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The Statesman has been established by nearly thirty years, and it has some subscribers who have received it nearly that long, and many who have read it for a generation. Some of these objects to having the paper discontinued at the time of expiration of their subscriptions. For the benefit of these, and for other reasons, we have decided to continue our publication until we are notified to do so. All persons desiring to discontinue their subscription, or to pay in advance, will send the amount of the dollar rate. But if they do not pay for six months, the rate will be \$1.25 a year. Hereafter we will send the paper to all responsible persons who order it, though they may not send the money, with the understanding that they are to pay \$1.25 a year, in case they do not. In order that there may be no misunderstanding, we will keep this notice standing at this place in the paper.

CIRCULATION (SWORN) OVER 4000



The Indianapolis Star refers to him as "Secretaries" Taft.

If the Standard Oil Company is not a trust, surely the people will put no trust in it.

What? Put the hop growers who simply want to wait for better prices in the same category as the beef trust and Standard Oil.

A man in Minnesota claims that a jack rabbit can negotiate a mile within the space of a minute. The Democrats might get one to run for president in 1908.

The Japanese commissioner to the Lewis and Clark fair says his country will make the largest exhibit of any nation at the fair. The Japs continue to spring their surprises on us.

The Atlanta Constitution says that as at present administered the civil service law has become a thing to handicap the efficient administration of the government's business in every department.

It will be noted that Colonel Bryan recently told Mayor Dume of Chicago that he had received a "golden opportunity" to become the foremost man in the nation. He failed to say anything about the ratio.

The president may want tariff revision, but Oregon does not pine for it, neither does the rest of the United States. Progress keeps progressing and there will be fear of a retrogression if the tariff tinkering begins.

The San Francisco Call says that Hermann Binger was appointed by President McKinley commissioner of the general land office. This might be used by Congressman Hermann as an alibi if everything else fails.

The Washington Post says the Democratic party should devote some time to locate Thomas Jefferson's principles and have them tagged. However, Col. Bryan and Mayor Dume would both object to this, as it would rob them of stage thunder.

President Palma has the Cuban house of representatives on his hands, and it is a very unruly body. They insist on passing resolutions that are quite distasteful to Palma. Among the latest is one demanding to know whom of the government's employees the president has dismissed from the service, and "why."

"One of the lessons of the Chicago election is never to promise anything the day after tomorrow," says the St. Louis Globe-Democrat. This lesson will be lost on the Democratic party, however, for it has been a party of promises too long to take a lesson from the failure of any of them to fructify now. It is used to that.

The decision of Joseph Bellinger on the pleas in abatement made by Senator Mitchell and other defendants in the so-called land fraud cases in Portland was to be expected. It is said now that the trials will take place without delay, but the attorneys for the defense have the right of appeal, and will no doubt take advantage of that right if necessary.

Poorly?

"For two years I suffered terribly from dyspepsia, with great depression, and was always feeling poorly. I then tried Ayer's Sarsaparilla, and was soon a new man." John McDonald, Philadelphia, Pa.

Don't forget that it's "Ayer's" Sarsaparilla that will make you strong and hopeful. Don't waste your time and money by trying some other kind. Use the old, tested, tried and true Sarsaparilla.

Ask your doctor what he thinks of this great old family medicine. Follow his advice and you will be satisfied. If you are bilious or constipated, use the old, tested, tried and true Ayer's Pills. Gently laxative. J. C. AYER & CO., Lowell, Mass.

THE GRANGE AND RADICALISM.

The Grange unfortunately in addition to having among its members many able, bright, solid thinking farmers and agriculturists, has been long the haven of any impractical theorists, the Populists and many other ismists, who are continually bringing forth from the lodge rooms of that order long preambles and accompanying resolutions, that for the good of the Grange should never have seen the light of publicity.

A case in point is the set of resolutions adopted by our highly respected and good friends at Macleay a few days ago.

Some of these proposals are meritorious and good. Little fault could be found with a proposition to give the executive of the state power to "edit" the general appropriation bill as passed by the legislature, but it certainly would be a mistake to give him the same power over all classes of legislation. The power of the veto was wisely given to the executive by the framers of our form of government, but it was intended, as has been expressed time and again, that this power should be used with a great deal of care and discretion by the executive, the idea being that he was not the law-making power. This power was simply to be used when it seemed fully evident to him that the legislature had erred or had, through lack of knowledge of a subject, adopted legislation which was not to the interest of the state. The expenditure of public funds; general direction of the business of the state; the passage of civil and criminal laws, were all presumed to be the duty of the legislative body, and the governor was supposed to exercise his veto power in these cases only when it seemed that the legislation was entirely wrong.

