DESERET EVENING NEWS: WEDNESDAY, DECEMBER 6, 1899.



RARRED WITHOUT TRIAL.

Bu's Representative Makes a Powerful Speech in His Own Behalf.

THE CASE WAS PREJUDGED.

mt Republicau, One Silverite, and fwent; sight Democrats Vote Against His Exclusion.

Washington, Dec. 5 .- After an intersis debate of three hours, the House day, by a vote of 302 to 30, adopted resolution offered by Mr. Tayler of Wo yesterday for the appointment of metal committee to investigate the darges against Brigham H. Roberts, pe Mormon Representative-elect from

Paviously the House had rejected a statute resolution offered by Mr. seardson, the leader of the minority, allow Mr. Roberts to be sworn in ad to send the whole case to the jucary committee.

This substigute resolution, "owever, mo means commanded the full Demmatic strength. Only fifty-seven voted fit. Of the thirty who then voted minst the Tayler resolution, all were enerats except two, Mr. Loud, a mitomia Republican, and Mr. Newads a Sliverite from Nevada. by the terms of the resolution, Mr tents is not only excluded from all ricipation in the proceedings of the asse until the committee reports and House passes upon his case, but he denied a seat in the hall. Whether sawill be interpreted to deny him adaion within the chamber pending esition of his case is yet to be

RICHARDSON SPEAKS.

the discussion on Roberts, Richardson, the minority leader, acred Mr. Tayler. He did not in-the said, to discuss the merits of ease. The question in issue was as whether the Representative-elect terts had a prima facie right to his He was not willing to reject a presentative-elect who appeared at tetar of the House with his creden-tais in due form. If he was denied ad-masse a precedent would be created hich would rise to plague the House years to come. only constitutional objection

meanor. issi against the member-elect related "The ge



lerk's desk and having read a copy of his naturalization papers, as he said that all the documents in this extraor-dinary case should be before the House. He then read a paragraph from "Mc-Creary on Elections," containing a general caution against hasty procedhands of federal appointees. How is it, then, that I could be an open and de-fiant law-breaker and yet escape the

"Now, gentlemen," continued Mr. Roberts, "that is the statement of one whose book has authority in this coun-try. And if the rule of the House of Representatives in cases that aging to penalty of law? "The gentleman's objections are based, not upon the court record, but upon affidavits and papers that have been supplied him by these people. "And now as to the manner in which these charges are made. It has been about fifteen months since they began. Representatives in cases that arise to the dignity of a contest, how infinitely should that rule be observed when only a mere protest is made against a mem-

since the representative from Utah was heralded throughout this land as a deber who presents himself to take the oath of office. "I next proceed to the consideration of the charges that are supposed to justify what the gentleman from Ohio (Mr. Tayler) himself concedes to be an unflant law-breaker. And yet I walked the streets of Salt Lake City in open day, within easy reach of the law, and my faults lay open to the law if I were usual proceeding, and which my friend on this side (Mr. Richardson) has demguilty of transgressing. "Other men were arrested before the courts of Utah and were fined for the very offense alleged against me, and yet no complaint was made against onstrated to be an unprecedented pro-ceeding. The gentleman from Ohio bases his charge upon a court record; that some twelve years ago in the midst of our conflict in the then Territory of Utah over the subject of polygamy that

upon affidavit and other papers in

Utah.

CARTERS

possession. The gentleman from Ohio

it is that I was not punished for law-breaking? Certainly there was no dis-

position not to execute the law on the

SICK

Headache, yet Carter's Little Liver Pills are equally valuable in Constitution, curing and pro-venting this annoying complaint, while they also correct all disorders of the stomach stimulate the

liver and regulate the boursis. Even if they only

HEAD

ACHE

others do not. Cartor's Little Liver Pills are very small and very onsy to take. One or two pills make a dose. They are atrictly vegatable and do not gripe or purge, but by their gentle settin please all who use them. In visite 22 cents; five for \$1. Sold by druggists everywhere, or sen; by mail.

