MAY BE SETTLED THIS AFTERNOON

Council Committees Wrestled With Conduit "Problem" Last Night.

WANT \$75,000 FOR "EXTRAS."

Engineer Doremus Thinks the Proposed Expenditure is Unwarranted-Kelsey Defended Moran.

The proposition of the present administration to spend the additional sum of \$75,000 on the Big Cottonwood conduit for extras was considered for about three hours last night by the council committees on engineering and sewerage, and at the end of that time it was decided to hold another meeting this afternoon at 3 o'clock for the further consideration of the matter.

On last Monday night City Engineer Kelsey recommended to the council the expenditure of \$17,519.59 for plastering the conduit, \$24,186 for covering the conduit its entire distance with dirt. and \$33,993 for increasing the thickness of the walls from six to eight inches. DOREMUS NOT IN FAVOR OF IT.

Engineer A. F. Doremus, who was consulting engineer on the conduit during the last administration, was present at the committee meeting last night, and gave a very exhaustive talk in relation to the matter, during which he said that in his judgment the only expenditure recommended by Engineer Kelsey which would be warranted at all was covering the condult with earth and even that might be considered too expensive, especially where the conduit crosses ravines on trestles.

KELSEY WANTS THE MONEY.

City Engineer Kelsey was the first speaker before the committee. He told the members what was desired in the way of betterments for the conduit and stated that a test had been made of 2,700 feet of the conduit which is completed and that it leaked badly, and the loss of water on that account would amount to 2,000,000 gallons per day. He said that the leakage could be remedied by plastering the inside of the conduit and that it would be necessary to cover it with dirt in order to protect it from the weather and thus have better water. As to making the walls thicker, he argued that that was necessary in order that they might withstand all pressure from within and without. Mr. Kelsey stated that Mr. Moran, the contractor, was doing even a better job than the specifications and his contract called for. the specifications and his contract called for.

Councilman Wells stated that the recommendations of Engineer Kelsey were a sever arraignment of the engiwere a sever arraignment of the epishers who made out the plans for the conduit and approved all of the specifications for the same. Mr. Doremus was then asked to give his opinion as to the necessity of the extras proposed by the city engineer.

QUESTION OF LOCATION.

He stated that he had not fixed the location of the conduit at all but that he had agreed with the other engineers as to the general principles upon which it should be located. In his judgment the conduit should have been located entirely in the side of the mountain instead of being partly exposed. He concurred with Mr. Kelsey in regard to covering the conduit with dirt al-though there were some portions of it which would be practically impossible to cover and at any rate it would be decidedly expensive. Although he had borne the title of consulting engineer he stated that he had been nothing more than an assistant engineer on the construction of the conduit.

Mr. Doremus did not agree with the

engineer in regard to increasing thickness of the walls and he argued that the same result would be obtained at much less expense by putting in more steel reinforcement bars where it was deemed necessary to strengthen the walls of the conduit. In regard to that matter he said further:

"Mr. Kelsey's proposition to increase e thickness two inches leaves us in exactly the same dilemma as when we started. Six inches probably is not thick enough in all places; in many thick enough in all places; in many places six inches would be ample. If we are to have a uniform thickness, why eight inches any more than six? Who is to determine how thick the walls should be, and how is it to be determined? It may be that at some places the walls should be twelve inches thick. You ought to have a man on the ground constantly to determine that question."

ALL LEAK MORE OR LESS.

As to the leakage in the conduit Engineer Doremus declared that every conduit ever constructed leaked more or less and in his opinion plastering the conduit would not stop the leakage entirely. He called attention to the fact that there is a heavy, leakage in the water mains of the city and stated that the leakage from that source is greater than it would be from the conduit whether plastered or not. As to duit whether plastered or not. As to the leakage he said: "There never was a conduit of any

description that wouldn't leak some, but concerte, properly proportioned and skiffully laid, should convey water without any considerable loss. The tendency of porous concrete is to close up with use. Especially is this true where it conveys water full of mineral substances and silt such as our Utah water. The conduit is bound to leak more when it is new; it will always leak some, even if you plaster the inside of it. It comes down, therefore, to a financial question, as to whether you want to plaster it.

want to plaster it.

