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THAW CASE IN OITAWA PARLIAMENT

Dr. Charles C. Wagner of State Hor pital For the Insane Testifies That Slayer of White Was Crasy at Time of Tragedy.

NEW YORK, Feb. 12.-It has been learned here that President Roosevelt has officially asked Postmaster General Cortelyou whether it is feasible to bar from the mails the papers that to these features of the question, and publish the full disgusting particulars it was amended to embrace the eviof the Thaw case and requesting that closed to them as soon as possible.

Mr. Cortelyou is now waiting for a

President Roosevelt has received a prohibited transmission through the gram from a newspaper, the name of Insane will be the next witness for which was not given out at the White | the defense.

The recent discussion of the question in Canada, notably in the Canadian parliament, and the statement of the postmaster general at Ottawa, who was reported to have said that any newspaper publishing such evidence as that given in the Thaw case last Thursday would be guilty of a mis-

covering every detail of the testimony of Madison Square Garden.

Dr. Wagner stepped aside for later cross examination by District Attorney

The taking of Dr. Wagner's opinion of a hypothetical question, the man under consideration being the author of the letters which have been introduced as emanating from Harry Thaw during the period of his estrangement with Evelyn Nesbit after their return from Europe in 1903, followed a day of almost continuous legal sparring be-tween Delphin M. Delmas for the defense and Mr. Jerome for the prosecu-

Mr. Jerome effectually blocked the by insisting that before she should go further competent testimony as to Thaw's unsoundness of mind should be placed before the jury. Mr. Delmas story, but the district attorney was on his feet with an objection to every question asked. Mrs. Thaw had been recalled as the third witness of the day. One of her predecessors was J. D. Lyon, vice president of the Union National bank of Pittsburg, who stated that he had received Harry Thaw's will from the latter's own hands some time prior to April 1, 1906, and had held it in a safe deposit box until late in November last, when he directed his secretary to forward it to John B. Gleason of Thaw's counsel.

When young Mrs. Thaw was called to the stand she was dressed precisely as when she occupied the witness chair last week. As she was taking her seat Mr. Delmas turned to the district attorney and renewed his demand of Wednesday last that the note which was passed by Mrs. Thaw to her husband at the Cafe Martin the night of the tragedy should be produced. Mr. Jerome upon the occasion of the first lemand had remained silent, but now e was on his feet at once, saying be would send for the slip of paper. It was brought and identified by Mrs. Thaw and then read by Mr. Delmas, as follows:

"The b- was here a minute ago, but went out again."

The contents of the note caused a surprise only as to the exact wording. It had generally been supposed that the note read, "The b- is here." Mrs. Thaw testified that "the b-" meant "the blackguard," as Thaw always so referred to Stanford White.

The only other essential point Mrs. Thaw was allowed to bring out in her testimony was the statement that the defendant never carried a pistol cept when in New York city. She was asked many other questions embodying various stories she had discussed with Thaw, including the aleged fate of a girl who was said to have died in an almshouse and known to them as "the pie girl" at the hands of Stanford White, but Mr. Jerome blocked every question with a sustain-

ed objection. After compelling the defense to go into the taking of expert testimony as to Thaw's insanity by his objections to Mrs. Thaw's testimony, Mr. Jerome next proceeded to block the testimony Tombs and his tests as to the latter's who is in New York. mental condition. Dr. Wagner was not allowed to go into the conversation he had had with the defendant nor the conclusions he had reached from these conversations. He was confined to Mr. Jerome's continuous fusiliade of objections to stating what he actually observed, and be declared

his observations were so closely inter-laced with his questioning of the deendant that he did not know if he ould separate them. A long argument over the point resulted in Mr. Delmas withdrawing any further questions as to the tests, contenting himself with asking Dr. Wagner to give his opinion of the hypothetical question covering the evidence in the case. The question was almost record breaking in

length—a comprehensive resume of the entire case, including Mrs. Thaw's personal narrative. In his hypothetical question Mr. Delmas accused Stanford White of having "drugged" the Nesbit girl and of hav ing attempted to renew "communication of relations" with her subsequent to her marriage. Mr. Jerome objected

dence of record as to the disputed If it can be done that the mails be points. It was on the amended question that Dr. Wagner gave it as his opinion that Harry Thaw did not legal opinion from Assistant Attorney know, because of defective reason, General Goodwin of the postoffice de- that his act in killing Stanford White was wrong. Here the expert's direct examination was ended, and he stepped number of protests from persons who aside for cross examination later think that the newspapers printing the When he is taken in hand by Mr. Jefull details of the Thaw case should be rome he will have to give detailed reasons for his opinion. Dr. Evans of mails. One of these was a long tele- the New Jersey State Hospital For the

