

CHAIRMAN GIPSON AGAIN CALLS ON PETERSON TO ANSWER QUESTIONS ASKED

Then He Asks the Republican Candidate for Attorney General Some Questions on His Own Account

James H. Gipson, state chairman of the Progressive party, is out with a reply to the recent letter of Joseph H. Peterson, Republican nominee for attorney general, in which he puts some burning questions at that candidate, and also, incidentally, does some burning of another kind. He demands to know of Mr. Peterson whether that gentleman wishes the people to judge his political morals by the standards he sets up in his letter to Mr. Gipson. He also asks the candidate a question about his alleged connection with the Medbury irrigation project and numerous other questions, and calls attention to what he terms the slippery and evasive methods of Peterson as spokesman "for the old school of politicians." Mr. Gipson's letter is as follows:

"Hon. Joseph H. Peterson, candidate for attorney general on the Republican ticket.

"My Dear Mr. Peterson: Since reading your purported 'answer' in the Statesman of Tuesday last to my questions contained in a challenge addressed to the candidates on the Republican state ticket, I have eagerly awaited replies from other candidates associated with you upon your ticket, but inasmuch as no such answers have appeared up to this time, I take it for granted that they have adopted your reply as their own and are entirely satisfied therewith.

"Like the slippery and evasive politicians of the old school, for whom I take it, you are well qualified to become spokesmen, I note that in your alleged reply to my questions, occupying as it does some three or four columns of the Statesman, you do not answer the questions I asked you, and each of you, at all, but rely wholly and solely upon the usual slippery and evasive methods of all your stripe to dodge the issues.

"I asked you, and each of you, to define your attitude upon just two points, namely: To declare publicly and unequivocally your support of the candidacy of William H. Taft and that you endorse absolutely and entirely the methods by which his nomination was obtained, and to make 'an open and frank avowal of your hearty approval or disapproval of the standpoint and reactionary platforms adopted at Chicago and Boise, and a statement that the progressive policies as outlined only in the Progressive national and state platforms do not, or do, have your approval.

"Now, those are simple, easily understood questions, yet I now again challenge you to quote from your former answer the parts which reply to these questions. I find nowhere in your entire letter a single reference to the name of Taft except wherein you refer to my questions. Now, why do you dodge? Why do you sidestep, falter and fall down whenever the name of William H. Taft is put up to you?

"It is true you state that you are for 'every candidate on the Republican ticket,' but do you mean by that, that Taft, having been dishonestly and fraudulently nominated at Chicago is not in reality and honestly a 'candidate' upon your ticket, and do you mean, then, to squirm out of committing yourself directly to such a candidate? If not, why did you evade a direct and unequivocal answer to my question as I asked you to make your reply? Does the name, Taft, hurt you anywhere?

"I nowhere find in your long evasion a single reference to that portion of my question which demands to know whether you 'endorse absolutely and entirely the methods by which his nomination was obtained.' This is a vital part of my demand upon you for upon your answer depends the opinion the public shall be able to form of your abilities as an attorney to see clearly and fairly and honestly the points involved in a controversy before you and your answer; also they will be able to judge your ideas of political morals, and hence your moral sense upon public questions.

"If you have answered this point, will you have the kindness to quote that portion of your reply which constitutes such an answer?

"Again, will you also quote that portion of your reply which constitutes your answer to the request to know whether or not you approve or disapprove of the progressive policies as outlined in the Progressive national and state platforms? I have failed to find any such answer. You undertake to conclude that our party has no platform. Do you wish the people to judge your abilities as an attorney seeking to become attorney general of this state by your ignorance in such a matter as this? Do you wish them to understand that in handling the state's legal business, you will answer the complaints of litigants and claimants against the state by simply asserting your ignorance? That appears to be your attitude as a candidate. What right have the people to conclude it will be otherwise as an official? Idaho has already been too greatly afflicted with ignorance in its officials.

"You seek to distract attention from the main issues by an attack upon me. You know, as an attorney, that such a course in a court of law, marks the shyster and not the real lawyer. You may determine for yourself which

class you have marked out for yourself.

