### THE SCRANTON TRIBUNE-FRIDAY, JULY 22, 1898.

### **NO WATER IN THE** THIRTEENTH'S CAMP

### WELL BEING DRIVEN HAS NOT · REACHED A YIELDING POINT.

Boys Suffered from Thirst-Arrangements Being Made to Cart Water Into the Camp from the Adjoining Farm Houses-Private Christian Evans Is Improving-Lively Skirmish in Company F Street That a Court Martial May Be Asked to Investigate.

Special from a Staff Correspondent. Camp Alger, Dunn Loring, Va., July 21.-Somebody ought to take somebodies aside and tell them something. There is a large-sized weak spot somewhere in some high place in this corps. Such mismanagement as that which has the Thirteenth suffering the pangs of feverish thirst this afternoon is deserving the investigation of a court-martial. The regiment came here under protest from Lieutenant Colonel Mattes. He rode over Monday evening and finding that there was no water available, called the attention of corps headquarters to the hardship that would undoubtedly ensue. Corps headquarters said, "Go ahead, the water question will be solved."

The regiment went ahead, but the water question has not been solved. The well is down 125 feet, but not a drop of water is forthcoming. The Eighth's well is of none too great camacity for their own needs and very rightly Colnel Hoffman has refused to allow two regiments to drain upon it. The consequence is that the Thirteenth's men are without water and have been that way all day. Lieutenant Cox has just succeeded in securing two teams and has dispatched them in charge of non-coms to forage for water among the surrounding farms.

To make matters worse, some short-sighted dignitary has ordered that the sutlers cease selling stuff to the priwates. During the early morning the men quenched their thirst with soda water, but after the order closing the sutlers' tents to enlisted men went forth the only way the men could get a drink was to walk to some adjacent farm house for it.

### HE WILL RECOVER.

Private Christian Evans, who was injured by running against a bayonet, Wednesday night, is reported to be improving at Fort Myer hospital and there are now strong hopes that he will recover.

Company F's street was, last night, the scene of the first sanguinary engagement of the present war in which the Thirteenth was a participant. Corn whiskey was smuggled into the street during the early evening and when it commenced to get in its work there was trouble. This is the stuff that southern lynching bees fire up with. It is bad stuff, bad in every sense of the word. Its effects are also bad and in last night's incident there was no exception to the rule. There was a sort of running fight all along the line, which after an hour or so assumed such proportions as to demand the interference of the officers. Things quieted down for a time, but

about 10 o'clock the corn whiskey commenced to get in its aftermath effects

Blanchard. Major Parke has selected Hospital Orderly Walter Schmitt as his orderly. Private Friend B. Gilpin, who recently enlisted in the hospital corps, is acting as Major Keller's orderly. All these orderlies are mounted. First Sergeant Biesecker and Private Kellerman, of Company B, are back from a week's furlough. Private Norman H. Parke, of the

Governor's troop, is home on a week's visit.

Private Harris, of Company B, who shot himself in the foot last Thursday was able to be about on crutches yesterday. The bullet has not been extracted and the surgeons say it will not be necessary to do so. The Women's Rellef association, of Shippensburg, presented a silk flag to

the Eighth regiment yesterday. At the request of a committee of ladies who brought the flag to camp, Colonel Coryell, of the Twelfth nfade the formal presentation. T. J. Duffy.

THE BAKER FORTUNE.

### Heirs of the Estate Are Made Aware That the Philadelphia Fortune is a Myth

Pittsburg, July 21.—In connection with the report that \$10,000,000 is ready to be distributed among the Baker heirs the following abstract from the adverse report made to the Beaver. Pa., contingent to the "Baker heirs" association" will be of interest. The report is made by W. H. S. Thompson and Charles R. Eckert, who spent considerable time in Philadelphia investigating the matter. The report says:

