

The Lancaster Intelligencer.

Volume XIX—No. 31.

LANCASTER, PA., FRIDAY, OCTOBER 6, 1882.

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In our CLOTHING you will find no machine-made button holes, but good, strong, regular hand-made buttonholes. Our Cutters are the most skilled. Our Patterns are the best.

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GLOAKS, DRESS GOODS AND LACES.

We invite attention to our elegant stock of Fall and Winter Garments for Ladies and Children in Cloaks, Fur-lined and Plush-lined Circulars, Seal Skin Cloth Coats, Dolmans, Tailor-made Garments, Fur-trimmed Coats, etc., etc., in all sizes and grades.

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The most attractive collection of Laces in the city.

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No. 25 West King St., Lancaster, Pa.

FAHNESTOCK'S.

NEXT DOOR TO THE COURT HOUSE.

LADIES COATS!
LADIES DOLMANS!
LADIES WALKING JACKETS!
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is now supplied with the largest stock of the above Goods we have ever had, and would wish all to examine our stock before purchasing.

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We all want the best and most economical

STOVES, HEATERS & FURNACES.

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Are SUPERIOR to ANY in the MARKET. Don't fail to SEE THEM and SAVE MONEY. In our ENDLESS VARIETY of OTHER STOVES we HAVE AIMED to have NONE BUT WHAT ARE GOOD, all of which we GUARANTEE.

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CALL AND SEE THEM.

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Water Closets and Bath Tubs,
Iron and Wooden Hydrants,
Plumbers' Earthware,
Gas and Steam Fitters' Supplies,
Gas Fixtures at Reduced Prices,
Plumbers' Supplies, Tanners' Supplies.

SLATE ROOFING. SLATE ROOFING.

No. 11, 12 & 13 EAST ORANGE STREET, LANCASTER, PA.
JOHN L. ARNOLD.

BLACK ON THE MORMONS

A NATIONAL OPPRESSION IN UTAH.

The inequalities of the Edmunds Act—How the Law is Made to Punish Sinners While the Sinners are Proven.

Justice Black's interview with a Press Reporter.

"I do not say that the Edmunds law is unconstitutional, because it defines and punishes polygamy as a crime. The Mormons think polygamy allowed by divine authority, and believe it in some cases to be required as a religious duty, but if the civil government of opinion that it is injurious to society, the chief must be decided by the authorities of the state, not by the decrees of church. Congress and the supreme court have determined it. The Edmunds bill punishes it as a civil offense by a heavy fine and a long imprisonment in the penitentiary, and so deprives to that infamous and degrading penalty of disfranchisement, total incapacity to vote or hold office under the territorial government in Utah, or under the United States, anywhere. You may call that cruel, in its character. No one, I think, will deny that there is some ground of complaint against it on that score. But that does not affect the validity of the law. Congress having jurisdiction over them, it can punish the offenders by hanging or shooting in the most drastic manner. Heavy fines can be imposed. Heavy imprisonment is the hand that is laid upon them, they must submit until it is lifted."

"Then your appeal will be to Congress for a mitigation of the law?"

"No such thing," said Judge Black. "If we could show that this law is unjust, even savage, in its character, it would be more fully to do so with the expectation of moving Congress to pity. That illustrious body, backed by the political piety of the country, would be more likely to increase the punishment than to diminish it; and might find polygamists complicitous to the sin or stratagem instead of the civil death which they must suffer under the present law."

"No, I will have nothing to do with an appeal for mere mercy. It is no use. I might as well argue constitutional law with Grant, or quote scriptures to Ingersoll."

"Then how, or in what manner, will you oppose the law and save the Mormons from its operations?"

Judge Black: "I would oppose the law and save the Mormons from its operations."

"That being the state of the case I do not see where the trouble is."