In fact, this power is really misnamed, for it is not in its fullest sense the right of veto, but the right of correction, to call for a second consideration of the matter by the legislative body. Thus this veto of the executive is simply a remanding of the matter for second consideration.

Giving the governor power to select individual items from an appropriation bill for his veto would not materially affect the scheme of government under which we have existed for a century and a third. But the power to veto any particular clause in any law might have such far reaching effects some time, in the hands of an unscrupulous or unwise executive, as to place not only the state's finances, but the general stability of the state in jeopardy. It is far better that the law remain as it is in so far as it relates to the power of the executive concerning other legislation.

Regarding the matter of railway transportation or "passes," there is a question. An honest man may accept a pass from a railway company as a courtesy shown to the position he holds. There can be no question that many a man has taken and used free transportation over railways with this feeling. One could do justice to the people and also to the railways and use his "pass." It is often done. The pass is not an evidence of bribery. Simply because a legislator is not always a "Smith of Josephine" is no evidence that he is not prepared to vote properly on such legislation as may be proper for the regulation and control of railway lines.

But the attack on our educational institutions for permitting such games as football and other athletic sports was evidently from some one who was never so fortunate as to be a college man, and who cannot appreciate what these trials of skill and strength are to the youth of the schools. They develop the physical in young men, a thing many of our farmers' sons have achieved by following a plow or digging out grubs, it is true; but the city-bred young man is denied these opportunities for free ozone and the throwing off of his exuberant spirits. Football may seem a brutal sport to some, yet the young men who play at it are never the worse for it in morals nor in general manliness.

The Grange is too solid an organization to overlook the good done to the urban youth through these trying sports. It is too sensible an organization to be always emitting the doctrines of the radical politician.

TO THE STATE'S UNDOING.

A representative of a company trying to float some stock in an excellent development proposition in this state wrote to a Wisconsin capitalist offering him some of it, and received the following letter in reply:

"I cannot subscribe to any of your stock. Don't think you'll find many people here who want the stock. We think that the recent land fraud scandals in your state has knocked investments there into a cocked hat. Many people in this section have invested much money in Oregon, and they are dead sick of it, owing to the attitude of the government."

Oregon certainly is not being benefited by this action of the government, and Oregon's development will be greatly hampered by the success of the government's policy in this matter. If the raw, uncultivated lands of Oregon were in some of the middle west states they would be able to appropriate Oregon's position. The evasions of the law, if such there have been, have been necessary in order that the lumber manufacturing interests of the west could be developed. Without the

FACE LIKE PIECE OF RAW BEEF

Scalp Covered With Sores, Hair and Eye-Brows Fell Out—Agony for Eight Long Years—Doctors Were Unable to Cure.

SPEEDILY CURED BY CUTICURA

"I had suffered terrible agony and pain for eight long years from a terrible eczema on the scalp and face. The best doctors were unable to help me, and I had spent a lot of money for many remedies without receiving any benefit. My scalp was covered with sores, my face was like a piece of raw beef, my eyebrows and lashes were falling out, and sometimes I felt as if I was burning up from the terrible itching and pain. I then began treating myself at home, and now my head and face are clear and I am entirely well. I first bathed my face with Cuticura Soap, then applied Cuticura Ointment to the afflicted parts, and took Cuticura Resolvent for the blood. I was greatly relieved after the first application, and continued use of Cuticura soon made a complete cure." Miss Mary F. Fay, Westboro, Mass.

AGONIZING ECZEMA And Itching, Burning Eruptions with Loss of Hair, Cured by Cuticura.

Bathe the affected parts with hot water and Cuticura Soap, to cleanse the surface of crusts and scales, and often the thickened cuticle; dry, without hard rubbing, and apply Cuticura Ointment freely, to lay itching, irritation, and inflammation, and soothe and heal; and, lastly, take Cuticura Resolvent Pills to cool and cleanse the blood. A single set is often sufficient to cure.

