Saturday, - Sept. 16, 1882.

FAILURE OF THE CONSPIRACY.

THE conspiracy against woman suffrage in Utah has failed. We do not see how it could have succeeded after the interruption to the scheme which it suffered as soon as it came into court. The entrance of the People's Party into the case split the plot wide open. If the intent of the "Liberal" clique had been accomplished the result might have been different. The little arrangement some of the lower crowd have dabwas for a pretended trial in which all the parties would be really on one side. In each judicial district a quity. The distinction is sharply "Liberal" lady, and no others, was, by a preconcerted plan, refused the right to register on the ground that she'was ineligible, being a woman. The deputies were instructed how to proceed before the commencement of the registration. A "Liberal" lawyer applied for a mandamus to require the registrar to show cause why the lady was not permitted to Ar 2 o'clock, this afternoon, a deciregister. A "Liberal" law firm sion was rendered in the Third Diswhich had prepared itself with so- trick Court, in the case brought to phisms and quirks and quibbles, dressed up in legal phrases and bolstered with citations from authoritles having very remote bearing sides were in Court, and a large numregistrar. It was hoped that a feeble presentation of the case on one side and a vigorous defense on the OPINION OF CHIEF JUSTICE HUNTER. other, would place the matter in such a light that a least two out of of Florence Westcott, for the writ the three judges would refuse a mandamus, and so a pretent could be established for striking the names of all women from the registry lists.

the registrar could be seen through like mosquite-bar muslin. The later that she is the wife of Edward Westcott, who is a native born citizen of the United States, blade wielded by Brown and the sharp points put forth by Jonasson cut to pieces what substantiality qualified and acting as such registhere was in the "Liberal" brief.

The decision of the Judges puts an end to the plot and virtually settles the main question, that is, the to take the oath prescribed by the validity of the act conferring upon the women of Utah the eletive franchise. Those who have been registered can vote at the November of Utah; and offered to prove that election. The advisability of woman suffrage was not on trial. Some of the attorneys at least who defended by the Governor and Legislative Assembly of the Territory of Utah, the law are opposed to the principle. But the law is declared valid, and that is sufficient. Now let the ladies show their appreciation of the victory, by voting at the election for the nominee of the party which has achieved this victory in their inter-

A DISTINCTION WITH A BIG

THE pressure brought to bear upon said William Showell that the oath Congress by which the Edmunds be administered to her and said bill was rushed through without de proofs taken, and that said registraliberation, came from the professedly on the list of persons qualified to plous "Christians" whose souls were abaken with indignation at the list of persons qualified to vote at elections in said Precinct.

That said William Showell as thought of "Mormon" men in Utah having more wives than one. The cause of "morality" and "Christian civilization" demanded that something very stringent and severe should be brought to bear, lest the country's 'purity (?) should be contable to the qualifications of electors at the women to vote, and that there is no the time of a first election held on the constant authority for the registering of the organization of a Territory can be a series of the constant authority for the registering of the organization of a Territory can be a series of the constant authority for the registering of the organization of a Territory can be a series of the constant authority for the registering of the organization of a Territory can be a series of the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the organization of a first election held on the constant authority for the registering of the constant auth women as voters in this Territory. She further swears that by said ac-

The law was passed, at the dicta-The law was passed, at the dicta-tion of the priests and fanatics, and will be deprived of the right to vote under its presumed authority regu-lations have been established by of Utah, unless the said registraunder its presumed authority reguwhich all persons who have at any time been connected with the practake said proofs. tics of plural marriage are disfranchised, but at the same time the most depraved and debauched of both sexes are protected in their political liberties and given ample opportunity to join "the "Liberal" visual form, and the case set down to be heard on the 14th day of September, A. D., 1882, at one portunity to join "the "Liberal" viclock p. m. At which time the clique in the raid upon Utah.

well known and universally respected citizens are debarred from registering, while notorious profiling as and Judge Harkness gates and prostitutes are permitted.

Solution and McBride appearing of "holding office shall be exercised only by citizens of the United States above the age of twenty-one years, and by those above that age who gates and prostitutes are permitted to take the oath and have their names enrolled as voters. This is no fancy sketch; it is a statement of actual facts. We can furnish the names of ladies and gentlemen who names of ladies and gentlemen who 2d. The said applicant to be re-were connected with iplural marri- glatered as a voter is not and was age many years ago, but became discoclated therefrom in practice long before there was any enactment of the United States against it, and who have been denied the right to register, although they could conscientuously subscribe to the cath specially prepared to bar out polygamists. We can also furnish the names of men who are known frequenters of houses of prostitution, of men who acknowl.

