AN IMPORTANT SUIT

Instituted Against the City Street Railroad Company,

BY MESSRS. JARVINS AND CONKLIN.

Serious Allegations Against the Defendants.—The Appointment of a Receiver Asked For.

A suit of more than ordinary importance has been brought in the Third District court against the Salt Lake City Railroad Company, Francis Armstrong, Walter P. Reed, A. W. McCune, R. W. Chambers, Spencer Clawson and Joseph S. Wells, the plaintiffs being Samuel M. Jarvis and Roland R. Conklin.

In their complaint the plaintiffs state that at the time the company was originally incorporated, January 29, 1872, its capital stock was valued at $180,000, divided into 3600 shares, to be issued at the rate of $20,000 per mile for each mile of single track of railway constructed, which at that time was not to exceed nine miles. On January 31, 1878, the articles of incorporation were amended providing for the further construction of the road, and on the 29th of February, 1888, the articles of incorporation were amended increasing the capital stock to $1,000,000, divided into 20,000 shares, to be issued at the rate of $20,000 per mile for each mile of single track so constructed, and making it the purpose of the company to construct, maintain and operate lines upon each and all of the streets of this city "to the full extent and terminal lines thereof." Since the date last mentioned no other amendments have been made to the charter of the company in anywise affecting the capital stock and purposes of the company, and, beginning with July 24th, 1889, the plaintiffs have, from time to time, purchased 2309 shares, 2187 4-7 shares being held by Jarvis & Conklin, 200 shares by Priscilla Jarvis, 10 5-7 shares by Samuel M. Jarvis, and 10 5-7 shares by Roland C. Conklin. Notwithstanding the purposes of the incorporation limits its powers, as stated, to the building of lines within the corporate limits of the city, the board of directors (the defendants) have, without the consent of the plaintiffs and against their objections constructed and are now operating lines of street railway outside of the corporate limits of the city; that the number of miles so constructed and operated is two and one-fourth miles; that the cost was $35,000; that at the time of construction the finances of the company were in an embarrassed condition; that there was no business necessity for the construction of the extra mileage of railway; that the same was constructed through territory at a time when it was well known that the same would not be profitable; that the construction of the extra mileage necessitated the purchase and equipment of extra motor power and cars, and the employment of an extra force of motormen and conductors and in the repair department, and has otherwise increased the daily expenses of the company; that the amount by which the daily expenses is increased is largely in excess of the earnings of these portions of the railway system, and that the operation thereof is at a great loss of money. The plaintiffs further allege that since July 24, 1889, the number of shares of stock actually issued has not exceeded 6000 shares, and of that number they own 2309; that the officers and directors of the company, well knowing that the building, etc., of railway lines outside of the limits of the city was contrary to the charter powers of the country, and that in order to amend the articles of association so as to give the right to build such outside lines of railway it would be necessary to have a vote at a meeting of the stockholders called for that purpose, which should represent at least two-thirds of the capital stock, held a meeting in this city on April 21st, 1891, at which 3508 4-7 shares were represented, the plaintiffs not being present, nor any portion of their stock represented, an amendment to the articles of association was proposed, whereby further extensions of the railway system were to be authorized. The meeting, says the complaint, was an annual one, and the plaintiffs, whose residence is at Kansas City, sent notice that they could not attend, and requested that the meeting be adjourned until May 29, 1891, and as shown by the records the request was disposed of as follows:

On motion of R. C. Chambers, seconded by Mr. Wells, the following resolution was ordered spread upon the minutes of the meeting:

"Resolved, That in compliance of the [illegible] of S. M. Jarvis and R. R. Conklin to attend the annual meeting of the stockholders of the Salt Lake City Railway Company, that this annual meeting be adjourned until May 29, 1891."

This resolution received no second and was therefore not voted on.

Notwithstanding the large interests of the plaintiffs, the complaint goes on, and well knowing that they would oppose the extending of the lines of railway of the company and increasing the indebtedness and operating expenses of the company for such purpose, A. W. McCune, Walter P. Reed, R. C. Chambers and Spencer Clawson, controlling said meeting of shareholders, refused to in any way recognize or pass upon the said request of the plaintiffs; and that in so doing and in the subsequent election of officers and directors they were, save Joseph S. Wells, secretary and treasurer, "parties to the conspiracy and plan for the conduct of the said corporation, contrary to its charter powers and to the wrong and damage of the interests of the plaintiffs as aforesaid."

