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NO. 17

Poetry.

For the Advertiser.
Our Native Land.

It is sad to think we are plunging
In the midst of a civil war,
That our glorious Union may crumble
Into fragments, Star by Star;
That our grand old Constitution
May be trampled under the heel
Of the anarchist or the despot
With rod hands and hearts of steel.

Yes! the draught is very bitter
To drink from this treason-filled cup,
And think that this generation
Of ours is growing up
To be citizens of a country
God grant that it shall be so,
That the Union shall stand unbroken
No matter what tempests blow.

O! how we listened in childhood
To the tales of our country's birth,
And thought it the best and wisest
Most glorious of all on earth!
How our hearts were thrilled at reading
Our national history,
Believing for us was written
A marvellous destiny!

And now, just as we're standing
Upon the threshold of life,
To see the country divided,
Recruiting for mutual strife,
All of our golden visions
Transmitted to battle smoke,
With the terrible bursting of bomb shells,
And the cleaving sabre-stroke,—

O! where is the youth who feels not
As though he would strike them dead
Who have brought in peril our Union
For which so many have bled,
Do they hail from the sultry Gulf States,
Or that Puritanical soil,
The inexhaustible fountain
Of all isms wicked and vile.

I appeal to the MEN of the nation
Who hold for us in trust,
Of Freedom this priceless heritage
Bequeathed by the great and just,
Leave not to my generation
A country without a name,
Rent into fighting factions,
Seathed with Diablon's flame!

But if we must fight to maintain it,
Let us fight like the hosts of hell,
And either conquer or perish
'Nenth that banner we love so well!
Long life to our Native Country!
Victorious in all its wars!
And over our peerless Republic
Wave ever the Stripes and Stars! W.

Dansville, U. S. A. (Yet, thank God!) April, 1861.

Prohibitory Liquor Law.

[The following is the report of a select committee of the State Assembly, relative to amending the Constitution of the State of New York, so as to prohibit the sale of intoxicating liquors as a beverage. It was transmitted to the Legislature March 11. We trust all will give it an attentive perusal.—Ed. Adv.]

Mr. Wager, from the select committee, to which were referred various petitions, praying for an amendment of the Constitution, by concurrent resolution, so as to prohibit the sale of intoxicating liquors as a beverage, submits the following

Report:
The subject matter of the several petitions presented to your committee has been duly considered, and from the investigation and reflection given to it, they are fully persuaded that the use of intoxicating liquors as a beverage is, and always has been, a prolific source of pauperism, crime, and wretchedness. It has imposed heavy burdens upon the people, in the shape of taxation, and greatly added to the expense of the administration of our criminal laws. They are not aware of any good it has ever done, or that it possesses a single redeeming quality; and from the nature and character of the traffic, its past and present history, every page of which is black with horrors, they believe its further continuance by legislative sanction, would be a crime.

The civilized world is raising its voice against it, awakened from its long, protracted stupor, by recent developments of science and a more perfect understanding of the truths of the Bible. All patriotic men, and all christian men now unite to condemn it, as ruinous to the health, morals, and happiness of society. Time and experience, the common arbiters and touchstones by which to test the merit of all ethical propositions and questions relating to the individual, social, or public weal, have pronounced judgment of condemnation against it.

The moralist and the statesman, the man of science and the man of God, all unite in bearing witness against it, as the most uncompromising enemy to the individual, social and moral well-being of man, and the progress of the race, that the ingenuity or malice of man ever devised.

That alcoholic liquors, of every class, operate as poisons when taken into the stomach, and are, in their essential characteristics, destructive to the health and physical energies of man; no matter what the opinions of medical men may have formerly been, is now conceded by all.

What leading temperance men in this country have for years contended for, and labored to exhibit by logical deductions, have, in these latter times, become fixed facts.

More than two thousand medical men, of the highest standing and respectability in Great Britain, as well as thousands in this country, have subscribed to the following propositions:

1st. That a very large proportion of human misery, including poverty, disease, and

crime, is induced by the use of alcoholic or fermented liquors as beverages.

2d. That the most perfect health is compatible with total abstinence from all intoxicating beverages, whether it is in the form of distilled spirits, or as wine, beer, ale, porter, or cider.