The cath specially prepared to bar out the validity of the act pass. or constitutionality of the act pass. oath to support the Constitution of the United States. It is thus made the United States. It is thus made clear that the power to confer the prostitution, of men who acknowl. The only paint that will withstand the Weather of the sovereign power upon the Loris.

The only paint that will withstand the Weather. It cannot be injured by the covereign power upon the Loris. prostitution, of men who acknowl- case to enter into the discussion of the questions which have been so well as a wife, and of women who gain their livelihood by selling their bodies to justful males and are over the Territories of the United self-confessed harlots, all of whom

things pertaining to this Territory such power is surreme. The divi-sion of the Territory of the United have been admitted to registration. What does this go to prove? Plainly that the pretence of morality on the part of those who procured and aided in the passage of laws against "Mormon" plural marriage, Cong is a sham and a humbug; that while they oppose polygamy they sustain prostitution, its antipodes; that while they cry out against that United States has usually enacted in the form of a statute, a code of which builds up families, provides homes for all women who desire to "fill the measure of their creation," and cares for and protects offspring, they tacitly encourage that which pollutes families desired the state of the process of the pollutes families, destroys the home, makes outcasts of women and waifs abling the people residing in the Territory to form some kind of of children, saps the foundation of government for their governance and protection. It is well underpurity and fills the land with vile. stood that all such powers, so long as the territorial existence con-

Their religious and political doctrine is: Make odious the faithful husband of two wives or more, distranchise him and them, thrust them into prison and excite the populace sgainst them; but make honorable imit or enlarge is supreme; and so leaves the right of suffrage on!

before the law the libertine and the far as the internal regulation of where, and throw wide open to the affairs of a Territory is concerned, confers upon the people within the them the doors to the registry and the ballot box! They proclaim n effect: "Do what you will, wallow custom, the Congress of the United States, on the 9th of September, you are all right so long as what you lo is not "in the marriage relation." Well, there is some satisfaction in ive parcel of the domain of the this: That the "Liberal" and Government was known as the terri-

"Christian" assallants of "Mormon"

that system. They go into the voting place cheek by jowl with the harlot and the pimp, and seek for the aid of the strumpet and the territorial government was conformed as the qualifications of an elector are concerned, it was the intention of Congress, subject to the restrictions of Sec. 1860, to leave the Territories as free as are the independent States. adulterer in their holy war against upon the people therein.
The executive power and authority the plural marriage relation. They was vested in a Governor who was when the Act was passed, the Leguis met." But the husband of the United States. A Secretary was confine the right of suffrage to his marriage vows, stands alcof from the mingled throng on a plane far above the filthy pool in which bled, and from joining hands as the others de, with the workers of ini-

THE TEST CASE.

mense difference.

CHIEF JUSTICE HUNTER'S DECISION THE WOMAN SUFFRAGE ACT VALID

test the validity of the Utah Statute conferring upon women the elective franchise. The attorneys on both the question, defended the ber of persons interested in the case

were present. Following, in full, is the

But a bona fide test made a different thing of the trial. The arguments of the leople's attorneys presented the case in its proper light. The filmsy pretenses of counsel for native born, and over twenty-one tions of one to be a voter thereat were two in number, viz.; First—A free, white, male inhabitant, above the age of twenty-one bored pleadings of Sutherland and that she is a resident of the First bored pleadings of Sutherland and that she is a resident of the First the brazen effontery of McBride, with the latter's shameful fictions with the latter's shameful fictions and second-hand pretended conversions and second-hand pretended conversions and more than six and second-hand pretended conversions and second-hand pretended conversions and more than six and second-hand pretended conversions are resident of the first particles.

Second-hand pretended conversions are resident of the first predictions are resident of the first predictions are resident of the first predictions and second-hand pretended conversions are resident of the first particles.