"You demand to know what right the candidates upon the Progressive ticket have to call themselves Progressives and you inquire what they have done. Let me come back with the same question. What have you done? Does your connection with the Medbury irrigation project represent the kind of 'progressivism' to which you stand committed? What influence did your conduct as a deputy in the office of the attorney general have upon the legislature in causing a Republican legislature to declare certain acts of the state's employees, if committed over again, to be called felonies? Or were you not of those who used your official position for personal gain before that law was enacted? If you wish to deal in personalities, answer these questions. I am not a candidate, hence, not an issue in this campaign.

"I note your claim of beneficial legislation at the hands of the Republican party and Republican legislatures, but do you not know, sir, that you thereby deliberately deceive the people? Not one of the beneficial laws cited by you was enacted as a party pledge without the votes of progressive Democrats who placed the seal of the state above party advantage, and most of those you name were enacted because of popular pressure brought to bear and in spite of your party declarations, rather than because of them.

"Does your sense of honesty justify you in laying claim for your party to legislation which would never have been enacted except with the aid, encouragement and insistent demands of Democratic members of the legislature? It is well for the people to have some criterion from which to judge you, and your letter has established it. I wish every voter in the state might have opportunity to read it and consider your qualifications and fitness for the office in connection therewith.

"Now, sir, until you shall submit an answer which really answers the questions put to you unequivocally, openly and frankly, as I requested, you stand convicted by your own declarations of an effort to deceive, mislead and fool the voters of the state, just as your old school political tricksters have wont to do for so many years that the people are now in open revolt against you. I am, sir,

"Very respectfully yours,

"J. H. GIPSON,

"Chairman Progressive Party,"

"Dismisses Jenness.

Mr. Gipson also shortly dismisses N. Jenness, register of the state land office, who sought to inject himself into the campaign in an open letter published in the same issue of the Statesman with the letter of Mr. Peterson. This he does in a short statement which is as follows:

"Register Jenness, of the state land board, seeing his job endangered by recent political developments, yelps loudly in the Statesman for September 24.

"Mr. Jenness is so well known in Canyon county as a reactionary politician and pie-counter man that it is not surprising that he should attack any one who advances Progressive principles.

"It is rather surprising to some, however, that he has the unmitigated gall to question the veracity of Senator Borah's statement that 78 delegates were stolen from Colonel Roosevelt at the Chicago convention, Senator Borah was on the ground; he sat personally at every session of the national committee passing on the contents; he has one of the greatest legal minds the west has ever produced, and when he says that 78 delegates were stolen, as he did in his Meridian speech, the evidence is conclusive and sufficient for the people of this state.

"The fact that Register Jenness has the nerve, under the circumstances, to publicly ask the people of Idaho to accept his denial in the face of Senator Borah's flat assertion marks him as a presumptuous butter-in, and brands any statement he makes as wholly unreliable and unworthy of attention.

"Just at present I am gunning for bigger game than peanut politicians of the type of N. Jenness. Neither he nor I are issues in this campaign, and I see no good reason why I should waste time either upon him, or any of his caliber."

YEGGMEN WARNED TO LEAVE THE CITY

Through the activity of the city detective department, three yeggmens, one of whom had been in the city two months and was joined by the others two days ago, were prevented from pulling off a job last night as it was believed they intended to do. The men purchased a quantity of dynamite at a local hardware store, but being unable to get the fuse, refused to take the dynamite. Before they had a chance to look further, they were

taken in custody and when informed by the officers that they were shadowing them and knew their record, they professed a willingness to leave the city at once and were escorted to the early morning train on which they departed. One of the trio has the reputation of being one of the cleverest safe crackers in the country and it is believed they came here for the purpose of operating and would have done so had they not been interfered with by the officers.

Correction of Error.

