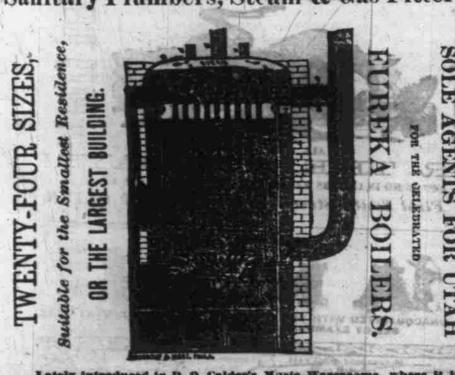
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BALL LAKE CITY.

EVENING NEWS

THE MURRAY INVESTIGATION. TESTIMONY BEFORE THE SPRINGER COMMITTEE. REPRESENTATIVE WHITE'S APPENDIX.

. May 10, 1864.

Q. Then you say that if the object of the Federal officials was simply to en-force the collection of the revenues of the Government, the people of that part of the State which you represent were as well disposed to obey those laws as the people in any other part of the State of Kentucky, or any other part of the country part of the country.
A. I think so, unquestionably, without intending to cast any reflection upon any other part of the State. When I look back for six or eight years I am surprised that they have been so law-abiding as they have

been.
Q. Why so?
A. For instance, suppose a man should arrest me, as that man Adams was arrested in Letcher County, I would carry that case to the Supreme Court if it took every dollar I had in the world. I would never suffer it. I would resist it at the point of the bayonet if it were necessary. It is a terrible degradation for a man to submit to a drunken Federal official simply because he is an official, when the man knows that he is entirely innocent, and when he wants to prove by his neighbors that he is not the man called for in the warrant—it is a terrible degradation, I say, for such a man to be dragged off two hundred and afty miles.
Q. Was that man imprisoned on the way to Louisville?
A. I undershood that he was, just as any other prisoner would be.
Q. Do you know whether gnards were charged also for conducting him there?
A. I do not; but I expect that you will find such charges among the papers. Two or three years ago there Q. Why so?
A. For instance, suppose a man should arrest me, as that man Adams was arrested in Letcher County, 1

will find such charges among the pa-pers. Two or three years ago there were some forty-old men arrested in Whitley County, and were taken to Louisville on charges, as I am informed, from three to five years old for some petty violations of the law Many of them were as innocent of the charges as babes. But when all the fees were got out of the business, then the district attorney recommended a pardoned. These occurred two or three years ago.

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nesty extended to the offenders?

A. Not at all. I was convinced that the charges were for the most part for trifling, petty offenses, like seiling a half pound of tobacco, or a pint of whisky. I can give you a case of that kind. We have prohibition in more towns in Kentucky than a man from Maine or Iowa would dream of. In the town of Barboursville prohibition, or local option, was enforced. Some man (I forget his pame) had a quart or a family paid him for it. That was a vi-olation of the local-option law, and the man was punished according to the law of that locality. This was in the town of Barboursville, Knoa County, about one hundred and seventy miles from Louisville. These spices and in-formers looked up this case, and had a warrant issued, and the man was ar-

warrant issued, and the man was arrested and taken to Louisville, where he was sentenced to imprisonment for sixty days and a fine of \$100. The fine he could not pay, and he ate it out at the expense of the Government.

Mr. Fyan. Did not a good many people violate the internal-revenue law in ignorance of the law in selling to-bacco?

has a little piece of ground which is better for tobacco than anything else (a piece twice as large as this room), raises a few pounds of tobacco on it more than he can use himself; he finds

A. Certainly; I have proclaimed that

A. Not altogether.

2. Suppose that the whole commu
3. should give itself up to that kind
traffic, would it not be a general
blatlon of a United States statute?

By Mr. Stewart:

Q. Do you think it was their duty to smit prosecuting these offenses at all?

A. No; not all.

Q. They did not make the law, and by ware executive of the law. they were executive officers. Was it their duty to sit by and see the com-A. I shall have to read to you again what the Commissioner of Internal levenue says, as embodying my

Kanincky—District Attorney Whafton and Marshal Mugray—were retained in their positions by "the seductive influence of certain Democrats and the sycophantic class of office-scening Republicans." Can you state what influences, to your knowledge, were brought to hear by Democrats to keep these gentlemes in their places?

