

A BAD BREAK AT FOLSOM PRISON.

Seven Out of Nine Convicts Who Had Planned to Get Away Were Shot Down.

THREE KILLED INSTANTLY.

Guards Obeyed Orders and Shot Regardless of Danger to Free Men.

Folsom, Cal., Dec. 29.—A break that was clever in plan and bold to the extreme in execution took place at the prison here this afternoon. The guards obeyed the standing orders of the warden to shoot regardless of the danger to free men, and as a result seven of nine convicts who had planned to get away were almost instantly killed. Three are dead and three in a critical condition.

Capt. R. J. Murphy is wounded by a shot in the leg and received two slight knife wounds.

The break was similar in plan to the big escape of last July, but the fact that it was within range of the guns of seven reliable guards, all dead shots, and one of these within 50 feet, makes it more bold and desperate.

The convicts who engaged in the break were all employed in the rock crusher, where 255 of the most desperate prisoners were at work. Capt. Murphy was acting as general overseer about the rock crusher and four other prison attaches, L. Daly, M. Hogan, Charles Taylor and Charles Kelly were employed as "pushers" to keep the men at work.

A large diesel hammer was thrown into the crusher, causing the ponderous machine to come to a standstill. This attracted Capt. Murphy, Charles Jolly and Taylor to the place immediately. Thereupon the convicts rushed to seize Murphy, Jolly and Taylor. They succeeded only in catching the two first mentioned. The others escaped to take the other free men, who managed to escape them.

During this time the scene of trouble was under cover and the guards on the outside could not see the struggling men. The convicts with their captives made their way toward a small post commanded by Guard W. H. Harris, who was armed with a rifle. Five of the gang surrounded Capt. Murphy and two of them had Jolly. The convicts had knives in position for immediate use, but had no sooner stepped into the open than the seven guards began firing and within 30 seconds seven convicts were on the ground helpless.

The convicts approached Guard Harris, who stood ready to act according to the standing orders to shoot regardless of consequences. Within 10 feet of the outside guards, one of the convicts gave the command, "Hand out your gun, or we will stab Murphy to the heart."

Instead of handing out the rifle, Harris sent a bullet into the fellow's body, and he fell to the ground. In quick succession, Harris fired at each of the remaining convicts, who were trying to shield themselves behind Murphy and Jolly.

"Roughhouse" Kelly, the last of the convicts shot, had borne Murphy to the ground with him and was under the officer for protection. With wonderful coolness and nerve, Murphy wriggled about until Harris could draw a bead on Kelly, and one shot took all the fight out of him.

In the meantime, bullets from other posts were flying thickly about. Capt. Murphy was struck by one of them, a slight wound being inflicted in the leg, and Jolly was struck in the neck, the bullet coming out through the cheek and inflicting a serious wound. Two of the convicts, named Campbell and Ford, had intended joining the others, but their courage failed them when the shooting began. The guards did the shooting besides Harris were O. C. Lewis, T. Foley, W. Gallagher, L. Anderson, D. W. Wiley and J. Woods.

At the time the first shot was fired, Warden Yell was in his office. Grabbing his revolver he rushed to the scene. He signalled the guards to continue shooting, and he put his revolver into operation, also, at the same time giving orders to the remaining convicts, who were crouching behind rocks and in other safe places, to line up and march down the road. They did in quick order, going on the run. The appearance of the warden gave

Danger!

Headache, Trembling Hands, Twitchings, Irritability, Are Signals.

Not every headache is a sign of nervous breakdown.

But, if you suffer often from headache that seems to re-occur at intervals, nervous or brain trouble is very evident. Again, if you can't hold a pen to paper without trembling or twitching, there's a screw loose somewhere.

Or, if you seem irritable and cross without cause. All these are signs and symptoms. Not necessarily that you are dangerously sick—but, at any rate, sick enough to need Dr. Miles' Nerve.

The danger lies in neglecting the slight symptoms. Some of these signs are Sleeplessness, Dizziness, Irritability, Loss of Memory, Frequent Headaches, Nervousness, Trembling, Muscular Twitchings.