> A new rule by Justice Fitzgerald barring from the courtroom all women not engaged in active newspaper work went into effect and worked well, as many of those who, bedecked in gay costumes, had occupied fronts seats heretofore were on hand bright and early, but to no avail. The court officers had direct orders this time and obeyed them implicitly

The Wendel Court Martial. NEW YORK, Feb. 12,-At the session of the court martial beld here trying Captain Wendel one of the witcluding Mrs. Evelyn Nesbit Thaw's nesses was Edward Martini, employa company of irreproachable narration of her life history to the de- ed about the battery's armory. He fendant, Dr. Charles G. Wagner, su- said he was hired by Captain Wendel perintendent of the State Hospital For at \$4 a day and swore he paid the capthat the act was wrong when he shot armory at balls and reviews and that and killed Stanford White on the roof two persons outside the battery had stabled their borses at the battery. Charles B. Streibel testified he was emned, he said, until January, 1905.

Wanted to Defeat W. R. Hearst. NEW YORK, Feb. 12.-At the Mc-Carren investigation hearing Senator Thomas F. Grady, as a witness, recited that in 1897 Senator McCarren had voted in committee for the expulsion said in 1879 a similar expulsion was were submitted by a John F. Delaney of Brooklyn alleging that the McCarren forces in Brooklyn had sought the completion for the time being of the defeat of William R. Hearst, Demodirect testimony of Mrs. Evelyn Thaw cratic candidate for governor in the last election.

> Denial From the Vatiens. French episcopate regarding contracts for the churches was not compiled at the Paris meeting, but in Rome, be- peat here." tween the bishops who were delegates from that meeting and the pope. The Vatican affirms that the declaration was compiled in Paris, brought to Rome and approved by the holy see after modification of secondary importance.

The Hague Conference. LONDON, Feb. 12, - Professor de Martens, who is here to canvas the sentiment of the powers relative to the programme of the coming session of The Hague conference on June 15 next held a lengthy conference with Sir Edward Grey, the British foreign sec-retary. He will also see Sir Henry Campbell-Bannerman and Whitelaw Reid, the American ambassador, with whom Professor Martens will discuss the intention of the United States in relation to The Hague tribunal.

Held "Red Legs'" Band at Bay. LEAVENWORTH, Kan., Feb. 12 .-Mrs. Clara Parquette, a Kansas pioneer, who died of apoplexy here, aged eighty-five years, in the border war days held Colonel Jennison and his band of "Red Legs" at buy at Shawnee, Kan., for five hours, giving her husband, a strong antislavery advocate, time to escape.

Bomb For Ex-Premier Witte. ST. PETERSBURG, Feb. 12.-An in house occupied by Count Witte, the retired for the night.

Trial of Steve Adams Opens. WALLACE, Ida., Feb. 12.-The trial f Steve Adams, implicated by the confession of Harry Orchard with the as sassination of former Governor Steunenberg, on a charge of murdering Fred Tyler, a settler, has opened here,

No Trace of Missing Banker. NEW BRITAIN, Conn., Feb. 12 .- No trace had been found yet of missing Bank Treasurer Walker, according to of Dr. Wagner as to the results of his a message received last night at the six visits to the defendant in the Walker home from Mr. Walker's son

John Doe Suit For Ice Trust. ALBANY, N. Y., Feb. 12.-The John oe proceedings to investigate the loss evidence in the Ice case will be brought by the attorney general be-fore Police Magistrate John J. Brady

SAYRE, PA., TUESDAY EVENING, FEBRUARY 12, 1907

Negro Sergeant In Senate on Brownsville "Shooting Up."

SAYS FUSILLADE CAME FROM TOWN

Veteran of Cuban War and Long Service Noncommissioned Officer's Story Makes Stir at Capital as First Direct Evidence.

WASHINGTON, Feb. 12 .- The "shoot ing up" of the town of Brownsville, Tex., was in the form of an attack upon the garrison at Fort Brown, accord ing to the testimony given by Mingo Sanders, former first sergeant of Company B of the Twenty-fifth infantry, before the senate committee on military affairs.

