

BRIGHT FUTURE IN STORE FOR UTAH

Eyes of the Railroad World Focussed on This State.

ROADS HEADING THIS WAY.

traffic

Sania Se, Southern Pacific, Burling-10", D. & R. G. and San Fedro, Los Angeles & Salt Lake.

The eyes of the railroad world are turned at the present time upon Utah and assertions are being made daily that every line that has a trackage within 500 miles of this State will push on to Salt Lake to participate in the scramble which will in full swing when the San Pedro, Los Angeles & Salt Lake comes steaming to town. The News' some six weeks ago asserted that the Denver & Rio Grande was contemplating an extension from the Colorado border line into Utah with the coal fields and conection with the new Los Angeles road as the object In this connection an Associ in view. ated Press dispatch says that the Chi cago Tribune will say today that John W. Gates had become interested in the Denver & Rio Grande railway and will assist that road in building an ex-tension from Grand Junction, Colorado to tap the coal fields of Emery and Sanpete countles, Utah. The line will samples counties, otan. The line will extend from the present western ter-minus of the Denver & Rio Grande, near Green River, Utab, thence south to conect with the San Pedro, Los An-geles & Sait Lake road, which Senator Clark, of Montana, Mr. Kerens, of St Louis, and other capitalists contemplate building. The latter gentlemen are also said to be interested in the new road. The road, when completed, establish a short line from Denver to Los Angeles.

Then comes the story to the effect that the Southern Pacific and Santa will enter the field and endeavor to ad off the project of Senator Clark ad his associates. The publication of the dispatch to that effect in the "News" last night from Los Angeles has had the effect today of making the reported move of those companies the erineipal topic of conversation in local allroad circles.

It was well known that Collis P. Huntington contemplated building to Sait Lake, in fact he so stated that it was his design to commence construc-tion without delay. But death stepped in and for a time it appeared as though the project had been dropped. There were those, however, who stated that the Salt Lake & Santa Monica road the articles of incorporation of which were to have been filed in this city last June, was but a club to hold over the head of the Union Pacific and to keep that corporation from ostensibly backing the project of the extension of the Utah & Pacific until an outlet was accomplished through the south-ern read to Los Angeles. The Union Pacific apparently concluded that thinks were pretty good as they were up at Ogden and decided not to dally with any southern extensions. Now that there is no longer any doubt that the San Pedro, Los Angeles & Salt Lake means business, the old story has been revived. The new road, however, will not take a bluff and there is nothing left but a race between the two lines as to whom will get to town first. The story that the Southern Pacific or the Santa Fe, or both, will parallel the proposed line of the San Pedro, Los Angeles & Salt Lake railroad before that road can complete construction does not worry the stockholders and promoters. This move was anticipated and fully canvassed at the time of the meeting at the Knutsford when the promoters came together and discussed The road will be built and the road. traffic conections be made with possi-bly the Denver & Rio Grande and the Burlington in this State with the re-sult that the San Pedro. Los Angeles & Salt Lake will form a link in the shortest trans-continental line as yes Los Angeles will be built attempted. up and spring to the front, while San Pedro will develop into one of the largest ports on the Pacific coast. With e cutting through of the Isthmus of Panama it will forge forward by leaps and bounds until the Southern Cali-fornia port will be the headquarters for some of the biggest lines of ocean steamships that ply to and from the Orient, the Antipodes and the South American republics.



the Court Should Not Becount the Votes.

Following is the decision of Judge H. H. Rolapp, which was promulgated at Farmington, Davis county, today. The effect of the decision was given in the

