

IMPULSIVE INSANITY SAYS DOCTOR

EXPERT SAYS CAPTAIN PETER C. HAINS WAS NOT SANE WHEN HE KILLED ANNIS.

Flushing, N. Y., Jan. 7.—The trial of Thornton J. Hains passed today to that stage frequent in homicide cases where testimony is developed from medical experts and alienists. Hains' counsel placed on the stand Dr. L. Samuel Manson, an alienist, who, after listening to a hypothetical question regarding Captain Hains' sanity, declared that on August 15, when Captain Hains shot William E. Annis, he was suffering from impulsive insanity. The long cross-examination of Thornton J. Hains was concluded at the morning session and the defense began the presentation of expert testimony to prove the insanity of Captain Hains. The prison physician was not permitted to tell his opinion of Captain Hains' sanity, and it looked as if the defense would be unable to get the alienist's testimony before the jury. Dr. Manson stated that he had not treated Hains as his patient, but had simply observed him. It was then that the hypothetical question, which required 1 hour and 15 minutes, was read to the alienist. Dr. Manson stated that Captain Hains suffered from melancholia following the shooting, and this mental condition showed an improvement. Before an objection could be entertained to an interrogation the alienist stated that Captain Hains was sane when he last saw him. The cross-examination of Dr. Manson was under way when the court adjourned until tomorrow.

WANTS LEGISLATION BARRING WATER GAS

Washington, Jan. 7.—Prompt legislation to regulate the composition of illuminating gas in this city as the result of recommendations of Attorney General Bonaparte that the use of water gas be forbidden or restricted, is urged in a brief message sent to congress today by President Roosevelt. The message follows: "I transmit herewith for the consideration of congress a letter from the attorney general and accompanying papers and call particular attention to the copy of the communication of the United States attorney, Mr. Baker, under date of January 5. The situation in reference to the composition of illuminating gas as furnished in the District of Columbia is one that would seem to require immediate action. (Signed) "THEODORE ROOSEVELT."

The investigation on which the message is based followed several fatalities in this city caused by inhaling carbon-monoxide gas made from water.

TRAINMEN CHARGED WITH MANSLAUGHTER

Special to The Daily Missoulian. Billings, Jan. 7.—County Attorney Wilson has filed direct information in the district court charging Engineer Willard Smith and Conductor James Hickey, of the freight train which collided with an eastbound passenger train on the morning of September 25, at Youngs Point, with involuntary manslaughter. Engineer Smith has been arrested at Livingston and Conductor Hickey is in Sheridan or Gillette, Wyo. The information was filed at the suggestion of the state railroad commission and the attorney general to whom the matter was referred before the last election. As a result of the wreck 20 were killed and nine badly injured.

PASSENGERS INJURED IN RAILROAD WRECK

Great Falls, Jan. 7.—Passenger train No. 3, on the Great Northern, was derailed early this morning on the Vandalla, according to a special to the Tribune. The train was thrown from the track over on its side and a number of passengers were injured. A relief train with physicians was immediately sent out from Glasgow and the wounded taken to that place. It is not believed that any will die, although one or two are seriously hurt. Spreading rails, owing to the extreme cold weather, is given as the cause of the derailment.

ARM CRUSHED BY ROCK

Harold Arnold, a young man in the employ of a construction company operating a steam shovel in the quarry at Lothrop, was caught by a falling ledge of rocks early yesterday morning, his right arm being so badly crushed that it was found necessary to amputate the member near the shoulder. Arnold was brought to St. Patrick's hospital for care.

ABRAHAM FORSYTHE DEAD

Abraham Forsythe, who came here recently from Colorado to visit with relatives, died at the home of his daughter, Mrs. A. N. Palmer, at 8 o'clock last night. Mr. Forsythe was 73 years of age and had been a resident of Newcastle, Colo., for the past 35 years. He leaves two daughters, Mrs. Palmer of this city and Mrs. L. D. Hudson of Newcastle, Colo.

MONEY FOR MURPHY

Chief of Police Smith is in receipt of a card from John E. Sullivan, chief of police in Sacramento, Cal., asking them to be on the lookout for a man named Daniel Murphy whose mother recently died in the California city

and left "quite a sum of money" for her son. Murphy left Sacramento 10 years ago and for the past three years nothing has been heard of him. He is said to be about 23 years of age and of a roving disposition. His father was one of the early-day hackmen of Sacramento.

