

PASSENGERS MAY ARRIVE TOMORROW

Teams Transferring Them to Train This Side of Washout On Salt Lake Route.

RUSHING REPAIRS ON LINE.

Water Has Gone Down and Work Gangs Are Pressing Forward With Much Vigor.

The passengers on the belated No. 4 passenger train, held up by the washout on the Salt Lake Route, will, it is now expected, arrive in Salt Lake tomorrow night.

At noon today the officials of the Salt Lake Route received the welcome intelligence from Supt. H. E. Van Housen, who is at Barclay, near the scene of the floods, to the effect that communication had been established with the marooned passenger train, which since the night of Jan. 1 has been stalled at Eccles, a little station five miles east of Callente. The message said that teams were started from Callente this morning for Eccles, for the purpose of taking off the passengers on the train and hauling them back to Acoma, which point was reached this morning in repairing the road. The teams will make the trip so that the passengers will upon arrival at Acoma be placed on boat No. 2, which is due to arrive in this city at 6:30 tomorrow evening, and while it may be necessary to hold No. 2 at Acoma two or three hours to give the teams time to arrive, it is expected that all the belated passengers on No. 4 will reach this city some time before midnight tomorrow night.

The message also said that the waters had gone down in the Meadow Valley wash, and that the work of repairing the road and laying of rails may be carried on without interruption and the prospects are that trains will be again running through to Callente in a very few days. The repair gang has succeeded in clearing up the track as far as Acoma and will soon be at Barclay, where Supt. Van Housen is directing the repairing operations.

A GREAT TASK.

As the country surrounding the scene of the washout is very sparsely settled, it has been a task of some magnitude to secure teams and vehicles sufficient to haul the passengers and their baggage occupying the belated train, but according to the dispatch received at noon Supt. Van Housen has succeeded in procuring the teams and a question of another day until the passengers will be safely brought back to Salt Lake City. Reports from the train have been to the effect that while the coal supply on the engine gave out, there were plenty of ties and wood on hand to keep up plenty of heat for the coaches, and the train was not suffering on that account. The tender of the dining car was also plentifully supplied, so that the passengers have not suffered from the want of food or drink. In fact, it is believed that due to the circumstances has been done by the railroad for the comfort of the occupants of the train, who have unfortunately been delayed in reaching their destinations by obstacles which the railroad could not foresee nor prevent, and in which the railroad company was in no way at fault.

Up to noon today telegraphic communication had not been restored with Callente or points beyond in the district. Wires are down all along the line for many miles, and it is not known from this side what damage has been done to the wires in the way of operating trains on the other side of the washout. Line workers are engaged in repairing the wires, however, and it is expected that telegraphic communication may be re-established any day.

A RECORD BREAKER.

The washout on the Salt Lake route is the worst that has ever happened to the road," declared William Lloyd, superintendent of the Prince Consolidated mine and the only one who has been in Salt Lake this morning from Pioche. "The floods and the snow in southern Nevada have been the heaviest in years and traffic has been blocked a long time to come. It would be impossible for me to say just how long it will be longer than the last washout out."

Mr. Lloyd came in this morning with Mine Manager Ernest L. Godbe of the Prince mine. The men were traveling two days on a trip that usually takes a little more than a quarter of the time.

"On account of the traffic to and from Pioche, Mr. Montgomery has put in a stage line between Pioche and Modena, said Mr. Lloyd. This stage leaves Modena Wednesdays and Saturdays and will continue on the roads are fixed up. We were the first passengers to get out of Pioche. There were only four passengers and the driver in the coach drawn by four horses when we set out from Pioche. In some places the snow was two feet and it took us 13 hours to get from Pioche to Modena, 40 miles. The roads are now broken and we will require considerable less time in going and coming now."

"We spent that night at Modena. The next morning a train came along and we boarded it. The train went down the road for 40 miles to Uvada, where it waited all day. We stayed with the Pullman, and as there was a dining car on we were fortunate. Last evening the train started for Salt Lake and we arrived this morning."

"The road is in the worst shape I ever saw it. Twelve miles out of Callente at what is known as the Delamar ranch or Round Valley, there is four feet of solid ice on the tracks and it must be at least three-quarters of a mile across."

"Callente is in terrible shape. The round house there has about four feet of water in it and the federal store which is almost up on the hill side, I understand has about a foot of water."