Cuticura Soap, Ointment, and Pills are sold throughout the world. Price: Soap, 25c; Ointment, 25c; Pills, 50c. Proprietors: Read for "All About the Skin, Scalp, and Hair."

ability for lumber operators to secure possession of large tracts of timber lands they would never have established the large mills and manufacturing plants that have made Oregon a wealthy state. Her timber is only a source of wealth under exploitation. Small individual owners with a quarter section of timber could never have built the great mills that have made Puget sound and the Columbia river and other Oregon ports famous as lumber exporters.

The same may be said of the great cattle and sheep interests of Eastern Oregon. These interests required large tracts of land, and were not possible of development under the quarter section homestead plan.

The laws were adopted by men ignorant or blind to the conditions. It required a Hitchcock to show how the laws could work to a state's undoing. Have we not had enough of it?

WAS IT NOT UNJUST?

The letter from the chief executive of the state to a justice of the circuit court, whatever the motive, is generally recognized as unseemly and overstepping the bounds of official etiquette. Judge Burnett may be strict, and perhaps at times severe, in his treatment of the bar; he may even seem to be autocratic, as has been charged at times, yet no one will doubt or question for a moment his sterling integrity or his qualities as a man or as a judge. His erudition, his acquaintance with the law, his habits of study, all have fitted him in many ways for the exalted position he occupies. He no doubt is impolitic at times, but a glimpse at the squareness of his under jaw will indicate to any one that he is a man of steadfastness of character; that his mind, set on a line which his judgment has told him is right, is not apt to be easily changed. Judge Burnett has lived in Salem for a great many years, and as a neighbor, a citizen, a public official, no one stands higher, and those who know him best will feel most deeply that the letter from Governor Chamberlain was unjust in many particulars. Even many who will not agree fully with Judge Burnett's position on the particular case, or perhaps on many others, and will feel that he might temper justice oftentimes with much mercy when he fails so to do, will yet feel that the "roast" was not all coming to him.

John Paul Jones' ghost must feel that a terrible lot of interest is being taken in where the old bones from which it escaped over a century ago shall be permitted to rest, after being rudely taken from their bed in "Gay Paree." Annapolis is likely to be chosen as the "official burial place," however, where the future John Paul Jones of Uncle Sam's navy may read the tales of the Bon Homme Richard and gaze in awe on these precious bones with heart swelling with pride in what their owner did and with hope of opportunities to emulate his wonderful acts and deeds of bravery for his country. While Philadelphia, Washington and other places may have a basis on which to claim them, none is so meritorious as that of Annapolis.

IS RESENTED BY GOVERNOR

JUDGE BURNETT CRITICIZED BY CHIEF EXECUTIVE.

MILLER PARDON IS THE CAUSE

His Excellency Takes Exceptions to Nature of Reply Made to Official Inquiry.

Both Letters Team With Severe Rebukes and Official Criticism, But That of Governor Is Most Relentlessly Scathing.

(From Wednesday's Daily.)

The granting of a pardon to Otto Miller by Governor Chamberlain yesterday afternoon, was the occasion for making public the exchange of some exceedingly caustic official communications between Governor Chamberlain and Circuit Judge George H. Burnett, in which both officials take advantage of the opportunity to indulge in not a few personal rebukes and insinuations quite unusual in ordinary official correspondence of that nature. The personal ill-feeling which seems to exist between the two prominent state officials has been on for some time, at least since the governor granted a pardon to young Ryan of Butteville, contrary to the wishes of the court.

The petition for the pardon of Miller, which is serving three months for larceny and lascivious cohabitation, was presented to the governor last week. It contained the names of about fifty of the most respectable and prominent people of this city, and was supplemented by an affidavit by the defendant's sister to the effect that he was one of the three who were the sole support of their mother, stepfather and two small children. The previous good character of the defendant was also pleaded in the petition. Before granting the pardon the governor addressed letters of inquiry into the merits of the case, as is customary, to both District Attorney McNary and Judge Burnett. The reply of the former official, while not a direct recommendation for the exercise of executive clemency, is virtually so, while Judge Burnett takes a decidedly opposite view of the case, and does not mince words in so stating. Incidentally, so the governor has construed it, he took occasion to point out some of the official duties of the chief executive in regard to the exercise of executive clemency in such cases.