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ways that they will not be wil-out been. But after all cick head

"No, it did not suit the purpose of those who had this present agitation in hand to vindicate the law quietly, and by the usual methods. They desired particularly to have this case upon I pleaded guilty to a charge of misdeman seems to be obliv to the fact that since the date of his court record on this subject we have had two Presidential amnesties prowhich apparently to arouse the senti-ment of the country. Not until my business called me East did they unclaimed that have been applied to men dertake to make any charges against the Edmunds-Tucker lisqualified by act. I understand gentlemen who were lawyers to admit this fact, and they will certainly appreciate the weight of "But the moment, or shortly after,

the Republican party really survived its action. (Laughter.) Why, it is here today, and I believe, gentlemen of the majority, that it could survive even if it should seat the present representa-tion the State of Utab." part of the people of Utah. Its administration was in the hands of non-'Mormons,' of those who had no sympathy with men of my religious faith. All the machinery of the law was in the

tive from the State of Utah." Proceeding, Mr. Roberts took up the charge that Utah had broken her com-pact with the United States by the election of an alleged polygamous rep-resentative. If that was true, then Utah had simply followed the illus-trious example of the present national

administration. "I affirm," said he, "that there is abundant evidence that objections sim-liar to those in the present case were made to the President and the Senate against the appointment of certain federal officials in Utah, but the objections were walved aside,'

"Do you mean to say that polyga-mists were appointed to federal offices in Utah by the present executive?" In Utah by the present executive?" queried Mr. Hopkins (Rep., III.) "With the knowledge of the Presi-dent," added Mr. Grosvenor (Rep., O.),

quickly, amid some laughter on the emocratic side. "When men were applicants for fedreal offices in Utah," relterated Mr. Roberts, "objections were made and af-fidavits were filed both with the Presi-dent and the Senate, but nevertheless the amoninument was made."

ward remain, by reasons of section 8, ineligible to be a member of Congress unizes he was pardoned? If he was shully of polygamous cohabitation be-tween Nov. 1, 1890, and the date of the Harrison proclamation he was not par-doned by that recommender.

doned by that proclamation. "This situation, assuming the facts to be as alleged, raises several ques-"First-If Roberts was convicted, as

stated, is the burden on him to affirm-atively bring himself within the em-brace of the annesty proclamation? "Second-If he was guilty of polygamous cohabitation after Nov. 1, 1890, is he not without the benefit of the proclamation

"Third-If he continues to be the head of more than one family under his orig. Inal polygamous marriage contract af-ter the lat of November, 1820, and without polygamous cohabitation, then head and body were a table tot a polygamous to define the define the data and body were a is he not a polygamist under the defi-nition of the Supreme court in the care of Murphy vs Ramsey? "Fourth-May not the facts, if estab-

lished, and independent of any law op-ating ineligibility, justify the House in refusing admission to Roberts? "Fifth-Does not the compact creat.

"Fith-Does not the compact creat-ed between the United States and the State of Utah by the proclamation, En-abling Act and Constitution justify the House in refusing to admit a represen-tative from that State who is today un-der the definition of the Supreme court a polycempts?" a polygamist? Sixth-May it not be that upon a

careful examination of the law it would be found that the claimant is not a citizen of the United States, and, if not, of course ineligible.

as alleged, unless we are absolutely without power to keep Roberts out, to subject his case to the doubtful process

cause it requires the concurrence of two-thirds to expel him; second, be-cause very eminent lawyers from the beginning of the government down to the present time, have taken the posi-tion that the House has no right to ex-pel except for some misconduct while a member and solution to be the posia member and relating to his office as

"In the Forty-fifth Congress. in the "In the Forty-fith Congress, in the Mattison case, a committee by an all but unarimous voice reported that the House had no power, mean and low and vile as the character of that man was exhibited by his conduct before that time, to expel him, because it had no the time to expel him because it had no right to expel a man for that which had occurred prior to his election to ongress.

Mr. Tayler went into a legal argument in support of the proposition that Congress had the right to hold Roberts ineligible to sit as a member of Con-gress. He contended that the language of the Constitution with respect to the gualifications of members of the House was negative in its character, and that with Congress was left the right to add to these qualifications.

He then cited as precedents for the present course the cases of Proctor Knott, Boyd Winchester and John M. Rice of Kentucky, who were charged with disloyalty after the war, and con-cluded as follows:

with disloyally after the war, and con-cluded as follows: "Mr. Speaker, we are told that this will make an unhappy precedent. Pre-cedent! Why, what we do here we do before the open and gazing eyes of the world, and we are at once dragged to the bar of history to answer for our deeds. We are in no cloister court. We are no statute-bound tribunal. We are the servants of the people: empowered he servants of the people; empowered, hank God, under the Constitution to do the right as we see the right. That is the law to use. The public eye is on

us, the public conscience quickens us. In that presence and before such a judge we can do no wrong if we but obey it." (Applause on the Republican side.)