Dayton Drug Co., Cor. 2d So. and State. Phones 552.

Purity Toilet Paper Large rolls of soft, fine toilet paper—extra special this week—

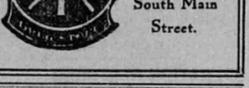
90c the dozen rolls. Godbe-Pitts Drug Co. Cor. Main and 1st So. Phones 140.

Two Cough Remedies We Recommend

White Pine Expectorant 50c a bottle.

White Pine and Tar

50c a bottle.



The Pure Drug Dispensary 112-114 South Main Street.

"The rip rap along the road has been washed out and will have to be replaced. Where cement was used it will stand, but the other parts of the track must have gone out before the washout."

DEATH OF O. S. L. PENSIONER.

Frederick Miller, 855 west First North Street, old-time employee of the O. S. L. railroad, died at his home, Tuesday night of apoplexy. He was one of the oldest men on the system, and for several years has been retired from work on a pension. The body is at the undertaking parlors of Joseph William Taylor. Announcement of the funeral services will be made later.

SPIKE AND RAIL.

Lagoon Music Contract—The contract for furnishing the music at Lagoon resort for the season of 1910 was let yesterday by the resort management to Prof. Sardoni of this city. Between 40 and 500 tons of ice have been stored at Lagoon for the use of the coming season.

J. C. Dalley, general superintendent of the Denver & Rio Grande, will return to Salt Lake today from an extended trip east. While absent, Mr. Dalley has been investigating different plans for block systems and planning for improvements to be made on an extensive scale in the Denver & Rio Grande the coming year.

Sidney Bamberger Improving—A letter from Simon Bamberger, president of the Salt Lake & Ogden railroad, dated at Baltimore, says that his son, Sidney, who is recovering from a successful operation some time ago for the removal of a tumor on his brain, is progressing very well and will be discharged from the hospital to a hotel. As soon as it is prudent Sidney will go to Florida to spend a few months, while President Bamberger will return to Salt Lake.

First Solid Train—The first solid train to be run over the washout by the Western Pacific was furnished for the road by the American Steel and Wire company. The shipment was made up of wire and nails and started on Tuesday and moved over the Chicago & Alton to Kansas City, where it was turned over to the Missouri Pacific which delivered it to Denver, and which will deliver the train to the Western Pacific at Salt Lake City. It is the first solid train ever sent to the Pacific coast.

THE SAFEST—THE BEST

If converted to the idea of storing your valuables in a safe deposit vault, you naturally want to select a vault that will be secure—not one that fire may easily destroy or that thieves can break into. The Utah Savings & Trust company's vaults are the safest and the best.

MRS. ERWIN'S FUNERAL.

A. T. Christensen, stepfather of Mrs. P. H. Erwin who died Saturday evening at El Paso, Texas, received a wire this noon from Mr. Erwin who is en route to this city with the body of his wife, that they would arrive in this city Friday at 7:30 a. m. The arrival is a day late on account of being obliged to detour from Los Angeles over the Salt Lake Route. There is a more direct way, via the Santa Fe and Rio Grande; but this route would necessitate changing cars at Lamy Junction, Santa Fe and Salida, whereas by Los Angeles only one change of cars is required. The funeral will be held from the Twentieth ward meetinghouse Friday, at 2 p. m., with interment private.

OVERSIGHT COSTS \$25.

H. C. James, a grocer, pleaded guilty in Judge Bowman's court this morning to the charge of selling butter that had not been stamped. While admitting his guilt of violation of the pure food law, he claimed it was an oversight on his part. The oversight cost him \$25, a fine imposed by Judge Bowman and paid by James.

TO ADDRESS YOUNG ENGINEERS.

The engineers of the University of Utah will be addressed by C. H. Reppath, chief engineer of the International Smelting company. The lecture occurs at 4:15 tomorrow at the university, and an invitation is extended to all interested to attend.

DRUG STORE RENT OVERDUE.

The Newhouse Realty company brought an attachment suit Tuesday following the heavy holiday trade, against Irwin E. Pratt Drug company to recover \$1,000 and rent amounting to \$409. The Pratt Drug store occupies 13 Exchange Place in the Boston building and the complaint alleges that the company is behind in its rent for November and December which amounts to \$409. The property was notified to vacate the premises but refused and the Newhouse Realty company declares that it has been damaged in the sum of \$1,009.