Judge Black: "I will tell you. Commissioners under the Edmunds law were appointed by the president to go into the territory, take charge of the elections and see that the laws were executed. All election and all registering officers were removed by the act of Congress, with a proviso that their places should be filled by appointees of the commissions. Five gentlemen of very good character accepted the appointments, took the oath of office and drew the pay. But they did not go to the territory or make any appointments until it was too late to hold the annual election for territorial officers, fixed by law for the first Monday in August, and so fell through. It was a shameful dereliction of duty, and might have had serious consequences except for the wise provisions of the law, which declared that all officers should hold their places until their successors were duly elected and qualified. For this reason the default of the commissioners did not produce any dislocation in the machinery of the territorial government. The local affairs of the people have continued to be conducted by agents and officers of their own choice, unless a revolution has taken place since my last services. But an election is to take place in November for a delegate to Congress, and the commissioners are making their preparations to exclude large classes of legal voters from the polls, whereby it may be supposed that a dishonest faction (less than one-fifth of the whole population) will send a delegate to misrepresent the people and do all he can to injure, destroy and slander them. Those commissioners have of their own motion, without authority of any law, and in the teeth of the constitution, established an inquiry into the life of every man and every woman for twenty years back, and devised a test oath to try them. All who decline to swear that they have not married or cohabited with more than one woman at any time in the course of the last twenty years are pronounced guilty of polygamy and forthwith punished for the crime by disfranchisement."

"Does the Edmunds act direct this?"

Judge Black: "No, there is nothing like in the act of Congress—not a word in that direction. It simply says that persons guilty of the crime there defined shall not be permitted to vote or hold office, which means no more or less than this: that any person guilty of the crime, after the date of the act, shall, on legal conviction, suffer the penalty of disfranchisement in addition to imprisonment and fine. To suppose that more was meant is to impute a willful, deliberate and corrupt violation of the constitution, which is the worst kind of perjury that mortal man can lay upon his soul. It is a well settled rule of interpretation that legislative imputation shall ever be made against the legislative department, unless the evil intent be expressed so plainly that no other construction is possible. Neither the Congress nor any other power in this country has the power to take away the franchise of any man more than it can order them to be killed, and Congress did not try to do it. This infamous legislation is the work of the commissioners themselves."

"You ask why it is infamous? That question can easily be answered. The reasons are innumerable. Here in brief are some of them: It is a bill of pains and penalties; second, it is punishment without trial; third, it assumes that all men are guilty who refuse to clear themselves by an expurgatory oath, reversing the rule of evidence which lies at the foundation of civil liberty; fourth, it is a *post facto* in its operation, going back nearly a whole generation to disfranchise people for offenses supposed to have been committed long before there was any law to inflict that penalty upon them by denying these principles. No man shall be bound to testify against himself. You cannot put his conscience on the rack any more than you can break his body on the wheel to extort a confession. All test oaths for punitive purposes or to deprive men of their civil rights are odious and forbidden by every constitution and by all charters of liberty in every free country."

"Does not your prejudice against things of this kind—pardon me, I will put the question in a more complimentary form. Does not your love of equal justice cause you to make your condemnation too strong?"

Judge Black: "No, it is so written in the constitution, and the supreme court of the United States in the test oath cases (Curtis v. Washington) solemnly affirmed every proposition I contend for. So did the supreme court of Pennsylvania in Huber vs. Reilly (3 P. F. Smith). No American court of respectable authority ever disgraced itself by denying these principles."

"To see the iniquity of the commissioners' rule look how it would work in other cases. In some places, where the United States have exclusive jurisdiction, negro concubinage prevails to a frightful extent. Your political metropolis swarms with hybrids, of whom hardly one in a thousand is the offspring of a legal marriage. It is not proper enough to punish this beastly demoralization and pernicious crime with disfranchisement. But could you deprive a man of his right to vote or hold office, unless he swears that he has had no criminal relations with a negroress for a quarter of a century?"