THE VOTE.

The vote was then taken, first on the substitute, which was defeated-59-247. The vote then recurred upon the adoption of Mr. Tayler's resolution, the roll being called upon the demand of upon the deman

Scrofula, a Vile Inheritance.

Scrofula is the most obstinate of blood troubles, and is often the result of an inherited taint in the blood. S. S. S. is the only remedy which goes deer enough to reach Scrofula; it forces out every trace of the disease, and cures the worst cases.

My son, Charile, was afflicted from infancy with Scrofuls, and he suffered so that it was mass of sores, and his



he had taken a dozen bottles, no one who knew of his former dreadful condition would have seegnized him, e healed, his skin is perfectly clear and ooth, and he has been restored to perfect dth. Mrs. S. S. MaBEY, 359 Eim St., Macon, Ga. have

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to it. A mule can carry only one of the 145 pound bales. The greater num-ber of bales shipped to South Africa weigh 112 pounds, the English hun-dred weight.

Yaquis Defeated.

Chicago, Dec. 6 .- A special to the Chicago Record from Ortiz, Mexico says:

A courier has just arrived here from the scene of the Yaqui war with dispatches from General Torres for the war department. This courier reports that the fighting between the Yaqui In-dians and Gen. Torres' troops ceased Nov. 28, the Indians retreating toward Tonichi. Several hundred Yaquis who have been in a strongly fortified posltion near Sahuaripa, it is thought, are preparing to join the main body of braves driven back by General Torres. Signal fires indicated a concerted move.

Elected a Socialist Mayor.

Yellow Fever in Costa Rics.

The vote was then taken, first on the

health. "Seventh-Is it wise, if the acts be of expulsion? "Doubtful for two reasons-First, be-S.S.S. For Blood

18v

his naturalization, and that, Mr. tdson asserted, would not hold. Redefied the other side to produce a tigle precedent where objection was abed to the administration of the oath not on constitutional grounds. The modents cited were made during the War and were not to be relied on. In Now days the Constitution was writ-Wo with the sword. They had all been and overruled, after the passions that

owed the war had subsided. arraigned Mr. Richardson declared that the nty was in no wise bound by his whith He spoke for himself alone. was willing to say that if the area against the memder-elect were fived he should favor his expulsion. there is one thing on which the perican people are a unit," he said, "I that the American home shall be Utah to form a government. That En-abling Act also had a provision em-bedied in it that qualified all citizens within the limits of the Territory to become citizens of the United States, and was particularly formed to rea-In all its joveliness, sweetas and purity. (Applause). But," h proceeded, "it is not wise to permit r judgment to be warped by public amer. To do so amounts to con-

Mr. Richardson then brought forward Meral precedents in support of his po-tion. The first was that of George 4 Cancon, who appeared in the House Edmunds-Tucker law. a Delegate-elect from Utah in 1873 E Cannon wag. Republican. Almost that the State Constitution of Litah was satisfactory to the President and his ad-visors, and Utah has been admitted as a State into the Union, and has taken lantically the same charges now made tanst Mr. Roberts were made against annon. He read from the speeches upon itself the responsibilities of a sov-ereign State, declaring under its Con-stitution who of the people residing in its borders shall exercise the elective ts. S. Cox, of New York, and other raminent Democrats who opposed the taying of a sent to Mr. Cannon on the read that it would establish a dan-less precedent and produce chaos in the future. "Those Democrats," said citizens of that great commonwealth. rose above party prejudice and by the Constitution and the posed to go to the question of eligibli-ity of the member from Utah, is made

a role above party prejudice the and by the Constitution and the the international state of the second state and Republican from South Carolina a the Forty-fifth Congress, where the broad had instant that he should a far Forty-fifth Congress, where the benerats had insisted that he should has the oath administered to him. He is guided the late President James à Garfield, in support of his conten-in that where the credentials pre-sued are regular in form there is no laser in the House to exclude him. It Richardson read the words of Mr. Guided, which concluded: "There are heperonal objections." "But there are personal objections in