Second-hand pretended conversions are resident of the first predictions are resident of the with the latter's shameful fictions and second-hand pretended conversions, showed up in pitiful conmonths last past in said First Preserving the latter's shameful fictions that she has resided over two years time of the passage of the Organic and because it does not impose that she has resided over two years in said county, and more than six and because it does not impose upon a woman the duty of proving trast before the arguments of Mercinet; that on the 11th day of Sepqualifications became voters, and by that rit and Harkness, while the keen notice of William Showell, the depute sembly, and that Legislative Asthus uty registrar of voters in and for said sembly was the one which by the a more favored class of voters. I do First Precinct, duly commissioned, provisions of section 4 of the Organic not think such is a legal construc-

trary to the provisions of said con-

tion officer be compelled by the

Court to administer said oath and

Upon the filing of this affidavit in

case was called for argument, sutherland and McBride appearing

Sutherland and McBride attorneys

for respondent, filed a motion to

1st. The facts stated in the affida-

vits and writ are not sufficient to

not on the day mentioned a lawful

voter, because she is and was a wo-man, and such person cannot exer-cise the elective franchise except by a direct violation of the laws of the

The only question submitted to the

Court, and upon which arguments were heard, was as to the validity

States and will assume that as to all

States into different parcels, defining its boundaries and limits, and

giving to each particular parcel a name, is the usual mode adopted by Congress in setting up a district which in common parlance has come

authorize the writ in this.

clerk's office an alternative

provisions of section 4 of the Organic Act was to meet at such place and on such day as the Governor should appoint. When it was so elected, rage—who should be voters. It tration officer in and for said appoint. When it was so elected, rage—who should be voters. It and did so meet, then it had the had already legislated upon that precinct, and then and there before him she offered to register as a voter eccording to law, and offered Statute of Utah applicable to wo-men or female voters, and also the oath prescribed by the Commissioners of Election for the Territory tion, "that the qualifications of voters * * * at all subsequent elecessed all the qualifications tions shall be such as shall be prerequired by the act conferring upon women the elective franchise pussed scribed bythe Legislative Assembly. Provided that the right of suffrage and of holding office shall be exerson of anything in the acts of Conpublic of Mexico concluded Febru-

.In accordance with this usual

1850, passed an act to establish a

Territorial Government for Utah.

Prior to this enactment no distinct-

tory of Utsh. When that enact-

gress referring to elections and elec-tors in this Territory passed and ap-proved March 22, 1882. She further in said affidavit states that she pos-sessed all the qualifications required ary 2nd, 1848." The function of the voter who nuder the Territorial act aforesaid; and that she did no act or acts congressional act or any act of Congress; that she did at the time and place aforesaid demand of and from the

tion officer should enter her name ed States enacted sections 1859 and 1860. Until the enactment of these two sections the Organic Act of retains his old-rights. There is no Utah remained in force and the abridging of his privileges. Another qualifications of voters at all elecsuch deputy and registration offier, then and there refused to administer said oath and refused to tions after the first election were as receive said proof, and refused to sembly of that Territory. register her name as a voter on the

Section 1859, naving relations at laws, to the qualifications of electors at laws, to the qualifications of electors at laws, to the qualifications of electors at laws, to the respondent is order Section 1859, having relation only the organization of a Territory can denied, and the determined to the desired of the edge of the edge of the concerned, for at the date of its encapture of the determined to the denied, and the determined to the denied, and denied election, and was an organized Ter-

ever, in any Territory hereafter or ganized by Congress, as well as at all elections in Territories already Exceptions noted by the respondorganized, the qualifications of votbe such as may be prescribed by the

Legislative Assembly of each Territory, subject nevertheless to the following restrictions on the power of the Legislative Assembly, namely:

First. The right of suffrage and have declared on oath before a of William and Bitzabeth Sharp, aged 10 war, competent court of record, their in- and 6 months. ention to become such, and have

taken an oath to support the Con-stitution of the United States." The effect of this section is plain, and limits the Legislative Assem biles of all the Territories in the SAVE YOUR ROOF power to confer the elective franchise, to persons who are citizens of the United States above the age of twenty-one years, and to persons who not being native born or na-turalized citizens are above the age of twenty-one years, who have de-clared on oath before a competent court of record their intention to be the sovereign power upon the Legis lative (Assembly of this Territory limited in its exercise as provide by the first restrictive clause of section 1860, Revised Statutes. This section became the law in 1874, and since then has been in operation. Section 5 of the Organic Act privided that at the first election the provided that at the first election the voter should be a male citizen above the age of 21 years. Sec. 3 of the act of the Utah Legislative As

male citizen of the United States. The first two, as we have seen, only fixes the qualifications for a It nowhere appears in all the leg-islation had upon the subject that Congress, except in fixing the qual-lifications of a voter at the time of limited or attempted to limit the power of the Legislative Assemblies of the Territories to the male quali-

optomber 16th, 1882, D. BOCK HOLT, Chris Frobate Court, Salt Lake Co., Utah,

States over twenty-one years of age who had been a constant resident in the Territory during the six months next preceding an election and who

was a taxpayer.