Do not neglect them. Begin to take Dr. Miles' Nerve. It will cure them. "For five years I have suffered terribly from nervous prostration. I tried one physician after another, but no benefit. I continued to grow worse until I was afraid to be left alone and despaired of ever being cured. Three months ago I was induced to try Dr. Miles' Restorative Nerve. After taking the first bottle I felt so much better that I was greatly encouraged. I continued to take it until I had taken three bottles, and am now in better health than I have been for years."—G. A. BRAMAN, Troy, Ohio.

FREE Write to us for Free Trial Package of Dr. Miles' Anti-Pain Pills, the New Scientific Remedy for Pain. Also Symptom Blank. Our Special Mail will send you a card telling you what is wrong and how to fight it. Free. DR. MILES' MEDICAL CO., LABORATORIES, ELKHART, IND.

We hear your hair is very sick. That's too bad!

We had noticed it was looking pretty thin and faded of late, but naturally did not like to speak of it. By the way, Ayer's Hair Vigor is a regular medicine for sick hair. It keeps the hair strong and healthy, and checks falling hair.

his guards increased courage. Lieut. of the Guard Cochran immediately lined up 20 guards from about the yards, to resist a general uprising.

KILLED AND WOUNDED.

The following convicts were killed: H. C. Hill of Placer county, under sentence of years for robbery; J. Quinn of San Francisco, serving 12 years for robbery.

W. Morales of Marin county, under sentence for robbery.

The following wounded will probably die: D. Kelly of San Francisco, serving a sentence of eight years for robbery; E. Quezada from Los Angeles, serving a life sentence for murder.

W. P. Penley from Mendocino county, serving life sentence for murder.

Slightly wounded: Charles Carson from Marin county, serving life sentence for robbery.

CONGRESSMAN HERMANN.

Before Grand Jury on Oregon Land Frauds.

Portland, Or., Dec. 29.—Congressman Binger Hermann finished his work before the federal grand jury today and this afternoon United States Marshal W. F. Matthews, State Senator George C. Bownell of Oregon City and former Surveyor General Henry Meldrum, now under conviction on charges of forgery, went before the jury as witnesses.

It was expected that W. F. Valk, who has been in Portland for some time waiting to go before the grand jury, would be called today, but he was not among the number who entered the jury room. He was chief of the special service division of the general office and his presence was expected at the present time before the office of principal examiner in the land office.

The present session of the grand jury will last probably about three weeks longer. Deputy District Attorney F. J. Henry has delayed his departure for Washington for another month, and will not leave here until some time in February.

George Sorenson, one of those indicted Tuesday, returned to Portland today and was given until tomorrow to furnish bonds.

It is understood that S. B. Ormish of Salem and Dr. W. H. Davis, mayor of Albany, have obtained sureties and will file their bonds tomorrow.

A SAN FRANCISCO MURDER.

Wife Arrested Charged With Committing the Crime.

San Francisco, Dec. 29.—Early this morning Bruce Metcalf, a photographer, was shot and killed in a room at 18 Seventh street, which he was occupying with his wife. She was arrested on suspicion of having murdered him. Today she told a story to the police which implicates a man named Edward Pierce Kelsey, with whom she had been keeping company. The woman, who had filed an application for divorce, met her husband yesterday. During the night they were heard quarreling and soon afterward other lodgers in the house were startled by two pistol shots. The police found Metcalf dead on the floor, with a bullet wound in his neck. His wife had fled to another room, where she was taken into custody. She declares that she is innocent of the crime, but says a man resembling Kelsey came to the room while she and her husband were engaged in an altercation. Metcalf, she asserts, knocked her down, when the door was broken in and the shooting occurred.

The police are looking for Kelsey, who is a structural iron worker. Metcalf says she was born in Auburn, Cal., and was married to Metcalf in Sacramento, 12 years ago.

AMERICAN SAILORS.

Some at Valparaiso Get Drunk and Create a Disturbance.

Valparaiso, Chile, Dec. 29.—Some American bluejackets who came ashore here today became intoxicated and created a disturbance. The trouble was not serious.

