

## COMMISSIONERS FILE AN ANSWER

In the Suit Involving Control of  
Jordan River Water.

DENY COMPANY'S CLAIMS.

Defendants Ask that Temporary In-  
junction Against Them be Dis-  
missed.

Special Correspondence.

Provo, June 20.—A lengthy answer has been filed in the Fourth district court in the case of the Salt Lake City Water & Electrical Power company vs. Walter Scott et al, composing the commissioners to distribute and control the water of Utah Lake and Jordan river, east Lake City, and the various canal companies taking water out of the Jordan river. The plaintiff corporation is suing for \$25,000 damages against the defendants, for the impounding of one-sixth of the natural stream of the Jordan river which the defendant claims. The plaintiff is also asking for a decree restraining the defendants from in any way interfering with the one-sixth of the flowage of the river. A temporary restraining order was issued some time ago by Judge Booth, which is still in effect.

The answer admits that the precipitation of rain and snow the past winter has been somewhat less than the average of former years, and denies that they allowed great quantities of water to flow to waste early this spring. Defendants deny that the plaintiff ever acquired the right or the right of now owns the right to use, one-sixth, or any part of the natural flowage of the Jordan river.

The answer alleges that a long time prior to 1889 defendant corporation appropriated and diverted all of the waters of the river for domestic and irrigation purposes, as well as each year since, during the irrigation season, to run between the 1st day of April to the 30th day of November and have used the entire flow.

That because of the aridity of the climate and the drainage of the water from Utah Lake by the Jordan river, the waters of the lake in the dry seasons dried up and receded and then there was not sufficient water flowing to supply the defendant corporation during the irrigation season, and in order to protect their several appropriations the defendants united into a scheme to store and retain the water in the lake and the bed of the river for use in dry seasons, and constructed a dam suitable for such purpose, and in the years 1889 and 1890 the defendants dredged the bed of the river so as to serve as a storage basin or reservoir, and is now being used in connection with the lake in that capacity, and the defendants allege they have a right to regulate and control the flow of the water. Without such storage the water can not be, during the irrigation season, distributed to the use of said defendants. The water has been stored and impounded by means of the dam for more than ten years.

In the dry seasons and years, if the water had not been impounded the water would have gone down, the Jordan river, the lake would have dried up and receded to a point below the bed of the channel of the river at the mouth and no water could flow to be made available to the uses of the defendants or anybody else. The past winter little snow and rain fell, and in the early spring the supply began to diminish and in order to save and protect, as far as possible the water supplied for the irrigation season, it was necessary to begin early to impound the water, and on April 6th the defendants increased the height of the dam, as they lawfully had a right to do.

The plaintiff has nothing but a secondary right to any of the flowage of the Jordan river, as all the water has long since been appropriated. It is impossible to permit the plaintiff corporation to have the use of a continuous and constant stream of an ascertained and certain volume of the river during the irrigation season, and it will be because of this assurance that the agrarians voted for the naval bill.

**Not So Foolish.**  
New York, June 21.—Gov. Roosevelt arrived in Jersey City at 8:20 p. m., and, taking a cab, was driven to the Union League club in this city, where he will spend the night. Tomorrow he will go to Cyster Bay for a rest.

It was said today that Gov. Roosevelt might, in view of his candidacy, consider it necessary to resign the governorship and allow Mr. Woodruff to succeed him. Gov. Roosevelt said he had not given such a thing a single thought as yet. If he should resign it would put Mr. Woodruff in such a position that he would be the logical candidate for governor.

**Seeking a Mate for Bryan.**  
Philadelphia, June 21.—The North American will publish tomorrow morning the result of a canvass of the editors of prominent newspapers throughout the United States as to the local running mate of Bryan in view of the selection of Theodore Roosevelt by the Republican national convention as the vice presidential candidate. The tabulated vote shows a decided preference for David B. Hill, but no man has a clear majority.

Another favorite is William R. Hearst, editor of the New York Journal and Advertiser. He is almost as strong as Hill. Admiral Dewey finds little favor.

**Malaria Cure.**  
Berlin, June 21.—Dr. Koch, in the Deutsche Medicinische Wochenschrift, reporting from German New Guinea, under date of April 28th, regarding his investigations respecting the origin and cure of malaria, says: "We have already established the fact beyond doubt that by prophylactic and subsequent treatment with quinine, even the worst infected districts can be cleared of malarial infection."