A. My understanding is, as I stated awhile ago, that Mr. Wharton was reappointed to please Mr. B. H. Bristow. The Senates Judiciary Committee at that time was Republican. As I understand, the committee had the papers from the Department of Justice, or at least some of the facts before it, and it refused to recommend him to the Senate for confirmation. The

Inn?

A. That was the reason I gave. I said that I had no prejudice against Mr. Murray, and that I was very sorry if he was implicated in this bad conduct in Kentucky, but that I could not request his being retained; and I did not request his being retained; and I did not request his being retained. Neither did I ask to have him removed.

Q. Had you any conversation with Mr. Chase about his investigation, other than that which you have already stated in relation to the investigation by him?

the number of arrests and the number of releases in which no case could be made out. That did not deter them from going right ahead with arrests, because the arrest of an innocent man gave them as much of fees as the arrest of a guilty man, and they had a good deal less trouble with the innocent man.

Q. Do you know when those abuses began?

A. I never heard of them, that I can recollect, until 1872, when I was assistant in canvass for Presidential elec-

Q. How many miles was that?
A. I do not recollect how many. He showed me the paper. Then I asked the Attorney-General to have Mr. Chase file the papers; but I have according to the papers informed whether that has been them. By Mr. Fyan:

Q. Do you recollect the name of the man arrested?

A. No, sir; I do not. I think I took a memorandum of it at the time, but I had no idea of being summoned here until yesterday, and I did not look for it. In fact I do not know where to find it. But I think I took a memoran-Chase showed me a few other papers of that character and satisfied me that he was correct in his statement that the thing was worse than I had represented, for I had not dreamed of such a case as that when I asked for an in-

time and inclination on my part that I did not go through the whole batch of the can sell jit for ready cash—little twists of it. He does not think that that is such an offense that anybody will ever notice it. He does it without thinking that it is as serious a matter as it is. He does not think that the Government is going to hound him down like a wild Indian for that fittle offense, and so he commits it.

Mr. Fyan. Technically it is a violation of the law?

The Witness. Technically it is a violation of the law?

A. So the sale of hat pint of whisky was a violation of the law; but you can see at once what a feeling of indignation is apt to be aroused from punishing a man twice for the petty offense of selling one pint of whisky.

Q. Would you not suggest, in regard to that, that it would be better to modify the law?

A. Certainly; I have proclaimed that

he made a personal examination him-self?

The Witness. Yes; he went in per-son to Kentucky. I think Mr. Ward wrote a letter saying that these papers ought not to be lost, but ought to be

sued a warrant for Joe Broughton. He was arrested by Jim MacStewart, a special buillif authorized by Deputy Marshal John Wyatt; was taken through Loudon, at which place Broughton demanded to be tried before Commissioner Faris, and Faris proffered to give receipt for prisoner, and mid he would try him next day, Monday. The witness objected to going beyond London, but Balliff Stewart replied that Deputy Marshal Wyatt had instructed him to bring the prisoner to Louisville, and took him on."

The Chairman. Is that a memorandum that was given to Mr. Chasa for the purpose of aiding him in the investigation?

The Witness. Tes. [Continuing to

Mr. Pyan. Did I understand you to

Mr. Fyan. Did I understand you to say that the Attorney-General promised you that these papers should be filed?

The Witness. I made the request, but I never received any information that they were filed.

By the Chairman:

Q. From your observation in the State of Kentucky, when you have been traveling through different parts of the State, and from the letters which you have received from your constituents have received from your constituents and others in that State, what information have you to give to the committee as to the existence of a system of frivolous arrests and prosecutions under the internal-revenue laws of the United States, during the time covered to the Senate for confirmation. The Schate was Democratic, and did confirm him. So I hold that Mr. Hayes and the Democratic Senate were responsible for Mr. Wharton's subsequent acts.