Since that time the acts of the board of directors and officers have been without the knowledge or consent of the plaintiffs, for the benefit of themselves and against the interests of the plaintiffs. They further allege that A. W. McCune, R. C. Chambers, Francis Armstrong, Spencer Clawson and Walter P. Read have conspired together to manage the affairs of the company to the injury of the plaintiffs, and in order to build, equip and maintain the lines outside the city limits, they have permitted the liabilities of the company, exclusive of bonds, to increase to the present amount of $54,000; that heretofore, with the knowledge and consent of all the stockholders, including the plaintiffs, it was voted to issue its bonds in the amount of $600,000, the same to be secured by a first mortgage upon all the property, right and franchises of the company, said bonds to be held by the company and sold to raise money for the legitimate corporate uses thereof; that said bonds being duly executed, the directors, in order to provide for the largely increasing expenses caused by the extensions, borrowed $100,000, depositing as collateral $100,000 of bonds; that the said indebtedness matured on August 29, 1891, and that being unable to raise the money arranged with the bank that they might have $100,000 of the $400,000 of bonds released on payment of $50,000 of said $100,000 indebtedness, and thereupon the directors obtained $50,000 from another bank, maturing January 10, 1892, and deposited as collateral $100,000 of bonds, leaving the other $300,000 with the first bank as collateral security for the payment of $50,000 remaining unpaid of the $50,000 indebtedness which is due upon demand; that said company, under its present management, is not able to make payment of the $50,000, and the $400,000 bonds of the company are in jeopardy, and if placed upon the market to be sold as collateral would necessarily be sold at a sacrifice, and the property lost to its shareholders; that the parties through whom these two several loans of $50,000 had been obtained, and to whom they are due, are friendly to the interests of the defendant directors, and if said bonds were offered at forced sale as collateral, their purchase, the foreclosure of the same, and the reorganization of the company under such foreclosure could be so conducted, and it is the intention of the said directors that it shall be so conducted as to secure to them the whole of the property of the company, thus ignoring entirely the interests of the plaintiffs.

Plaintiffs further allege as evidence of the plan and purpose of the board of directors to wreck the railway system and wrong the plaintiffs, that it has been grossly mismanaged; that while there have been many improvements made and put in recently to the better operation of an electric system, and while the knowledge of methods of the economic conduct of such systems has greatly increased, the directors have persistently and continuously refused to adopt improved methods in their operation of the railway system; that they have maintained said system, which now has thirty miles of lines, with one electrical circuit, and as a result thereof a breaking in the line carrying the current, at any point, would cause the shutting down of the entire system and the stoppage of every car.

The manner in which the cars, apparatus, etc., are said to be neglected, is dwelt upon at length, and the statement is made that because of the attention which has been given to the extensions "with the motives aforesaid," the proper attention has not been given to the use of the company's property for its care and preservation and for the most profitable operation of the road.

The manner in which the road is operated and the alleged employment of a large number of unnecessary men on account of the repairs needed on account of the lax system comes in for a fair share of attention, the complaint stating that by reason thereof the expenses of the road are increased to an unusual and unreasonable amount; that the books of the company show that while the gross earnings are increasing, the expenses are increasing in a much larger proportion; that the books show that during May, 1891, the earnings of the road were $14,227.85 and the operating expenses $9,513.18, making the net earnings $5,214.67, while during May, 1891, the earnings were $21,869.90, the operating expenses, $17,403.14, and the net earnings only $4,466.76; that during the four months from April 1, 1890, to July 31st, 1890, the total earnings were $65,289.23, and during the same period in 1891, $88,082.12, an increase of $21,792.89, while the operating expenses in 1890 for the four months were $37,829.14, and in 1891, $71,517.22, making the net earnings for the four months in 1890 $27,460.09, as against $16,564 for the same period in 1891, a decrease of $11,895.91, notwithstanding there was an increase in the gross earnings in 1891 over the earnings of 1890 of $21,79.

The plaintiffs further allege that they have notified the defendants in writing asking and demanding that a meeting of the board of directors be held, and that proper action be taken to at once protect and care for the interests of the defendant company, and seek redress for damages sustained by the company from the individuals named in the complaint for their wrongful acts, but that they have failed to call and hold a meeting, and have failed to demand of said individual defendants and to make, as a board, reparation for the wrongful acts complained of.

