

INJUNCTION ON THE R. C. WESTERN

Judge Brown Signs Another Order in New York Today.

N. M. RAPHAEL PLAINTIFF.

Owner of Second Mortgage Bonds of the Wasatch & Jordan Valley Asks to be Protected.

New York, May 2.—Judge Addison Brown, in the United States circuit court, signed an order today in the matter of the restraining order granted by him in the action brought by Nathaniel M. Raphael of New Jersey against Spencer, Trask & Company, to restrain the consolidation scheme of the Rio Grande road of Colorado.

The order handed down today vacates the temporary restraining order as to the sale of stocks growing out of the consolidation, but directs that the defendants shall set aside, and are enjoined from paying out or parting with any moneys for indemnity to themselves or special trust which may rise in their hands.

Mr. Raphael owns second mortgage bonds to the amount of \$1,500,000 of the Wasatch and Jordan Valley Railway company in Utah, a branch of the Rio Grande Western. The latter road has been operating this branch for a number of years at an alleged annual profit of \$200,000, having secured the control through the foreclosure of first mortgage bonds held by it. The complainant contends that there is a surplus of \$300,000, which should be applied to the redemption of his second mortgage bonds.

The defendants are ordered by the court to set aside any surplus for the protection of the second mortgage bondholders.

PACKING UP.

Rio Grande Western General Agency in Denver to be Closed.

Ever since the Denver & Rio Grande, Rio Grande Western consolidation was first mooted there has been considerable speculation as to what steps would be taken towards the economical operation of the Utah-Colorado lines. It was universally conceded that there would not be general offices of both the lines interested kept open in the various cities of the country—under the new order of things one would be able to look after the affairs of both lines as has been demonstrated in the Union Pacific-Oregon Short Line-Oregon Railroad & Navigation combination. No move, however, was expected to be made until after the stockholders' meeting, which is scheduled for May 15th. This connection the Denver office to hand states that a move is already under way in the Queen City of the Plains whereby the general offices of the Rio Grande Western will be closed. The story is as follows:

All speculation as to whether the general headquarters of the Rio Grande Western road are to be retained in Denver was settled yesterday. Early in the day a force was set to work packing the records in the storeroom of the company on the seventh floor of the Ernest & Cramer building. All the records are to be securely boxed and the headquarters will be closed at an early day. Nobody connected with the headquarters is expected to move to the plans of the company, but in railroad circles it is understood that the management of the Rio Grande Western will be retained in headquarters of the Denver & Rio Grande. Whether the general headquarters of both companies will be transferred to St. Louis, the headquarters of the Missouri Pacific, is a question in the minds of some persons. If this change is made it is believed that it can take place for a number of months at least. Denver men are kept perfectly in the dark as to the plans of the new railway combine.

CLARK A FACTOR.

Story from Los Angeles that Senator is Buying U. P. Stock.

Los Angeles, May 1.—The Evening Express this afternoon publishes a story saying that private advices have been received to the effect that John W. Gates, the steel magnate is responsible for the recent phenomenal advance of the Union Pacific stock, and that Gates is acting for Senator H. A. Clark and associates who are endeavoring to secure control of the Union Pacific as an outlet for the San Pedro, Los Angeles & Salt Lake railroad.

SUPPLIES RECEIVED.

San Pedro Gets its First Consignment of Rails and Cars.

Los Angeles, Cal., May 1.—Four of the ten new passenger coaches ordered by the San Pedro, Los Angeles & Salt Lake railroad have reached here and several of the 125 flat cars ordered. The first consignment of 75-pound steel rails has also been received.

"WHO FROGGED?"

Latest Story on Charles Andrews the Well Known Wool Man.

There was a story going the rounds of Railroad Row this morning at the expense of Charles Andrews, the well known wool man, that is too good to keep. It appears that the late Lindsay of the Northwestern, Traveler of the Rock Island, and a number of railroad and wool men have been congregated down at Milford during the past few days in the interest of their business. According to their custom they bearded the time after working hours by playing a friendly game at "solo." Said to relate this proceeding was kept up on Sunday, until the boys suggested as a compromise that they go to church in the evening to compensate for their backsliding. Accordingly all concerned adjourned to the meeting house, where in the course of events Andrews fell asleep. Those who know Andrews state that he is not exactly what might be termed a peaceful slumberer. During the process of the napping Andrews disturbed the congregation to the extent that Lindsay gave him a dig in the ribs to terminate the blatant snore that resounded through the hall. The sequel was hardly along the lines anticipated. With a start Andrews woke up and frantically inquired, "Who frogged?" "I'm realizing the enormity of his offense he proceeded to kick a dog which had strolled into the building. This proceeding had the effect of the animal fling a vehement protest and knocking down a stove in his endeavor to reach open air. Those who were present on this chaotic occasion state that the next time he can "solo."