**Kingston, Jamaica, June 15.—Correspondence Associated Press.**—Particulars of the catastrophe which befel the river steamer Mabel and three other boats recently when they swept over the Tumatumari falls in the Demarara river, British Guiana, have just been received here.


It appears that the Mabel left Petaro landing in the gold-bearing district for the landing at the head of the Tumatumari falls, with three boats in tow. There were 120 passengers altogether.

When the boats were within 200 yards of the Tumatumari landing it was found that the current was likely to carry them beyond it. A line thrown to the shore fell short, and Capt. DeCamp, a passenger on the steamer, volunteered to swim ashore with it. The passengers then became alarmed, and many of them jumped overboard. Some it is said got in the way of Capt. DeCamp, who only escaped being drowned by catching hold of a tree.

All hope of saving the boats was now past, and they were swiftly swept to the cataract. As soon as they reached the rapids two of the boats were smashed against the rocks and sank. The rope holding the third boat to the steamer broke, and the craft shot through the rapids rapidly, her occupants being none the worse for their terrible voyage. The steamer, as soon as she got in the rapids, blew up and went under.

The cries of the passengers at this time were most awful. The angry waters carried many of them to their doom, their bodies being dashed with great violence against the sharp coral rocks. Fully one-half of those on the boats were lost, among the victims being Dr. O. C. Taylor, an Englishman, who was making a tour of the West

**MUNYON'S**



I do not believe there is a case of dyspepsia, indigestion or any stomach trouble that cannot be relieved at once and permanently cured by my **DYSPEPSIA CURE**.

MUNYON, At all Druggists, 25c. a trial, Guide to Health and medical advice free. 1505 Arch street, Phila.

**DYSPEPSIA CURE**

Indies, and J. B. Taya, an American gold miner who had been prospecting on the Potaro and Minnehaha rivers.

**MAY HAVE DIPHTHERIA.**  
Khedive of Egypt on a Vessel in the Thames.

London, June 21.—Abbas Hitti, the khedive of Egypt, arrived in English waters today on his first official visit to this country. The royal yacht Osborne brought his highness from Flushing to Port Victoria, where he was received with a salute from the fleet anchored at Sheerness, but he was prevented by an illness from continuing his journey.

The khedive is accompanied by the commander of the Anglo-Egyptian forces, Wingate, and Sir James Deneid Rodd, the British secretary of legation and secretary of the consulate general in Egypt.

The duke of Cambridge, the Turkish ambassador, Anthoni Pasha, and a number of other distinguished persons, with a guard of honor, assembled at the Charing Cross station to welcome the khedive, but they received the information after a tiresome wait that his highness was suffering from sickness, and would, in consequence, postpone his departure from Port Victoria for London. The welcoming party therefore dispersed, and shortly afterwards, in response to a telegram, a London specialist left this city on a special train to attend the khedive.

The khedive later was said to have been suffering for two days previous to his departure from Flushing from symptoms of diphtheria, which increased during the voyage. The attending physicians, after a consultation on board the royal yacht tonight, determined to wait until Saturday before deciding on the question of his removal to London.

**IDAHO TOWN BURNED.**  
Second Disastrous Fire at Placerville Within a Year.

Boise, Ida., June 21.—The town of Placerville was nearly wiped out by fire at an early hour this morning. Eight business houses, practically the entire business district, were burned. No estimate of the loss has been made. The town was burned August 17th last, and the buildings destroyed this morning were all new.

The fire broke out at 2:30 o'clock in the rear of John Vessey's saloon on the north side of the Plaza. It started in a woodshed back of the saloon and communicated to the main building and spread rapidly to the other buildings. Every effort was made to stay the course of flames, but they spread with great rapidity and had soon destroyed the principal business buildings. It is not known whether the fire was started by accident or design, but it seems certain that it was started by some one who had gone into the woodshed, perhaps to sleep. The total loss is \$75,000, with known insurance of \$7,500.

The heaviest losses were John Vessey, hotel, loss \$2,500, insurance \$1,500; Mrs. Ellis, hotel, loss \$6,500, insurance \$2,500; Chris Seckel, loss \$3,000, insurance \$1,500; Miss Maggie Halley, hotel, loss \$4,000, no insurance; C. R. Anderson, loss \$2,500, no insurance; Henry Ashcroft, loss \$3,000, insurance \$1,000; G. R. Watkins, building and goods, loss \$3,500, insurance \$1,000; James McDevitt, postoffice and butcher shop, loss \$3,000, no insurance as far as known; J. Fullam, residence, loss \$2,500, no insurance; Odd Fellows, loss \$2,000.

