

REDUCED TO A DAY

THAT IS ALL THAT WILL BE ALLOWED THE SURVEYOR.

All the Phat Taken Out of the Office of the Man Who Establishes the Meets and Bounds—Kessler Appeal to the County Board of Commissioners for Justice, Through Senator Gordon—His Salary Shaved Down to Four Dollars Per Week—John Davis Stands Up for the County—Appeal to be Taken.

Yesterday the great question of the income of the county surveyor's office was up before the county commissioners and it called forth some eloquent eloquence.

At high noon tomorrow County Commissioner Matt Bush will go out of office, so will County Surveyor Kessler and the new county surveyor, Mr. Brown, will be installed.

Mr. Kessler put in his bill yesterday for the eighth quarter of his term at twenty-four dollars per week and the county commissioners took their blue pencils and cut it down to four dollars per week, that a surveyor need not hold his office open more than one day in a week.

County Surveyor Kessler retained Senator Gordon to speak before the commissioners on the subject and the commissioners called on the county attorney John Davis to offset the argument of Senator Gordon.

Yesterday afternoon both appeared and "had it out" in the public hearing. Senator Gordon insisted that it was a gross injustice to cut down Mr. Kessler's bill as they did not notify him of their intention to do so. He told them that they had allowed him \$24 per week for twenty-one months and that he had the right to expect the same salary for the remainder of the term. He said that Mr. Kessler remained in his office every day in the week as he had been doing during the preceding twenty-one months and that he was entitled to pay for doing so. If he had been informed of the intention of the commissioners he could have found other means of livelihood during five days in each week.

"You have said to this man," said Senator Gordon, "that he was entitled to keep his office open five days in the week by paying him for six days in each week during the past seven quarters and having not notified him that you had changed your mind, you are in duty bound to pay him the same salary for the same service up to date." Mr. Gordon thought the law did not contemplate that the county surveyor should keep his office open and draw pay only one day in a week. He said that the law gave the public thirty days to appeal from the county surveyor's bill and that an applicant had a right to make the appeal any day within that limit. He then asked how the applicant could exercise his rights under the law if the surveyor's office was closed five days of the time. He also insisted that the law did not contemplate that the office should not be open more than one day in a week in the county of Sedgewick as it would be unreasonable to think that the business of this county could be done in one day in a week. He thought the commissioners could ascertain how many days in each week would be sufficient to transact business in the surveyor's office for the county of Sedgewick and that it was their duty to specify said dates, but as this had not been done, Mr. Kessler was entitled to his full salary up to date.

County Attorney Davis said that the commissioners were honest in their belief hereof, that the surveyor was empowered to keep his office open six days in the week and draw six days' pay, but that when they discovered their mistake they should then follow the law as they were more doing. He also said that Mr. Kessler was honest in the view he took of it but that was not his intention he was discussing, but the law. He said that the law was very muddy but that it was sufficiently clear for everybody to understand that it meant that county surveyors should keep their offices open only one day in the week and draw pay for only one day. He said that the commissioners were given no power any where in the statutes to specify the number of days the surveyor's office should be kept open. He did not go much on the theory advanced by Mr. Gordon relative to the thirty days for appeal and cited the fact that the law is the same in counties of a population under 2,000, where the law limits the surveyor to only one day in a month, hence that for 44 months are more than thirty days and the applicant could not possibly comply with the law.

The arguments were very well argued on both sides and the commissioners listened to them intently. County Surveyor-elect, Brown was present and took a great deal of interest in the proceedings. Mr. Brown will take the office Monday, and it concerns him to know whether he is to draw \$4 or \$14 per week from the county. County Attorney Davis is anxious to see the case go to the appellate court for final decision. He is willing to agree to a statement of the county attorney John Davis of the district court and after his decision to take it to the appellate court. He thinks the question will be advanced for both courts and that a decision could be reached soon.

It is very probable that Mr. Brown will be notified by the commissioners tomorrow that they will allow him pay for only one day's services in each week.

EXPERT WILL BE BROUGHT

Who Will Testify in the Williamson Murder Case.

Among the witnesses who will testify in the trial against Marlon Williamson, charged with the murder of H. H. Leonard, will be Professor William of the Kansas State university, who made the analysis of the red marks upon Williamson's coat. The clothing of both Williamson and Mrs. Leonard were sent by the county attorney to the professor for a chemical examination, and notwithstanding the fact that the prosecuting attorney fails to state as to the date of the examination yet the fact that he immediately went before the district court and asked leave of Judge Dale to introduce Prof. Williamson's name on the back of the information is a strong indication that the result was not favorable to Williamson. Yet it may be that he desires the testimony of the professor

Awarded Highest Honors—World's Fair, DR. J. H. HARRIS' CREAM BAKING POWDER MOST PERFECT MADE.

