

DEFECTS IN SHIPS

Fate of Russian Given As an Illustration—Both Officers Agree as to Armor Line Being Too Low—Witnesses Only Allowed to Testify Along Certain Lines.

Washington, March 10.—That there are serious defects in the construction of American battleships was charged today by Captain C. M. McKeown, assistant chief of the bureau of navigation of the navy department, and Commander A. L. Key, former naval aide to President Roosevelt. The former officer said the ships under Admiral Evans were all over-draft when they left Hampton Roads. He defended Admiral Rojewsky for taking the Russian fleet into battle with the Japanese with full bunkers of coal, saying that the Russian commander could not have done otherwise for he did not know how far he would be compelled to steam. He criticized the armor belt and the gun decks as being too low and the ammunition hoists unsafe. He attempted to dispute the testimony of other officers, especially Chief Constructor Capps, but was not permitted to do so. Finally the committee held an executive session at which it was decided that Key should be heard tomorrow, but that his criticism should be confined to ships.

Captain Winslow, who was the first witness in defending the Russian admiral, used the fact of the Russian fleet as an illustration of the danger of going into action with the armor belt too far under water.

At the same time he said that the ships should carry at least two-thirds their capacity of coal and full ammunition and stores. He said that two-thirds supply of all stores would make all American battleships too low, and therefore the armor belt should be raised. He could not state the exact amount, as he said it would vary on the different ships.

There was no need, said Captain Winslow, for more than four feet of armor below the water line. The witnesses were asked to compare certain types of American ships with contemporary class of British ships. He took the Connecticut and the Lord Nelson, and in summary said the British ship had made better records for rapid shooting with her battery of 2.9 inch guns than had been made with the Connecticut 8-inch guns. He thought this achievement was due probably to the hoists.

"Theoretically, you would feel at a disadvantage if you were compelled to take the Connecticut into action against the Lord Nelson," asked Mr. Tillman.

"I would say that the Lord Nelson is the more powerful ship," said the captain. He added that the Michigan and the South Carolina were a great improvement over the Lord Nelson and "possibly superior to anything in the British navy."

"On what ships now under command of Admiral Evans is the armor belt misplaced?" asked Mr. Burrows. "All of them, because it is too low."

Captain Winslow said that the armor belt extended five feet below water on all of the ships in Admiral Evans' fleet when it left Hampton Roads and most of them showed less than a foot of armor above the water line.

He said with two-thirds supply of coal and two-thirds of all other stores on board, the armor belt of all the American battleships would be too far below the water line.

"This would be the condition in which the ships would go into battle," he said.

In reply to question by Mr. Tillman the witness said he had never written the department concerning the defects he had found in battleship construction but that he knew the faults had been pointed out by other officers. As to ammunition hoists, Captain Winslow said that it was not a question of direct hoists as against two-stage-hoists, but entirely a question of safety.

"Well, have we got it?" asked Mr. Tillman.

The witness replied that we had not had safety in the past, but that he was not familiar with the new direct hoist with automatic shutters.

Captain Winslow gave his experience as a member of the board which inquired into the causes of the explosion due to the open turret and the ineffectiveness of the direct hoist.

Naval officers had predicted that just such accidents would occur and the fault should have been corrected then," said Captain Winslow.

"What officer had pointed out the danger?" asked Mr. Tillman.

"In 1902 I received a personal letter from Commander Sims advising the Kearsarge and the Kentucky and saying that they were great danger in the turrets," replied Captain Winslow. He added that this information had been given to the department. He said he did not know where to fix the responsibility for the failure to correct the fault, unless it was in the fact that there was constant change in the department, through frequent shifting civilian secretaries.

Commander A. L. Key, formerly naval aide to the president, was the next witness.

He had an experience similar to that of Commander Sims, the present naval aide, in that he was not permitted to follow his own inclination as to the form of presenting his views.

He began by stating that he had a duty to perform and was not permitted to perform it entirely agreeable, as his testimony would not be approved at the navy department. He said he expected to show by comparison that there were defects in American ships as to the location of the armor belt, and the character of ammunition hoists and that he would be compelled to point out inaccuracies in the testimony of Rear Admiral Capps, chief constructor, and some other officers who have been before the committee.

