

STILL LAYING TRACK AT UVADA

Whittemore Invokes the Aid of the
Lincoln County Commissioners.

ALL QUIET AT SEAT OF WAR

Men and Teams in the Region Affected
Are All Pressed Into Service
—Other Railroad Items.

(Special to the "News.")
Pioche, Nev., April 10.—C. O. Whittemore left yesterday for Panaca, where he will meet the county commissioners. He says the Clark road proposed to keep within the law and will let the courts decide the matter. Both parties have graders on the road and men and teams are kept busy. All teams and men in this section are at work. The Oregon Short Line has laid track for two miles into the Nevada line. Much depends on the meeting with the district attorney and county commissioners. No damage has been done so far. Whittemore is expected to be in Nevada today.

WHITTEMORE QUIT.

Rumor Around Short Line Offices
That He Has Abandoned Fight.

At the Short Line offices this morning it was stated that Mr. Whittemore had abandoned the idea of physical opposition to the invading army of track-layers which is marching onward from the State line across Nevada, and that the force of men representing the Clark company had taken possession of the line. In the meantime the work of construction was being pushed day and night and supplies were being hurried to the front as fast as steam could take them. The inference is that Mr. Whittemore will leave the solution of the dispute to the courts of Nevada and will avoid a clash with the grading party which is pushing on. When the case is carried into the courts then the Clark company will be in a position to show that work has been done by them on the grade and that their gangs were forced to retire before superior forces of the Oregon Short Line which, despite the formal protest of C. O. Whittemore, ignored the plaintiff and proceeded with the work of building the road.

BURLINGTON EXTENSION.

Denver Post Says that the C. B. & Q. Will Build to Salt Lake.

The Denver Post of Monday says: W. C. Brown, general manager of the Chicago, Burlington & Quincy railroad, will arrive in Denver from Ogden and the West tonight in special car No. 29. He has been investigating the conditions in the Salt Lake section, with a view toward the speedy extension of the Burlington from Guernsey, Wyoming, to Salt Lake. The recent move of the Oregon Short Line in leaving the head off the short line construction gangs. The disputed grade, it will be recalled, was sold for non-payment of taxes, and the county bid it in. The county consequently holds the title to the grade.

UTAH & PACIFIC REORGANIZED

W. H. Bancroft of the Oregon Short Line Elected President.

The board of the Utah & Pacific was reorganized yesterday afternoon at a meeting which occurred in the offices of the old company in the Hooper building, which was attended by Vice President W. H. Bancroft, Auditor H. H. Parley, L. Williams and others. The following were made directors: W. H. Bancroft, E. E. Calvin, F. W. Hills, J. A. Reeves, D. S. Spencer, C. H. Jenkins, J. H. Young and P. L. Williams. The directors met later and elected the following officers: W. H. Bancroft, president; E. E. Calvin, vice president; F. W. Hills, secretary and auditor; C. H. Jenkins, treasurer.

SPIKE AND RAIL.

Auditor Hills of the Oregon Short Line has gone to New York.

The Short Line has 150 jacks working at tracklaying southwest of Nevada.

The Utah & Pacific headquarters in the Hooper block have been transferred to the Short Line building.

The trainloads of steel and supplies for Nevada are being given the right of way over all other freight trains.

Work on the road to the coast is being pushed day and night. Headlights, torches and lanterns are in big demand.

One of the new compound engines recently purchased by the Union Pacific, blew out a cylinder head near Granger on Friday night.

J. F. Vail, of the well known firm of Wolcott & Vail, attorneys for the Denver & Rio Grande, came in from Denver last evening and registered at the Knutson.

General Passenger Agent George W. Heintz left for Monterey this morning to attend the quarterly meeting of the Transcontinental Traffic Association. He goes to California via Portland.

Shearing operations south of Salt Lake have been suspended owing to the weather. Reports received from Milford and Black Rock this morning state that it is still snowing.

Rio Grande Western gross earnings for the last week of March amounted to \$106,800, an increase of \$38,100. For the month, \$338,900, an increase of \$53,400. For the first week of April, \$76,500, an increase of \$12,800.