A pure Grape Cream of Tartar Powder. Free from Ammonia, Alum or any other adulterant. 40 YEARS THE STANDARD.

TO PROVE THE BLOOD UPON THE OTHER PART.

The trial of Mrs. Leonard is set for Jan. 22, which is one week from next Wednesday, and the woman appears to be looking anxiously forward to the time when she can appear in court. The society the case will be cleared that anything is to be desired to the solitary confinement with which she has undergone since Monday morning, Nov. 11.

Williamson still alleges his innocence and says that when he has taken the stand that there will be no doubt left in the mind of the public as to his innocence.

IT SUSTAINS THE WIDOW

Supreme Court Renders a Decision in the Case of a Widow.

Yesterday Judge Wall received a telegram from the clerk of the supreme court announcing that the case of Samuel Fry, et al. vs. Daniel Fry, et al. had been affirmed by that court. This is the case of a widow's right to a portion of the estate of her husband, which was tried before the district court of this county in 1930, and the questions of law involved makes it doubly interesting to the legal world. A brief statement of the case is as follows:

Samuel Fry, the father of Albert Fry, deceased, had agreed with his son to give him a quarter section of land if he, the son, would improve and cultivate the land and assist in paying therefor. In accordance with the contract the son had made valuable and lasting improvements before his death. Soon after he died Samuel Fry by subterfuge gained possession of the land and held it against the son's widow and minor child. The case was tried and a verdict rendered against the widow. A new trial was granted and the case was finally presented with better results and the jury found for the widow and against Samuel Fry. From this judgment the case was appealed to the supreme court where it has since been pending.

At the trial in the lower court it was one of the most hotly contested cases that was tried before Judge Reed. Judge Wall represented the widow and minor child, while the attorney for the plaintiff, the land involved is a valuable farm in the eastern part of Sedgewick county, and as a result of the son's industry was in a high state of cultivation.

Particulars of the decision could not be obtained but the fact that the lower court has been affirmed restores to the widow the farm together with a large amount of the damages given for the detention of the place. The effect of this decision finally decides the controversy that real property can be transferred by parol gift, when the donee enters the premises and makes lasting and valuable improvements thereon. Nearly the entire neighborhood will congratulate the widow on the successful termination of her suit, as she had the sympathy of all who were acquainted with the facts in the case.

HAVE A NEW STAFF

Mother Superior From Home Comes to Wichita and Makes Changes.

Mother Mary Francis, head of the charitable order of the Sisters of the Sorrows, has returned to Wichita, after spending two weeks in this city. Mother Francis is one of the most distinguished women in the world, although very little is known of her, and her presence in this city was not known to two dozen people. As she is the head of the order and prays over the destinies of hundreds of hospitals all over the world, in every nation and where every tongue is spoken. She came especially from St. Francis hospital in St. Louis of this city and to give her personal attention to the re-organization of the staff of physicians. It seems odd that a woman should come all the way from the eastern city to personally select a medical staff, but such is her zeal in the work she has devoted her life to. That she should select the staff personally is a strange thing, she has, however, a thorough knowledge of medicine and surgery and from her long experience presiding over hospitals she knows upon examination those best adapted to the work of the hospital. She organized the staff as follows: Attending surgeons—Dr. P. Neuman and Dr. P. D. St. John; attending physicians—Dr. Easton and Dr. H. H. Gray; gynecologist—Dr. A. St. John; eye and ear specialist—Dr. J. G. Dorsey; consulting physicians—Dr. C. C. Purley and Dr. J. W. Karkowick. In company with Dr. Purley a hospital for the Eagle visited the hospital yesterday and was shown through the building by Sister Mary Soraphona, the mother superior, who although coming from Rome here, is a German. Dr. Purley said the building is one of the few freest hospital buildings in the state and he adds that it is in his opinion the best appointed hospital in the west. It is owned, with the large plot of ground connected with it, by the sisters themselves independent of all the world and is absolutely and entirely controlled by them. The building is constructed of brick and has four floors besides the basement. The basement is used by the sisters themselves for their own use and cleanings. They are well ventilated and command a nice view of the city. There are nine sisters who act as nurses, one of whom goes to attend private patients in the homes of the city. Dr. Purley took special delight in having the reporter see one sister who has the remarkable record of staying twelve days and nights at the bedside of a patient without rest or sleep. He says that this is the greatest feat of endurance that has ever come under his notice and the sister was too modest to listen to his praise and retired. Each of the nine sisters are trained nurses, having received their instructions in the Mother hospital at Rome before coming to Wichita. Among the other things in the hospital are a dispensary and an operating room which are supplied with all kinds of medicines, bandages, surgical instruments and supplies. The motto over the door of the hospital means that the only pass word or sign that takes a man or woman in there is "I am sick." After this no questions are asked about race, color, nationality, religion or previous condition of servitude. It is open for all whether he who enters is rich or has not a penny in his pocket or in his hopes. Patients must be known to the hospital that they sincerely want to leave it when they are cured. It is both a hospital and a home and one old man has lived there now for over five years. The room is a pleasant one in the world, but he is as happy as Vanderbilt and more happy than many of the monarchs of Europe. The new staff proposes to keep up the reputation of St. Francis.

