

BONACUM FILES HIS BRIEF

Gives Reasons Why He Thinks Father Murphy Should Be Ousted.

PART OF LONG DRAWN OUT LITIGATION

Secretary Davis of the State Board of Charities to Take a Hand in Affairs of the Omaha Child Saving Institute.

(From a Staff Correspondent.)

LINCOLN, Nov. 17.—(Special.)—Bishop Bonacum of the diocese of Lincoln has filed his brief in the supreme court in answer to the one filed by Rev. William Murphy, who, though excommunicated by the bishop, still persists in being the Rev. William Murphy and still holds on to the church property at Seward. Bishop Bonacum desires the supreme court to affirm his own decree against the Rev. Murphy.

The brief is a lengthy one and it contained the two former opinions of the supreme court in the case, which has been pending for the last four years, a history of the whole litigation and most everything else connected with the church. The brief asserts there is no question of personal liberty or property rights, but it is merely a question as to whether the church authorities have a right to run the church, in the brief it is the history of the trial of Rev. Mr. Murphy here in Lincoln, where he is alleged to have shown utter contempt for the court and the case, too, frequently interrupting the proceedings to read a statement of his own. He was repeatedly admonished by the court, but he would not do as he was told and the court was finally adjourned. Later it was found that Murphy wanted to file an appeal and he was given five days in which to do it.

He failed to show up on the day appointed so he was excommunicated. Bishop Bonacum ordered that he spend three months in a monastery, one month of which time should be devoted to the exercise of the holy retreat.

Charity Board Takes a Hand.

Secretary Davis of the State Board of Charity and Correction was excited this morning upon receipt of news from Omaha to the effect that Superintendent Clark of the Child Saving Institute had in his possession a child that had been given him by its parents pending their divorce proceedings and that he refused to surrender it to the mother, even though she had an order from the child's father for its possession. The board has decided to start a vigorous investigation of the institute.

Under the laws of the state the charity board can do nothing but investigate and even in this they have no right to do more than any other person, but it is the intention of the board to do all the investigating it can to the end that the next legislature will have sufficient excuse to pass a law placing all such institutions under the control of the board.

It is a member of the board at this time, and if Mr. Davis begins an investigation it will mean a warm time for these two who are keeping a pretty close watch on each other. Davis is now the secretary of the board and Mr. Clark wants to be, so if Mr. Davis is not what they should be Davis will find it out.

Governor Kept Busy.

Governor Mickey just now is finding his time occupied by investigating the various attaches of state institutions. This morning his attention was called to the alleged misconduct of J. C. Harbart, a fireman at the Kearney industrial school, whom the governor was informed had been arrested at Beatrice last Sunday charged with carrying a concealed weapon and drawing it upon Mrs. Len Thomas, the mother of the girl Harbart was with at the time. The governor was informed that Harbart had been keeping company with the Thomas girl and that her parents objected because they understood he had a wife at Kearney. Sunday evening, it was reported, he went to the Thomas home and as she and the girl were leaving the mother stood in the gate and tried to prevent them going out. The girl, it is said, knocked her mother down and as she got up Harbart covered her with his revolver and both then left the yard. They were later arrested.

Governor Mickey was greatly incensed over the affair and this afternoon called up Superintendent Harbart to learn whether there was any truth in the reports. It is the intention of the governor to compel all of his appointees to walk in the straight and narrow path and if he charges against Harbart are true it is likely he will need other employment before long.

Young is Persuasive.

Governor Mickey called an extra session of the State Board of Purchase and Supplies at the instance of a young man who had a patent disinfectant to sell. The amount the young man thought the board would need was 35 cents worth. After duly considering the matter upon motion of Mr. Mortensen the board adjourned without making the purchase because there were only three members present.

It all happened this way. The young man went to the home of the Friends and there exhibited his disinfectant to the matron in charge. She was greatly impressed with it, she said, but, unfortunately, she had not the power to buy, as the state board did that. The young man, nothing daunted, armed with the recommendation given him by the matron, promptly sallied forth to the governor's office, where in a few minutes the executive was also impressed. Next was called the special meeting of the board with the result stated.