GOVERNOR INAUGURATED.

Lincoln, Neb., Jan. 7.—At the joint session of the house and senate Ashton C. Schallenberger, democrat, was today inaugurated governor of Nebraska. In his message Governor Schallenberger urged the passage of a bank deposit guaranty act, advised strict economy and asked for several amendments to the primary law. He also suggested laws for the sterilizing of criminals and insane.

CONFERENCE HELD BY KNOX AND TAFT

Augusta, Ga., Jan. 7.—President-elect Taft today conferred with P. C. Knox, who will be his secretary of state, on the subject of cabinet appointments. Mr. Taft would not discuss the conference. Senator Knox arrived from Washington at noon. He went at once to the Bonair hotel and after luncheon to the Taft cottage. After a lengthy conference there with Mr. Taft, the two took an automobile ride.

Senator Knox is chairman of the inaugural committee of the senate and house and said tonight he had told Mr. Taft that he intended to see him properly inaugurated and his own appointment as secretary of state made and confirmed before he ceased to be senator from Pennsylvania. This indicates that Mr. Knox will not retire from the senate until after the 4th of March.

MAX WEST DEAD.

Washington, Jan. 7.—Dr. Max West, a special examiner in the bureau of corporations of the department of commerce and labor, and a well-known economist, died of pneumonia today at his home here, aged 33 years. He was regarded as an authority on taxation as well as on sociology and constitutional law. His principal work with the bureau of corporations has been in connection with the Standard Oil investigation.

MUST REDUCE EXPENSES.

Philadelphia, Jan. 7.—Oscar Hammerstein, the impresario, officially announced today that in view of the difficulty he has had in the placing of a mortgage of \$400,000 on his new Philadelphia opera house, he is compelled to make known his intention of terminating the grand opera season in this city on Saturday, January 23, or continuing the same in a more inexpensive form.

SIX MILLIARDS OF LIRES REPRESENT THE DAMAGE

Washington, Jan. 7.—According to a cablegram from the prefect of Messina province, the damage in that province and in that of Reggio will reach six milliards of lire. The information was received today by Dr. Francesco Franchina, local Italian vice consul. Six milliards of lire are approximately \$1,200,000,000.

WALLACE CONTRIBUTES.

Special to The Daily Missoulian. Wallace, Idaho, Jan. 7.—A donation of \$253 was wired today to the palace of Victor Emmanuel III, king of Italy, by the Italians of this city. The money was collected by James Spodafore and was sent to aid the sufferers of the recent disaster in Sicily and Italy.

The First National bank of this city sent the money to the Banca Commerciale Italiana (the national bank of Italy) at Naples.

REVOKES CONSTITUTION.

St. Petersburg, Jan. 7.—Special dispatches received here from Terehan say the shah of Persia has again issued a manifesto revoking the constitution.

There has been an outbreak of disorder at Shiraz similar to the recent disturbances at Isfahan. It is feared that the news of the successful plundering of this latter city will result in uprisings of the lower classes, particularly among the starving.

TO INCREASE CAPITAL.

New York, Jan. 7.—The stockholders of the American Telephone & Telegraph company, at a meeting today authorized an increase in the capital stock of the company from \$250,000,000 to \$300,000,000. The purpose of this new issue is to care for \$50,000,000 convertible bonds of the company recently sold.

A QUARRELSOME FAMILY.

A family living in Germantown was recently in need of a cook, and the mistress of the house was considering an applicant sent by an employment agency.

"Why did you leave your last place?" the housekeeper asked the girl.

"To tell the truth, mum, I just couldn't stand the way the master and the mistress used to quarrel."

"Dear me! Do you mean to say that they actually used to quarrel?"

"Yes, mum, all the time. When it wasn't me and him, it was me and her."—Philadelphia Ledger.

CHASING LIZA.

"Aw," boasted the English nobleman in the smoking room of the big steamer, "my father followed the hounds for years."

"So did mine," laughed the little chap in the checkered cap. "Aw, in England?"

"No, in America. He used to play the part of Simon Lagree in 'Uncle Tom's Cabin.'"

SKATING PROPOSAL.

They are skating. "Barling," he whispered, as they reached the end of the silvered lake, "what would be grander than the ring of steel?"

