

SPECIAL TAX REPEAL.

Electric Lights Will be Paid for From General Funds.

TAXPAYERS VICTORIOUS.

THE COMMITTEE SUCCEEDS TO THE PUBLIC PRESSURE.

Council Action in Relation to the Silver Convention—Sewer Inspectors Get No Back Pay—Petitions Presented—Reports of the Various City Officers—Appropriations and Miscellaneous Business.

The city council at its meeting last night, as predicted in The Herald, repealed the special tax lighting ordinance.

The committee on improvements, as stated in this paper exclusively, decided on this action Monday and at last night's meeting presented the following report, which was accepted:

Your committee on improvements, to whom was referred a resolution of Joseph L. Walker, F. Auerbach & Bro., E. D. Waterman and others, requesting the city council to pay for the lighting of the streets of Salt Lake City from the general funds, beg leave to report that they have given this matter the attention that its magnitude would justify, and herewith return to their views upon this important question.

It is hardly necessary to go fully into the history of this lighting matter, but it is not out of place to briefly remind the members that when the present city council came into power they found that the corporation of Salt Lake City was paying about \$40,000 per year, or \$125 per lamp per month for the lights. The contract ended on the 21st of December, 1894. Shortly after the council reduced the number of lights from 275 to 100, and in agreement with the contractor temporarily arranged to have the lights furnished at \$10 a lamp per month. That after repeated efforts your committee succeeded, with your assistance and approval, in making a contract with the electric light company to furnish lights for the ensuing year at \$20 per month for such lamps as were in use.

The contract of the original cost, thereby getting 200 lights for about \$20,000 per year. The next question was how to get the money. Your committee believed that it belongs now to the city and should be paid for by local assessment. That no person should be required to give greater compensation for the light received than the absolute cost to furnish it. Added to this the then apparent necessity of raising means immediately to pay for lighting impelled your committee to recommend to the honorable body the adoption of the system of special local taxation to support this public measure. The matter was referred to a committee duly appointed under the law; and they, with the aid of the attorney of Salt Lake City, have made their report to the council, with which your committee is familiar by reference to the report of the committee, as well as the council, that the taxation should be borne by those for whose benefit it was made in exact proportion to the cost thereof, had not been carried out, and from what conversation your committee had with the commission, and with the attorney for the city, it was impossible under the statute under which they operate, to make the assessment otherwise than they have done.

After looking into the assessment as far as has been practicable, your committee are satisfied that the same is eminently fair, taken from the basis on which the commission deemed it wise to operate, but it is none the less a disappointment to your committee and to a majority of this council, and in the result of this, as a result of the tax on taxpayers, as if taken from the general funds.

In view of these facts, and the additional fact that from the treasurer's report it seems that the city will be in funds until nearly about the time for the payment of taxes; and the further fact that the Electric Light Company signifies a willingness to give necessary time to pay for lighting; and, still further, and most of all, that this special assessment seems very unpopular, and very unsatisfactory to the citizens at large, whose servants the members of the city council are, your committee is constrained to recommend that the ordinance making a special assessment for the payment of the street lighting be repealed, and that the costs thereof be taken from the general funds.

Before leaving this question your committee will state that they have examined the statutes under which the assessments were made, and they are satisfied that this special taxation could be enforced, but it is based upon the principle of the assessments made in levying the assessments that might compel the city council to order a new one. In the end, however, the city would come up on every side against this special taxation, cannot be ignored by the city council; and your committee feel that, while they are of the opinion that the prejudice against local taxation is based upon an insufficient consideration of the question, yet they have no right to fly in the face of the views of the people, or act contrary to the wishes of a great majority so plainly expressed.

The motion to adopt, made by Mr. Newell, gave O'Meara a chance to say he did not want to vote to say he endorsed the idea that the tax was a poor one. He wanted to adopt the last end of it and reject the front end.