The Chairman. You must exense my predicating any questions to you from words spoken by you in debate in the llouse of Representatives. I have no right to put such a question to you, if you have any objection to it it can be stricken from the record.

The Witness. No, sir; I have no objection.

United States, during the time covered by the administration of Marshal Murray, and up to the present time?

A. The information which I had, and I think the prevalent belief in the State of Kentucky was, that there was collusion between the district attorney and the commissioner and the marshal for running up fees against the Government, and that, instead of attempting to execute the laws where the Government was losing the most money, they devoted their time to hunting up cases which would bring in the most fees.

Q. And those against what class?
A. Against the poorest and most humble class in the State.
By Mr. Fyau:
Q. And to the neglect of the prosecution of the powerful combinations. cution of the powerful combinations where there was most likely to be the greatest incentive to actual fraud

against the Government?

A. That was the belief in Kentucky;
and I must say, from all the evidence
that came to me, that I was inclined to believe that was true.

By the Chairman:
Q. Were those abuses confined to any
particular locality? A. No, sir.
Q. They were general throughout the
State?

State?
A. I think so.
Q. But more flagrant, I understand you to say, in the parts most remote from the city of Louisville, where the court was held?
A. It seemed so, taking into consid-

eration the sparsely populated region, the number of arrests and the number

recollect, until 1872, when I was assistant in canvass for Presidential elec-

tillers make so much whisky, can ship it out of the country without paying any tax, and that they have so much machinery around them, so much whisky is bond at warehouses, under

who sell a pint of whisky, or who take an old tea-kettie and gun-barrel and make a quart or a gallon of whisky—all these facts tend to much suspicion. Every man who can be found who punched a fire, or who carried a bucket of water to drink where any of this stuff is made, is technically a violator of the law, and every one of these fellows is hunted up.

iows is hunted up.
Mr. Van Alstyne. Or if he sells any grain to these lifleit distilleries?
The Witness. Yes; or if he sells any grain to them. All these fellows, I say, where great frauds may be committed and to prosecute for petty violations of

Louisville, as witnesses. Is that any answer to your question?

Mr. Van Alstyne. I accept it as an answer; but I thought it likely enough that there would be espionage, and that these officials might get hold of some simple fellow and get a confession from him on which to base The Witness. I have heard of such cases as that also; but I think the other cases more common.

By the Chairman:

out there, and he pointed to one or two papers in particular.

Q. Were there other papers that reflected on the integrity of Mr. Murray?

A. He showed me several other papers, but did not read them to me. His language was something like this that Murray was a scoundrel, and there was no question about it.

Adjourned until Friday next.

WASHINGTON, D. C., Feb. 25, 1884.

By the Chairman; Question. Please state your age, res-idence, and occupation. Answer. My age is 46; I reside in New York City; I am a lawyer.

Answer. My age is 46; I reside in New York City; I am a lawyer.

Q. Have you at any time heretofore been connected with the service of the government?

A. I have.

Q. In what capacity?

A. I was exployed as a general agent I expect, of the Department of Justice; I do not know just what you might call the capacity in which I was employed, but I was so employed from September, 1875, to February, 1882, about seven years.

Q. During that time was it your duty among other things to make examinations into the accounts of court officials?

A. Not a part of my duty exactly, but I made anoth examinations when directed by the attorney-General; I had no special duties.

Q. You say the marshal justified the common occurred to the marshal justified the common occurred to the marshal justified the common occurred to the second to the marshal justified the common occurred to the marshal justified the common occurred to the charge of the marshal justified the common occurred to the charge of second to the accounts of court officials.

A. I charge only 226.

Q. Have you at any time heretofore here connected with the service of the government?

A. I have.

Q. That would not cover the charge of \$20 that he made against the Government in that case?

A. No, sir; but he claimed that he had.

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A. No, sir; but he claimed that he had.