Sanders' story created something of a stir in the committee, as he said that while running from his quarters to ened by the firing on the night of Aug. taking the count each time. 13 the shooting was going on, and it came from the town and was toward over his head. This is the first direct testimony given by any of the discame from the town.

Sanders has served for twenty-five and three years in the Philippines. He said he had never been court martialed, never reprimanded or found fault with to his knowledge. At Brownsville he had a house to the left of company quarters and directly in front of the hospital.

His story of the incidents of the was renewed. It came from the town, New York Tennis and Racket club. the Insane at Binghamton, N. Y., de tain \$2 of this. He thought in all he he said, and bullets were flying thick clared on the witness stand that in his had given Captain Wendel \$986. He and fast over his head. As he reached opinion Harry K. Thaw did not know testified he had seen liquor sold in the C quarters he said he saw that men assembled were excited and shouting to each other.

"I heard some one yell 'Fall in!" he said. "Then some one shouted to get ployed in the armory as an engineer at the guns, and another person answer-Jerome, and as court adjourned it was \$4 a day, \$1 of which, he swore, was ed that they could not get the guns, as ing good coal has given us our repu- announced that the defense would next to go to Captain Wendel. The pay. the racks were locked and the man with the keys could not be found. Then Lieutenant Greer (I knew his voice) said, 'Break those rucks open.' "

There has been a great deal of testimony given concerning the broken behind Goldmate, the favorite, and the exclusion of Japanese coolle labor racks of Company C, but no person had Beau Brummel to the stretch, tired from this country Mayor Schmitz re testified positively before as to the manner in which they were broken. the day, with Goldmate second and of Henry D. Purroy of New York. He that the racks were in good condition five bookmakers did a big business in before the shooting and were broken the betting ring. made by the committee. Affidavits open by the command of one of the company officers.

Continuing his testimony, Sanders told of finding his own company in confusion and of his efforts to straight. fine race and moved up gradually un. ment with the president or for Mr en it out. He said he found some of til the turn for home and under Koer. Roosevelt to modify his views to reach the men down on their knees and that ner's masterly riding came on and out. an agreement with us. The conference others were yelling to put out the lan- gamed his field. Judge Nelson, the was adjourned subject to the call of tern, so that it would not furnish a tar- favorite, could do no better than third. the president." ROME, Feb. 12.-The Vatican auget for persons to shoot at. "I told the tried to carry forward the young wife's thorities deny the statement made by men to stand up and be soldiers and the semiofficial Temps of Paris to the that it was better to be shot in the the men did not stand up I told them some other things I don't want to re-

> On cross examination Sanders said that he could not tell as to who started American, in the fifth round. the firing.

Sanders said that he had nothing to do with the shooting, did not know any one who had, did not suspect any one and had made diligent inquiries among the men to find out from them what, if anything, they knew and had been un able to get any information. He declared that he had not withheld any information and that there was no conspiracy of silence. Sanders detailed an interview he had with General Garlington. He asked that he be reinstated. "The only reason I did not give Gen

eral Garlington information." he said 'was because I had none to give." Sanders, cross examined by Senator Warner, repeated that many of the shots came from the town and said that he had reported this fact to Major Penrose, although it did not appear in his evidence taken by Captain Lyons. Indeed, he said, he had not stated this to any one else until this time. He had not been asked about it and did not volunteer information.

Pire in Waverley House, Charlestown BOSTON, Feb. 12 .- A serious fire broke out in the Waverley House, a family hotel in City square, Charleson ladders by the firemen, and two or March 1 next, the date of the annual fernal machine was discovered acci- three injured women have been sent dentally last night in a chimney of the to the hospital. One man either fell or jumped from a window on the fourth former premier. The machine was story and struck on his head in the timed to explode after the family had street. He was taken to the hospital in a dying condition.

To Bar "Salome" at Cincinnati. CINCINNATI, Feb. 12.-After listening to a fierce denunciation of the grand opera "Salome" the Evangelical cently ordered by the state railroad expedition in search of the south pole alliance of this city passed a resolution to take steps to prevent its proposed presentation in Cincinnati by the Conried Grand Opera company of New York.

A Musician's Challenge. NEW YORK, Feb. 12.-Mme. Alma Normann, a noted pianiste, is playing this week in New York and is offering \$1,000 to any one who can give her music of any sort that she cannot play and sing at sight.