The American charge d'affaires here had a conference today with the government at which it was agreed that American sailors shall not be granted further shore leave, so as to prevent the recurrence of disorders. The impartial cable upon the government to deal with guilty persons according to the Chilean laws.

The cruisers New York, Chicago and Marblehead, and the gunboat Bennington of the United States Pacific squadron, Rear Admiral Goodrich commanding, are now at Valparaiso. The United States transport Nero arrived in that port on Dec. 27.

MRS. CHADWICK'S DEFENSE.

Most Likely It Will be that of Insanity.

Cleveland, O., Dec. 29.—Dr. C. J. Aldrich, an alienist, called upon Mrs. Chadwick at the county jail today and had a conference with her.

Dr. Aldrich has been called as an expert in a number of criminal cases heretofore where the defense claimed insanity. The visit of Dr. Aldrich today is taken to indicate the line of defense that will be set up in Mrs. Chadwick's case.

Dr. Aldrich, when seen shortly after his call upon Mrs. Chadwick, declined to state whether or not he had visited upon the request of her counsel.

"I talked with Mrs. Chadwick and made a thorough study of her mental characteristics," said the doctor. "I am not prepared at this time to make any statement as to my conclusions in her case. Later, however, I may decide to talk on the subject."

That nothing would be done in regard to securing bail for Mrs. Chadwick before next Tuesday, if then.

Mrs. Chadwick has sent the following telegram to her husband, Dr. Leroy S. Chadwick, in care of Sheriff Barry in New York to be delivered immediately upon the doctor's arrival from Europe:

"Come to Cleveland with Sheriff Barry immediately. Do not fight extradition, and avoid loss of time and money."

"CASSIE L. CHADWICK."

SENATOR PLATT DOWNS GOV. ODELL

Senator Depew Will be Re-elected And Ex-Governor Black Will Remain at Home.

PARTY HARMONY THE REASON.

The Governor-Chairman's Knowledge Of Public Sentiment More Complete Than It Was a Month Ago.

New York, Dec. 29.—The following statement was given out tonight at Republican state headquarters in regard to the United States senatorship by Gov. Odell:

"As chairman of the Republican state committee of New York, after a long series of inquiries extending all over the state, I have reached the conclusion that party harmony will be best served by the re-election of Senator Depew. In the position which I occupy I am especially called upon to pass upon the claims of friends and to weigh sympathies, may be as was the case in the present senatorial contest, with one stronger than the other, yet one must recognize the fact that personal interests must always be subservient to party success."

"A month ago my knowledge of the situation in the state was not as complete as it is at present and those of my friends who thought that a change might be desirable for party reasons must now recognize the sentiment which has manifested itself all over the state so strongly for the return of Senator Depew. Such being the case, it would have been the worst kind of party generalship to have run counter to this expressed public opinion."

Gov. Odell announced this afternoon that the United States senatorship had been settled and that the name of Champney M. Depew would be the only one presented at the Republican caucus.

After the adjournment of the meeting at the Republican club, between Gov. Odell, Senator Depew, Speaker Nixon and Senator Malby, Gov. Odell went to the Fifth Avenue hotel. He was asked to confirm the statement that the senatorship had been settled. He said:

"It has been absolutely settled." In reply to a question whether this agreement was in accord with his own personal preference or whether he yielded to the party leaders, Gov. Odell said:

"I would not be human if I did not have a personal preference; but what I wanted was to find out the choice of the whole party."

Gov. Odell was asked: "Did you just find out that the sentiment of the party was for Depew?"

"No, I did not just find it out. I have been working on the matter ever since election day."

"Did the Platt conference last week have any effect on your choice?"

"I can't say that it did. Many of my friends attended that conference, and it brought out nothing particularly new. I knew all along that there was a strong sentiment for Depew."

The conference must have been as amicable as it was brief, as sounds of merriment could be heard. Senator Depew had been in conference only a few minutes when he hurried out, his face wreathed in smiles. He said:

"The optimistic view as he always does, and I am it. The senatorship is settled in my favor, and through Gov. Odell harmony has been brought about. He is the only man in the state who could have brought harmony out of the situation, and I am very grateful to him."

