

PEOPLE PROTEST TO CITY COUNCIL.

Are Opposed to Western Pacific
Franchise Unless Company
Buys Certain Property.

WOULD RUIN THEIR HOMES.

Some Objection to Speed of Rio Grande
Trains and Double Track on
Sixth West.

The city council at its special meeting last night, considered the Western Pacific and Rio Grande Western franchises for about four hours, part of which time was spent in executive session, when various amendments to both franchises were offered and acted upon. Another special meeting will be held tomorrow afternoon at 2 o'clock for the further consideration of amendments. In the meantime the city attorney will pass on the amendments adopted last night.

When the council was called to order the two franchises were read in number, which the protests, five in number, against the Western Pacific franchise, announced that he would allow the representative of the protesters the privilege of the floor if he wanted to be heard.

Atty. C. L. Olson, in behalf of some of the protesters, made quite a lengthy argument against granting the franchise to the Western Pacific railroad, which he said would ruin the homes of the people living along the line.

The result will be that the property of the protesters will be greatly depreciated in value and, with the noise and jarring of the trains passing by continually, their homes will soon be unfit for habitation, and they will be compelled to move out and seek homes elsewhere, and rent this property, if possible, or let it go to waste. The protesters do not want to impede the progress of the Western Pacific railroad in this city, but they only make the reasonable request that the company be compelled to purchase this strip of land, 10 rods in width, and valued at about \$25,000 before this franchise, worth millions of dollars, is granted and that the council compel the company, by amending the franchise, to give a bond to secure the damages done to any property by reason of the operation of its railroad, so that when we are compelled to go into court we can recover on that bond.

RAILROAD COMPANY HEARD.

Attorney Waldemar Van Cott made brief reply to Mr. Olson in behalf of the railroad company. He said that all of the railroads coming into the city had been granted franchises over the public streets, and were not compelled to purchase their rights of way, whereas the Western Pacific had bought its right of way 160 feet in width through the blocks, and now the protesters wanted to compel it to buy this additional 10 rods strip of land, which it could not condemn in court because the laws of 1903 specifically state that the railroad companies cannot condemn rights of way exceeding nine rods in width, hence this company would have no standing in court should there be any disagreement between it and the protesters as to the purchase price of the property.

E. E. Rich, Jr., spoke briefly against the Western Pacific franchise and J. H. Hansen presented an argument against the Rio Grande Western being allowed double tracks on Sixth West street.

IN EXECUTIVE SESSION.

Upon motion of Fernstrom, the council

then went into executive session and considered amendments.

MINOR AMENDMENTS.
The Western Pacific franchise was taken up first and read section by section and several minor amendments were made, none of which will relieve the protesters.

RIO GRANDE FRANCHISE.
The Rio Grande Western franchise was then taken up and amended in several important instances. Upon motion of Fernstrom an amendment was made providing that, in the event the shops of the company were ever removed from Salt Lake, the company should surrender to the city the streets vacated for it from Second to Ninth South on Fifth and Sixth West streets. Carter's amendment providing that the company shall gravel the east side of Fifth West street, from Second to Ninth South streets, was adopted, as was also his amendment requiring the company to build a viaduct or subway over its yards at the new station.

ARBITRATION CLAUSE.
Upon motion of Black an arbitration clause was inserted providing for the arbitration of damages to property. The company will be allowed to use the Oregon Short Line tracks on Fourth West from North Temple to Fifth North streets, provided suitable arrangements can be made by lease or otherwise with the Short Line.

TRAINS RUN TOO FAST.
George Stewart entered a protest against the Rio Grande running its trains so fast on Sixth West street. He said that the trains run so fast now that they are shaking the houses, pieces and stopping clocks at night.

AGAINST DOUBLE TRACKS.
Holley and Barnes fought the section granting double tracks on Sixth West street, but their motion to strike out the clause was lost.

When the council resumed its regular session at about 11:30 o'clock, an adjournment was taken until tomorrow afternoon at 2 o'clock.

Cured Lumbago.
A. B. Canham, Chicago, writes March 1905: "I have been suffering from lumbago at different times and tried one physician after another; then different others and liniments, gave it up all together. So I tried once more, and got a bottle of Ballard's Snow Liniment, which I used every day and in ten days I was fully cured. I will recommend it to your list of former sufferers." See, too, the letter to Z. C. M. L. Drug Dept., B-14 Main Street.

TOOK CHAMBERS TO TASK.

Prisoner Asks Colored Officer Some Pointed Questions.

