## FULL TEXT OF SENATOR SMOOT'S ANSWER

His Defense is Regarded as Able and Complete and Has Been the Subject of a Great Deal of Public Interest During the Past Twenty-four Hours-What the Washington Post Says.

(Special to the "News.")

Washington, D. C., Jan. 11.-The answer of Senator Smoot to charges filed against him which was made public Saturday has been subject to general comment during the past 48 hours. Al. most without exception the answer is regarded as a clear and convincing refulation of the points expected to be made against him. The general sentimost of approval is reflected in the Washington Post this morning. That newspaper, always fair and impartial, in its leading editorial today, says of the answer:

Senator Smoot's reply contains two features, both in the nature of emphatic negatives to charges which throw the burden of proof upon his opponents and taises a neat point as to the right of the United States senate, in passing upqualifications of its members, to

answer to the charge that he is a polygamist, Senator Smoot offers emdenial. He declares that he has but one wife, who is mother of all his He, however, leaves the question of his belief in polygamy open, other than by his assertion that polygtenet of his Church and is not practised by any considerable numits members. Those who do the senator asserts, do so at their own individual risk of punishment under the laws.

cond point raised by Senator Smoot is the more interesting. He de-clares the alleged 'blood oath' of the Apostles is a myth and insists that there is nothing in the creed or tenets thurch that requires any member to in any manner acknowledge authority of the Church as above or ir with the laws of the United He holds that the Mormon is a spiritual organization just States. as the Methodist church is a spiritual organization, and he practically challenges the senate's right to discriminate against any man who may happen to be elected by any Church organization. The effect of this challenge is to invite investigation by the senate committee into the creeds and practises of the Mormon Church. Senator Smoot must feel sure of his ground to invite such and it will probably go far inquiry, toward placing the Mormon Church in a better light in the eyes of the world if the investigation is held and Sena-tor Smoot's position vindicated. It will certainly be a relief to the majority of the people of the country to have it definitely ascertained whether these stories reflecting upon the morality and patriotism of the Mormon people have any foundation in fact.

"Senator Smoot declares that they have not, and invites and practically demands vindication of his position by iry. Aside from the results that may follow such inquiry, in re-sponse to this challenge of Senator into tenets and Smoot. practises of the Mormon Church, anti-Smoot crusaders apparently have nothing to ex. pect from the senate's consideration of their charges. Up to this time no evidence has been produced, nor is there claim that any can be produced, to show that senator Smoot Is a polyga. mist. The crusade has apparently been based entirely upon appeal to sentiment and has had no further unsuccessful effort to induce the senate to be led into controversy over relationship between church and state."

that said Church, or any part thereof, or any person therein, inculcates or encourages a belief in the practise of polygamy or belief in or practise of polygamous cohabitation; and this respondent denies that he is guilty of polygamous cohabitation, or that he is a polygamist, or that he ever has been polygamist, or that he has ever practised polygamous cohabitation. This respondent further denies that he has ever countenanced or connived at any violation of any law, either of the State of Utah or of the United States; or that he has ever protected or honored

erson or persons who may have any violated the laws of the land. And this respondent denies that he is guilty of any practises or any practise, destrucany practises or any practise, destruc-tive either of the family or the home On the contrary, this respondent alleges that he honors and respects and obeys all the laws of the State of Utah and of the United States, and has never been guilty of any offense against either. And this respondent further alleges that the President of said Church and his two counselors constitute the First Presidency, and is the highest gov erning body in said Church, and the same has control of the spiritual and temporal affairs of said Church; but not of the temporal affairs either of the state or of any members of said Church; that the next highest gov-erning body of said Church is the Twelve Apostles, consisting of twelve

members of said Church, who are "un-der the directioon of the First Presidency;" and said Apostles, on the dissolution of the First Presidency, any reason whatsoever, then and not otherwise have authority equal to such Respondent further alleges that, since the manifesto of President Wil-

ford Woodruff was issued in 1890, nei ther a belief in, nor a practise of poly gamy or polygamous cohabitation has either been taught or encouraged.

