DESERET EVENING NEWS.

Friday, - - March 17, 1893.

FRAGMENTS.

THE Relief Society conference was in session this afternoon, in the Fourteenth ward hall.

AN adjourned session of the City Council will be held tonight. One of the enthusiastic members said today, "Something will drop."

ANOTHER secret inquisition was held behind closed doors in the city hall by the City Council last night. Gas and railroad franchises were the principal topics of discussion. As least as it is said.

PROFESSOR T. B. Lewis is down from Ogden and will deliver a lecture to the students of the University of Utah this evening, at 7:30. Subject, Civilization in the United States.

"PAY your poll tax" is the inscription on a highly-colored cardboard almost hidden from view among the posies in the window of street Supervisor Hines' office on Commercial street.

AT Oxburn, Idaho, on Tuesday, Wm. C. Riley, an old miner, who has been at times engaged in various camps in this vicinity, was struck by a Union Pacific train and killed.

A. E. STORE, superintendent of the Brigham City co-operative store, has gone to New York to purchase $30,000 worth of goods for the institution whose business affairs he is manipulating.

IN order to cross the roadway from the vicinity of the Dooly building to the other side of the thoroughfare it becomes necessary for the unfortunate pedestrian to wade as best he may through a deep sea of mud. The same remark will applies to other quarters of the city.

THE front windows of the new city offices on Commercial street now have the appearance of the approach to a mammoth greenhouse. Commissioner Rich has had hundreds of potted plants and evergreens brought down from the city cemetery to beautify the new quarters.

GEORGE OLSEN, one of the contractors of the joint city and county building, says the enterprising head of the street department has recently hauled several hundred loads of clay on to Second East street, between Sixth and Seventh South streets, and that parties in that vicinity contemplate petitioning the City Council to use it for manufacturing adobies.

"The Day We Celebrate."

Judging by the number of green badges that were being carried around today, there are in this city, a great many worshipers at the shrine of St. Patrick. From such indications one might be led to believe that after all Salt Lake might not be so very far behind Chicago, where an Irish Catholic alderman got the council to declare today a holiday, and to order all municipal offices closed for the occasion.

Now, Councilmen, Speak Up!

"Tell me, will you, please," queried a prominent business man of a NEWS reporter today, "why the City Council is holding so many secret sessions of late? They were elected by the public, are public servants, paid with public money (and they get a good deal of it, too), and the public has a right to know what is going on. All of this dark lantern business has an ominous look."

FREED FURNITURE

—AND—

CARPET COMPANY

30, 32, 34, 36, 38 E. THIRD SOUTH.

Cash or Easy Payment

KEEP YOUR EYE ON THIS SPACE

It Will Be to Your Interest to Visit This Mammoth Establishment.

FREED FURNITURE & CARPET CO.,

From 30 to 38 E. Third South St.

AMUSEMENTS.

THE HOME CLUB reappeared last evening after a year's absence from the boards, and presented their old time success Confusion to a full house, at the Eighteenth ward school building. The hall is nicely fitted up with stage and scenery, and though the players showed they were a little cramped for room, the piece went with all the merriment that uses to distinguish it. It only needs to be repeated what was long ago conceded, that in many respects Confusion is the chief comedy success in the history of this successful organization. Mr. Spencer's Blizzard, Mr. Wells' Mummford, Mr. Youngs James, Mr. Pratt's doctor, Miss Clarridge's Lucretia, Mrs. Wells Maria, and Miss Clawson's Violet were as evenly and excellently rendered as ever, while Mrs. Dinwoodey, Mr. Barlow and Mr. Walk, the new members of the cast, all showed decided dramatic talents. Mr. Carlisle and Mr. Carrington of the Twelfth orchestra were applauded for their musical selections.

THE SALT LAKE COLLEGE OF MUSIC opened last evening in Cahler's hall to a large and select audience. Messrs. Krouse and Webbe had charge of the musical part of the program, which insured the highest order of excellence. Mr Webbe's number was of course the musical feature of the night. Mr. Haven and Mr. Storer, two new additions to our musical ranks from Denver, were well received for their vocal solos; a duet for two pianos, rendered by Mr. Krouse and Miss Florence Clawson, was excellently done. Mrs. Hoskins gave two songs, a string quartette furnished selections, and the well known reader, Mrs. Norris, gave an essay on music. Altogether the affair was a striking success.