Letter From the Judge.

After a recitation of the facts connected with the case, the letter of Judge Burnett in part says:

"I am not advised as to whether executive clemency has already been exercised in this case in advance of communication with the trial judge, a procedure not without precedent, or whether the exercise of that prerogative is yet in future, but, in either case, in deference to your request, I make this answer."

Then follows a review of the proceedings had in the case before his court, in which he points out the leniency which was extended to the prisoner by the court authorities, and by which the charge of statutory rape was dismissed by the district attorney and the defendant permitted to enter a plea of guilty to simple lewd cohabitation. This action was taken by District Attorney McNary partly because of the apparent difficulty he would encounter in establishing the correct age of the girl, there being a dispute upon that question, and partly because of the previous good character of the defendant. This is in accordance with the statement made by the latter official in reply to the governor's inquiry. Following this up Judge Burnett says:

"It is stated also that the defendant has a mother and sister, the latter being near his own age, both of whom are very respectable and estimable ladies, and that, on the other hand, his paramour is abandoned and dissolute. As to the character of the paramour, the defendant has confessedly contributed toward making it what it is; as to his sister, he has by his conduct exposed himself from complaining of any rake who might by seductive acts make plunder of her chastity."

It Is No Defense.

"The obligation of chastity in its moral aspect, at least rests equally upon men and women, and it is unjust to establish a lax standard for the men and an austere one for the women. Hence I cannot perceive why the defendant should claim anything on account of his paramour's character, nor why he should rely on the good names of his mother and sister, whom he has disgraced by his conduct. "If it is a proper policy for the executive to encourage an easy going disregard of the laws designed to protect maidenly chastity and enforce morals among the young men, and following the line of least present resistance as to official responsibility, to nullify the courts in the enforcement of such laws, this case would be a good one in which to promote such a policy. I am of the opinion that sufficient leniency was extended to the defendant by the district attorney in declining to prosecute him for the greater offense of statutory rape, and for this reason I decline to recommend executive clemency in his favor."

Governor Kicks Back.

Governor Chamberlain took exceptions to the nature of the reply made by Judge Burnett, and also took advantage of the opportunity to heap a scathing rebuke upon the court official for what he regarded as a personal and official insult. The letter of the governor addressed to Judge Burnett, a copy of which is a part of the official record of the pardon, is printed herewith in full:

"I beg to own the receipt of your favor of the 21st inst., in reference to the application for a pardon of Otto Miller, now serving a sentence of three months in the county jail of this county. "I addressed you on the subject of

this application for a pardon in compliance with a statutory requirement, and as politely as I knew how. Your reply, as is characteristic of you in the discharge of your official duty, teems with insult.

"You say 'you are not advised as to whether executive clemency has been already exercised in this case in advance of communication with the trial judge, a procedure not without precedent, or whether the exercise of that prerogative is yet in future.' I submit that it would have been fair to you to have assumed (you have a faculty sometimes of indulging in assumption) that inasmuch as you and I have been formally addressed upon the subject, executive clemency had not been exercised; but that the exercise of that prerogative was yet in future, if I fully understand what you mean by that expression.

Points Out the Law.

"In this connection it might not be out of place to call your attention to the statute governing this subject, which only requires the executive to call upon the trial judge or the district attorney for a statement of the facts proven at the trial in those cases where an application is made for a pardon or for the remission of a fine or forfeiture. The executive can commute a sentence in any case without calling upon either the judge or the district attorney for such statement. I seem to have incurred your judicial displeasure by the commutation of a sentence imposed by you recently. You then threatened that I would hear from it. Is your letter the consummation of that threat?

"In compliance with the request contained in my letter in reference to the Miller application, you have given me a few lines giving an outline of what occurred at the trial, namely, a plea of guilty entered by the defendant on a charge of lewd and lascivious cohabitation; the brief statement by the district attorney to the court as to the circumstances attending the crime, and the sentence imposed by the court upon the defendant of three months in the county jail. This with a declaration to recommend executive clemency would have been a full and courteous compliance with the law upon your part.

Compromise With Conscience.

