

HARRIMAN AND HILL IN BITTER FIGHT

Right of Northern Pacific to Close
Portland Gateway to be
Investigated.

THAT FREE RIDE TO SEATTLE

Interstate Commerce Commission
Called On to Do Some Real Work
In Connection With Business.

Chicago, Feb. 6.—The Record-Herald today prints the following news article:

One of the bitterest fights between the Harriman and Hill lines over passenger business in the Pacific northwest is to be settled by the interstate commerce commission. That body has given notice that on Feb. 17 it will begin an investigation of the right of the Northern Pacific to close the Portland gateway to through business over the Harriman roads. Incidentally the case will go far toward determining the right of the commission to order through routes and compel railroads to join in through tariffs and therefore the right of a traveler to buy a through ticket over any two or more lines which reach his destination.

THE PORTLAND SITUATION.

In the present case the Northern Pacific has always refused to join the Harriman lines in a through rate to Seattle by the way of Portland. After the passage of the Hepburn act the Harriman lines filed a through tariff under the theory that the general concurrence of the Northern Pacific in their tariffs covered the Portland situation. The commission ordered this tariff taken out upon the ruling that each tariff should be accompanied with a concurrence of the connecting line, which was lacking in this case.

Then the Harriman lines filed a tariff which made the same rate from Chicago to Seattle and incorporated a provision to the effect that any passenger could, by applying to the conductor on the Oregon Railroad & Navigation company's line, secure a free ride from Portland to Seattle.

This move was countered by the Burlington, who sent a representative to the commission to ask it would be allowed to file such a tariff from St. Louis to Portland with a free service side trip to Seattle. The commission thought not, but declined to issue a ruling. It being stated that it had decided to take up the question and go fully into it.

The law gives the commission the right to order through routes where good and satisfactory routes do not exist.

SPIKE AND RAIL.

Eugene Duval, assistant general western agent of the C. M. & St. P. road, with headquarters at Omaha, in the city, the agent of C. & N. Williams, local commercial agent of the same line.

P. S. Kinnersey, formerly chief clerk in the car record office of the Oregon Short Line, has been transferred to the office of the general superintendent. M. Davis, where he will replace A. W. Lee as clerk to Chief Clerk H. T. Plummer.

Exposition Traffic.—An additional train will be put on between Omaha and Portland, Or., next month, for the accommodation of the traffic toward the northwest during the summer, when the passenger business is expected to be greatly increased by reason of holding the Alaska-Yukon-Pacific exposition at Alaska.

Elks Excursion.—About 500 people will make the trip to Los Angeles with the Elks excursion, which leaves this city tonight. The train will be run in three sections, and the overflow will be run on the regular train. Everything has been arranged and all details of the trip attended to, and all that remains now is to step aboard the Salt Lake Route train tonight and enjoy the trip.

Rise for Rose.—Information comes from Chicago that Donald Rose, formerly commercial agent for the Illinois Central railroad in this city, and later foreign representative of the same line in London, has been transferred to the office of President Harriman at Chicago, to be the president's assistant. Mr. Rose's many friends in this city are pleased to learn of his rapid promotion.

Shops in Sacramento.—According to information received in this city from the Western Pacific ship's side committee of that city has placed on record the deeds of the site selected by the railroad company. The committee voted for the purchase of the site \$26,719.44, or about two-thirds of the cost, the balance of which is pledged. The deed accepted by the railroad provides that a failure at any time by the Western Pacific to operate its main shops at or contiguous to Sacramento City will work a forfeiture of the site to the city, and while the shops may be moved, it can only be to a site equally as large, close to the city and approved by the mayor of Sacramento.

The Arnold Fountain Safety Razor

In its case, it has the shape and size and exact appearance of a handsome, gold-mounted Fountain Pen.

With 13 Blades.

Only \$5.00

Hot Drinks at a Moment's Notice at our Fountain.



DRUG STORE

112-114 South Main Street.

THE DUTY OF LEGISLATURE TO BE REPRESENTATIVE

Editor Deseret News.—I am happy to think that I am able to dot down a few reflections, and possibly lend you some aid in the struggle in which you seem to be the advance guard in this state, now going on between the good citizenship of the nation and the curse of all nations. I have no hesitation in offering you all the assistance in my power in your battle with the arch-enemy of humanity, the greatest curse of this world, the saloon, the blight of the nations, eating away the hearts, I am not going to talk as a church man, I am going to give what I know about the saloon and whisky practically. Our legislators have an actual condition confronting them that is a serious one and that the people of this state are very much interested in, so much so, if I mistake not that no theoretical, compromising, regulating proposition will be accepted with good grace.