. I. Answering I of said protest, respondent denies that the said alleged "Mormon" Priesthood, either according to the doctrines or doctrine of said Church, or otherwise, is vested with supreme authority in all things, or in anything either temporal or piritual, but this respondent admits that the First Presidency of said Church is vested with supreme authority in all things spiritual and in all things temporal so far as temporal things pertain to the affairs of said Church, and not otherwise. The quotation under said I from the Doctrine and Coven ants, so far as the same is quoted, is

- correct. The respondent denies each and every other allegation and statement contained under said I, except as admitted or alleged in this answer,
  - II.

Answering II of said protest, this respondent denies that said First Presidency or Twelve Apostles are supreme in the exercise or transmission of said alleged mandates, or of any mandate said alleged authority, except as admitted and alleged in this answer. Further nswering, this respondent alleges that the only accepted standard works of said Church are the Bible.

them, violate any law of the land, or is guilty of any of said alleged practises; and this respandent for bismelf in par-ticular denies that he is one of said men, or that there is any such body; or that said Church or any ont thereof. either is the attitude of said First Presidency or any of its members, or of said Twelve Apostles, or any of them, since said manifesto of 1890, or at any other time, or at all, except as admitted and alleged in this answer; or that the same, or any part thereof, is evidenced by either their or any of their teachings, either since then, or at any time, or at all, except as admited and alleged in this answer This respondent alleges that never at any time did he either teach, practise advise or encourage polygamy or polygamous cohabitation. This respondent admits that part of the quotations from said alleged article of Brigham H. Roberts, which is quoted in said pro-test, is correct, but alleges that the same is garbled and incomplete, and given in an arrangement contrary to the original; and if it is considered material, or if this respondent is deemed responsible denies, for such article, the which he

same in full will be tendered in evi-This respondent admits that the quotation is correct from the case of Church of Jesus Christ of Latter-day Saints vs. United States, 136 U. S., 1. The respondent deniese that said alleged body of officials, or any of them, or that this respondent is one of said alleged body, either practises or connives at or encourages the alleged prac tise, either of polygamy or polygamous cohabitation; or that said alleged body of officials, or any of them, permitted or permits anyone to hold legislative office, or in any manner meddles or interferes therewith, or that said alleged body of officials, or any of them, either with or without protest or objection from them or any of them, or otheror at all, sought to pass a law nullifying said enactments or any actment against polygamous cohabitalon. This respondent denies that he in any manner whatsoever, at any time or place, ever had anything to do directly or indirectly with any of such alleged matters.

This respondent admits that said Abel John Evans was president of the Senate of Utah at the legislative session of 1901, and that a large majority of such Legislature was "Mormons;" and this respondent alleges that some of the members of said Church voted againt the passage of said bill. This respon-dent admits that said bill passed said Legislature, and that the same was yetoed by the governor, and alleges that such veto was sustained by the Legisluture. This respondent denies each and every

other allegation and statement con-tained in said IV, except as admitted and alleged in this answer, VI.

Comes now the respondent and answering VI of said protest, denies that the supreme authorities in said Church, or any of them, or that this respondent is one of such supreme authorities, or that the First Presidency and Twelve Apostles constitute such supreme authorities, or that said First Presidency or any of it members, or said Twelve Apostles, or any of them, either connive at alleged violations or any alleged violation of any laws, either against polygamy or polygamous cohabitation, or protect or honor the said alleged violat. ors, or any of them, of any law either against polygamy or polygamous cohabitation

Respondent admits that he is and has

given on the statement of the authorities of said Church that its members and adherents generally abstain-ed from plural marriage and polygamous cohabitation, and were living in obedience to the laws, and that it no longer encouraged or gave countenance in any manner to practis. es in violation of law or contrary to good morals or public policy; also that said joint resolution is correctly quoted as set forth in said protest; also that at the hearing before Judge C. F. Loof-bourow, at the time alleged, a number of prominent Church leaders testified, towit, the persons mentioned, and the parties thereto were represented by counsel as alleged; and this respondent admits that they gave the testimony quoted in said protest, subject, how-ever, to the right on the part of this respondent to put in other evidence said witnesses on such subject, and also correct the testimony as set forth in said protest, if it be found on exam-

nation and comparison that the same is not substantially correct; also ad-mits that Joseph L. Rawlins delivered the speech as contained in said protest: also that the quotation from the enab. ing act as set forth in said protest is correct; also, that John Henry Smith was President of said Constitutional Convention, and Moses Thatcher was a member thereof, and that the parts quoted from said Constitution, as appears in said protest, are correct.