OUR SPECIAL OFFER.

The Concordance of the Book of Mormon, by Geo. Reynolds, cloth, \$5.00. The most complete concordance published. Contains 851 pages. Your ward and home library is not complete without it. Send your order to the DESERET NEWS BOOK STORE.

WEATHER MAN IS DOING HIS WORST

Mercury Went Down So Far it Nearly Knocked Bottom Out of Thermometer.

MORE COMING TOMORROW

Ear Muffs and Mittens Will be Worn By People of Good Taste if Prognostication Comes True.

The mercury fell to 2 degrees above zero at the weather bureau this morning. This was registered 150 feet above the street, while at the sidewalk the thermometer registered three and four degrees lower. This happens when there is no wind to disturb the strata of atmosphere, the colder settling down on the ground, while the temperature rises higher up for perhaps half a mile. The thermometer at the carbarns showed three degrees below zero, while toward the mountains it was colder yet. There are a good many signs on today's morning that a heavy snow storm is in life, a party, a sleigh ride or a coast on some stunning school comrade's sled down a smooth hill.

It was grand. The snowing, thrilled in the tone under the commonplace expression that told that Utah's girl representative realized to the utmost the importance of the event in which she had taken chief part.

"They kept telling me I was the first lady of the land that day, and on the morning it happened I was a little nervous," said Miss Spry, telling the story of her experience. "But when the time came it was all so informal, I was not disturbed at all. We went over from Philadelphia on the ferryboat, and the ship people were there at the landing to welcome us. Mr. Swan, a prominent member of the ship company, took me up to the platform where the ship was and gave me a big bouquet of American Beauty roses. No one else was there, and I saw the ship on the slide before any of the others. The sight of it made all us home people choke up. Some of us even cried."

THE LAUNCHING.

"Pretty soon the crowds began to come and Mr. Swan told me to stand back of the stage of the platform for the ship might move at any moment. He gave me the bottle of champagne, and told me when the word was given to strike it on the ship. We stood waiting a few minutes and then suddenly Mr. Swan said strike and I struck the bottle on the iron of the ship. The glass flew, and everybody then glided down, and everybody

COURT NEWS

JUDGMENT IS REVERSED.

Supreme Court Hands Down Opinion in Sheriff's Case. C. Frank Emery, formerly sheriff of Salt Lake County, was declared to be guilty of conversion and Judge Morris L. Ritchie was reversed by the supreme court today in an opinion handed down in the case of Charles Passow & Sons, appellants, against C. Frank Emery, who seized some billiard tables and sold them under an execution. A writ of habeas corpus was granted, with instructions to follow the course laid out in the opinion.

Charles Passow & Sons sold Joseph Leatund, who leased a building for a hostess place for a pool hall, a mortgage amounting to \$1,187. Leatund paid \$500 of the purchase price and an instrument of conditional sale was drawn up and signed by both parties. The building was owned by the Minor Building company, and when Leatund fell behind in his rent, the company filed suit against him. Judgment was obtained and the property was levied on and sold under execution by Sheriff Emery. The Passow & Sons company filed a suit to recover the property which had been sold. Judge Ritchie held that the instrument drawn up by the two parties was a chattle mortgage and that it was void as against attaching creditors because it was not recorded. The supreme court, however, held that the instrument was one of conditional sale and not a chattle mortgage and that the property never did belong to Leatund and was therefore not subjected to attachment in a suit against him.

LOSES ON APPEAL.

National Bank of the Republic Must Pay Dennis Fee. The National Bank of the Republic lost its appeal to the supreme court in an opinion which was handed down Tuesday by Justice J. E. Frick, whereby it was held that the bank was responsible for \$1,175 which had been drawn by a forged check on the account of Dennis Fee. In April, 1908, Fee deposited with the bank his check of \$2,272.62, and four days later he drew \$1,100 by check on that account. About two months later he drew a check for \$1,172.62, the balance in the bank. When he presented his check he learned that he had \$225 in the bank to his credit. The bank produced a check for \$1,175 which Fee declared was a forgery. Fee filed suit when the bank refused to pay him his money. The lower court gave judgment for \$1,172.62, and it was affirmed with costs and interest by the supreme court.

