

THE DALLAS DAILY HERALD.

PPOUTS, ELLIOTT & HALL. Entered at the Post-Office at Dallas as Second-Class Matter.

TO ADVERTISERS. These designs to change their advertisements will confer a favor by handing their copy to the Business Office in the forenoon, in order that it may receive consideration. To insure cheapness the above must be attended to. No WOOD CUTS will hereafter be inserted in this paper.

SUNDAY, DECEMBER 2, 1883.

INDICATIONS. For the Gulf states: S.W. July warmer and generally fair weather; southerly to westerly winds; falling barometer, followed in the west by strong barometer.

The Baltimore American thinks that if France would like the Falk Islands to invade China it might soon settle its Eastern difficulties.

The Pennsylvanians say they do not so much object to keeping up a comic opera show at Harrisburg if such a big price were not paid for the performances. They think \$3,000 per day for a third-rate show is too much.

There are various elements in New York City that have not yet evacuated the metropolis, but whose absence would prove doubtless as agreeable to the modern New York as the flight of the British did to the old residents in 1783.

What a deep, prophetic eye has Mr. Evans. He is quoted as predicting the time when a man can ride in a palace car from Buenos Ayres to Paris, with the exception of the trifling boat ride of thirty miles across Behring Strait.

It doesn't take an English court any great length of time to dispose of a murder case, no matter how important it may be. A little of the British dispatch, if not its severity, would be acceptable to the general public on this side the water.

The following pathetic communication is attributed to Senator MARION: "J. GOULD, Esq.—Dear Sir: I hear that you have a tomb which is at present unoccupied. If you desire to rent it to a good tenant, let me hear from you at once."

England had better be careful how she acts for awhile now. "RICHELIEU" ROBINSON is back at the post of duty in Washington and will keep a watchful eye on the British lion. The British government has had things pretty much its own way during the congressional recess.

The Prince of Wales is a hard, selfish parent. The young prince, his son, is said to have been hurried off to Cambridge to school because he fell in love with the American beauty, Miss Chamberlain. The old man seems determined to monopolize everything in the professional beauty line that comes around.

The Tom Green Times office was recently burned, but the proprietors have the true grit. They propose purchasing new material and going to work again at the earliest possible date. They lost their subscription list, but desire all old subscribers to send their names to the editor so that they may continue to receive the Times when its publication is resumed.

On Tuesday next the semi-centennial of the organization of the Anti-Slavery society will be celebrated in Horticultural hall, Philadelphia. WHITTIER, PHILLIPS and other distinguished old-time Abolitionists will be present. If the audience is well sprinkled with the average freedman the scent of the roses won't cling to Horticultural hall much longer.

The Forty-eighth congress meets to-morrow, the first under the new apportionment. As now constituted there are 70 senators and 325 congressmen, exclusive of the territorial delegates. The senate is composed of 38 republicans, 30 democrats and 2 readjusters, while the house has 197 democrats, 122 republicans and 6 readjusters. The Forty-seventh congress had only 230 members in the lower house.

The hope is expressed by the admirers of the crown Prince of Germany that he will not suffer little Alfonso to get him into any little episode such as those that drove the Queen of Spain away from her lord in high dudgeon. The crown prince might raise even a greater rumper and the alliance with Spain be broken. FATE ought to be very circumspect during his infancy with Alfonso.

Mr. BRECHER's sterling republicanism and equally sterling free-trade opinions prevent an inconsistency that is attracting considerable attention and comment since his very prominent appearance alongside of HENRY WATSON the other night. If Mr. BRECHER is as enthusiastic as he is doubtless honest in his free-trade views, he will have eventually to drop into the democratic fold.

All the operatic singers and big actresses have a few hundred thousands worth of diamonds and jewelry that the public generally bears more of than of the owner; but the LILLY's jewelry has heretofore been kept in the background, as FANNY's press was a far better advertisement. Mrs. LANTIER, however, is reported to have \$300,000 worth of jewelry and a companying detectives always on hand.

LOUNVILLE is greatly troubled over the location of the "peep house." Everybody wants such a house and wants it established at once, but everybody likewise it is said, wants it in some other locality than their own. A peep house it must be admitted is one of those necessary institutions in all well regulated communities that do not add materially to the ornamentation or popularity of the neighborhood in which they are located.