3d. That persons accustomed to such drinks may, with perfect safety, discontinue them entirely, either gradually or at once.

4th. That total and universal abstinence from alcoholic liquors and intoxicating beverages of all sorts, would greatly contribute to the health, longevity, prosperity, morality, and happiness of the human race.

Dr. McCulloch, of Scotland, one of the very best living medical authorities, says: "Alcohol is a stimulo-narcotic poison." This is not only now proved, but admitted by all competent authorities. What is a stimulo-narcotic poison? Positively, it is a matter which has the property of disturbing and injuring, in any degree, the natural functions, or deranging the healthy organization of the body; by virtue of its "specific qualities." Negatively, it cannot fulfil the purpose or supply the place of food or drink in any degree, innocently or permanently.

Poison is the name of an intrinsic quality, and has no reference whatever to quantity, quantity being only considered in regard to the extent of its poisonous effects. One particle of opium, or one drop of alcohol is as certainly and truly a poison as a pound or a gallon. Food and drink are not poisons, and poisons never can be food or drink, in the true meaning of the terms. To hear men, who ought to know better, speak of them in reciprocal terms, betrays a pitiable ignorance, or duplicity in, the logical definition and nature of the things indicated.

Can the terms "temperate," or "moderate," then, be applied to the dietetic use of poison? No, we can correctly use these terms only in regard to what is wholesome, appropriate, and good, physically, morally, and religiously.

To speak of the temperate or moderate dietetic use of a poison, is an abuse of language which would be scouted and ridiculed, if applied to anything save the use of these popular intoxicants. Allow this to be illustrated analogically—take it morally:—What would you think of a man who attempted to palliate or defend his falsehood and dishonesty by pleading that he was a temperate liar or a moderate thief? Take it physically: What would you think of another, who should boast that he ate arsenic and strychnine and drank prussic acid, temperately and moderately, as diet and refreshment? If these shock propriety, and excite disgust, how is it that so many are blind to the equal absurdity of the so-called temperate or moderate use of drinks, the essential ingredients of which are the stimulo-narcotic poison, alcohol? It is habit, custom, and fashion, which cause men to see the mote in the eye of the opium-eater, and blind them to the alcoholic beam in their own. Alcohol is a poison, and total abstinence from the dietetic use of these drinks in every shape, form, or quantity, is the only true, the only logical temperance and moderation in regard to them. Professor Todd, in his great work entitled "The Physical Anatomy of Man," says that "were intoxicating drinks not rapidly absorbed from the stomach, it would be utterly impossible that digestion could go on in those who use them!"

By carefully conducted experiments in England and France, by some of their most distinguished chemists, it is proved, beyond a doubt, that alcohol undergoes no change in the body, it being expelled, unchanged, by the lungs, skin, and kidneys; that it is neither a blood-former nor a blood-warmer, nor food in any sense or degree, either plastic or respiratory; and that it should be "prescribed medicinally, and as carefully as any other poisonous agent."

It is not only a social and moral, but a brain-poisoner. Dr. Percy, a distinguished physiologist, has made many careful experiments, and has actually distilled it from the substance of the brain. The experiments have been repeatedly performed by many scientific men, and it has become an established fact, "Alcohol is not necessarily found in the cavities of the brain, nor on the brain, but united with its substances."

What practical conclusions, then, ought your committee to arrive at, in view of the foregoing expositions of the deleterious effects of intoxicating drinks? Evidently and inevitably, that total abstinence from all alcoholic poisons, as articles of diet and refreshment, is a personal and imperative duty of every man in this broad land, and that the total and immediate prohibition of its sale, for such purposes, the duty of the State.

Excessive indulgence in intoxicating drinks, among the half-civilized nations of the old world, was deemed criminal, and the use thereof, as beverages, put under rigid restrictions.

Many of the European nations have enacted condemnatory laws, considering the traffic therein a fruitful source of violence and crime, demoralization and woe.

