

# Lessee Sold Market Stands Since 1906

## Interesting Evidence Offered at Session of Investigating Committee Last Evening--Roy L. Potts Testifies to Receiving \$200 from Sales--Witnesses Tell of Violations of Forestalling Law

The market investigation was continued last evening. Ald. Potts gave evidence to the effect that the practice of allowing the lessee of stalls to rent stalls came into effect in 1906 when Mr. Akery was collector. The city had been continued since Roy Potts testified that he had rented six stands this year, receiving a little over \$200. Director Recorder Baxter Dunham were on the stand again. S. Z. Dickson and James Macaulay were also examined.

All the members of the committee were present and there were quite a number of spectators in the committee and ante-room, including the Mayor and Ald. Vanwart, Recorder Baxter conducted the examination.

**Ald. Potts Testifies.**  
F. L. Potts was sworn. To the recorder he said he had been connected with the market for about 18 years as collector of tolls. Prior to that he had worked with his uncle. At that time the city sold the butcher stalls and racks. All other stands became the property of the collector of tolls. At that time there were about 10 persons in the market handling frozen groceries. The collector made his own terms with the tenants of these stands. Conditions changed and the green grocers dropped out of business. Then about 1906 the city took away these privileges from the collector and built three commission stalls. Tenants of the stalls taken away from the collector moved to another part of the market and the collector continued to make his terms with them. As years went by there was a greater demand for the stalls and the commission merchants stands were put up in the center of the market to accommodate them, about 16 in all. One, Daley, bought the rights to 12 of these stalls that year on account of the way the stalls were sold, he did not become a purchaser of the market.

The recorder had been given a sale of space prior to that time? Outside of the tolls, I mean.  
A.—Not to my knowledge.  
Continuing witness said that Akery became collector in 1906.

**Akery Sold Stands.**  
He found out that the new collector enjoyed privileges that he had never been allowed. He was informed that Akery was receiving money for the use of stalls. He did not think the director or the clerk knew this. Witness had investigated in order to find out why another man could pay more for the market than he could. In 1907 when he decided to sell for the market again, he spoke to the director and asked him whether he would have the same rights as the collector for 1906. The director said he certainly would. He was not then an alderman and did not tell the director what was in his mind. He did not think the director knew what privileges he referred to.

Next year he bought the market. There were 8 stands not sold that year. The clerk assigned occupants to the vacant stands and witness made his own terms with tenants. This practice had been continued since. The amount the lessee of the tolls got for the rent of these stands was between \$200 and \$300 a year.

When two months before his last lease ran out, he asked the director whether he would let his son act as collector till the end of his term, and whether if his son became a purchaser he would be allowed the privileges he had enjoyed. The director said, "Yes." Q.—Did the director by that time know what the privileges meant?  
A.—Yes, I think he did. Word had been passed to the commission merchants that the stands not leased from the city would go in with the tolls. Either the director or the clerk passed the word.

**Regulations Ineffective.**  
Continuing witness said he had always felt that the by-laws regarding the market were not worth the paper they were written on. Every time the city attempted to stop forestalling the merchants went to the Marsh bridge, stopped the countrymen, bought the wares and the market lost its revenues. The forestalling regulation was not fair to the countryman. If he came in at 2 p. m. he would have to stop till the next day. Conditions had changed. All the regulations were out of date.

Q.—Would there be any advantage in allowing outsiders to buy at once, while prohibiting a sale to stall-holders for some time?  
Witness did not think this would be fair to the stall holders.  
Q.—When Mr. Alley's showcase was removed did you say it would be all right?  
A.—I said it would be unwise for the chairman to give instructions to have the showcase removed.

Q.—You did not tell Mr. Alley not to allow the showcase to be removed.  
A.—No, I did not.  
To Ald. Elkin witness said that if the anti-forestalling regulation was enforced all around, the market would be overcrowded at certain seasons. At present many traders were going to the Marsh bridge to meet the countrymen, and the lessee of the tolls was losing money.