The respondent admits that the said Church intended that all pledges and representations that it has given or made should be carried out by its members. Respondent also admits that, in substance the Hon. Jeremiah M. Wilson made the remarks attributed to him as contained in said protest. The re-spondent also admfts the quotation from the State Constitution of Utah as contained in said protest; also, at the time said State Constitution was framed there had been, ever since 1892, law of Utah providing penalties for the offense of bigamy, unlawful cohabitation, adultery and fornication; and that in 1897 a revision of the laws of Utah was made, and the said law of 1892 was re-enacted without change, and now appears in the Revised Statutes of Utah as sections 4205 and 4309. This respondent admits that some of said protestants are not moved by malice or personal ill-will toward this respondent nor toward the people he represents, but denies all of such allegations as to several of the said protestants. This respondent denies. several of said protestants, that they do not wage war against the religious belief as such of this respondent, but admits such allegations as to some said protestants. This respondent denies, as to several of said protestants, that they do not deny to this respondent the same freedom of thought, the same freedom of action within the law, which they claim for themselve, but

of said protestants. This respondent admits that said protestants accuse him of no offense cognizable by law, but denies that said protestants do not seek to put him in jeopardy of his liberty or property. This respondent denies that said pro-testants ask that this respondent be deprived of no natural right, nor of any right which under the Constitution or laws of the land he is fitted to exercise; and also denies that said protestants either with watchful jeolousy or otherwise claim for this respondent, whether as private citizen or as church official, all or any of the rights, privileges of immunities safeguarded by the Constitution. This respondent admits that protestants deny him the s, either natural or political, rights. to the high station of senator of the United States, but this respondent dees that from such station or any other place, or at all, war would be waged upon the home, and respondent admits that the home is the basic inbeen for some time last past a director (trustee) of Brigham Yung academy of Provo, but alleges that as such director stitution upon whose purity and perhe is not familiar with the details of

the United States, and that the un-expended part of said property so es-cheated was given back to said Church; and that such resolution was and of the loyalty that a senator station of senator, and of its duties, and of the loyalty that a senator should have, as the most patriotic should have, as the most patriotic could desire; and that the home is just as sacred to him as to any of said protestants or to the most loyal citi-

This respondent admits that the enjoyment of the privileges of statehood must depend upon the observance of the sacred compact upon which statehood was secured; also admits that the rights thereby granted are not inalienable, but denies that he is, or was, or ever or at all must be, or ever will be unfitted to make any law; and respondent denies that he shows him-self unalterably, or at all, opposed to "that" or to any of "that" which un-

derlies all law. This respondent denies that the obliobligation of any official oath which he may have subscribed or taken are or is, or of necessity or otherwise must be as thread of tow compared with the covenants or covenant which it is alleged bind his intelect, his will or his affections, or which old him forever, or at all, in accord with or subject to the will of an alleged defiant or an alleged law-break-ing apostolate. This respondent denies hat any of his protestations of patriotsm or loyalty are other than the most sincere and earnest, or that any obligation of an official oath, or otherwise, that he has taken or may take, is not of the very strongest, and bind most willingly his intellect, his will and his affections;

and respondent alleges that he holds his patriotism and loyalty the United States, at all times and places, of the very highest and strongest. This respondent denies that said protestants make said protest on behalf of any of the members of said Respondent further denies church that said state, or any of the people of said state, would be put to open or any shame by the retention of this respondent of the high office of United States senator; and respondent denies that the said Twelve Apostles, or any of them as such, seek to be permitted, or desire to succeed in having this respondent retain his seat in the United States senate: or that, if this respondent should retain such seat, it would be either a supreme or any test of the forbearance of the American people. and This respondent denies each every other allegation and statement

contained in said VI of said protest. except as admitted and alleged in this answer. This respondent, now answering the

alleged protest made by John L. lich, and which is not incorporated in the protest of W. M. Paden and others, idmits, as stated in said "First," that there is an organization known as the Church of Jesus hrist of Latter-day Saints, which has its headquarters Utah; and admits that, as stated in the "Second," certain of the represenadmits such allegations as to several tations, promises and obligations of the First Fresidency have been confirmed and ratified in semi-annual conference of sold Church. approving and thereby making complete and binding certain acts of the said First Presidency relative to the suspension of polygamy and polyga-mous cohabitation as appears in the manifesto issued by President Wilford Woodruff