At this moment England is greatly agitated on this momentous question. She is making herculean efforts to rid her people of

this murderous traffic. Time was when the principal literary and scientific publications in that country came to the rescue and defence of the rum traffic. By the rum traffic, we mean the traffic in wine, brandy, alcohol, beer, cider, everything that intoxicates.—First and foremost in the animated controversy then waged between the friends and enemies of temperance, stood the Westminster-Review, the acknowledged champion of wine drinking. It earnestly and skillfully, and with apparent sincerity, advocated the moderate use of alcohol, as being necessary, indeed, as food to sustain and nourish the body! But what position does that influential journal occupy to-day? It has turned a complete somersault. Magnanimously backing down from the position strenuously advocated by it a few years ago, acknowledges its error; and now, instead of being a staunch defender of alcohol, ranks among the ablest advocates of prohibition. This is ominous of good. It portends the final result of the struggle now being made in Great-Britain, to exterminate the traffic in intoxicating liquors that enlightened land.

In the last January number of that Review, it acknowledges that recent chemical investigations, by English and French chemists of the highest celebrity in their profession, have exploded the doctrine so long advocated and defended in its columns, viz., the necessity of the moderate use of alcohol, and its utility as food for the body.

The Review now classes it as a poison, and declares that those who make use of it as a beverage, are poisoned! That whenever it is prescribed as a medicine, it should be with the same care "as any other poisonous agent."

If, then, it is proved and settled, as it seems to be, beyond dispute, that all intoxicating drinks are poisonous, always pernicious, as a beverage, can this great question of the age be any longer ignored? Is it not high time that legislators cleared their skirts from all complicity in this nefarious business? Should they not relieve themselves from all responsibility in the discontinuance of a power in the State, more potent for evil than all other influences combined; more destructive to all the important interests of this great State, whether pecuniary, social, moral, or domestic, than pestilence, or war, or famine? If this Legislature is not prepared to try a prohibitory law again (having the fear of the Court of Appeals before their eyes), then pass a concurrent resolution, and allow the question to be submitted to the people, and let them decide whether or not they desire to have prohibition incorporated in the organic law of the State.

There can be no serious objection, even by those who are against prohibition, in allowing it to be submitted to the people, and taking their verdict, for the voice of the people is the paramount law; most especially is this true in a government by the people.—Where the people rule, servants have only to obey, when their voice is heard and their verdict pronounced. All who are opposed to the rule of the people, are expected to oppose the submission of this amendment to them. All who are willing to acknowledge themselves the servants of the people, are ready to hear what their masters say. For "know ye not, that to whom ye yield yourselves servants to obey, his servants ye are whom ye obey?" therefore, all ye who are disposed to yield a willing obedience to the mandate of the popular voice, will seek to avoid the expression of their command, by keeping from them a power which they alone have power to exercise. By refusing to submit it to the people, you place them in the ludicrous position

"Of having power in themselves to do it,
But it is a power they have no power to do."

No one, it is presumed, of the members of this honorable body, but will consent to defer to their constituents, and let the ballot box decide. If their verdict should be against this amendment, the question of prohibition would, at least for the present, be put at rest. Its friends would submit in silence, but not without sorrow. If they should decide in favor of the proposed amendment, philanthropists will be glad, Christians rejoice, and whole communities will clap their hands. It will be glad tidings of great joy to many people. The public pulse will palpitate with gratitude. The great heart of the Christian world will throb with delight over the grave of the greatest enemy of their peace—the greatest enemy of man. Wealth and happiness will increase, taxation and crime decrease, private and public morals be ameliorated, liberty strengthened, society improved, and the whole being of man elevated, socially, intellectually, morally.

But opposers of prohibition, although they admit and deplore the evils of intemperance, seem to take refuge in the license system, as though it was only panacea for the dreadful evil.

They admit the imperfections of the system, but contend that it may be revised, amended and improved. It is unnecessary here to state, for history records that the license system is not a new invention, but has been tried by different nations of the earth for more than three thousand years, and has invariably proved a delusion and a cheat. Egyptians, Grecians, Romans, have each of them in their turn, experienced the evils of intemperance; and have had recourse to leg-

islative enactments in regulating and restricting its sale; without remedying or removing the evils thereof. No good results ever have flowed, or can ever be expected to flow from it. All license systems are founded in fraud and injustice; and are admirably calculated to perpetuate the evils they propose to remedy.