In connection and co-operation with At-torneys F. M. Stoner and R. M. Ewing, of Fittsburg, representing certain of the Baker heirs, was made a very careful search of all the records in the county of Philadelphia which might in any way throw light upon the estate in question. We were greatly assisted by H. J. Miller, an attorney of Chicago, who claims him-self to be in the line of inheritance, and who for a money consideration which we paid him, laid before us the result of his search, extending over many months. We were directed by you to turn our at-tention more particularly to an estate in lands which were said to be held under lease for ninety nine years, which lease had not long ago expired, and also to an alleged fund held somewhere in trust for the Baker heirs and which had accurate

lated for a long period of time. As to the latter we may say that we find no reference of record anywhere in-dicating the creation or existence of any such trust fund. Since our return from Philadelphia we learned from Mr. Miller that certain old mortgages held by Henry Baker had been paid into court to await

the satisfaction of the heirs. Messrs, Stoner and Ewing have since gone to Philadelphia to investigate this

particular natter, and find that, instead of the money having been paid into court, the mortgages were satisfied by proceedings under the act of assembly to have them legally satisfied of record. As to the alleged lease, there is no lease of lands in any of the Baker names justi-fying in any way the numerous reports which have been published in relation

thereto. The Baker heirs are scattered all over the United States and Canada and considerable interest is everywhere manifested in the course of investigation. The conclusions of Messrs. Thompson, Eckert, Stoner and Ewing co-operating in the investigation, but proceeding on independent lines in the matter of their employment, practic-ally establish that a number of persons scattered over this broad land, and harboring a delusion in the matter of coming into possession of a considerable section of the city of Brotherly Love or fingering millions of its dollars.

MAYOR USES HIS POWER OF VETO

### [Concluded from Page 5.]

or raising the same even though the sidewalk is undisturbed. The Supreme court in an opinion hand-ed down yesterday reversed the lower court in the case of John Jermyn against the city assessors and the board of re-vision and appeals. This establishes the validity of the act of 1895 by authority of which the board of revision of taxes and appeals is constituted and in pursuance of which Mr. Jermyns assessment was increased.

### MEETING OF COMMON COUNCIL.

Solicitor Says the Contemplated Street Railway Tax is Illegal.

City Solicitor McGinley delivered a chockout blow last night to the ordinance introduced last May in common council providing for a tax of \$300 a mile on street railways. While his opinion was being read there was so much noise that it was difficult to hear It was read a second time to give Messrs, Gilroy, Coleman and Grier a better understanding of its tenor and effect. It was as follows: To the Hororable the Members of the

Common Council of the City of Scran-Gentlemen: As to the legality of ordi-

nance, file of common council No. 25, 1835, "providing for the levy and collection of license tax on iron and steel rails of street railways and other companies in and upon the streets and highways of the city of Scranton.' I would respectfully submit that said bill would be illegal and noperative.

All property which is indispensable for carrying on the business for which a company is incorporated, and which is represented by the capital stock of that corporation, is exempt from local taxation, excepting such property as may be specified by statute or within the prov-

Ince of police regulations. In the case of the city of Scranton against the Electric Light and Power company, where an effort was made on the part of the city to tax the property the part of the city to tak the property of the light company, Judge Archbald, in rendering the opinion of the court, stated "the capital of a corporation may be taxed but not the property covered by it, where that property is essential to carry out public corporate purposes. This finds familiar examples in the railroad tracks, depots, machinery, engines, etc., of a railroad company; the canal locks and gate keepers' houses of a canal; the road bed and gate houses of a turnpike; or

the steamers, wharves and warchouses of a steamship company. OPNION QUOTED.

In the case of the People's Street Railway company against the city of Scranton, year 1883, being an appeal from the assessment by the board of revision and appeals of \$13,000 upon the railway tracks and turntables of the street railway com-pany, the court said: "The plaintiff is a public corporation. Such of its property, real and personal, as is necessarily pertinent to its public works, indispensably necessary to enable the corporation to fulfill the purposes for which it was char-

tered, loses its specific character in houses, lands, etc., so far as the laws regulating taxes are concerned and is recognized as simply part of that unity which is governed by the corporate franchise, and taxed directly by the com-monwealth. The question is not of exemption from taxation but as to the manner of taxation. The railway tracks and turn tables of the plaintiff are, we think, clearly within the rule as above stated and not liable for assessment for municipal purposes. The \$13,000 assessed against the plaintiff for this property should be striken from the assessment. The property the striken from the assessment. The proposition of law involved in the

bill being considered by your body has been passed upon by the lower and appellate courts very frequently in the past fifty years See Northampton county vs. Railway Company, § C. C. 442; 1 Weimer **EXAMINING THE BIG RESERVOIRS** 