"My observation of the conduit is that it leaks only in spots. We will say that one square foot in ten leaks. Now, if nine feet can be so laid that they will not leak to any considerable degree, there will any considerable. degree, there isn't any reason why the tenth foot can't be laid that way. It depends on who does the work."

OPINIONS WITHOUT FACTS.

He was asked by Councilman Black if he thought it would be advisable to plaster the conduit if by so doing the city could save 1,000,000 guilous of wa-ter per day. In reply to that he stated ter per day. In reply to that he stated that that would depend upon whether or not plastering would be the best and cheapest way to obtain that saving. In his judgment it would not. He admonished the members of the committee against taking hasty action in the matter and stated that it should do more than merely get opinions from some one in regard to the proposed work. Onlinens without being backed work. Opinions without being backed by facts were not worth anything in his estimation. He said that the Parley's canyon conduit was plastered on the inside, yet it leaked, and he thought that a thorough test of the work on the conduit should be made before definite

action is taken.

George Rodin, one of the inspectors employed by the city on the conduit made a few remarks in which he recommended that the conduit be plas-At the conclusion of his re-

marks, the committee decided to hold marks, the committee definition as it another meeting this aftrenoon, as it was intimated by Contractor Moran that work on the conduit would be that down unless the matter was closed down unless the matter determined by Monday night.

THEATERS VS. SERMONS.

Former Salt Lake Actress Strongly Advocates Sunday Performances.

Chicago, Feb. 24 .- In an address before the Actors' Church alliance at its annual meeting yesterday Miss Sarah Truax, leading woman in a theatrical company appearing in Chi-Sunday religious services in churches to morning services only. As a sub-stitute for evening services she proposed that church-goers attend a the-atrical performance.

atrical performance.

"There are many persons who can attend the theater only on Sunday," she said. "What can they do? The ministers expect them to come to church, but the church cannot offer the diversion to which they are entitled after a long hard week of work.

Cherrica let the propole go to the Therefore let the people go to the church in the morning and to the theater at night."

OWEN'S CHARGES DENIED.

J. H. Scott Writes Facts Concerning Public Officers of Utah.

The following was received from Victor, Ida., under recent date:

"Editor Descret News; "In your 12th inst. issue of the Semi-Weekly News, I notice that Mr. C. M. Owen's marking of public officers of the State of Utan would indicate that all county superintendents of schools have been Mormons ever since Utan became a

been Mormons ever since Utali became a state.

I wish to state that I have never been a Mormon; neither was i born of Mormon parentage, but I do desire that a fairminded people should have their just dues. Therefore, I will state that I held the office of county superintendent of schools in Emery county, Utah, for two years and seven months after Utah became a state. And the good people of Emery assured me another term if I would but remain and accept it.

But I had the Idaho fever and did not stop. At that time I do not think there were more than 20 non-Mormon voters in the county, And more, I was a staunch Republican, and the county was very strongly Democratic. All of the people well knew that I was a non-Mormon; which shows to me very conclusively that the people voted for whom they pleased or desired.

I was also a candidate for the constitutional convention, and came within seven were to being elected over a leading

I was also a candidate for the constitu-tional convention, and came within seven votes of being elected over a leading Democrat, and a Mormon. I have lived among the Mormons in different parts of Utah and Idaho for more than a quar-ter of a century, and can and will state truthfully, that I never lived among a more kindly or better people. Yours for truth and henesty, "J. H. SCOTT,"

Y. W. C. A. ELECTION.

Question of Suitable Quarters Discussed by Executive Committee.

The executive committee of the Young Women's Christian association met yesterday afternoon, and discussed the question of quarters of the association, when the belief was expressed that by another week suitable apartments would be found. The following board of directors was elected: Mrs. C. J. McNitt, president; Miss Eva M. Fleming, secretary; Mrs. E. B. Critchlow, vice president; Mrs. A. B. Greeson, treasurer, and the following: Mrs. J. R. Bowdle, Mrs. Stevenson, Mrs. George R. Hancock, Mrs. U. U. Hiskey, Mrs. Benjamin Young, Mrs. Marcus Jones, Mrs. Ledyard M. Bailey. Fifteen members will constitute the board of managers, 13 of whom were named yesterday, as follows: Mrs. E. Caffall, Mrs. A. H. Mayne, Miss Adelia Williams, Mrs. Marian Van Sant, Miss Mabel Jones, Mrs. Meiggs, Mrs. Lillian Duncan, Miss Stevenson, Mrs. W. A. Wight, Miss Mabel Lamb, Miss Hollister Hancock, Miss Maude Ditmars. tion of quarters of the association, when

FLAG IS GONE.