"If the prohibitionist should get a law to disfranchise all who make, sell, or drink strong liquor it would be extremely unjust and wholly inconsistent with the constitution to deprive men of their citizenship who could not or would not take an oath that they had never been drunk or made anybody else drunk by selling them whiskey."

"Election frauds and false returns ought to be punished with disfranchisement. It is the worst species of *crimen falsi*, and most dangerous to public liberty. Polygamy, even as anti-Mormons point it, is an act of white-robed innocence in comparison. But would it do to punish past offenses, and force men by a test oath to reveal their guilt? It would be a horrid prosecution of our great politicians, which they would stand at, to go back upon them only as far as 1876."

"Again: There is an offense now impudently and openly practiced of taxing salaries for political purposes, whereby the high placed man uses his subordinates as mere instruments for getting money out of the treasury, and putting it in a fund which is used to manufacture public judgment and corrupt elections. It is the worst form that public theft has yet taken. It is forbidden by law; but the law is evaded. Now, think of a statute to disfranchise these criminals and all who participate in their guilt; and imagine a commission sweeping out every executive officer who refuses to swear that he has neither done the criminal act himself as yet, nor got a member of Congress to do it for him."

"In truth, this iniquitous rule could not and would not be practiced, or even thought of, against anybody except the Mormons. But very many regard Mormonism as beyond the pale of constitutional protection, and would great any outrage upon them, however treacherous or illegal, with acclamations of applause. I do not ask that they be exempted from punishment for what is a crime in their conduct. But give them a trial and leave them in possession of their rights until they are deprived of them by due process of law. That is only what I would demand for myself, for you, and for all others."

"It is generally believed that polygamist Mormons in Utah are not numerous; that their votes can be spared, and that the great body of the people will in fact support the Mormon cause still outnumber their enemies and have the election their own way." If that be true, will it not come right, notwithstanding the rule of the commission?"

Judge Black: "I cannot speak with accuracy, but I believe that the enemies of free government in Utah are as nearly as possible one-fifteenth of the population. Of the other fourteen fifteenths something above ten per cent. are accused truly or falsely of polygamy. Excluding those last ten per cent. of the people, the people can still beat the immoral faction ten to one. But it is feared that many others will indignantly refuse to take the unlawful oath or their names go upon a registry from which the faithful citizens are unjustly excluded. Besides, the party is strengthening itself with recruits from the vilest dens of infamy; for instance, the keeper of a large and notorious house of ill-fame and all the inmates of her establishment are already registered, and the government is doing its utmost to gain unlawful exhalation, so that the votes of them and their male customers are received with all the honors, while married people are excluded, simply because they are married according to the law of God as they have it. The result is that the commission is returning board and some natural terror is felt lest the foul job be ended by a false return."

"Again, I say, these commissioners are, or were when appointed, men of excellent reputation. Their exceptional integrity and ability could hardly have been found in the Union. To me it seemed a more matter of course that they would perform with perfect fidelity the simple duty assigned them of holding the elections according to law. I could not anticipate that they would write with the enemies of the people to deprive them of their legal franchises. I would as soon have suspected them of joining James and his gang to rob the express train."

"Do you mean to say that others have evil designs upon the people of Utah which this conduct of the commission will promote?"

Judge Black: "Yes; there is a life and death struggle going on between the people who are trying to save their rights of local self government and a crew of greedy crooks who are striving every nerve to take it from them. Let me explain: The settlers who went there in 1847 became organized under a territorial government which gave them all the privileges of a free community, with a Legislature of their own to make the laws, and with officers of their own choice to manage their local affairs. They exercised this power with so much prudence that the community grew and prospered exceedingly. Their industry and frugality were so universal that extreme poverty became a thing unknown. Their ways were ways of pleasantness, for they did justice and administered charity, not only to one another, but to all who lived among them and the stranger within their gates. Leaving polygamy out of the question the statistics show them to be the most honest and upright people that ever colonized a new country on this continent. They had great natural difficulties to overcome. The valley of the great Salt Lake, when they went to it, was an arid desert barren that Colonel Burcheswell would first, said would give \$1,000 for the first bushel of wheat that could be grown there. But by a system of irrigation, admirably organized, established by enormous labor, and maintained by incessant vigilance, together with steady and skillful cultivation they have made it a goodly land of fruitful farms and thriving towns. This great result could have been achieved only by a free people protected by laws of their own making, administered by officers of their own choice. To take from them their right of local self government would be a visitation upon them worse than a general conflagration."