GIBSON LOSES SUIT.

Supreme Court Holds He Cannot Recover Damages for Injuries Received. James Gibson, who was doorknocker at the Salt Lake theater for many years, lost his suit against George C. Doyle & company Tuesday when the supreme court handed down a decision of the lower court in favor of Doyle & company. The suit was brought to recover \$25,000 as damages for injuries received by Gibson at Z. C. M. I. on Feb. 19, 1907, by being struck on the head with a wrench which fell from the top of a step ladder. The plumbing company was engaged in repairing some work when the accident happened. It was held by the court that Gibson was guilty of contributory negligence because it was shown that in passing through door Gibson ran into the wrench which was hanging off. The jury in the lower court found in favor of the defendant and the supreme court affirmed the decision.

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LATE LOCALS.

Will Extend Gas Mains—The Utah Gas & Coke company management in preparing for extensive operations in the spring, as the rapid growth of the city has made it imperative that extensions be made.

When the Sun Setteth—The evenings have lengthened out 14 minutes since the date of the shortest evening in the season, Dec. 21, when the sun set at 5:14 p. m. The sun sets today at 5:14 p. m.

Five Feet of Snow—There is five feet of snow on a level at the Maxfield mine, Big Cottonwood canyon, making it difficult to get goods out there. An old timer named Gilmore got caught in a cabin up the side of the mountain near the mine by the late snow storm, and barely fought his way out with his life.

Sponsor of Battleship Utah Returns to Her Schoolroom

Somewhere off the Atlantic coast a big ship bristling with guns, armored in iron and equipped with battle-planes and torpedoes by a thousand men alert to the signals conned for the stern necessities of war will soon take her part in the drill of the nation's navy, ready at a war sign on the country's blue sky to become a living, belching monster of flame and shot, of retribution and victory. Today the little girl who launched this emblem of might on its career, sending Utah's name abroad on faithless depths of wave and perhaps of fame, came out from her class room at the L. D. high school with her books under her arm, and told how she named the big battleship. Her first words were the school girl's typical words of the pleasant things in life, a party, a sleigh ride or a coast on some stunning school comrade's sled down a smooth hill.

It was grand. The snowing, thrilled in the tone under the commonplace expression that told that Utah's girl representative realized to the utmost the importance of the event in which she had taken chief part.

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It is an exceptional event in which she figured, yet throughout her talk, it was the event of the ship, not the girl who held chief human interest in all hearts that day, who figured prominently in her tribute to the experience.

"I'm awfully glad to have been here and to have heard you read or tell of the battleship without a big thrill that I had part in the ceremonies," but the self-congratulation was in the evident and natural spirit of the honor accrued to Utah in her trying and prominent position.

It is a good type of the state, too, perhaps, that returning one day from an experience which comes to so few young girls in the history of the country should take up the history of the state with absolute unconcernedness the homely and common tasks of every day life. In both capacities Utah will welcome back with pride the little girl who so creditably fulfilled her part in a navy's history.

Utah's Canning Industry Enjoys a Prosperous Year

In the following table, the canning industry of Utah in 1908 is given by State Statistician Haines, 22 establishments reporting: Capital invested, including buildings, grounds, machinery, tools, etc., \$923,714; average number of days in operation, 79; total number of employees for the year, 1,946; total amount of wages paid employees, \$180,059.

Product of value: Number of cans of fruit, including apples, apricots, cherries, pears, plums, peaches, blackberries, gooseberries, raspberries and strawberries in two and one-half pound cans, 1,459,015; number of cans of vegetables, including asparagus, beans, peas, pumpkins and rhubarb in one and one-half pound and larger sized cans, 1,459,015; number of cans of tomatoes, catsup and sauce in cans and bottles, 9,314,240; total value of all manufactured products, \$963,575; number of hours per day employees required to work, 9.2; number of bottles of pickles produced, 4,683; number of bottles of olives, 21,927; quantity of other goods not bottled, pounds, 2,117,188; vinegar manufactured, 170,000 gallons; total value of a product at factory, \$253,119; percentage of product sold within state, 65; products include pickled cucumbers, cauliflower, olives, beans, sauer kraut, horse radish, worcestershire sauce and mince-meat.

VOLUNTEER QUILTS.