Bu there are personal objections in the case before the House," interposed it. Tayler amid laughter and ap-

Not personal objections to the mem-trelect," said Mr. Richardson; "per-tal disqualifications only are al-

Tet, personal objections," shouted a Tet, personal objections," shouted a under on the Republican side amid under outburst. F. Richardson read from alleged in-briess with Mr. Dalzell, of Pennsyl-tans, Mr. Steele, of Indiana, and Mr. Omon, of Illinois, in which they were leged to have stated that Mr. Rob-us ans entitled to take the oath upon the prima facle evidence of his creden-tas, Mr. Inizell and Mr. Steele de-ties the interviews. F. Cannon asserted that in his opin-ta di charges of ineligibility were **CURRE** Bick Headache and relieve all the troubles Inci-dent to a billious state of the system, such as Diziness, Nauses, Drowings, Districes after cating, Pain in the Side, i.e. While their most remarkable success has been shown in curing

a d charges of ineligibility ware ade it was competent for the House breaky them now or hereafter. ROBERTS' ADDRESS.

Mr. Roberts himself took the floor in

If. Roberts himself took the floor in is on defense after Mr. Richardson is concluded, He occupied a conspicu-ing data immediately in front of the and dark. Several legal volumes we plad up in f. ont and a bouquet desmations lay upon his desk. The is area interest was manifested is area Members crowded about, is very compelled to return to their wants leaned over to listen, eager is in to he clerk's desk, and had Acho they would be almost priceless to these who suffer from this discressing complaint; but fortu-intely their goodness does not end here, and those who once try them will find these little pills valu-Is the bane of so many lives that here is where we reake our great boast. Our pills cure it while others do not.

a sant to the clerk's desk, and had his naturalization papers. en began to speak. His voice a soft and low, but his enunciation distinct, and in the stillness could bard to the farthest corner of the As he got into his argument his as free louder until on several occa-tes it may out until the freited cell-werhead may back the echo.

Small Fill, Small Dose, Small Price

my departure they began this agita-tion, resulting in the present sentiment f the country now aroused against me. "The gentleman from Ohlo has no I call your attention next to the fact that the only charge against n.e, even court record to show that I was ever by the present opponents of the reso-lution, is that of a misdeameanor. They or condemned of any crime whatsoever since the promulgation of the annesty proclama-tion of the President of the United States. The gentleman seems also to forget the fact that since do not charge a felony. "I understand that the members of Congress are granted certain privileges while in attendance upon this House. the confession of that misdemeanor to which he has referred, there was It would be impossible to arrest any one of the members upon the charge

of a misdemeanor. And yet you would deny me the privilege of being sworn as a member of this House, upon the ailegation of the existence of some passed by Congress an Enabling Act authorizing the people of the State of charge or other that I was guilty of a misdemeanor. "For the thing for which the law it-

and was particularly framed to re-move the disqualifications and disa-bilities which had been created by the self could not lay a hand on me while in attendance upon this House, you pro-pose-I speak of the little coterie of men who have entered into this con-spiracy to crowd this question to the "The gentleman seems to forget also front at this particular time, and for the reason that they are fearful that

if the matter should go to a considera-tion under a resolution to expel the member from Utah, they could not marshal the necessary two-thirds vote to accomplish their purpose-to pass the present resolution.

"I understand, sir, that these immun-ities are not given for the benefit of the individual members. They are franchise and be qualified for office as "The second charge, which is supgiven rather as a protection to his con-

stituency, who are entitled to his ser-vices as their representative. "And, therefore, I invoke the protec-tion that is given to the constituency of a sovereign State against the pro-

says that ever since 1889 I have been a rsistent law-breaker in the State of tah. If that be true, let me ask why ceedings they are instituting here to deprive me of the privilege of being sworn in as a member of this House. "Privilege, did I say? I am not asking any privilege in this House. I am hot asking any favors of the mem-bers of this House. Under the shadow of the Constitution of the United States, I merely demand, both for my-

self and for the people of my State, the protection that is due us—and it is a demand, and it is asking no favors." (Great applause on the Democratic side nd in the galleries.)