"How about Black?" the senator was asked.

"I understand that he is satisfied," was the reply. "In fact, that everybody is now satisfied that the matter has been settled amicably and that there is general harmony."

When it first became known publicly that there had been a conference on party over party policy between Senator Platt and Gov. Odell, public attention was directed to the two seats in the United States senate held by Platt and Depew almost as much as to the conference itself. It was expected that the next candidate for governor, Senator Platt went before the legislature for re-election two years ago, and was returned, but three Republican state senators refused to support him. The campaign to return Mr. Depew practically began at that time, and was continued up to today when he was able to announce its success. It was known all along that Mr. Depew regarded Mr. Platt as a very good friend, and that he did not desire to do anything that would split the party. The man who had led the Republican party in the state for so many years.

Last summer prior to the meeting of the state convention it was reported in political circles that former Gov. Black desired to go to the United States senate and that he would have the support of Gov. Odell. Never, however, did Mr. Black announce himself as a candidate, and not at any time today did Gov. Odell make known his position.

Senator Clark Coming Home.

Paris, Dec. 29.—United States Senator William A. Clark of Montana, with his wife and child will sail for New York on board the German Lloyd steamer Kronprinz Wilhelm on Jan. 4 and they will take up their residence in Washington, D. C.

Mrs. Clark has lived several years in Paris.

HOME BEAUTY IS HOME COMFORT.

THAT'S TREE TEA.

THE PRICE OF JAPAN (TREE) CHOICEST JAPANESE TEA IMPORTED BY N. L. BRANDELL & CO. SAN FRANCISCO, HALF POUND

THE HEIGHTS OF MANY METEORS HAVE BEEN MEASURED BY W. F. DENNING, THE ENGLISH astronomer. It appears that the swift meteors become visible at an average height of 34 miles and disappear at 16 miles, while the very slow meteors come in sight at about 55 miles and fade away at 33 miles. Of the very slow meteors those that become visible at the greatest heights come 25 miles nearer the earth than those of very low radiant.

In a piece of the Canon Diablo meteoric iron, Henri Moissan has found not only diamonds and other forms of carbon but has obtained crystals of silicon carbide. This is the first time the last-named substance has been met with in nature.

A German process is claimed to give remarkable hardness to copper and its alloys without affecting the ductility. A charcoal fire at the temperature of melting tin is preferable for use, and on this the object is heated for a suitable time, perhaps three minutes. The metal and the surrounding blocks of charcoal are sprinkled with powdered sulphur until covered, the sulphur vapor being thus brought into direct contact with the metal. On being taken from the fire, the metal is plunged into a solution of copper sulphate, and is allowed to remain a short time. It is finally reheated, and cooled without a cooling mixture.

The ether of space, if the new theory of Prof. Meinel is true, is matter resembling argon and helium in having no power of chemical combination, and it must be remarkable for extremely low density and great rapidity of molecular motion. In order that the ether may escape from the sphere of attraction of stars 50 times as great as the mass of the sun, it must have an atomic weight

HAULING THE COD SEINE



HAULING THE COD SEINE.

This is a characteristic scene on the New Foundland coast, the fishing banks that France has definitely decided to abandon through the Anglo-French agreement. The French fishermen have been on those banks for more than a century and more or less friction with Great Britain has always existed.

PHILIPPINE QUESTIONS.

Secy. Taft Wants Tariff on Sugar And Tobacco Reduced.

Washington, Dec. 29.—Secy. Taft, who is engaged just now with matters pertaining to the Philippines, had a conference with the president regarding questions relating to the archipelago. The secretary desires that the proposed reduction in the tariff on Philippine sugar and tobacco should be provided for at this session of Congress and he is urging his views strongly with all members of Congress to whom he has opportunity to talk.

He hopes to obtain a rate on sugar and tobacco imported from the Philippines of 25 per cent of the regular Dingley rate. He intimated today that negotiations had been initiated looking to a possible compromise on a Philippine tariff rate, but it was too late early in the session to result in the negotiations might be.

