HISTORIAN'S OFFICE. Church of Jesus Christ of Latter-day Saints.

ANE AD, in the home is worth a hundred on the highway. Our circulation is home circulation.

LAST EDITION.

DESERET EVENING NEWS.

It will pay you, too.

ALL THE BIGGEST ADVERTISERS

Use the Deseret News. It pays them,

Shot Her Old

Fayetteville, Ark., to Kansas City - She Entered His Room While He Slept and Fired Four Bullets Into Him-She Admits That Jealousy Prompted Her Deed.

Tansus City, April 9.-Mrs. Amanda miams, who came here recently from rus, shot and fatally wounded Car-i Nix, of Fayetteville, Arkansas, is the latter was asleep in his room

Feart, Ruth Nollard, with a rifle, Later Mrs. Williams consented to 10 West Ninth street early today. he police station later she refused

Later Mrs. Williams consented to talk. She said she had left Fayette-ville on Monday last to follow Nix, who had preceded her the day previ-cur. She met him here two days ago, she asserted, but he had evaded her. Mrs. Williams admitted frankly that the sheating was properted by isolorey rs Williams and Nix were former hearts. The woman was deserted er husband some time ago in a town and until recently had the shooting was prompted by jealousy She said she had been deserted by he n Fayetteville. Nix, it appears to Kansas City a few days ago he woman had followed him aphusband in Texas a year ago, and that the acquaintance with Nix, whom she had known for years, was renewed, atly intent on taking his life. a Nix lay asleep this morning Mrs. Nix was a farmer, ams entered his room at 5:30 any other occupant

walr made an early start this

og from his headquarters in the

and as the authorities are making

assible the president may get a | was released

Mrs. Williams later, in a statement to the prosecutor, admitted that she had purchased the revolver with which she shot Nix a month ago, and that the had planned the shooting deliberhouse and began firing at him. ne hit him in the cheek, a in the groin and a fourth grazed ely. She was cool and collected when arm. The fifth bullet, the last evolver, went wild. Mrs. Wileterical and expressed extreme sor abmitted to arrest quietly. who was taken to the hospital for her deed. The woman says her husband is

RESIDENT MAKES EARLY START

TTLE GIRL'S INSTANT DEATH

thened at Two Horses She Ran Upon a Railroad Track

In Front of an Approaching Train and Was

Killed in a Twinkling.

ing condition, said he had come James Williams of Gainesville, Texas, as City to get away from the At noon Nix was still alive.

suing from the nose. Dr. Frank Noyes was called, but could do nothing, as the

spark of life had fied. The body was later taken to the home of the grief-

stricken parents, who reside about a mile out of American Fork. The be-

Thurber conducted the simple service

In his invocation Dr. Thurber made a feeling reference to the beauty of the

Jesus, Lover of My Soul," and "Lead,

At the conclusion of the ceremony,

following the established official cus-

tom, Mme, Loubet and various mem-bers of the ministry addressed a few

words of personal sympathy to the

After the public service the casket was borne to the mortuary chapel ad-

main until its removal to America.

U. S. Biscuit Co. Incorporated.

will re-

ambassador and his daughter.

joining the church, where

Kindly Light.'



Mrs. Townsend Was Insane. London, April 9.—A coroner's jury to day rendered a verdict of suicide while temporarily insane in the case of Mrs Mabel Townsend, formerly of the Al cazar theater, San Francisco, who killed herself with a revolver on the doorster of the house of her sister, Mrs, Rowe on Monday.

Appointment of Negroes Indorsed

considered to be a strong local candi-

The Liberal success was due to the dis-affection of the non-conformist Cor-

nishmen with the government's educa-

Schnectady, N. Y., April 9.—At a mass meeting held here last night resolutions were adopted with much enthusiasm, indorsing the action of President Roosevelt in appointing negroes to office and upholding the rights of the colored people to partake of the fruits of citizenship.

The Mississippi is Falling.