The Recorder.—Did the director or clerk of the market send anybody to you in connection with the purchase of a stand?  
A.—The director, I think, told Mr. Hamm last year that he would have to make arrangements with Mr. Potts—Roy Potts, I presume.  
Roy Potts the Lessee.  
Roy Potts said he was lessee of the market. This year he had made arrangements with Mr. Howe for the rental of a stand, also Babkirk, Bell, Hann, Alley and Bell. He got a little over \$200 for the rent of these stalls. He had no talk with the director or the clerk in reference to renting these stalls.

John Macdonald was sworn. He said he wanted to know his position as lessee of a commission stand. He was not a resident of the city. He was assessed for \$200 on a net revenue of \$1,200 on his business here and also had to pay market tolls. One Ontario firm was doing a meat business in the city of \$30,000 a year and a week ago the Ontario firm was selling beef from the cars, but for the past week they had been selling beef in the market. The city sec no revenues on this business; the lessee of the market, however, collects tolls. Witness paid \$50 for the privilege of doing business.  
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Witness thought the agents of Montreal houses were assessed on the business they did.  
Witness thought the forestalling regulations was in restraint of trade. Countrymen would come to sell to a wholesaler than the householder. He also complained that there was a lot of retail business done in the market.  
The Recorder.—The by-law permits the sale of one pound of butter.

**The Director Again.**  
Director Wisely recalled said the first became aware the lessee of tolls was changing for occupation of the market last May. F. L. Potts had a conversation with him prior to his son taking charge.  
Q.—Mr. Potts seemed to have the impression that you were not aware what the lessee's privileges were?  
A.—I had no knowledge of what they were.  
Q.—Did you send anybody to Mr. Potts for space?  
A.—Not to my knowledge. Some parties asked me, but I think I said I had nothing to do with it.  
Q.—Who has charge of the space?  
A.—The deputy clerk.  
Q.—Did you send anybody to the clerk?  
A.—No.  
Q.—Why not, if you knew he was the proper man to allot space?  
A.—I didn't think it was my business.  
Continuing witness said:  
He was not sure that he told Mr. Potts he would have the same privileges as other lessees.  
Q.—What difference would the selling of the stands make to you?  
A.—None whatever. I would not get a cent.  
Q.—What had the allotment of space not sold by the city?  
A.—The deputy clerk.  
Q.—Who asked you about the stands after the sale by auction?  
A.—I don't remember.  
Q.—Can you say no man came to you in that connection?  
A.—No—I wouldn't say that. I don't remember.  
Q.—Have you knowingly given permission to Roy Potts or anyone else to sell stands?  
A.—No.  
Q.—When Mr. Hamm told you he bought space from the lessee, did you report to the Safety Board, or ask Mr. Dunham about it?  
A.—No.  
Q.—What did you consider your duties to be?  
A.—To advise Mr. Dunham in regard to the by-laws and see the market was kept in repair.  
Q.—You said you became aware last May that the lessee of the tolls was renting space. Did you consider this contrary to the by-laws?  
A.—I didn't think it was my business.  
Q.—What is your position in regard to the market?

**Grand Musical Concert**  
Under auspices of North End Salvage Corps, will be held in  
**Temple of Honor Hall, Main St., Monday Eve, Nov. 14th.**  
The following talent will take part: MRS. L. M. CURREN, Soprano, MISS BLENDA THOMPSON, Contralto, D. BY PIDGEON, Baritone, ROBERT SEELY, Bass, A. W. BAIRD, MISS CLARA GREY, STEVE MATTHEWS, Elocutionist, TONICIAN, Harmonium, D. ARNOLD FOX, Accompanist. TICKETS - - 25c.