"Why, er—the ring of gold," said the pretty girl with a deep red blush, and the next day the cards were out.

REWARD IS PLANNED FOR PATTERSON

COEUR D'ALENE FRATERNITIES SEEK TO ASSIST VICTIM OF CAVE-IN.

Special to The Missoulian.

Wallace, Idaho, Jan. 7.—Secret society men throughout the Coeur d'Alenes are being asked by fraternal organizations of Wallace to aid in rewarding of Leok Patterson, hero of a notable mine disaster five years ago, by giving him their unanimous support in a voting contest being carried on by a Spokane paper. Patterson is to be declared the most popular man in the Coeur d'Alenes.

Five years ago Patterson, then a splendid specimen of physical manhood, standing 6 feet 2 inches in his stocking feet and weighing over 200 pounds, was suddenly bereft of nearly all his physical power by a cave-in in the Standard mine. Patterson was dug out of the debris and taken to a hospital, where it was found that his back was broken. Skillful medical attention saved the man's life. For the first two years his chances of recovery were doubtful, but since that time he has been steadily improving, his body below the waist being entirely paralyzed and shriveled into a mere framework of bone.

Medical authorities are at a loss to explain how Patterson remains alive when half his body is entirely dead. While men less physically and mentally favored than he was before the accident have made millions in the mountains about here, Patterson has been a patient sufferer, never uttering a word of complaint, cloaking his mental and physical suffering beneath a cheery countenance and teaching a lesson of patience and fortitude to all who have entered the sick room. For five years he has not left his bed in the Providence hospital. His busy brain has taught his hands many cheerful occupations, and after he learned to play the mandolin with skilled touch the sweet tones of his instrument have cheered the weary hours and lessened the pain of hundreds of sufferers who have been cared for at the hospital.

Cold in Seattle. Seattle, Wash., Jan. 7.—Seattle is experiencing the coldest weather in 22 years. The temperature shortly after 5 o'clock this morning, was 15 degrees above zero. About two and one-half inches of snow has fallen and it is still snowing, the local weather office reports no indication of immediate change. Street car traffic has not been delayed, but a force of 100 extra men is busy keeping the switches and tracks clear. Several rooms in the Salmon bay school at Ballard were closed today owing to the inability to keep them heated. Fuel is plentiful and the cold snap has occasioned small inconvenience so far.

Seven inches of Snow. Tacoma, Jan. 7.—Seven inches of snow is reported by the local weather bureau as having fallen up to 5 o'clock this morning from the time it began at 4 o'clock yesterday morning. The mercury was 17 degrees above zero this morning, holding about that temperature through the day. It began snowing again about 10 o'clock today, the wind blowing a gale from the north.

Thirty Below at Helena. Helena, Jan. 7.—With the thermometer 30 below here tonight at 6 o'clock and the prospect that it will go lower before morning, deep snow on the ground and still falling, the street car service terminated. Helena is feeling its first real touch of winter. All day the temperature stood around 25 below, and a sharp wind has made the situation worse. Points in the mountains near Helena reported temperatures of from 30 to 50 below.

Passing Away. St. Paul, Jan. 7.—Gradually the cold wave is passing away. The local weather bureau reported a temperature today of 14 degrees below zero here, while in the north the range was from 22 to 30 degrees below zero. Devils Lake, N. D., was the coldest point in the United States last night, with a temperature of 26 below zero.

Traffic Blocked. Butte, Jan. 7.—There has been no passenger traffic in or out of Livingston today. West of Livingston the storm extends to beyond Missoula. The severest weather in the history of North Dakota is responsible for the tieup of all railroad traffic east of here.

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Deaths of a Year in World of Sport. William W. Bair, driver Maud S., at Philadelphia, Pa., April 15. David H. Barnes, turfman, at Chicago, September 8.

Albert Bushong, veteran catcher, at Brooklyn, N. Y., August 20. Henry Chadwick, "father of baseball," at Brooklyn, N. Y., April 20.

James Y. Chalmers, bowler at Chicago, June 2. Jack Curry, harness horse driver, at Kansas City, Mo., July 4.

George Dixon, pugilist, at New York, January 6. Riley Gannon, plunger, at Rawhide, Nev., April 3.

Mike Griffin, veteran ball player, at Utica, N. Y., April 10. Clem Jenkins, jockey, at San Francisco, Cal., December 4.