Washington, April 9,-Special river bul. letin: The Mississippi river continues to fall slowly from Vicksburg to New return of such stock Orlean

Sentinel Killed One Man.

Rotterdam, April 9 .-- A sentinel on the railroad today fired on four rail-road men who refused to leave the line follows: after being warned. One of the men was killed.

Would Settle Differences. The Hague, April 9.-According to the Vaderland, the Railroad Employes' aion has asked the state railroad com

papies to agree to negotiations for a settlement of the dispute and the reinstatement of the men,

FIGHTING AT FRAJALA.

Twice Attempted to Carry the Fortress but Repulsed Both Times.

Madrid, April 9 .- A dispatch from Meldila, Morocco, gives details of the fighting at Frajala. It says that 54 insurgents made a desperate atta' & on the fortress of Frajala April 8. After the customary prayers the trib unen advanced with a wild rush, to the ac-April 9.--President few shots during his stay. Notwith-n early start this standing that numerous notices had been given to the outside world that no newspaper men would be allowed in the companiment of religious exhortations Twice they attempted to carry the forfor an extended trip through cer-park while the president was there, one enterprising reporter tried to force his tress by assault, but were repulsed by well directed fusilades, which killed e number of mountain llons in the and as the authorities are making emined effort to exterminate them numbers of the insurgents. During the ettack the powder supply of the tribes-men exploded, killing many of them.

> WOMEN TO MEET. Daughters of Pioneers to Hold Great

Encampment.

Next Saturday will witness a notable event in the encampment of the Daughters of Utah Pioneers in celebration of the second anniversary of the organization of the society, the event to be held at Barratt hall at 2 o'clock p. m.

ng program



TRUTH AND LIBERTY

THURSDAY, APRIL 9, 1903. SALT LAKE CITY, UTAH.

United States

St. Paul, Minn., April 9 .- The United | off the operation of the general law of

he ld that if the stock had been entrust es to one person, with instructions how to vote if, the "result would have been a combination in direct restraint of interstate commerce," because it gave power to suppress competition. The organization of the Securities ompany, it is held, "accomplishes the been deliv; object, which Congress has denounced as illegal, more effectually than by other methods," and continues: ered to that holding company. The

NEW JERSEY CHARTER.

"So far as the New Jersey charter is concerned, the question broadly stat-ed, which the court has to determine, is whether a charter granted by a state can be used to defeat the will of th national legislature as expressed in law relating to inter-state trade and commerce, in view of which Congress has absolute control. Presumptively at least no charter granted by a state is intended to have that effect or to be Intended to have that effect or to be used for such a purpose, and in the present instance it is clear that the state of New Jersey did not intend to grant a charter under cover of which an object denounced by Congress as unlawful, namely, a combination con-ferring the power to restraining inter-state comperce might be formed and state commerce might be formed and maintained because the enabling act under which the Securities company was organized expressly declares three or more persons may avail them-relves of the provisions of the act and 'become a corporation for any lawful purpose.' Laws of New Jersey, 1895,

This language is not merely per functory; it means obviously that whatever powers the incorporators saw whatever powers the incorporators saw fit to assume they must hold and exer-cise for the accomplishment of lawful objects. The words in question operate, therefore, as a limitation upon all the powers enumerated in the articles of as-sociation which were filed by the pro-moters of the securities company, so that however extensive and compre-hensive these powers may seem to be, the state of New Jersey has said, you shall not exercise them so as to set at definance any statute lawfully en-acted by the Congress of the United States or any statute lawfully enacted by any state wherein you see fit to exby any state wherein you see fit to exercise your powers. The contention contention that whatever re-

contracts of the above nature while in the exercise of its constitutional right

to regulate commerce among the states. On the contrary we think the provision

citizen from entering into those spec

be possible, but not a matter for de-

The decree is entered, as already given above. Circuit Judges Caldwell, San-

ircuit court of appeals in this city.

the case and all concurred in

James, John S. Kennedy, J. P.