### [Ceveluded from Page a.]

ment and impurities that go to the bot tom of the reservoir are carried off When it is desired to clean the reservoir this large pipe is opened and the suction draws off the sediment, etc. Soon after leaving Elmhurst for the Williams' Bridge reservoir the party entered the system of roads that the Gas and Water company has for several years been constructing through its mountain lands. Up to date fourteen miles of the finest maca-

damized driveways have been made and about four miles more will be constructed before the system is completed. A large force of men is kept

constantly at work constructing these roads. They are progressing at the rate of 300 feet a day. Near the Williams' reservoir is i large, stone crushing plant where the broken stone for the macadem is obtained. When Superintendent Reeves was asked yesterday why the company had built this extensive and expensive system of drives, he replied:

GIFT TO SCRANTON.

"Well, the company owns this land and we have to drive through it a great deal. W. W. Scranton, the president of the company, saw that we must have roads and decided that they should be good ones and be a free gift to the people of Scranton. Incidentally,I might say that the fact that Scranton has had practically no nice drives had something to do with inducing Mr. Scranton to build these roads in the shape you now see them." Whatever the incentive Scranton has been supplied with fourteen miles of the finest drives in the country through mountains of unrivalled picturesqueness.

The Wildams' Bridge reservoir is on the Stafford Mercow brook and can store three Lon red and firty million gallons of water. The water that does not go through the pipes to the high service reservoir at Dunmore passes down the natural channel to the reservoir which supplies South Scranton. On the Stafford Meadow brook a mile south of Williams' bridge is the site of the Dagen farm reservoir which will be the largest owned by the company. It will have a capacity for storing twenty-five hundred million gallons. There is a depression of the land

on the Dagen farm which makes it a natural reservoir. The water will cover two hundred and twenty-five acres of land and will be 68 feet deep at the dam and have an average depth of thirty fest.

The lake that will be formed will be one of the largest in Peansylvania and although somewhat semi-circular in shape will admit a mile and one-half straightaway course for a boat race.

DRIVEWAY AROUND LAKE. All around the edge of this reservoir driveway is already constructed. It is five and one-half miles in length. Some idea of the immense dam that is required to hold this vast body of water in check may be obtained from the following facts: It is the largest dam in Pennsylvania; it has upwards of forty thousand square yards of masonry in it; it was begun three years ago by Burke Brothers and will not be completed until next November, although work has been prosecuted on it as rapidly as possible during the eight months of the open season each year. The dam is about five hundred feet long. Three hundred of this is of solid masonry fifty-six feet thick at on Pennsylvania Corporations 656; Spring Brook Water Supply company vs. C. H. Two hundred feet of the dam consiste the bottom and 12 feet at the top. He and Peter Judge were together of a core wall eighteen feet at the around town drinking during the early bottom and four feet at the top. This part of the night, according to the wall is flanked on either side by great story given by Judge to the police, and banks of earth which will be rip-ripthey wandered to the upper part of ped. Lackawanna avenue, and turned down The boulevard around the reservoir behind the Chemical's quarters to find will pass over the top of this dam on a place to doze a few hours. The a series of ornate arches. first thing Judge knew, the sound of The spillway from this reservoir is a rushing train and the screams of a some distance east of the dam and man filled his ears. He rubbed his the water will be discharged into the eyes, and the fact dawned on him that basin of a stream long dry. Over his companion was hurt. this spillway the company has con-He went out on Lackawanna avenue structed an iron bridge at a cost of and ran till he met Patrolman Johler \$4,000. It is expected that this reserwhom he informed of what had hapvoir will be filled with water by next pened. The Lackawanna hospital am spring. Pipes in the filters at the dam bulance was sent for and arrived. Dr. will admit of water being discharged Newbury could not obtain any infor into the Stafford Meadow brook from mation from Judge about the injured the top, center or bottom of the dam man, nor would he tell his own name. This water will pass down to the reser-Consequently he was arrested and voir lower down in the stream which taken to the Center street station. supplies the South Side.