Commander Key took up the subject of armor belt. He said that the belts should not be placed around a

fictitious water line, but should be located with regard to the actual line when a vessel is equipped for action. He criticized the speed tests of battleships and declared that the vessels run so light that the test is of no value in ascertaining the actual speed of a vessel when carrying full armament, crew and stores.

"Why should contractors be permitted to bamboozle the country with these fictitious speed tests?" asked Mr. Tillman.

"They should not. That is just what I have been trying to show," replied Commander Key. He then presented a German criticism to the effect that the American and English tests are of no value, while the German tests are made in accordance with war conditions.

Commander Key will continue his testimony before the committee tomorrow.

CONFESSED THEIR CRIME.

Four Negro Incendiaries Taken from Officer by Mob and Hanged.

Toledo, Ohio, March 10.—Napoleon's union school, the largest building of the kind in the state, which was completely remodeled only last April and had cost the county \$110,000 altogether, was destroyed by fire this morning. A repetition of the Collinwood horror was possibly averted by only a quarter of an hour in the time of the starting of the fire, as the children were on their way to school, and some were playing in the yard when it was discovered. At 9 o'clock when the school pupils should have been in their seats, the main part of the building was a mass of flames.

Superintendent Bemer, and Principal White were the only persons in the building when the fire broke out, the other teachers not having arrived. The two men ran to the stairway leading to the attic and were driven back by a shower of sparks and a great volume of smoke. The fire had evidently caught from a defective flue in the furnace chimney, where it ran up through the attic.

Before the fire department could get a stream on the building, the flames had gutted the attic, dropped to the floor below, attacked the east wing and was roaring up the big central tower. The bell fell inside of 15 minutes. The building is a total loss.

Eight hundred pupils were enrolled in the school. The big building had 54 rooms, including two large play rooms and two engine rooms. It was recently rebuilt and was formally opened last April.

WILL TRY HIM FIRST.

New Orleans Authorities Refuse to Turn Over Felker.

New Orleans, March 10.—As a result of a conference here today between Chief of Police Bousch of Norfolk, Va., and District Attorney Parker, the New Orleans authorities announced that they would not turn over to the Virginia officer Thomas G. Felker, a prisoner held here.

Felker is suspected by the Norfolk police of being implicated in the murder of Alston H. Berry, of Rome, Ga., in Norfolk last October. He has confessed to several robberies here and District Attorney Parker claims that if he was surrendered to the Virginia authorities and then acquitted it would be difficult to bring him back here for trial.

Chief Bousch says that he will have Felker indicted at Norfolk and that Governor Swanson, of Virginia, will then be asked to send requisition papers for Felker to the governor of Louisiana.

THE COLLINWOOD CALAMITY.

Coroner Declares the Loss of Life Was Inexcusable.

Cleveland, O., March 10.—The loss of the lives of the little children in the Collinwood school fire was absolutely inexcusable," Coroner Burke declared today after making a thorough investigation into the causes of the fire and the reasons why the children were caught in the hallway and burned without being able to escape.

"The poor little children were caught in a veritable trap and held and crushed until burned to death," he said.

"Someone is responsible for this and should be held. I am not prepared yet to say upon whom the blame should be placed. It is a matter so serious that I must take full time to consider. Before I can charge any one with this horrible responsibility I must review the evidence carefully and deliberately. I find that the steam pipes caused the fire by being placed too close to the wooden joists. There is no doubt in my mind that the overheated pipes caused the fire. But the children should have escaped and would have done so had it not been for the partition built in the hall at the foot of the stairway. This is what caused their death."

The coroner said that the building was also deficient in the lack of automatic devices for opening doors.

Little Anna Neubert, the child who first discovered the fire in the Collinwood school house, told her story to Deputy Coroner Honck today. Fire marshal Brockman was unable to appear. He is practically the only remaining witness to be examined. Coroner Burke will render his verdict probably early in the coming week.

CUTTING DOWN EXPENSES.

Southern Railroad Lays Off Large Number of Men Indefinitely.

Salisbury, March 10.—The employees of the Southern Railway shop at Spencer except the round house and car department were laid off this afternoon indefinitely. Two hundred men are affected.