Government Control.

Ottawa, Ont., May 2.—The scheme by which the Manitoba government hopes to control passenger and freight rates

Bad Blood Breeds Humors

Bolls, Pimples, Eruptions, Sores, Debility, Languor, Kidney Troubles, Indigestion and That Tired Feeling.

All of which Hood's Sarsaparilla Cures, by purifying, enriching and vitalizing the blood. Blood troubles, left unchecked, increase and multiply just as naturally as the weeds and thistles infesting the soil. They need the same radical treatment, too. They should be rooted out in Spring.

HOOD'S Sarsaparilla

Stops the breeding of disease germs and impurities in the blood. It also imparts vitality and richness, and that means a strong, vigorous body as well as a clear healthy skin. You will look better and feel better if you begin taking Hood's Sarsaparilla TODAY. It

Purifies The Blood

As nothing else can.

"My son had pimples on his face, which after a while became a mass of sores. I began giving him Hood's Sarsaparilla and soon the sores were getting better. They finally healed without leaving a scar." Mrs. L. THEIST, 7 Willow Avenue, Hoboken, N. J.

within the province has been ratified by the Dominion railway committee. The provincial government will lease that portion for a term of 99 years. It will be turned over to Mackenzie and Mann, of Toronto, for management, the government fixing all freight rates and reducing passenger rates to three cents a mile. In return the government guarantees the interest on thirty-year bonds at four per cent.

SPIKE AND RAIL.

Union Pacific stock is now up to 130. C. O. Whittemore was in Kansas City yesterday.

J. S. York, contracting agent for the Red Line at Omaha, came town.

Vice President Bancroft and Auditor Hils left for Nevada last night.

F. I. Smith, general agent at Denver for the Big Four, is in town today.

Western Passenger Agent Erwin Tears of the Vanderbilt lines is in the city.

Close upon fourteen miles of track have been laid down on the Nevada grade.

In 1893 Chicago Northwestern common was quoted at \$5, today the price is \$13 1/2.

The Rio Grande Western westbound train came in in two sections each today.

L. L. Downing, commercial agent for the Chicago, Milwaukee & St. Paul, is in Wyoming on wool business.

The train service from the west has been considerably demoralized since the passenger wreck in Emigrant Gap.

The Burlington is spending \$100,000 this season in advertising the attractions of the West to the people of the East.

Railroad bridge builders are adopting the fir timber of the North Pacific coast for bridge building because of its remarkable strength.

W. E. Bennett left for New York last night to take up his duties with the American Smelting & Refining company.

General Manager P. P. Shelby of the P. I. N. road is quartered at the Knutsford. He states that the line will be pushed into the Seven Devils country during the summer.

Forty cars of steel rails passed through Ogden yesterday west-bound for the new Santa Barbara road of the Southern Pacific. The rails were 80 pound steel, which will be the standard for the Southern Pacific in future.

President Horace G. Burt of the Union Pacific, according to the Ogden Standard, is expected to arrive here this evening. Enquiry at the general offices of the Oregon Short Line this morning, however, failed to corroborate the rumor.

A great deal of wool is being stored at Boise. W. C. Cleveland, one of the largest producers in that district, has his clip all in, while John Gerry, McFarland and Robb, and Dean and Gillen are all hauling their wool to the Idaho capital.

The story from Los Angeles to the effect that the San Pedro interests are acquiring Union Pacific stock with the idea in view of obtaining an outlet east from the Clark road, sounds like another case of the tail attempting to wag the dog.

Harry Dickson, traveling passenger agent of the Colorado & Southern, has resigned to take the position of General passenger agent of the Delaware, Lackawanna & Western. He will in all

probability be succeeded in Denver by B. P. Lock.

The current number of Sunset just received is a work of art and one of the best numbers that has been issued. As an advertising medium for the beauties and resources of California the copiously illustrated magazine takes first place among the numerous publications that issue from the passenger department of the Southern Pacific.

A sweet little lady called at the Rio Grande Western ticket office the other day and enquired of Col. Benton: "How much is it to Love?" For a few seconds the suspense was painful to the rest of those gathered around the counter, but the gallant colonel rose to the occasion and finally in dulcet tones said: "To Love one way is 32c, and to Love both ways \$28.75, for the round trip." Love is station on the Colorado Springs and Cripple Creek District railway.