A. I consider I have full charge of it.  
Q.—You do not sell the tolls, or look after various other matters. What are your duties?  
A.—I'm supposed to direct Mr. Dunham.  
Q.—What directions have you given him this year?  
A.—Oh, I've given him a number. I've spoken to him about forestalling, smoking and other things.  
Q.—Has Mr. Dunham taken any action as a result of your directions?  
A.—Yes, I think he did.  
Q.—The last prosecution for forestalling was three years ago, wasn't it?  
A.—I'm not sure—it may have been.  
Q.—Did it not strike you as strange that the lessee of the tolls should undertake to let out space?  
A.—I did not think anything about it.

Well, somebody spoke to you about it last year. I'd like to know what impression it made on your mind?  
After some further questioning the Director admitted he could not remember what the impression was, if any, and he was released.

**Clark Dunham Recalled.**  
Mr. Dunham, deputy clerk of the market was recalled.  
He said the Director had spoken to him several times about forestalling. About three years ago he reported several forestallers and brought them to trial.

The Director later said the public were calling him to task, and advised him to report forestallers. He had not reported these cases because he had failed to get conviction against the other offenders, and the late Recorder Skinner advised him not to do anything.

Q.—When were you first aware that the lessee of the tolls was renting space?  
A.—In 1908.  
Q.—Did you report to the Director?  
A.—I spoke to him; or he spoke to me about it. He asked me whether I did not think Mr. Potts was charging Mr. Hamm too much.  
Q.—Did you report to the Safety Board?  
A.—No—I thought that was the duty of the director.

Q.—How did you learn that the lessee was enjoying the privilege?  
A.—At the conducting of the sales?  
Q.—What was said?  
A.—The director said that if the stands were not sold they would not be assigned.  
Q.—How does that convey the idea that the lessee of the tolls got the privilege of selling space?  
A.—Well, I gathered it from conversation I had with the director and others.

Q.—You found out this was going on in 1908. Why did you not report them?  
A.—I thought Mr. Wisely knew it.  
Q.—What makes you think Mr. Wisely knew it?  
A.—Well, I think he called my attention to it.  
Q.—You knew that Mr. Alley had come in contrary to the by-laws. Why wasn't the matter brought before the police court?  
A.—I did not get orders from the director about it.

Q.—You practically confined your attention to keeping the market clean, preventing smoking, and assigning the stalls?  
A.—Yes, those were my duties.  
Ald. Hayes.—Some actions have been taken recently. Were these the result of directions from Mr. Wisely?  
A.—Yes.

Continuing witness said he had allowed Mr. Alley to put in a showcase in order to protect his goods from dirt.  
The chairman then arose and stated that another person who had anything to say concerning the market would be given a hearing.

**Evidence Volunteered.**  
S. Z. Dickson, butcher, said he had called attention to violations of section 6. Thos. McDonald was the violator; he has been violating the section ever since. He was under the impression that the casual traders could not buy in one part of the market and sell in another part. But traders were doing that every day.  
The recorder said there was no by-law concerning this point.

Ald. Potts.—It's one of the unwritten laws.  
Continuing witness complained that local forestalling was injurious to him. Certain parties residing outside the city bought from the countrymen and the mayor.—In other words, the city is keeping up a market for some people outside the city limits.  
Ald. Potts said the parties who bought and sold again in the market would have to pay tolls. That is, the goods would have to pay tolls twice. James Macaulay said there were two or three men in the market who grabbed up all the lambs and he had to pay two tolls.  
Q.—If that third-hour law was rigidly enforced what effect would it have?  
A.—That I wouldn't be able to supply my customers. Or I'd have to take my horse and go to the Marsh bridge to meet the countrymen. But the committee then went into private session for a few minutes, and adjourned until 7 p. m. Friday.

**SIX BREAK JAIL.**  
Morehead, Ky., Nov. 10.—Six prisoners, after setting fire to the Rowan county jail here today, escaped in the confusion. The jail was destroyed here within a year.

**Bookkeeping.**  
Bookkeeping, arithmetic and penmanship. A class of great value to ambitious young men. Two evenings a week. Expert instruction. For full particulars apply to Y.M.C.A.