Students Better Prepared.

From the reports received by State Superintendent Fowler from the heads of the university and normal schools of the state it is clearly shown that the student entering college is better prepared to take up the college work than at any time in the history of the state. For some time Mr. Fowler had heard it generally rumored that the students were showing a better preparation and to find if the rumors were true he addressed a letter to a number of the heads of schools, asking about the matter. The conclusion drawn by most of those who answered was that the high

school work was better than in previous years, naturally resulting in the pupils and graduates being better prepared to enter college.

CATCHES MANY UNPREPARED

Cold Wave Comes Too Suddenly for People to Get Their Affairs in Shape.

FREMONT, Neb., Nov. 17.—(Special.)

The mercury here this morning stood at only 7 degrees above zero. A strong wind has blown from the northwest all day and made it very uncomfortable for those obliged to be out. On account of the feed being good later than usual considerable stock is still in the pastures. Farm work is well along and considerable plowing already done.

HARVARD, Neb., Nov. 17.—(Special.)

The mercury last night made a record of 4 degrees above zero, and being accompanied by a strong, cold, north wind, was a somewhat severe introduction to coming winter months.

LEIGH, Neb., Nov. 17.—(Special.)—A sudden and disagreeable change occurred in the weather here Sunday. A strong north-westerly breeze blowing and it grew steadily colder. Monday morning the thermometer stood at 18 degrees above zero. Monday evening at 11 above and this morning at zero. A light snow appeared Monday morning. This is the first real cold snap of the season and it found many people unprepared for winter. Only one-half of the corn crop is still in the field and prospects are that much of it will be in the field until late in the season.

NEBRASKA CITY, Neb., Nov. 17.—(Special.)

A severe cold wave struck this city yesterday and the thermometer went below the freezing point last night. A slight snow fell, but clear skies today make it unnoticeable.

Johnson Teachers' Topics.

FREMONT, Neb., Nov. 17.—(Special.)—The Johnson County Teachers' association will meet at the high school building in Teomah Saturday morning at 10 o'clock. The more important features of the program include papers on the following subjects by the parties indicated: "How May Children Be Taught More Respect for Property Constituted Authority?" Thomas Barokkanan; "How Should Spelling Be Taught that Pupils May Become Better Spellers?" I. N. Clark; "The Use of Pictures in School Work—In What Work?" Idema Swan; "How May Pupils Be Taught to Speak and to Write Better English?" Miss Lucy Green; "Practical Nature Study Work." Dr. Charles Fordey of Wesleyan university, University Place. Discussions will follow each subject.

May Cancel Bridge Contract.

FREMONT, Neb., Nov. 17.—(Special.)—The County Board of Supervisors met this morning and has considerable business ahead. Some time ago the Standard Bridge company of Omaha made a contract with the county for the construction and repair of bridges, but it has not made the repairs ordered. Some of the bridges are in bad shape. A resolution was introduced to forfeit the contract on account of the failure to comply with it and if there are no legal objections in the way it will undoubtedly pass.

Not Guilty of Hobbey.

PLATTSMOUTH, Neb., Nov. 17.—(Special.)—The jury in the district court brought in a verdict of "not guilty" in the case of the State against William Shepard, who was charged with breaking into the Missouri Pacific depot in Weeping Water with intent to steal. Court was adjourned until Wednesday morning, as County Attorney Smith and other attorneys had business in the supreme court in Lincoln today.

Switch to Canning Factory.

FREMONT, Neb., Nov. 17.—(Special.)—At a special meeting of the city council yesterday afternoon the Union Pacific company was granted leave to put in a sidetrack to the old creamery building, soon to be occupied as a canning factory by an Iowa firm. Now that the permission for the switch has been granted it is expected that the deal for the property will be closed and the work of remodeling it begun at once.

Feeding Much Stock.

FREMONT, Neb., Nov. 17.—(Special.)—From present indications more stock will be fed in this vicinity this season than last. John Van Patten, a Wyoming stockman, and R. Newman of this county have purchased a tract of land near the Sanberg sidetrack west of this city, and will put in a quite extensive plant for feeding range cattle for the market. About the usual number of sheep will be fed.