"News" on Thursday evening: At the election in November, 1900, the contestant, E. P. Ellison, and the con-testee, J. G. M. Barnes, were both can-didates for the office of State senator Science and approximated district. for the Second senatorial district, in this State. The contestee has, or is about to receive, a certificate of election

from the State canvassing board, and the contestant claims that if certain fraudulent and erroneous votes, which the judges of election permitted to be cast and counted for contestee, were omitted from the returns, the face of them would show contestant entitled to such certificate; and he therefore brings this action under the provisions of chapter 9 of the "Election Law," stating as his cause of action specifi-

ally all the grounds in such chapter enumerated. Contestee demurrs to the enumerated. Contestee demurrs to the petition on the ground that this count has no jurisdiction over the subject matter in this controversy, or the person of defendant, and that the petition fails to state a cause of action; because, as he claims, under the provisions of the Constitution of this State, the right to be the judge of the election of a member of the State senate, belongs exclusively to that body; and that in asmuch as no complaint is being made of the fairness of the returns themof the fairless of the feature events selves, this court cannot go behind such returns, and determine whether or not illegal votes have been cast or accepted by the judges of election. The con-testant, while not denying that the



in the case of Dalton, etc., vs Richard-son, 43 Ohio St., 680, where it says: "No court of the State has, nor is it possible under our present Constitu-tion to clothe any court of the State with power to decide upon the validity of the returns of the election of any candidate of either house on the decide and the returns of the election of they candidate of either house, or to decide him elected or defeated." For these reasons I think that the demurrer to the petition should be and the same is hereby sustained.

FOR THE HEALTH BOARD.

when in truth the quarantine, the only

whom were vaccinated and revacely

Let us have a doctor to inspect our

liable to be the messenger as that

the unvaccinated, and let health be the

standard of restriction, not an empty

CATTLEMEN AND INDIANS.

Colorado Ranchman Says Cattlemen

Have No Complaint Against Indians,

One of Routt county's leading and

well known cattlemen, Mr. Isaac Bair,

was in Denver Saturday on his way to

the alleged trouble between the cattle-men of the western slope and the In-

weeks, but when I left there were no

complaints of Indians. I drove over

got up the cry just to get a little more money. They saw and heard, of In-

dians where there were no Indians and

when they got out there they found none. If I were Johnson and those

men who went out there and made such fools of themselves I would be

ashamed to come back. I would want to crawl into a hole and pull the hole in

after me. Every year it's the same thing and the deputies put up a cry

just for political effect. There were no

Indians there to my knowledge when that crowd went out after them.

"There has been no complaint among the cattlemen. We would rather see

the Indians in there than the whites

The whites do more damage and we

stand the loss and say nothing about

it. They come in there with wagons and kill their game and scatter our

see an Indian let a cripple go. They go after it and get it. Then they don't

vantage in the open season when they are supposed to be able to hunt. The

game is up in the mountains and sin they and the cattlemen had trouble

they don't go up in the mountains afte the deer. They must wait until the cold

weather drives the game down when

year ago when Wilcox and his men fired into the Indian camp near Meeker

and killed a squaw and two Indians It was cold-blooded and uncalled for

"It was a great wrong to humanity a

attle. If they cripple a deer they et it go, if it's hard to get. You never

the damage that others do.

"I haven't been at my ranch for two

Jim Rector, the county commis-

from Rangely, and he had no laint to make about the Indians.

n't think they were in there then

These wardens and deputies

dians Mr. Bair said:

all

cattle.

they lay for it.

California. In an interview regarding

SUBSCRIBER.

riding, etc.

form.

Smallpox Inquiries Such as Interest Many People.

December 5th and stealling two over-coats belonging to Robert Glendinning and Benner X. Smith. Waiker insist-ed on waiving his hearing, but Assist-ant County Attorney Gunter objected, and the measurement of the The and the case was proceeded with. and the case was proceeded with. The overcoals in question were in evidence and were identified by the owners thereof. Mr. Smith valued his coat at \$80, but Mr. Glendinning said his coat was worth only \$75.

Louis Simon, a saloon keeper, testi-fied that on the morning of the ninth. the defendant Walker entered his place and pawned one of the coats for \$5. Detective Sheets testfied that Walker admitted to him that he stole the coats. The defendant attempted no defense, and the court could do nothing but held bin to answer to the charge as hold him to answer to the charge contained in the complaint. In default of \$2,000 bonds Walker was turned over to the custody of the sheriff.

Many persons have had the experi-ence of Mr. Peter Sherman, of North Stratford, N. H., who says, "For years I suffered forture from Chronic indigestion, but Kolol Dyspepsia Cure made well man of me." It digests what yo cat and is a certain cure for dyspepsi and every form of stomach trouble. 1 gives relief at once even in the worst cases, and can't help but do you good. F. C. Schramm

For a Cold in the Head Laxative Bromo-Quinine Tablets,

TYPE OF NEW YORK CEN-TRAL LOCOMOTIVE.