> This respondent, answering the "ninth" of said Leillch protest, denies that any oath of office is required of or taken by this respondent as an Apostle of said Church, and denies that either as a member of or as an Apostle of said Church there is either regulared of effhe or taken by said respondent any obli-gation or covenant, of whatsoever kind or nature or character, or that he is thereby or otherwise, or at all, disqual-fied from conscientiously taking the oath of office required of a United States

out mental reservation taking the oath next Republican United of office required of a United States senator from the State enator, or from discharging his full that the members of the Legis-luty and obligation to the United lature were cominated and elected on States, as required by the very highest standard of patriotism and loyalty. This respondent, answering the "tenth" of said Leilich protest, admits ie remarks were made in part as quotd by the Hon. Jeremiah M. Wilson. This respondent, answering the "thir-

eenth" of said Leilich protest, denles that he is a polygamist, or that he has ever been a polygamist, or that he is living or ever has lived in polygamous cohabitation or that since the admission of Utah into the Union of States, or at any time, or at all, either then or there having a legal wife, or otherwise, or at all, married a plural wife, either in the State of Utah or any other place, or at all, either in violation of any of the laws or compacts hereinbefore describ. ed, or otherwise, or at all; or that since or at any time, or at all, of such alleged plural or polygamous marriage, this respondent has either lived or cohabited with anyone whomsoever, except his legal wife, either in said State of Utah or elsewhere, or at all, either as occasion offered or otherwise, or at all, or that the only record of such alleged plural marriage is a secret or other record made or kept by the authorities of Church, or any of them, or that said al-leged secret or other record is in the exclusive or other custody or control of said First Presidency or any of them, or of the said quorum of Twelve Apostles, or any of them, or that this re-spondent is a member of said First Presidency, or that any such second exists or ever has existed or that there is any such record, secret or otherwise, of any polygamous marriage whatso ever, or that there have been any polygamous marriages since said manifesto

of 1890 was issued. This respondent, further answering said Leilich protest, hereby denies each and every other allegation and state-ment therein contained which is not hereby specificially denied, except as may be admitted or alleged in this an-

Further answering, this respondent

In 1890, the returns of subordinate offleers of said Church showed that in the United States there were 2,451 poly-gamists. In 1899, in like manner, it was found that there were 1,543 polygamsts. In 1992, in like manner, it was found

there were \$97 polygamists. In February of 1903, in like manner, it was found there were 647 polygamists; and this respondent alleges that according to his best judgment, founded on the facts aforesaid, there are not over 500 polygamists living at the present time that all of said persons, as hereinbefor stated, have been advised by the First Presidency of said Church, as appears by the said manifesto of President Wilford Woodruff of 1890, and of the said testimony given by the said Preside Wilford Woodruff and others in inte prating said manifesto, to keep all th laws of the land; and many have ke such laws and sald manifesto. whil some have falled to keep such laws, jus as some of the members of said Church keep other laws thereof, while its members do not keep all of such IAWS.

This respondent states and alleges that he has never advised any person, either directly or indirectly, either to go into polygamy, or to continue the practise of polygamous cohabitation.