Selma, Ala., March 10.—Seventy-five skilled workmen at the shops of the Southern Railway in Selma were thrown out of employment today by an order received to close the shops indefinitely. The car repairing department will be continued with a decreased force.

FOUND IN THE RIVER

Body Discovered Yesterday Morning. Smith Conducted Restaurant at Place Where Murder of George Robinson Occurred—Many Believed Smith Knew More of the Tragedy Than He Cared to Admit—No Inquest Held Over His Body.

The body of Owen Smith, the colored restaurant keeper, whose mysterious disappearance several weeks ago had excited some interest, was found yesterday morning shortly after 7 o'clock floating in the Cape Fear river beneath a wharf just south of the Castle street dock. The body was first seen by a fisherman and he secured it with a rope and towed it into the Castle street dock where it was shortly positively identified as being the remains of Smith. Coroner Bell was soon notified and after viewing the remains he concluded that no inquest was necessary and the body was turned over to Teachey, the colored undertaker who prepared it for burial.

Owen Smith conducted the restaurant in the southern section of the city at which a few days before his disappearance, a young colored boy, George Robinson, was killed. Farman Lee, a young white man, having been held by the coroner's jury on the evidence of Smith and others for the superior court on the charge of having fired the fatal shot. None of the witnesses saw the shooting and testimony was only circumstantial.

On the day following the tragedy Smith's restaurant, where the killing occurred, was ordered closed by the mayor, and it was put out of business by Chief of Police Williams.

On Thursday afternoon, following the tragedy on Sunday, Smith's hat coat and vest were found in a shed stored with lumber at the Bell and Cantwell lumber yards, in the southern section of the city, a note having also been found, it is stated, directed to Smith's brother, telling him of his intentions to take his own life. It was believed then that he had committed suicide and the river in that section was dragged for two or three days, but no trace of the body could be found. Because his body could not be found many believed that Smith had left his clothes lying on the dock merely as a subterfuge and that he left the city to escape appearing at the trial of Lee.

The discovering of the body confirms the suicide theory and it has given rise to the belief that Smith knew more concerning the killing than he swore to before the coroner's jury and it is believed that it will add a hopeful aspect to the trial. Although there is no evidence to confirm the belief many are convinced that Smith may also have known something concerning the murder of Charles Edwards, whose dead body was found on Kidders' Hill, less than three blocks from Smith's restaurant, one Sunday morning just two weeks previous to the day of the Robinson murder. The solution as to the mystery surrounding that tragedy is as dense as ever, there having never come to light the slightest clue as to the identity of the guilty party.

THE WAGE QUESTION.

Proposed Reduction on Southern Railroad Subject of Conference.

Washington, March 10.—Chairman Knapp, of the interstate commerce commission, and Commissioner of Labor Neill, as mediators under the Erdman act, today began their conference respecting the proposed reduction of wages of employees of the Southern Railway.

The mediators instituted their work at a conference with President Finley, General Manager Ackert, General Counsel Thom and Controller Plant. No details of the conference were made public, but it is known that the officials of the Southern presented a general statement of the financial condition of the system in addition to a statement of their side of the controversy.

P. H. Morrissy, grand chief of the Brotherhood of Trainmen, W. S. Stone, grand chief of the Order of Locomotive Engineers, and other officials of the organized bodies employed by the railway appeared as representatives of the men. The conference lasted throughout the afternoon but at its conclusion no announcement of the results, if any were reached, was made.

It is the purpose of the mediators to confer alternately with the Southern officials and the representatives of the men and have the idea of bringing them to a basis of agreement. It is said this may require several days, even if an agreement is reached at all. The whole subject will be thrashed out carefully from the viewpoint of both the employers and the employees.

WILL NOT SIGN AGREEMENT.

Cotton Manufacturers Will Curtail Production at Their Own Discretion.

Fall River, Mass., March 10.—Fall River mill owners today decided not to sign the agreement recently made at a meeting of cotton manufacturers in Boston for a further curtailment of three months.

Secretary Clarence M. Hathaway of the Fall River Manufacturers Association said that the mill men here object to being tied up with such an agreement as many of them have contracts that must be filled within the next two or three months. Mr. Hathaway said that a majority of the local mills probably would curtail their production, but they preferred to do it at their individual discretion and await further developments.