THE ORPHANS' BENEFIT at the theater tonight will attract a large audience, as many tickets have been sold. Kraus & Webbe have charge of the music, and a play appropriate to St. Patrick's, The Irish Emigrant, will be rendered with the following cast:

TOM O'FLYNN, an Irish Emigrant.....
.....Mr. T. F. O'Malley
TOM BOWLING, a truckman.....
.....Mr. John F. Braun
Mr. GRAHAM, a merchant.....Mr. Stafford
A VISITOR, an old man.....Mr. Fred Mayne
Henry Travers.....Mr. Walter Bailey
Cecil Somerville.....Miss Josie Bailey
Mrs. Somerville (A widow of few means)
.....Miss Maggie Bailey
Mary Travers.....Miss Nora Graham.

THE ORPHANS' CLUB concert at the Congregational Church last evening in aid of the Woman's Refuge, drew a very good audience. Under Mr. Kelsey's direction the club make a strong hit, and showed that it is making excellent progress. It was down for three numbers, the best rendered of which was Dudley Buck's "Alpine," for which a hearty encore was given. When the club rendered "The Swanee River," obligato by Mr. Thomas, Mr. Radcliffe at the organ was all himself, and his masterly rendering of Gottschalk's "Last Hope" was especially applauded and encored. Mr. Pyper gave Hayden Coffin's song from La Cigale in an artistic manner, and on a recall sang "None so Rare" from Marina. The lady soloists, Miss Royle and Mrs. Gray, were both warmly and deservedly encored. The financial success of the entertainment is largely due to the indefatigable efforts of Mr. Shaefer, who personally sold a large number of tickets.

IN THE SUPREME COURT.

Interesting Point in Regard to a Verbal Contract Argued this Morning.

A DISPUTED PROMISSORY NOTE.

An Appeal by the Pleasant Valley Coal Company Goes Over.—General Notes.

The first case down for hearing in the Territorial Supreme court this morning was that of Minnie Brinton, by W. C. Pavey, her guardian ad litem, appellant, vs. Wallacraw Van Cott, administrator of the estate of Lydia Davis, deceased, respondent.

Judge Henderson represented the appellant; Attorney Wallacraw Van Cott appeared on the other side.

It transpired that Mrs. Davis died January, 1890, in this city, possessed of about $2000 worth of real property, but she had no living relatives whatever at that time, so far as could be discovered. Several months before her death she sent for the plaintiff and entered into a verbal contract, agreeing that if Miss Brinton, who was then sixteen years old, would live with her during the remainder of her life, and take care of her as a daughter would a mother, she would make her her sole heir and leave her all her property. Plaintiff stayed with Mrs. Davis until her decease, but the latter died without executing any will, after the date of the contract. It seems, however, that Mrs. Davis did execute a will long prior thereto, though she did not undertake to give away any property of value. The beneficiary thereof was an old friend of hers. The original action in this case was brought to specifically enforce the contract between decedent and plaintiff; and for the appellant it was now contended that it should stand against the estate of the deceased and against any will made prior to or after the existence of the contract; that, in fact, it supersedes the will.

The question arises at this time by demurrer to the complaint, which was sustained by Judge Zane; and hence the appeal, which was now argued before Associate Justice Blackburn, Miner and Bartch, submitted and taken under advisement.

MOTION FOR REMITTITUR.

In the cases of George Webb vs. E. H. Parsons, W. J. Dowell et al. vs. E. H. Parsons, and Andrew C. Brinton vs. John F. Free and Thos. F. Malley motion for a remittur was granted.

MOTION TO DISMISS.

In the matter of S. S. Terrill vs. Wm. Goodrich, motion to dismiss was made under rules 3 and 4 and granted.

CONTINUED FOR THE TERM.

Upon notice of Judge Powers, the case of William Beattie, plaintiff and respondent, vs. the Pleasant Valley Coal Co., defendant and appellant, was continued for the term.