Tuesday was the last day for the \$25 Tuesday rates and the tourists from farther east began arriving in a crush at Omaha yesterday morning. All of the Union Pacific trains ran in two sections from Omaha to the west, while the Rock Island and all other roads from the east had extra cars. This ends the California rush and unless something new happens, will be the last of the low-rate movements of any kind west until June, when the \$15 round-trip rates to Colorado common points will become effective.

The annual election of the Pere Marquette railroad was held in President Heald's office at Detroit, Mich., yesterday for the purpose of electing directors of the road. The old board consisting of the following was re-elected: William W. Crapo of New Bedford, Mass., chairman; Charles M. Heald and Stanford T. Crapo of Detroit; Thomas F. Ryan and Mark T. Cox of New York; Nathaniel Thayer, John M. Graham, Oliver W. Mink, Charles Merriam, Frederick H. Price and Walker Hurnwell of Boston. No other business of importance was transacted.

DR. SANFORD'S LIVER INVIGORATOR The Best Liver Medicine. A Vegetable Cure for Liver Biliures, Indigestion, Constipation, Malassimilation, etc.

AFFAIRS OF THE WOOL CROWERS

Attorney Moyle Comments on Decision of Supreme Court.

THE CASE NOW PENDING.

Wrongful Allegation That the Officers and Wool-growers of Idaho are Acting in Bad Faith.

A copy of the decision of the Supreme Court of the United States, which sustained the Idaho supreme court in the case against Rasmussen involving the exclusion of Utah sheep from Idaho, has been received by Arthur Brown and James H. Moyle, attorneys for Rasmussen. The opinion of the United States Supreme Court was delivered by Justice Brewer, and holds that the only question of consideration is whether or not the Governor's proclamation and the Idaho statute are in conflict with the Federal Constitution. The plaintiff filed a case against Huse, which was an act continuous in its operation and absolutely prohibitive during eight months of each year, and was held to be in conflict with the Constitution.

The opinion reads in part: "The executive (of Idaho), after consultation with the state sheep inspector and examination of the matter, found that the scab was epidemic in certain localities in Utah and Nevada, and that if sheep from those localities were moved therefrom into Idaho they would spread infection and disease among the sheep of the state, and thereupon forbade the introduction of sheep from such localities for the space of sixty days. It will be perceived that this is not a continuous act, operating year after year, irrespective of any examination as to the actual facts, but is one contemplating in every case investigation by the chief executive of the state before any order of restraint is issued. * * * The statute was an act of the State of Idaho contemplating solely the protection of its own sheep from the introduction among them of an infectious disease, and providing for only such restraints upon the introduction of sheep from other states as in the judgment of the state was absolutely necessary to prevent the spread of disease. The act therefore is very different from the one presented in Railroad Company vs. Huse, and is fairly to be considered a purely quarantine act, and containing within its provisions nothing which is not reasonably appropriate thereto."

Mr. Moyle, in commenting on the decision, stated:

"This case does not necessarily conclude the questions involved between the Utah and Idaho sheep growers. The decision holds a distinction between this and the Huse case; that in the former the act applied each year, while in the Idaho case it was supposed only to exist for one year. But since the Rasmussen case was commenced, the governor has issued an annual proclamation for the same period, showing the intent to make the application perpetual and continuous. If we were to add to that proof what we can now show that the scab is more prevalent in Idaho than in the northern counties of Utah and the express intent of the Idaho officers and sheep growers to keep out Utah sheep from the public ranges, we will have shown reason enough why the decision should not apply to the existing cases or to any future case that we could make for the Supreme Court. That decision only upholds the constitutionality of the Idaho law on the theory that the scab is epidemic in Utah and not in Idaho, but as a matter of fact scab is more epidemic in Idaho than in Utah, and is not prevalent in Utah."

"It is alleged in the case now pending before Justice Beatty that the officers of the Idaho wool growers' association are not acting in good faith, and that scab is not epidemic in Utah, and that the sole purpose of the Idaho officers and wool growers is to exclude non-resident sheep from the state, and to the Idaho wool growers the exclusive privilege of grazing upon the public domain in that state. It was proven, at the trial before Judge Beatty, that all the sheep in question were free from scab and it was also shown that the Idaho wool growers' convention held in Boise before the enactment of this law, one of the problems considered was, how to exclude foreign sheep."

Attorneys for the Utah wool growers feel confident that when the facts as they now exist are presented to the Supreme Court of the United States the injunction granted by Judge Beatty will be affirmed.