Superintendent Ellerbeck and Auditor Critchlow of the old Utah & Pacific are still looking after the operation of the 75 miles of road recently acquired by the Short Line. It is stated that they will be retained in the employ of the company.

Kemmerer Camera: Mr. F. D. Johnston, chief clerk of the Railway Mail Service at Cheyenne, was in Kemmerer Thursday and went over the Wyoming Western to Glenwood and Chamberlain, preparatory to establishing a mail service to those points. Pouches will be made up at Kemmerer.

The Oregon Short Line announces a joint freight tariff on lumber and shingles from O. R. & N. points per 100 pounds, as follows: Ogden and Salt Lake, 40 cents; Lehi Junction to Ham-aver, 44½ cents; and points south of Salt Lake to Frisco, 47½ cents on lumber and 64 cents on shingles.

The Ogden Standard devoted two columns last night in an attempt to demonstrate the impracticability of the

Southern Pacific Elko-Salt Lake cut-off. In dealing with the meeting of business men and bankers called to meet in Zion's Savings Bank this evening, the standard says: "This move on the part of Salt Lake people, backed as it is by one of the promoters of the Salt Lake, Los Angeles and San Pedro, is virtually an admission that they have given up hope for that road and only look forward to being a way station on the Short Line."

PERSONALS.

Architect S. C. Dallas has recovered from an attack of the grip and is around again.

Eber W. Hall, who has been connected with the A. S. Watson undertaking establishment during the past two years, left yesterday with his family for Burlington, Kansas, where they will reside in the future.

George G. Gibson, of the law firm of Thompson and Gibson, left yesterday for San Francisco to attend to some business. He will be gone two weeks.

Clarence C. Nealen and George Evans will leave for a pleasure trip to California in a few days. They will visit San Francisco and southern California and will return in about two weeks.

Senator Smoot, wife and daughter, Senator Whittemore and wife, Senator Evans and wife, and Secretary of the Senate, Warren and wife, left last night for a month's visit to California.

Margie Ellerbeck left this morning for Los Angeles, where she will join her mother.

A. R. Derge has returned from a trip to Chicago and New York, in the interest of his firm. He reports a very prosperous condition of affairs among those in his line of business in those cities.

Vernal Express: John Merkle informs us that he has sold his place just east of James Hacking's farm, to Mr. David Bennion, of Salt Lake, brother of Senator and President Bennion, for \$500, and has purchased the home and farm of Enoch Richens in Glendale ward for \$1500, where his family will make their future home.

Kemmerer Camera: Mrs. A. H. Elam, who has been conducting the Commercial hotel here for some time past, left for Evanston Tuesday night, whence after transacting some business, she expects to return to Salt Lake, where she expects to make her home in the future.

Laraine Boomerang: S. W. Darke, grand master workman, A. O. U. W., will arrive from Salt Lake Friday, and will make an official visit to Laraine lodge No. 4 on Saturday evening.

HOTEL ARRIVALS.

Rev. Dr. Theodore Cuyler of Brooklyn arrived in the city this morning and is being entertained by the several Presbyterian ministers of this city. Dr. Cuyler is a famous evangelist and a very noted Presbyterian divine. He was for a number of years pastor of the Lafayette Ave. Presbyterian church in Brooklyn, and about three years ago resigned from the pastorate of that church and proceeded with the work of building the road.

The object of Mr. Whittemore's visit to Panaca yesterday was to secure the co-operation of the Lincoln county commissioners in the attempt to head off the short line construction gangs. The disputed grade, it will be recalled, was sold for non-payment of taxes, and the county bid it in. The county consequently holds the title to the grade.

Mr. and Mrs. Ernest Gayford of Fay, Nevada, are guests at the Kenyon. Mr. Gayford is superintendent of the Hooper block and reports it and the mine to be doing very well. He says that there is not much activity just now, in mining, at Fay, but reports much excitement there and at Nevada over the difficulty between the Oregon Short Line and the San Pedro, Los Angeles and Salt Lake railroad. He says the Short Line expects to have five miles of track laid today.