This appeal is from a judgment and order denying the motion for a new trial, by Judge Zane. The complaint was filed in the lower court in December, 1890. Plaintiff was in the defendant company's employ as a miner, and was seriously injured by a cave in of the mine in which he was working. At Pleasant Valley, in September of the year above named. Damages of $20,000 are claimed, and the jury on the trial awarded plaintiff half that amount. A new trial was applied for mainly on the grounds of excessive damages and insufficiency of evidence to justify the verdict.

OVER A PROMISSORY NOTE.

The last case on the docket for trial this afternoon was that of the National Bank of the Republic, plaintiff, vs. H. P. Hapgood, James Thompson, Mary L. Christian and Theodore Barmester, defendants. It is an appeal with references to the validity of a certain promissory note for $1000, bearing interest at 10 per cent per annum, said to have been given by Hapgood to Thompson, as payee, in February, 1890.

YOUNG VS. DEMING.

Yesterday afternoon the case of Geo. W. Young vs. J. H. Deming came up and was argued before the court. The arguments showed that both Messrs. Young and Deming were candidates for the same office, the latter receiving 670 votes and the former 655, Mr. Deming being declared elected. Subsequently it was discovered that by some mistake seven votes for Mr. Young had been put in the city ballot box instead of the county depository. Suit was then begun by Mr. Young against Deming for the office. On December 24th Judge Zane rendered a decision in favor of the plaintiff, and from this decision the present appeal was taken. As it was one of importance he was allowed to be advanced upon the calendar, so that it could be settled before the expiration of the term of office.

JUDGMENT RENDERED.

In the case of Carey Lombard company vs. D. C. McGregor judgment was rendered in favor of the plaintiff for the sum of $5,808.59.

FILED IN THIRD DISTRICT COURT.

An attachment has been filed in the Third district court by William Thompson against William Crawford to collect $15,222.83 on various promissory notes. A lot of live stock in northern Utah, belonging to the defendant, has been levied upon.

R. Richard filed an action against E. R. Clute, in the Third district court, yesterday, to collect $1350 on a promissory note.

Samuel Pehrson vs. Walter L. Price. This suit is to recover $2000 and interest on a promissory note, also attorney's fees in the sum of $200.

Henry Dunbolier is being sued by James P. Boles, in the Third district court. The latter desires to collect $500 on a promissory note.

AN APPEAL.

An appeal has been taken in the case of the Anderson Pressed Brick company vs. J. M. Smith, from the commissioner's court to the Third district court. The lower court rendered a verdict in favor of the plaintiff in the sum of $155.70 and costs.

NEXT WEDNESDAY.

The investigation of the alleged wrong doings of Commissioners Marsh and Moyes has been set by the committee appointed by the court for that purpose for Wednesday next. Quite a number of witnesses will be summoned and it is likely that several days' time will be occupied in taking testimony. Judge Lowe now is Commissioner Marsh's attorney. Judge Judd for Moyes.

A MISTAKE.

In the case of George Mullett vs. Henry Babcock it was shown that the suit had been brought by mistake as the defendant had settled his account with the plaintiff before the suit was begun. The case was, of course, dismissed.

COURT NOTES.

There will be a session of the Third district court tomorrow morning, when the usual Saturday miscellaneous business will come before Chief Justice Zane. Among the more important matters, the legal argument in the Salt Lake Picnic Co. attachment suit are expected to be made.

The investigation to record in the complaints lodged against Commissioners Moyes and Marsh will be commenced on Wednesday morning next, before the committee appointed by the Territorial supreme court. It will be a public inquiry, will take place in the Dooly building, and a large number of witnesses have already been subpoenaed. The entire proceedings will be reported by an official stenographer.

No decisions were handed down by the Territorial Supreme Court judges this morning. Several opinions are anticipated early next week. At the close of today's business Chief Justice Zane will adjourn until next Monday.

The hearing of the case of the Utah and Montana Machinery Company vs. Frank Hoffman et al., being a suit to foreclose certain mechanics' liens, was resumed before Attorney Le Grand Young, as referee, this morning.

Important Notice.

To the Bishops of the Salt Lake Stake of Zion:

In consequence of the meeting of the General Conference in April, it is deemed wise to change the day for baptisms. For this occasion only the ordinance will be administered on the last Tuesday in March instead of the first Tuesday in April, and the monthly fast may be observed on the last Thursday in March instead of the first Thursday in April. Persons coming to the Tabernacle for baptism should be there by 9:30 a. m. and none later than 11 a. m.