WON HIS CASE

Attorney Hirsch Gives His Friends a Dinner in Honor of the Victory.

Mr. A. L. Hirsch gave his friends a dinner last evening at the Hotel Luthur Burns and Henry Hultman a nice little dinner last evening. It was a pleasant little event and the dinner was an elegant and elaborate one. Mr. Hirsch had promised that if he would win a certain case pending in St. Louis, he would give a dinner to his friends. The dinner was given at the Hotel Luthur Burns and Henry Hultman, who had been in St. Louis, his old home, where he graduated at the St. Louis law school and was admitted to the bar before he came to Wichita. He has built up a good record in the law and has made a splendid record in the law.

ASHAMPOO

WITH CUTICURA SOAP. A warm shampoo with CUTICURA SOAP, followed by gentle applications of CUTICURA, the great skin cure, will clear the scalp of crusts, scales, and dandruff, allay itching, soothe irritation, stimulate the hair follicles, and produce a clean, healthy scalp and luxuriant hair, when all else fails.

LADIES ARE ASSURED

that to cleanse, purify, and beautify the skin, to allay itching and irritation, to heal chafings, excoriations, and ulcerative weaknesses, to speedily cure the first symptoms of torturing, disfiguring skin humors, nothing so pure, so sweet, so wholesome, so speedily effective as warm baths with CUTICURA SOAP, followed, when necessary, by mild applications of CUTICURA (ointment), the great skin cure.

SENT TO WICHITA

SUPREME COURT SAYS TELEPHONE CASE WILL BE TRIED HERE.

Superintendent Chipchase's Case Tried on a Writ of Habeas Corpus in November Wherein He Asked to be Released From Custody for Violating an Unlawful Ordinance Was Decided Yesterday and Sent Here for Trial—City Attorney Declares This a Verdict as to the Validity of License Ordinance.

The supreme court yesterday gave a decision in the telephone case of this city in which they refuse to discharge Superintendent Chipchase from custody, upon the motion filed and argued in the habeas corpus case, and have decided that the case must be tried upon its merits at Wichita.

It will be remembered that the city council passed an ordinance requiring that the telephone company of this city should pay a certain license tax before operating their telephones, and also provided a penalty for each day that the company conducted business without paying such license.

The question came up frequently in the council and several propositions were made which were rejected by the council and the time of operation of the ordinance was established and the same took effect.

Mr. Chipchase, by instructions from his company, refused to pay the license tax as was assessed as provided in the license ordinance. He refused to give bond, and for a day or two was a constructive prisoner court while he was thus deprived of his liberty. C. V. Ferguson appeared before the supreme court and secured a writ of habeas corpus.

The case was brought before the court in November, when it was argued by the attorneys. The telephone company alleged that the ordinance was unlawful and contrary to the interstate commerce law; that the city had no jurisdiction outside of its corporation, and as the business of the company was not only beyond the incorporated limits but also beyond the boundary of the state that the city was requiring a tax upon a business over which they had no jurisdiction, and a large number of alleged irregularities.

The city of Wichita alleged that it had the same right to levy a tax upon the company as it has to levy a tax upon a tax upon a railroad company which extended beyond the state.

The arguments were submitted in November and the court did not make known its decision until yesterday. The city attorney declares that the decision is a victory for the position assumed by the city and that the defendant, Mr. Chipchase was not seen as to his views of the decision, and whether it is a victory or not for either side the Eagle does not know.