The tramp nuisance has been pestering the eastern states for years past, and yet we read daily sections even now in the journals of that continent of the large number of tramps and the crimes committed by them. The south understands better how to handle these nuisances we should infer from the fact that very few crimes are ever attempted by them in this section. Perhaps the northern journals have taught the tramps to dread the "bloody south."

They have a most remarkably accurate knowledge of Great Britain of public affairs on this side of the Atlantic, as about as well posted on politics in America as the north is about southern affairs, to judge from the newspaper expressions. The London Times, in discussing political events in America, says: "In Massachusetts a heavy vote was polled. Mr. OSBORN D. ROSSIGNOL, republican, has probably 15,000 majority over GENERAL BUTLER, the present governor of Pennsylvania."

THE NEW SPEAKER.

The dispatches received at a late hour last night from Washington City, and elsewhere published in this issue, give the particulars of the democratic caucus, establishing the election of Mr. JOHN G. CARLISLE as speaker of the 48th congress. The telegrams that have come to hand for the past two or three days had foreshadowed this result. Mr. CARLISLE is now in the very prime of manhood. He completed his forty-eighth year on the 5th of last September. Born in poverty, his life has been a battle from the very beginning. What he is to-day he is by force of his own energy and genius. The country does not present a better specimen of a self-made man. With sympathies as broad as the wants of humanity, with an intellect capable of grasping the most difficult problems of government, the possessor of a style of oratory at once logical and captivating, and with aims which befitted a general, lofty and Catholic spirit, JOHN G. CARLISLE is equipped by nature and experience for the public service of his country. His election by the house is now a mere matter of formality. The duties that will devolve upon him are of the most important character, and chief among them is the appointment of committees where the leading measures of the dominant party will be inaugurated to be finally consummated. The principal committee will be the Ways and Means, and with it the great question of regulation will be the tariff. The next important committee will be the Internal Improvements, the Appropriation, Indian Affairs, etc. All this power implies momentous consequences.

That the selection made will be the cause of bitter disappointment not only to Mr. RANDALL and his supporters but to the entire north and east we are prepared to believe. During the excitement of the first moments charges will doubtless be made that the solid south will now attempt to play the rule or ruin policy, that a violent revolution will be precipitated upon all the great business interests of the country that this section will now seek with the aid of the west to do all manner of absurd things from the dictation of the next presidency to the payment of the Confederate war debt and the remuneration for emancipated slaves. But there need be no such apprehension, although in view of it, a solid north will now, perhaps be arrayed against us on the presidential and other questions. Had Mr. RANDALL been elected this entire section would have bowed a ready acquiescence, for he was a man the south honored for his ability, admired for his virtues and loved for his devotion to the cause of justice when tyranny sought to oppress her. Indeed, there were many in this section, who though the strongest advocates for a tariff-revenue-only policy, had thought that perhaps his election might have better tended to the ultimate good of the democracy, would not have deplored his success despite his high tariff record and his proposition to abolish the internal revenue taxation. And these views were freely and honestly spoken in the general interest by such persons. But now the die is cast after a fair contest, and victory has declared for the Kentuckian, and here all feelings should terminate.

The conquest of the speakership may prove after all, it is true, an untoward bill run victory to us, as we have on a previous occasion presented. It may lose to us the great stakes in the presidential race, as capital may take alarm and march for further and more serious conflict the numbers to overwhelm us in the great campaign, as the enemy did years since in various subsequent encounters which found a consummation at Appomattox. Let us hope not. Let us trust that wisdom, discretion and judicious moderation shall characterize the new speaker, and the new power that has at last begun to throw its light upon the democratic banner, and that a manly dignity throughout 1884-5 will put to shame the gross indecencies of 1881-2 under Mr. KANE, whose disgraceful deeds and arbitrary conduct put to shame even the men who imposed him upon the caucus. Mr. CARLISLE has a weighty responsibility, truly; and the democratic party must make no mistake by too abrupt or violent departures from settled conditions if they hope to grow in favor as to merit a confidence so precious next year.