cision of the court.

tially, and not merely indirectly,

commerce among the states."

court says:

may be is indirect and remote and therefore not to be forbidden by Connies and all shares of stock of rict court with the result as stated gress, is not found to be well sustainabove. The contention that if the existing POSTMASTERS AND PENSIONS. company is in violation of the anti-trust act, then that act unduly restricts

anxious to know its rights in the matter of railroad construction and op-eration. Railroad men want to know where they stand. "The decision today is just one step loser to a decision from the United closer to a decision from the United States supreme court which shall be final, for even if the Securities com-pany had won today the government would probably have appealed. "The question was of such import-ance that an appeal was assured, no matter who won. These facts are cer-tain. Both railroads held by the Northern Securities company still ex-Northern factoring a good business.

Northern Securities company still ex-ist and are doing a good business. "When railroad men know exactly how the law is to be interpreted they will probably find good ways to see that properties are operated economi-cally and profitably." A conference of leading financiers was held this afternoon in the office of J, P Morgan & Company to discuss the details of the decision and its bearing upon tailroad properties in the future. upon railroad properties in the future.

Ex-Mayor of Des Moines Dead.

Des Moines, Ia., April 9.-John Camp-bell, mayor of Des Moines 12 years ago, is dead at his home here, the result of a stroke of paralysis.

Train Strikes Trolley Car.

Battle Creek, Mich., April 9 .- A trol battle Creek, Mich., April 2.—A trol-ley car was struck by a Grand Trunk train today at the Jefferson avenue crossing and smashed into kindling wood. Two passengers, Miss Clara Moorehouse and A. L. Rossman were seriously injured. The escape of the other occupants of the car was almost miraculous miraculous

Trunk Lines Made Respondents.

Washington, April 9 .- The interstate commerce commission today made a number of trunk railway lines respond. ents in proceedings involving the legai-ity of their local rates on grain and grain products, and in the case of two of the reads the class and commodity rates, and issued an order requiring the roads to file answers by May 1,

Lt. J. R. Lee Verdict Disapproved.

Manila, April 9.-Maj.-Gen. Davis has disapproved the findings of the court-martial at Iligan, Island of Mindanso, in the case of Lieut. Joel R. Lee, of the Tenth United States infantry, holding that the accused who was charged with that the accused, who was charged with manslaughter in connection with the killing of two native prisoners of war, was not entitled to an honorable ac quittal. SENATOR CLARK

INFORMATION WANTED.

Salt Lake City, April 9 .- The address of Alonzo E. Smith, who joined the "Mormon" Church in Ohlo, is desired by A. M. Musser, Historian's office, this city.

JUDGMENT FOR PLAINTIFF. Marcus Schumann Wins His Suit

Against the City. Judge Stewart has rendered judgment in favor of plaintiff for \$250 and costs of suit in the case of Marcus Schumann vs. Sal Lake City. The action was originally Lake City. The action was originally brought in a justice's court to recover the above amount as damages to plaintiff's house by the bursting of one of the city's watermains. The water flooded plaintiff's premises and did considerable damage. Judgment was rendered in the justice court in favor of plaintiff for the full amount and the city appealed to the dis-



HISTORIAN'S OFFICE. Church of Jesus Christ

of Latter-day Saints.

Quo Wazzanto Proceedings Instituted Against George A. Sheets Today by Attorney General Breeden, at the Instigation of H. G. McMillan-Suit a Friendly One to Settle the Present Chief of Police Muddle.

The controversy as to whether Geo. A. Sheets is entitled to act as chief of police or whether he is an usurper dered by the trial judge. Judge Morse of police or whether he is an usurper and should be ousted, will finally be settled in the courts. Quo warranto proceedings were instituted in the district court today by Atty.-Gen, Breeden, at the instigation of H. G. McMillan, who signed the complaint. requiring Geo. A. Sheets to show by what authority he is holding the office

of chief of police. The proceeding is such in the law that it takes prece-dence over/all other civil actions, which dence over/all other civil actions, which i will insure an early hearing and deter-mination to the great relief of the pub-lic in general and the members of the police department in particular, as the salaries of the latter, for the past month, are tied up pending the settle-ment of the action so that the proper official may approve the payrolls. official may approve the payrolls. ACTION A FRIENDLY ONE.