Clue to Anshuts Murderer.

RED CLOUD, Neb., Nov. 17.—(Special.)—John Anshut, the farmer who was held up and fatally shot by an unknown person south of here last week, died at his home Saturday night. No hopes were entertained for his recovery from the first. No suspicion was held as to who was the guilty person in connection with this affair until the last day or two, when an important event has disclosed what seems to be a clue.

Students Coming to York.

YORK, Neb., Nov. 17.—(Special.)—New students from different parts of the state and a few from outside states continue to arrive at York, where they will attend some one of the York educational institutions. On yesterday's trains eighteen new students arrived. York is becoming noted for its schools.

Funeral of Nathan Curtis.

NEBRASKA CITY, Neb., Nov. 17.—(Special.)—The funeral of Nathan Curtis, an old resident of this city who died Sunday, was held from the First Methodist Episcopal church this afternoon, Rev. J. W. Scott officiating. Interment was in Wyuka cemetery.

Injuries Are Fatal.

NEBRASKA CITY, Neb., Nov. 17.—(Special.)—Gus Nelson, who was struck by a Burlington passenger train south of this city several days ago, died at the Nebraska City hospital today.

Statish Wedding Anniversary.

BEATRICE, Neb., Nov. 17.—(Special.)—Mr. and Mrs. George Norton of this city observed the sixtieth anniversary of their marriage last Sunday. This venerable couple have lived a good share of their wedded life at their home on East Grant street and have many friends who will congratulate them.

Beatrice to Hear Sam Jones.

BEATRICE, Neb., Nov. 17.—(Special.)—The Chautauque board of directors met last night at which time the president named the standard committee for the coming year. Rev. C. M. Shepherd of Helron was engaged to superintend the assembly of 1904. Rev. Sam Jones was secured for a lecture as were also a number of other men of national reputation.

Court Growing at Beatrice.

BEATRICE, Neb., Nov. 17.—(Special.)—Judge Hull convened court here yesterday and will be here the entire week. There are

ROBBERS TAP LYONS BANK

Secure All the Money in the Safe, Steal a Team and Escape.

SUPPOSED TO BE ON OMAHA RESERVATION

Officers of Bank and State Bankers' Association Each Offer Five Hundred Dollars Reward for Their Capture.

LYONS, Neb., Nov. 17.—Robbers blew open the safe in the First National bank today. They secured \$2,000 in cash and escaped.

Messrs. J. Forest, vice president, and J. A. Wachter, director, of the First National bank of Lyons, Neb., which bank was robbed Monday night, were in the city last evening, conferring with the police. The bank officials offer a reward of \$500 for the capture and conviction of the criminals and the State Bankers' association offers a like reward.

Vice president Forest said last evening: "The robbers used seven charges of nitroglycerine to open the safe, from which they took \$200 in gold, \$200 in silver coins and \$200 in currency. A black mare, of some suspicious characters were in the vicinity and consequently reduced our cash on hand to a minimum. Our records and papers were not disturbed. The men stole a two-seated, canopy top surrey and a team of horses from E. H. Herendeen. One of the horses was a black mare, 12 years of age, 1,300 pounds weight and bearing no distinguishing marks; the other horse was brown, 7 years old, same weight, with four white feet and a spot on the forehead. The men are known to have driven in a northerly direction about 4 o'clock Tuesday morning and could not have gone very far before daylight. It is supposed they headed for the Omaha reservation and are in hiding somewhere. Our bank will be open for business again as usual on Wednesday morning."

FATAL TO LINCOLN CLIMBER

Breaking of Safety Strap Results in Death of R. G. Buckley.

LINCOLN, Nov. 17.—(Special Telegram.)—R. G. Buckley, aged 27, fell forty feet from the top of a telephone pole this morning to the pavement and was instantly killed. He struck on his head and his skull was crushed like an egg shell. Buckley was an employe of the General Engineering company, which is putting in the new telephone system. He was at work on the top of a pole at Thirteenth and J streets, when his safety strap broke, letting him fall.