HAMMOCKS! HAMMOCKS!

Just received, an elegant line of New Hammocks at Popular Prices.

CANNON BOOK STORE, Deseret News Props., 11 and 13 Main St.

AMUSEMENTS.

The "Sag Harbor" engagement opens at the theater tonight. The fame of the play, the latest one written by James A. Herne, and the fact that the company is in all respects the New York original, barring the absence of Mr. Herne himself, will no doubt cause a heavy attendance.

An unexpectedly large turnout of people was present at the Tabernacle last evening to hear the annual May day concert by Mr. Stephens' chorus of 600 children. The chorus was directed by Mr. Stephens, and had evidently done some "rustling" to secure their free tuition, as under the plan proposed by Mr. Stephens, each one was given five tickets when he paid his fee, with the understanding that he had the right to sell the tickets for the concert and thus reimburse himself. The audience was friendly and thoroughly enjoyed the choruses of the little folks, while Best's mandolin and guitar orchestra accompanied a number of children, made a decided hit. The following well known adult singers took part with the little folks, Alfred Best, Luella Ferrin, H. S. Esten, Prof. McClellan, organist, and Prof. Stephens. Little Miss Williams, the phenomenal child singer, was as usual, a strong feature.

Harry Carson Clarke writes from Colorado that he has been in the midst of the strike of stage hands and musicians, caused by the row among the Colorado union of theatrical employees, and he says he will not know how to be thankful enough when he arrives in Salt Lake to find the theatrical employees in Pueblo, Leadville, and Cripple Creek have all struck, and all refused to work the stage for "What Did Tompkins Do?" Mr. Clarke's actors had to turn in and handle the scenery themselves, and in Cripple Creek they came very near having serious trouble when the strikers assembled upon the sidewalk and refused to allow people who had bought tickets to enter the house. Mr. Clarke himself expects to run on ahead and spend Sunday next in Salt Lake.

Root Beer!

Sparkling, Delicious Healthful.

When you drink Root Beer, whether it is for health or pleasure, be sure and ask for the best. Ours is made from the best ingredients that nature and science can produce, carefully blended together. We use water that has been clarified by the latest improved German filter. On and after April 1st our Root Beer and summer drinks will be for sale at all grocery stores and refreshment stands throughout the city and county. Telephone, 405.

Hewlett Bros. Co. SALT LAKE CITY, UTAH.

PEOPLE WHO ARE PASSING

R. E. Talbot of Mammoth is staying at the Walker.

W. Little and wife of Ogden are guests at the Mantion.

C. A. Bonner and J. Elliott of Ogden and H. M. Aldred of Bingham are guests at the White House.

PERSONALS.

M. K. Parsons returned last evening from a trip to Oregon. While there he shipped a trainload of mixed cattle, which he recently purchased, to Grand Junction, Colorado.

Ellis Johnson has gone to Boise, where he will be in the employ of the Pacific Express company.

City Engineer Kelsey intends to leave for California next Saturday morning for the benefit of his health.

Mr. Fred Meyer of Z. C. M. I. left for New York last evening. He goes in the interest of the gens' clothing and furnishing goods departments of that institution.

HOTEL ARRIVALS.

The following guests were registered at the hotels at 3 o'clock today:

Knutsford—A. Oppenheimer, San Francisco; A. Kather and wife, New York; M. S. Foss, Omaha; Robert Z. Craig, Philadelphia; Wm. Porter, New York; H. Goldsmith, Denver; N. J. Gumbiner, Milt Arnold, Denver; Geo. Nole, Henry Ashin, Mrs. Marion Abbott, George Woodward, New York; W. J. Guthrie, Chicago; A. J. Underwood, Tintic; Mr. and Mrs. Henry Sully, Nottingham, England; J. E. Spillman, New York; Herbert W. Walker, Philadelphia; Miss Crystal Horne, Mrs. Nole, Henry Ashin, Mrs. Marion Abbott, George Woodward, New York; W. T. Dodge, Mr. and Mrs. C. W. Harkness, Miss Bushnell and maid, New York; W. G. Warden, valet, Philadelphia; Mrs. J. P. Spellman, New York.

Callen—L. H. Young, Idaho; Wm. C. Corbin, M. D., Minneapolis; Dr. Emil Dorn, Chicago; L. G. Bransford, Cal.; S. Kirby and wife, Denver; H. G. Smith, Boston; J. F. Emmett, Carson; R. J. Hayes, Butte; Chas. R. Campbell, A. R. Quers, Circleville, Kansas.