Faithful Old Dane at Huntsville Re-signs and Weather Station Closes. The voluntary weather station at Huntsville has been given up. For 15 years, a faithful old Dane named Lars Peterson, has officiated taking the records daily all this time. But of late he felt that the growing infirmities of age were making it inexpedient for him to continue. So he scoured the town over to find a successor. But he reports to the Salt Lake weather bureau that after a search he could not find a single person to take his place unless paid for the service. As the department has no funds for this, Huntsville station must be cut out.

EXCLUSIVE MILLINER DEPARTS.

To Mourn Her Absence, There Is a Large Number of Collectors. Mrs. Adella Brandwin, an importer of French millinery, who conducted an establishment at 160 south Main street, and catered to exclusive patrons, is wanted by a long list of creditors she left in her wake. Under a mortgage by Sheriff Joseph Sharp and is being held. The note was given to McCornick & Company, bankers, who gave \$500 for sale at the court, but in that default the stock was to be attached.

Where Mrs. Brandwin went, or the exact date, is a mystery. Last week following the heavy holiday trade, she vanished, and even the clerks knew nothing of her sudden disappearance until a day or two after she had gone. Her store is in charge of Sheriff Sharp and the store was sold at the sheriff's auction for \$275 and applied on the execution to satisfy the judgment.

Since Mrs. Brandwin left, her creditors have been coming in with bills. It is understood that her indebtedness will reach \$2,000. For a long time Mrs. Brandwin lived at the Bransford apartments. She moved from there, it is said, and no trace of her residence could be found by her creditors.

Mrs. Brandwin opened her millinery establishment about January, 1908. She carried a heavy stock of goods, and recently when the affairs of her business became entangled.

MEXICAN AND TEXAN GOVERNORS MEET.

El Paso, Jan. 5.—Gov. Jesus Del Val of Coahuila, Mexico, and Gov. Campbell of Texas attended by their staffs, met today at Spofford, Tex., near the international border, exchanged greetings and together went to Del Rio, Tex., on a special train. At Del Rio their respective festivities have been arranged in their honor.

The meeting is for the purpose of cementing the friendly relations of the two states, and of getting the governors better acquainted.

JANE ADDAMS OPERATED ON.

Chicago, Jan. 5.—Miss Jane Addams, settlement worker and head of Hull-house, was successfully operated on today for a hernia. The operation was performed by Dr. J. H. Johnson, who is a specialist in the treatment of hernia. The operation was successful and the patient is expected to recover.

SIX BEST SELLING BOOKS.

RECORD FOR NOVEMBER. According to the foregoing lists, the six books (fiction) which have sold best in the order of demand during the month are: 1. "Truxton King," McCutcheon, \$1.50. 2. "The Goose Girl," MacGrath, \$1.50. 3. "The Silver Horde," Beach, \$1.50. 4. "A Certain Rich Man," White, \$1.50. 5. "The Danger Mark," Chambers, \$1.50. 6. "The Calling of Dan Matthews," Wright, \$1.50.

DESERET NEWS BOOK STORE.

LEGAL BLANKS. Of every character and description arranged from the best legal forms and brought strictly up to date. A full supply always on hand at the Deseret News Book Store.

PETITIONS FOR PARDON OF EX-BANKER MORSE

Portland, Maine, Jan. 5.—Petitions addressed to President Taft asking for the absolute pardon of Charles W. Morse, who on Monday began his sentence of 15 years in the federal prison at Atlanta, Ga., are in circulation in this city.

The petitions set forth that he did no intentional wrong, that he had claimed that the jury which found him guilty was largely influenced by popular clamor, and even though guilty, already had paid the penalty by the term of imprisonment he has served while waiting for the outcome of the case.

ENGAGEMENT AT ACOYAPA EXPECTED ANY TIME

Managua, Jan. 5.—Gen. Vasquez has left to assume command of the government forces at Acoyapa, where an engagement with the insurgent army now moving westward, may take place soon. Members of the local Red Cross branch have gone to Acoyapa, where remain many of the prisoners taken by Gen. Estrada in the battle of Rama.