Mr. Young remarked that the report represented the views of the committee, and that the committee had no voice to acquiesce in the will of the majority of the people of the taxpayers. He said many people labored under the impression that the mayor had once vetoed this ordinance. The mayor signed this ordinance in an hour; it was the contract for an month per lamp which he dissolved.

Mr. Young argued in favor of the report. "While he believed that the special tax was a valid one, he desired to obey the mandate of the taxpayers. Mr. Clawson declared in favor, not of repealing the ordinance, but of the contract also. The lights are in a limited number, and if paid for from the general funds those outside the city will have to pay for something they do not get. Then to stop the clamor more lights will have to be put in. This will result in an increased expense. The contractor, the electric light company, gets all the benefit.

The report was adopted. Hardly a vote was given. Mr. O'Meara, excused.

Silver Convention. Mr. O'Meara introduced the following which was adopted in part: Whereas, As the Hon. Governor Beckwith of the state of Montana has shown his good judgment by selecting the city of Salt Lake as the place for holding the silver conference on May 15th next, and as the action of this convention will be reported in all the newspapers in the United States, and an every citizen has a personal interest in the matter that will be before the convention; and Whereas, The city of Salt Lake will derive a great benefit from this convention, provided it is a successful one; therefore, be it

Resolved, That it is the sense of this council that the city of Salt Lake should contribute to the expenses of the convention in the purpose for which it is called, and be it further

Resolved, That the following named citizens—The Hon. Caleb West, governor, the Hon. E. N. Harkin, mayor, the Hon. S. S. McKinnon, president of the senate, the Hon. James N. Bacon, president of the chamber of commerce, and the

Hon. J. C. McNally, chairman of the council, be appointed by this council to advise the governor and see that the delegates are properly entertained while in the city. The expenses incurred by said committee to be paid out of the mayor's contingent fund.

Clawson favored the idea of entertaining the delegates but protested against the use of the funds as it was voting money for corporate purposes. Young supported Clawson's position. Replying, O'Meara said that the mayor could spend his fund for above things if he liked. The council was voting in money. It was newly asking the mayor to do so. He could decline if he wished.

Cohn said to pass a resolution without money was both. Something must be done. The agitation now in favor of silver must be kept up and the city should do it.

Bache and Chessman declared against payment of money. Clawson moved for a resolution that part relating to expenses, which carried. McMillan, Morris, Newell and O'Meara voting no. The resolution was then adopted.

Petitions Presented. Petitions were read as follows: Geo. Piper, Frank Pierce, Sheridan Smith, Kelsley & Gillespie, for relief from tax sales. City attorney; afterward read: Olsen, that he be permitted to remain on city land in Parley's canyon, or that city pay him for improvement. Public grounds. Stevens, estate, for refund on water rates. Water works.

Seymour B. Young, that in consideration of his relinquishing part of his property for sheep trail the city council should have to protect the remainder. Public grounds. Hiram E. Booth, for extension of water mains on Second North. Water works.

Twenty-third Ward Water company, for right of way for water mains and privilege of driving flowing well on Fifth North between Second and Third West. Committee on streets.

Benjamin Deane, for a reduction in liquor license at Beck's Hot Springs to \$50 per month. The preamble states: "Your petitioner, 'old B. Whittemore,' respectfully represents that in the last year he has fallen into hard lines and has become financially 'busted.'" Committee on license.

Charles Miller, asking the council to appropriate \$1,000 for a Fourth of July celebration. Committee on markets.

Reports of City Officers. Chief Devine submitted an invitation to the council to be present at the exhibition drill today, which was accepted. The board of public works asked for authority to appoint one inspector for the light received than the absolute cost to furnish it. Added to this the then apparent necessity of raising means immediately to pay for lighting impelled your committee to recommend to the honorable body the adoption of the system of special local taxation to support this public measure.

The sewer committee reported in favor of appropriating \$15 per month for extra time put in by the inspectors to assist in the work. The report was rejected. The dog tax collector reported as follows for April:

Male dogs 157.....\$214
Female dogs 47.....111
Total.....\$325
Dogs destroyed forty-eight.

