spent considerable time in the discussion of Rice's bill reducing the exemptions on account of debts incurred for family expenses to \$300, and finally killed it by a vote of 22 to 24. The invitation to visit the North Dakota university, at Grand Forks, on Saturday, was accepted by two members who were in the house for the excursionists, leaving here at 5:20 p. m., on Friday, and returning Monday noon.

But little legislation was enacted to-day. Among the bills introduced in the council were the following:

By Mr. Austin, revising and amending the civil code relating to insurance companies. By Mr. Walsh, amending the political code relating to the terms of judges of the district court, and the charter of the city of Grand Forks; also, amending the justices' code relating to the duty of justices in case of appeal; also, amending the justices' code relating to trials. By Mr. Westover, amending the act relating to the Potter county. By Mr. Kennedy, amending the civil code relating to the foreclosure of mortgages. Council bills passed: Increasing the membership of the board of directors of Brul county penitentiary at Sioux Falls to five, and creating the office of deputy warden; establishing independent school district No. 2 in Lake county; amending acts providing for a board of directors of the city of Fargo, and section 101, chap. 9, civil code; repealing chaps. 61 and 62, laws of 1893; appropriating \$2,600 from territorial funds for the payment of expenses incurred by the city of Grand Forks in the riot in Spink county. The house committee on elections reported to-day in their Anderson-Hutchinson contest, recommending that the seat be awarded to Anderson. They stated in their report that they had reason to believe that attempts had been and are now being made to secure the seat by fraudulent and dishonest offers and bargains, deprecating such acts and practices. A minority report was also made favoring the seating of Hutchinson. After heated discussion by the house, the majority report was referred back to the committee for further action. The following bills were introduced in the house to-day: By Mr. Smedley, providing for the appointment of county sheriffs and inspectors. By Mr. Huntington, creating the county of Marshall and defining the boundaries of Day county. By Mr. Coe, amending the charter of the city of Mitchell.

HOUSE BILLS PASSED.
Authorizing the commissioners of Richland county to issue bonds for paying certain indebtedness; amending the charter of the city of Yankton relating to building bridges under township organization; changing the boundaries of Richland county and locating the county seat of Roberts county at Traverse. Rice's bill altering the exemption law, which was introduced by Mr. Rice came up again to-day on a motion for reconsideration, and after discussion passed by a vote of 23 to 16. There is considerable doubt about its passing the council. No action was taken to-day by the council in the case of Wilson and LaMoure, except to allow LaMoure to take the petition for reference. There is hardly a possibility of the case being reopened. The passage of the Spink county bill, which is generally regarded as the best way out of a great trouble. Various other county division schemes are on foot, each being backed by a strong lobby. Judge Leeper and Mr. Younbeck of Blunt are here in the interest of the division of Hughes and Sully counties with the county seat at Blunt. J. W. Smith of Haron, owner of a portion of the township of Blunt, sent here to oppose the division of Beadle county. Ends it hard to occupy consistent ground. The fact is there is no great moral principle involved in an ordinary county division scheme one way or the other. Belsh's considerations are arayed on either side, and it is to be expected that there are such large contingents in Dakota there will be plenty of schemes to divide them up to suit ambitious towns and proprietors and politicians.

BISMARCK, Dak., Special Telegram, Feb. 5.
—The judiciary committee of the council reported to-day unfavorably on Mr. Kennedy's bill locating the Central Dakota university at Ordway. Kennedy, a member of the committee, submitted a minority report, recommending that the bill pass. Both reports were made a special order for to-morrow, when they will doubtless be music in the air. Pettigrew rose again to-day on a question of privilege, and told Kennedy, who stated yesterday that he had some of his (Pettigrew's) letters in his possession, that he was at perfect liberty to read the letters in public or to put them in print. Kennedy replied to-day that the letters were of a private nature, and hence he would not read them. Jud LaMoure stated to-day in the council that the petition presented by Wilson had been filed to throw a certain amount of odium upon the officers who had taken the evidence in the Park River precinct. Mr. McLaughlin stated that he had been acquainted with the justice of the peace in that precinct for some time, and knew him to be a man of unblemished character. There was a unanimity of opinion among the members that the case should not be reopened, which resulted in the reference of

the petition to the secretary, to be placed on the records, and the indefinite postponement of the further consideration of the question. The council passed a joint resolution thanking Senator Harrison of Indiana for his efforts to secure the division of the territory, and ordered copies of the same sent to the president of the senate and speaker of the house of representatives.

ANOTHER GRAIN-RAILROAD BILL.
Mr. Walsh introduced a bill defining the duties of railroad companies in the receiving, transportation and delivery of grain.

Section 1. Railroad corporations are required to receive and transport grain in bulk or otherwise within reasonable time and space. Cars shall be kept on tracks and elevators for the use of individuals desiring to ship. Any person is allowed to build elevators or warehouses of any capacity within 400 feet of the main track and build side tracks thereto.