Huron, S. D., Nov. 17.—(Special Telegram.)

The temperature dropped to 4 below zero this morning and stood within ten degrees of that mark all day. It is colder tonight and indications point to the coldest weather known in this section so early in November in a number of years. A stiff wind from the northwest prevailed all day.

Below Zero in South Dakota

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Former Mrs. Molinoux in Vaudeville.

SIoux FALLS, S. D., Nov. 17.—(Special Telegram.)—Wallace D. Scott, the present husband of the former Mrs. Molinoux, has returned here tonight. The intimate friends who admitted the truth of the New York report that Mrs. Molinoux will appear in vaudeville in that city next Monday. He further stated her engagement will last three weeks, for which she will receive a salary of \$1,000 per week.

Farmers in Phone Business.

YANKTON, S. D., Nov. 17.—(Special.)—The Farmers' Co-operative Telephone company is the name of a new organization formed by the farmers of the northern part of Yankton county, which has just been organized. The company is expected to extend the lines until the farmers of the entire north part of the county are connected by phones.

No Such Treaty.

BONESTEEL, S. D., Nov. 17.—To the Editor of The Bee: Has any foreign power, by any treaty or written agreement, made it incumbent upon itself or ourselves to uphold the Monroe doctrine, or to assist the United States in doing so? Ans.—There is no such treaty or agreement with any foreign power.

South Dakota Bank Closed.

EGAN, S. D., Nov. 17.—The Egan State bank was closed today by the state examiner. The deposits are \$40,000. Slow collections is given as the cause of the failure. No statement was issued.

FORECAST OF THE WEATHER

Fair Today and Tomorrow, with Warmer Thursday, is Nebraska's Drawing.

WASHINGTON, Nov. 17.—Forecast: For Nebraska, North and South Dakota, Kansas, Colorado, Wyoming and Montana—Fair Wednesday and Thursday; warmer Thursday.

For Iowa—Fair and colder Wednesday; Thursday, fair and not so cold.

For Illinois—Colder Wednesday; Thursday, fair and cold; brisk north winds.

For Missouri—Fair; continued cold Wednesday and Thursday.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Nov. 17.—Official record of temperature and precipitation compared with the corresponding day of the last three years:

Table with 4 columns: Year, Maximum temperature, Minimum temperature, Precipitation. Rows for 1902, 1901, 1900.

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Report from Stations at 7 P. M.

CONDITION OF THE WEATHER

about seven criminal and twenty civil cases to be tried during the remainder of the term. Three divorces were granted yesterday afternoon.

TRICE MANDAMUS ON BEATRICE.

BEATRICE, Neb., Nov. 17.—(Special.)—Charles Wittmer of Lincoln, has brought mandamus proceedings in the district court against the city of Beatrice to compel the city council to levy a special tax to pay a judgment of \$250, which, he some time ago obtained against the city.

DEATH OF AUTHOR GILMORE

Old Associate of Lincoln, Longfellow, Holmes and Greeley Dies at Glen Falls.

NEW YORK, Nov. 17.—James N. Gilmore, better known in the field of letters under the name of the author of "The Last of the Thordikes," "The Mountain White Heron," and "Personal Recollections of Lincoln," died at his home in Glen Falls, N. Y. He was 80 years of age. Mr. Gilmore was author of "The Last of the Thordikes," "The Mountain White Heron," and "Personal Recollections of Lincoln." He was an intimate personal friend of President Lincoln. Henry W. Longfellow, Oliver Wendell Holmes, Ralph Waldo Emerson and Horace Greeley.

MARROQUIN IS NOT ABOARD

Galveston's Suspicion Regarding Passenger on Steamer Cuban Prove to Be Erroneous.

NEW ORLEANS, Nov. 17.—A special from Galveston, Tex., says that the three travelers on the steamship Cuban, in quarantine, one of whom was thought to be President Marroquin of Colombia, are merchants on route to New York on business. The health officers state that none of the passengers can answer the description of Marroquin. The vessel will not come to wharf until Thursday.

GRANGE HEARS SUSAN ANTHONY

Listens to Her Appeal, but Declines to Go on Record for Woman's Suffrage.