Committee Reports. The committee on irrigation reported the purchase from John Gray, certain lands in Parley's canyon to protect the water from sheep, for \$350, which action was ratified.

Miscellaneous. W. S. Berry was awarded \$400 damages for falling a sidewalk. O'Meara introduced an ordinance repealing the special lighting ordinance and in the discussion which followed as to whether it should pass Harry went to about the ordinance having the poor a permit and had made no objection, being assured that the council members favored the measure. Appropriations, amounting to \$4,763.29, were made, and the council adjourned.

GENERAL OTTINGER RESIGNS. National Guard Loses One of Its Most Efficient Officers. The resignation of Adjutant-General George M. Ottinger was yesterday accepted by Governor West, and Major John Q. Cannon, First Cavalry, was appointed in his stead.

General Ottinger has occupied the position just vacated since the first organization of the N. G. L., and during the organizing of the various companies throughout the territory, has gained the good will and respect of all with whom he has come in contact. The reasons for the change have not been made public, but it is understood that as the office has taken his entire time and attention and things are now running more smoothly than was possible during the first period of the guard's existence, he finds it necessary to devote his time to his own affairs. He is a man of his calibre—some \$50 per year.

The order issued by his excellency yesterday, in which the changes were first announced, is as follows: **Headquarters National Guard of Utah, Office Commander-in-Chief, Salt Lake City, April 30, 1895.** Brigadier-General George M. Ottinger having tendered his resignation as adjutant-general of the National Guard of Utah, it is accepted to take effect April 30, 1895. John Q. Cannon, First Cavalry, is appointed adjutant-general to fill the vacancy created by the resignation of General Ottinger, and will enter upon the duties of the office.

LAWYERS. Are notified that the Herald is prepared to print Briefs and Abstracts with accuracy and despatch, at Lowest Figures. Telephone 357, and we will send for MSS.

Cure For Headache. As a remedy for all forms of headache Electric Bitters has proved to be the best. It effects a permanent cure and the most dreaded habitual sick headaches yield to its influence. We urge all who are afflicted to procure a bottle, and give this remedy a fair trial. In cases of habitual constipation Electric Bitters cures by giving the needed tone to its influence. Few cases long resist the use of this medicine. Try it once. Large bottles only 50 cents at Z. C. M. I. drug department.

The Discovery Saved His Life. Mr. G. Calloutte, druggist, Beaver-ville, Ill., says: "Dr. King's New Discovery owe my life. Was taken with grippe and tried all the physicians for miles about, but of no avail and was given up and told I could not live. I bought a bottle of Dr. King's New Discovery in my store I sent for a bottle and began its use and from the first dose began to get better, and after using three bottles was up and about again. It is worth its weight in gold. We won't keep store or house without it. Get a free trial at Z. C. M. I. drug department.

CAPITAL ISSUE FOR CERTAIN.

(Continued from Page 1)

spoken very warmly against the lack of proper dignity in the convention. Well, I am opposed to accepting it, all the same. I don't think this convention should afford to accept unsanctioned invitations.

Would Make a Spectacle. Roberts (rising rather hastily but speaking smoothly)—I am not satisfied even when we are reassured by the gentleman. We would make a spectacle of ourselves to accept invitations from persons of whom we know nothing. We should not do so. When we receive an invitation properly signed, of course, it is our duty to give it attention.

Acting Like School Boys. Roberts (rising rather hastily but speaking smoothly)—I am not satisfied even when we are reassured by the gentleman. We would make a spectacle of ourselves to accept invitations from persons of whom we know nothing. We should not do so. When we receive an invitation properly signed, of course, it is our duty to give it attention.

Christensen Puts in His Oar. Secretary Christensen (who had been anxiously watching for an opportunity to show the members that he was an important personage)—Yes, I have; to Mrs. E. K. Wells. Elchinger (again leaning to his feet)—Well, I don't see what they want to conceal their names for if the thing's all right.