THE MERCER COLONY CASE. There are few citizens of northern Texas who have not heard of the Mercer Colony claim. Ever since 1849 the owners of this claim have constantly sought in every way, except by suit, to obtain recognition and relief from the state, and their labor was not wholly fruitless. Though bitterly denounced in the state congress as fraudulent and void, and though Mercer and his associates and successors have done little or nothing to carry out the conditions precedent to the grant, and, therefore, had no right in law or equity, still repeated acts of the legislature, little dreaming of the result, recognized it, and even the supreme court of this state declares it to be valid.

As granted by the state in 1844 the grant extended from the 22d parallel to the Red river, embracing the counties of Hill, Navarro, Kaufman, and the counties lying north of them, the very garden spot of Texas. And this magnificent country was by the terms of the grant reserved for Mercer colony only.

In 1875 the owners of the claim, embodied by these acts of recognition of the legislative and judicial departments, brought suit in the federal court at Austin directed against the commissioner of the general land office, then Mr. GILES, seeking to annul all locations, and stop the issuing of patents to any persons but themselves in all the counties within the limits of the colony. For nine years this claim hung like a threatening cloud over the fairest portions of the state. Outside of attorneys in the cause, and a few officials, few seemed to know or realize the importance of the suit. It did not seem possible that a claim so old as this could come in at this late date and upset titles and break up homes, even though prosecuted in a federal court. The legislature was looked to, to settle the matter.

But nevertheless this claim was vigorously prosecuted by some of the ablest counsel in all Texas and though opposed by the matchless energy and ability of the special counsel for the state it suddenly culminated in a judgment well calculated to fill the land-owners with serious alarm. This decree not only prohibited the land office from issuing patents, but even from giving any information to any applicant or testimony in pending suits in regard to land titles in the colony, in a word, closing up the land office so far as the colony lands were concerned, to all the world, except to the owners of the claim, who were authorized to sue any, to locate and patent any lands they do

located in the colony limits. Such was the decree as rendered by JUDGE WOODS now of the supreme court, and at the next term by JUDGE PARKER, the second, in final deciding on demurrer, the court on final trial.

At the earnest instance of the special counsel for the state, an appeal was taken to the supreme court of the United States. The special counsel for the state induced his own friends to make the appeal bold. COMMISSIONER WALSH not being willing to involve his friends in what he, perhaps, deemed a useless struggle, though he himself signed it willingly. Had the appeal not been taken, or had the supreme court affirmed the decree, it is simply impossible to estimate the loss, the distress and suffering that would have resulted from the endless litigation and depreciated values of property, not in the colony only, but the entire state. Some idea may be gathered of the extent of this claim from the notice inserted in the Austin Daily Statesman, a few days after the decree was rendered, by the plaintiff, PARKER, where he says, "the validity of the MERCER grant has been fully established, as well as the invalidity of all locations, surveys and patents from January 29th, 1844, to the present time."

Had this view been sustained by the supreme court perhaps none would have been sold except those who were in actual possession prior to 1850.

But by the decision of the United States supreme court just rendered this decree has been totally reversed and the Mercer colony grant declared to be of no validity! A great thrill has been taken from the side of Texas! and we in the old colony limits can breathe freely once more. But let us not in the hour of triumph forget or fail to do honor to the one who battled so successfully for our rights before the supreme tribunal at Washington. Almost single handed and alone the Hon. A. J. FEEBLES, the special counsel for the state, has fought this case through the federal courts at Austin and carried it up by appeal. Foreseeing that if the case was allowed to take its usual course with the 5,000 other case pending on appeal the case would last for years and the land office closed while it lasted, he appeared before the supreme court and by an able argument induced the court to advance the case to a special hearing on its merits and finally won the cause.

COLONEL FEEBLES feeling the great responsibility resting upon him and the momentous issues at stake, has, we understand, given the case his close and almost sole attention during the last three years, to the neglect of other business. Besides preparing voluminous briefs in the cause, he has carefully compiled on a pamphlet of 200 pages, a full statement of the entire claim from its inception to the appeal with all of its historical and legal facts. It was prepared for the use of the state, to guard it forever from this iniquitous yet perennial claim; it was to be the tombstone over the remains of the Mercer Grant! And it was prepared for this purpose! The state by this decision has saved millions. We believe it pays for the distinguished counsel \$2,000. Hardly so much as a corporation pays for ordinary cases touching its welfare. Still if we appreciate the character of the gentleman correctly this is but a little moment for every true lawyer that. "He has fought a grand fight, and he wears the laurel wreath of victory."