"How could a change in their government produce such a disastrous effect?"

Judge Black: "I will tell you in a moment. But just now let me show you how the evil thing is threatened. The governor and other Federal officers, and a few more who back them, have for years made no secret of their desire to clutch the territorial government. Early in the last session they lobbied for an act of Congress authorizing them to seize it. But they failed entirely. After the Edmunds bill, and after the commission by its neglect of duty had broken down the

August election, they got an amendment struck into the appropriation bill and passed through the Senate in utter ignorance of the situation. But that, too, was an abortion, for it did not give the much-coveted power. Since that time (only a few days ago) the governor has issued a proclamation declaring his intention to throw out 105 of the people's officers, and naming the persons whom he will put in their places. This, as a grand *coup d'etat* which if it succeeds, will make the whole territorial government the prey of the spoiler. He and his associates, in the integrity will annihilate the power of the people to govern themselves so as to manage their own affairs in any particular. Controlling the local magistrates, the sheriffs and constables there will be no check upon their capacity. Owning every assessor, collector, treasurer and all custodians of public money, they will revel in plunder. No man's rights or property will be secure, and no man can safely follow any business but that of theft. To frame excuses for these acts of oppression they will invade the privacy of families; kitchens and bed-chambers will be watched by eavesdroppers and visited by hireling spies or lying delayers. A vulgar despotism like that would be a measureless calamity to any community which it might be imposed. To Utah it would be fatal. She cannot stand what South Carolina did. No ten years of gross stealing can be found there."

"Why do you believe that such terrible consequences will follow the governor's success in this movement? It seems to me hard and harsh to denounce them in advance."

Judge Black: "I can only judge of the future by the past. I expect these persons to act after their kind. All men who by force or fraud ever got possession of such power have abused it most atrociously, and one act is followed by another. Whenever an imperial government has sent its agents upon an outlying province to control it without regard to the rights, feelings or interest of the people, plunder, oppression and cruelty have gone with them. I regret that the best of us have had years of suffering. Our fathers asserted it in the Declaration of Independence, and if you want more recent proof look at the unspokeable outrages perpetrated upon the South by the carpetbag ferals. All the thinking men know it is a maxim that the refusal of local self government, or home rule, to any state or territory means the denial of everything which is honest or just. Besides this general principle there is a special reason for distrusting these federalists in Utah. The man who leads them is the same governor who, less than a year ago, solicited and filed the election of a candidate for delegates to Congress, though he knew him to be defeated by more than fourteen to one. I venture to say that, take it altogether, this is the most unprincipled raid that has been made upon the liberties of any people in modern times."

"Can you not stay these proceedings by an appeal to the courts for an injunction?"

Judge Black: "That would be difficult in the courts of Utah. Federal judges have original jurisdiction and could give us relief, but might refuse. They have shown much anxiety to get for the governor the power that he is now exercising without authority, and possibly his usurpation has been aided by them. If that be true they are more likely to restrain him. We can take an appeal from any unjust decision they may make, but we could not be heard in the United States supreme court for a year or two, perhaps. In the meantime the Mormons might be driven out of Utah, wiped out clean and driven into the sea. We must have a shorter and perhaps a sharper remedy for that. I hope the president will immediately, or in good time, remove the commissioner and all other officers in Utah who give him aid and comfort in his assault upon the people of the territory; and if he does not remove the commissioners he will, at least, compel them to give the people a fair election, and force them to cease playing into the hands of their enemies. I have faith enough to believe that the administration in Washington will act conscientiously, and with a desire to preserve, protect and defend the constitution and see the laws faithfully executed. If we are disappointed there is nothing left but the impeachment of the governor and commissioners both. There is good prospect for a somewhat heavy contest. May God stand up for the right!"