A colored man named Toy Jackson was placed on trial in Judge Diehl's court yesterday afternoon on the charge of vagrancy. He was arrested several nights ago by Chambers, the colored officer. At that time Jackson gave him the "slip" and escaped, but the officer got Jackson again and lodged him in jail.

When Chambers testified against the defendant yesterday afternoon, Jackson displayed considerable ability as a cross examiner.

Looking Chambers full in the face, Jackson asked:

"Is it not a fact that you arrested me because of a personal feeling you have against me?"

"No," said Chambers.

"Is it not a fact that you arrested me because I happened to know that you had been living here with a harlot, and that you sent the woman to Ogden to prevent her from protesting your appointment as a police officer?" Chambers denied this also.

Looking Chambers full in the face, Jackson then asked that the woman in question be sent for. "If I can get her here," said he, "I will be able to prove that what I said is the truth."

THE GARSIDE MURDER.

Wyoming Officers Will Work For Apprehension of Guilty Parties.

County Commissioner John C. MacKay and Thomas W. Jones have returned from Sweetwater county, Wyo., where they went to investigate the murder of Ernest H. Garside, who was killed while herding sheep in that county. The gentlemen went to Wyoming and made the investigation as representatives of the United Grazing company, which is composed of Utah and Wyoming sheep men. They had a conference with the county commissioners, prosecuting attorney and sheriff of Sweetwater county, and the offi-

GRIPPE INCREASING

Our Local Druggists, Druehl & Frankenstein Tell Salt Lake City People the Best Preventative and Cure.

So many cases of the gripe have been reported during the past month throughout the state that some of our leading physicians have been trying to locate the cause, and have spent much time in the health departments of our various cities carrying on the research. Mr. Druehl of the above firm of well-known druggists when interviewed in regard to this matter, said, "It is the people who are run-down and physically below par, who get the gripe and contract contagious diseases, and it is a warning to every man, woman and child in Salt Lake City to build themselves up at this season of the year. There is no doubt that the cod liver oil preparation, Vinol, has prevented and cured more cases of the gripe than any other remedy we know of. This is because Vinol contains in a concentrated form all of the vital principles of cod liver oil without any of the system-clogging oil that upset the stomach and retard its work."

After gripe Vinol purifies and enriches the blood, tones up the digestive organs, and strengthens every organ in the body to do its work as nature intended.

In the strongest manner we endorse and guarantee Vinol to ward off disease and to build up the run-down, tired and debilitated, give strength and renewed vitality to the aged, cure chronic coughs and colds and build up the convalescent, or return to the purchaser every dollar paid for it." Druehl & Frankenstein, also Smith Drug Co., Druggists.

It has not yet been decided where the body will be interred, but probably it will be in Arlington National cemetery near Washington. Announcement of the plans for the funeral will be made tomorrow.

Gen. Wheeler was taken ill six days ago at his sister's home, where he has been living recently. He contracted a severe cold which developed into pleurisy and pneumonia. From the first his age told against him, but the family did not give up hope until last night, when the disease was found to have affected both lungs. Gen. Wheeler's immediate relatives were all with him.

The family was summoned to the bedside of the patient at midnight last night, when the doctors in consultation concluded that the end was but a matter of hours. The general was found in the morning, and his mind was apparently active. He seemed to know that death was approaching, and though too weak to speak, he succeeded in giving signs of recognition and encouragement to his children.

Later the general sank into a peaceful slumber, and at the request of the doctors, the family quietly withdrew from the sick man's bedside. Gen. Wheeler was never again more than semi-conscious. He lingered until this evening and passed away quietly.

WATER ON RESERVATION.

State Engineer Expects no Difficulty In Matter of Apportionment.

The state engineer does not believe there will be any particular trouble in solving the problem of how to apportion the state water available for irrigation on the Utah reservation. Mr. Tanner says that when the season opens there will be employment for many men on the government works, and if irrigation companies already organized will co-operate with the government in construction of irrigation systems, it will be for the benefit of settlers. Mr. Tanner does not believe the companies will charge exorbitant rates for water rights, as so far there has been a disposition to regard the rights of settlers.

COMPLAINT IS FILED.

Deputy Sheriff Williams Charged With Assault With Deadly Weapon.

The complaint against Deputy Sheriff Williams of Bingham was filed in Justice Dana T. Smith's court yesterday by Harry J. Robinson of the Bingham Bulletin, and a warrant of arrest was issued for the officer upon the charge of assault with a deadly weapon. The trouble between Deputy Williams and Mr. Robinson occurred recently in the office of the former at Bingham. Williams drew a gun and started after Robinson, but County Atty. Christensen stepped in between the two men and disarmed Williams and held him while Mr. Robinson left the office.