The action is merely a friendly one The action is merely a triendly one and the decision of the court will settle the controversy for good. Of course, the matter may be appealed to the suf-preme court, but, should a judgment of ouster be rendered in the district court, an appeal will not stay the ouster, out here the surpling offices in the de-

In Application for Blanket Fran-

chise in Los Angeles.

H. E. HUNTINGTON TO RESIGN

Montana represents the Southern Pa-

cific in the application for the cele-

brated "blanket" franchise for an

Any doubt that might have existed

is dispelled by the discovery of the hold-

was held at the office of Attorney Clarence Miller in the Bryson block

and those present were W. F. Herrin

general counsel for the Southern Paci

corporation upon his interests makes it impossible for him to continue,

If he has not already resigned he will

quarters. It marks an episode of na

tional importance in railroading-the passing of the successor of C. P. Hunt

ngton, one of the founders of the cor-

FULTON GOES TO SANTA FE.

Lucin Cut-Off.

A Few Excursions Scheduled.

At 5:15 this afternoon a special train

poration, from the board.

This news comes from head

Hunt-

morning says:

Angeles,



COMPLAINT A LENGTHY ONE.

The complaint is a very lengthy one and goes into details as to all the facts connected with the matter. It quotes the ordinance which authorizes the mayor to appoint a chief of police with the concurrence of the city coun-cil, and also the rule of the council which provides that all appointments shall be confirmed by the vote of a ma-jority of councilmen elected A complete shah be commed by the vote of a ma-jority of councilmen elected, A complete history of the appointment of Mr. Sheets by the mayor and the actions of the council in regard to such ap-pointment, is given. The vote on the confirmation under which Sheets' friends claim he was legally con-ferred is also set out as is cloud. firmed is also set out, as is also all the law relative to the case.

of ouster be rendered in the district court, an appeal will not stay the ouster, and hence the ranking officer in the de-Sheets in the controversy.

turns after the proceedings, whenever that may be. The Orer on Short Line also will put in a special excursion to Mercur on Sunday, train leaving Salt Lake at 2:15 a, m., returning at 11 p. m. A special rate will be put in from Pocatello, St. Anthony and Titermediate points to Idaho Fails, April 14, on the occasion of the laying of the foundation stone of the new sugar factory. **REPRESENTS S. P.**

Stephenson's New Job.

James Stephenson of the engineering department of the Oregon Short Line at Pocatello, will next Wednesday sever his connection with the tailroad system and assume the duties of as-sistant state engineer for Idaho.

Presidential Train.

The train that has been assigned to the use of President Roosevelt on his nine-weeks' tour across the continent is one of the handsomest and most complete on wheels. It is composed of

Securities company to return and trans-fer this stock to the stockholders of the Northern Pacific and Great Northern commentes and all shares of stock of

"A decree in favor of the United States will accordingly be entered to the following effect: "Adjudging that the stock of the

fendants in restraint of trade and com-merce among the several states, such as the anti-trust act denounces as ille-gal enjoining the Securities company from acquiring or attempting to acquire further stock of either of said railroad companies also enjoining it from voting such stock at any meeting of the stockholders of either of said railroad companies or exercising or attempting to exercise any control, direc-

tion or supervision or influence over the tion or supervision or influence over the acts of said companies or either of them by virtue of its holding such stock enjoining the Northern Pacific and Great Northern companies respect-ively, their officers, directors and agents from permitting such stock to be voted by the Northern Securities company or any of its agents or attor-neys on its behalf at any corporate election for directors or officers of elelection for directors or officers of el-ther of said companies and likewise enjoining them from paying any divi-dends to the Securities company on ac-

ercise any control whatever ever the corporate acts of raid companies or to direct the policy of either; and finally permitting the