PROCEEDINGS FOR A LUNGE

To Be Instituted By Evelyn Nesbit Thaw

Seeks Annulment of Marriage on Ground That Thaw Was Insane When Marriage Was Contracted. Suit Will Be Defended By Husband.

New York, March 10.—Evelyn Nesbit Thaw will institute proceedings for the annulment of her marriage to Harry K. Thaw. The action will be based on the allegation that the defendant was insane when the union was contracted. Thaw purposes to defend the suit. The papers in the case will be served some time tomorrow and an early trial is expected. In the meantime the two, by mutual agreement, will remain apart. In official statements by counsel for both parties tonight was confirmed the long suspected culmination in the wedded lives of Stanford White's slayer and the woman whose story in his defense brought her an unhappy notoriety as wide as the reading world. For weeks it had been gossiped that a divorce was imminent and even during Thaw's trial, throughout which his wife stood gamely by him, it was pretty generally believed that whatever the outcome for the prisoner the two would never again live together. These reports were frequently based on rumored opposition to the young woman on the part of the Thaw family. In their statements tonight, however, counsel denied that Mrs. Thaw, Harry's mother, had taken any part in the proposed separation.

During today Colonel Franklin Bartlett, counsel for the elder Mrs. Thaw, made a statement in which he said that there was no truth in the reports that detectives employed by Mrs. William Thaw had had her daughter-in-law under surveillance for months. As to a possible separation, Colonel Bartlett said:

"The matter is in chaos. There is every disposition on the part of my clients to be absolutely just and fair to Evelyn Thaw and to make liberal provisions for her support, and even more than that. Harry K. Thaw has sought a reconciliation and has not desired that his wife should leave him, but she desires a permanent severance of the marital relations. Any thought of espionage upon the young Mrs. Thaw would be abhorrent to Mrs. William Thaw and has not at any time been entertained by her."

Soon after Colonel Bartlett's interview became public, A. Russell Peabody, personal counsel to Thaw, left for Mattewan, where since his last trial, Thaw has been confined in the asylum for the criminal insane. After a talk with his client Peabody returned to the city late today and by appointment met Daniel O'Reilly, one of Thaw's former attorneys, who is now counsel for Evelyn Thaw. The conference extended well into the evening and at its conclusion Mr. O'Reilly said:

"Papers will be served on Mr. Thaw tomorrow by me as counsel for Evelyn in action for annulment of the marriage. The action will be on the ground that at the time of the marriage, April 4th, 1905, Harry Thaw was insane and did not know what he was doing."

"This action has been thought of for some time. It will be tried in New York county. As yet no mention has been made of any settlement in favor of Evelyn. If after the annulment proceedings are through and they are in favor of the plaintiff some action might be taken for the recovery of counsel fees and alimony."

Mr. Peabody, who heard O'Reilly remark, said:

"Today I have visited Harry at Mattewan and told him the intentions of his wife. He is willing to defend the suit."

Mr. Peabody added that his client, when apprised of his wife's intentions had made no comment except to declare that he was sane at the time of his marriage and expressed his willingness to meet the issue.

Asked whether Mrs. William Thaw was active in the planned litigation, Mr. Peabody replied:

"No, she is not."

Mr. O'Reilly added to his formal statement that Evelyn would take the stand during the annulment proceedings and that several of the medical experts who had testified at the murder trial would also be called. He added that despite his announced determination to contest the suit, he believed that Thaw would put no serious obstacle in the way of separation if for no other reason than the gratitude he felt toward his wife for the aid she had rendered him when he was on trial for his life.

As to his client's financial resources, O'Reilly said he thought she had funds enough to maintain her during the trial of the case, and as for the future was capable of earning a large income as a writer.

Both lawyers emphatically denied that Evelyn had been followed by detectives or that had they made any demand upon her husband's mother for a money settlement.

It is understood that the attorneys for Mrs. Thaw will depend practically on the evidence of insanity introduced at the last trial of Thaw to prove that he was mentally incompetent at the time to legally contract a marriage. Should this be established the case would be won for the plaintiff providing there was not introduced by the defense that Thaw subsequently recovered full possession of his faculties and by continuing the marriage relation gave validity to the original. This point the attorney would not discuss tonight. It was, however, pointed out that Thaw, though committed to an insane asylum as having been insane at the time he killed White, has not been declared insane at the present time. Whether the matter of his insanity will be determined before the trial for annulment is not known. If it is not, there will be added interest in the probable effect of the present suit upon the later efforts to get Thaw out of the asylum.

