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SENATOR SMOOT'S RIGHT TO A SEAT.

Senate Committee Has Not Decided Whether it Will be Necessary to Inquire Into It.

HEARING BEGINS SATURDAY.

No Heed Whatever Will be Given to Absurd Talk About the Labor Unions.

Special Correspondence.

Washington, D. C., Jan. 2.—The senate committee on privileges and elections has not yet decided whether or not it will be necessary to inquire into the right of Mr. Reed Smoot to retain the seat to which he was elected. Formal charges against Mr. Smoot were filed. Copies of those charges were presented to him and he was requested to send a formal reply. This was a few days before the holiday recess and Mr. Smoot decided to await the reassembling of the senate before sending in his answer. The next meeting of the senate committee on privileges and elections will be held on Saturday, Jan. 9. It is expected that Mr. Smoot's answer will be placed before the committee at that time.

The committee will first decide whether or not the answer to the charges is sufficient to settle the question of the eligibility of the sitting senator without further action. It must also decide as to its own jurisdiction in the premises. The consensus of opinion among senators, who will express themselves at all, is that the committee will decide to give the testimony against Mr. Smoot an opportunity to prove their charge that the senator is a polygamist, which he denies, and that he has subscribed to a traitorous oath, which statement he has likewise denied in two. These are the only questions at issue. Senator Smoot admits that he is a member of the "Mormon" Church. The committee admits that the question of the religious belief of a senator has nothing whatever to do with the case.

Within the past few days telegrams from Utah have appeared in eastern newspapers announcing that certain labor unions have taken up the fight against Mr. Smoot, because of the alleged antagonism to the "Mormon" Church to these unions. The committee will give no more consideration to this phase of the subject than would be given to a protest from Carrie Nation against the seating of a senator because he smokes cigars.

Senator Burrows, chairman of the committee which is to pass upon the question of eligibility, says that there are only two counts to the indictment which can possibly have any counteraction at the hands of the committee. They are first, that he has contracted a plural marriage, and second that the oath to the Church is in violation of the oath to which he subscribed as a senator.

The hearing, if the committee decides to hear the case formally, will probably consume many weeks and the final outcome will scarcely be reached before the middle of February. Even if the committee decides to report in favor of depriving the senator of his seat it will require a vote of two-thirds of the senate to ratify the report. There is one radical difference between the case of Senator Reed Smoot and that of Representative Brigham H. Roberts. The senator has already been sworn in and is today just as much a senator as Mr. Hoar, Mr. Burrows or any one of the gentlemen who must pass upon his title to the seat which he holds. Mr. Roberts was never more than a representative-elect. He was not permitted to take the oath which would have seated him. It requires a vote of two-thirds of either house to expel a sitting member, but a majority can pass upon the right of a member-elect of either house to take the seat to which he may have been elected.

IROQUOIS VICTIMS BURIED.

Burial Permits Show That 565 Were Interred.

Chicago, Jan. 6.—Bodies of 556 victims of the Iroquois theater fire have been buried, according to burial permits issued by the health department. If the coroner's figures, which show that a total of 565 persons lost their lives in the catastrophe be correct, only nine remain unburied. Four of these are unidentified.

The records of the victims of the theater fire, both of the police and coroner are still incomplete and do not tally. In both offices clerks are trying to straighten them out, after which it will



DIPLOMATS IN WHOSE HANDS RESTS THE SETTLEMENT OF THE EASTERN QUESTION.

The three men who may yet avert war between Japan and Russia, if they should see fit to do so, are Sergius de Witte, president of the czar's council of ministers; Count Vladimir Lamsdorff, Russian minister of foreign affairs, and General Count Taro Katsura, prime minister of Japan. At present, however, the trend of affairs would seem to indicate that these three statesmen have resigned themselves to the conviction that the "irrepressible conflict" of the east is at last at hand. The Russian representatives have assumed the attitude of regretting that Japan is intent upon forcing armed conflict, while the Japanese foreign minister is convinced that Russia has deliberately put Japan in a position whence she cannot withdraw with honor.

It was possible to check them up and investigate errors. Many rushed to the police headquarters on the night following the fire and reported as dead or missing friends or members of their families who afterwards were found unharmed. Others were reported missing when in reality they had been taken to hospitals. In most cases where this mistake was made the police were not notified when the person sought was found.

