DESERET EVENING NEWS.

Thursday, April 30, 1896.

GOES TO THE COURTS

City Initiates Legal Proceedings Against the Light and Gas Co.

WANTS ITS FRANCHISE REVOKED

Gives Thirty Days in Which to Defend Itself in a Case That Was Rather Ill Prepared.

The promised indictment of legal proceedings against the Salt Lake Gas and Electric Light Company materialized last evening at 5 o'clock when City Attorney Sol Kelsey entered the office of Clerk Hardie and filed a complaint setting forth the facts in the case and the status of both parties to the action, the complaint quotes the franchise and the resolution of the house thereof by the Salt Lake and Ogden Gas & Electric Light company. It is then alleged that the company has been and is doing business under that franchise, and that part of its business is the furnishing of natural gas for heating and lighting purposes to the inhabitants of Salt Lake City; that the franchise provides among other things that "if natural gas be furnished, the price shall not exceed 40 cents per thousand cubic feet."

It is also alleged that the said corporation, disregarding the letter of said franchise and its acceptance thereof, "has utterly failed, neglected and refused to comply with the provisions of said resolution, franchise and agreement, and has continuously, continuously, consecutively and wrongfully refused to said agreement with said city in this: That it has failed, neglected and refused, and does still fail, neglect and refuse to furnish and supply natural gas at the rate or price of 40 cents per thousand cubic feet, as by the terms, conditions and limitations of said resolution and agreement and franchise it was and is required and bound to furnish; but, on the contrary, provided and charged and collected and exacted from the citizens of said city and charged for such natural gas at rates of 50 cents per thousand cubic feet, and in excess of and required of the citizens of said city, as a condition of supplying said gas to any citizen whatever, to pay for at such rates increased excessive and illegal rates, and at rates in the case of price of 50 cents per thousand cubic feet, whether the same is actually consumed or not."

The complaint then sets forth that the company, contrary to its duties, has disregarded its duties in these respects, and alleges that by reason of such disregard and breach of honor the defendant "has been guilty of a breach of the conditions of said resolution, franchise and agreement, and has caused a forfeiture of the same as aforesaid, and that said resolution, franchise and agreement so made as aforesaid, upon the conditions and limitations aforesaid, should be rescinded and set aside, and that said defendant be held to have forfeited all rights, privileges and franchises arising thereunder or growing out of the same."

"Wherefore plaintiff demands judgment that the said resolution, privileges and franchises so as aforesaid granted be adjudged and decreed to have been forfeited by said defendant; and that all rights thereunder be cancelled, annulled, rescinded and released of no effect, and that plaintiff have judgment for its costs in this behalf incurred."

A copy of the complaint was served on Attorney P. L. Williams, counsel for the company. Mr. Williams accepted service for his clients and asked for thirty days in which to answer. The request was granted.

Patent Medicine Circular Issuers.

Following is the order of arrangement and hearing of cases before the United States circuit court, presided over by Judge Marshall:

MAY 4.

No. 1. Gaston Cole vs. S. H. H. Clayton et al.

No. 2. H. Dowling vs. S. H. H. Clayton et al.

MAY 5.

No. 1. E. Lee vs. Continental Investment company.

No. 2. Mutual Union of America vs. E. F. Reynolds.

No. 3. Mutual Union of America vs. D. C. Reynolds.

MAY 6.

No. 1. Thomas Caldwell vs. S. H. H. Clayton et al.

No. 2. Charlotte Caldwell vs. S. H. H. Clayton et al.

No. 3. Mary M. Caldwell vs. S. H. H. Clayton et al.

No. 4. H. Brockway, administrator, vs. S. H. H. Clayton et al.

MAY 11.

No. 1. United States of America vs. Chinese Celestials.

No. 2. United States of America vs. A. Mitchell.

SOUTH STATE STREET.

A Correspondent Simply Echoes the Herald's Condition.

Salt Lake City,
April 29th, 1896.

To the Editor:

One would hardly think it possible in the county of Salt Lake to spend your money for one of its streets and have the thoroughfare in a far worse condition than it was before it was touched. But that this is the case can be testified to by hundreds who are compelled to travel up and down State street, as it is now called. (Shortly 10th? would be a more appropriate name for that portion between Twelfth South and Murray.) Before the road was ripped it was possible to travel it at least (also possible in the year with comparative comfort, excepting perhaps a short distance in the vicinity of the new assessment District's mill, and about a block at a mile farther north. But now it is not! The center of the road, where the money has been dumped, Republican specifications to the contrary notwithstanding, is some a foot (some days by rain) in the sides of the road that have been left where horses now hitched their wagons, because of its almost impassable condition. The song that was heard there a few days since, to the effect that "the longest road I ever had to travel was the road home," is now showing itself another line, the opening of dull and inhospitable (so called) skies and wet rain (the rest of my line is a very short one, so I am becoming "boggy and dull" myself) seems also of a similar character, travelling over it a few times. And the conditions are getting worse all the time.