Valuable Trophy of Freshman Class Disappears From University.

Consternation reigned in the freshmen class of the University of Utah yesterday when they discovered that their only trophy, the flag which they won at the last Interclass rush, was gone. What puzzled them was the fact that they were unable to locate either the flag or any classmates who knew anything about the matter. After the rush last fail in which the freshmen bested the sophomores, the flag was given to the keeper of the class trophies, but at present, when class rivalry is so intense, the freshmen gathered to put their signatures on the precious canvas. The flag was sent for and then the loss was discovered. No clue is yet furnished and unless something developes within the next few days measures will be taken to locate the flag for it is understood that all class trophies are to be left in the trophy hall of the gymnasium when that building is completed. when they discovered that their only

FIRST ORPHEUS CONCERT.

Program For the Event Was Completed Last Evening.

The program for the first Orpheus concert was completed last evening, and

"The Long Day Closes"Sullivan

"Ye People Rend Your Hearts."
"If With All, Your Hearts,"
Glenn Hall.

WARD ENTERTAINMENTS

Pioneer Stake Hall-The Pioneer Stake Sunday School Dramatic company will present "Hazel Kirke," at the stake hall, on Thursday afternoon, March 1, and in the evening. The matinee begins at 4 o'clock.

Fourth Ward-At the Fourth ward meetinghouse on Wednesday night next and at the Thirty-third ward meetinghouse on Friday night next, J. Frank Pickering's illustrated lecture, "Lights and Shadows of a Great City," will be given.

Sixth Ward—An entertainment of excellent quality will be given in the Sixth ward hall, on Third West between Fourth and Fifth South streets, next Wednesday and Thursday even-ings, Feb. 28 and March 1, for the benefit of the Sunday school. A music-al program, interspersed with recita-tions, will be followed by the pleasing two-act drama entitled "The Last Loat," by the Sixth Ward Amusement

Sixtcenth Ward—By special request the Sixteenth Ward Dramatic and Lyric association will again present the drama entitled "Miss Chester" on drama entitled "Miss Chester" on Wednesday evening, Feb. 28, at 8:15,

MARGARET TYREE MADE DEFENDANT.

Suit Filed in District Court to Set Aside Deed to Little Gem Claim.

FALSE REPRESENTATIONS.

Alleged to Have Been Made by John Tyree in Behalf of His Wife.

Suit was filed in the district court today by Albert Kattenborn against Margaret Tyree to set aside a deed conveying to defendant the title to the Little Gem mining claim located in the Bullion district, Lander county, Nevada. The complaint alleges that by false representations made by John Tyree in behalf of defendant, his wife, plaintiff was induced to sell said claim to defendant for the sum of \$250. He now tenders said sum in court and asks that the deed executed on Dec. 12, 1905, be set aside and that defendant be compelled to transfer the claim back to plaintiff.

It is alleged that plaintiff executed a bond and lease on the property for the sum of \$5,000 to P. B. Locker, who assum of \$5,000 to P. B. Locker, who assigned the lease to the Reliance Mining & Milling company. Prior to the time the property was deeded to defendant, her husband, claiming to represent her and also the Reliance company went to plaintiff and falsely and fraudulently represented that the company had given up its lease on the property and thereby induced him to sell the claim for \$250. The claim is worth \$5,000 it is alleged hence plain-tiff offers to return defendant's money and asks that the deed be set aside. It is stated that Mrs. Tyree is a sister-in-law of Hiram Tyree, the president of the Continental Life Insurance and Investment company, who is now having his preliminary hearing upon the charge of filing a false report of the affairs of the company with the sec-retary of state.