The handsome eight-wheel locomotive hereby illustrated is the latest express engine designed by Mr. A. M. Waitt, superintendent of motive power, for pulling the fast express trains over the New York Central Railroad. This en-gine was built in the company's shops t Depew, and was to some extent ex-perimental as it was expected that the ests of service might suggest the making of changes. A large order for en-gines of this class has now been placed with Schenectady Locomotive works and very few changes ware considered necessary. These engines will be known as Class 1-3.

The principal aim of the designer was to make an engine that could be depended upon to steam freely under all adverse conditions of weather and load. Like most of the other express engines belonging to this company, the cylin-ders are 19x24 inches and the driving wheels 77 inches diameter, but the steam generating capacity has been materially increased, the heating surface being 2,404 square feet, of which 180 square feet are in the firebox. The grate area is 30.7 square feet. The working steam pressure is 200 pounds per square Inch. There are 94,400 pounds resting upon the driving wheels and 52,000 pounds upon the truck. The tractive power is 12,000 and the ratio of traction to adhesion nearly 8, a most unusual figure, but it indicates that there will not be much difficulty with that engine slipping. The boller is 65 inches diameter at

the smallest ring and has 364 two-inch tubes. The rigid wheel base is 162 inches; total wheel base of engine, 23 feet § inches. The tender is carried by pressed steel truck, and is equipped with apparatus for lifting the water when train is in motion,—From Loco-motive Engineering. motive Engineering.



van Houten's Easy to Make-Easy to Digest and of Exquisite Flavor. Strengthening, Refreshing and most Economical in use. Sold at all grocery stores—order it next time, ੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶੶

IT'S TIME TO About Winter Underwear. The ap-

proaching cold weather will necessitate something warm to wear. Don't wait till you catch cold, but seek a preventative. You'll find warm underclothing the surest safeguard.

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There's a department overflowing with the season's newest productions

in fleece Lined Wool Ribbed, Merino and all classes of heavy weight woolens.

FOR

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A SUIT.

\$3.50

A SUIT.

There's a heavy Rundown Camel's Hair. Shirts made with double breast and double back, and fleece lined, in mixed color. Other styles at this price, all good values.

There are many styles of ribbed goods, the Switz Conde make, also a silk finish, fleece lined, that are the same as you pay \$4.50 a suit for elsewhere.

Heavy Ribbed Woolens in four different colors, extra heavy weight and heavy wool fleece lined. Some of the best values.

And plenty of more expensive kinds, some as high as \$12.00 a suit, if you want them, and dozens of styles at \$4.00, \$6.00 and \$8.00 per suit, and lots of Boys' Under-wear from 75c to \$3.50 a suit.

NEW LINE TO UTAH.

Laramie & Rocky Mountain Railroad Company to Build at Once.

Cheyenne, Wyo., Dec. 13 .- Another project which means much to the peo-ple of eastern Utah, northern Colorado and southern Wyoming has just been aunched. The Laramie & Rocky Mountain Railroad company, which has been engaged in surveying for a road from Laramie southwesterly a distance of ninety-five miles, through the North Park of Colorado and on to Utah, has ompleted this part of its work and it is announced will begin construction early in the spring. The road will be narrow guage, and a triumph in railroad engineering. It will tap the rich gold mining section of Gold Hill in southern Carbon county, Wyo., immense bodies of coal lands in the North Park country, and the rich agricultural and stock raising sections of Utah. The coal secured by the company is of an excellent coking quality, and coking ovens will be established at a point 30 miles from Laramie

BOTH AFTER WABASH.