Northern Pacific and Great Northern Railway companies now held by the Securities company was acquired in virtue of a combination among the de-

count of said stock or permitting or suffering the Securities company to ex-

opinion was unanimous, all four judges concurring, but the opinion was written by J. G. Thayer. The substance of the order is in the decree, which is as THE DECREE.

competition." Under these propositions it is also States circuit court of appeals today at noon handed down a decision in the suit of the United States against the Northern Securities company enjoining the company from voting the stock of the Great Northern or Northern Pacific Railway companies, but allowing the

(Special to the "News.") h, April 9.-Little Violet, the nineid daughter of Mr. and Mrs. Potwas run down by passenger train Oregon Short Line, northbound, wrhing and instantly killed. The ent happened at a point about one outh of Lehi as the little girl was way to school. Violet was comown the wagon road which at this uns parallel with the railroad when she became frightened at ous appearance of two horses | reaved family has been sorely afflicted were running down the road be- as three sons were killed in the Scofield a wagon. In order to avoid them disaster.

AN ANCIENT CEREMONY.

eror Francis Joseph Washes the eet of Twelve Aged Men.

ana, April 9.-Emperor Francis assisted by 11 archdukes, in urg today performed the anoly Thursday ceremony of the feet of 12 aged men a ranged from 92 to 99, ag-1.082 years. The emparon dishes of food before each ch the archdukes removed y afterwards, the viands beter to the men's homes. The ended with the emperor hangontaining 30 pleces of silve

h man's neck. His majesty Trenton, N. J., April 8.—The United States Biscuit company, with an author-lzed capital stock of 34.300,000, was incor-porated here today. The stock is divided into \$1,500,000 preferred, drawing 7 per cent cumulative dividends, and \$2,000,000 common. The object of the company is to manufacture and sell biscuits. Crack-ers and other food products. Incorpora-tors: Louis B. Nailley, K. K. McLaren and Joseph M. Mitchell of Jersey City. be in excellent health as a large gathering of court. and military officials pres Ambassador Storer and Second Secy. Rives, Mil ache Harris, the British am Sir Frederick Plunkett and Sunket; and the Duchess of ough.

STRIKE IN ROME.

Indian Tribes Law Upheld. taceful Solution of it Seems Washington, April 9.-The court of ap-beals of the District of Columbia has sus-almed the authority of the Indian tribes Quite Probable.

tained the autherity of the Indian tribes in Indian territory to make the payment of a permit fee or tribal tax prerequisite to grazing cattle and other live stock within the Indian territory by persons who are not members of the tribes and has sustained the authority of the secre-tary of the interior to enforce such an indian law by removing from the indian territory all cattle and other live stock uses which this fee is not said a April 9 .-- Apeaceful solution of ke continues to be probable. ity has almost resumed its norspect the only difference being ence of cabs. Many pilgrims, Germans, have arrived for r functions. They will be reterritory all cattle and other live stock upon which this fee is not paid. audience by the pope on Mon. a more than 300 churches Holy vices are proceeding without **Passionist Fathers Leave Paris.** . The people rushed to see the Paris, April 9 .- The Passionist Fathand especially admired the the church of the American colwho have been conducting the An-

I. H. Bradley, Retired, Dead

hosen so as to avoid a manifestation. a, April 9.—The adjutanti gen-trand at the death of Capt. Brailey, U. S. A., retired, at Wash, Capt. Bradley served for during the first served Quite a number of American and Eng-l'-h members of the church gathered and bade good-bye to the fathers. Secular priests immediately took up a the civil war, first Second Missouri cav-as captain and mathe usual work during holy week. The services are proceeding uninterruptedadjutant general's department.