A Shock at Kingston. KINGSTON, Jamaica, Feb. 12. - SCORED THREE KNOCKDOWNS

Honey Mellody of Boston Downer Lewis of New York

William (Honey) Mellody of Boston welterweight champion of the world, last night for the second time within s year proved his superiority over Willie Lewis of New York. Lewis' seconds threw up the sponge in the fourth

The bout was held at the Valley Falls Athletic club and was schedule to go for fifteen rounds for the welter. weight championship. When the men weighed Lewis was four pounds above the stipulated weight of 142 pounds, and as a result the championship issue was withdrawn, so that if Lewis had been able to win he would not have acquired the title of welterweight cham-

the contest, special trains being run and that there would be another meetfrom Boston and Providence.

The third round found Lewis in a pitiable condition. In this round Mel- matter will be considered at a cabine Company B barracks after being awak- lody scored three knockdowns, Lewis meeting today. Mayor Schmitz de

the hospital on the military reserva- cautiously, threw science to the winds tion. He said bullets were whizzing and went for his opponent in savage fashion. Lewis could not even raise his hands and was the target for all of the San Francisco delegation have charged negro soldiers that the firing Mellody's punches. It was at this point received hundreds of telegrams urging that Lewis' seconds, realizing that their man had no chance whatever. years, six months and twenty-three threw the sponge into the ring, thus by congress to carry the provisions of days, including the campaign in Cuba forfeiting the battle to the champion.

TENNIS AT TUXEDO.

George H. Brook Defeats Payne

Whitney For Gold Racket. get to the barracks after being awak- courts of the Tuxedo Tennis and Rack. patches from the coast have in all inened by the shooting. He said he et club for the gold racket and will stances indicated the great interest that started on a run to B quarters, and now meet George L. Wrenn, the ex. the people of California have in the is just after leaving his house the firing champion lawn tennis player of the sue

George L. Wrenn won from his brother by default in the semifinal round. Brook in his match with Whitney showed some of his old time rackets. winning 25 of his 45 aces on service. If he wins in the final match he will challenge Mackey, holder of the title of 1906, on Feb. 17.

Peter Sterling at New Orleans. NEW ORLEANS, Feb. 12.-Interest schools. in the winter races here was accentuated by a large number of carnival whether the proposition submitted by visitors. Peter Sterling, after lagging the San Francisco delegation called for them out and won the feature event of plied:

Livius Outran His Field. LOS ANGELES, Cal., Feb. 12.-At

Goldswain Knocked Out Daly. LONDON, Feb. 12 - In a twenty effect that the declaration of the ranks than out," said Sanders. "When round boxing contest for the light. Cowan, attorney for Frank Furlong, weight championship of England and the young man sentenced to die in the a purse of \$1,500 at the National Sport. week beginning March 4 for the muring club last night Jack Goldswain of der of his aunt, Margaret Keeler, in

> A Surprise at Frisco. was a surprise in the fourth race at dered woman sent a letter to the gov-Oakland when Martinmas captured the ernor favoring the appeal. race from the favorite. Ruby

> 'Queen Lil's" Claim Again. WASHINGTON, Feb. 12.-Vice Pres for Liliuokalani, former queen of the at 8:23 o'clock in the morning. In Hawaiian Islands, a second addition to Charlottesville dishes were rattled at the petition filed by her in 1905 praying the breakfast tables. The shock was for the settlement of her claim for sovereign lands taken from her at the time of the acquisition of the islands by the United States

Dr. Van Deusen Dead. Claudius Van Deusen, a retired physician, who for sixty years resided at Leeds, near this town, is dead here, aged eighty-three. Dr. Van Deusen. who was unmarried, was for some time a writer for the press. He was a native of Hudson, N. Y.

Gage E. Tarbell Resigns. NEW YORK, Feb. 12.-Gage E. Tar bell, second vice president of the Equi- and Mrs. Robert I. Fleming, Wednestable Life Assurance society, has ten- day, Feb. 27. town. Several persons were taken out dered his resignation to take effect meeting. Mr. Tarbell's resignation has been accepted by President Paul Mor-

> After Ten Big Ronds. ST. PAUL, Minn., Feb. 12.-Attorney General Young has begun mandamus ratified. proceedings to compel the ten main rallroads doing business in Minnesota to accept the freight rates reduction reand warehouse commission.