White House—A. Osment, Utah; C. A. Bonner, J. Elliott, Ogden; J. H. Goodban, Aspen; Sol Stiles, Aspen; B. B. Basove and wife, Chambers, Pa.; R. E. Lane, Denver; Mrs. Mathews, Arthur Mathews, Omaha; Thomas Gorman, Idaho; Celia J. Davin, Junction City, Kansas; Geo. W. Fletcher and wife, Council Bluffs; H. M. Aldred, Bingham; P. Garrison, wife and son, Burrett, Kansas.

Kenyon—John Henriksen, Nephi; E. P. Cowan, Baker City; George H. Samsley, New York; W. B. Clark, Omaha; R. L. Robinson, Chicago.

WARD ENTERTAINMENTS.

TENTH WARD.

The three-act comedy of "Chums" will be given in the Tenth ward meeting house on Thursday and Friday evenings of next week.

VETERANS' REUNION.

Survivors of the Artillery of the Nauvoo Legion to Meet.

The Association of Veteran Artillerymen of the Nauvoo Legion will hold their annual social gathering on Friday, May 10, 1901. The reunion will take place in the Thirteenth ward meeting house, at 8 p.m. Some of the features will be the martial band and the Union Club, two organizations that are made up of old veterans who will play and sing. Some of the best musical and elocutionary talent in the city will be heard on this interesting occasion. There will also be addresses by prominent men.

SHOT MRS. WRIGHT'S DOG.

Bullet from the Revolver of an Unknown Man Laid the Animal Low.

A pet dog belonging to Mrs. Wright, who resides at 618 Sixth East street, was wantonly shot outside her residence early yesterday morning by

HOLE IN THE LUNGS

There are thousands of men and women, as well as ever, with holes in their lungs: consumption stopped.

What did it?

Some change in way of life and Scott's emulsion of cod-liver oil.

A hole in the lungs, once healed, is no worse than a too-tight waist or waistcoat. Take the emulsion and give it a chance to heal the wound.

We'll send you a little to try, if you like. SCOTT & BOWNE, 409 Pearl street, New York.

ALASKA REFRIGERATORS.

IT'S IMPOSSIBLE to tell you too much about our ALASKA REFRIGERATORS.

If you will call, we will demonstrate there is a chance to economize by buying our

ALASKA REFRIGERATORS.

They are unequalled for durability, appearance and economy in consumption of ice and in many other points, which, if you will call on us we will show you.

REFRIGERATORS FROM \$9.00 UP. ICE CHESTS FROM \$4.50 UP.

A full line of "LIGHTNING" and "BLIZZARD" Freezers.

H. DINWOODEY FURNITURE CO.

GARDNER DAILY STORE NEWS.

Try to recall a suit you've bought for \$2.00 some time.

At any other store but this.

Try to recall the one you've considered the best values.

Then come and see these \$10.00 suits.

We've a group here that we know are the equal of most \$12.00 suits you ever saw.

There are a dozen different patterns to choose from.

And any one you'd be proud to own.

One of a real nobby light gray check cheviot, round cut style of coat, lined with fine Italian cloth, and lined all through in very best style.

Try to recall the best suits you ever bought outside of this store at any certain price, then come and we'll duplicate them for a quarter less.

MORE ABOUT UNDERWEAR.

This little change in the weather is just a breathing spell, so you can get ready with your underwear—more stocks and more styles than you ever saw before to choose from—Here they are:

They start at 50c the suit for plain balbriggan

At \$1.00 the suit we've plain balbriggan, blue ribbed, blue and white, and lavender and white balbriggan, and black balbriggan.

At \$1.50 the suit we've plain, fancy balbriggan and light wool.

At \$2.00 the suit we've plain and fancy balbriggan.

At \$2.50 the suit we've a fine lisle thread.

At \$3.00 the suit we've light wool and fancy balbriggan.

At \$4.00 the suit we've a light cashmere.

At \$6.00 the suit we've a silk mixture.

At \$10.00 the suit we've a fine all silk.

At 50c, \$1.00, \$1.50 the suit we've underwear for boys.

ONE PRICE J. P. Gardner, 136-138 MAIN ST.



ALASKA REFRIGERATORS.

They are unequalled for durability, appearance and economy in consumption of ice and in many other points, which, if you will call on us we will show you.

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ONE PRICE J. P. Gardner, 136-138 MAIN ST.

PROPERTY TRANSFERS.

Abstract of transfers filed in the recorder's office, Salt Lake county, May 1,