THE EIGHT HOUR LAW

Committee Hear Arguments Against the Measure.

Washington, March 10.—President Gompers of the American Federation of Labor accompanied by several union men of the District of Columbia made his first appearance today before the house committee on labor in the series of hearings on the eight hour bill.

W. H. Fletcher, vice president of the W. and A. Fletcher Company of Hoboken, shipbuilders and representing also the national metallic trades associations, says that if the bill becomes a law his company will be compelled to cease bidding for government contracts.

Answering questions put by Mr. Gompers and by members of the committee Mr. Fletcher declared that the commercial shipbuilding industry on the Atlantic coast of the United States is practically extinct; that about the same condition prevails on the Pacific coast and that the only places in the United States where the industry still survives are the Great Lakes and other inland waters.

Mr. Fletcher said that the manufacturing conditions in this country are such that ship builders can buy Scotch boilers laid down at New York for one and a half cents a pound less than they can be produced here. He advanced as chief argument against the bill, the claim that it is unconstitutional in that it discriminates against some manufacturers and in favor of others.

He denied the right of the government to designate the number of work hours a day in connection with contracts.

Edward Nothage, representing the electrical workers of the District of Columbia and John F. Rabbitt, representing the union plasterers of the district made arguments in support of the bill.

Mr. Gompers made a plea for the passage of measure and emphatically contradicted the assertion that had been made before the committee by employees by representatives that working men as a rule were in favor of working over time if they received extra pay for the same. He claimed that the representatives of some of the employees who had appeared before the committee during these hearings had been instrumental in securing legislation that practically has made outlaws of union workmen.

James H. Haydon, representing the Cramp Shipbuilding company, asserted that conclusive evidence had been presented to the committee that the working man of the country desires the privilege of working over time for over time pay. He also attacked the constitutionality of the bill.

The hearing closed with today's session.

CAPT. JAMES D. McNEILL

Writes Communication Concerning Conditions in Prohibition Town.

The following communication was received last night from Capt. James D. McNeill, of Fayetteville, and it is published without comment:

Fayetteville, N. C., March 10, 1908.

Editor Messenger:

I note in your issue of today the attempt to prove that prohibition prohibits or decreases crime. Let me give you some statistics from a town that has prohibition laws as drastic as legislation can make them, and that formerly was as "open" as any town ever was governed.

From 1887 to 1897 Fayetteville had open bars and a dispensary for the last year. We had one policeman. Average annual police court receipts less than \$250. (1897 only \$215.80.) During this period our jail was sometimes entirely empty. It was a matter of common talk that we had to employ a person to stay in there for a while with the only prisoner as he was lonesome and afraid of the rats. Not a single police officer was killed or even injured. Cases of delirium tremens a rarity. Keeley cases more so. Per Contra—1897 to 1907. Police force increased to five. Annual receipts from police court, \$400 to \$500 per year. New jail built. Number of courts increased. Jail always full. During the past five years of total prohibition, two police chiefs killed, one police officer killed, one police officer badly shot up, several young men of good families died from alcoholism, hospital hardly ever without a delirium patient. Murder, suicide, Keeley and McKenna patients and lawlessness and public drunkenness not ever before in the city history. How's this for a comparison? Atlanta and Wilmington are not in it. We have had experience.

Yours,

JAS. D. McNEILL.

Report Was Untrue.

Bristol, Va., March 10.—The story sent from Bristol yesterday to the effect that Jackson Pressler, a white man, had been taken from his home in Russell county, Virginia, and lynched by a mob, was untrue. Reports from that county, which are authentic, are to the effect that it is without foundation.

Report Was Untrue.

The building is being repapered and repaired and it will present an attractive appearance when the improvements are concluded.

Rumor has it that Mr. Cooper, who is a prominent wholesale grocer, will soon start a commercial bank in this city and that the quarters just secured will be used as the bank's home. Mr. Cooper has been out of the city for several days and he is not expected to return until Saturday, hence nothing definite concerning the proposed bank can be learned, but an announcement can be expected in the near future.