If the sale of intoxicating liquors as beverages be a good thing, then away with monopolies. Do not abridge by legislative restrictions, a common-law right. If it is a rightful business, then it is a lawful business. And all men have a right to engage in it.—And law-makers are bound faithfully to protect them in the exercise thereof. And if protection in a lawful business is a duty toward all; then, denying it to one and extending it to another, is in derogation of a natural right, an act of palpable injustice.

The restriction of the sale of intoxicating drinks to the few, and prohibiting it to the many, is an acknowledgment, that it has a pernicious tendency.

If prohibition is an act of justice to many, then it is justice to all. No Legislature would think of licensing a man to sell butter, cheese, grain, horses, dry goods or land. Why not? Because it is a common-law right, to engage in such business. No Legislature would think of licensing a man to commit theft, robbery, burglary, or murder. Why not? Because it is wrong—prohibited by the common-law. A right therefore is to be protected, because it is right, and wrong prohibited because it is wrong! without regard to the nature or extent of the right, or the character of the wrong. Legalizing a wrong can never make it right; prohibiting a right can never make it wrong. The air we breathe, the light of heaven that we enjoy and the earth on which we tread, are natural rights, free and accessible to all without distinction; but no more so than occupations that injure nobody.

Tested by these principles, your committee cannot perceive how the license system can be just or expedient.

Our opposition to it, is predicated upon the following grounds:

Because it has also proved a failure wherever it has prevailed, as an antidote to intemperance, in every age and in every country.

Because it is the province of the Legislature, to protect the whole people, and not a privileged few.

Because a licensed sale of intoxicating beverages, encourages drinking, thereby directly tending to induce and perpetuate all the vices of intemperance.

Because it is of immoral tendency, corrupting the heart, destroying the body, polluting the morals, demoralizing the character, debauching and debasing whole classes of society.

Because, multitudes congregate in places where intoxicating liquors are sold according to law; and their appetites are formed; their drunkenness usually begins; their pauperism and crime date their origin.

Because the protection which the law affords gives a kind of respectability to the traffic, in the eyes of the world.

Because it increases the expenses of the State, augments the taxes and burdens of the people, according to recent reliable statistics more than one-half.

Because it leads men into temptation, beguiles them from useful and honest industry, begets indolence and sloth, "a slothfulness that casteth into a deep sleep," "and sloth like rust consumes faster than labor wears."

Because, by the abolition of licenses, the ballot boxes, the security of freemen, would be emancipated from the control of liquor vendors, thereby securing and perpetuating the liberty of the citizen, the blessings of our free institutions, and the inalienable rights of man for generations to come.

Continue the system, and the sin and shame and sorrow which grows out of its legitimate operations, will be perpetuated. There will be no relief from the burdens of onerous taxation, from the vices, violence and disorders, pauperism and crime, inherent in the whole system. It is in vain to extenuate. The combined wisdom of centuries has never been able to perfect, to improve or to amend the system so as to obviate or remedy the evils that have their origin in this odious law. Years have come and gone, century after century has passed away, and alcohol, under the sanctions of law, through the operations of legislative enactments in the form of license, continues its ravages still!

The storm may rage without, and spread desolation around; but it is limited in extent and duration, having emptied the vials of its wrath only upon a few, it gives place to the calm and the sunshine.

Tornadoes may howl in fierce anger along the sky, leaving in their track, destruction and death; but their continuance is but of short duration; their frightful ravages are soon over and forgotten. But this is not the case with regard to the operations of this inhuman, wicked traffic. It is not confined either in extent or duration. The world of nature is its dominion, the world of man its victims. Unlike the visitations of the tornado and the storm, its ravages have not been temporary, but have been perpetuated from age to age! And if the license system remains, will continue its ravages till the day of doom.

The footprints of alcohol have been traced along down the tracks of time, and its course has been marked in ashes and in blood, through ruined habitations and desolated homes; over broken hearts, crushed affections, ruined fortunes and disappointed hopes. Brilliant minds have been wrecked, intellectual lights suddenly gone out, and manly and vigorous frames, bursting into manhood and into fame, have been sent to untimely graves.

Never, until the people shall obey the injunction of Holy writ, and "look not upon the wine when it is red, when it giveth its color in the cup, for at the last it biteth like a serpent, and stingeth like an adder," will they be free from the sin and curse of black intemperance! Nothing but prohibition can remove the temptation!