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Worst in Years. Bellingham, Wash., Jan. 7.—With the mercury hovering around the zero mark Bellingham and northwestern Washington is shivering in the worst cold wave experienced since Janu-

ary, 1893, when 14 below zero was registered. At Sumas, on the Canadian border, 20 miles north of here, 10 below was recorded last night. At Anacortes, 15 miles south, the schools have been dismissed and lumber and shingle mills have been compelled to close down.

John Davis was frozen to death in his cabin at Noon's, eight miles north of this city, last night. He was 68 years old and had been ill.

Bellingham is without fire protection. Thousands of water taps have been allowed to run to prevent freezing and the pressure on the fire mains has been reduced to nil. Water inspectors have found it impossible to enforce the regulations, or to shut the water off from hundreds of residences. The wind is blowing a gale from the northeast, but there has been but little snow. Shipping is hampered by the gale and cold. Vessels are coming in with bows and rigging a solid mass of ice.

In Washington. Portland, Ore., Jan. 7.—Tonight it is snowing throughout the entire state of Washington, save the extreme northwestern part. The Columbia river is jammed with ice at Warrior Rock, about 15 miles below the mouth of the Willamette, and is frozen solid from bank to bank. Navigation between Portland and Astoria is suspended. Bellingham is probably the worst sufferer from the storm. Zero weather prevailed in 14 years, has caused suffering among the poor and because of the impossibility of shutting off water from houses, where it is wasted by being allowed to run to keep the pipes from freezing, the mains have no pressure and the city is without protection from fire. Zero weather prevails in eastern Washington also, but little inconvenience is being experienced. About eight inches of snow has fallen in Seattle but it has occasioned little delay to the street car system and there is stated to be plenty of fuel on hand. This is in contrast to the condition in Portland, where, with but nine inches of snow, the street car system is practically out of commission. So far but one life has been reported lost. This is of an aged man living a few miles north of Bellingham.

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SPORTS MANY GOOD COLORED FIGHTERS

WALCOTT, DIXON AND GANS CHAMPIONS WITH JACKSON VERY NEAR THE TOP.

While Johnson is the first negro to win a world's heavyweight championship, he is not the first black to have attained an international reputation or a weight championship. One of the first great negro fighters, and perhaps the greatest—everything considered—was George Dixon, 115 pounds. In his prime he beat everything in the bantam, feather and lightweight class. Not a whit less conspicuous, although never a champion, was Peter Jackson, once matched to meet John L. Sullivan. The fight never came off. Jackson attained the championship of England and Australia, losing it to Jeffries.

Then there was Joe Walcott, five feet one inch tall, with arms like flails and a flat head like an adder, with the punch of a mule kick. Like Dixon, Walcott had to fight men 10, 20 and even 30 pounds heavier than he, and he beat them all—such men as Joe Choynski, George Gardner and others. After Walcott, prominent part of the time during Walcott's regime as welterweight champion, came Joe Gans, who at one time held both the welter and lightweight championships. Gans' record is still fresh.

Langford Rising in Popularity. Contemporary with Johnson's ascendancy is the rise of Sam Langford in California. Langford is looked upon as a contender for Stanley Ketchel's title or middleweight champion.

The other great black fighters have been Joe Goddard, the Dixie Kid, Young Peter Jackson, Joe Jeannette, Jack Blackburn, Denver Ed Martin, Dave Holly and others.

Four of these have been in their day or are now, champions of their class: Dixon, bantam; Gans, light; Walcott, welter; and Johnson, heavy. It has always been hard for a negro to win a championship. The "color line" has kept down many a great black. The best of the negro pugilists have all had to give away weight and take the short end of the purse to get matches.

JEFFRIES ENCOUNTERS TRAINING DIFFICULTIES

Los Angeles, Cal., Jan. 7.—There is considerable basis, it is said, for the rumor that James J. Jeffries, former heavyweight champion of the world has reconsidered his decision not to again enter the ring, and that he is about to make some proposition to the Australian promoter of the recent championship fight between Burns and Johnson looking to a championship battle some time during the coming year between Champion Johnson and himself.

Jeffries denies the truth of the rumor, but those who are in a position to know say that the erstwhile champion of champions is not only in the frame of mind to consider the thing, but that he is already planning the details of the proposition he will make.