Mr. Chipchase was called up by phone, last night and asked as to what were his views as to the purport of the decision. He said he had just returned to Wichita and had not heard the decision, and when the dispatch was read to him said he was not prepared to make any statement in reference to the case.

BILLY MORAN IS FREE

John Davis Thought He Took a Shot in the Night.

Day before yesterday John Davis, county attorney, dismissed the case of the state vs. Billy Moran of Cheney and informed the prosecuting witness that he ought to be glad that he was alive. The prosecuting witness is named Walter Browning, and it appears that he was a high roller with the fair sex. Billy Moran has two fair daughters named Emma and Ida and some time ago Walter Browning escorted them to a dance. Instead of bringing them home at a reasonable hour as a cultured young man ought to do he drove them to the home of their father's home he waited outside so that he would hear the heavy respirator of the car. He saw the car and saw the father offered to clean them. That is exactly what Billy Moran proceeded to do when his daughters entered over his threshold and they ran out to Walter for protection and the old man took after them. Walter was a man of some chivalry and he kept the old man out. Mr. Moran then returned to his home, took down his revolver, fired a shot at Mr. Browning. For this Mr. Browning had him arrested.

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CUTTING THE BILLS

COUNTY COMMISSIONERS USING A BLUE PENCIL LIBERALLY.

They Were in Bad Humor Yesterday and No Bill Escaped Their Vigilance—Sheriff Hoyas Gets the Harpoon of Economy Thrown Into Him—One of His Big Bills Cut in Two and the Rest of Them Will Meet With a Similar Fate—Major Burr's Poor People Meet With Cool Treatment Also.

Yesterday was fee cutting day in the office of county commissioners. Rev. Harmon, Mr. Webb and Mr. Bush glued their eyes to every bill and few were those that escaped a cut.

The harpoon was thrown into Sheriff Hoyas harder than into anybody else. One of his bills was cut from \$1,200 down to less than \$500 and two more of his bills are yet to be considered, one of which is his mileage bill to Mexico, which he went to bring Nordmark back. It is estimated that this bill will get a terrible clipping as it is nearly twice as much as the entire amount of the money embezzled by Mr. Nordmark.

The commissioners seemed to be in bad humor and it was a poor day to get a big bill through them. The friends of Mr. Hoyas say that his bills are legal, but admit they are very large. On the other hand those who do not like Hoyas say that he could have done the work much cheaper even though the law allowed him the mileage he demands.

TUCKER TAKES AN APPEAL

Police Judge Not Satisfied With Action of Commissioners.

Police Judge Tucker is not satisfied with the salary of the office of police judge. Some time ago he presented a bill of \$25 to the county commissioners for costs in cases for liquor prosecutions. The commissioners refused to allow the bill on the ground that the police judge is a salaried officer and is not entitled to fees. Judge Tucker served notice on the county clerk that he would appeal from the decision of the commissioners to the district court and he did so yesterday.

HE WILL GO TO THE PEN

Supreme Court Confirms the Sentence of George W. Rogers.

The supreme court decided yesterday that George W. Rogers of Harvey county, who was tried and convicted of having the records of Harvey county burned at Hutchinson, that the defendant must serve his sentence of five years in the Kansas penitentiary. Rogers was convicted twice but when the case was appealed to the supreme court the first time the case was reversed. By their decision yesterday the judgment of the lower court was affirmed.

FOR THE POOR'S BENEFIT

An Interesting Entertainment to be Given on Wednesday Night.

There will be an entertainment given at the Y. M. C. A. auditorium for the benefit of the poor. Mrs. L. E. Cox, city missionary, who gives her entire time to looking after the needs of the destitute of the city, has united with herself several other Christian ladies who have secured the services of the best local talent of the city in music and elocution who will give an entertainment at a small admittance fee.

This is a commendable work and should have the hearty response of the community. The program will appear in full in the Eagle at a later date. "If a brother or sister be naked and destitute of food and clothing, ye shall depart in peace, be ye warmed filled, notwithstanding ye give them those things which are needful to the body, what doth profit? Even so, faith if it hath not works, is dead, being alone—James 2:15, 16."

THE WICHITA COMMERCIAL COLLEGE

What the Boys and Girls are Doing in This Institution.

All the students have returned from the holiday season and are settled down to hard work again. Three new departments have recently been added to the regular course of study, viz. telegraphy, modern languages and pen art. Prof. E. W. Robbins, a brother of President E. Robbins, has been employed to fill the vacancy caused by the resignation of Mr. Farrow. Prof. E. W. Robbins is a teacher of more than eight years experience and is a valuable addition to the faculty. Mrs. Mitchell of Newton, accompanied by Mrs. Burns of this city, made the college a pleasant visit during the week.