TWO DECREES; NO DIVORCE. Mr. and Mrs. Crooks Still Husband and

Wife Because of No Record. Nearly seven years ago Judge Ogden Hiles made an order granting Mary A. Crooks a divorce from Eimer E. Crooks, and a little more than two years ago Judge W. C. Hall made a similar order in the case, but notwithstanding that fact, Mr. and Mrs. Crooks are still legally husband and wife, as no decree of divorce has ever been filed for recourt in the office of the cierk of the court.

court.

Some time ago a Mrs. Mitchell of Seattle wrote to County Clerk Eldredge asking for a copy of the decree in the case, and upon a search of the records being made it was found that no decree had ever been filed, although it had twice been ordered by two different judges. A copy of the order for the divorce was forwarded to Mrs. Mitchell and the clerk then notified H. G. Twomey, the attorney for Mrs. Crooks, that no decree had ever been filed in his office.

fice. Yesterday afternoon the decree signed Yesterday afternoon the decree signed by Judge Hall was received from Ac-torney Twomey, who now resides in Chicago. It was dated Feb. 10, 1904, but Chicago, it was dated Feb. 10, 1904, but inasmuch as the decree had not been filed while Judge Hall was on the bench, it was ruled by Judge Morse that it was of no effect and should not how be received and filed by the clerk. Hence Mr. and Mrs. Crooks are not lessily divorced and in order to secure a legal decree it will be necessary for one of the present judges to hear the testimony in the case and render another decree.

ther decree. The first decree ordered in the case by The first decree ordered in the case by Judge Hiles was never drawn up by the attorney, and hence was never signed by the judge. So when the matter was brought up hefore Judge Hall he heard the testimony again and ordered another decree, but this one was signed by the judge, but not filed until after he retired from the heach, hence it is he retired from the beach, hence it is held to be void by Judge Morse. The whereabouts of either party to the action is not known at present, neither is it known whether or not either of them has again married. If they have married again greater com will arise from the incident. compileations

COURT NOTES.

A claim for damages in the sum of \$5,000 has been filed against the city by Attorney J. A. Largent on account of a broken ankle received by him about three weeks ago by falling on an icy walk on the Kenyon hotel corner. The claim was filed with the city recorder and will be submitted to the city council for action on Monday night.

Hays Gann has filed suit for divorce Hays Gann has filed suit for divorce in the district court, against Hattie Gann, on the grounds of cruelty and habitual drunkenness. It is alleged that the parties were married in this city on May 12, 1904, and that defendant has threatened the life of plaintiff, and has used vile language towards him. It is also charged that Mrs. Gann is a habitual drunkard, and that she frequents ual drunkard, and that she frequents saloons and other vile resorts.

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MURRAY DEPARTMENT

The "News is delivered in Murray and vicinity from the branch office every night. L. E. Lauritzen, Branch Manager. Orders for Church Works and advertisements received. Office at D. B. Jones' Block.

Murray, Feb. 24.-The following | business was transacted at the session of the city council last Tuesday evening. The council accepted the alarm gongs, one from the Utah Independent Pelephone company at \$5 a year for rent, and the other from the Bell Telephone company for \$4 per year rent.

The marshal reported that the liquid in the fire extinguishers was frozen up and could not be used if needed. He was instructed to employ some person put them in proper condition

John Tripp put in a bid of \$145 to repair the arc lights and put them in a first class condition.

The council offered its support in doing all it could for the juvenile

The butchers were present and discussed the proposition of pedling meats. They asked the council to draft an ordinance prohibiting the pedling of fresh meats. The proposition of building a city hall was discussed and referred to the

committee on improvements. Henry Howard was given permission to move a house from State and Seventeenth South to his property on East Murray street.

CITY FATHERS WILL ERECT CITY

The building committee met last night and decided upon building a new city hall on the city lot between Vine and Seventeenth South on State street. The plans already drawn were carefully looked over but not generally accepted, though it is thought that they will be. Work will commence at once in preparing the ground and as soon as plans are accepted the con-tract will be let. It will be a pressed brick building with stone trimmings and with every modern convenience, including a jail, and will be a first class city hall, with a town clock in the tower. No estimate as to the cost as yet has been made, but it is supposed that will run away up into the thou-

MANUAL TRAINING OR HIGH SCHOOL.