With the ample power conferred by Congress upon the Legislative termining the qualification of votpower of the Utah Legislature to nact the law of January, 1859. ment was passed it came into ex- think it may clearly be assumed marriage, place themselves on anistence. Its boundaries were that so far as the qualifications of an
other plane from the supporters of
established and the form of its elector are concerned, it was the

class of voters was made, and their plural wives, who has been faithful to be appointed in like manner. to males, and as long as to be the was vested in a Governor and a law of the Territory, only males could vote. But the Utah Legisla-Section four of this Organic Act ture passed an "Act entitled an act provided the way and means of conferring upon women the elective franchise," which was approved lative Assembly. By this section it February 12, 1870, which is as fol-

is provided that previous to the first lows: election, the Governor should cause of That every woman of the age of a census or enumeration of the in-21 years who has resided in this habitants of the several countles Territory six months next precedand districts of the Territory to be ing any general or special election, taken, and the first election should born or naturalized in the United States; or who is the wife, widow or be held at such time and places, and be conducted in such manner daughter of a native born or naturalas the Governor should appoint ized citizen of the United States, and direct. * * * And shall be entitled to vote at any the persons thus elected to the Le- election in this Territory.

gislative Assembly should meet at such place and on such day as the Governor should appoint: but thereafter, the time and place and man- bly to confer the right of suffrage ner of holding and conducting all elections by the people * * * * should be prescribed by law enacted by the Territorial Legislature. The means, there being provided, for holding a first election, Congress by Section 5, of the Organic Act, provided who should be entitled to vote at that election, and enacted to vote at that election, and enacted naturalized citizen is a citizen of the that every free, white male inhabi. United States. And it is further tant above the age of twenty-one true that a daughter of a native years, who shall have been a resi- born ditizen of the United States is dent of said Territory at the time of the passage of this Act (September a citizen, and that the daughter of a citizen of the passage of this Act (September United States, if at the time of the the first election."

—OR—

COMMON SENSE FOR MAID, WIFE AND MOTHER:

BY MARION HARLAND,

naturalization of her parent, she

Author of Common Sensetn the Household, Etc. By this provision then, at this first was under the age of twenty-one election, any inhabitant, and this years. To entitle a woman to vote whether he be a citizen of the Uni-whether he be a citizen of the Uni-whether he be a citizen of the Uni-ted States or not, being a free, white of the age of twenty-one years, and lith, will begin positively on

The conflict between the contend-ing parties in this case, arises because of the difference of opinion upon these these two Acts of the

upon a woman the duty of proving

power to prescribe by law the time, subject, and had restricted the class place and manner of holding and of voters to males. Its intention conducting all elections by the peo | was no doubt to make another class. ole. Section 5 of the Organic Act to take from the males who had unprovides, after fixing the qualifica-tions of the voters at said first electorivilege, and confer a like privilege privilege, and confer a like privilege upon females. The two laws must both made to harmonize, it is plainly the duty of the Court to sustain them both. Courts are called Assembly of the Territory of Utab, and of holding office shall be exerupen to construe, not to make laws, approved February 12th, 1870; and cised only by citizens of the United and when the Legislature gravely that she was not disqualiged by rea. States including those recognized as enacts a law, if that law is attacked citizens by the treaty with the Re- the Courts must, with an equal degree of gravity scrutinize it in all its hases, and should be careful not to declare it unconstitutional, unless it was to vote at the first election having been fully performed when he voted at that election, he thereafter with the defined powers confercessel to be a voter at any subse- red by Congress can be made quent election, and could only be qualified as a voter when he showed himself possessed of the prerequisites required by the Legislative Assem- of 1870 can be and should of 1870 can be and should be treated as only an enlarge-Subsequent to the enactment of ment of the privileges to the the Organic Act above referred to citizens of the Territory. Whilst and in 1874, the Congress of the Unit- there may be want of uniformity in

> by the act of 1870 and constituted prescribed by the Legislative As voters. Each exercises in the same way the right of suffrage, and each are make voters by the respective denied, and the respondent is order ed to enter thename of the appli-

There are as I understand other cases, involving the same ques-tion presented in this one, and Sec. 1860 is as follows:

"At all subsequent elections, howthat this should be a test case, the proper orders in these cases will be made conformably to this holding.

DIED.