# DEPEN OUT BUT HAPPY

## Senator For 57 Years In Active Politics Content That Democratic Victory Robs Him Of Seat.

New York, Nov. 10.—Apparently untroubled by the fact that his career in the United States had come to an end, Senator Chauncey M. Depew sat in his library today and talked of his 54 years of public life that practically ended on election night, when a Democratic legislature was elected.

"I am the happiest man in the state of New York," he said. "I am 77 years of age. I have been 54 years actively in politics, and I think I can say that my ambitious have been reasonably satisfied. During the past campaign, I made sometimes two speeches a night, once talking for an hour in the rain, and the next morning my voice was in as good condition as ever. My health is good and my desire of years, to be happy myself and share that happiness with others, has been fairly well satisfied. I was fairly certain that the Republicans would be defeated, for the change in the vote that elected Foss in Massachusetts, Havens in New York and Plaisted in Maine, was so nearly the same that there was no doubt that the country was up in arms."

**Settlement in Sight After Day of Rioting**  
Continued from page 1.  
Counsel for the Adams, the United States and the Wells-Fargo companies obtained an order from Judge Cox in the United States Circuit Court, directing the city to show cause tomorrow, why it should not be restrained from enforcing the ordinance which requires carriers of interstate express matter to take out city licenses. It is probable that the companies will press this point tomorrow, regarding the enforcement of the ordinance of the outcome tonight, in order to settle the matter for once and all, with an eye to future possible strikes. Two hundred applications for licenses were filed this afternoon. In each case the applicant was required to state whether he was regularly employed or was a strike breaker, whether he had ever been convicted of a criminal offence, and whether he carried arms.

**Mayor Gaynor Responsible.**  
It was directly due to Mayor Gaynor that the agreement was drawn up and signed. Last night the companies issued and today printed in the advertising columns of the newspapers a long statement defining their position. "When I came to the office," said Mayor Gaynor, "I found the agreement and was shown the published statement of the express companies. I saw that, if it held down, it meant the same as the terms the men agreed to last week, on my request. I sent for Mr. Towne, and asked him to reduce it to such a short form and see if the express companies would not sign it. He did so, and they all signed. I then got together the committee of the striking employees of the companies and they signed a paper agreeing to the terms. Mr. Towne is entitled to great credit for settling the strike. I wish we had a lot more of such men as Mr. Towne and there would be no strikes."

The worst of the trouble today came from the express employees, but from the striking taxi-cab chauffeurs, who went out with them in sympathy. They mobbed taxi-cabs driven by non-striking men, smashed windows with the police until it was necessary to threaten them with drawn revolvers, and beat them with swinging night sticks. Bottles, stones, bricks, and loose ends of iron flew thick and there were many broken heads, but only five arrests.

Joseph Murphy, business agent of the International Brotherhood of Teamsters, which has had the strike in charge, was struck with an iron bar and knocked unconscious while he was trying to rescue a frightened non-striker driver from a mob of 1,000. The man mistook his efforts for an assault and beat him over the head. Murphy refused to press a complaint against him.

"I'm game," he told the court. Twelve hundred chauffeurs employed by the lesser companies won their demands and went back to work today. The two major companies, however, one of which is the New York Transportation Company, which operates the Fifth avenue line of motor buses, held firm, and what effect the agreement reached with the express drivers tonight, will have on their attitude, remains to be seen. Although these men first struck in sympathy, they have since demanded recognition of their own union, which the companies have thus far refused.

The chauffeurs successful in pressing their demands, were soon flying about town with big signs, "union taxi" on the bodies of their cabs. It is probable that the department street drivers, the coal drivers and the grocers delivery drivers, who have all been more or less affected, will also return to work tomorrow in a body.