"Do you think more?"

"Are you not aware that the religious people of all denominations in this country and in Europe are strongly prejudiced against the Mormon doctrine of plural marriages?"

Judge Black: "I know that nearly all Christians and women condemn it, because they conscientiously believe it to be inconsistent with the teachings of the New Testament and the gospel as preached by the apostles and settled by the councils of the church. Their reason and knowledge bring them to the conclusion that polygamy is a feature of Asiatic manners which is wholly unsuited to America and Western Europe. They believe it not only a sin but a great evil in its effects upon society. I do not call that a prejudice; it is an honest conviction. It is an honest conviction which respects the rights of good people through their intellects. But the citizens who feel this sentiment most strongly are possibly those who will be found most anxious to secure the Mormons their constitutional rights. No how for plunder, no outcry for blood were they not so. They do not even say, 'Stand aside, I am not holier than thou.' It is the infidel who believes in nothing, and the political preacher, who has no gospel but his maw. They would perjurely trample down all law to get at the Mormon or anybody else, that has goods or chattels, lands or tenements. Do not suppose that I have any fault to find with honest people who desire to suppress polygamy by legal and constitutional means."

"Cool Oil or Petroleum may be very nice for illuminating or lubricating purposes, but surely it is not the proper thing to be coughed with. Dr. Bull's Cough Syrup is looked upon as the standard cough remedy."

There is an Eastern proverb which says: "Only two creatures can surmount the pyramid of the east—the snail and the tortoise." There is a Western proverb that says: "Hunt's Kidney Cures is the nature of both eagle and snail." It is held in its right like the eagle, even attacks Bright's Disease, and restores to normal the kidney disease, however aggravated. The story of the cure will amply demonstrate that it will make a large volume. Remember the one great liver and kidney medicine of the age. —Oct 10, 1882

*"Many silly people despise the precious, not understanding it." But no one despises Kidney-Wort after having given it a trial. They have need agree that it is the best medicine known, its action is prompt, thorough and lasting. It takes pills and other mercenary means which poison the system, but by using Kidney-Wort restore the natural action of the organs.

*"No woman really practices economy unless she uses the Diamond Dyes. Many dollars can be saved every year. Ask the druggist."

Indigestion, dyspepsia, heart-burn, nausea etc., cured by using Brown's Iron Bitters. Sold at H. B. Cochrane's drug store, 137 North Queen street, Lancaster. 05104W 4

The Invaluable Cellulose Eye-Glass frames, have reached the topmost wave of popularity. without a competitor, defying competition, and the popular verdict is that they are the handsomest and greatest success. For sale by all leading Jewelers and Opticians. 05104W 4

After Eight Long Years.
C. C. Jacobs, 75 Folsom street, Buffalo, writes that for eight long years he had tried every known remedy to cure him of piles, also had been treated by physicians without success, when he was ultimately cured by Dr. Williams' Pink Pills. For sale at H. B. Cochrane's drug store, 137 North Queen street, Lancaster.

THE REV. GEO. H. TRAYER, of Southport, Ind., says: "Both myself and wife owe our lives to SULLON'S CONSUMPTION CURS. For sale at Cochrane's drug store, 137 North Queen street."

Visible Improvement.
Mr. Noah Bates, Elmira, N. Y., writes: "About four years ago I had an attack of bilious fever, and never fully recovered. My digestive organs were weakened, and I would be completely prostrated for days. After using two bottles of your Burdock Blood Bitters the improvement was so visible that I was astonished. I can now, though 51 years of age, do a fair and reasonable day's work." Price \$1. For sale at H. B. Cochrane's drug store, 137 North Queen street, Lancaster.