GEORGE MUSGROVES IN CHARGE OF SHERIFF

Roswell, N. M., Jan. 5.—George Musgroves, said to have been a member of the "Black Jack" gang of New Mexican outlaws and wanted here on a charge of murdering George Parker 13 years ago on the Diamond "A" ranch, 35 miles southwest of Roswell, is on his way to Roswell in custody of Sheriff Charles L. Eshard. Cameron ran down the road on Dec. 30 at North Platte, Neb., is believed to be Musgroves, and Eshard says he is confident he has the right man. The prisoners he has Musgroves and a companion twice robbed a stage in Lincoln county. In an attempt to capture Musgroves at the time of the Parker murder, Sheriff Eshard and a posse killed two of the "Black Jack" gang, "Black Jack" later was hung at Clayton, N. M.

ROCKEFELLER BIBLE STUDENTS IN DEMAND

New York, Jan. 5.—Two members of the Rockefeller Bible class at the Fifth Avenue Baptist church, have been selected to serve on the grand jury of which John D. Rockefeller, Jr., is the foreman and which is to make a thorough investigation of the alleged white slave traffic in New York City.

SCALDED FIREMAN SAVED INCOMING TRAIN

Vallejo, Cal., Jan. 5.—Although scalded in the wreck of his engine so terribly that he may die, Fireman Cameron ran down the track yesterday to warn an oncoming train which the engine had expected to pass on a siding and fell unconscious just as his mission was accomplished. The engine which was running backwards jumped the track, scalding the engineer, Charles Rossini, to death.

WE DO JOB PRINTING.

How is your stock of Letter Heads, Envelopes, Bill Heads, and other office supplies? Let us quote you on blank books, certificates, booklets, or receipts, in fact anything in the printing line. We guarantee satisfaction. THE DESERET NEWS.

FUNERAL NOTICE.

The funeral services over the remains of the late Elizabeth J. Nessel, daughter of John T. and Isabella Nattress, aged 28 years, will be held Thursday, at 2 p. m. at the Twentieth ward chapel. The casket will be open at the family residence, 81 L street, on day of funeral. Friends and relatives are invited to attend the services, Interment in City cemetery.

ANDERSON—In this city, Jan. 3, 1910, Harry William Anderson, in his 45th year, died at his home, 1818 W. 12th St. Funeral services will be held from the Masonic temple, Thursday, Jan. 6, at 2 p. m. Interment in Mount Olivet cemetery.

DIED.

JOHNSON—In this city, Jan. 4, 1910, Maude, aged 5 years, beloved daughter of Mr. and Mrs. E. Johnson. Funeral services will be held from O'Connell & Co.'s chapel, Thursday, Jan. 6, at 2 p. m. Interment in Mount Olivet cemetery. Friends invited.

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MILLER—At 838 west First North, Jan. 4, 1910, James F. Miller, born Aug. 15, 1849, in England. Funeral services Thursday at 2 p. m. from the Sixteenth ward meetinghouse. Friends are invited to attend, and the casket will be open on day of funeral at the family residence from 12 to 1:30 p. m. Interment in City cemetery.

GARN—Hannah Harrington, died Tuesday afternoon, at 1928 Eleventh Street, of heart failure, at the age of 58 years. Deceased was the daughter of the late Jacob and Sarah B. Gibson. Survived by her husband, Samuel Garn, and four children.

Funeral Friday at 1 p. m. from Sugar House chapel. Friends invited. Interment in City cemetery.

R. E. Evans, Florist, 36 S. Main St. Floral designs a specialty. Phone 951.

SITUATION WANTED.

YOUNG JAPANESE SCHOOL BOY wants a position in small factory. Frank Ozama, Bell phone 5428; Ind. 1540.

LOST.

NEAR MONUMENT ON FRIDAY. A bunch of keys. Finder rewarded. Leave at Deseret News Office.

DELINQUENT NOTICE.

UTAH CONSOLIDATED MINING & MILLING COMPANY, incorporated under the laws of the State of Utah, Principal place of business, Salt Lake City, Utah. Notice—There are delinquent upon the above named company, certain shares of assessment No. 2 levied on the 30th day of November, 1909, of one-half of one cent (1/2%) per share. The several amounts set opposite the names of the respective shareholders are as follows:

Table with columns: No., Name, Amt. Lists names and amounts for delinquent shareholders.

UNION DENTAL CO.

212 MAIN STREET. HONEST WORK HONEST PRICES. Painless extraction of teeth of either with the cost of advertising and expense of the sale.

REMEMBER US.

We Treat You Right