Powerful Interests Are Also Buying Into Erie-Penn'a and Vanderbilt. New York, Dec. 14.-The Times prints the following: According to all the reports in Wall Street, Important developments are pending in the affairs of the Wabash as well as the Eric railroad, though their exact nature has not yet been disclosed. What is currently reported, however, and what in well-in-formed quarters of Wall Street is reas reasonable, is that new powerful interests are buying into both systems with a view, if not to change of control, at least to closer working relations with other companies. Ac-cording to the reports Pennsylvania rallroad interests on the one hand, and anderbilt interests on the other, have bought each 100,000 shares of Erie stock within the past ten days. . While this would by no means give control, it is said that with former holdings it would give the new interests a large voice in the affairs of the Eric company, and would assure harmonious working rela-tions among the Morgan-Vanderbilt-

Pennsylvania interests. In respect to Wabash, it is declared that the present buying of the stock is by the Vanderbilts, who are anxious to obtain control of the property, or, failin its affairs. For some time Wali street has heard of some such purpose on the part of the Vanderbilt interests, street, as the print of the Vanderbilt interests, street has heard of some such purpose on the part of the Vanderbilt interests, street, as the print of the Vanderbilt interests, street has heard of some such purpose on the part of the Vanderbilt interests, street, as the print of the Vanderbilt interests, street has heard of some such purpose of the part of the Vanderbilt interests, street, s

State senators exclusively have the right to finally determine who is en-Special Correspondence itled to a seat in their midst, yet maintains that this court has jurisdiction to determine and declare what person has been elected to the office of State senator, and who is entitled to a cer-

tificate of election. Sec. 10, article 6 of the Constitution of Utah, relating to the legislative de-partment, provides, "Each House shall pils who have gone through the form. be the judge of the election and qualifi ation of its members." The chapter in election contests in the "Election cation of its members." side there have been quite a number of persons with smallpox, many of provides; Sec. 914, R. S. that Law The election of any person to any of-fice * * may be contested fice when illegal votes have been rereceived, or legal votes have been re jected at the polls sufficient to change the result." That chapter further provides, Sec. 923, "After hearing the roofs and allegations of the parties the court must pronounce judgment in the premises either affirming or annulling and setting aside such election. Sec. 925, "If in any such case it appears that a person other than the one reurned has the highest number of legal votes, the court must declare such per-son elected." Sec. 528, "Whenever an Sec. 528, "Whenever an lection is annulled or set aside by the judgment of the court the commission, if any has been issued, is void and the office vacant." The ontestee insists that although this the only safeguard we have is disrestatute mentions in general terms that garded. the election of any person to any pub-lic office may be contested, yet this language does not include the of-fices or members of either branch of children and prohibit all those likely to spread disease from our schools, but let it not be forgotten that the cloth-ing of the vaccinated child is just as

the Legislature. There is no doubt whatever, that after a person has once been seated in the State Legislature, court has no jurisdiction to oust him from such office, and hence the writ of quo warranto will not lie. The con-testant, however, calls the court's attention to the fact, that the right to mandamus has been resorted to in other jurisdictions for the purpose of invoking the power of the court in se-curing a certificate of election to the party rightfully entitled thereto; but upon an examination of the authorities cited it appears that such power has been exercised by the court, not for the purpose of going behind the returns and declaring the election of any particular person; but for the sole purpose of compelling some canvassing clerk or board to accept the mathematical results as shown by the untampered re-turns made by the judges of election: and give a certificate of election to the person who upon the face of such reurns has received the highest number if votes, irrespective of such clerk's or board's notion as to whether or not such returns or abstract is composed of legal or llegal votes received at the polls. But the contestant further in-sists that under the provisions of the

atute an adequate and specific remehas been given in this State to reach he result he seeks to obtain in this ase. If his position is tenable, it would compel this court to inspect not nly the returns (of which the cononly the returns (of which the col-testant does not seem to complain), but also the individual ballots; hear and determine oral evidence, and finally "pronounce judgment in the premises ither confirming or annulling and set-ing aside such election," so far as the fflice of State senator of the Second senatorial district is concerned: or if it should appear that a person other than the one returned had the highest number of legal votes the court would be compelled to declare such person elect-