ANDRW M. CANNON,
JOSEPH E. TAYLOR,
CHARLES W. PENROSE,
Presidency of Stake.

COULD NOT ADMIT IT.

In a North Riding village lived an elderly man who had been married three times, but had never an heir received. After the death of his third wife a rumor was circulated as to a fourth wedding. On being questioned he replied in the following decisive manner: "Nay, nay, lads, I'll not marryin' on 'em a wud wi' marryin' on 'em, it's wuver expensive. An can't afo'd it no mair."—*The Nottingham.*

Vicious Folding Beds.

A woman of Waco bought a folding bed. It was warranted to be of a kindly disposition and so tractable that any woman could manage it. Thus thrown off her guard she got in its way and the thing kinked, inflicting permanent injuries upon her. Now she has brought suit against the former owner of the bed for $5,000 damages, and the judicial question of human responsibility for the conduct of folding-beds comes up for the first time in a Texas court.—*New York Sun.*

WITHIN OUR GATES.

R. C. Gunn of Park City has his name in some characters on the Knickford register. His son is not with him.

***

B. B. Quinn, who runs the department of justice at Blackjack, left the town long enough to run down here and look around for a while on our duck-inducing thoroughfares.

***

George S. Wilkins, of Alberta, Canada, accompanied by his mother, is down the way to Chicago. He will have to go to the lake front when he gets there to see anything at all approaching our Venetian streets.

***

D. Sampson, of San Francisco, but who has for some time past been traveling in the east in the interest of his firm, was encountered today. Recalling the statement in a morning paper that he left his morning because of his son being seriously injured in his company's works, he had to show that he was still here and in no hurry and that his son was not badly hurt.

PERSONAL.

M. Howard, the well known traveling man for the National Tube works of Chicago, is at the Calisle.

James J. Wagner of Kansas City is a guest at the Calisle.

HOTEL ARRIVALS.

THE CULLEN—H E Anderson, Denver; James Crouch, Gunnison; S Lewis, Benghazi; Geo W Posey and wife, Miss L Dickinson, San Francisco; A S Waydick, Ogden; Mrs J B Jones, Provo; H Bennett, Portsmouth; F J Mills, Pocatello; Mrs Mills, Miss Mills, Pocatello; Geo W Sanders, New York; Theodore Sauer, Virginia City, Nev; Jas J Walker, Kansas City.

THE KNIGHT—S P Eppenstein, Chicago; W A Lynchenstein, N C Kimball, San Bernardino, New York; E Kelsey Beach, Chicago; Thos Simpson, Grand Island, Neb; F W Taylor, Denver; R Clinton, Park City; F S Lewis, Denver; Chas Adams, Brooklyn; Stanley, John H Stanley, C A A B Hyde, St Louis; A L Mills, Detroit; Geo W Kuhn, wife and son, St Louis; Edith S Cooke, Pittsburg; Miss W H Lane, Chicago, N Y; G Mackenzie, Chicago; H D Jones, Provo, Utah; F Roberts, Minneapolis; W F Wood, Pittsburg; J S Walker and family, Chicago; Ed Lane Wadsworth and wife, Kingston, N Y; L D Fassett and wife, San Francisco; Louis Hyman, Boston; Jas A Simpson, Chicago; W A Kelso, St Louis; Thomas F Jones, Missoula, Mont; Mrs D A Lewis, Chicago; E F Dunne and wife, Geneva, Neb; F Ware, Washington; G C Garfielde, Ashland, New York; J McCracken, Philadelphia; R B Kuhn and wife, Cincinnati; T A Hollingsworth, Cincinnati; H T A Bennett, New York; G W Grinnell, Jr, Denver; W C B Rose, Fred W Gwynne, Denver.

THE METROPOLE—I B Benson and wife, St Paul, Minn; W C Mitchell, Chicago; A Wahlquist, Ogden; Geo J Black, Jas Cree Wormley, Boston, Mass; Geo A French and wife, Baltimore; Thos Ryan, Kansas City; J H Wright, Omaha, Neb; H D Temple, Denver; D W Thompson, Denver; John W Weth, N Y; H C Hopkins, Denver; E Ashbrook, A F Ashbrook, Provo; W J Wood, Ogden, Utah; H E Thompson, Denver; R G Lesser, Chicago; Wm Hirschberg.