**Expect War With England.**  
Berlin, June 21.—A sensation has been caused by a declaration of Herr Werner, editor-in-chief of the Deutsche Tageszeitung, the agrarian organ, who, in the course of a political speech at Ebernburg, said:

"Our next war will be naval, and against England. Of this we have been quietly assured by the government, and it will be because of this assurance that the agrarians voted for the naval bill."

**Not So Foolish.**  
New York, June 21.—Gov. Roosevelt arrived in Jersey City at 8:20 p. m., and, taking a cab, was driven to the Union League club in this city, where he will spend the night. Tomorrow he will go to Cyster Bay for a rest.

It was said today that Gov. Roosevelt might, in view of his candidacy, consider it necessary to resign the governorship and allow Mr. Woodruff to succeed him. Gov. Roosevelt said he had not given such a thing a single thought as yet. If he should resign it would put Mr. Woodruff in such a position that he would be the logical candidate for governor.

**Seeking a Mate for Bryan.**  
Philadelphia, June 21.—The North American will publish tomorrow morning the result of a canvass of the editors of prominent newspapers throughout the United States as to the local running mate of Bryan in view of the selection of Theodore Roosevelt by the Republican national convention as the vice presidential candidate. The tabulated vote shows a decided preference for David B. Hill, but no man has a clear majority.

Another favorite is William R. Hearst, editor of the New York Journal and Advertiser. He is almost as strong as Hill. Admiral Dewey finds little favor.

**Malaria Cure.**  
Berlin, June 21.—Dr. Koch, in the Deutsche Medicinische Wochenschrift, reporting from German New Guinea, under date of April 28th, regarding his investigations respecting the origin and cure of malaria, says: "We have already established the fact beyond doubt that by prophylactic and subsequent treatment with quinine, even the worst infected districts can be cleared of malarial infection."

**McLEAN'S CORDIAL**

Tastes Good  
Does Good Feels Good  
Is Good

PREPARED ONLY BY  
The Dr. J. H. McLean Medicine Co.,  
St. Louis, Mo.

## TO PLAY POLO ON ROLLER SKATES

Y. M. C. A. to Revive This Game  
at Saltair.

WAS ONCE VERY POPULAR.

News of the Diamond—Tonight's  
Race at the Salt Palace—With  
the Horsemen.

The Y. M. C. A. athletes are going to revive a game that once held the interest of all Salt Lake sports. This is roller skate polo, a game that used to pack the old skating rink on West Temple street, with enthusiastic spectators. The Y. M. C. A. will revive the game at Saltair this afternoon, and it is expected that the old cracks, Clinton, Campbell and the others, will come out once more. The Y. M. C. A. has a number of good players, including J. H. Moore, Burt Rasmussen, Elmer Rasmussen, A. Cheshire, Augustus and Axton.

**WILL PLAY BALL.**  
City and County and Bankers' Teams  
Complete Arrangements.

The city and county team has accepted the challenge of the Bankers and the long talked of match game of baseball will be played at Walker's field next Wednesday. The game will be for \$50 a side and gate receipts. The line up will be as follows:

**Bankers.** City & County.  
Margets, Nels..... Margette Bert  
Roney..... S.S. Naylor  
Groenbeck..... P. Naylor  
Badger..... 2 b. Griffiths  
Wells..... 3 b. Dobbs  
Oeller..... C. Gowan  
Young..... 1 b. Marks  
Coffin..... C. Thatcher  
Spencer..... F. Lynch  
Bebe..... Sub. Gardiner  
McEwan..... Sub. Wegeland

**Tomorrow's Game.**  
The game between the Short Line and Ogden will be called at 4 p. m. tomorrow. The line-up is as follows:

**Short Line.** Ogden.  
Asbury..... C.F. Glimin  
Waller..... 2nd Casey  
Taylor..... P. Hansford  
Kimerer..... R.F. Bluth  
Ramey..... 1st. Plake  
Hoffer..... 1st. McGregor  
Cain..... 2nd. Greenwall  
Berkley..... C. Clark  
Berkley..... C. Henry

**Tonight's Races.**

The program arranged for the saucer track races tonight is easily the best one yet put up. The liberal purses have brought out every rider of note in the city. Interest centers in the great tandem race, in which all the crack professionals are entered. In the amateur event, Smith will ride and his admirers are confident that he will beat Meakin.