R. C. Lund of St. George is a guest at the Cullen.

Don MacQuire of Ogden came down today and is at the Cullen.

The following guests were registered at the hotels today at 3 o'clock: Knutson—E. M. Greenway, San Francisco; Alex. G. Robinson, Louisville; Mr. and Mrs. Whitehead, Chicago; Mrs. H. M. Hopkins, Grand Haven; Mr. and Mrs. Grange Sand, Albany; Mrs. Julian Talbot, Boston, Mass.; Miss Mount, New York city; C. M. Wood, Chas. H. Willard, Denver; Mr. and Mrs. C. C. Webber, Minn.; Cyrus Robinson, Denver.

Kenyon—Wm. Russell, Denver; Geo. P. Smith, Grand Junction; C. G. La. sell, San Francisco; W. O. Duval, Lincoln, Neb.; Alfred Aude, New York; Mrs. and Mr. Ernest Gayford, Fay, Nevada; F. A. Higgins, San Francisco; H. T. Klinkerfues, Milwaukee.

CLEARING HOUSE REPORT.

Today's clearings . . . \$437,208.06
Same day last year . . . \$434,919.38

ORE AND BULLION REPORT.

MCCORMICK & CO.
Mingo bullion . . . \$3,700
Silver and lead ores . . . 7,600
Cyanides . . . 5,900

BAMBERGER & McMILLAN.
Bullion . . . \$7,832

HOOD'S Sarsaparilla

As a constitutional remedy, radically cures

Cures Catarrh.

Acting primarily on the blood, eradicates

Scrofula, Salt Rheum

Or eczema, cures all eruptions, pimples, boils, blood poisoning,

Humors, Anemia and poriasis. In all stomach troubles, like indigestion,

Dyspepsia, Gastritis, it seems to have "a magic touch." Investigates

Kidneys And Liver,

Upon whose healthy action even life itself depends. It is a true

Nerve Tonic,

Because, by purifying the blood, it feeds the nerves upon strength-giving food. Overcomes

That Tired Feeling.

Restores the appetite, builds up strength.

Testimonials

Without number tell what Hood's Sarsaparilla has done for suffering men, women and children, and indicate what it will do for you and yours. Be sure to

Get Hood's—and only Hood's—Today.

Pay Your Doctor

Call him early, give him
his own way, and pay him
promptly.

You couldn't treat him
better.

If he should tell you to
take Ayer's Sarsaparilla for
your weak nerves and your
thin blood, for your feeling
of exhaustion and great
fatigue—

He couldn't treat you
better.

This grand, old, standard
family medicine is the only
Compound Concentrated
Extract of Sarsaparilla on
the market. To get the best,
you must get "Ayer's."

100¢ a bottle. All druggists.
J. C. AYER CO., Lowell, Mass.

THE VAN KURAN CASE.

On Motion of Defense Another Continu-
ance is Granted.

The Van Kuran embezzlement case which was to have come up for preliminary hearing today before Justice Dana Smith, has been continued. The postponement of the case was on motion of counsel for defense. The hearing is now set for Saturday, the 20th.

SUPREME COURT OPINION.

In the Case of L. A. Scott Elliot vs. George C. and James Whittemore, Judgment Affirmed.

Case Involved the Rights to Waters
of Grassy Trail Creek for Irriga-
tion Purposes—Court News.

The Supreme court today handed down an opinion in the case of L. A. Scott Elliot, appellant, vs. George C. and James Whittemore, affirming the judgment of the lower court. The opinion is written by District Judge Rolapp, Justice Baskin concurring.

The suit was brought in September, 1887, to have the court issue a decree determining the rights of plaintiff to the waters of Grassy Trail creek. He claimed that the defendants whose land was located further up the stream than his, had diverted all the water to their land, part of which water he had previously appropriated. The evidence at the trial was somewhat contradictory. The court finds no error in the record of the case, and the judgment of the lower court is therefore affirmed with costs to appellant.

EXAMINED FOR SANITY.

Mrs. Rutherford is Not Deemed a
Fit Subject for the Asylum.