Negro Lynched.

Real, Ga., Dec. 29.—Herbert Simmons, a negro, was lynched here today for the killing of J. A. York, a white man. The negro was taken from the officers by a mob of citizens while being carried to the jail, and after being strung up on a tree his body was riddled with bullets.

SCIENTIFIC MISCELLANY.

Museums of language will be of great importance to the future historian. The first was suggested in Vienna six years ago, but has only recently taken shape, although it has already resulted in a collection of a large number of specimens.

The purpose is to record the languages of Europe and eventually of the world, the music of the different countries and specimens of notable ornaments. The collection now embraces the Slavic, Serbian, modern Greek, Portuguese and Brazilian languages of the Americas, and of native of Indian, and of Arabians and Bedouins. An expedition under Dr. Poecil has penetrated New Guinea, to reproduce the speech of the Papuans.

The value of evidence has been tested experimentally by Miss Marie Borst. Her subjects were 12 males and 12 females, and within a period of six weeks were subjected to a series of tests. The results were afterward required to describe in writing, and about which they were interrogated. Statements were given, and the results were compared with the actual facts.

A pike with a benign bony tumor on one of its gill-covers is among the specimens that have been submitted to the English cancer commission. The growth was as large as a good sized chestnut, and the fish was much emaciated, weighing less than a pound, though 13½ inches long.

An ape of the Breshan zoological gardens has been successfully operated on for cataract, and is the first of her kind to wear spectacles.

The hydroscope of Cavalier Giuseppe Pino has brought a sensation of surprise that no such thing as a hydroscope has been revealed with such simple means. The apparatus is a kind of telescope for peering into the water, and it consists of an extensible tube, with a complex system of 12 lenses at the bottom, and an arrangement of internal mirrors for reflecting the submarine view upward to the observer's chamber at the top. A very clear picture of the sea bottom is produced. The water is better lighted up than is possible with a flashlight. The hydroscope is set in a ship's bottom, a mine, or other object can be seen in the water at a distance of 60 to 90 feet. With the vertical floating tube and a special holding equipment, a Spanish galleon, sunk in 1792 was raised, though it afterward crumbled away and was lost, and old boilers have been recovered.

With only 28 foggy days in 1902, Londoners are flatter themselves that their atmosphere is improving. Looking at the records for the last 25 years, F. J. Brodie finds an annual average of 55 days of fog, 45 being in winter and only 10 in summer. The worst year was 1891, when there were 73 foggy days, and the least was 13 in 1900. Dividing the 25 years into three equal periods, the first 11 years show an average of 55 fog days, the second of 59, the third of only 41.

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not more than 100,000,000. This extreme lightness explains why it is not likely to be heated, and why it penetrates all substances.

The new idea of a postal photograph is expected to create a small revolution. An expected at Vienna, a postal photograph machine is to supply a tiny gramophone disc made into a record of the sender's message as spoken by him into the machine, and this record is mailed as a postal card. Being of tough material, it withstands no injury, and a small photograph to cost but a few shillings is to be manufactured to enable the receiver to reproduce the message of the disc.

A new pest fuel known as "Osmond" The mixture of the fuel is driven out electrically, and the residue is ground to powder, and made into balls and briquettes. The fuel has no smell, burns to fine ash, and yields a great heat.

HOW SHE KEPT THE PLEDGE Mrs. C. A. Barwise, president of the Pops' Welfare Association of Brooklyn, is an enthusiastic advocate of temperance. The other day, apropos of hypocrisy in the temperance movement, she said:

"I have been asked many times of us to whom the spirit of the temperance pledge means so little as it did to a certain Scottish woman."

"This woman had made a vow not to drink liquor, and a day or two after the vow she supped at a friend's house. In those days temperance was not common in Scotland, and at the supper wine was passed about like tea."

"The new temperance convert looked at the wine longingly. Her hostess said: 'I'm sorry you cannot drink a glass of wine now on account of your temperance principles.'"

"The other had just taken on her plate a piece of cake. She said thoughtfully, extending her plate to ward the wine bottle: 'Awful, just pour it on my cake and I'll eat it.'"