BY CABLE.

Continued from First Page.

and were not to be relied on, unless corroborated. The absence of the woman called, but not proven to be Mrs. O'Donnell, was of great significance and was a strong inducement to the counsel. O'Donnell's threat to shoot Carey was the greatest importance, in view of the fact that he killed Carey the next day. The judge, referring to the testimony of O'Donnell, said that the portrait and the sketches of Carey was a dangerous proceeding and one likely to make him think that the killing of such an infamous person was no crime. The judge said that O'Donnell's statement that he snatched the pistol from Carey's hands, if true, would not justify his acquittal, or a verdict of manslaughter, for O'Donnell was no longer in danger of his life and has no excuse for shooting Carey three times. The judge then defined the terms of murder and manslaughter. If the jury were satisfied that O'Donnell shot Carey with intent, they should acquit the prisoner; if they thought the prisoner offered real provocation, they should find a verdict for manslaughter; if they were satisfied that O'Donnell shot Carey with intent, unless for grave provocation, then they must pronounce him guilty of willful murder.

When the jury first retired O'Donnell stood in the dock and looked about him with great composure. The jury first returned to ask if the man had a deadly weapon in his hand, and the other thought he was about to shoot him. O'Donnell shot the former, would it be manslaughter or murder; the judge replied it would be neither, but he asked where was the evidence of any action by Carey which induced O'Donnell to think that the latter meant to shoot him. When the jury had retired, Sullivan expressed a doubt whether the judge had not given the wrong direction to the minds of the jury by the question. Judge Penman asked Sullivan if he could suggest where such evidence was. When the jury returned the second time, they asked the judge the same question of "what he meant by 'witness'." The judge carefully defined the law of murder bearing on that point, as applied to the present case, quoting the authorities in the support of his definition and application. The jury again retired and returned in four minutes with a verdict of "willful murder." When Judge Deman asked O'Donnell if he had anything to say why he should be granted a new trial, he passed on him, O'Donnell made no reply. The judge then passed the sentence of death in the usual form. The prisoner now wanted to speak, but the judge ordered his receding to the back of the court. O'Donnell held up his right hand, fingers extended, and shouted: "Three cheers for old Ireland, God-bless United States, to hell with the British and the British crown! My plot is made up by the crowd!" The prisoner was shouting, cursing and struggling for liberty, but was removed by the police and the most successful confusion and stamping of doors. This action of O'Donnell's caused the greatest excitement and surprise, as he never only gained the sympathy of the audience by his good behavior. The judge then sentenced O'Donnell to death.

General Pryor sails from Liverpool for New York on the Germanic on the 6th inst.

Foreign Affairs.

REPLY TO AN ADDRESS OF WELCOME. DUBLIN, Dec. 1.—Archbishop CRANE, in receiving the address of welcome at Waterford yesterday, said that after what had been achieved in parliament under their great leader, he had no doubt that if the people persevered in their course and avoided crime and refused to allow themselves to be transported to Canada, a good deal would be achieved within a measurably brief period of time. The present generation might yet live to see the old land clothed in the garb of freedom under the Irish flag.

SAFFER FIELD NEWS. LONDON, Dec. 1.—The Times publishes a dispatch from Khartoum, dated Friday, which states that Captain MERCHANT, who witnessed the battle between the Egyptians and the forces of El-Mahdi, saw Al

Ed Deo Pasha, governor of Khartoum, killed at the opening of the battle. He says that Hicks Pasha was slain by a lance on the third day of the battle, when the Egyptian army, which had been defeated, had been without water for three days, and the soldiers were offering four dollars for a drink. Fugitives, if any, from the Egyptian army, have been slain or captured, making for well known wells.

Colonel DeCostington has again sent a spy to visit the scene of the battle, to ascertain if there are any survivors. Colonel DeCostington has again sent a spy to visit the scene of the battle, to ascertain if there are any survivors. Colonel DeCostington has again sent a spy to visit the scene of the battle, to ascertain if there are any survivors.