I do not think that such power exists in this court. Under the statutes quoted and under the proceedings in this case, no judgment would be war-ranted which simply held that one or the other of the contending parties was or is entitled to a certificate of election. or is entitled to a certainty case exclu-That power exists in this case exclu-sively with the State board of cancassers, acting as ministerial officers, . S., sec. \$78, 880) who should give to (1. S., sec. s.s. sec) who should give to the party, who upon the face of the intampered returns before them ap-pears to have the highest number of votes, a certificate of such fact, which evidence may or may not be received as final by the State senate, as the facts behind such returns may in their mining determine. This where

ticliating and possibly belligerent pow-er. That which we cannot do as to Europe the Hay-Paymeefote treaty inlies the European powers to do as to Salt Lake City, Dec. 11 .- It is strange the western hemisphere. introducin how anxiously the medical fraternity them as parties in control under cer-tain contingencies and all in violation of the Monroe doctrine." rush into print with "Seventeen new cases of smallpox, none of whom were accinated," and how they howl in fa-ENGLISH PRESS COMMENTS. or of closing the schools to all but pu-

London, Dec. 14 .- The adoption by the United States Senate of the Davis amendment to the Hay-Pauncefore true protection, is grossly disregarded. In the neighborhood in which I retreaty yesterday is ovidently regarded as far too weighty a matter for hurried omment by the London morning journuls. According to the Times, and some of

ed last winter; and yet, for effect, they According to the times, and some of the other papers, they will postpone un-til tomorrow their editorial treatment of the question in its present phase. The Daffy Chronicle, however, publishes a short notice in which it says: "The news is very serious indeed. It means in a word, that the inforces and were reported not vaccinated. Again, one family residing in the southern part of town, all of whom vere vaccinated, took the smallpox. Their neighbors insisted on their being quarantined, and accordingly a was placed on their house. But this was as far as it went; for people came means, in a word, that the jingoes and anglophobes of the United States Sente have triumphed and that we are back again today where we were at and went, and daily you could see them talking to the neighbors' children, out the time of the Venezuelan imbroglio and President Cleveland's insolent and Yet, in spite of the protests of neighbors, no action was taken by the health board. Possibly that considered it impossible for them to provocative sphere. The feeling mani-fested during the Spanish-American war has been shaken by pro-Boer symspread the disease because they were pathizers; it is now swamped by self Thinking people are becoming tired of so much cry of vaccination when iterest

"The Americans intend to fortify the canal in spite of the treaty engage-ment to the contrary. We cannot pos-sibly stand by and allow the Claytonsibly stand by and allow the Clayton-Bulwer treaty to be thus imperiously set aside. The good relations between the two countries must of necessity be gravely menaced. This is the outcome of Mr. McKinley's re-election. Worse could have hardly happened if Mr. Bryan had been elected." The Daily Graphic remarks: "We have no doubt as to the result. Anglo-American statesmanship will

Anglo-American statesmanship will find an amicable solution of the diffi culty created by American Jingoes. We tail to see, however, how the Clayton-Bulwer treaty can be got rid of without the Mosquito territory reverting to Great Britain. The Standard observes:

"It is more of a rebuff for President McKialey's executive than for Great Britain. England cannot possibly ac-cept the Hay-Pauncefote treaty thus amended, and it would be insulting to the nearly and any any any any for the Unit. the people and government of the Unit ed States to assume that they would either denounce the Clayton-Bulwer treaty without offering an equitable equivalent or contemplate the gross il-legality of disregarding it."

"There will be time enough to con-sider the abrogation of the treaty when Washington formaly tenders a sugges-t.on, which would certainly be approached by Great Britain with every degire to assist the United States in carry out a project highly beneficial to American commerce, but it cannot be supposed that we would abandon our ireaty rights without solid consideration in return

The Morning Post, after contending that England in negotiating the Clay ton-Bulwer treaty was acting virtual-ly as the representative of all the maritime powers of the world, says: "Should the United States denounce the treaty there is no means known to international law of upholding it. The only known method of inducing a state to accept an obligation of which it is tired, is the method of compulsion. That method is out of the question and would hardly be proposed, but it will be open to Great Britain alone, or in conjunction with other maritime states to consider whether another canal, not under the control of the United States may be worth the making. In the matter British interests are identical with the interests of all the maritime powers



Must Answer to the Charge of Burglary,

Vesterday afternoon before Judge Tim-on the charge o sublary. Walker is accused of entering the cloak room of the Alta club on the night of