Have your eyes examined by Dr. Vineberg, the eye specialist at Munds' drug store, Masonic Temple. No charge for examination. Spectacles or eyeglasses from \$1.00 and up. Satisfaction guaranteed.

Mica Axle Grease
Helps the Wagon up the Hill
The load seems lighter—Wagon and team wear longer—You make more money, and have more time to make money, when wheels are greased with
Mica Axle Grease
—The longest wearing and most satisfactory lubricant in the world.
STANDARD OIL CO.

Bears the Signature of *Charles H. Fletcher*

A PVKE TELEGRAM WAS SENT

To Richmond, Wilmington and Norfolk Banks

Asking for Shipments of Currency to Bank in Elm City—Money was Shipped and Immediately Returned to Consignors—May Have Been Ruse of Robbers.

An occurrence which created considerable interest in banking and telegraph circles about two weeks ago has just come to light and although there has been exerted every effort to solve the mystery connected with the incident, the task has not yet succeeded.

About the first of the present month the Murchison bank of this city, a national bank in Richmond and a bank in Norfolk, all on the same day, as later investigation revealed, received a similarly worded telegram from Elm City, signed that \$2,000 in currency be shipped at once. Each of these banks does business with the Elm City institution and the currency was shipped without delay.

On arrival at Elm City the Tolson bank officials denied any knowledge of the various shipments and each was returned to the bank from which it was sent. It was then learned that to such telegram had been sent through the Elm City telegraph office and the most plausible theory is that the wires were tapped and the messages sent.

What the purpose of the senders of the order for currency was cannot be stated but it is presumed that the message was sent either by robbers or their associates and that the plan was for all the money to reach Elm City at the same time and during the night before it had been delivered to the banks, an effort would be made to rob the express office and get the money.

The plan, whatever it was, did not succeed.

The telegraph company has had detectives looking into the matter ever since it occurred and any clue that may be found will be followed to the end in the hope of finding the guilty parties.

MRS. W. H. STONE DEAD.

End Came Yesterday Afternoon at Her Home in Shallotte.

Friends will regret exceedingly to learn of the death of Mrs. W. H. Stone, which occurred yesterday afternoon at the late home of the deceased, in Shallotte. Mrs. Stone has been ill for some time with a severe attack of grippe and several days ago pneumonia developed, since which time her condition has been regarded as critical. For the past two or three days it was realized that the end was near and loved ones remained at her bedside hourly expecting the sad summons.

Mrs. Stone had reached an advanced age and the news of her demise will bring great sorrow to many friends in Wilmington and other places. The deceased is the mother of Mrs. W. A. Rourke and Messrs. R. R. and B. O. Stone of this city and these will attend the funeral.

To the members of the bereaved family the sincere sympathy of many friends is extended in this hour of their grief.

FUNERAL OF MR. KELLY.

Was Conducted Yesterday Morning by Rev. Dr. McClure.

Sad funeral services were conducted yesterday morning at 10 o'clock from the late residence, corner Third and Market streets over the remains of the late Mr. John J. Kelly, the solemn ceremonial having been conducted by Rev. A. D. McClure, D. D., pastor of St. Andrew's Presbyterian church.

After the services at the house the remains were borne to Oakdale and interred.

The gentlemen who acted as pallbearers on this sad occasion were the following: Honorary—Messrs. W. H. Sprunt, Oscar Pearisall and W. R. Morrison. Active—Messrs. W. C. Smith, June Shine, E. D. Sloan, A. W. Middleton, John Lamb and Dr. J. E. Matthews.

LEAVES OLD BANK QUARTERS.

Mr. W. B. Cooper Rents Former Location of Peoples' Savings Bank—May Start Commercial Bank Therein.

Mr. W. B. Cooper has leased from J. G. Wright & Son for a term of years the store situated at No. 113 North Front street, next to the Orton hotel and formerly occupied by the Peoples' Savings bank. The lease is dated as effective March 1st and it runs to September 1st 1910, the sum of \$2015 or \$65 a month being given for this period.

The building is being repapered and repaired and it will present an attractive appearance when the improvements are concluded.

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CASTORIA.
The Kidney and Bladder Always Bought
Bears the Signature of *Charles H. Fletcher*