Wherefore plaintiffs pray that an order may be entered appointing a receiver for all the rights and properties and business of the company, directing said receiver to take possession of all such property of the defendant company and to operate and care for the same under the order and direction of the court, and for the protection and benefit of the plaintiffs herein and all other stockholders; that a restraining order be issued directed to each of the defendants restraining them, as officers and directors, from further incurring obligations against the company in the making of extensions and in carrying on and operating of extensions of the road not authorized by the charter thereof, and from further using the bonds of the company and from giving obligations of the company with large and unusual rates of interest (12 per cent), and from further carrying on in any way any wrongful acts with the intent and purpose of destroying the credit and assets of the company, and that an accounting may be had, that it may be determined what moneys of the corporation have been expended in extensions outside of the city, and what sums have been lost by the maintaining and operation of such lines; that defendant directors, and each of them, be adjudged to return to the company such sums of money as have been by them in this manner wrongfully expended, and that in default thereof plaintiffs may have judgment against such parties and each of them for the amount in which they are damaged, and which shall be determined by the accounting. Further, that the court will make such orders to the receiver as shall enable him to save the company from the loss of its bonds ($400,000) held as security for $50,000 (of the debts of the company) by the issuance of receiver's certificates and the raising of money thereby to save the forfeiture of the collateral or by such other means as may seem best; and that the plaintiffs may have such other and further relief as the court may direct and as to equity is just.

Powers and Ogden Hiles are the plaintiffs' attorneys.

Bevans Mining Company.

Articles of incorporation of the Bevans Mining company have been filed with Territorial Secretary Sells.

The company is organized to carry on a general mining, milling and smelting business. The principal office of the company will be at Logan, Cache county. The capital stock is placed at $500,000, divided into shares of the par value of $1 each. The stock is subscribed for and held as follows:

Name.	No. shares.
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

The officers of the company are G. W. Thatcher, president; N. W. Thomas, vice-president; M. H. Farnes, treasurer; D. H. Thomas, secretary.

Smothered to Death.

The following special to the Deseret News has been received from Castle Gate, Emery county, under date of the 20th inst.:

James Forster, weighmaster, went into the coal stack bin for some purpose, when the slack was drawn from the bottom, and he went down and was covered. The accident was not discovered until his feet came out of the spout. He was suffocated to death.

Death of Mrs. J. F. Jack.

Mrs. J. F. Jack, wife of City Recorder Jack, died suddenly at the family residence at 5 o'clock yesterday afternoon.

Herself and husband had just returned home from a ride around town in their carriage, and had gone upstairs together, when Mr. Jack, who preceded his wife, heard her gasping for breath. He turned just in time to see her lose her balance and fall down the stairway. She was picked up in an unconscious condition and placed on a bed where restoratives were applied, but all to no avail, as she expired within an hour without recovering her sensibility.

The deceased was thirty-five years of age and was a native of Indiana. She leaves only one child, a little boy of five years.

Mr. Jack has the sympathy of a large number of friends in his sad and sudden bereavement.

Held Up at Mid-day.

Shortly after noon yesterday, a couple of highwaymen accosted a teamster named Hunt, on the South boulevard, near the County Infirmary, State street, while he was engaged hauling gravel, and commanded him to stop as they had "business" with him. Mr. Hunt refused and the fellows sprang towards him, but grasping his whip in one hand and a cobble stone in the other he drove off.

The men had been seen loitering about the neighborhood the day previous.

HE BECAME A STAGE MANAGER.

STORY OF THE ORIGIN OF THE CELEBRATED MEININGER DRAMATIC COMPANY.

The Duke of Saxe-Meiningen was not always a theatrical manager. He became one in consequence of somewhat peculiar circumstances. These circumstances are not generally known. Saxe-Meiningen is one of the Saxon principalities, of which Saxe-Weimar and Saxe-Gotha and Saxe-Coberg are others. Its army is not large, it consists perhaps of some seventy-five sharp-shooters at most.

It created not a little astonishment, therefore, when the Austro-Prussian war broke out in 1866, that the old Duke, father of the present Duke George, declared against Prussia. George was at that time an officer in the Prussian army. The old man was immensely rich. The war being over his action was not forgotten and he received a request, which amounted to an order, from Berlin to resign his dukedom. Of course he had to do so and George was appointed Regent. But the old man had his revenge. He made a will practically disinheriting his son and leaving everything to his grandson.