Dr. Tiedeman Indicted. NYACK, N. Y., Feb. 12.-The Rockland county grand jury has presented an indictment against Dr. Frederick Tiedeman of New York for maintaining an unlicensed-institution for the insane in this town. Dr. Tiedeman The loss to the building and exhibitors was freed on ball. begins on Thursday, is \$75,000. Five

Captala Edmund Buck Drowned. PERTH AMBOY, N. J., Feb. 12. Captain Edmund Buck fell overboard late at night from the New England Transportation company's barge No. sharp earthquake shock was felt here 43 and was drowned. Captain Buck children were burned to death last early in the morning. It did no dam was a native of Hyannis and was aixty five years old.

OUESTION.

VALLEY FALLS, R. I., Feb. 12.- Conference at White House Leaves Issue Unsettled.

MAYOR SCHNITZ MAKES STATEMENT

Nothing Definite Yet Decided in Re gard to Japanese School Question In California - Subject to President's Call.

WASHINGTON, Feb. 12.-When the White House conference was concluded Mayor Schmitz of San Francisco made the statement that, although the president, Secretary of State Root and the Californians had still further discussed the Japanese school question A great crowd assembled to witness nothing definite had been accomplished ing, subject to the call of the president It has been agreed that the whole

clined to say whether the question of When the fourth round began Mel. excluding the Japanese coolies by conlody, who up to this time had fought gressional legislation formed a part of their proposition which was submitted to the president in writing. Mayor Schmitz and other members

them to advocate a treaty excluding the Japanese laborer and legislation this treaty into effect. The mayor has admitted to member of the California delegation in congress

that while he is very anxious to reach a satisfactory agreement with President Roosevelt and stands willing to TUXEDO PARK, N. Y., Feb. 12- make any concessions that will be for George H. Brook of the Philadelphia the good of the whole country, yet he Racket club by defeating Payne Whit. hesitates in making any agreement that night of Aug. 18 was like others until ney of the New York Tennis and Rack. will not meet with the approval of the he told of his experiences in trying to et club reached the final round on the people of California. The private dis-

It can be authoritatively stated that the president has appealed to Mayor Schmitz and his associates to bring the anti-Japanese agitation to an end by rescinding the school board's order for the establishment of oriental schools. Under the California law the ques tion of separate schools was left to the discretion of the school authorities and before the earthquake disaster the Japanese were admitted to the white

When asked the direct question

"We are not making a treaty and The testimony of Sanders indicated Beau Brummel a poor third. Thirty, have not discussed with the president the question of excluding the Japanese from this country by treaty. We heard the president's views and presented our side of the questions at issue. "It now remains for us to modify

Ascot, Luvius in the fourth race ran a our views in order to reach an agree

Appeals to Hughes For Life. London knocked out Pat Daley, an New York city, has appealed to Governor Hughes for the commutation of the sentence to life imprisonment. Furlong is asserted to have been subject SAN FRANCISCO, Feb. 12.-There to epilepsy. The husband of the mur-

Violent Shock at Charlotteaville. CHARLOTTESVILLE, Va., Feb. 12. -An earthquake of considerable vioident Fairbanks laid before the senate lence was felt throughout this section recorded at the University of Virginia

Earthquake Shocks In Virginia. RICHMOND, Va., Feb. 12.-A dis tinet earthquake shock was felt in the region of the James river division of CATSKILL, N. Y., Feb. 12. - Dr. the Chesapeake and Ohlo ratiroad between Rock Castle and Columbia about sixty-five miles west of Richmond. No damage is reported.

> Micaraguan Minister Cores to Wed. WASHINGTON, Feb. 12.- The mar riage of Luis Corea, the Nicaraguan minister, to Miss India Bell Vedder Fleming of this city will occur at the home of the bride's parents, Colonel

To Merge With Pennsylvania. PHILADELPHIA., Feb. 12. - The innual meeting of the stockholders of the Philadelphia and Erie Railroad company was held here, and by an unanimous vote the merger of the road with the Pennsylvania railroad was Will Try to Go "Farthest South."

der the command of E. H. Shackleton, who was third lieutenant on the "Discovery expedition" to the antarctic, Collseum Annex Destroyed. CHICAGO, Feb. 12.-The Collseum annex was destroyed by fire last night. of the Chicago hardware show, which

LONDON, Feb. 12 .- A new British

will leave England next October un-

Family Burned to Death ALLENTOWN, Pa., Feb. 12.-Edwin W. Reidnauer, a baker, and his four

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