Thursday an official count of the dead in the various morgues was made by the police and it was announced that 552 bodies had been found. To this total have been added from time to time the names of those who have died of injuries received in the fire until the police list reaches 561 and of these four bodies still remain unclaimed. So far as the police now know there are but two persons still missing whose bodies have not been recovered nor are among the unidentified dead.

YOUNGBLOOD'S MURDERERS.

Prompt Action by Police Prevented their Lynching.

Denver, Jan. 6.—Prompt action on the part of the Denver police probably prevented an attempt to lynch the three slayers of Mrs. Youngblood, Peters, Andrews and Arnold. A mob of about 100 people gathered at Valverde and began a march on the jail. Chief Armstrong learned of the movement early and sent the prisoners to Colorado Springs. He then sent a force of police to intercept the mob. In some manner the mob learned of this action on the part of the police before it had proceeded many blocks and it turned back to Valverde and dissolved.

Musicians Want Attention.

Chicago, Jan. 6.—In the revision of the city building ordinances for the protection of the theater patrons in Chicago, the musicians will demand that attention be given to the orchestra pits. At least two exits from each pit will be one request. The musicians are also considering asking that more room be provided for them and that less wood be used in the construction of their quarters.

Charges that the pit of the burned Iroquois theater was dangerous, have

been made at a meeting of the executive committee of the Federation of Musicians. A communication was authorized to Coroner Truesdell asking that he summon members of the Iroquois orchestra to the inquest. The musicians it is believed, are in a position to throw much light on the conditions in the front part of the house at the time of the fire. A committee was appointed to confer with Mayor Harrison.

An Anti-Semetic Demonstration.

New York, Jan. 6.—A threatening anti-Semitic demonstration has occurred at Kishineff, according to a dispatch from London to the American. The police suppressed the disturbance. The riot is reported to have occurred on Tuesday. It began with assaults on Jews in the principal streets. A mob quickly formed and surged toward the ghetto where the Jews were knocked down and trampled upon in the street. Missiles were thrown through windows of houses and many persons were clubbed but so far as the dispatches indicate no person was seriously hurt. Interference by the police quickly put an end to the demonstration.

Forbidden to Practise Law

New York, Jan. 6.—Advocate Kalnovich has been forbidden to practise law for two years, according to a World dispatch from Kishineff by way of Bucharest. He defended the Jews before

the court which investigated the recent massacre. Secretary of the Council Karabazewski is said to have been exiled to Siberia for five years.

Some rabbis have joined in a proclamation advising the Jews not to participate in uprisings but to remain loyal subjects to the czar.

Sarah Cecelia Earl Dead.

New York, Jan. 6.—Sarah Cecelia Earl, well known on the stage a quarter of a century ago, is dead at her home here after a long illness. Her greatest success was in "East Lynne."

Mrs. Margaret Hamersley Dead.

New York, Jan. 6.—Mrs. Margaret Hamersley, widow of James H. Hamersley, is dead at her home in Fifth avenue. She was a member of a prominent North Carolina family and grand niece of William Augustus Muhlenberg, the famous Protestant Episcopal preacher and writer. It is possible her death may again involve the Hamersleys in litigation, owing to the conditions of the trust which cut off, owing to religious differences, the child of the present Lady Beresford, widow of Louis Hamersley.

Gaynor Saved His Bondsman.

New York, Jan. 6.—Ex-Mayor W. B. Kirk of Syracuse, now a guest at the Hoffman House, is reported to have

exhibited a check for \$40,000 payable to his order and bearing the signature of J. F. Gaynor.

Many months ago Mr. Kirk signed a bail bond for Gaynor, who had been indicted for complicity in the frauds connected with government work in the harbor of Savannah. Gaynor went to Canada and Kirk had to pay the \$40,000. When Gaynor saw that the bond must be paid he is said to have sent his check to his bondsman.

Banquet to Gen. Fred Grant.