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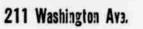
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HIS LEFT ARM CUT OFF. FLOREY & BROOKS THIRD NATIONAL BANK Michael Duddy, of Minooka, Had His Arm Run Over While He Was Asleep on the Railroad.

Michael Duddy, of Minooka, while lying asleep at midnight on the Delaware, Lackawanna and Western railroad in the rear of the Phoenix Chemi cal company's quarters, had his left arm cut off near the shoulder. He was dragged several feet by the train and his clothes show that he had a very narrow escape from being mangled to ath



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OUTLOOK FOR PEACE.

de of the victims started on for blood. One of them, Private John Walch, ran amuck through the stree looking for the man that had struck him during the earlier fight. Private Harris, one of the smallest men in the company, looked to Walsh to Le about the rize of the game he was after and coming upon him while he was recluning in his tent dealt him a vicious kick in the head. In a moment there was a riot. Harris after recovering from the stunning effects of the blow, seized his bayonet and made for his assailant. He was just in the act of making a ferocious lunge at Walsh wher First Sergeant Freeman grabbed hun and knocked aside the bayonet which was within a few inches of Walsh's breast.

### PEACEMAKERS WON.

By this time about half the company was engaged in the melee either as belligerents or peacemakers. After a ten-minute struggle the peacemakers gained the upper hand and the officers were congratulating themselves that the excitement had subsided when Walsh, who is evidently an epileptic, fell in a fit, induced, no doubt by the excitement, and for another half hour it required the combined strength of ten men to keep him from disrupting the rgiment. The surgeons were summoned and with their little injectors and a pinch of morphine quelled all the excitement in short order. Harris and Walsh were taken to the hospital for treatment. Harris' worst injuries were a lacerated ear and sprained ankle. A court martial will likely look into the affair.

The two battalions of the Thirteenth were the opposing forces in an interesting and exciting sham battle this morning. They left camp at the same time, one going to the east and the other to the west, striking into the woods and then advancing towards each other on the north side of the camp. The main object, as agreed upon, was to catch the opposition in an exposed position. Major Wood took a stand on the edge of a thick woods overlooking an open field and awaited the coming of Major Stillwell's men. The latter fought their way through an almost impenetrable succession of blackberry trochas and secured an ideal position in a brush-covered gully paralleling the the woods where the second battalion was concealed.

The main bodies and the squads deployed as flankers blazed away at each other with blank cartridges for about an hour and enjoyed it hugely. It was the first time that many of the men even fired a gun.

Burson Bevan, a former member of Company A, is the guest of Adjutant Walter Gunster.

Principal Musician John Hayes is back from his furlough and has resumed command of the musicians, relieving Bugler Emmet McDermot,t and principal musicians were away.

The first visitors to, the new camp were Thomas Kilrow, of Great Bend, and Register of Wills Samuel Wright, of Montrose, who ran down from the Republican state committee meeting in Philadelphia to see the Susquehanna boys in the Thirteenth.

#### PERSONAL GOSSIP.

Private Jacob L. Moser, of Company B, has been detailed from the divihospital corps as orderly to Dr. The only Fulls to take with

No Hope of Overtures From Spain Yet, Washington Thinks.

Madrid, July 21.-2 p. m.-A news-aper here today publishes a statement from a cabinet minister, who says he is absolutely ignorant of any peace negotiations. He added that if there are overtures they will be made to the minister for foreign affairs, Duke Almodovar de Rio, and that Senor Gamazo, the minister of public instruction, will be charged with the negotia-Washington, July 21 .- Without any