ROCHESTER, N. Y., Nov. 17.—Miss Susan B. Anthony today addressed the National Grange and submitted resolutions favoring recognition by the Grange of the right of suffrage for women. Miss Anthony was given a cordial greeting, but when it came to taking a vote on the resolutions, the Grange insisted on remaining in open session, so that the vote tonight might be complimentary to Miss Anthony, and not binding upon the organization. No record or declaration of the vote was made.

BELOW ZERO IN SOUTH DAKOTA

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FEDERATION AGAINST SMOOT

Utah Senator is Being Opposed for Place on Immigration Committee.

FEAR IS OF MORMON IMPORTATION

Union Men Judge from a Previous Experience that He Would Be Dangerous if Given a Position of Power.

WASHINGTON, Nov. 17.—The American Federation of Labor is endeavoring to prevent the appointment of Senator Smoot of Utah to a position on the immigration committee. The opposition has not protested against the holding of his seat, but is opposing vigorously his application for a committee appointment which they claim would give him an opportunity to promote the immigration of Mormons from Europe. Albert Schulte, a member of the legislative committee of the American Federation of Labor, is making a canvass of republican senators. He asserts that Senator Smoot, as a Mormon apostle, was a member of a committee which years ago visited Europe in order to enlist Europeans to come to America and become members of the Mormon faith.

Action Not Authorized by Federation.

BOSTON, Nov. 17.—President Gompers of the American Federation of Labor and James Duncan, first vice president, said this afternoon relative to the dispatch that the federation was endeavoring to prevent the appointment of Senator Smoot of Utah on the immigration committee, that if such an endeavor was being made, it was without the official sanction of the federation. They could not undertake to prevent, they said, any person affiliated with the federation from canvassing on any question in which he had a personal interest.

Problems Confront Federation.

The first resolution to claim the attention of the delegates to the convention of the federation was one to strike out of the constitution the clause confining discussion "to such political subjects as affect the interests of the working classes." The convention concurred in the adverse report of the committee on resolutions. Similar action was taken on the adverse report of the committee on law on the resolution that an expert accountant be employed once every six months to audit the books of the federation and report to all affiliated organizations.

An Illinois delegate was refused permission to introduce a resolution calling for the adoption of uniform text books in public schools, the books to bear the union label and that this was a matter for each state to settle by itself.

The question of whether the organization should commit itself to the doctrine of socialism came squarely before the delegates to the convention at its session today. The question was not answered as shortly before 6 o'clock an adjournment was taken until tomorrow, when the debate will be resumed.

Some nine resolutions favoring public ownership and the organization of a political party to bring about conditions which the socialists seek were all reported on unfavorably by the committee on resolutions. At once the long arranged plan of the socialist delegates for the adoption of these principles was put in operation by Delegate Hayes and other socialists who substituted for the committee's report, but was ruled out of order.

Has to Clear Galleries.

At this point, applause from the spectators led President Gompers to announce that he would order the galleries cleared if the applause was continued. His remark was received with hisses. Thereupon he ordered the spectators to leave. There was a great deal of confusion and at the end, the ejected people numbering several hundred, assembled outside of Faneuil hall and adopted resolutions condemning President Gompers for his action. Meantime the debate was resumed by the delegates.

Delegate Hayes and other socialists spoke at length against the committee's recommendation while the proposition was supported by Delegate Lunt, the treasurer of the federation. Just before adjournment, the ejected spectators were permitted to re-enter.

At the opening of the afternoon session a question involving the trade jurisdiction of the United Brewery Workers' union was referred to the committee on grievances.

Resolutions were adopted, instructing the executive council to inquire into the cost of a new office building for the Federation of Labor at Washington and calling upon the federation to request President Roosevelt to order the discontinuance of the unfair competition which the musicians of the country are subjected to from the musicians enlisted in the army and navy.

BUTTE, Mont., Nov. 17.—A delegation of six representatives of Butte labor unions left today for Washington, where they will be the guests of President Roosevelt, dining with him in the White House.

BEQUEST TO MASONS FAULTY

William L. Elkins' Codicil Does Not Insure the Proposed Orphanage.