San Antonio, Tex., Jan. 6.—The Business Men's club has tendered a farewell banquet to Gen. Frederick Grant, who goes to Chicago to assume command of the department of the lakes. In the course of the banquet the hope was expressed that he would some day pass from military to civil life to head a Republican ticket for president, a wish in which he good naturedly acquiesced. The banquet was attended by 75 representative Texans and as many army officers. Federal Senator Adolfo Heberwiesch of Mexico was among the speakers. A glowing tribute to Japan and the Japanese army by Capt. H. E. Ely, Twenty-sixth infantry, was

vociferously applauded by the military officers in attendance. Capt. Ely, who fought by the side of Japanese soldiers in the Boxer campaign, said that Japan was a military power of great strength and that the Russians will not have an easy victory in case of war with the Japanese empire.

Gambling Apparatus Burned.

Wallace, Ida., Jan. 5.—Acting under the orders of District Judge Morgan, the sheriff of Shoshone county today publicly burned all the gambling paraphernalia, seized several days ago in a raid on the gambling resorts of about 20 towns in the Coeur d'Alene district. Devices of all descriptions valued at many thousands of dollars, were destroyed. The owners had the paraphernalia insured and state that they will hold the insurance companies for their loss.

Effect of Closing Theaters.

Chicago, Jan. 6.—The closing of the theaters by order of the mayor is causing a daily loss of thousands of dollars to the hotel and restaurant keepers in the downtown district. It has also thrown a great many restaurant


employees out of work, and in many places it was stated that more help would be laid off if the theaters remained closed.

Restaurants which have catered to the theater trade in the past now find that they are operating at a loss.

Even the streets seem deserted after nightfall and the traction companies feel the decrease of business. Livery stable owners report a considerable falling off in business.

Hunter Found Dead.

Vancouver, B. C., Jan. 5.—Capt. William, a young half-breed Indian hunter who lived on Maria Island near Agassiz, B. C., was found lying dead near his cabin this morning with a bullet through his head. He had been missing five days, and it was at first thought he had been a victim of foul play. The opinion now seems to be, however, that he accidentally shot himself. He went out hunting last Friday. In the evening his dogs returned without him. A search was made, but it was not until today that the remains were found lying in the bushes only a few yards from his home, his rifle lying beside him.



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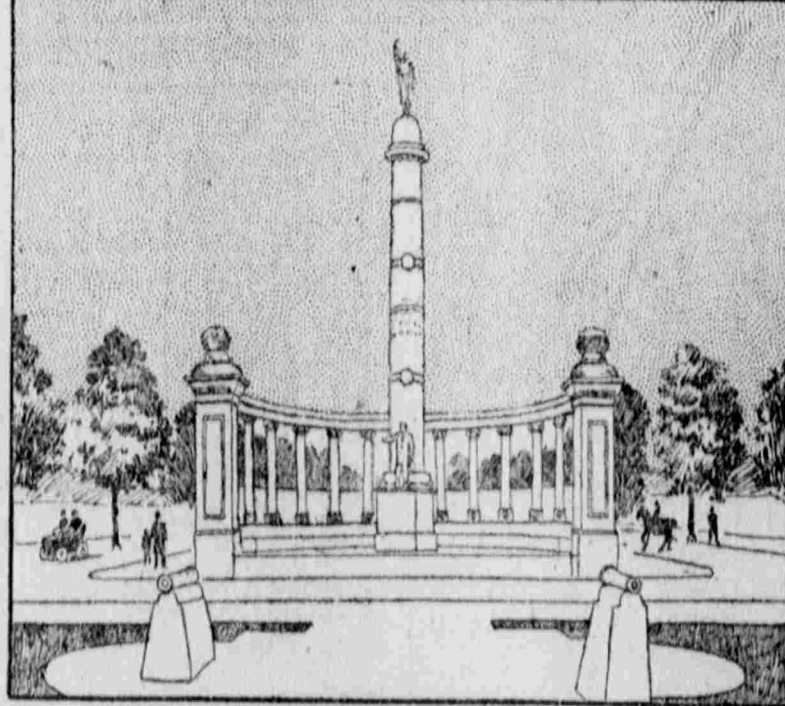
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The accompanying illustration will give an idea of the monument to Jefferson Davis which will be erected in Richmond, Va. The design as accepted by the Monument Association and the Daughters of the Confederacy consists of a tall central column encircled by thirteen smaller columns. The statue of Jefferson Davis will be of heroic size. It will stand on a pedestal immediately before the central column, which will be surmounted by a figure of Virginia.



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