# CABLE RATES TO BE REDUCED

## President MacKay Gives Particulars Of Plan To Cut Charge For Plain Language Messages By One-Half.

New York, N. Y., Nov. 10.—An inquiry having been made of Clarence H. MacKay, president of the Commercial Cable Company, and the Postal Telegraph Cable Company, as to the rumors of a pending reduction in cable rates, Mr. MacKay said:—"The Commercial Cable Company has been at work for some time past in formulating a plan by which the rates for cablegrams sent by the general public, in other words, cablegrams in plain language as distinguished from code language, will be reduced about one-half. That plan has now been worked out, and inasmuch as it will require the co-operation of the telegraph lines in Europe, where the government owns the lines, our plan is a proportionate reduction in the land line rates charged by the European governments, and hence the co-operation of these governments will be necessary. At present the cable rate is twenty-five cents per word."

**The Plan Proposed.**  
The proposed plan is to charge twelve and a half cents for every five letters in that class of cablegrams. We have found by careful investigation and examination of a great number of cable messages that plain language averages only five letters to the word, and hence if we charge only twelve and a half cents for five letters, (every letter in the cablegram being counted as though the whole cablegram was one word) the result would be that the public in sending cablegrams would pay but one-half of what it now pays for them. It is not to be understood that this plan is subject to prior transmission of messages paid for at a higher rate. It is being a part of the plan that this new mode of charging for cablegrams will be of decided advantage also to the business public which uses a code, inasmuch as it will be independent as to them to send a portion at least of their cables in plain language, rather than use a very complicated code, which requires a great deal of time on their part, and to the general public. After the most careful consideration and study of the whole subject we are satisfied that this new method of charging for cablegrams will not only reduce the charges for ordinary cablegrams one half, but that the plan itself will be logical, simple, workable and satisfactory."

**DRAPER BEHIND REST OF TICKET**  
Boston, Nov. 10.—Returns from the city and town clerks of the vote for governor and four other places in the state ticket at the recent state election were tabulated today from all but six cities and 27 towns, and show that while Foss, the Democratic candidate for governor ran ahead of other party candidates, Governor Draper, the defeated Republican nominee, ran behind others of his party on the state ticket. The missing cities are Brockton, Chelsea, Holyoke, Lawrence, Northampton and Waltham. The vote was as follows:—Governor Foss (Dem.) 200,976; Draper (Rep.) 169,946; White (Sec.) 9,467; Nichols (Prohib.) 2,897; Ruther (Sec-Labor) 2,216.

Treasurer, Peach (Dem.) 158,419; Stevens (Rep.) 177,982.  
Auditor, Paine (Dem.) 155,342; Turner (Rep.) 175,602.  
Attorney General, Ratigan (Dem.) 155,708; Swift (Rep.) 181,737.  
Close in Montana.  
Helena, Mont., Nov. 10.—Later returns indicate that Montana's next legislature will be divided politically on joint ballot as follows:—Republicans 53; Democrats 49. U. S. Senator Carter will probably be his own successor.

Frederickton, Nov. 10.—There is some talk of holding the wrestling matches at Marysville if they do not go on here, and chartering special trains to take the local sports to the bouts, but before this is done the management of the city opera house may be requested to re-consider the decision already handed out. Young Gotch, who was to meet Dan McDonald, of Cape Breton, here, will probably arrive in Frederickton from Boston on Saturday, and if he and McDonald meet here it will not be until about Friday of next week. In the meantime McDonald is to meet Harry Lewis at Amherst next Tuesday night, and Sam Anderson and John Kilonis will wrestle in Moncton next week.

As the result of the charges made against umpires after the world's series, and the discovery that Jack Sheridan suffers from astigmatism, big league arbitrators may have to submit their lamps to an oculist every spring.

# FRATERNAL SOCIETY IN RECEIVER'S HANDS

## French Canadian Organization Incorporated in New England In Difficulties And May Go Out Of Business.

Providence, R. I., Nov. 10.—The L'Union St. Jean Baptist is one of the largest French Canadian associations in the country, and does a large insurance business in many states. Recently it was severely censured by the insurance commission of New York and Massachusetts. The meeting ordered was to have been held at Woonsocket today, and the officers who came from Massachusetts, New York, Maine, Connecticut, New Hampshire and Vermont found the temporary receiver in charge of the National headquarters there, and under the law no meeting could legally be held.