I am for absolute prohibition. If you want to cure a disease you must remove the cause. The saloon disease is a black plague upon the earth, absolutely unnecessary, demoralizing beyond description, with not one redeeming feature; the creator of poverty, destroyer of manhood and the heart breaker of woman. It is the stepping stone of bad citizenship, one of the greatest calamities that can befall a nation. I will admit that I have known fairly good men in the whisky business, but they become thoroughly disgusted with their profession and witnessing its effect upon poor weak and degraded mankind that they, too, commence to take their own poison to brace up and save off the thought of the final consequences of their vicious trade. I have known many a heart-broken and poverty-stricken family to go to a drunkard's grave.

I met a traveling salesman the other day and the question of prohibition came up. He was one of the strong members of humanity. He kept before the case in the house and, as he says, drinks it in place of water. In his own estimation he is one of the men that can govern himself and doesn't want his personal liberty interfered with. He is one of the strongest minded young men that he knows of. I said to him:

"Young man, I wish it were possible for me to keep a tab on you the rest of your life and at the end of it expect to see you leave a destitute, heart broken family and fill the grave with liquor."

Mr. Anti-Prohibition Man, would you permit a drunkard to carry on your business? Will any concern accept to a place of trust a drinking man, if they are aware of it?

Mr. Legislator of Utah, you have accepted an important trust from your constituents; they have conferred upon you honor and responsibility and possibly have placed you in a position to advance a greater honor and become useful to your state and nation. You are sent to the legislative halls to guard well the interests of the state and to carry out the will of your constituents.

The people of this state in a very large majority are opposed to the saloons and the traffic in liquor; there seems to be a general uprising against the business. This is a powerful movement, the will of the majority should and will prevail, so it is up to you.

Notwithstanding the argument of the liquor interests, the states under absolute prohibition are thrifty and progressive, the state of Kansas is one of the financially rich spots of the earth. The city of Greeley, Colo., is a thrifty beauty spot of the west and has no saloons. Seven miles from Greeley are saloons, showing the inconsistency of local option and the importance of absolute prohibition.

The man who tells you that prohibition does not prohibit the manufacture or the sale of liquor, so that what is used is not noticeable in a community. The fact is, Mr. Legislator, the nation is a parasite on humanity, flourishing only because there is no prohibition and giving nothing in return. It is a nuisance, and it is consequently, your duty, to comply with the demands of those who placed you in your position and shade the nation, which can only be done by absolute prohibition and a strict enforcement of the law.

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AMUSEMENTS.

Theater.—The observance of McDonald's birthday birthday took noble and notable form at the Theater yesterday. In the afternoon, at the invitation of the Theater society, the theater was thronged from top to bottom with people from the advanced grades of the public schools, who came to listen to the final rehearsal of "Ell-Jah." It differed very little from a regular presentation, and the interest with which it was followed showed that the young people appreciated it. Too much cannot be said in praise of the decision to allow the school children to hear this masterpiece.

In the evening the house was again filled with a brilliant audience, although it was not so large as the first presentation. The opening was suitably delayed for half an hour, which somewhat cooled the enthusiasm of the audience, but the general verdict was that the oratorio was even better rendered than on its first presentation.

Prof. McMillan had his chorus in specially fine shape, and they sang with a precision, earnestness and care that did them vast credit. The orchestra also showed improvement, and a group of notable soloists again did fine work, unless we except Mr. Doughan, who was suffering from a cold and had to omit some of his most beautiful passages. The same hearty applause as before greeted the efforts of Mr. Doughan, who was also aided by Mr. Plummer, Mrs. Morris, Miss Evans, Miss Dwyer and Miss Barker, the latter having a great reception for her beautiful number "Rest in the Lord."

At the conclusion the members of the chorus remained seated to receive the congratulations of friends. A specially interesting feature was an address of congratulation by Prof. George Curless, who was warmly applauded, when he mentioned that the last time he heard a rendition of "Ell-Jah" was nearly 50 years ago in London, when there were 4,000 performers with an orchestra of 1,000, in which he played one of the violins.

A very pleasing and highly educational feature was the address on the life and music of Mendelssohn at the opening, delivered by Prof. Lund of the B. Y. U. of Provo. He made some excellent points and was heartily applauded for his efforts.