**Horsemen at Calder's.**  
The Utah Gentlemen's Driving Club has secured the Calder's Park track for the season. Several meets will at once be arranged.

**Ogden Horsemen.**  
Ogden, June 21.—A meeting of the Ogden Horsemen was held last night and O. M. Runyon and S. E. Corey were appointed a committee to arrange for races on or about July 15th. Two hundred and fifty dollars were subscribed at the meeting for the races.

**Amateur Baseball.**  
Ogden, June 21.—The opening ball game of the Amateur League was played last evening at the Driving Park with a fair attendance. The game was played between the Pujals and U. B. clerks. It resulted in a victory for the Pujals by a score of 5 to 2.

**BASE BALL NOTES.**

Manager S. A. Whitney, of the Bankers, has arranged for a game on July 24 with the Provo team.

Joseph H. Patrick has resigned the management of the City and County

# ROYAL

## Baking Powder

### Absolutely Pure

Makes hot breakfast-breads wholesome—no yeast germs, no alum.  
Makes cake, biscuit and pastry of superior fineness, flavor and delicacy.  
Makes food that will keep moist and sweet. Is most economical, because it is the purest and greatest in leavening strength. In the easy, expeditious preparation of the finer cakes and pastries appropriate to the season, Royal is indispensable.

Care must be taken to avoid baking powders made from alum. Such powders are sold cheap, because they cost but a few cents per pound. Not only will they spoil the cake, but alum is a corrosive acid, which taken in food means injury to health.

ROYAL BAKING POWDER CO., 100 WILLIAM ST., NEW YORK.

team and is succeeded by A. K. Nicholson.

The game between the Short Line and Ogden has been postponed until next week.

The Wilkes team has issued a challenge to play any non-professional team in the city.

Tomorrow the Short Line and Ogden teams play at Walker's field. The Sunday game will be between the Short Line and Rio Grande Westerns.

The ladies golf tournament for the Newhouse trophy commences at the country club tomorrow and will continue until September.

**OUTSIDE EVENTS.**

Brooklyn is Again at the Head of the Procession.

**STANDING OF THE CLUBS.**

	P. W. L. P. C.
Brooklyn	48 31 17 645
Philadelphia	49 31 18 632
Boston	47 24 483
Chicago	49 26 469
St. Louis	47 21 26 446
Pittsburgh	52 23 29 442
New York	47 20 27 425
Cincinnati	46 19 27 412

**YESTERDAY'S GAMES.**

New York 1; Boston, 5.  
Philadelphia, 6; Brooklyn, 8.  
Cincinnati-Chicago; postponed; rain.

**TODAY'S GAMES.**

Boston at New York.  
Brooklyn at Philadelphia.  
Chicago at Cincinnati.

**American League.**

**STANDING OF THE CLUBS.**

	P. W. L. P. C.
Indianapolis	48 31 17 645
Chicago	52 32 31 693
Milwaukee	53 29 24 547
Minneapolis	55 26 327
Cleveland	49 24 510
Kansas City	55 26 309
Buffalo	53 16 36 397
Detroit	49 16 33 326

**YESTERDAY'S GAMES.**

Minneapolis-Milwaukee; postponed; wet grounds.  
Detroit, 3; Cleveland, 0.

Indianapolis, 8; Buffalo, 7.  
Chicago-Kansas City; postponed; rain.

**TODAY'S GAMES.**

Buffalo at Cleveland.  
Indianapolis at Detroit.  
Minneapolis at Milwaukee.

**Montana State League.**

**YESTERDAY'S GAMES.**

Great Falls, 14; Butte, 3.  
Anaconda, 8; Helena, 5.

**Brooklyn, 8; Philadelphia, 6.**

Philadelphia, June 21.—Philadelphia had the game up to the ninth inning, when Orth went into the air and before he alighted the Brooklyn rapped out four hits. Bernard, who succeeded him, was hit safely twice, gave a base on balls and made two wild pitches—the whole combination resulting in five runs and the game. Attendance, 4,857.

**SCORE.**

	R. H. E.
Philadelphia	6 10 3
Brooklyn	8 12 2

**Batteries—Nops, Kiteen and McGuire; Orth, Bernard and Douglass.**

**Boston, 5; New York, 1.**

New York, June 21.—The Boston won today through the clever pitching of Dineen. Hawley was hit rather freely at opportune times. Both teams fielded splendidly. Attendance, 2,300.

**SCORE.**

	R. H. E.
New York	1 3 2
Boston	5 11 2

**Batteries—Hawley and Bowerman, Dineen and Clement.**

Chicago, June 21.—Chicago-Cincinnati game postponed on account of rain.