It appears to me the proper thing to do with the men, whoever they may be, that are responsible for the present condition of the county's principal route, would be to put them in a good old English-fashioned two cart and compel them to ride up and down the ripped road for half a dozen times (or any such) they were willing to make any qualification that seems to satisfy.

Disgusted,
SHORT.

COLD AND windy WEEK.

Spring Seeding Retarded Except Where Nurse Beds Interfered the Work.

The weather during the week ending April 25th, 1896, was cold and windy, and unfavorable for germination of seeds and growth of vegetation. The warm rain at the close of the week was badly needed over the southern portion of the State and was of great benefit to all kinds of vegetation. Plowing and seeding progressed during the week in all portions where the soil was in condition for working. Spring seeding is nearly finished except in a few of the northern counties where the storms of the preceding week retarded the work. In the northern portion of the State the prevailing practice is having a few acres of corn, beans and sorghum. In Davis and Weber counties a great deal of the spring work is taken, serious and thus have been killed by frost, in these sections for the fruit crop has been injured to some extent. Winter wheat and spring grain looking well, most growing crops seem to be doing well. Strawberries in Utah, Davis and Weber Counties are reported as coming fine, and the outlook of the fruit is pretty fine.

Warmer weather during the coming week would greatly benefit the conditions of the crops.

J. H. PETTIT,
Observer and Meteorologist, Weather Bureau, Salt Lake City, Utah.

A Mystery Still.

A letter to the News from Nashville brings the information that the whereabouts of Wallace Lee, who recently finished a meeting held by Ford Farmer, who disappeared from view so suddenly while on a Colorado gold hunting expedition. The opinion still prevails that Farmer is dead and that he met with foul play as heretofore intimated.

Against Barnes and Gibson.

A suit in law was filed in Justice Wenger's court today by James Barnell and Charles F. Stillman vs. Harry Barnes and Albert Gibson, affidavits being issued to the Marshall Bank company. The suit is for work done (benefits to secure $250.) alleged to be due for work done on the premises of Barnes and Murray, together with interest from Feb. 1, 1896, and costs of the action. Hoyt Brown is the attorney for the plaintiffs.

What Prominent Druggist Now Says.

H. M. Blossom, senior member of H. M. Blossom & Co., 319 N. 2d St., St. Louis, writes: I had been left with a very distressing cough, the result of influenza, which nothing seemed to relieve until I took Piso's Cure for Consumption Syrup. One bottle completely relieved me. I sent one bottle to my parent, who had a severe cough, and she experienced immediate relief. I always recommend this syrup to my friends.

John Cleaver, 308 Hampshire street, Quincy, Ills., writes: I have found Piso's Cure for Consumption Syrup superior to any other cough medicine I have ever known. It never disappoints. Price 25c.

Ballard's Snow Liniment.

This liniment is different in composition from any other liniment on the market. It is a scientific discovery which results in it being the most powerful pain killer ever known. Thousands are continue using it because they pay the other a greater profit. Beware of them and demand Ballard Snow Liniment. It positively cures Rheumatism, Neuralgia, Sprains, Bruises, Wounds, Cuts, Scalds and Inflammatory Rheumatism, Burns, Scalds, Sore Feet, Contracted Muscles, Stiff Joints, Old Sores, Pain in Back, Salt Rheum, Chilblains, Sore Throat or Throat, and is especially beneficial to Ladies.

A Sound Liver Makes a Well Man.

Are you Bilious, Constipated or troubled with Jaundice, Sick Headache, Bad Taste in Mouth, Foul Breath, Coated Tongue, Dyspepsia, Indigestion, Sick Dry Skin, Pain in Back and between the Shoulders, Chills and Fever, etc. If you have any of these symptoms, your Liver is out of order, and your blood is slowly being poisoned, because your Liver does not act properly. Hadnoin will cure any disorder of the Liver, Stomach or Bowels. It has no equal as a Liver Medicine. 25c per vials. Free trial bottles at F. C. M. L. drug store.

All druggists are prepared to supply, if necessary to satisfy customers or to attend the regular demand, but when the merchant offers a private channel he is doing so with the design of his so-called "profit." Dyer Drug Co. depends solely upon its reputation to gain as a successful cure for eczema in all its stages. It is the labor's free to be necessary or any other drug for purpose to the special. Being applied directly to the "dead" membrane it effects instantaneous relief and will effect a perfect cure of eczema.

Go to the old Reliable Gutter-Pyle Co. for everything in the drug line.

Awarded
Highest Honors—World's Fair.
DR.
PRICE'S
CREAM
BAKING
POWDER
MOST PERFECT MADE.
A pure Cream of Tartar Powder. Free from Ammonia, Lime or any other Adulterant.
40 YEARS THE STANDARD.

We take pleasure in recommending Chamberlain's Cough Remedy because it is product of one who by 'C. Jones J. W. Cole & Son, druggists, Mitchell, Oregon. Sold by all druggists with a throw of 25c. Large size, one dollar, and more without parting it. It always gives prompt relief. It is especially valuable for colds, as it prevents the cough, makes them less severe and more expectorative. A cold will often result in pneumonia when this remedy is used as a preventative cautioned. For sale by Druggists.