It is stated by a man who is very close to Jeffries that about a year ago Jeffries tried three weeks of systematic training at the Los Angeles Athletic club in this city, and that the results were not satisfactory to him, and that it was this failure to get himself into condition which impelled him to refuse the offer of a \$50,000 purse made by McIntosh, the Australian promoter.

The national baseball commission has issued a manifesto addressed to all baseball players in which it is made very plain that players must keep in

EX-NATIONAL LEAGUE OFFICIAL IS INJURED

Washington, Jan. 7.—"Uncle Nick" Young, who was president of the National Baseball league for many years, fell heading down the stairs at his home in this city a few days ago and was painfully hurt. Fortunately, the veteran baseball man landed on his hands and his injuries consisted principally of a sprain to his right wrist and arm. His condition is reported to be improving. While he has been out of baseball for several years, he rarely misses a game during the local playing season.

TO SELL RACE TRACK.

Boston, Jan. 7.—A resolution to sell the race track at Readville was passed

Poor Richard's BARGAIN ALMANAC FRIDAY, JANUARY 8, 1909 Much blow and bluster about BARGAIN SALES which will continue through this week when these minor and unimportant trade winds will die out and the storm center will shift to this quarter and break with A GREAT JANUARY CLEARANCE of Dry Goods of all descriptions and Women's and Children's apparel on MONDAY, JANUARY 11 when a strange thing will happen—the mercury in the trade thermometer will go up to 100 degrees HIGHEST STANDARD and at the same time down to zero. LOWEST PRICES WARNING—Be prepared for this storm of bargains. Husband your resources until January 11, when they will double in value. Only the heedless will not profit by this warning. Missoula Mercantile Co.

by the New England Horse Breeders' association today. Less than \$40,000 of the \$100,000 bond issue needed to prevent a sale has been subscribed for.

SPORTING NOTES

John L. Sullivan insists that Stanley Ketchel is not now and never can be in the same class with Bob Fitzsimmons. The fact that the middleweight champion uses a double shift effectively does not argue in his favor, as Fitzsimmons used the shift to much better advantage than Ketchel does, and was an infinitely better fighter than Stanley. John L. refuses to go back on the old-time scrappers.

"Stanley Ketchel may fight Langford," says an eastern exchange. Stanley will probably think several times about it before entering the squared circle with the black wonder. Stanley is also said to be after Jack Johnson, but he is so far behind in the race that he will never catch the big Ethiopian.

Gus Schoenlein, "Americus," who has met both Gotch and Mahmood, the Turk, on the mat, says that Gotch and the Turk would make a good match, but favors Gotch in the final result.

Rex Beach's Great New Story HIS new novel and his BEST starts in Hampton's Magazine for January. His masterpiece, Stronger than "The Barrier"—more powerful than "The Spoilers." Don't miss the spell of the opening chapters. Start when the story starts. If you've ever read "The Spoilers" or "The Barrier" you know what this story is. We tell you it is the BEST, most enthralling story Rex Beach has ever written. "THE SILVER HORDE" will be "the serial of the year." The hundreds of thousands of readers who have followed with keen interest the joys and sorrows of beautiful Cherry Malotte, one of the best loved heroines in fiction, will find her life story completed in this newest—and last—of Rex Beach's Yukon romances. The story centers around a young goldseeker who becomes interested in trying to start a salmon cannery, but finds himself blocked by a Trust organized by a Chicago railroad president. He is in love with the president's daughter, and his partner in the salmon cannery is Cherry Malotte. Almost every chapter portrays a crisis in which these vigorous characters are entangled. It is a big, new, vigorous, full-blooded American story. It breathes the strong spirit of the great North country, the vivid elements of love, danger, adventure, romance and of big business. Hampton's Magazine For January—On Sale Now Special articles by Charles Edward Russell, Emerson Hough, G. W. Ogden, Rheta Childie Dorr, Arthur B. Reeve. Short stories by Josephine Daskam Bacon, Percival Gibbon, Anne Warner, and others. "MONEY'S WORTH OR MONEY BACK."—Buy Hampton's from your newsdealer. If it doesn't please you, send us the cover,—keep the magazine,—let us return to you 15c. plus the postage you have used. If your newsdealer is already sold out of Hampton's, send 15c. and your dealer's name to us. HAMPTON'S MAGAZINE, New York