"But you cannot resist the temptation to be insulting, even in the discharge of official duty. Nor is that all. (You take occasion on this, as you are frequently wont to do at other times, to go beyond what the law contemplates and expects you to do, and devote the balance of a three-page letter to an essay on chastity and the moral obligation devolving upon men to see that the same standard is applied to both sexes in regard thereto. The correctness of your proposition on this great moral question is granted. But under the case stated in your letter, the defendant was guilty of statutory rape. With your lofty but austere views on the subject discussed by you, why did you not see to it that the district attorney returned an information charging the higher crime, and if his views were too lax on the relations of the sexes to suit you, why did you not impeal a grand jury and see to it that the proper example might be made of the youthful defendant? You certainly had the power to do this last. But if you answer that you did not want to insult upon the territory of the district attorney, why did you not give the young man the highest sentence authorized by the statute for the lesser offense? This would have been along the line of the doctrine you preach. Can it be that with your strict views upon the subject upon which you moralize at such length you are yet willing to compromise with conscience and impose a light sentence, where, from your viewpoint, a serious crime had been committed?

Were Mitigating Circumstances.

"The fact is, there were mitigating circumstances and you knew it. Your sentence proves your knowledge. The district attorney, a fearless prosecutor, an honorable, upright lawyer, but withal a humane and kindly gentleman, knew it, and was not afraid to protect a young man from the injustice of confinement in the penitentiary for a term of years. The mitigating circumstances were such that a dismissal of the entire charge might with propriety have been entered and no one would have been criticised therefor by any one who knew the facts.

"But, in view of the case in hand, you indulge in a few suggestions as to the duties of the executive, for all which the executive is duly grateful. If the executive applied the same rule to the judge in this case as the judge applies in every case to the honored bar of this district, he would, with the bluntness and brutality of a buccaner, refuse to hear any suggestion outside of the point at issue. But the executive is glad to have these suggestions, even if they are voluntary and not to the point. And now that the example has been set by so eminent an authority, you cannot find fault with the executive if in reply to your letter he indulges in a few suggestions as to the duty of the courts—at least some of them. I have the greatest confidence in all our American institutions, and particularly in our courts federal and state. But my experience has taught me that these latter institutions, as all others, are but human and that some judges assume not only to possess, as well, all the knowledge both as to law and the ethics of a magistate and honored profession. The judge who entertains this opinion of himself is always harsh, arbitrary and tyrannical, and sometimes unjust. Though always treated with that distinguished courtesy which characterizes the bar, he feels that the bar is entitled to no consideration whatever at his hands. He plays fast and loose with the bully and the braggart rather than the jurist and the judge. Men who have graced and honored the highest judicial positions are brow-beaten, insulted, and out of respect to tradition

SALEM Monday, May 8.

Two Performances Daily, 2 and 8 P. M.

MORRIS & ROWE'S
THE NEW BIG SHOWS
COLOSSAL TWO RING CIRCUS
ELEVATED STAGE
MAMMOTH MENAGERIE
EDUCATIONAL MUSEUM
ROYAL ROMAN HIPPODROME
THE DATE ONCE NAMED IS NEVER CHANGED

Baroque Riders
Rose Dockrill
Dolly Miller
Estelle Settler
M'ile Joffen
George Holland
Frank Miller
Austin King
Jos. Lyons
Herbert Rumley
Wm. Dutton, Lady Swords women & Fencers

Aerobats, Gymnasts, Mid-air Performers
Seven Marvelous Belkoffs
Melnotte, LaNole & Melnotte
Flying Victorias Troupe
Daring Aerial Weavers
Five Flying Bavarians
Famous Gardner Family
Graciel McDonald Trio
Seven Kishimono Japanese
Six Sugimoto Japanese

Trained Animal Acts
Herd of Elephants
Congress of Seals
Camels, Llamas, Dromedaries Broken to Harness
Fierce Siberian Beers
Coke-Walking Stallions
One Hundred Shetland Pony Ballet & Drill
Trained Pelicans & Pigs

A Multitude of New Features Never Before Presented in America

100 Circus Champions & Celebrities 100
HUGE ROMAN HIPPODROME
All Kinds of Exciting, Thrilling, Real Races and Tests of Skill
20 JOLLY JESTING CLOWNS 20
Headed by "Cheerful Jim" West, "Happy Billy" La Rue, The Grotesque Clowns—Tote Duckrow, "Fanny Bill" Scott
MILLION DOLLAR MENAGERIE
An Imperial Collection of Rare Wild Beasts
Biggest and Best of All Features of Every Kind
GRAND GOLD GLITTERING STREET PARADE
Will Leave the Show Grounds Every Morning at 10:30
Quits, 50c. Children, 25. One Ticket Admits You to Everything

tions which have governed the profession from time immemorial, they submit patiently to discourtesy at the hands of such a judge without murmur or protest. I leave it to you to say whether or not you know of any one who fills the measure of the picture portrayed.