The Grip.

"We must have sympathy with others, we must have sympathy with others. No one can realize the suffering attendant upon an attack of the grip, unless he has had the actual experience. There is probably no disease that causes so much physical and mental agony, or which so successfully defies medical aid. All danger from the grip, however, may be avoided by the prompt use of Chamberlain's Cough Remedy. Among the tens of thousands who have used this remedy, not one case has ever been reported that has resulted in pneumonia or that has not recovered. For sale by all druggists."

GEN. JOE WHEELER PASSES AWAY.

Famous Confederate Cavalry
Leader Dies of Pneumonia
In Brooklyn.

GEN. O. O. HOWARD'S TRIBUTE.

He Led a Beautiful Life After the
Civil War, and Was a Christian
in the True Sense.

New York, Jan. 25.—Gen. Joseph Wheeler, the famous confederate cavalry leader and a brigadier-general of the United States army since the war with Spain, died at 5:35 o'clock this afternoon at the home of his sister, Mrs. Sterling Smith in Brooklyn, aged 69 years. In spite of his age there was hope until yesterday of his recovery from the attack of pneumonia which caused his death.

It has not yet been decided where the body will be interred, but probably it will be in Arlington National cemetery near Washington. Announcement of the plans for the funeral will be made tomorrow.

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GEN. HOWARD'S TRIBUTE.

New York, Jan. 25.—Maj.-Gen. Oliver O. Howard, U. S. A. (retired) when he heard of Gen. Wheeler's death, paid the following tribute to his old friend and one time foe:

"I am deeply grieved to learn of the death of Gen. Joseph Wheeler. He had led such a beautiful life since the civil war, both public and private, that he had become much beloved in every section of the country. It was only a short time ago that he came all the way to Boston to speak for the boys and girls of the mountains, and to help as much as he could the Lincoln memorial university that we have tried to establish on firm foundations near Cumberland Gap. I was delighted at his sympathy and helpfulness. I had met him several times since his return to the army, once or twice at Tampa. I do not know of any man who showed greater pleasure in entering the United States service than he did in Tampa, when he put on again for the Spanish campaign the old blue uniform of the United States. Once, when I was introducing him to a large audience at Carnegie hall, gathered in the interest of the Y. M. C. A., I remarked that he used to bother me more than any other commander that I knew when I had a force in the west in 1864 and 1865. As soon as he could get on his feet he remarked with a pleasant smile that he wished Gen. Howard would forget a little more of that ancient history."

"His marked characteristics were kindness, courtesy, the very beautiful ideal of gentility and the extraordinary devotion to duty as he saw it. His Christian sentiments were never obtruded upon strangers, but he was pronounced and outspoken as a Christian whenever the occasion demanded. It was always a delight to meet him and talk with him upon any topic connected with the civil war."

Sloan's Liniment (Cures Lumbago) Price 25¢ 50¢ & 1.00

with the public interests, but more especially did he shine in private life."

GEN. WOODFORD'S EULOGY.

When Gen. Stewart L. Woodford rose to make an address at the dinner of the second panel of the sheriff's jury last night in Delmonico's word of the death of Gen. Wheeler had not reached the dinner, and one of the features of the function was the glowing eulogy passed on the ex-confederate leader by Gen. Woodford, who was his antagonist in the civil war.

"Joe Wheeler is one of the best men you or I ever knew," said Gen. Woodford, "and from the heart of this meeting goes out the fervent prayer, I am sure, that he may come back to us, or, if not, that he may rest on the other side as such a true and loyal man deserves."

A great cheer greeted Gen. Woodford's remarks, and at the suggestion of the toastmaster, William McElroy, Gen. Wheeler's health was drunk.

J. F. Morgan and nearly all of the justices of the supreme court were guests at the dinner.

BARK AND STEAMER COLLIDE.

San Francisco, Jan. 25.—The steamer Grace Dollar, bound for Seattle, ran into the British bark Pax, laying at anchor off Filmore street wharf yesterday. Prompt action prevented possible loss of life. Both boats were badly damaged, the Dollar being forced to put into port again for repairs.

FRANK ROCKEFELLER.

Denies He Refused to Testify in Standard Oil Hearing.