**Yale Beats Harvard.**

Cambridge, Mass., June 21.—Three thousand people saw Harvard defeated by Yale on Soldiers' field this afternoon by a score of 15 to 5 in a baseball game which was never in doubt after the fifth inning. The Yales knocked two Harvard hitters out of the box and played much better in the field than their opponents.

**SCORE.**

	R. H. E.
Yale	15 18 4
Harvard	5 7 6

Batteries—Robertson and Hirsch; Kernan, McDonald, Stillman and Held and Milone.

**Results at Denver.**

Denver, June 21.—In the hurdle race at Overland park, Jockeys Burke and Hunter were thrown from their horses. Burke was fatally injured.

**Results.**

First race, seven furlongs—R. Q. Ban won, Miss Redwood second, Cousin Letty third. Time—1:29.  
Second, six furlongs—Eva Wilson won, Croker second, Joe Heart third. Time—1:17.

Third, four and a half furlongs—Ben Raech won, Panamin second, Sea Queen third. Time—1:55.  
Fourth, hurdle, seven furlongs—Chilcool Pass won, Joe Bell second, Gloriana third. Time—1:40.

Fifth, four furlongs—Jake Ward won, Orator second, Ferdinand third. Time—1:19.

**Was Only Gambling.**

Springfield, Ill., June 21.—The Supreme court today affirmed the decision of the lower court, which convicted A. V. Booth of Chicago of unlawfully contracting in writing with the Weare Commission company an option to buy 10,000 bushels of corn at a future time, contrary to the statute.

The decision is important in that it declares the Illinois law regarding puts and calls to be valid. The defense was based on constitutional grounds.

The court does not hold that a contract to buy grain for future delivery is unlawful, but holds that the Booth-Weare contract did not bind Booth to take the corn on delivery day, and was merely a gamble on the price of corn.

**Chinese Trade Falling Off.**

New York, June 21.—The shipments in transit at the moment from this port

to China are not as large as they have been in other years at this time. It is stated by a prominent shipping firm that to Hongkong alone there is probably about some \$125,000 worth of general merchandise sent from this city which is to be distributed from there. While there has been no very general cancellation of orders to be shipped to treaty ports of China, it is believed, however, that there will be a lull in trade while the present conditions exist. The check will affect principally all kinds of manufactured products.

**What Do They Anticipate.**

Chicago, June 21.—A special to the Tribune from Kansas City, Mo., says: Col. John I. Martin, of St. Louis, sergeant-at-arms of the Democratic national convention, today announced the appointment of Dr. Nicholas S. Jan of Chicago, to be chief of the medical staff of the national convention to be held on July 4. The staff is to consist of a physician from every State and Territory in the Union. The selection of Dr. Senn to be chief of such a staff of surgeons was made, says Colonel Martin, as a partial recognition of his high standing as a surgeon and his great services during the war with Spain.

If the stomach performs its functions actively and regularly, the food of which it is the receptacle, is transformed into blood of a nourishing quality, which furnishes vigor and warmth to the whole body. HERBINE gives tone to the stomach and promotes digestion and assimilation. Price, 60 cents. Z. C. M. I. Drug Dept.

To save mending, avoid breaking, and to avoid suffering, prevent coughs and colds by the timely use of BALLARD'S HOREHOUND SYRUP. It is a safe, sure and swift remedy for all bronchial ailments. Price, 50 cents. Z. C. M. I. Drug Dept.

**GAIL BORDEN**

**EAGLE BRAND**

**CONDENSED MILK.**

Borden's Condensed Milk Co., New York

## A BIG SHIPMENT OF SUMMER FANCY VESTS

JUST RECEIVED.

Some swell designs in checks and stripes and some plain white duck, single and double breasted. This is the finest lot of Wash Vests we have ever had, but we still stand by the old prices. The white ones, \$1.25, \$1.50 and \$2.00. The fancy ones \$1.75 and \$2.00. Crash Vests, light and dark color, single breasted, \$1.25 up.

**OTHER LATE ARRIVALS.**

More of those French Flannel Suits. Better this time than ever. One is a dark grey, with narrow black and invisible green stripes, single breasted skeleton coat, pants regular cut (not turned up at bottom) skilfully cut and finished. It looks like a \$20.00 suit. We sell it for \$12.00.

Some of the double breasted style in light stripe flannel, \$10.00.