PHILADELPHIA, Dec. 1.—The strike of the oilcloth printers resulted in a general lock-out. The men refused to sign the agreement to abandon the trades union.

CHICAGO, Dec. 1.—General Superintendent Jeffrey of the Illinois Central railway has resigned.

DOMESTIC FAILURES. CADILLAC, Mich., Dec. 1.—The lumber firm of Whiteman & Co. have assigned. Assets, \$58,000; liabilities, \$184,000.

While pastor of the Canton church, New Jersey, some years ago, I temporarily lost my voice, and was in consequence unable to preach for a year. Last year I again began to have all the symptoms of losing it again, I labored with great difficulty, fearing each time I preached would be the last. In July I commenced using Dr. JAYNE'S Catarrh Remedy. Feeling very much better, I discontinued the use of the medicine, but still kept on with the doctor. This winter I have been more exposed, and I again find the good it has done, and in doing so, makes me anxious to recommend it to all who are suffering from throat or lung complaint. Rev. W. Pike, Lakewood, Washington county, N. York.

It is a Positive Luxury to brush the teeth with SOZOCENT, so refreshing and so pleasant in the taste it leaves the mouth after the operation. Then how gratifying is the effect and how pleasant feels the holder who views in the glass a row of bright and healthy teeth. Sozocent is a delightful toilet article. Only a few drops on the brush, a rag or sponge is needed for an ablation and yet it is wondrously effective.

"Prickly Ash Bitters" is an unfailing specific for all complaints arising from a derangement of the functions of the liver. It purifies the blood and infuses new life into the invalid. Pains in the side, general weakness, loss of appetite, headache, bilious attacks, etc., etc., are sure indications that a correct use of Prickly Ash Bitters is especially adapted to liver ailments. It arouses a torpid liver to action and restores it to a healthy condition.

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Mr. John H. Jones, Bristol, Texas, says: "I never took better medicine for general debility and weakness than Brown's Iron Bitters."

Catarrh cured, health and sweet breath restored by Shiloh's Catarrh Remedy. Price 50 cents a bottle. Sold by W. H. Patterson & Co., druggists, Dallas, Texas.

Why will you cough when Shiloh's Cure will give immediate relief. Price, 10 cts. 50 cts and \$1. Sold by W. H. Patterson & Co., druggists, Dallas, Texas.

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"Hockmetack" a lasting and fragrant perfume. Price 25 and 50 cents. Sold by W. H. Patterson & Co., druggists, Dallas, Texas.

That hacking cough can be so quickly cured by Shiloh's Cure. We guarantee it. Sold by W. H. Patterson & Co., druggists, Dallas, Texas.

FRIENDS' FIELD DAY.

Destructive Conflagrations at Different Points.

Smouldering Ash Heaps Where Once Towered Stately Edifices.

Painted Lesson in Political Economy.

FIRE FACTS. SOMEVILLE, Tenn., Dec. 1.—Hambiel's confectionary, Hines's tailor shop, Williams & Co.'s livery stable and three brick edifices were burned this morning.

New York, Dec. 1.—At 8:30 o'clock this morning, the front of the Masonic temple, corner of Twenty-third street and Sixth avenue, was discovered to be on fire, and before the engines arrived great volumes of smoke belched from the windows of the building. The fire broke out in the main hall, just below the roof and dome, and volumes of smoke also poured from the roof, followed by sheets of flame daring high in the air. The report that the Masonic temple was on fire spread rapidly, and hundreds of the fraternity hurried to the place. A large force of police kept the crowd back from the firemen. The fire broke out in the main hall, just below the roof and dome, and volumes of smoke also poured from the roof, followed by sheets of flame daring high in the air. The report that the Masonic temple was on fire spread rapidly, and hundreds of the fraternity hurried to the place.

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LEON KAHN



BOOTS and SHOES

The Largest Stock, Finest Goods and Lowest Prices. 604 ELM STREET. Specialties in Fine Station and other celebrated Hats in Sport and Dress.

DALLAS OPERA HOUSE

FRIDAY and SATURDAY, December 7th and 8th.