May Appropriate Any Time. Heyburn moved to strike out the proviso prohibiting the appropriation of money for the building of a capitol for the term of five years. Evans of Weber, protested against the motion carried on the following vote.

A Fling at Richards. Squires—I think we might get some light on this very involved question from Mr. Richards. His wife is a prominent lady suffragist. (Laughter.) Richards (who had been getting more flakety every moment)—I want to say that I just know there's nothing wrong about this here invitation. We are getting too technical. These ladies have a right to tell them we will or we won't. A voice—That's all right. But how are we going to do it when we don't know who they are? (Laughter.)

Settlers on School Lands. The article on public lands was then taken up and an amendment proposed an amendment making school lands valued for sale to settlers as of the date of settlement. Kimball, of Weber, moved an amendment providing that they were settled before they were surveyed. Both amendments produced a great deal of debate, which grew acrimonious at times.

At \$1.50 Per Acre. Evans, of Weber, offered the following proviso to be added to section 4: "Provided that bona fide occupants on such lands prior to the year A. D. 1870, may acquire title thereto at the sum of \$1.50 per acre, together with interest added thereto at the rate of 3 per cent per annum from said date." Thorsen, of Cache, offered the following proviso to cover the same grounds: "Provided that sections 16 and 36 may be sold to actual occupants thereof at the value of such lands prior to such occupancy." Then, at length, after having cooped up his speech for half an hour and fidgeting around, Jolley managed to get his amendments passed.

Chidester Makes Another Trial. Chidester moved the following provision: "Provided that in the sale or location of school lands the county superintendent of schools in the county in which the lands are situated shall be associated as a member of said board of land commissioners." This, too, was lost after some little discussion.

Another Circuit. Then there was another circuit. Those who had been trying to adopt some provision for the protection of settlers on school lands vainly endeavored to delay the day. Jolley, of Sanpete, moved to recommit the emasculated article to the committee on school lands. He was voted down. Hart moved to postpone consideration until today. Varieties called for the previous question and President Smith would have ignored Hart's motion had he not been called to time promptly by the speaker. Jolley, of Pierce, Robertson and Stover voted against it.

All That Was Left of It. After the convention had finished its work the entire article on public lands was made to consist of the following very short provisions: "Section 1. All lands of the state which have been or that may hereafter be granted to the state by Congress and all lands acquired by gift or grant or devise from any person or corporation or that may otherwise be acquired are hereby accepted and shall be the public land of the state, and shall be held in trust for the people, to be disposed of for the respective purposes for which they have or may be granted, donated, devised or otherwise acquired, as may be provided by law."

Corporations Article Reinstated. After three motions to the same effect had been made by Ricks, Squires and Hart, the convention finally decided to reconsider the vote by which the article on private corporations had failed to pass the day before. The article was then read in full and passed by an overwhelming vote. There would have been another attempt to insert the provisions for the double liability of stockholders of insurance companies and for \$100,000 de-

posits, had not all discussion and amendments been shut off with the previous question. The progress was taken from 12 until 2 o'clock.

Upon reconvening the convention took up the article on public buildings and state institutions, laying aside the article on salaries of public officers. This was done out of compliment to Professor Lewis, who had left a sick bed in order to be present while the public buildings article was being considered.

Capital Fight Again. The first fight came up over the location of the capital as filed by the committee of the whole. Corfman, of Provo, and the committee on education, by moving that "Salt Lake" be stricken out as the location and "Provo" be inserted. He said that this was no new proposition. "Provo" has often presented its claims on this line to the legislature. To renew them before the convention was proper. The claim is just.

Corfman's motion gained but limited support and Boyer renewed the fight by moving that appropriations for the state capitol building be prohibited for ten years instead of five.

Kicked Like a Football. Kimball, of Weber, on the general proposition, opposed leaving the location of the capital to be kicked around by the legislature like a football. Salt Lake is now the center of wealth and population, and by present appearances, will remain so, for a time, at least. He said no one would give up the right to appropriate for the state capitol. He had been in two or three legislatures and had learned by experience that there is no danger of Salt Lake getting undeserved appropriations. (Laughter.)