## THE SIEGEL CLOTHING CO.,

61-63-65 Main.

## ELIAS MORRIS & SONS CO.,

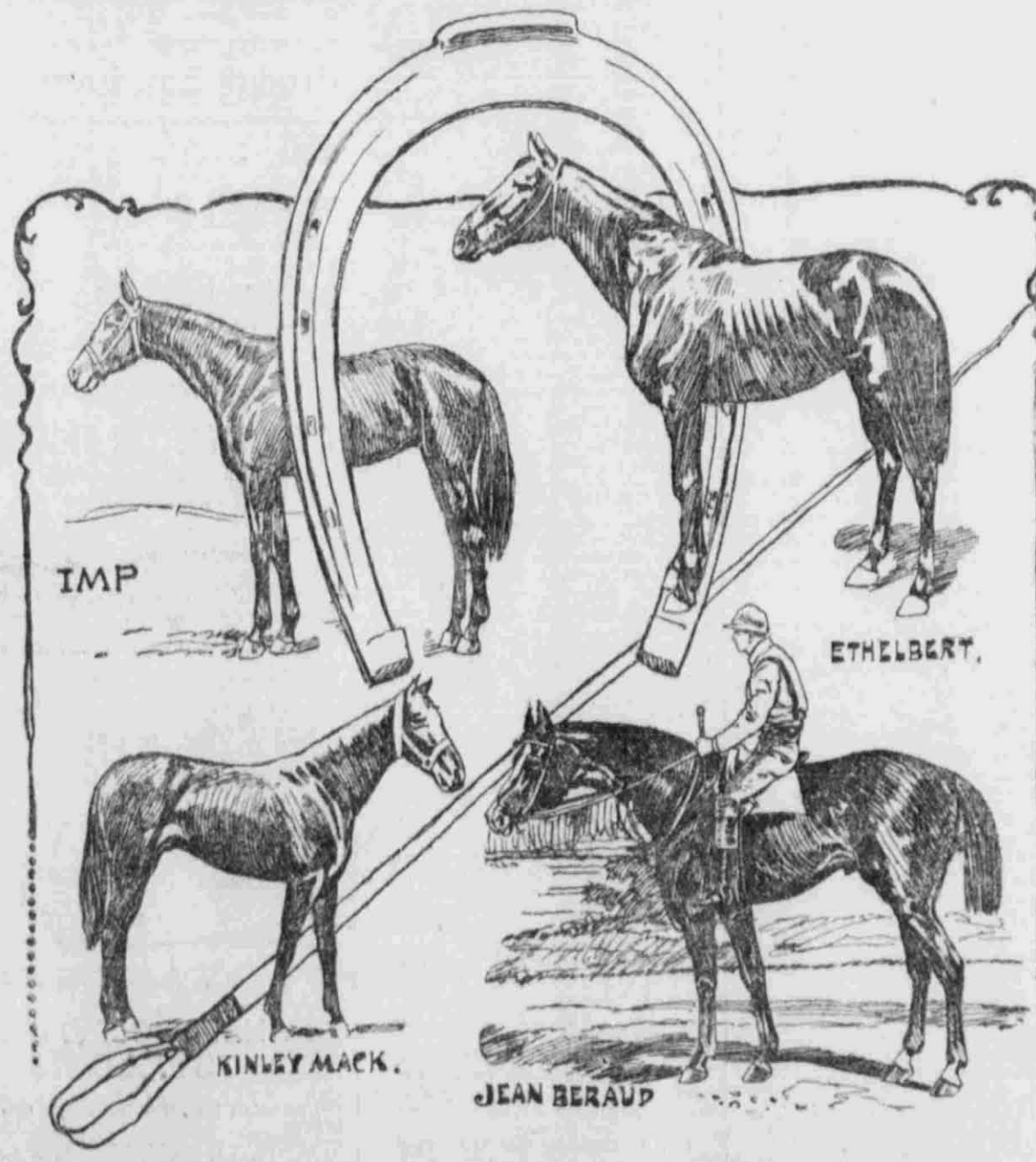
21-23-25-27 W. South Temple, - Salt Lake City, Utah

Wood Mantels, Grates, Tiles, Brass Fenders, Fire Sets, Spark Guards, Etc.

We are offering some FINE OLD IRON MANTELS Complete at

**\$25.00**

Examine our new stock of Monuments. Place orders now for Decoration Day.



FOUR OF THE SUBURBAN HANDICAP'S GREAT THOROUGHBREDS.