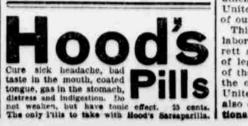
very tangible reason there has been a notable diminution of the optimistic expressions among officials to the effect that an early peace might be looked for. Possibly the temporary depression is explainable by the fact that private advices, entirely unofficial in character, from sources of information in Europe, indicate that the situation in Spain is such that there is no pres-

ent hope of overtures from that government, which is apparently in the most exasperating ignorance of the condition in America. It is apparent to the officials that

the peace party in Spain feels itself too weak to insist upon demanding peace. It is probably working in a quiet way to educate the Spanish people up to the point where they can contemplate with resignation the acceptance of the minimum peace conditions that might be expected to form the basis of the United States' demand. If the dominant party in Spain is under the impression that the United States proposes to denude Spain of all or almost all of her colonial possessions, it might he conjectured easily that it would

favor a protracted resistance, being convinced that it had little more at stake and relying on the European powers to protect the peninsula itself. The warning notes from Europe, conveyed through reputable newspapers, that the United States is not to be allowed to conduct a compaign in Europe, are interpreted in some quarters as really the only hopeful signs looking toward the beginning of peace negotiations. Bearing in mind the well recognized reluctance of the European nations to allow any interference with the balance of power in Europe, it is assumed that the neutral nations may now be spurred on by knowledge of the approach of Watson's eastern squadron, to make the strongest representations to Spain in the direction of peace. But regardless of the success of the expedition from this point of view, it is still the stead-fast purpose of the administration to

send a squadron to European waters, It feels justified in undertaking that because the notion prevails that the war can be terminated only by striking a blow at Spain direct, and the United States is not disposed to recognize the right of any country or combination of countries to prevent it who wore the sword while the chief from seeking the enemy where it is to be found-in this case in Spain proper.



Schadt, county treasurer, 3 Lackawanna Legal News 170; Railroad vs. Berks county, 6 Pa. 70; L I. & C. Co. vs. Lu-zerne county, 42 Pa. 424; St. Mary's Gas Co. vs. Elk county, 168 Pa. 401; Railroad vs. Venango county, 183 Pa. 615,

DECISIONS REVERSED. Judge Rockefeller in the case of North. amberland county against the Philadelphia and Erie Railroad company, review-ing the decisions, concludes that the indispensable works of a public corpora-tion are a part of its corporate fran-chises and therefore taxable by the commonwealth as stock: that railroad tracks, laid down and used, are ordinarily and properly pertinent and are a portion of the public works of the corporation, that they are essential for the proper performance and enjoyment of the franchises of the company; for the exercise and due execution of its corporate rights and privileges, public functions and du-ties, and are therefore exempt from taxation for local purposes.

The city solicitor communicated also the fact that the viewers appointed to assess the benefits and damages of Section C of the Fifth sewer district has estimated the cost of the sewer at \$9,350, of which sum \$7,480 is assessed to abutting property owners, and \$1. 870 to the city. If no exceptions are filed the report will be confirmed finally in thirty days.

A third communication was received from Mr. McGinley asking for instructions whether or not to appeal to the Supreme court from the peremptory mandamus directed by Judge Edwards to City Controller Robinson to certify the contract for the South Side sewer. The communication was ordered filed. DAMAGES AWARDED.

The ordinance awarding \$650 to Thomas B. Jackson for his property on Monsey avenue, which was damaged by the sewer overflow, passed third and final reading. The bids for the con struction of the pave on North Main avenue were received and referred to committee without being read. Ordinances on first and second read-

ing were: Providing for a flagstone sidewalk and gutter on Prospect avenue between River and Beech streets; an ordinance providing for the construction of a sewer on Wheeler ave nue from Vine street to a point 170 feet north of Gibson; an ordinance providing for a flagstone.

### UNCONSTITUTIONAL LAW.

A Test Case From Juniata is Heard

at Philadelphia. Philadelphia, July 21 .- Chief Justice Sterrett today delivered the opinion of the Supreme court in the case of the Juniata Limestone company, limited, against Millard H. Fagley. This was an appeal by the defendants from the umon pleas court of Blair county which court held that the Act of June 15, 1897, entitled an act regulating the employment of foreign born, unnatural ized persons, to be unconstituional be-cause it offends against the fourteenth amendment of the constitution of the United States and Section 1, Article 9

our own constitution. This act was known as the alien labor tax law, and Chief Justice Sterett says it belongs to a vicious class of legislation and affirms the decision of the lower court, quoting largely from the opinion of Judge Acheson, of the United States circuit court, who had also declared the act to be unconstitutions!