An error appeared in Friday evening's issue of the Capital News in reference to the foreclosure of the mortgage in the Vale Light & Water company's property. The statement was made that the Boise Title & Trust company had purchased the bonds, which was incorrect. The Boise Title & Trust company has not now and never did have any interest whatsoever in the bonds issued and sold by the Vale Light & Water company, it simply acted as trustee for the bondholders and the application for receiver and for the foreclosure of the trust deed was made at the instance of the bondholders and in their behalf.

DECISION IN AN ADA COUNTY CASE

Reversing the judgment entered in the lower court in the Third district for Ada county, Judge Ed L. Bryan, of the Seventh district presiding, the supreme court handed down an opinion late yesterday in the case of Richard E. Green versus J. J. Jones, remanding the case to the trial court to take such further proceedings as may be necessary in conformity with the view expressed by the court. The opinion is written by Justice A. H. Shinn and concurred in by Chief Justice Stewart and Justice Sullivan.

The action "in assumpsit" as represented in this case, was instituted for the purpose of collecting what is alleged to be a balance due for water rents for the year 1903 and 1904 on account of water furnished Jones from the Boise City Irrigation & Land company's canal. Judgment was entered in favor of Green, as administrator, and Jones appealed. It was contended by Green that although the rate established in 1901 was confirmed and approved by the courts, the same rate established in 1903 was disapproved by the same court, and that now to allow the consumers to have water at the 1901 rate for the same period that would have been covered by the rate established in 1903 allows the consumers to directly accomplish what they could not do directly.

DECISION GIVEN IN ELMORE COUNTY CASE

With the litigants reversed as to plaintiff and defendant from the positions they appeared in a prior case, Adin M. Hall won his case in the supreme court against William H. Blackman, carried up from the Fourth judicial district court for Elmore county, Judge Edward A. Walters, who is affirmed, presiding. The litigation represents an action to enjoin Blackman from applying a part of his water appropriation to land other than that to which it had formerly been applied. Judgment was given for Hall and Blackman appealed. The affirming opinion is for Hall. It is written by Justice A. H. Shinn and concurred in by Chief Justice Stewart and Justice Sullivan.

SAYS PROGRESSIVES WILL SWEEP NORTH

E. L. Estes, an employee of the Weiser Signal, was in Boise Saturday on a business and social trip. He has just recently returned from a trip through northern Idaho, his home being at Moscow, North Idaho, he declares, will go practically solid for Roosevelt and Martin. This sentiment is not confined to any one county, but extends throughout the entire northern section. Martin sentiment there is stronger, if anything, than Clagstone sentiment was before the primaries. Mr. Estes speaks after a knowledge gained by visits at Moscow, Lewiston, Idaho county points and others in the north.

Speaking of Weiser and Washington county, he declares that Roosevelt will carry the county by at least five to one and French by an equal vote, while Borah will carry it ten to one or better. "I have found but one Taft man in Weiser," said Mr. Estes, and he was the subject of much joking comment when he made the acknowledgment that he stood for the reelection of the president. He states that at present the Martin sentiment is not so strong as the Roosevelt sentiment, but he believes that before the campaign is over it will be found that the state ticket will run right along with the national ticket.

Straw votes have been regularly taken on all Pacific, Idaho & Northern trains between Weiser and the upper country for the past few weeks and the result now stands, Roosevelt 540, Wilson 280 and Taft 105.

The services at the First Congregational church today will be in celebration of the completion of the installation of the beautiful new pipe organ. Professor Frederic Piping Beale will be the organist for the day. In the morning at 11:30 a. m. there will be special music, and at the evening service a fine program of music will be rendered.

Read the Capital News and get today's news today.

CLAIM DAMAGES FOR DISMISSAL FROM FACULTY

Former Professors in the University of Idaho Appeal Their Cases to the Supreme Court.

Declaring they were "maliciously" dismissed in such a manner as to injure their reputations as instructors through the creation of a suspicion of inefficiency, asserting their salaries for the year they were employed by the faculty had not been paid and asking for recommendatory judgment, J. R. Shinn, former instructor of horticulture and R. E. Hyslop, former professor of agronomy at the University of Idaho have appealed to the supreme court of this state for aid in a case in which they make the board of regents of the University of Idaho and the state of Idaho defendants. A total judgment of \$2916.66 is asked. The suit was filed last night. It created a mild sensation in educational and court circles.