NEURASTHENIA and Liver Complaints, with a printed guarantee on every bottle of SULLON'S VITAGIEN. It never fails to cure. For sale at Cochrane's drug store, 137 North Queen street.

Walnut Leaf Hair Restorer.
It is entirely different from all others. It is as clear as water, and, as its name indicates, it restores the hair to its natural color and promotes its growth. It is made from the leaves of the Walnut tree, and its use will immediately restore gray hair to its natural color and produce a new growth. It will change light or faded hair in a few days to a beautiful bay brown. Ask your druggist for it. Each bottle contains one ounce. Sold by all Wholesale Agents, Philadelphia, and C. N. CHUTEKENTON, New York. 104104W 4

MEDICAL

BROWN'S IRON BITTERS.

PLAIN TRUTHS.

The blood is the foundation of life, it circulates through every part of the body, and unless it is pure and rich, good health is impossible. It is the only way to drive it out to purify and enrich the blood.

These simple facts are well known, and the highest medical authorities agree that nothing but iron will restore the blood to its natural condition; and also that all the iron preparations hitherto made blacken the teeth, cause headache, and are otherwise injurious.

Brown's Iron Bitters will thoroughly and gently assimilate with the blood, purifying and strengthening it, and thus drive disease from any part of the system, and it will not blacken the teeth, cause headache or constipation, and is positively non-injurious.

Saved his Child
17 N. E. 1st St., Baltimore, Md., Feb. 12, 1882.

Gents—Upon the recommendation of a friend, I tried Brown's Iron Bitters as a tonic and restorative for my daughter, whom I was thoroughly convinced was wasting away with Consumption. Having lost through protracted illness, under the care of eminent physicians, I was loth to believe anything could arrest the progress of the disease, but, to my great surprise, before my daughter had taken one bottle of Brown's Iron Bitters, she began to mend and now is quite restored to her former health. A fifth daughter began to show signs of Consumption, and when the elder sister was taking Brown's Iron Bitters, responded "that is a good tonic, take it."

Brown's Iron Bitters effectually cures Dyspepsia, Indigestion and Weakness, and renders the greatest relief and benefit to persons suffering from such wasting diseases as Consumption, Kidney Complaints, etc.

For sale wholesale and retail by H. B. COCHRANE, Druggist, 137 and 139 North Queen Street, Lancaster. 05104W 4

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For the Permanent Cure of CONSTIPATION.

No other disease is so prevalent in this country as Constipation, and no remedy has ever equalled the celebrated Kidney-Wort as a cure. Whatever the cause, however obstinate the case, this remedy will overcome it. Acts at the same time on Kidneys, Liver and Bowels.

This distressing complaint is very apt to be complicated with other affections. Kidney-Wort strengthens the weakened part and quickly cures all kinds of Constipation, even when physicians and medicines have before failed.

Is it held in its right like the eagle, even attacks Bright's Disease, and restores to normal the kidney disease, however aggravated. The story of the cure will amply demonstrate that it will make a large volume. Remember the one great liver and kidney medicine of the age. —Oct 10, 1882

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THE LATEST STYLES OF
Suitsings and
Overcoatings

MERCHANT TAILORING
THE LATEST NOVELTIES IN
GENT'S FURNISHING GOODS,
Underwear, Neckwear, &c.,
OF OUR OWN MANUFACTURE.
We now have as full and fine a stock of
Men's, Youths', Boys' & Children's
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as has ever been shown to the people of Lancaster and vicinity. We have sizes and quantities to suit all. Our prices cannot be equaled. All we ask is to call and convince yourselves.

Hirsh & Brother,
Penn Hall Clothing House,
Nos. 2 and 4 NORTH QUEEN STREET,
and 6 and 8 PENN SQUARE.

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