TUNNEL BEING BUILT.

At the opposite end of the reservoir from the dam is the end of a tunnel 2.800 feet long through which large pipes will carry the water to the No. 7 reservoir. Work on it is now in progress. It will thus be seen that

the water can be diverted in two different directions, to the South Sid or No. 7. This reservoir was planned and is being constructed under the disection of W. H. Marple, the engineer of the company.

After the inspection of the site o the United States army at Tampa. Dr. the new reservoir the party lunched Newbury ordered a priest for him, benearby in a pretty grove which at the cause he had lost a large quantity of suggestion of one of the members of blood and the shock was an intense the board of health was christened one.

Reeves' grove, in honor of Robert Reeves.

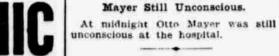
Mr. Horn made a short speech in which he said the water company was deserving of every credit for the enter prise and thoughtfulness shown in planning for the future and for the alacrity with which it co-operates with

the board of health in guarding the the death of his father-in-law, Fred purity of the supply. On the way home the party stopped at the distributing reservoir on the

Stafford Meadow brook which supplies city. He was 73 years of age and lived a great portion of the South Side in East Fifty-sixth street. The fu-Jugfulls of water were taken from neral will take place Sunday morning each of the reservoirs and they will from the Masonic temple in New York be sent to Philadelphia for a chemical Mr. and Mrs. Robinson will leave this

analysis.

painful, and almost distracted me. I tried CUTIONA REMEDIES. The ECZEMA rapidly disappeared, and I am well, with no trace of Guy culaneous discuss. J. EMMETT REEVES, Feb. 22, 1898. Box 125, Thorntown, Ind.



morning for New York.

city.

injured Duddy.

#### Lightning Causes Fire.

DEATH OF FREDERICK SPEISS.

Was the Father-in-Law of ex-Sheriff

Charles Robinson.

Ex-Sheriff Charles Robinson receiv-

ed a telegram yesterday announcing

erick Speiss, at his home in New York

Mr. Speiss had many friends in this

Philadelphia, July 21.-The wholesale bakery of Harry Waulkin, at Mitcheli street and Green Iane, Roxborough, a suburban section of the city, was struck by lightning tonight and caugh: nre. The building was almost entirely destroyed causing a loss of \$25,000, partly covered by insurance. During the storm a num ber of places were struck by lightning and slightly damaged. Several persons were also severely shocked. lotions, but received little relief. At times, the dreadful itching became almost intolar-able. When I was heated, the Eczema became

Becker Wins. Troy, N. Y., July 21.-Larry Becker, of Bayonne, N. J., got the decision over Jim McKeever, of Philadelphia, in a hotly contested ten-round bout at the Man hattan Athletic club tonight. Becker Becker hU was the aggressor from the start to the finish. Jim Gorman, of Troy, challenged the winner and the challenge was accepted



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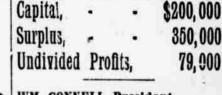
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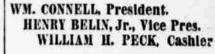
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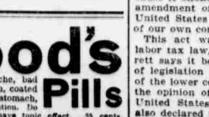
Real estate bought and sold, houses rented, rents collected on low percentage. Money placed on first and second mortgage. Houses and lots bought, sold and exchanged, conveyancing, will, mortgages and deeds drawn. Leases and contracts drawn while you wait. Partnerships cf-fected, stock companies organized on patents, plants, quarries, mines, professions or business. Charters obtained. Capital stock increased. All legal mat-ters given strict attention and speedily and properly executed. James Mahon, J. C. Densten, Mahon, J. C. Densten, Attorney at Law, Student at Law

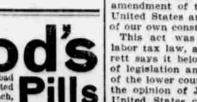
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and the second and the

CURED BY CUTICURA I was troubled several years with chronic Eczema, on my head and faco. I took medi-cal treatment from two doctors and several