Under the status of this state the instructors are required to take an action of this kind directly to the supreme court and should the court find as they pray, only a recommendatory judgment is given, the legislature being required to make up the deficiency claimed.

M. E. Lewis, president of the board of regents of the University of Idaho, is named as having maliciously discharged the two professors, both of whom had been connected with the faculty of the university for a number of years.

Professor Shinn's Action.

In his suit for a judgment of \$1500, Professor Shinn sets forth that in the early part of the year 1907 he was employed by the faculty as instructor of horticulture in the Idaho experimental station at Moscow, his salary being fixed at \$1600 per annum. The next year he was employed at \$1700 per annum. He alleges that he continued in the University of Idaho as professor at the head of the department up to September, 1909. He was employed for the term commencing July 1, 1909, and ending July 1, 1910, and made all arrangements to take up his duties with the university. After starting on them and in September 1909 he was summarily dismissed by M. E. Lewis, president of the board of regents. He asserts there was no meeting of the board of regents authorizing Professor Lewis to discharge him, although the board ratified the discharge on Oct. 23, 1909. Shinn asserts that his dismissal was malicious and that it had a tendency to create a suspicion of inefficiency. He therefore prays for a judgment of \$1500, covering the salary contracted to be paid him that year.

The complaint of Professor Hyslop is identical in the same as that of Professor Shinn, although he sets forth a similar amount of damages covering his salary for the year he was employed, or \$1416.66. He was professor of agronomy up to September 1909 when he was summarily dismissed by Professor Lewis, and had been with the university faculty for a number of years.

SIX COMPANIES ON GUARD DUTY

Augusta, Ga., Sept. 28.—Six companies of the National Guard are under orders in this city tonight to prevent disorder.

The militia companies on duty were reinforced today by a company of infantry from Waynesboro and the Gordon Hussars, a cavalry troop, from Savannah.

Cars on a few trolley lines were operated during the day under police protection but they were taken off at night fall.

Persistent efforts were made to settle the differences by arbitration.

Committees from commercial organizations waited upon the officials of the trolley company Saturday afternoon urging arbitration, but no announcement has been made by the company.

The strikers have agreed to arbitrate. The condition of B. F. Baker, who was injured in Friday afternoon's firing by the militia is reported to be worse and he is not expected to live.

CONTRACT LET FOR CURBS AND WALKS

On a bid of \$39,461.75 the Idaho Hardware & Plumbing company of Boise were yesterday afternoon awarded the contract to lay 47,875 linear feet of sidewalk and 53,800 linear feet of curb in the new territory in the northwest part of the city, added to the corporate limits last spring and it is likely that a large part of the work will be completed this fall, although none of the work will be done in unfavorable weather.

Bids on the work were opened by the council at a special meeting and 13 firms submitted bids on the work, the sidewalk contract being one of the largest ever let at one time in the city and the bids the lowest ever submitted for such work that competition is keen.

TRYING TO LOCATE MISSING SON HERE

Does anyone know the whereabouts of Claude L. Wright, a 16-year-old boy who is supposed to be in Boise?

His parents, who are located at Notus, fear their son is ill here. The youth left Walworth, Wis., about Aug. 10, and was to meet his parents in Boise. At that time they were in Washington and received several cards from their son about starting. They located in Notus and wrote here to the boy that they could be found in that city and upon receiving no reply, Mr. Wright came to Boise yesterday and has asked the police to help him locate his son. Anyone knowing of the youth will confer a favor by notifying police headquarters in order that Mr. Wright may be notified.

Display of Buck Stoves.

The Idaho Hardware & Plumbing company, exclusive agents for the famous Buck's Stoves and Ranges, will have on exhibition at their store the new fall line of these stoves. The Buck stoves are made for gas, coal or wood and during this great showing of stoves they will offer special inducements to those who desire to buy. You are invited to call at the store where experienced stove men will be pleased to show and explain to you this great stove.