Mrs. Esther May Rutherford, of 229 south, Fourth West street, and wife of Leon B. Rutherford, a Rio Grande Western car repairer, was examined for insanity by county physician Mayo and Dr. J. C. E. Kinn, who had been attending the patient, before Judge (pro tem) John James during the noon hour today. After an exhaustive examination of Mrs. Rutherford, her husband, her sister, Mrs. Organ, and her half brother, J. Nelson Holmes, the physicians declared that Mrs. Rutherford was merely suffering from extreme nervous exhaustion and hysteria. The ailment has been gaining on the sick woman for the last two years, and she has lately been much troubled with insomnia. The court discharged the case and under the advice of the physicians the husband will take his wife to her home near Elgin, Ill., where she will spend a long vacation on the farm, which it is hoped will restore her in mind and body.

Probate Orders.

Judge Hall made the following orders in probate this morning:

In the matter of the change of name of William W. Horace: order entered declaring name to be William W. Sten-ton.

Estate of Joseph E. Woodmanson, deceased: receipts of heirs for their distribution of shares filed, also receipts of attorney for fees ordered filed and administration discharged.

Estate of T. S. Cowley, deceased: petition to relax costs denied.

Divorce Case Referred.

On motion of plaintiff through her attorneys, McGurkin and Van Cott, the divorce case of Vina Miller vs. William C. Miller was this morning referred by Judge Hall to P. Lochrie, who will take testimony and report to the court.

Arguments Heard.

In the case of the city and the Salt Lake City Canal company vs. the Salt Lake City and Electric Power company et al on trial before Judge Morse arguments were made this morning by J. H. Moyle for the Utah Mattress company and Judge Henderson for the North Jordan Irrigation company. In the afternoon Judge Henderson spoke for the rights of the copper mills and B. J. Stewart for the South Jordan Mining company. The only other argument of any length to be heard by the court will be that on behalf of the Power company.

Case Dismissed.

The Supreme court today dismissed the case of Josiah M. Ferrin vs. Omar Call et al, appellants. The suit was for \$100.25, said to be a balance on various notes due by Call.

Suit for Divorce.

Frances Neal filed suit for divorce in the Third District court this afternoon against her husband Rife Neal on the grounds that he is now undergoing a sentence of five years in the State prison. The complaint sets forth that the parties were married in this city in October, 1888, and that one child, Ray, aged 12, is the issue of the marriage. Plaintiff prays that her maiden name of Frances Mayne may be restored to her and that she may also be given the custody of her child. Neal was committed to prison last October for five years for adultery.

COFFMAN IS HOME FROM THE ORIENT

Old-Time R. G. W. Chief Clerk Re-
turns from the Pekin Legation.

SECRETARY TO U.S. MINISTER

Talks in an Interesting Strain Re-
garding the Striving Times in China
During the Past Year.

Harvey G. Coffman came to town this morning direct from Pekin, China, and at once made straight for Railroad Row to renew the acquaintances he made ten years ago when he was chief clerk for General Passenger Agent Bennett of the Rio Grande Western. Mr. Coffman's friends recognized him at once and pronounced him to be the same old jolly Bohemian of days gone by.

Since Mr. Coffman left Salt Lake he has been considerable of the world and accomplished a great amount of traveling. Immediately after leaving this city he accepted a position as private secretary to the business manager of the New York World, to later spend fifteen months in Cuba in a similar capacity under Major General Wilson. Then he went over to Manila as private secretary to Judge Taft, president of the United States Philippine commission. He subsequently returned to New York, when the fever of travel seized him once more and he sailed for China with the result that he has been acting in the capacity of an attaché to the United States Legation in Pekin, and virtually private secretary to Minister Conger, who has just returned to San Francisco from the Orient.