Cleveland, Jan. 25.—Frank Rockefeller gave out a statement this afternoon which he denied that he had refused to testify in the Standard Oil case. He said that he had been subpoenaed to appear as a witness in connection with the action of the state of Missouri against the Standard Oil company that he would refuse to testify. "I have, however," he said, "explained to Atty.-Gen. Hadley that my connection with the oil business ceased six years prior to the time to which his refers, and I think that he is satisfied that I have no information that would be of any use to the state. I will, of course, respond."

CASTRO EXPLAINS THE TAIGNY INCIDENT.

Caracas, Venezuela, Monday, Jan. 22. Via Port of Spain, Trinidad, Jan. 25. In reply to a request sent him today by the Associated Press correspondent for a statement of Venezuela's attitude concerning the Franco-Venezuelan situation, President Castro immediately telegraphed as follows:

"You can transmit to the Associated Press the following:

"M. Taigny, the French charge d'affaires at Caracas, has provoked diplomatic etiquette, as is proved by the fact of his presenting a protest against the Venezuelan government when the French Cable company was owned and had been almost arranged with, but the protest has brought the disagreeable situation between France and Venezuela to the point of a rupture."

"But not content with this, having been deprived by his government of the diplomatic character which was vested in Venezuela, he violated as a French citizen the laws of the port of La Guayra by embarking on a French liner, whereas upon the Venezuelan government, in order to avoid new difficulties, and after its police had been treated contemptuously, resolved not to permit M. Taigny to re-land."

"CIPRIANO CASTRO."

OREGON LAND FRAUDS CASES.

Portland, Or., Jan. 25.—The Oregon land fraud cases are to be given precedence on the trial calendar in the United States circuit court, according to United States Circuit Judge W. B. Gilbert before leaving for San Francisco on official business. The cases when called will be tried before Judge Wolverson.

Immediately upon his arrival in San Francisco Judge Gilbert will confer with Francis J. Henery, regarding the dates for the hearing of the various cases. It will be determined what cases shall be tried first and then a list will be mailed to the clerk of the court at Portland to be entered on the calendar.

Judge Gilbert expressed the belief that the cases may come up for trial as early as next month, and surely not later than April. What cases will be called first he was unable to say, pending his talk with Mr. Henery.

WYOMING WOOLGROWERS.

Oppose Leasing Public Lands and Any Reduction in Tariff on Wool.

Denver, Colo., Jan. 25.—According to today's argument on the admission of certain letters and telegrams of Capt. Carter to various persons was continued. Government counsel for the woolgrowers the defense to produce the originals of the letters of which he submitted copies. F. W. Medlin, for the defense, replied that all of the papers of Green and Gaynor had been turned over to the attorney-general of the United States. The court reserved decision.

WANT CAPT. CARTER'S PAPERS.

Savannah, Ga., Jan. 25.—Upon resumption of the Greene and Gaynor trial today argument on the admission of certain letters and telegrams of Capt. Carter to various persons was continued. Government counsel for the woolgrowers the defense to produce the originals of the letters of which he submitted copies. F. W. Medlin, for the defense, replied that all of the papers of Green and Gaynor had been turned over to the attorney-general of the United States. The court reserved decision.

VENEZUELAN CONSULS RECALLED FROM FRANCE.

Caracas, Venezuela, Tuesday, Jan. 23. Via Port of Spain, Trinidad, Jan. 25.—A decree has been issued by the government recalling its Consuls in France and withdrawing the exequatours of the French consuls in Venezuela.

The constitutional, the government organ, prints a long editorial justifying this action, accusing France of seeking to make friendly nations "accomplices in her crimes against Venezuela," of "cowardly trampling on the ideals of the French revolution," and of hiding behind diplomatic conventionalities when "Berlin demanded the dismissal of Declasse."

MAIL ROBBER SURPRISED.

Portland, Or., Jan. 25.—Just before midnight last night a railroad employee discovered a mail sitting by a fire in the terminal yards of this city, hiding the contents of a mail pouch which he had stolen from a truck preparatory to being loaded on a northbound train. The mail escaped in the darkness. It was found that he had opened more than 20 letters but it is not known how much of value he secured.

ESTABLISHED 1864

F. Auerbach & Bro.

ONE PRICE TO ALL NEVER UNDERSOLD

GREAT BARGAINS

IN ALL DEPARTMENTS SATURDAY

We can't tell you a hundredth part of the extraordinary values awaiting you.

SATURDAY ONLY!

\$3.50 Bed Spreads for \$2.10.