Orpheum.—Last night a new act sketched, "His Phantom Sweetheart, or the Millionaire's Dream," written by Frederick Allen, of the Willard Mack company, was presented at the Orpheum, and made a decided hit. The theme is an almost entirely new one to vaudeville, inasmuch as the moral sentiment predominates rather than the merely amusing, but so delicately handled that the audience has no suspicion of its far from being the real thing as a rule so far as the appeal of the old wholesome high ideals of youth. A pleasant surprise too, is the author's conception of the moneyed king, hard-grained and confident from well won battles in the big financial arenas, to the life, giving an effective condition through the character of the villain, which if one thinks, could alone have visited the chamber of memory in the old lover's heart. Miss Van Nostrand's rendition of the part was natural and effective, and her appearance an ideal one for the role.

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The Week More

The Same Big
Bargains and a
Host of Better
Ones.

Monday it
Begins

BANKS
Millinery
116 Main Street

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"GIGGER" APPEARS IN PORTER'S BILL

Member from Morgan Insists on
Judiciary Committee Con-
sidering Measure.

PERMITS BREWERIES TO RUN.

Also Proprietary Medicines Contain-
ing Not to Exceed 10 Per
Cent of Alcohol.

After a discussion lasting an hour, the house yesterday voted to reconvene to the judiciary committee H. R. 27, the Cannon prohibition bill, for the reason that some of the members wanted to have the committee pass on some of the other bills introduced in the house purporting to prohibit the manufacture and sale of intoxicating liquors in the State of Utah.

As an instance of the neglect of the committee in the matter of failing to consider other "prohibition" bills, it was urged that H. R. 78, introduced Feb. 1 by Mr. Porter of Morgan, had not had a hearing before the committee, and that gentleman desired that this measure, as well as some others, should be given a hearing before any final recommendation was adopted with reference to a prohibition law.

On its face, the bill introduced by Mr. Porter, seems to be a genuine prohibition article. It begins in the usual manner by stating that it is "An act to prohibit the manufacture, sale or otherwise disposing of intoxicating liquors, and providing penalties for violations thereof, and to amend an act approved Feb. 1 1907, entitled 'An act to prohibit the manufacture, sale, barter, deal out or otherwise dispose of any intoxicating liquor, within the State of Utah, except as in this act permitted.'"

The succeeding sections of the bill go on to amplify the scope of the measure and in high-class legal phraseology to designate what shall be infractions of the measure, and providing penalties therefor.

HERE IT IS.

Not until the 15th and next to the last section in the bill is reached, does the "gigger" in the wording appear. Section 18 of the proposed act reads as follows:

"Sec. 18. The term 'intoxicating liquor' as used in this act includes spirits, vinous, malt, and other intoxicating liquors and patent and proprietary medicines or other compounds capable of being used as a beverage and WHICH CONTAIN MORE THAN 10 PER CENT OF ALCOHOL, or other intoxicating liquors."

In other words, beer, which contains only 4 per cent of alcohol, may be manufactured and sold after the passage of this act, just the same as at present; saloons selling any kind of liquor, including patent and proprietary medicines, not containing more than 10 per cent of alcohol, may continue to flourish as wide open as at present, all of which is calculated to bring joy to the heart of the brewer, whose interests are jeopardized by the passage of a more stringent prohibitory measure.

H. R. 78, by Porter, will be considered by the judiciary committee, along with all other measures proposed on the prohibition question; but as to its efficacy as a means for abolishing the liquor evil, there will be some considerable divergence of opinion. The bill contains a provision stating that the act shall go into effect Jan. 1, 1910.

ABOUT LATE TRAINS.

It will be a misdemeanor for any railroad to give out false information about late trains in a train is a bill introduced by Wilson, of Omaha.

The bill aims at the trouble of inability to find out how late a train is, and of going to a depot to catch a train reported on time only to find that it has been held up on schedule on which it is declared to be running. The bill provides that the first telegraph station on this side of the state line shall report the passing of any train bound westward, and that all other stations along the line shall carry bulletins showing whether the train is on time, or if late, how late it is.

YUKON EXPOSITION.

To provide a suitable Utah display at the Alaska-Yukon-Pacific exposition, Senator John Reed has introduced a bill in the senate which provides for a commission to arrange the exhibit and appropriate \$25,000 for the purpose. Informal opinions expressed by senators are to the effect that Utah should be well represented at the fair and should have an exhibit that would attract a considerable number of visitors to the state. The six commissioners called for are to serve without pay, and to be appointed by the governor.