Mr. Roberts next called attention to the precedent in the Forty-third Con-gress in the case of Mr. Cannon, add-"I can add nothing to the force of

that gentleman's remarks, except this, that in the case of Mr. Cannon the House was dealing with a delegate from a Territory, not the representative of the people of a sovereign State. They were dealing with a delegate who was were dealing with a delegate who was created by a statute passed by the Con-gress of the United States. And throughout the discussion it was al-leged as reason for taking exceptions to him that they could do so because he was unprotected by the provisions of

the Constitution. "And yet, sir, notwithstanding he was "Abd yet, sir, notwithistanding ne was but a creation of law, still they ad-mitted him as a member upon the floor of this House. It is to be remarked in this connection that, strange to say, the course of nature was not disturbed. Notwithstanding an alleged polygamist was permitted by the vote of a Repub-lican Congress to remain upon the floor of this House, it did not transpire, as it is said it did transpire in ancient Rome a little ere the mighty Julius fell. The grave stood not tenantless. The sheeted dead did not stand and gibber in the streets of Rome. Why, sir, the sun was not darkened nor was the moon turned to blood. Actually,

sir, the rain continued to fall upon the just and the unjust alike. (Laughter and applause.) "Gentlemen of the Democratic party, some few of whom may, perhaps, trem-ble a little at the thunderous objec-

ble a little at the thunderous object tion that has been presented as pre-tending to voice the sentiment of the country upon this subject. I want to call your attention to another thing, and that is that notwithstanding a Re-publican Congress seated this man, yet

the appointment was made. "That does not answer my question."

observed Mr. Hopkins, as follows: Mr. Roberts urged that the case ought go to the judiciary committee, where it would be investigated. He warned

It would be investigated. He was a the Republican side that this was a serious question. If the people of Utah were guilty of violating the compact with the Union, what of the President who had appointed to positions in Utah men chargeable with the same offense

Mr. Roberts ridiculed the manner in which the petition favoring his expul-sion had been procured. In concluding he denied that the members who voted to seat him would be voting for polygamy. The question of polygamy was "I hold it as an honor," he said, "that

I will be quoted long in Utah as one who helped to settle the question on the floor of the Constitutional Conven-I am not defending polygamy; it is dead." Mr. Roberts concluded by thanking

Mr. Tayler and the House for their in-dulgence. He was given a round of applause as he took his seat. DINSMORE SPEAKS.

Mr. Dinsmore (Dem., Ark.) briefly ppoosed the Tayler resolution.

Mr. Grosvenor (Rep., O.) denounced Mr. Roberts' statement concerning the appointments by the President of polygamists in Utah as a miserable sub-

"I make this statement," said he, "and I defy contradiction, that the President of the United States never knowingly apointed a polygamist 10 office. As well might one charge that the President had plunged his stainless hands in human blood as to charge that he appointed to public office men

guilty of the crime alleged against the gentleman from Utah." (Great applause on the Republican side.) "I charged and I reiterated it." said Mr. Roberts. "that men appointed to office in Utah were charged before the President and the Senate with the

same misdemeanor of which it is charged I am guilty." "Were they guilty?" inquired Mr. Dalzell.

"It does not appear whether they were guilty," answered Mr. Roberts, raising his voice and looking around the hall. "They were only charged, as I am charged." (Applause on the Democratic side, in which many people in the galleries joined.)

TAYLER REPLIES.

Mr. Tayler concluded the debate. Mr. Roberts, he said, had exhibited a large incapacity to understand his (Tayler's) position, his (Roberts') position, or the spirit of the American people-a righteous expression of their sentiment just-ly founded, however much misdirected He did not say Mr. Roberts was guilty, but he indicted him upon his own reponsibility.

"I am not unmindrul of the house is about ance of the question the House is about to decide," said Mr. Tayler. "It is un-but not unprecedented. We do "I am not unmindful of the importusual, but not unprecedented. We do not undertake to determine the right of the claimant to a seat but only whether he shall be halted at the bar of the House and await the administration of the oath until the House shall de termine that righ

"Mr. Speaker, Utah was admitted as State into the Union on the 4th day of January, 1896. These are the alleged facts against the claimant:

"First, that he was indicted in Feb-ruary, 1887, for unlawful cohebitation under the Edmunds act and pleaded guilty April 29, 1885, and was incarrerated on that account in the perited liary for four months; second, that he has persistently from that time forward down to a recent date been guilty of the offense of unlawful cohabitation, and also that he has continued from

ment by the Indians was being planned. The courier says the Yaquie' losses in The resolution was adopted-302-30. killed and wounded during the ten days' engagement were estimated at 200. The Those who voted in the negative were

Mexican losses were fifteen killed and Adamson, Allen (Miss.), Balley, Ball, thirty wounded. Brewer, Burlison, Carmack, Cooper, Davey, Degraffenreid, Dinsmore, Fitz-patrick, Fleming, Klitchen, Lester, Lewis, McClellan, McCulloch, Maddox, Nor-ton (S. C.), Rhea, Richardson, Robbins, Slayden, Small, Snodgrass, Stephens, Turner, Democrats; Newlands of Ne-Boston, Dec. 6 .- John S. Chase, the socialist mayor of Haverhill, was re-elected by a plurality of 223 in a total vote of 7,000. Of the several aldermen elected three were socialists. The isada, Silverite; Loud of California, Resue was socialism and anti-socialism. In New Bedford the socialist candiublican.

The speaker then appointed the fol-lowing members of the special commitdate for mayor was beaten by 3,000 under the resolution: votes.

Republicans: Tayler of Ohio, chair-man: Landis (Ind.), Morris (Minn.), Freer (W. Va.), Littlefield (Me.), Mc-Panama, Dec. 6 .- Reports from Costa Pherson (Ia.) Rica indicate that yellow fever has ap-

Democrats: De Armond (Mo.), Lan-ham (Tex.), and Meyers (Ind.) peared in the interior of the country. For the first time on record cases of the disease have broken out in Alajuela,

HAY PANCARES.

How they are Made and Shipped to South Africa and the Philippines.

not believed yellow fever could devel-op. Several of the patients have died. New York, Dec. 6 .- The baled hay The government is taking vigorous measures to stamp out the disease. that is being shipped from this port for the use of the British army in South Africa and the American army in the Philippines is being compressed by a process. The hay is put up in

The hay is "handed out" in pancake form. The hay pancakes, or layers, which make up the bales, are about three-fourths of an inch thick. The most compact bale of hay put up by the old style requires short the orbit the old style requires about 160 cubic



W. F. MILLER AND THE FRANKLIN SYNDICATE COLLAPSE.

William F. Miller, the public head of the Franklin syndicate of Brooklyn, is under indictment for conspiracy to obtain money by fraudulent misrepresenta-tions, a true bill having been found by the Kings county grand jury. With him was indicted Cecil Leslie, the press agent and general "promoter of information. usands of poor depositors, whose hope of getting 520 per cent dividends misled them, bewail their lot.



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amb's wool Vests and Pants, the warmest, best wearing Ladies' Under- wear made, sizes 32 to 44, regular \$1.50 grade, our brites and 10 for the state of the state	and short sleeves, warranted non- shrinking. This is an exceptional fine quality in cream or natural gray, all sizes. Special this week at-
Children's Jersey fine wool and cotton	\$1.25
mixed Union Suits, in the "Elliott" style, all sizes, size 1 worth 75c, special at-	Same style and quality in high neck and long sloeves, all sizes. Special this
550	week at-
7½c rise each size.	\$1.40
Children's finest outmany Marino	Ladies' extra size Vests and Pants, in ecru heavy fleeced, sizes 7 to 9, grand
gray, the very bost and picest Under-	value at- 35c
it a trial once and you will never buy	Ladles' gray Jersey ribbed flocced Vests and Pants, extra heavy, best 350 grade, for this week, special, all sizes,
5c rise each size, 30c	at 250

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new bales cylindrical in form, about the size and shape of the old-fashioned nail keg. or 18 inches high and of the same diameter. When baled in this shape the hay is as hard as a board. The bales weigh about 145 pounds.

Bishop Pereira of Nicaragua has ar-rived at San Jose. He was recently exbelled by President Zelaya because of his vigorous protest against the decison of the national assembly relative to the disposition of property given to the church. He took the ground that all landed property, movable articles and other valuables appertaining to religious fraternities belonged exclusively to those bodies. A shipment of \$1,500,000 American gold

arrived recently for the Costa Rica government. It is to be put into elculation when the change to the gold standard goes into effect