Brutal Insult Received.

"The bar of this district is patient and long suffering. It has submitted to ill-treatment and brutal insult at your hands for many years. It may submit for some years yet, but mark the warning of one who has always treated you with civility and respect, and sometimes, even when faced with great provocation to meet insult with insult, and be admonished that the time will come when you will awake to the knowledge that some means will be adopted to limit the power even of judicial outrage. The first step has already been taken by the legislature, and the legislature and the people have still the power to teach you that they have some rights which even a court must occasionally respect. God only knows to what lengths you would go if yours was a court from which there was no appeal. But fortunately there is a supreme court to which an appeal may be taken from biased, arbitrary and erroneous rulings made by you, and an executive to whom appeal may be made from harsh, unjust and unrighteous judgments rendered and sentences imposed by you in those cases where it is impossible for counsel to secure over your signature a bill of exceptions which will faithfully and truthfully mirror to the appellate court the tyrannical proceedings of the court over which you preside. Besides these remedies to which recourse may be had from any court where Rhadamanthus rules—note rules—even the legislature of this state sometimes, in the attitude of its duties, takes time to dare a check upon tyranny at the hands of the courts, and so late as the last session it said in trumpet tones that a man on trial for his liberty or his life should, if he so desired, have no hours, at least, within which to have his case presented by his counsel to the jury. A long time, it is true, a judge who hurries the public business in order that he may get back to the comforts of his home, but a very short time for the man whose liberty, possibly his life, depends upon a fair presentation of his case to a jury of his peers. In the language of Pope:

"The hungry judges soon the sentence sign,
And wretches hang that jury-men may dine."

Governor Suggests a Model.

"Possibly you remember the arbitrary ruling of the court, and the court where it was made, that induced the a base.

legislature at its last session to amend a statute, which, since Oregon had been a state, had never been amended by any of the illustrious judges, who, in being honored by the people, and honored the bench to which they had been elected.

"I trust you will pardon the frankness with which I address you. The discourteous language in which your letter is couched leads me to this frankness, and I will feel amply repaid if anything herein contained will lead you to adopt as a model of judicial integrity, uprightness and dignity the eminent jurist who preceded you on the bench, and who, though now on the shady side of life, is loved and honored by the bench, the bar and the people of the whole state."

A MEASURE OF MERIT

Salem Citizens Should Weigh Well This Evidence

Proof of merit lies in the evidence, convincing evidence in Salem. Is not the testimony of strangers. But the endorsement of Salem people. That's the kind of proof given here. The statement of a Salem citizen. William H. Spayd, living at the corner of North Winter and D streets, says: "Words cannot express my opinion half strong enough of Doan's Kidney Pills. I have known their remarkable merits for the last eight years, having used them in Clinton county, Mich., where I was living. My kidneys were a source of annoyance for quite a number of years. I had much pain across my loins and the eruptions from the kidneys were irregular in action causing me to rise often in the night and at times there was a swelling. I also had more or less dizziness. I procured Doan's Kidney Pills from Dr. Stone's drug store and gave some to a person visiting us and they gave her wonderful relief, and in my case I was benefited in every way. My backache was relieved and the trouble with the kidney secretions was corrected. You are at liberty to refer to me as one who can endorse the claims made for Doan's Kidney Pills and I also know of a great many others who have used them with the best of results."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States. Remember the name—Doan's—and take no other.

ARE USING HAINAN AS BASE.

LONDON, April 27.—No further news has been received of either Rojensky or Nebogost's squadrons. The report was confirmed that the submarine cable had been cut at Hainan, but according to The Telegraph's correspondent at Tokio, the authorities learned that the Russians are using Hainan as a base.

To Cure a Cold in One Day
Take Laxative Bromo Quinine Tablets. *E. H. Brown*
Seven Million boxes sold in past 12 months. This signature, on every box, 25c.