George, who was attached to the Garde du Corps at Potsdam was like the rest of his friends, a trifle wild, and he had gotten into tremendous debt. He was consequently in a very unpleasant predicament. In 1870 he was still attached to the royal staff and had become a "Schlachten bummler," or drawing-room knight, in the suite of the Emperor William at Versailles during the Siege of Paris.

Among his other hobbies was a fondness for antiquities, so while at Versailles he spent a great deal of his time in the old curiosity shops buying up everything he could, among other things the real bed of Catharine de Medici, with the cushions, spread, etc., the earrings of the Duc de Guise, the sword of Henri Quatre. These at the end of the war he added to the collection he already possessed in the city of Meiningen.

In the year 1873 his first real stage experience began.

HONEYMOON HUMORS.

LIEUT. BROWN AND HIS BRIDE MADE VICTIMS OF THEIR FRIEND'S PRACTICAL JOKE.

[From the Philadelphia Press.]

Lieut. P. R. Brown, U. S. A., and bride, who were married on Monday at Phillipsburg, were the victims yesterday of a ludicrous practical joke at the hands of their friends. They boarded the Pittsburg day express, which reaches here about 4:30 and, like all honey mooners, tried to look and act like old married people.

Meanwhile their baggage was holding an impromptu reception in the baggage-car. There were three brand new trunks, and upon one of them a huge card, carefully painted, was tacked with large brass tacks, with the inscription: "Honeymoon Baggage, Bride's Trousseau."

This was further ornamented with a large bow of white satin. On the second trunk was a placard like this: "Handle with care. Just married." and another huge white satin bow. The bridegroom's trunk was spared a label, but the satin bow was a trifle larger and more conspicuous than the others.

The baggage agent thought the thing too good to keep to himself, so he invited everybody in to enjoy the joke.

Of course, everybody went through the car to find the young married couple, and equally of course the young married couple were easily found, and they wondered as the people smiled broadly when they passed them, whether they were more suspiciously married than all the other young brides and bridegrooms that have lived and mated and had their being or whether they were only sufficiently what thousands had done before them.

They never found out, and it is presumed that the trunks thus belabeled rolled up to some prominent Philadelphia hotel and gave the baggage smashers a treat.

The Field for the Inventor.

In the realm of machinery and manufacture the inventor is yet hot entering upon his infancy. Many millions of dollars have been reaped and are to be accumulated by the inventor in machinery who understands the complicated needs of humanity. The desired aim in the work is to reduce labor, expense and time to the lowest point, and to increase tints in the use of material that there will be no absolute waste. To enter upon this field of invention any exercise tries to accident and happy luck, but he must first thoroughly acquaint himself with the laws of dynamics and mechanics, so that he can appreciate in its perfection when it is completed to his mind.—George E. Walsh in New York Sports.

There is None Better.

Dr. R. L. St. John of Howland, Putnam county, Missouri, takes especial pleasure in recommending Chamberlain's Cough Remedy, because he knows it to be reliable. He has used it in his practice for several years, and says there is none better. It is especially valuable for colds and as a preventive and cure for croup. This most excellent medicine is for sale by Z. C. M. I. Drug Store. ds

You Can Rely

Upon Hood's Sarsaparilla as a positive remedy for every form of scrofula, salt rheum, boils, pimples, and all other diseases caused by impure blood. It eradicates every impurity, and at the same time tones and vitalizes the whole system.

Constipation, and all troubles with the digestive organs and the liver, are cured by Hood's Pills. Unequalled as a dinner pill. s

When Baby was sick, we gave her Castoria.
When she was a Child, she cried for Castoria.
When she became Miss, she clung to Castoria.
When she had Children, she gave them Castoria.

Dr. Burrows, Oculist, Aurist and Optician. Spectacles fitted. Commercial Block.

FOR FURNITURE
Carpets, Wall Paper, Upholstery, Curtains, Poles, Shades, etc., call on
NEVE & CHILD,
41 E. First South.

AUTHORIZED CITY AGENTS
—FOR THE—

Deposit Stamp System
—OF THE—
UTAH COMMERCIAL AND SAVINGS BANK.
22 and 24 E. First South Street.

[Agent list illegible]

Note.—Deposits can be made at the Bank or with any of the Agents, and when the amount reaches $1.00 the Depositor will get 5 per cent interest thereon, compounded 4 times a year.

General Banking Business.

Directors.—F. Armstrong, F. W. Madson, Thos. W. Ellerbeck, [illegible]

SETS OF TEETH $5.00. TEETH FILLED 50c.