DR. PRICE'S Cream Baking Powder.

The only Pure Cream of Tartar Powder.—No Ammonia; No Alum.

Used in Millions of Homes—40 Years the Standard

Highest of all in Leavening Power—Latest U. S. Gov't Report.

Royal Baking Powder

ABSOLUTELY PURE

FLOWS AND FLOWING.

Report Made Concerning This All Important Subject.

When the soil is full of moisture and there seems no room to further absorb any known liquid can "spare," if the implement is properly "set up" before leaving the factory, then that some of the drivers need lessons in how it is necessary to lean a few inches and change a bolt or two, to show their mechanical skill. A plow should be so adjusted the moldboard arrangement of the soil before going to work. Some farmers thoroughly, and understand every bolt and piece in its construction. Use the factory catalogues and keep it on file for future reference. Should there be any point about it you do not understand, ask your dealer or write the manufacturer regarding it. They write an intelligent reply to this Farmer. He says:

The old fashioned land plows have about outlived their usefulness. Nearly all of our successful farmers use the plows having a reversible point and reversible share. The trouble with the old style plow point was that in a dry time it cut too much to lay so many new points. If not changed as soon as needed, we did considerable "subsoiling." This would leave one any farmer, no matter how fertile his soil might be. As soon as we found that the new "combination" was a success, we took our old plow back to our dealer and traded for a new Bissell, with reversible point and share. A great many of our neighbor farmers did the same thing.

We use the new point until the lower edge is rounded off, then reverse it. This is followed up two or three times, making four points, making therefore as much as the old style points, but three times as long. The share with the share. I am to have my block as low as possible, so that the draft will be nearly in line with the power exerted by the team. The wheel should not just hard enough to hold the plow bottom steady. I keep the bearings well oiled with axle grease. I keep my plow well balanced and my harness straight.

As to the Solid Comfort sulky plow, but few of these implements are to be seen in the neighborhood. I have some myself, though I have tried several other kinds. The sulky plow that has no tongue is my favorite. The principle is nearer in line with the hand plow, and there is no pole to worry the team.

Last year Dr. Chamberlain tried the combination plow on his experiment farm in Ohio. He did not like it as well as the old style bottom. After giving it a thorough trial he sent it back to the factory and exchanged for the standard bottom. This shows that no one style of plow sent out from the factory will work in all localities and explains the reason why the catalogues show up so many styles.

I do not believe that any certain rule to plow very deep or shallow will apply in all cases. Each farmer must determine for himself. One rule should be followed, with no exception whatever, and that is to plow well and thoroughly every furrow and to keep your plow adjusted all the time to do the work required.

Current Notes on Potatoes.

Here is a summary of the results of experiments extending over a period of three years at the Michigan station:

First—It was found that the seed end is as good if not better, than any other part of the potato for planting, and, as a rule, produces fewer small tubers.

Second—As a rule medium sized potatoes cut into halves lengthwise, using at the rate of 12 to 15 bushels of seed to the acre, will produce best net results planted 15 or 2 feet apart.

Third—If smaller seeds used, the eyes should be 15 inches apart, and pieces containing two or three eyes about 10 inches. At distances over 2½ feet the number of hills is so much decreased that the yield is lessened.

Fourth—When potatoes are cheap, it does not pay to use small potatoes as seed, but when seed potatoes are high tubers the size of hen's eggs may be used for one year without greatly decreasing the yield.

Fifth—Even on fairly rich soil manure or fertilizers can be used with profit. When manure cannot be obtained without hauling two or three miles, 300 pounds of mixed chemicals or of some good brand of commercial fertilizer will be found to be right for dry seasons. The highest yield was obtained when manure was used as a mulch between the rows. While it can readily be shown that the fertilizers were used with profit, it is difficult to say which of the chemicals was most necessary. It is to be observed that the land on which the experiments were made is represented as to excellent soils and of more than average fertility.

Mr. Cummings of New York has introduced into the national house a bill permitting the commercial and political union of Canada with the United States. This is just so as to have such a bill handy when it is suddenly wanted cover those days.

DEATHS.