Section 2. Railroad companies are required to weigh grain received, or accept the weight of the shipper, at option, and issue a bill of lading, allowance being made for wastage and shrinkage, and the amount per bushel.

Section 3. Corporations failing to comply with the provisions of the bill applicable in civil action to the person injured thereby for all damages sustained; and when neglect of duty is shown to be willful triple damages may be recovered.

Section 4. Whenever cars furnished any person for shipping grain are detained more than twenty-four hours the corporation may recover damages not to exceed \$10 for each day of detention.

Other bills introduced: By Mr. Kennedy, regulating the taxing of mortgaged real estate. By Mr. Bowdle, appropriating \$25,000 for the construction and furnishing of a reform school at Mitchell. By Mr. East, authorizing the commissioners of Morton county to fund outstanding indebtedness. By Mr. Cameron, amending the political code relating to sheriffs' fees. By Mr. Pettigrew, amending sec. 2115 of the civil code to make Decoration day a legal holiday. Council bills passed: Amending the charter of the city of Sioux Falls; constituting Sargent and Sully counties a judicial subdivision of the Third judicial district; creating Independent District No. 4, in Lake county. House bills passed: Appropriating a sufficient sum to pay employees of the capitol building, and authorizing the territorial secretary to pay the same. The house is now in session for the consideration of bills. This is due partly to the fact that but few of the members are parliamentarians and partly because there is a misconception of the duties of the members of their own voices. Among the latter, Blakemore, Pickler, Smith and McComber are rapidly acquiring prominence. Most of the afternoon was spent in the discussion of a report of the members in committee of the whole, and but little was accomplished. Both houses will adjourn early to-morrow to go on the excursion to Grand Forks. Mr. Pickler's woman suffrage bill is the only bill in order in the house for next Tuesday at 3 p. m.

A large number of spectators assembled in the lobby of the council chamber to-day, expecting to listen to a lively discussion of the merits of Council Bill No. 92, introduced by Kennedy, providing for the location of the Central Dakota university at Ordway. It has been generally understood for some time that the project was likely to be defeated, especially since Pettigrew and Kennedy have indulged in exchanging compliments on the floor of the council. The committee on appropriations, of which Pettigrew is chairman, reported unfavorably on the bill yesterday, Kennedy submitting a minority report. Pettigrew has stated that he would oppose the measure, and he is backed by at least a majority of the members from the south. The expectations of the spectators, however, were not to be realized, but they were treated to a surprise in the shape of the following resolution offered by Mr. Pettigrew:

Whereas, It having come to the knowledge of members of this body that certain members of this legislature have been approached by certain persons with threats and promises of the purchase of a considerable amount of public land of said member in violation of the penal code of this territory; therefore be it

Resolved, That a joint committee of five members of the council and two of the house be appointed to consider complaints of attempts at bribery, and report what action is necessary to bring this class of offenders to justice.

Considerable discussion followed the introduction of the resolution, the opinion prevailing that unless some specific cases of bribery were named, including the name of the member, the resolution should not be adopted. Mr. Kennedy stated he had been informed that M. T. Dewoody, of the house, had been approached by corrupt offers by lobbyists. Mr. Pettigrew, in explanation of his position in offering the resolution, said that he knew nothing of any specific case of bribery or corruption. There had of late been numerous rumors of corrupt means being used to influence the vote of members. Lobbyists had been present in large numbers, dogging the footsteps of the members and using threats and intimations to compel them to comply with their requests. Members had been told that they would be brought to political oblivion unless they would lend their aid to the support of certain measures. Mr. Pettigrew thought a committee ought to be appointed to investigate the matter thoroughly and report, in order that the council may express its decided disapproval of dishonest and corrupt practices, and thereby frighten lobbyists into silence.

The president announced the arrival of the hour for the consideration of Kennedy's Ordway university bill, and further discussion of Pettigrew's resolution was cut off. Mr. McLaughlin of Walsh county moved that the bill be made special order for one week from Monday at 3 p. m., on the ground that the council needed the time to-day to prepare for the excursion to Grand Forks. Gamble and other southern members opposed the motion, but it was finally carried by a vote of 15 to 9.

Bills introduced:
By Mr. Pettigrew, making Decoration day a legal holiday introduced by request of Grand Accompaniment G. A. R. of Dakota. By Mr. Bowdle, vacating Hamner's second addition of Mitchell. By Mr. Richardson, providing for the division of Morton county, and the formation of Carbon county therefrom.