Troops K L and M of the Boise barracks, who have been out for 12 days on a practice march under command of Major Hughes, arrived home yesterday afternoon in good condition. The four troops left the barracks Sept. 16 for a march to Fayette lakes and return and covered the distance of 125 miles each way in four days. Troop I will arrive home this afternoon, having left the others in the hills to return home via Idaho City.

FRENCH LEAVES FOR SOUTHEAST

Congressman to Open His Campaign in Fremont County Tuesday.

Burton L. French, Republican candidate for congressman to succeed himself, whose record in the lower house of congress needs no review to show its merit, left early this morning for Driggs in the eastern part of the state where on Monday he will deliver an address. He will be the guest of honor at the ceremonies opening the celebration at Driggs planned to mark the completion of the branch railroad from St. Anthony to that city. He will not open his campaign for re-election until Tuesday when he will speak at Marysville. He will also speak at Rexburg.

Since his arrival in the capital from the north Congressman French has been in close consultation with his many friends and political associates and has been assured the warmest support. Since his return to Idaho from Washington, Congressman French has been busily engaged preparing for the campaign and meeting his constituents. Realizing that the return of Senator Borah to the United States senate is of paramount importance, he is urging loyal support for Idaho's junior senator.

Congressman French will remain in the east, southeast and southern part of the state for about three weeks, and then return towards the west speaking at many points. Later he will go north remaining in the panhandle during the balance of the campaign, finally closing his campaign the night before election at his home city, Moscow.

French stated yesterday Congressman French stated that he greatly appreciates the assurances of support given him on every hand and he hopes to meet as many of his constituents as possible during the present campaign.

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BREVITIES

The Medbury cases were set by Judge Dietrich yesterday afternoon for Oct. 24 in the federal district court here.

Miss Thamer Bears, who recently graduated from the high school, left yesterday for Marysville, where she will teach this winter.

Josephine Marten was granted a divorce from Carl M. Marten by Judge McCarthy yesterday afternoon on the grounds of non-support.

The services at the penitentiary tomorrow will be under direction of the Euphonium male quartet and a number of excellent and appropriate selections will be rendered.

At 6 o'clock last evening Rev. A. L. Chapman united in marriage Joseph W. Marne and Mrs. Carrie Brown. The ceremony was performed at the pastor's home, 1214 Fort street.

The choir of the First Presbyterian church, which won the prize at Nampa Thursday, under direction of Fred N. Morris, will give two chorus numbers tomorrow at the morning service.

By granting a 50-foot compromise, the suit of Ada county against Fidelity A. Heron and others for a roadway which the county claimed the defendant had illegally fenced, was dismissed.

Judgment was entered for the plaintiff by Judge McCarthy yesterday in the suit of the First Bank of Ustick against W. H. Spangenberg and others in the sum of \$543.97 and \$75 attorney fees.

G. F. Sullivan of this city has just returned from Alberta, Canada, where he purchased a large tract of land. He was very much impressed with that country and intends making it his future home.

William L. Irvine of Salmon; L. G. Badley of Boise and A. B. Montgomery of King Hill, were yesterday issued commissions out of the governor's office as delegates to the National Irrigation congress.

Rev. G. G. Haley, the new pastor of the Immanuel Methodist church, will preach this morning and evening, occupying the pulpit in the church for the first time. At the morning service Miss Rasalle Hart will sing "The Rosary."

Mrs. Gertrude H. Preston, deputy state commander for the Ladies of the Maccabees for Idaho and Montana, is home at the Idaho hotel after an extended trip visiting the lodges in the northern part of the state.

Only a few more days remain in which to pay the sprinkling tax before it becomes delinquent and the penalty will be added. A goodly number of people have neglected to pay the tax and will have to hustle to pay up before the extra amount is added.

Dr. A. C. Gaebelein of New York, editor of the religious magazine, "Our Hope," opens a Bible conference in Twin Falls this morning, which will continue through the week and which many Bible students from southern Idaho will attend.