Yesterday the teachers and fanitor of the Murray public schools were paid for their work in the past month. The roll now reaches \$1,500. The regular monthly board meeting will be held Thursday evening next. The main issue to come before the board is: Which will bring the best results to the students of this city, a High school or Manual Training school. Today there are 30 High schools in the state, the best of which are in easy reach of the aspiring youth of this community. And while a high school would be of great importance to this city it would benefit at least but 30 students, whereas a manual training school would benefit 300. Practical manual training, according to the Yesterday the teachers and janitor of tical manual training, according to the ideas of a prominent educator here, would be the greatest facton in solving the bad boy problem. He claims that it would be so fascinating that it would affect every child in the community. Whichever branch the board decided upon it will receive immediate attention

and every possible means will be used for its commencement at the beginning of the next school year.

The judgeship of the juvenile court has been accepted by W. B. Erekson and he is busily engaged in preparing for immediate work. His probation officers have not yet been chosen, but and he is busily engaged in preparing for immediate work. His probation officers have not yet been chosen, but will tikely be today.

The health of the children is generally

good. There is but little contagion been prevalent here, relative to the spreading of disease in the school room, is not warranted from the good health and sanitary conditions of the schools which prevail.

Mrs. Meyers has been doing substitute work for Mrs. Fitch, who has been ill for the past two weeks. Mrs. Fitch will assume her duties again Monday. HIGH IN MUSIC.

On consulting Prof. M. E. Christoferson, music supervisor, the writer was informed that Murray schools rank high in musical talent. The professor is truly proud of all under his direction.

The music department is at present working on an operetta. "The Little Red Riding Hood," which will be pre-

sented in the Murray Opera House in the near, future. The eighth grade stu-dents are practising choruses for the graduating class of Murray city schools. DEATH OF MRS. JANE WOOD.

Mrs. Jane Lunn Wood, of Taylors-ville, died Wednesday, Feb. 21, of dropsy, after several months' illness. Mrs. Wood was 58 years of age and was a devoted Latter-day Saint. Fun-eral services were held in Taylorsville ward house today at 1 o'clock and the interment took place in the South Cot-tonwood cemetery. tonwood cemetery.

AMUSEMENTS.

Washington's birthday was general-Washington's birthday was generally celebrated, all the business houses closed in the afternoon and the day closed with a grand ball in the Trocodero. The neighboring wards also spent the evening in dancing and a mirthful spirit prevailed throughout. Last evening the Grant ward rendered an exquisite program after which a ball was tendered.

The bazaar committee met last night and decided upon the arrangement of the booths and the general

night and decided upon the arrange-ment of the booths and the general get up of the fair. A great deal of enthusiasm was worked up and un-solicited help offered. Energy is grow-ing with the time and it is expected by March 14, 15, 16 that the people will be so wrought up that they will turn out to make it the greatest affair ever given in the ward. ever given in the ward.

NEWS BRIEFS.

Wm. Boam, N. W. Erekson and J. W. McHenry spent Tuesday in Ogden

Isaac Hadley has moved west on Seventeenth South. The house he formerly occupied is being torn down to give room for the Utah Implement Co.'s new building.

R. E. Farris and family, living near the Highland Boy, have moved to Salt

Lake City.
H. C. Atwood made a real estate transfer this week of 26 acres, the consideration being \$3,000. The farm was owned by Wm. Wengren of Union. Dr. Chas. Olson was made happy by the appearance of a fine girl on Wash-ington's birthday. This is his thir-

The three firms that consolidated un-

teenth child.

der the name of the Emporium, com-menced business Wednesday. The members of the Murray Business Men's association are making arrangements to accompany their brothers on the north on the "get acquainted trip" to the south, March 7. President F. C. Howe said last evening that he was positive that Murray would be represented by a number upwards of 100 members, and would occupy a separate

A fine baby girl arrived at the home of Mr. James Dunster Feb. 18.

RUSSIAN PRISONERS.

Their Repatriation Will be Finished During the Present Year.

Yokohama, Feb. 24 .- The repatriation of Russian prisoners, the number of whom is estimated at 1,424 officers and 70,476 men, will be finished

during the present year.

Gen. Daniloff, the Russian commissioner sent to Japan to receive the prisoners, has been ordered home to St. Petersburg to receive promotion for his efficient service.

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PRESIDENT IN **GOOD SPIRITS.**

Over Favorable Report of Senate Committee on Hepburn Rate Bill.