EXPERT DENTAL COMPANY

Sets of Teeth,	$5.00
Teeth Filled,	50
Teeth Extracted,	25
Teeth Cleaned,	1.00

Teeth Extracted Absolutely without Pain

OFFICE IN CENTRAL BLOCK,
No. 41 W. Second South Street. Across the street from Wonderland.

SALT LAKE NURSERY.

HAVING BECOME SOLE PROPRIETOR of the Salt Lake Nursery, I am now prepared to furnish Fruit, Shade and Ornamental Trees and Shrubs, of best quality and at lowest prices.

Nursery one mile south of city limits, on State Road.

[illegible] MARTIN CHRISTOPHERSEN.

BLACK ∴ SILKS!

During this Week, commencing

NOVEMBER 23,

Our Entire Stock of Black Silks at

THE FOLLOWING REDUCTIONS!

SILKS!

$1.75 Black Rhadame, $1.29.
$1.35 Black Rhadame, 99c.
$3.00 Black Gros Grain, $2.29.
$1.90 Black Gros Grain, $1.49.
$1.50 Black Gros Grain, $1.21.
$1.25 Black Gros Grain, 89c.
$1.75 Black Regence, $1.49.
$1.25 Black Faille Francaise, 97c.
$1.50 Black Faille Francaise, $1.09
$1.40 Black Bengaline, $1.05.
$1.35 Black French Twill, 99c.
$2.00 Black Armure Cord, $1.49.
$1.65 Black Mascot, $1.29.
$1.65 Black Repp Silk, $1.34.
$1.25 Black Surah, 97c.
75c. Black Surah, 59c.
50c. Black Serge Satin, 42c.
75c. Black Pongee, 55c.
75c. Black India, 52c.
$1.00 Black India, 79c.

SILKS!

We believe it unnecessary to make any comments on this sale, and feel confident that any person about to purchase a SILK DRESS will certainly examine our stock before deciding. Any person desiring to make a present of this kind

WILL SAVE 25 to 33⅓ Per Cent.

By making the purchase now. PRICES QUOTED ARE FOR THIS WEEK ONLY.

GROESBECK & HOUGHTON.

R. K. THOMAS

26, 28, 30 and 32 EAST FIRST SOUTH ST.,

SALT LAKE CITY.

The warm weather leaves us loaded down with a Great Surplus of Winter Goods, which must be moved before the Holidays, therefore we will make the

GREATEST
REDUCTION
SALE
EVER KNOWN.

See Our Prices on Wraps

Cloth Wraps,	$3.25,	worth	$7.50
Cloth Jackets,	4.50,		8.75
Cloth Circulars,	3.75,		6.00
Cloth Ulsters,	4.75,		9.00
Plush Capes,	9.75,		21.00
Plush Wraps,	9.75,		20,00
Plush Jackets,	16.50,		30.00
Silk Wraps (Fur Trimmed),	$4.75,		$15.00

Infants' Cloaks, Children's Cloaks, Misses' Cloaks,

ALL DOWN! ALL DOWN!

A Tremendous Slaughter of NEWMARKETS, Ladies' and Misses'.

SHAWLS!! SHAWLS!!!

THREE PRICES.

Beaver Shawls,	$5.75,	worth	$8.50
" "	7.50,	"	12.50
" "	8.75,	"	15.00

50 Pieces SILK PLUSH at - 45c.
50 " Fancy Velvet, - 45c.
100 " Plain Velvets, $1.00 yd., worth $1.50

Silks! Silks! Silks!

EVENING SHADES, WHITE, CREAM, PINK, BLUE AND ALL DELICATE SHADES.

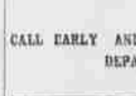
$1.00 Goods for - - 45c. per yard.

Fancy Silks, 45c., worth - - - $1.25
" " 75c., " - - - - 1.50

ALL BLACK SILKS AT THE LOWEST NOTCH.

DRESS GOODS! DRESS GOODS!

100 pieces Wool Plaids at 75c. yard, worth - $1.25.
100 pieces Plaids and Stripes, at 45c., - worth 75c.



We must turn these desirable goods into money at once, and the purchasing public can now reap the great advantages we are compelled to offer.

CALL EARLY AND WE'LL SUPPLY YOUR WANTS FROM ALL DEPARTMENTS AT BEDROCK PRICES.

R. K. THOMAS.