Entirely a Social Event. To this was appended the following additional communication: Mr. President and Members of the Convention. Gentlemen—The woman's Suffrage Association. It is entirely a social event and is intended to give pleasure to the members of the convention, including the officers, not forgetting the clerks and stenographers.

Police Court. Cases Disposed of by Justice Smith Yesterday. Joseph Hedges was heard in police court yesterday on the charge of attempted rape. The court held him in bonds of \$1,000 to await the action of the grand jury.

LAWYERS. Are notified that the Herald is prepared to print Briefs and Abstracts with accuracy and despatch, at Lowest Figures. Telephone 357, and we will send for MSS.

MEXICAN POSTS. Rumor That a Decree Has Been Issued Opening Several. El Paso, Tex., April 30.—It is reported here that a telegram has been received from Mexico City, announcing that President Diaz had issued a decree opening the ports of Tampico, Guaymas and Vera Cruz for the entrance of bonded goods in transit for the free zone. Senor Bauche, collector of customs at Juarez, had received no instructions, but Senor Ogarrio, collector of customs at Nogales, arrived today from Mexico City, and says he was informed at the treasury department that a resolution opening the ports would be passed by Congress.

Well Satisfied with Ayer's Hair Vigor. "Nearly forty years ago, after some weeks of sickness, my hair turned gray. I began using Ayer's Hair Vigor, and was so well satisfied with the results that I have never tried any other kind of dressing. It requires only an occasional application of AYER'S Hair Vigor to keep my hair of good color, to remove itching humors, and prevent the hair from falling out. I never hesitate to recommend Ayer's medicines to my friends."—Mrs. H. M. HAIGHT, Avoca, Neb.

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For that lawn of yours we have it in all the variations. We make a specialty of the well known reliable B. B. Brand. It is warranted. We have also just received some first rate Lawn Mowers that are going cheap.

James-Spencer-Bateman Co. 67 Main

work in that direction. During the discussion on this matter Lund, of Sanpete, who, in the meantime, had been scanning the article on education to find some provision which would prevent the location of the state normal school at Ephraim, claimed the floor and said that the point of order against his amendment had been wrongfully raised by Roberts. The point of order was then renewed on the theory that the article on public buildings and state institutions was passed.

No Separate Judicial Elections. The only change of particular interest during the discussion over the report of the committee on compilation and arrangement was the result of a continual agitation which has been kept up ever since the article on election and suffrage was read. It was provided therein that the school, judicial and municipal elections should be held separate from the general election and that the same be renewed on the committee's report yesterday and, under suspension of the rules, all provisions relating to special elections were stricken out.

Another Invitation. The following invitation was laid before the convention: To the Honorable President, Officers and Members of the Constitutional Convention of Utah: The women of Salt Lake City who appreciate the labors of the convention in the interest of the common good, desire the pleasure of entertaining the delegates and their ladies, with other officers of the assembly, at a reception in their honor, at the Templeton hotel, in this city, on Thursday, May 2d, from 9 o'clock until 11 in the evening. The reception is tendered by the convention in behalf of the women of Utah.

LOCAL BRIEFS. The Caledonian society gives a grand May Day ball at their hall this evening. The saloon men arrested Sunday for violating the Sunday law were fined \$25 each and costs. Hereafter weather bulletins will be published.

For Over Fifty Years. Mrs. Winslow's Softening Syrup has been used for children teaching. It soothes the child, softens the gums, allays all pain, cures wind colic, and is the best remedy for Diarrhoea. Twenty-five cents a bottle.

ENORMOUS REDUCTIONS IN WALLPAPER. Exquisite Colorings and Latest Designs

AYER'S Hair Vigor. Hair Vigor to keep my hair of good color, to remove itching humors, and prevent the hair from falling out. I never hesitate to recommend Ayer's medicines to my friends."—Mrs. H. M. HAIGHT, Avoca, Neb.