A. No, sir; but he claimed that he had.

A. No, sir; but he claimed that he had.

A. No, ser; but he claimed the charge of \$20 that against the Government in that case?

A. No, ser; but he claimed the charge and charged only \$20.

Q. He amended it after y government?

A. I have.
Q. In what capacity?
A. I was exployed as a general agent I expect, of the Department of Justice; I do not know just what you might call the capacity in which I was employed, but I was so employed from September, 1875, to February, 1882, about seven years.
Q. During that time was it your duty among other things to make examinations into the accounts of cours officials?

service as you were directed to perform by the Attorney General?

A. Yes, I was under the direction of the Attorney General at any line direct you for make any name and the prisoner in.

C. Did the Attorney General at any prisoner in.

time direct you to make any examina-tion of charges preferred against Mar-shal Murray, of Kentucky? A. He did. Q. When was that? State the circomstances under which you made that enustances under which you made that examination.

A. Some time during 1875, I think, a charge was preferred against Marshal Murray, of Kentucky, as appears from this paper, [consuiting a paper.]

Q. Do you remember the circumstances under which you were directed to make that examination? make that examination?

A. Yes; I was directed by the At-

torney-General to investigate the charges, and I proceeded to Kentucky for that purpose.

Q. Were there any letters on the subject from Representative White, of A. Yes there were letters from Re-presentative White, inclosing newspa-

examination there; at the same time it never was filed in the Department. Q. But it was tound in the Depart-

ment, I think.

A. Yes, sir, I believe it was.

Q. You recognize it as your original A. Yes; I recognize this as the original paper.
Q. At the bottom of that paper I see Q. At the bottom of that paper I see the following endorsement:

The within statement is made by Henrp Diven, of Louisville, Ky., formerly United States deputy marshal for nine years last past. He resigned on January 4th, 1876. I find Diven's character for veracity beyond question. I have investigated the within state-

ments, and 1 find them substantially true. C. K. CHACE. State what pains you took for the purpose of ascertaining the truth of Diven's statement? A. I had a number of people brought to me from different parts of the country. I saw a number of persons in re-lation to the matter, but I can not remember them now; in fact, I have for-gotten almost all about it, but I have read this statement over carefully, and

specifically about that case. of money was paid to Mr. Reno as a A. I am not certain, but I think

did.
Q. That is one of the items in Diven's statement, is it not?
A. I understand that it is.
Q. Did you also make inquiry as to whether Reno had actually appeared as a witness in any case?

A. I think I consulted the District was true, although I don't say so now positively, because I can not recall the circumstances.

Q. Who was the United States district attorney at that time?
A. Mr. Whavton.
Q. Did Mr. Wharton co-operate with you in making this investigation and give you any assistance that you

A. He did. Q: What information, if any, did you get from Mr. Wharton in regard to marshal? A. He agreed with me that Henry

way.
Q. Did you consult the judge with regard to the truth of the charges in Diven's statement? What did he say about it? Q. What did he say about it?
A. I cannot recall now exactly what e said, but I know he was very friend-

A. He had that paper in his hand. larshal Murray has also had that paper pecifically the statements that were made with regard to these constructive

A. He admitted that Diven's statement was true, and amended his charge against the Government in that case accordingly. I had the original McCord warrant with these papers, and there was another paper with the

Q. Who was Hackett?
A. I do not remember.
Q. He was not an officer of the Govmaster.
Q. Did the marshal say that he had paid Hackett any money for bringing the man down?
A. He claimed that he had.
Q. Did he present any vouchers from Hackett?

[To be Continued.]

The following are the Authorized Agents for the DESERET NEWS In their

presentative White, inclosing newspaper slips.

Q. What time did you proceed to kentucky?

A. The only date I would have to go by in answering that would be this paper—August 1, 1876—a statement by one lifenry Diven.

Q. State whether the paper new shown by you is one of the papers sliped by you as a part of your report, setting forth the result of your examination.

A. This paper is the result of my examination there; at the same time is

John Devey.

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Cedar Fort Co-op Cedar Fort N. C. Murdock......Charleston Joshue Benniett Descript
W. F. Most E. T. City
R. L. Bybee Eagle Rock, Idaho
James A. Thompson Eden
R. Wickle Echo
T. Bell Elsinore
Elsinore
Elsinore
Elsinore
Especial A. Descript
D1400 A neat house of three rooms, but house, itc., lot 2½ x 20 rock, good barn and hay loft, chicke 1 no rec and us pin, alore orchard, well, ric. The pince in a lot ord ord r. nic be relating the cir.