This' respondent states and alleges that in May, 1962, he announced that he would be a Republican candidate for United States senator from the state of Utah, at the Legislature to be next

elected, and in making such declara-

this respondent as the ablican United States of Utah; this issue, and your respondent was the choice, by a large majority, of such Legislature, and the Republican United States senator from the State of Utah, and most of the Gentlie Republican legislators voted for this respondent for such office. At the same time, all of the Democratic "Mormon" legislators posed his nomination to such office. and voted for another candidate,

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That of the present elective and apintive state officers for the state Utah there are eight "Mormons" hose yearly salaries amount to \$15,700. ad there are nine non-"Mormons whose vently sataries amount to 326,400; id that of the electiv ity officers for Salt Lake City, Utah, r the years 1902-3, excluding members the elty council, six were "Morons" drawing salaries amounting in he aggregate is the sum of \$9,460, and 9 non-"Mormons" whose yearly sul-ries aggregate a sum exceeding \$25,900; there were 15 members of the city coun-cil of Salt Lake City, Utah, and during 1802-3, 10 were "Mormons," and five were non-"Mormons," and cach reived a salary of \$420 per annum.

This respondent in conclusion alleges that he comes to the high office of United States senator as a Republican, and was nominated as such by the Legslature of the State of Utah issues clearly made up and on perfectly understood by all; that he stands here now with the highat and keenest regard for the patriotism and loyalty expected and demandd from every United States senator.

Wherefore it is prayed that the protests filed herein may be given such hearing as may be proper; but this respondent protests against evidence being introduced on all or any of those lastes which are bredevant, immaterial and impertment to the question of the quifictions of this respondent, and his right to retain his seat as a United States senator from the State of Utah Respondent further prays that said protests may be adjudged of no effect.

REED SMOOT. United States of America, District of Columbia, ss.

Reed Smoot, being first duly sworn, deposes and says that the foregoing protest and answer are true of his vn knowledge, except as to the matters therein stated or dehied on information and belief, and as to those matters he believes it to be true. REED SMOOT,

Subscribed and sworn to before me this 4th day of January, A. D., 1904. R. B. NIXON, Notary Public,

8. WORTHINGTON WALDEMAR VAN COTT,

W. E. BORAH. Counsel for Respondent.

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Three new maps, just issued, Utah and "aho on one side, the World on the reverse side, including population tion, this respondent made the same on of countries and towns according to

## SENATOR SMOOT'S ANSWER.

The full text of Senator Smoot's an-wer was received by the Deseret Naws today. It reads as follows.

In the senate of the United States. In the matter of Reed Smoot, Senator from the State of Utah. Answer of the nt. Reed Smoot, to the protest of W. M. Paden and seventeen others, dated at Salt Lake City, Jan. 26, 1903, and the Protest of John L. Leilich, dated Feb. 25, 1903.

This respondent is advised and avere that but two of the charges made against him in said protests, either dior by implication, are such as, could legally affect his right to hold his seat in the senate. These two

That the respondent is a polyg-

That he is bound by some oath or which is inconsistent with required by the Constitution, oath was administered to him before his seat as a senator. Both these charges the respondent de-

the charge that he is a polyg-he respondent says that he was on the 17th day of September, Alpha May Eldredge. She is wife, and is the mother of children. He has never had er wife, and has never cohab-h any other woman

any other woman. The charge that the respondent by some cath or obligation whis duty under his cath as the respondent says that he taken any such cath, or in taken any such cath, or in assumed any such obligation. himself bound to obey and upe Constitution and laws of the States, including the condition rence to polygamy upon which to of Utah was admitted into

eliminate, separately, from ests, each and every matter therein contained, except the ges above mentioned.

he respondent is advised and t the other matters referred rotests are such as cannot properly be considered as he right of the respondent to seat in the senate, neverthespendent now proceeds to an-ame, submitting the question vancy of the same, not waivid motion, but insisting there-

ondent denies that he is one leged self-perpetuating body men, or that there is any such n; or that the followers or the Church of Jesus Christ day Saints, or any of them, right to said alleged body supreme authority, either di-inctioned or otherwise, to belief or control the conduct under them in all or any mator temporal, or that said r such alleged body claims or any such alleged rights; or Church, or said alleged body or either of them, unite either ody or in all of them, the au-of church and state, or of the or that said Church, or eged body, or any person or ercises any authority or power o or at all as to inculcate or ge a belief in the practise of my or belief in or practise of ous cohabitation, or that either inces or connives at any vielsthe laws of the State of Utah bledges, or pledge, or otherwise pledges, or pledge, or otherwise pledges, or otherwise, or at all, any covenants, or covenant, or se, either made with the people United States or any other per-body; or that said Church, or Tson or body by all or any