HOOD'S

Sarsaparilla

The One True Blood Purifier. Sold by all druggists. \$1.50 per bottle. Prepared only by C. L. Hood & Co., Lowell, Mass., U. S. A.

HOOD'S PILLS

For Biliousness, Indigestion, etc.

INSURE IN HUTTMAN'S AGENCY

Against Fire, Lightning, Tornado, Plate-Glass Accidents

Just to Show

How far your money will go in procuring good things to eat, note check:

Heinz's Sour Pickles, per Gal. 25c

Primrose Corn, 4 Cans. 25c

Everything else in the grocery line at corresponding prices.

COTTMAN & CHAMBERS, Cash Caterers

825-827 W. Doug.

Masquerade Costumes

Furnished to Balls and Parties by MRS. W. HOSSFELD 1126 S. Main St. Prices furnished on application.

Ask Your Druggist

for the Dr. J. H. McLean's Medical Almanac for 1936, containing the celebrated Stern Prophecy and Dr. R. H. Hink's weather predictions, furnished free.

"Art is Long, But Life is Short." Don't Make Your Ad. Too Long or Too Short.

CASH HENDERSON'S

How time flies! January days are too short to do justice to our growing business; goods keep coming, for stocks must be kept at a certain level. And invoicing prices are bringing us new friends daily. But there are reasons back of the business, namely, prices and goods. Here's a list of Monday bargains, and the greatest in the lot is probably our first mention—One window display of Pure Wool Habit Cloths, 40 inches wide and in 25 different shades—a dress pattern of 7 yards only \$1.99. At the dress goods counter we offer Black and Colored Astrachan Cloths at a yet greater reduction over last week. Eiderdowns are now retailing at New York cost, and we are showing a complete line of qualities.

Our sale in the domestic department for Monday is a 20c grade of Taffeta Moire in seasonable colors, 12c. This cloth is especially adapted for house wrappers. Non-shrinking Union Suits—wool quality, worth \$1.50—85c tomorrow. This is worthy your consideration—a complete suit at 85c can't be found every day in the week, and especially of this excellent grade.

Scotch Slumber or Lap Robes, worth \$8, now \$3; only a few remaining. Fancy Sofa Pillows, Japanese tinselled, silk or silkoline covered, a complete line.

Saturday we had the pleasure of opening an invoice of Furs, and found in waiting ladies enough to purchase one-fourth of the entire lot before we could make prices on them. Left in the lot for Monday's customers are one Turkish Moire Cape, Siberian squirrel lined, Monkey Capes, Wool Seals, Electric Seals, Fine Astrachan and Coney Capes. These are now offered at a discount over one-month-ago prices of 25 per cent. You will not regret your trip down town to see the capes. Monday we offer one lot of good, warm, stylish Cloaks at \$2 each.

Our carpet room window display is only a hint of the good things found in our Carpet stock. Added to it Saturday is Extra Super Ingrains and a select assortment of all the different sizes of Axminster Rugs. These we are selling at lower prices than any other dealer will quote. Special in the Carpet room Monday is a lot of \$3.50 Chenille Curtains at \$2.

AT CASH HENDERSON'S

SCHWARTZ BROS. COAL.

Wholesale and Retail Dealers in ARKANSAS SMOKELESS LUMP COAL, \$3.25 Per Ton

Including the only genuine OUITA, DENNING, JENNY LIND, Canon City, McAister, Fleming, Weir City, Colgah, Etc.

Yard, 223 W. Douglas. Phone 193.

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Rheumatism

Every matism with its dreadful pains and aches, is a disease of the blood. Lactic acid accumulates in the vital fluid and settles in the joints, to the intense agony of the sufferer. Hood's Sarsaparilla neutralizes this acid, restores the rich healthy quality of the blood, and thus drives out and prevents rheumatism. Hundreds of testimonials tell of crutches thrown away, pains and aches ended, sharp twinges in shoulders and hips, backs, arms and legs cured by Hood's Sarsaparilla.

Cured by

Hood's Sarsaparilla and only Hood's.

"I have been suffering for eight years with rheumatism, and tried several remedies, but could get no relief until I commenced taking Hood's Sarsaparilla. Since taking this medicine the pains have entirely left my shoulders. We think highly of Hood's Sarsaparilla as a blood purifier." R. F. GRIMES, Hope Mills, North Carolina. He sure to get

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