"I had enough of China," said Mr. Coffman, "and so I have come home again for a spell. Mr. Conger is of the same opinion too, and I do not think that he will return to China. Right here I wish to say that all these stories that have been going the rounds of the papers regarding an alleged misunderstanding between Minister Conger and the administration are entirely without foundation. I know this to be a fact and I have also seen telegrams from Washington in which were expressed the greatest confidence in the administration. In Mr. Conger, the fact of the matter is that he does not want to stay in Pekin. W. W. Rockhill is slated as being the next man there, I believe, to represent the United States, but he, too, expresses himself as not being desirous of living there. The next man in line is H. J. Squiers, an accomplished linguist, a thorough master of the Chinese language, and who is in every way fitted for the important position. He has considerable diplomatic experience, having been a secretary in the United States legation in Berlin for several years; in addition to these qualifications he is a man of wealth, refinement and education; in fact, he and his wife do most of the entertaining for the United States legation in Pekin now. He is in every sense of the word fitted for the post and will, I have no doubt, be appointed."

U. S. MAKES POOR SHOWING.

Coming down to a description of the daily life in Pekin Mr. Coffman said: "It goes without saying that the United States legation, as a building, is the poorest structure among those of the powers. The United States does not even own the ground upon which it stands; this belongs to Col. Charles Denby, who bought it some years ago, and makes a good thing out of it by renting it to the government. I believe, however, that the government is seriously thinking of buying some land and putting up a decent place in addition to barracks for the legation guard of 150 men, which will henceforth be established in Pekin."

In answer to a question Mr. Coffman said: "The missionaries out in China have been greatly maltreated. When I first went out there I was full of prejudice against them. For the first three months I was there I lived in a missionary compound presided over by the Rev. Dr. W. S. Ament, who by the way, is the same gentleman with whom

the U. S. makes poor showing. In speaking of the memorable siege of the Legations Mr. Coffman said: "There has been a lot said about the heroism of the men who were shut up there and a number of deeds have been attributed to them. The five heroes of that memorable time were Capt. Meyers of

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BRAIN FOOD

Is of Little Benefit Unless it is
Digested.

Nearly everyone will admit that as a nation we eat too much meat and too little of vegetables and the grains. For business men, office men, and clerks, and in fact everyone engaged in sedentary or indoor occupations, grains, milk and vegetables are much more healthful.

Only men engaged in a severe outdoor manual labor can live a heavy meat diet and continue in health. As a general rule, meat once a day is sufficient for all classes of men, women and children, and grains, fruit and vegetables should constitute the bulk of food eaten.

But most of the most nutritious foods are difficult of digestion and it is of no use to advise brain workers to eat largely of grains and vegetables where the digestion is too weak to assimilate them properly.

It is always best to get the best results from our food that some simple and harmless digestive should be taken after meals to assist the relaxed digestive organs, and several years experience have proven Stuart's Dyspepsia Tablets to be a very safe, pleasant and effective digestive and a remedy which may be taken daily with the best results.

Stuart's Dyspepsia Tablets can hardly be called a patent medicine, as they do not act on the bowels nor any particular organ but only on the food eaten. They supply what weak stomachs lack, pepsin diastase and by stimulating the gastric glands increase the natural secretion of hydrochloric acid.

People who make a daily practice of taking one or two of Stuart's Dyspepsia Tablets after each meal are sure to have perfect digestion which means perfect health.

There is no danger of forming an injurious habit as the tablets contain absolutely nothing but natural digestives: cocaine, morphine and similar drugs have no place in a stomach medicine and Stuart's Dyspepsia Tablets are certainly the best known and most popular of all stomach remedies.

Ask your druggist for a fifty cent package of Stuart's Dyspepsia Tablets and after a week's use note the improvement in health, appetite and nervous energy.

Mark Twain is holding a controversy in the eastern press at this time. After living in that compound for several weeks my opinion of the missionaries was completely changed. All this talk, too, that the Boxer movement was raised especially against the missionaries and the Christians is for the most part, all rot. The revolution was not against the missionaries, but essentially against everything foreign, the railroads in particular. The Chinese saw that the railroads would do away with their canal boats; the street with their rickshaws; water malna with their water carriers; the telegraph with their messengers; and so on all down the line. The Chinamen saw nothing but starvation ahead of him when his daily avocation was cut off, and accordingly he argued that the only way to head off this calamity was to kill off all the Europeans and Americans in the country; and he had a merry time while it lasted."