The Boys' Knicker club of this city will celebrate their second anniversary on Monday evening, Sept. 30. All members are earnestly requested to meet at the Y. M. C. A. shortly before 7:30. They intend to attend the first show at the New Box theater on that evening and are very anxious that a full attendance be present.

Raymond L. Givens, prosecuting attorney, yesterday dismissed the charges against William Noble and Frank Kaib, both of whom have had lung juries in two trials and were preparing for a third case on Oct. 2. He says that he has found a lack of evidence on which to convict them of the theft of the \$250 diamond at the Box Jewelry store.

Because he threw silver and gold in

her face, knocked her unconscious, bruised, beat, and otherwise maltreated, according to bar statements, Edith L. Dawson was granted a divorce from W. E. Dawson and her maiden name of Edith L. Forcy was restored by Judge McCarthy yesterday. They were married in Boise Oct. 23, 1907. Several women were in the court room to testify that they had seen her husband maltreat her and use profane language to her at various times.

TOO LATE TO CLASSIFY.

FOR RENT—3-room furnished house. Inquire at 432 S. 11th. O-5c

FOR RENT—Modern 7-room house; close in. Phone 2182-W. S-2c

WILL TRADE acreage or ranch. Want Boise home. Phone 1914-W. 1f

FOR RENT—7-room modern house, \$23 month. Cavanaugh & Sargent, Phone 188. S-25c

WANTED—To buy a lot on easy payments; east or north front. Box 646 city. O-1

FOR RENT—Furnished housekeeping rooms. Room and board. Phone 1811-J. O-1c

FOR RENT—Four-room furnished house; electric light and water. Phone 1288-J.

FOR RENT—Good, modern 6-room brick house, with gas and bath. 1309 Franklin. S-20c

FOR RENT—Good 20-acre ranch; fruit, hay and buildings. Call G. P. Dawson, Meridian, Idaho. S-30c

FOR SALE—75 white thoroughbred Leghorn hens; bargain if taken at once. Phone 2226-W. O-2

TO TRADE—40 acres improved for 4 or 5-room house. Phone 2640-W. Corner 22d and State. O-1c

FOR RENT—Modern furnished room to lady only in Weber apartments. Call 702 Hays. Mrs. Weber. O-5a

TO TRADE—16 acres choice clear irrigated Denver, Colo., for clear Idaho land. Write L. J. Caldwell, Nampa, Ida. S-30c

CALL SWITCH STOCK HOLDERS—See Sweetman & Co., ad on classified page this issue under head Stocks and Bonds. S-30

FOR RENT—For 6 months, unfurnished 5-room house on North 21st street; rent reasonable to right party. Fine place for raising poultry. Phone 2082-J. S-23

YOU CAN GET A CLEAN GENERAL Merchandise stock if you have \$7000 in cash or good land. A snap. The Peffley Corporation, 206 McCarty building. 1f

WANTED—To rent for winter, a five-room modern bungalow or cottage furnished and in good neighborhood. C. E. Winstead, 317 Idaho Bldg. Phone 266-W. S-30

A BIG CHANCE FOR A LITTLE money—A presary for sale that is clearing \$30 a week. See us Monday. This won't last. The Peffley Corporation, 206 McCarty Bldg. 1f

LISTEN!—If you want a restaurant this is your great chance. It is a money maker, and the price is way down. Jump quick if you want it. The Peffley Corporation, 206 McCarty building. 1f

IT'S NOW READY to make money; owner is sick, forced to sell and move to the coast; 40 acres all improved, house, barn and good well; water paid till 1915; \$10 still to pay; improvements cost \$4100; all for \$1750. R. L. Peters & Co., Yates Bldg. 1f

PINNEY THEATRE

2 Nights, Starting
FRIDAY, OCTOBER 4

The Jos. E. Howard Amusement Co. PRESENTS

JOSEPH HOWARD

In the
Big Musical Comedy

THE
GODDESS
OF
LIBERTY

With
MABEL CRANE

Seats on Sale Tuesday
Prices—\$1.50, \$1.00, 75c, and 50c