Sickness Ended.

Thousands who are subject to attacks of bilious colic will be pleased to know that prompt relief may be had by taking Chamberlain's Colic, Cholera and Diarrhoea Remedy. It is gentle and can always be depended upon. In many cases the attack may be prevented by taking the remedy as soon as the first indication of the disease appears. 25 and 50 cent bottles for sale by druggists.

Frank Sheppherd, an engineer on the Southern Pacific line, who resides at Los Angeles, Cal., was troubled with rheumatism for a long time. He was treated by several physicians, and finally tried Electric Bitters, but received no permanent relief until he used Chamberlain's Pain Balm. He says it is the best medicine in the world for rheumatism. For sale by Druggists.

Cleanse your blood with Gutter Pyle Co.'s Concentrated Sarsaparilla. Best on earth.

Take all your Prescriptions to Gutter-Pyle Drug Co.

Children's and Misses' Jackets for during now (very) from $1.75 up and up wards. Walker Bros. and Dry Goods Co., 51-53 Main St.

Give your feet and wife sensation in walking shoes, at a cost. Regular cost at Walker Bros. & Dry Goods Co., 51-53 Main St.

Butter "Have to pay" [illegible] from 25c to $1.00 each. Best quality [illegible] Walker Bros. and Dry Goods Co., 51-53 Main St.

Reliable Electric Work.

For sale some fifteen and elegant incandescent, go to the Independent Electric Co., 47 East Fifth south street.

It costs no more for good work. Send your laundry to the Eagle, 51 Commercial St. Tel. 79.

Gutter-Pyle Drug Co. are good for the best Medicines and lowest prices.

Rye Coal at the Yellow Front.

By ordering your coal from C. S. Martin you get it clean and promptly delivered. Office under McCornick's Bank.

"Utah Diamond" at Union Coal.

All kinds of Coal, country and Union delivered at the old reliable Gutter-Pyle Drug Store.

Utah Commercial and Savings Bank, 20 East First South.

Scarfs backed to order, only 5 per cent, Schoffels, 75 Arcade, Feet, F. W. Mulley, Superintendent, J. E. Jennings, cashier.

Miller & Miller Screened Coal.

Miller & Miller—All kinds of Coal.

J. G. McDonald Candy Co. is between the Walker and Gill hotels.

Crackers.

The Columbia is second crack, shall crackers, and they are especially have demonstrated their merit beyond question. O. S. Jones & Co. E. First South.

For Sale.

One Walter A. Wood Self-Binding Harvester machine,
One Plant Harrow,
One Set Double Harness,
Two Plows.

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Boy's Suits, 4 to 14, just in, from $2.00 to $4.50 each. Walker Bros. and Dry Goods Co., 51-53 Main St.

Strength and Vitality.

MARTIN, Utah, April 4, 1895.—When we had our sons, Hood and, have good appetite and are hardly close enough and do our duty with to report to Hood's Sarsaparilla and this medicine gives us new life, creates an appetite, causes that feeling to disappear and gives us strength and vitality."—A. E. Martin, M.

Hood's Pills sole all over Ills.

When the eyes are inflamed, or sticky, use the preparation will restore the eyes, in all cases Hall's Hair Renewer will do a wonderful.

For every variety and phase of the many causes which attack the organs of the throat and lungs, Ayer's Cherry Pectoral will be found specific. Throughout and extensive and positive are generally realized. And it is important for you.

The allegation often nothing to cases made by Ayer's Sarsaparilla are unprecedented and are not. Ask at our J. C. Ayer Co.'s Office, Lowell, Mass. They are in all over the world, and are therefore known to every district of every town.

Miller & Miller, "Coal Dealers."

Have You Seen
The new Flower from Japan? It is good. Dealers only in Flowers. Ask for it.

Pro Bono Publico.

It is a fact that ROBINSON BROS., the SHOE BUILDERS, make the best $3.00 $3.50, $4.00 Goodyear Welt Shoes on the market today, made in any style too, from Patent to Wide Prence; also their working man's Shoes, lead all competitors, $1.25 and $2.50.

Try our Boys' and Youths' Knockabouts, $1.25 to $1.75. If your dealers don't handle them, send direct to us.

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Plumbing Done By Competent Workmen.

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Look the king of the world.

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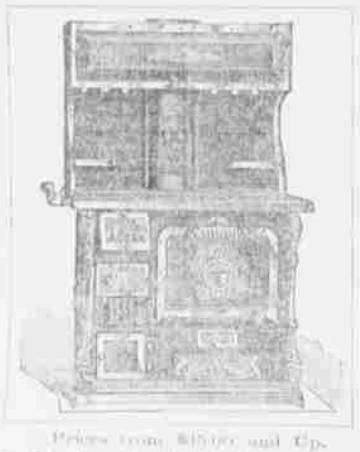

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25 Per Cent
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We offer all new goods, no shoddy, shopworn stuff, at above discount.

Received this week two cars of sideboards, fancy chairs, French toilet tables, bookcases and fancy rockers.

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