PHILADELPHIA, Nov. 17.—The bequest of \$20,000, or if necessary \$250,000, for the erection of a Masonic orphanage made by the late William L. Elkins has been declared illegal by the register of wills of Montgomery county. This decision is due to the fact that the codicil providing for the gift was made within thirty days of the testator's death and is therefore inoperative. It will be necessary to make provisions to pay out the sum to the Masonic home of Pennsylvania if the wishes of Mr. Elkins are to be executed.

STOP COUGHING! You must stop that coughing at once, or before you know it your lungs will be affected and your life endangered by pneumonia or consumption. At this time of the year you must be particularly careful as throat and lung troubles are hovering around, and

DEATH IS NEAR! oftener than you can possibly imagine. Only a little while ago a strong, robust young man, in the prime of life, who lived at Elizabeth and died business of New York City had a slight cough. It was so slight that he paid no attention to it, and continued his office work. In four days it went to his lungs, and he died from pneumonia within a week. Many such cases are happening every day, and every one of them can be

EASILY CURED BY DUFFY'S PURE MALT WHISKEY! The dose is a teaspoonful in a half glass of milk or water every two hours until the cough is relieved. It is a SURE CURE! It is prescribed by over 7,000 doctors and is used exclusively in more than 2,000 hospitals. It is an absolutely pure, gentle, invigorating tonic and stimulant, which acts directly upon the tissues and quickly kills the disease germs. Duffy's Pure Malt Whiskey enriches the blood, stimulates the circulation, strengthens the heart and brings into play the nerves of the body, brain and muscles. It cures dyspepsia, nervousness, malaria, chills and all low fevers. It keeps the young strong and the diseased conditions from whatever cause. It is a promoter of long life—makes the old young and keeps the young strong. Duffy's Pure Malt Whiskey contains no harmful or injurious elements. It is recognized by the government as a medicine. This is a guarantee.

get the genuine. Unscrupulous dealers, who, in preparation, will try to sell you cheap imitations and malt whiskey substitutes, which are put on the market for profit only, and which, far from relieving the sick, are positively harmful. Demand "Duffy's" and be sure you get it. It is the only absolutely pure Malt Whiskey which contains medicinal, health-giving qualities. Duffy's Pure Malt Whiskey is sold in sealed bottles only; never in flask or bulk. Look for the trade-mark, the "old chestnut" on the label, and be certain the seal over the cork is unbroken. Beware of red-tape bottles. Sold by all druggists and grocers, or direct, in a bottle. Medical booklet free. Duffy's Malt Whiskey Co., Rochester, New York.

November 4, 1903. Over \$30,000.00 in salaries was paid in one week to stenographers placed in positions by our Employment Department. We can place in a good position every competent stenographer and typewriter who will apply to us. The demand is greater than the supply, and is constantly increasing. We want more good operators. Smith-Premier operators are always in demand, and command the best salaries. THE SMITH PREMIER TYPEWRITER CO. Cor. 17th and Farnam Sts., Omaha, Neb.

MEN! Come to our office and I will make a plan to cure them. EXAMINATION OF your ailments FREE OF CHARGE, an examination that will disclose your physical condition, without a knowledge of which you are groping in the dark. If you have taken treatment or medicine, I will show you why it failed. I want to sell you to feel that you can come to our office freely for examination and explanation of their condition without incurring any obligation to take treatment, unless they so desire. Every man, whether taking treatment or contemplating same, should take advantage of this opportunity to learn his true condition. As I will advise how to best regain his health and strength and preserve the powers of manhood into ripe old age.

It is not so much of a calamity that a man contracts diseases or weaknesses, but that he neglects them—fails to secure the proper treatment for their cure, or he has experimented with too many free treatment and quick cure schemes. We MAKE NO MISLEADING STATEMENTS or deceptive propositions to cure them. IN A FEW DAYS IN ORDER to secure their patronage, but we guarantee a COMPLETE, SAFE and LASTING cure in the QUICKEST POSSIBLE TIME, without leaving injurious after-effects, at the lowest cost possible for HONEST, SK