At South Jordan, Sept. 15, 1882, of brain fever, GEORGE ADELBERT, son of Willia

Sept. 16th, 1882, at Et. Mary's Hospital, Fall Lake City, from lockjaw, caused by a wound from a toy pistol, WILLIAM GEORGE, son Deceased was a resident of North Jords Funeral at the Hospital at's p. m. to-morro

Tin or Iron per Square, 81.00. We od or Shingle, 81.75 per Square

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Orders promptly filled. Satisfaction J. W. LINGLE, SALT LAKE CITY,

NOTICE

In the Probate Court, in and for Salt Lake County, Territory of

IN THE MATTER OF THE ESTATE OF GEORGE W. PIGGOTT, DECRASED. Court in eald matter, notice is hereby iven that Wednesday, the 17th day of September, A. D., 1852, at 10 s. m. of said day, at the county Court House in Salt Lake City, has een appointed by said Court the time and lice for the hearing of a petition of Abby Ann legiont, praying for the admission to Probate a certain document therewith filed, purporcertain document therewith flied, pur r to be the Last Will and Testamen rge W. Pignott, deceased, and that less tamentary issue to Issue Brookbe to and where all persons interested a ear and oppose the Probate of said who he granting of mid patition.

upon a male cititizen of the United G RAND RE - OPENING !

COMMENCING Tuesday, September 19

A. M. PALMER'S

TUESDAY EVENING, THE A FALSE FRIEND! THURSDAY EVENING, DANIEL ROCHAT!

LIGHTS O' LONDON!

Notwithstanding the heavy expenses at tending this engagement, the management have concluded to place the Prices of Ad-mission at the following moderate rates: Reserved Orchestra Chairs and Circle, \$1.1 Admission, \$1; Reserved First Circle, \$1; A. mission, 75c.; Second Circle Chairs 50c; Si

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BOOK FOR EVERY WOMAN EVE'S DAUGHTERS,

Author of Common Sense in the Household, Etc The Subscribers to the above work are re-

FRIDAY, SEPT. 15th, And continue as rapidly as possible.

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TOMBSTONES, MONUMENTS, MARBLE MANTELS, IRON MANTLES, GRATES & HEARTH STONES.

outh Side of South Temple Street

NOTICE.

Z. C. M. I., SALT LAKE CITY,

September 6th, 1882. THE STOCK TRANSFER BOOKS OF THE Institution, will be CLOSED on Septem

T. G. WEBBER, Sec'y and Treasurer.

HAYNES & SON STEAM BOILER MAKERS.

Shop, Il. Blocks East of Depot, P. O. Box, 825, SALT LAKE CITY

General Repairing Done Promptly. ALL WORK GUARANTEED.

Refer to any Work done by us with Pleasure.

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Although I do not pretend to Sell Goods at Cost, I am bold to say that no person will Sell Gooda any Cheaper during the Fall Season than I will. I intend to lead

in Low Prices, in the following lines :-In FRAMES of every kind, Wood, Plush and Velvet.

In BOOKS for Holldays, or any In STATIONERY, Staple and

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In other articles of taste and re-finement I do not intend to be behind my competitors, either in variety of styles, or price, and don't you forget it.

ART BAZAR; SALT LAKE CITY, UTAH. !

G. W. DAVIS

GROCERY BUSINESS,

SUITABLE FOR THE SEASON.

Our Stock being all NEW and COMPLETE offers great induce-ments to purcharsers. We intend to maintain our well-earned reputation for

As heretofore, by keeping the Finest in the Market. Best Prices and Quality guaranteed.

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We beg to inform our patrons and the general public that we are exclusive Agents for, and carry regularly in stock a line of Stoves which are unexcelled in this or any other Term. tory or State in the Union. We are offering them at prices that defy competition. A heavy per centage of the popula tion of Utah already are using our renowned Monitors and Champion Monitors, both Plain and Extension. Also, our Charter Oaks---Royal Charters and other Stoves, both Cook and Heating Manufactured by the well known firms, "Wil. liam Resor & Co." and "The Excelsion Manufacturing Co" The superior construction, economy in use of Fuel, Heating and Baking qualities, and the increasing demand, warrant the opinion, that ere long these celebrated Stoves will occupy position in every well conducted household in Utah.

WM. JENNINGS, SUPT.

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Better Accommodations at Lees Rates than any other Second-Class House in the City.
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Street Cars pass to and from Depot-SAVE YOUR ROOF

Tin or Iron per Square, \$1.00. Wood or Shinge, \$1.75 per Square. E. M. YOCOM,

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For particulars address, E. M. YOCOM, P. C. Box, 524, SALT LAKE CITY. The Best of Reference Given.

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FOR THEM.

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a beautiful

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Ask your Grocer for it and will use no other. WM. JENNINGS & SONS, Wholesale Agents for Utah,

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