Never before have the people of Salt Lake secured such a splendid value as this. These are fringed spreads, with square or cut corners, for full size beds—an extra heavy crocheted, which sells every where at \$3.50 on Saturday as long they last, limits, 2 to a customer at

\$2.10

Children's Suits. Hosiery Sale.

SATURDAY ALL DAY. SATURDAY ALL DAY.

1,600 Children's Suits. All Wool. 225 doz. Children's heavy fleeced fine ribbed seamless Cotton Hosiery, all sizes and enough of every size to satisfy every customer, they are the best 20c grade. The sale price Saturday (per pair)

Materials Cheviots, Serges and Worsteds, Sizes 3 to 8. 98c 10c

years, will go, at per suit

Cloak Dept.

All Ladies', Misses' and Children's Coats at Clearing Prices.

\$10.00 Ladies Coats, 27 inch length, Saturday 2.98

\$15.00 Ladies' Coats, 34 length, Saturday 6.00

\$18.75 Ladies' Novelty Coats, Saturday 8.00

\$20.00 Ladies' Rain Coats, all sizes, Saturday 9.00

\$12.50 Misses' Coats, 6 to 14 years, Saturday 5.00

\$4.00 Misses' Coats, 6 to 14 years, Saturday 1.75

\$1.50 Elderdown Coats, 1 to 6 years Saturday 55c

\$10.00 Isabella Fox Boa, Saturday 3.75

SATURDAY NIGHT

7 TO 9 O'CLOCK.

MEN'S NEGLIGEE SHIRTS, slightly soiled Madras, French Flannels, medium and extra Heavy Wool, Regular price \$1.25 to \$2.00. All 14 1/2 to 15 neck will go at

59c

Half-Price Clothing Sale!

The Entire Stock of Men's Clothing, Hats, Furnishing Goods, Etc., of the O'Reilly Clothing Store will be closed out regardless of cost. Every article will be sold (nothing reserved) to make room for an entire new stock for the spring trade. The store will be remodeled and made into an up-to-date store.

| | |
|---|--------------------|
| \$22.50 Men's Suits and Overcoats for | \$11.25 |
| \$20.00 Men's Suits and Overcoats for | \$9.50 and \$10.00 |
| \$17.50 Men's Suits and Overcoats for | \$8.75 |
| \$15.00 Men's Suits and Overcoats for | \$7.50 |
| \$12.00 Men's Suits and Overcoats for | \$6.00 |
| \$10.00 Men's Suits and Overcoats for | \$5.00 |
| \$16.50 Uniform Motorman and Conductor Suits for | \$8.25 |
| \$12.00 Uniform Motorman and Conductor Suits for | \$6.00 |
| \$10.00 Uniform Motorman and Conductor Suits for | \$5.00 |
| \$6.00 Uniform Motorman Odd Coats for | \$3.00 |
| Corduroy leggings 75c and \$1.00, worth double. | |
| And odd lot of Men's Cassimere pants, worth from \$1.50 to \$3.00 per pair for 75c. | |

A Few Boys' Long Pants Suits.

\$12.00 Boys' Suits for \$5.00 and \$6.00

\$10.00 Boys' Suits for \$4.00 and \$5.00

\$6.00 and \$8.00 Boys' Suits for \$2.50

\$10.00 Boy's Overcoats for \$2.50 to \$4.00

ONE-FOURTH OFF ALL CORDUROY SUITS AND PANTS.

ONE-FOURTH OFF ALL DUCK-LINED COATS.

Odd Lots in Winter Underwear at less than half price.

All regular lines of Winter Underwear one-fourth off.

Men's Hats, including a number of Stetson's \$4.00 and \$5.00 Hats, \$1.00.

Another lot of good styles in Stetson's and other makes, half price. A large lot of \$1.50 to \$3.00 Hats at 25c. All Spring, 1906, styles go at one-fourth off.

Men's Monarch Negligee Shirts, \$1.25 values, 85c

Men's Monarch Stiff Bosoms, \$1.25 values for 75c

Men's Cluett Stiff Bosoms, \$1.75 values, for 95c

Men's Cluett Negligee, \$1.75 values, for 95c to \$1.15

\$1.00 White Stiff Bosom Laundered Shirts for 50c

Barbers' Coats, Waiter and Cook Jackets half price and less. Canvas leggings, 25c and 50c per pair.

Sale Begins Saturday Morning, Jan. 27, 7:30

W. L. NICOL, 210 MAIN ST.

Successor to O'Reilly's Clothing Store.