EQUAL TO THE EMERGENCY.

Francis Wilson, the actor, was talking to the Players' Club about the value of a ready wit in stage emergencies.

"I remember well," he said, "the ready wit of a dear old man in Annie Price's 'Miles' company that I played with some twenty-five years ago. This old fellow was never at a loss on the boards, no matter what disconcerting accident might happen. I complimented him on his readiness one night, and he told me, with a pleased smile, of a mishap that had once befallen him in 'Pizarro.'"

"He was, he said, a young man at the time, and he was playing the part of Rollo. There is in 'Pizarro,' you'll remember, one scene where Rollo stands on the stage awaiting Attila's army. The army, a great horde of savages, these part him, then gathers round him, and he addresses it with a spirited exhortation."

"Well, on the night in question all the savages but one struck, for some reason or other, at the last moment, and there was nothing to be done. The one who was left to do duty for the whole army of Attila, thus to my friend Rollo, awaiting the army in front of the footlights, the solitary supper marched."

"But Rollo was equal to the emergency even so trying as this. He made a grand gesture and exclaimed: 'What? All slain but thee? Come, then, my brave associate!'"

"I'm sorry you cannot drink a glass of wine now on account of your temperance principles."

"The other had just taken on her plate a piece of cake. She said thoughtfully, extending her plate to ward the wine bottle: 'Awful, just pour it on my cake and I'll eat it.'"

THE MORE HANK, THE LESS WORK.

Gen. Corbin, a few days before his departure for the Philippines, told in Washington a story wherein militarism blended pleasantly with farm life.

"A friend of mine," he said, "was in the country during the harvesting of the abundant crops. My friend went out into the fields one day, and fell into conversation with a farmer."

"The farmer was a dry, thin old man. While he talked he kept his eyes fixed on his farm hands. They, too, were elderly—half, handsome fellows, erect and supple, despite their gray hairs."

"'Yes, see them hands o' mine?' said the farmer."

"'Well, every one o' them hands is a war veteran. The night one is a colonel; the fore one is a major; the short fellow is a captain, and the two with the long reach is privates.'"

"'Well, well,' said my friend, 'All veterans, eh? And how do they work, these veterans of yours?'"

"'Them two privates is good,' said the farmer, 'I would ask for no better hands.'"

"'How about the captain?'"

"'The captain's pretty good, too.'"

"'Is the major good?'"

"'So-so.'"

"'But the colonel, how is he?'"

"'It wouldn't be right,' the farmer answered, 'for me to say anything against a man that has gone through in the war and come out with the rank of a colonel. It wouldn't be right, and it wouldn't be just. There's one thing, though, I will say, and that is that I won't ever hire no brigadier-generals.'"

Coughing Spell Caused Death.

"Harry Duckwell, aged 25 years, checked to death early yesterday morning at his home, in the presence of his wife and child. He contracted a slight cold a few days ago and paid but little attention to it. Yesterday morning he was seized with a fit of coughing which continued for some time. His wife sent for a physician, but before he could arrive another coughing spell came on and Duckwell died from suffocation.—St. Louis Globe-Democrat, Dec. 1, 1903. Ballard's Horehound Syrup would have saved him. 25c, 50c and \$1.00. Sold by Z. C. M. I. Drug Dept.

Cured Paralysis.

W. S. Ralby, P. O. True, Texas, writes: "My wife had been suffering five years with paralysis in her arm, when I was persuaded to use Ballard's Snow Liniment, which cured her all right. I have also used it for old sores, frostbites and skin eruptions. It does the work." See Sec. 100. Sold by Z. C. M. I. Drug Dept. B

REDUCTIONS ON EVERYTHING.

For one week one-half off on Calendars, one-third off on Dolls, Toys and Games, one-fourth off on Xmas Books, Pictures and Fancy Novelties. DESERET NEWS BOOK STORE, 6 Main Street.

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ONE FARE FOR ROUND TRIP.

Via Salt Lake Route. Tickets sold Dec. 23, 24, 25 and Jan. 1. Limit for return Jan