"Out of sight, out of mind."
Prohibitory laws have produced salutary effects wherever they have been enforced. In those States where they have efficient execution, never were the people more prosperous, never had they a greater exemption from the destructive power of rum.

In this State, in the year 1855, when the law was only partially executed while being tested through the courts, there was far less of drunkenness, far less intoxicating liquor sold or used, than before or since. That year was an era, long to be remembered, of freedom from rowdism, violence and crime, than we have witnessed at any time since.

Even the partial execution and observance of the Sunday law in the city of New York, is attended with auspicious results, notwithstanding the numerous petitions sent in for its repeal. According to recent reliable statistics, it appears that the total number of arrests for drunkenness, disorder, and crime, on the Sundays of the last 18 months, were 10,483; while for the Tuesdays of the same period they amounted to 16,608—a difference in favor of the law, even as yet only partially enforced, of 6,026. Inferentially, if prohibition works well on one day, it will in seven; and if in seven, then through the year. If it operates favorably in one locality, there is every reason to believe it will in another. If it tends to diminish the number of arrests and prevents the commission of crime in one town, by parity of reason it will in the State.

Under the operations of the present license system, crime is increasing with astonishing rapidity. Thousands and tens of thousands are annually being made drunkards; 80,000 or 40,000 annually go down to drunkards' graves; and the army that travel that dreadful road is steadily augmenting. It is painful to contemplate. In almost every daily paper we take up, we find an account in its columns of a sudden death; a horrible crime committed; a revolting murder perpetrated; a noted man sent to the lunatic asylum; a whole family barbarously massacred; a suicide gone hurriedly and unprepared to judgment—all by reason of alcohol!

A State Inebriate Asylum is being erected at Binghamton, to receive the unhappy victims of intemperance. When it is completed, it is estimated that 400 inebriates can find comfortable accommodations! At this very time, 4,281 applications have been made for admission! What are to become of the residue? Ten additional ones should be erected straightway, if all these are to be cared for; and what tens of thousands of others, if all confirmed drunkards are to be provided for!

If the Legislature and the people should, in their wisdom, continue the license system—if the tens of thousands of licensed dram shops, scattered in wide profusion over this State, shall be permitted to pour forth the lava of destruction and death, the State, at the end of the year, would need an additional number! Asylums, poorhouses, jails and prisons will be in great demand, but perhaps not greater than the supply of inmates!

What an unfortunate multitude! what a multitude of unfortunates! shut out from society and the world—from the light of heaven and the light of reason! What a dreadful record alcohol and his accessorial agents will have to bear read at that great day! Are they not "treasuring up" for themselves wrath against the day of wrath?" Happy, indeed, will he be who bears though an humble part, in removing from our midst the sin, the shame and sorrow of which alcohol is the author. He will not only receive the approbation of his own conscience, but the applause of philanthropic millions and the favor of heaven.

Your committee, full of hope and confidence in the ultimate triumph of truth, and the redemption of our State from this pernicious and pervading evil, believing that the people, in their sovereign capacity, will be permitted to decide the question for themselves, and thereby show to the world that they are not only capable of self-government, but of self-emancipation from a worse than Egyptian bondage, ready and willing to purify their own laws, when they find by long experience they are destructive to life, health and happiness, would, therefore, in pursuance of the foregoing suggestions, and to consummate the end proposed, respectfully present and ask the passage of the following resolutions:

Resolved, (if the Senate concur), That the Constitution of this State be amended as follows:

The sale of intoxicating liquors as a beverage is hereby prohibited; and no law shall be enacted or be in force, after the adoption of this amendment, to authorize such sale; and the legislature shall by law prescribe the necessary fines and penalties for any violation of this provision.

Resolved, (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators; and that in conformity to section one of article thirteen of the Constitution, it be published for three months previous to the time of such election.

D. J. WAGER,
ANSEL CHILMAN,
WILKES ANGEL.

Without intending to be understood as acquiescing in all the statements or reasons contained in the foregoing report, I do, nevertheless, acquiesce in the propriety of leaving the whole question to the vote of the people. Dated 7th March, 1861.

N. DANE ELLIOTT WOOD.

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