BOYER—In Provo, at 1:15 a. m. March 17, 1893, Ann Barker Boyer, son of Reuben Smith and Ann Barker Boyer, born March 4, 1893, at Orange, Utah.

Funeral from residence, 175 West First street, on Sunday, March 19, at 2 p. m. Friends are invited.

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Repaired
Pressed
$1.50.
Spencer & Lynch Co.
Try a Pair.

One Million Dollars to Loan.
Six to 9 per cent.
COWAY & DONNELLAN,
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Get your Abstracts of Title at the County Recorder's office. They are made directly from the original records.

Save Money by sending your Prescriptions to the Enterprise Pharmacy. James O'Connor, 50 proprietor.

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Of the big Railroad Wreck Sale now on at
Salt Lake Equitable Coop.
42 to 46 West, First South St.
The prices are startlingly
Just look here:
Dr. Warner's Corset for 29c.
12 Package Pins, 12c.
70 doz. Ladies' Jersey
Underwear, 29c.
166 pieces 32 inch White
Flannel, worth 20c, for 5½c.
1170 pair Ladies' Corset
Steels, 4c per pair.
780 pair Ladies'
Solid Brush Hose, 5c per pair.
1216 pair Men's Pants,
worth $2.00 for 90c.
1175 pair boys' Pants,
worth $1.25 for 19c.
50 Bars Fine
Toilet Soap, $1.00.
79 Suits Men's Clothes
for $3.90 each.
212 Suits of Boys' Clothes
for $1.39 each.
Remember the place is
42 to 46 West, 1st South St.

Children's
Shoes
Our
Specialty.
Every pair guaranteed first class.
Try a pair.
Spencer & Lynch Co.
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Pure, Red Blood
As naturally results from taking Hood's Sarsaparilla as personal cleanliness results from free use of soap and water. This great purifier thoroughly expels scrofula, salt rheum and all other impurities and builds up every organ of the body. Now is the time to take it.

The highest praise has been won by Hood's Pills for their ease, perfect efficiency and perfect action. Sold by all druggists. Price 25 cents.

FOUND.

A SMALL SUM OF MONEY OPPOSITE Walker House. Call at Nevs Office and prove property.

All kinds of Coal, 150 S. Main.

PROVO MILLS CLOTH
Will outwear anything in the market.
We Make Men's Suits to Order.
We also have a stock of Ready-made Clothing on hand.
JOHN C. CUTLER & BRO.,
36 MAIN STREET.

You Cannot Get a Safe Fence from a New's Ear.

Nor can you make hot forged and hammer pointed nails by the cold rolling and shearing process.

Look at your horse nails. If they show the marks of the shears on the edges near the point, avoid them, they are cold rolled and sheared.

The Putnam Nail is the only hot forged and hammer pointed nail made by machinery to our evidence. It is drawn from the best Swedish iron rods at a welding heat by the action of hammers alone, polished by the water process and hammer pointed, thus following the old hammer process.

Thus a perfect sharpness of the metal is secured, and a tougher, better nail results.

There are no shear marks on its edges, for it is not sheared but hammer pointed.

At a quarter of a pound to shoe a horse, its one cents but one cent more to each horse shod.

Insist on its use and pay that one cent.

STERLING STOVES.

See Our RANGES. They Can be Bought at

The Same PRICE as a Good Cook Stove.

SOLD BY ALL DEALERS.

ST. CHARLES EVAPORATED CREAM

Do you use the . . .

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UNSWEETENED CREAM?

You can answer this question when ou call tomorrow at
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Where Coffee, Tea and Cocoa will be served FREE.
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Will Sell You a PIANO, ORGAN, VIOLIN, GUITAR, MANDOLIN, BANJO CLARIONET; in fact anything in the Musical Line at Lower Prices and on Better Terms than any other firm in the Western States.

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Wall Paper.

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We Guarantee our Prices to be far lower than any another. That is what Counts.

AS TO WORK:
We employ only the most efficient workmen and guarantee their work. We make exactly that, if by any accident the work is unsatisfactory, we will right it.

AS TO STOCK:
We have four carloads of new goods—all the novelties and an immense stock of all grades of cheap goods. We can please any one.

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Utah Book & Stationery Co.

Duncan M. McAllister, Manager