MILLER FOR GOOD ROADS.

If Washington county roads are not materially improved next summer it will not be because Senator Miller is overlooking any opportunities to secure better roads for the county. Not satisfied with the bridges that have been built, Senator Miller wants now to get roads that will lead up to them and away from them. For that reason he has introduced a bill providing that \$100 be appropriated for roads in Washington county, and to facilitate its passage through the legislature he has inserted clauses calling for the raising of more money by the people before the legislature's money will be made available. For a road between St. George and Rich, \$100 is asked from the state, provided the people raise \$100, and for a road from Rich and Virgin to the north county line, \$100 is asked for provided the people there raise \$100. A state commissioner to serve without pay and to be under heavy bonds is expected to take charge.

LATE LOCALS.

Ogden Wants Brooks.—Word was received from the Ogden police this morning by the local authorities asking them to arrest and hold for Ogden J. R. Brooks, who is wanted in the Ogden city for forgery. It is alleged that he forged a check for \$100 at an Ogden business house. The police here did not get the particulars of the alleged offense.

Mock Smoke.—Little Fire.—There was a small blaze, some excitement but no damage at the residence of Walter Robinson, 722 south Fourth East street at 9:30 this morning when a board near a chimney became ignited and caused considerable smoke. The firemen called and the blaze extinguished without loss.

McDONALD'S COCOA

IS MAKING A NATION-WIDE REPUTATION
It has a strong hold on the people of Salt Lake, of Utah, Nevada, Colorado, Wyoming, Montana, the western coast states, Dakotas, Minnesota and is becoming the favorite meal drink east of the Mississippi. It is used on the far-away islands and finds place across the ocean.

Not because McDonald manufactures it, not because it is made in Salt Lake, but because

It is the Finest Cocoa the World Produces



It's superiority compels attention. A rich, smooth, unforgetable taste found in no other Cocoa. For this reason it is served in the great hotels and fashionable cafes of the country, in the homes where the best table drink is desired. At receptions, at little parties. In the average homes where a delicious table drink is preferred.

It is a healthy, nutritious drink. It makes red blood, stimulates run-down systems, makes complexion, makes strength. Convalescents find it nourishing. Growing children clamor for it. It is drink and food combined. IT IS AS GOOD AS McDONALD'S CHOCOLATES.

STIFF SENTENCE FOR WIFE BEATER

Judge Bowman Thinks One Hun-
dred Days May Help
Winston.

HE DEMANDED A JURY TRIAL

Thought He Could Only Get a Fair
Trial That Way, Which
Was Proven.

Inhabitants of Salt Lake's downtown furnished the main attraction in the criminal division of the city court before Judge J. M. Bowman this morning, when the case of Edward Winston, a burly negro, was tried on the charge of brutally beating his wife.

The trouble occurred last Wednesday morning when the screams of Mrs. Winston attracted several persons to the Winston home. The man had the woman on the floor, his knees in her back, and he was beating her while the woman was vainly trying to get a revolver from a hand satchel with which to shoot the man.

Winston went to his home the night previous, but before he got a chance to induce his wife, she drew a gun on him and ordered him out of the place. The next morning when he went home and Mrs. Winston opened the door, he sprang at her, seized her by the throat, knocked her down and was beating her when neighbors rushed in and dragged him away. During the scuffle Mrs. Winston got her husband's left forefinger in her mouth and chewed it generally.

The woman testified this morning that her husband repeatedly beat her; that she had to support a sick son and also had to support her husband. She declared he beat her often because she did not support him in a manner suited to his tastes.

When Winston was arraigned yesterday afternoon he insisted on a jury trial and declared he could not get a fair trial without a jury. He was given a jury trial, the tribunal being composed of C. S. Lee, J. R. McGilton, Matt Dougherty and W. H. Shawell. Nine witnesses, eight colored and one white, gave practically the same testimony, to the effect that Winston came home looking for trouble, and gave Mrs. Winston a severe beating.

After hearing the evidence the jury retired and was out only about four minutes, when a verdict of guilty as charged was returned and Judge Bowman promptly sentenced Winston to a term of 100 days in the city jail at hard labor.

OTHER POLICE CASES.

John Schmit, a foreigner, charged with drunkenness, heard the complaint read to him, nodded to Judge Bowman and began to saunter out of the courtroom. He was brought back in short order, given a sound lecture on the evils of drink and permitted to go.

Edward Fisher, the