Council bills passed:
Authorizing Foster county to issue \$5,000 bonds to build a court house; amending acts relating to the pay of county commissioners; authorizing Wells county to issue \$2,000 bonds to build a court house; providing rules and regulations for the government of the North Dakota Hospital for the insane at Jamestown.

for county and territorial purposes, and for the levy and collection of taxes thereon. By Mr. Eldridge, amending the political code relative to the appointment of deputies. By Mr. Coe, providing for the disposition of the bodies of dead criminals and paupers. By Mr. Johnson, creating the county of Burbank; also, creating the county of Coe. By Mr. Stevens, providing for the relocation of the county seat of Kidder county.

House bills passed:
Establishing independent school district No. 1, from parts of the townships of Denver, Windsor and Bangor, Kingsbury county; relating to proofs of the existence of corporations; appropriating \$8,500 for the construction of a normal school building at Springfield; insuring the better education of practitioners of dental surgery, and to regulate the practice of dentistry; providing for a special election in McHenry county; establishing a territorial board of agriculture; providing for additional clerks of the council and house.

MITCHELL, Dak., Special Telegram, Feb. 6.
—The university commission has adjourned, after adopting the following resolutions and appointing the university boards:

Resolved, That the Dakota University and College Alliance located at Mitchell, Dak., has made gratifying progress in the noble work of the appointment of deputies. We most heartily commend this enterprise to the confidence and cooperation of the M. E. church and friends of Christian education everywhere.

Resolved, That we hereby declare the Dakota university, at Mitchell, Dak., accepted, and placed under the Dakota mission conference of the M. E. church as soon as the amendment to the charter agreed up by this commission shall be duly localized and the organization completed under the said charter as amended.

Board of Directors—Dr. I. N. Pardee, Dr. William Brush, Hon. A. M. Bowdle, Rev. L. Hartzough, Rev. Wilmot Whitfield, Rev. A. S. Baxford, Dr. M. M. Tooke, A. W. Hargraves and E. S. Ormsby.

Board of Curators—Superintendent G. W. Sanborn, Rev. W. B. Affleck, Hon. Hiram Barber, Jr., Rev. C. E. Hager, Rev. E. M. Springer, Rev. L. Bradford, Rev. William Fuller, Rev. J. G. Shellard and S. D. Cook.

In Beadle county the farmers' alliance denounces the action of the county board in placing the salary of the district attorney at \$1,000, as an extravagant expenditure of the people's money. Brookings county is indignant at \$700. Most of the counties do not go much above \$300.

The delegation appointed by the Dakota legislature to confer with a special committee from the legislature of Minnesota, concerning the necessary legislation for grading and transportation of grain and the relief of the farmers consisted of the following: W. F. Steele, chairman of the house delegation; G. W. Scott, C. W. Morgan, J. Hobart and Eugene Huntington. Council—Dr. B. P. Kennedy, chairman; Geo. Walsh and C. D. Austin. They were handsomely entertained in St. Paul, and had various consultations with committees of the Minnesota legislature on the above subjects.

The banking capital of the territory is \$2,500,000.

Delegate Raymond introduced a bill increasing the jurisdiction of probate court in Dakota.

Appropriation bills aggregating \$300,000 have been introduced in the legislature so far.

A Dakota lobby is at work in Washington in behalf of the territorial division bill.

Hank Lewis, recently acquitted of the murder of Marshal Pierce at Mitchell, has been re-arrested and his bonds increased to \$2,000 on an indictment for assault on O. Warfield with a deadly weapon.

Try crude petroleum, which will cost about ten cents a gallon as a wood preservative. Applied to fences and wood that rests on the ground it will add to the wear.

Delegate Raymond sends word to the people at Pierre and others points in that section that he is giving his whole time at Washington to urging the passage of the bill to open the Sioux reservation, but he is much less confident of success than he has been. Judge Gifford, Hon. J. H. Wilson and others, will aid him.

The Grand Forks National bank was organized recently with a capital of \$50,000. M. L. McCormack was elected president and F. T. Walker, of DuBouque, vice president.

The organization of a building association is agitated at Plankinton, and is favored by the Free Press of that place.

The new Masonic temple at Fargo was opened last evening by the usual impressive ceremony, followed by a ball. The attendance was augmented by presence of many from the surrounding towns.

A. W. Smith, formerly Stillwater, died at Grand Forks.

Sergeant Bates has found a friend in need in the shape of an admirer, who has just left him a legacy of \$13,000. The sergeant did not find "showing the flag" a paying business, and has lately been in extreme want, so that this streak of fortune comes in good time.

Henry M. Stanley, the African explorer, is not married. When he first started for Africa he was engaged to a pretty New York girl, who wept over him for six months, gave him up for dead in a year, married another man within two years, and had a child before her plighted lover returned from the dark-browed continent.

Elbert P. Cook has disappeared from Havana, N. Y. He was a private banker—very private. E. G. Sackett, his partner, furnished the capital—said to be \$40,000—and Cook the experience. It is thought that Sackett is "cleaned out" and that Cook is in Canada preparing to enjoy the ice carnival and make himself at home generally in the American colony of F. F's—fast fellows.

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