HEPBURN SAYS "DELIGHTED."

Roosevelt Regards Tillman as a Game Fighter and an Monest Man.

Washington, Feb. 24.-President Roosevelt is said to be in excellent spirts over the favorable report of the Hepburn railroad rate bill by the senate committee on interstate commerce.

"The president is delighted," is the way Representative Hepburn, the author of the measure, put it. "The president is greatly pleased," said Senator Dolliver, a member of the committee, after his conference with President loosevelt.

Several members of the senate and house, who are particularly interested in rate legislation, had talks with the president today. Senators Dolliver and Clapp of the interstate commerce com-mission, and Speaker Cannon and Representative Hepburn discussed briefly the situation with the president.
"There is no gloom around here," re-

"There is no gloom around here," remarked Senator Dolliver, as he was leaving the executive offices. "The president is greatly pleased and offers no criticism at all. Yes, I believe the bill will pass the senate, perhaps without amendment. It will go through in practically its present shape."

"Is Senator Tillman to have a conference with the practical part than the property of t

ference with the president about the bill?" "I don't know about that," replied Senator Dolliver, "but I do know what the president thinks about Tillman. He told me 10 days ago that he regarded Tillman as a game fighter and an hon-

est man.' Representative Hepburn would not discuss the rate situation, but indi-cated that the president was gratified that the pending measure should have

when an expression was sought from speaker Cannon, he fenced cleverly. "Like Paul of old," he remarked, "Het these things more than the second hese things move me not." Representative Townsend of Michigan, who has been identified with rate egislation from the inception of

proposition, said, after talking to the president: president:

"The president is happy. I cannot say he is perfectly satisfied, for perhaps he might-like to have had some points of the measure in different shape. Upon the whole, however, he is in fine spirits. In the selection of Senator Tillman, a Democrat, to make the report it strikes me that some the report, it strikes me that some members of the committee, realizing they were defeated, took this means to siap those who were supporting the Hepburn bill. The prospect for the enactment of the measure is, I think, very good."

ACQUIT BANKER MCCUTCHEON. Des Moines, Ia., Feb. 24.—Banker Fred McCutcheon, on trial at Ida Grove for re-civing deposits after his bank, at Hol-tein, Ia., was insolvent, was today ac-



MISS BOB ELLERBECK.

Of Salt Lake, As Kate Hardcastle in "She Stoops to Conquer," Presented by The Sophomore Class of Stanford University, Feb. 16th.

Miss Ellerbeck was formerly a student at the University of Utah and was member of the Dramatic club. She commenced a course at Stanford this year, and immediately became popular as a member of the Delta Gamma sorority, of which her two sisters, Edyth and Clarissa M. Ellerbeck, were members while at Stanford, and through her work in English composition. Since the performance of "She Stoops to Conquer" Miss Ellerbeck has been chosen as leading lady for a performance of "Two Gentlemen from Verona," to be given in March under the auspices of the Sword and Sapdals club.

quitted of the charge. McCutcheon's brother testified that he received the alleged unlawful deposits instead of the defendants, and the latter was cleared on this evidence.

COAL OPERATORS

in Kansas City to Hear Report Of the Scale Committee. Kansas City, Feb. 24.-The South-

western Coal Operators' association,

which comprises the fields of Missouri, Kansas, Oklahoma and Indian Terri-tory, Arkansas and Texas, met here today to hear the report of the scale com-mittee that went to Indianapolis to con-fer with the United Mine Workers, and to discuss the situation. Nearly 100

operators were present.

Before going into the conference W.
C. Perry, president of the association. "I am satisfied and so are all coal

operators, that there will be a strike operators, that there will be a strike among the miners; that it is inevitable is being admitted. Our people will get together and talk the matter over. In case of a strike 20,000 miners will be voluntarily out of employment in Missouri, Kansas, Texas and the territories. Our delegates to the Indianapolis convention will make a formal lls convention will make a formal re-port. This in itself, however, will be but a mere formality, as the members themselves have fully informed them-selves on what transpired themselves are the selves on what transpired there at the

Judge J. C. Tarsney, another membe of the scale committee that went to In-dianapolis, said in an interview that he had no hope of anything being done to avert a strike.

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