In compliance with the order of the insurance commissioners, the weekly meeting of the society, L'Union, has been discontinued, probably permanently. The organization is incorporated in Rhode Island.

# SOME TALK OF WRESTLING AT MARYSVILLE

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# NELSON AND WOLGAST ON DECEMBER 4

San Francisco, Cal., Nov. 10.—Louis Blot, whose Metropolitan Club holds the December boxing permit, has matched Battling Nelson and Ad Wolgast for a 20-round match for the lightweight boxing championship of the world. Blot intends holding an open air fight Saturday, Dec. 4. Wolgast has not signed articles, but he sent Blot a message naming the terms under which he would meet Nelson. Blot promptly wired his acceptance of the conditions.

# Customer's Reasonable Wish is This Store's Pleasure

# DYKEMAN'S A Sale of Dress Goods Most Extraordinary

About 500 yards of clearing lines of Dress Goods to be sold at special prices right through the lot. There is not a single line where a full range of colors are shown, but are broken lots, the colors being good and the materials of the very best.

These goods are displayed at the Dress Goods counter and we invite you to look them over. You can save from 25 to 55 cents a yard on these materials.

In the lot are some \$1.10 goods that are marked 45c. Others that are worth 75c. are marked 43c. 90c. goods are marked 69c. and so on. No Samples during this sale.

# F. A. DYKEMAN & CO., 59 Charlotte Street.

**NICKEL--"The Deputy's Duty" Wild West**  
"BUMPTIOUS PLAYS BALL." "A FARMER'S DAUGHTER."  
CANADIAN FARM SERIES. "In The Golden Harvest Time"  
ISABEL FOLEY—Mezzo. BURT MAYSON—Baritone.  
CHRISTMAS CONTEST NEWS ON SATURDAY!

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# Bacon FOR BREAKFAST TAYLOR'S Sugar Cured takes the lead HEAD-CHEESE, HAM and LARD At All Dealers

**G. B. TAYLOR, North End, - - Phone 2177**

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FOR TWO DAYS ONLY  
FRIDAY AND SATURDAY, NOVEMBER 11TH AND 12TH  
SEE OUR WINDOWS  
ALL PRICES MARKED IN PLAIN FIGURES  
**F. E. HOLMAN & CO.**

POTT... every des... of horses a... rooms, No... Block.) B... to 6 p. m... Nov. 1... Au... I am in... under... Furniture... lan Compa... lic auction... Saturday... ber instan... der with g... Company, I... or... "The buil... the lease... gather... the two lo... are situated... two polshi... pressor wi... shafting an... plug drill... tools, gran... sorial with... with chain... stone on th... ments com... plod or co... plant or t... not mentio... above is so... the Leonar... also the... Rock, Wels... one air co... and plug d... possession... to be given... of Dec... to cover any... work sold o... the said pr... or accounts... described p... order reserve... dition. A... have to be... on the prop... to the high... be paid on... December 1... L. P. D. TH... Assigne... Every... for b... poses... A. E. H... White... Expressing... reasonable... Office 55 M... Whol... FULL ASSC... ABLE FRU... A. L... g... FOR... CONF... DELIGH... and up-to... with the... flavors an... W. H... Druggists... GE... Saw Buch... yes... E. H... 17 W... A. R. CA... HIGH-CL... 26 Cerr... M. & T... Direct impo... the leading b... uors; we also... best houses i... Domes, Alg... Wines, Cl... 11 and 15... Rich'd S... Wines... Wh... LAWSON'S L... GEO. SAVER... MAC BR... PABST MILV... WHOLE... WM. L. W... M. A. Finn... Wine and Sp... 112 Prince W... 1870. Write... Have you... All traine... vellers to enj... the C. R. R... where, J. M. C... STAND