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displayed at the postoffice, and yet people doubt what Seth Griffin has to say about the weather.

OGDEN DEPT. HERALD BRANCH OFFICE. 513 UTAH LOAN & TRUST BUILDING. Ogden, May 1.

TEACHERS' APPLICATIONS. Board of Education's New Rules Concerning Them. The board of education has adopted a series of blanks for applicants for positions as teachers, which will be put into immediate use and in future will send an explanatory circular letter to each one applying. This letter contains information of value to those seeking places, among the statements being the following:

Certificates granted are of three classes: Primary, grammar and high school. The first class, primary, is intended for teachers of the first four grades. The examination embraces reading, writing, spelling, English grammar, geography, United States history, arithmetic, physiology, and pedagogy, and relates more especially to methods of teaching these branches in the grades named than to their subject matter.

The second class, grammar, is intended for teachers of the fifth to eighth grade inclusive. The examination is on the same branches as above, but tests more especially the applicant's knowledge of their subject matter.

The third class, high school, is required for principals of grade schools and teachers in the high school. The examination is on the same class of subjects, in which an average standing of 80 is required, and on the following addition: Civil government, algebra, physical geography, physics and botany.

All examinations are conducted by number so as not to reveal the identity of applicants until the standing of each is determined. Certificates thus obtained are valid for one year only, but may be renewed by the board of examiners in cases where meritorious grades have been obtained. Examinations are held twice each year, in June and August.

No application will be considered unless made on a regular blank form.

IVORY SOAP. IT FLOATS. FORTY MILLION CAKES YEARLY.

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55 Cents. Thirty-inch Double Roll heavy Ingrains, all shades, regularly 75 cents, now.....

38 Cents. Come early and bring the size of your rooms. We have nothing but skilled workmen and guarantee our work. NOTICE—Our prices are by the Double Roll and not by the single.

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Mr. Fred Scarff, of The Herald, is in the city on business connected with the paper. People on whom he calls will do well to listen to what he has to say and take heed.

PLANNING MILL BURNED. Yesterday morning about 5 o'clock the planning mill formerly owned by Maynes & Co. but recently sold to Peter Mortensen was destroyed by fire. The mill is located on Lincoln avenue between Twenty-second and Twenty-third streets.

The fire department responded to the alarm promptly, but the mill was almost destroyed before they arrived. It was a frame building with shingle roof and burned very fast.

The department saved the frame residence of James E. Maynes, which was separated from the burning building by a 14-foot alleyway and a house occupied by James Emery, located some distance south of the mill, but it was a hard fight and several times it looked as though the other buildings would certainly be destroyed.

The loss on the mill is \$3,500 and \$275 on the other two buildings. The mill was not insured and is a total loss. Mr. Mortensen just purchased the property three weeks ago and had started the mill up for the first run in two years Monday.

FOURTH DISTRICT COURT. Judge King presided in the district court yesterday, and the following business was transacted: The case of the Ogden Building and Savings Association vs. William Jones, et al., was, on motion of Maginnis & Weber, dismissed at the cost of plaintiff, for the reason that plaintiff has failed to amend the complaint within the time granted by the court.

The case of J. Carson vs. G. R. Belnap, sheriff, was called for trial. J. L. Loar and H. C. Edwards appearing for plaintiff and Maloney & Perkins for defendant. In this case Butcher Boy, a horse, had been levied upon as the property of one Seabot and plaintiff, claiming the horse, seeks to recover. This case occupied the attention of the court during the day.

Entirely a Social Event. To this was appended the following additional communication: Mr. President and Members of the Convention. Gentlemen—The woman's Suffrage Association. It is entirely a social event and is intended to give pleasure to the members of the convention, including the officers, not forgetting the clerks and stenographers.

Police Court. Cases Disposed of by Justice Smith Yesterday. Joseph Hedges was heard in police court yesterday on the charge of attempted rape. The court held him in bonds of \$1,000 to await the action of the grand jury.

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