Elsinore
Elsino H. P. Allen.

A. H. Lund.

Ephrain
W. Taylor, jun.

Farron, Emery County
J. D. Smith.

Fillmore
I. B. Nash.

Franksin, Idaho

Franksin, Idaho

A new brick honse of six rooms, but hoom und 3 cl sets bay who dow, e'o. good caller, well, etc.; let 5 x 10 rods, all fenced, orchard and lucerne patch, ball book east of Main threat. I remember that at the time I found it to be substantially correct.

Q. You have read this statement over since you have been here this time?

A. Yes, sir; since I have been in this

pardoned. These occurred two or the partoned of the process of the period of the perio

J. W. Shephord George H. Crosby F. W. Young John King ..

John Morgan Mill Creek, S. L. County S. Stevens

C. A. North North, S. L. County

A. I did. I showed him the original warrant in his own handwriting all the way through, and he admitted that there was no guard, but he said that was the only way he could pay Hackett, who brought the prisoner down.

Q. Hackett was not a deputy marshall, was he?

A. No; but he was the man who brought the prisoner down. That matter comes to my mind from reading a letter of Mr. Whartou's here.

Q. Who was Hackett?

A. Jone John McLoucs. St. Joreph, Arison R. Blain. Spring C. R. Blain. Spring C. R. Blain. Toulon, Ide. J. H. Standiged. Toulon, Ide. J. H. Standiged. Toulon, Ide. John Batty. Toulons Toulon Batty. Toulons Toulon Batty. Toulon R. J. Phillips. United that there was no guard, but he said that was the only way he could pay Hacket.

A. J. Workman.

William Reynold

G. M. Crawford ..

C. Clark.....

R. Leatham

W. E. Nuttall.

J. C. Sharp.,....

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Collinston and Deceyville

Collinston and Deceyville

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\$2200 A new Rus to Flouse of 4 recms

\$2200 and 2 closes and summer kitben, nice parch, well, out house, e.e., occben, nice parch, well, out three blooss east of kinth

treet, close to ear in x

\$3000 A new Prick House of 6 ro ma, 2 dulebed in good style, n'eo hwn; ot 51 i-3 feet fo t by 10 reds ccop; oses to sar line 12th Ward.

\$1750 A House of 2 rooms and kitcher; fout, will make two nice building altes; a spendid crobard, 40; gal in cf cider made as year, on Jordan sircet, 16th Wart.

New modern 2 stery Brick house of 9 A New modern 2 stery Brick house of 9 th rooms and hath recon, large halls, all flushed in first class style; let 50 test from and 17 to 8 deep, tice lawn and shades, large barn and pice spring on the premises, first class keation, close to Main street, it tiles redeped for a business man; on marget to a short time. Call at our office for terms.

\$8500 A modern style 2 story Adobe 1800 House of 3 large rocase. 2 large a 'a, 4 rooms with ni e gra-es and from man-is, but from and water clast on 2nd if se, water and gas plose all through, high ceillings, ares paintry, 5 of sein and 7 go of order. 1804, in 15 rode, all see with the chiscost fruit green

\$3600 Adobe House, 5 rooms large store house, such etc., nice have and thace treas; lot 3 by 8 rods on; ou h Temple

\$2750 A new 2 Adrie double dwell me ho see, 3 100 an in each dwelling, argo porch cant front; everything well instant and i. first class order, go d well, etc ; at 2 1 2x fo rosts; one block from U. C. E. E. 4 pre, like ward.

\$1150 A new Adobe House of 2 rooms, and pump; let 2 1-36 rods, 3 b cove from U. C. H. H. dejot, 16th Ward; very cheap.

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Building Lots. \$350 A n'en lot of S x 16 roc's couth ffe

A First close feet of as 10 m de, south front the decision, cley water, in The Ward to began from Main street.

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