any person or body, by all or any means whatsoever, either protects or honors persons, or any person, who is or may be guilty of said alleged prac-tises, or any practise, either destructive of the family or the home or otherwise; or that said alleged body, or any of

namely King James' Version, the Book of Mormon, the Pearl of Great Price, and the Doctrine and Covenants, to-

gether with a Manifesto of President Wilford Woodruff, dated 1890; and so far as quotations are made from any of the above and correctly quoted, this respondent does not deny but admits the same, but he denies the construc-tion placed upon the same by protest-ants; and all other quotations from any other source in whatever protests contained are denied, so far as the

same are either alleged or claimed to be authority, as such quotations con-tain only the opinions of men. This respondent denies that said Twelve Apostles are equal in authority conapostles are equal in authority con-currently with the said First Presi-dency, but admits that said Twelve Apostles are equal in authority suc-cessively, that is, on the dissolution, for any reason, of said First Presidency; and said Church is not fully or-ganized except when said First Presi-

dency is organized, and since respon-dent is been one of such Apostles, the First Presidency has only been dis-solved once, and that for only about 14 days This respondent admits that said

Church made a rule in regard to its leading officials taking part in politics, but denies that such rule is fully or correctly set forth is said protest. This respondent admits that Moses Thatcher was deposed from the Twelve Aposties and defeated in his contest for senatorship in the Legislature; but respondent denies that said Moses Thatcher was deposed, either solely or mainly, on ac-count of his alleged opposition to said rule. This respondent admits that remarks were made by George Q. Cannen, Wilford Woodruff ( Lorenzo Snow, John Henry Smith, Brigham Young, and Jo-seph Smith, on the subject of such de-position, but denies that such remarks are correctly quoted in said protest. This respondent denies each and every other allegation and statement under said II, except as admitted and alleged in this answer.

III. Comes now the respondent and answering III of said protest, denies that said alleged body of men, or any of them, ever assumed either the princi-ples or principle, or practise, of politi-cal dictation, and on that ground de-nies that said alleged body of men, or any of them, has not abandoned either the principles or principle, or the prac-tise of political dictation; and said respondent denies that said alleged body

of men, or any of them, has not aban-doned believe in the practise of polygamy and bellef in and practise of po-lygamous cohabitation. This respondent alleges that since the manifesto of President Wilford Wood-ruff of 1890 the practize of polygamous cohabitation by those who were po-lygamists theretofore has been aban-doned by many, but continued by some for a time, and where continued, it is on the sole responsibility of such per-sons, and subject to the penalties of the law. Said manifesto has not been added to the Doctrine and Covenants

in the same sense that the same has been published within the outer covers of such book, but the same has been published, distributed and disseminat-ed among the members of the said the members of the said The Doetrine and Covenants, Church. Church. The Doctrine and Covenants, except where an appendix appears, contains only the revelations to or through Joseph Smith, and the said manifesto has not yet been added as an appendix to such book. The mem-bers of said Church are required to obey the laws of the land, as set forth in motion 5% verse 21, page 219, of the in section 58, verse 21, page 219, of the Doctrine and Covenants, to wit:

"Let no man break the laws of the land, for the that keepeth the laws of God hath no need to break the laws of the land.

The quotation from "The Epistle From the First Presidency to the Officers and Members of the Church," Is substantially correct so far as the same goes, but only a part of such document is quoted. This respondent denies each and

every other allegation and statement contained in said HI, except as ad-mitted and alleged in this answer. IV. 3

This respondent, answering IV of

senator contrary, this respon dent alleges that neither as a member of nor as an Apostle of said Church stitution upon whose purity and per- or otherwise is he required to take nor petuity rests the very government it- has he taken, any oath or covenant, or

his own judgment. That the Democrat. the 1900 census, with a brief sketch of every country in the world. Size 27x 31% inches, value 75 cents; sent to any ic papers in said state of Utah, in opposing the candidacy of this respondaddress for 25c. Address Deseret News Book Store, Salt Lake City, Utah. ent stated over and over again in prominent headlines, and in strong editorials,



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