Grand Matinee, SATURDAY at 2:30 P. M.

Callender's Colossal Minstrel Festival

Direct from the Baldwin Theatre, San Francisco, where they have just finished the most remarkable engagement ever known in the annals of Minstrelsy, playing seven consecutive weeks to standing room only.

BILLY KERSANDS!

The Famous Mystic Drill and Clog Tournament

CALENDER'S BLACK ZOUAVES.

Description: A—Dress Parade. B—Grand Drill. C—Fancy Gun Drill. D—Clog Tournament. E—Mystic Drill with the following living battle field pictures. F—Awaiting the Attack. G—Swording. H—The Charge. I—The Dying Zouave. The Great Original Artistic.

The Black Duke's Ball.

Box sheet opens at 10 o'clock Wednesday. NEXT WEEK, Monday and Tuesday, JOSELYN. Thursday, Havana's Strategist.

MUSIC AND BANJOS

BALMER & WEBER make a specialty of these graceful instruments, having them in one-half dozen styles, full and concert size, varying in price from \$10.00 to \$100.00, and in all beautiful styles and qualities. Selections made with care and SATISFACTION GUARANTEED.

BALMER & WEBER

311 NORTH BROADWAY, (FIFTH STREET).

Publishers of Music and Importers of Musical Instruments.

H. W. HARRY & BROS.

620 ELM STREET 620

Manufacturers and Dealers in Tinware

QUEENSWARE, HEATING and COOKING STOVES.

Call and examine the "EARLY BREAKFAST" Cooking Stove. It is something new and desirable. A full line of Queensware, Glassware, Table Cutlery and other House Furnishing Goods. Also have the best stock of Queensware ever on hand. Also manufacturers of Galvanized Iron, Tinware and Sheet Iron. Headquarters for Superior Ranges. Orders from the country solicited and promptly filled.

Special Notices.

SPECIAL NOTICE TO PUBLIC—THE Garden City Fireworks Company, of Chicago, having shipped full assortments of new goods to this city, they are for the trade of the state for the holidays. This notice is given to caution our customers and foreign agents buying broken and damaged Fireworks from Firecrackers which were taken by unprincipled persons after the fire from our store-house and sold. Such goods were damaged by water, and are worthless to the citizens. Buy only new, clean goods from original packages, and we will be pleased to see our old and new friends at 219 1/2 E. 2d street (opposite Court-house), where we can supply them with everything in our line, which is fresh and new, at factory prices, in original packages. W. K. SWEET, Manager.

REAL ESTATE, LOAN AND COLLECTING AGENCIES.

GRAND-WINDING HOTEL, DALLAS, TEXAS. Will give special attention to securing good investments in city property, farming and stock raising. To stock raisers and colonists we offer special notices in this country and lists large tracts of fine agricultural and grazing lands, with abundance of water. The rental and sale of city property will receive special and personal attention. Collections promptly made and remitted. Having a line of offices in Chicago, St. Louis and New York, and corresponding to the principal cities in this country and Europe, our facilities for the sale of property are unequalled. We have 500,000 acres of the finest land in Texas, belonging to the Franco-Texas Land Company, choice selections, which we will sell on long terms. These lands are well adapted to stock raising in the Texas and Pacific Railway. We publish, in connection with our business.

The North Texas Real Estate Journal

Which will be distributed along the various lines of railway, and will be placed on file in the hotels of the principal cities in this country and Europe, furnishing full information regarding Texas and her resources. Will receive contributions of articles of interest to the public, and will be published in the United States in all the departments of the government. Bounty, pension and land claims a specialty. Call and examine our list of property.

GARDEN CITY FIREWORKS

DEPOTS, DALLAS, TEXAS. KANSAS CITY, MO.

POLITICAL GOODS,

TOYS, FLAGS, FIREWORKS, CAPS, PICTURES, Military, Firemen and Gard Uniforms, SECRET AND CIVIC SOCIETY, and LODGE UTILITY, Hats, Caps, etc., etc.

DAVID W. MANWARING, Jr.

Importer, Dealer and Manufacturer of Bags and Baging

ROPE, TWINE and CANVAS.

25 BROAD STREET, New York.