ed Wants Canal Concessions **Parliamentary Vacancy Filled.**

April 2-Negotiations are pro London, April 9 .- The parliamentary to the Birmingham United States and the view of obtaining for British com-tion with the Pan-n built. The Post ions include oppor-ing and cost machine vacancy in the Camborne division of Cornwall, due to the death of W. S. Caine, Progressive Liberal, was filled today by the return of Sir Wilfrid Lawson, with an increased Liberal majority. tons include oppor-ing and coaling ships ful to the British th Atlantic and West The figures were: Sir Wilfrid Lawson, 3,558; Arthur Strauss, Liberal iberal. Inionist, 2.869. Considerable rowdyism marked the canvassing. The students of a local mining college had frequent encounters enters in roturn for facilities in to the United States mavy.

Funeral of Mrs. Porter.

with the villagers. Sir Wilfrid Law-son's increased majority was not ex-April 9,-The funeral of Mrs. of the United States amheld at 11 o'clock this mornerican church in the Rue was an impressive tribute the French government, rs of the diplomatic corps representatives of American

pro-Roer party. Mr. Strauss, who had already repre-Participating. The Rev. Dr. sented Camborne for five years, was dredweight; timothy, 50 cents.

and it is expected that there will be present the First Presidency and other she ran up the grade right in front of Church officials, the invitation includthe approaching train, which apparent-ly she did not notice. The next instant ing the "Mormon" Battalion, and ali who have taken part in any pioneer movements, their descendants, and all she was hit by the engine and thrown off the grade. When the train was brought to a standstill the body was cthers who may be interested, the idea being to hold a great reunion of the icked up and found to be not mutilated pioneers and lovers of pioneer movein the least, the only outward sign of ments. injury being a small stream of blood is-

will be an en

CANAL CLEANED OUT. Work on Salt Lake and Jordan Completed Last Night.

The work of cleaning out the Salt Lake and Jordan canal was completed last night. Twenty-five miles of the canal were cleaned out and it is now in first class condition. The work was done under the supervision of Land and Water Commissioner MacKnight, character of Mrs. Porter, The choir ang Mrs. Porter's favorite hymns who had 30 men and 30 teams employed. It took two weeks to complete the job. The greatest trouble was encoun-tered in removing the sand bars at the head of the canal, which had been for n-The greatest trouble was encou ed there by the discharge from the

removed very satisfactorily.

SALT LAKE MARKETS.

Eggs Are Plentiful Though They Are Still Selling for 20 Cents a Dozen.

The Salt-Lake retail markets contin ue without any marked fluctuations. The only features of any note are the disappearance of frozen salmon and the scarcity of herring, or "herrin" " as they are called "away down east." The never failing hen is still in evidence at

20 cents, and the succulent spring chicken broller may be had at 22% cents per pound. Eggs still command 20 cents, and people are eating more of them than they did two months ago. The

butter market is holding its own, the est creamery bringing 30 cents, and ranch butter 18 to 25 cents, In green groceries, Florida tomatoes

sell at 20 cents per pound, Spinach is bringing 5 cents per pound, California asparagus, 15 cents per pound; potatoes 85 cents per bushel; Utah lettuce, two bunches for 15 cents; Utah rhubarb, 10

cents per pound; caulillower, 15 and 20 cents; cabbage, 5 cents; grape fruit four for two bits; radishes, 5 cents; celery 5 cents; beans, 15 cents; onions, two for glo-American Catholic church here, departed for England today without a

In fruit, oranges are retailing at from monstration. An early hour was 20 to 50 cents a dozen; banapas at 25 cents; apples at from \$1 to \$1.75 a bush-el; figs, 5 to 25 cents a package; dates, 15 cents a pound. Eresh and cured meats are retailing

at the following prices: Pfime ribs of roast, 17% cents; porterhouse steak, 20 coast, 17½ cents; porternouse statuton cents; fall lamb, 15 to 20 cents; mutton chops, 12½ to 15 cents; veal, 15 to 20 mark 15 to 17½ cents; lard, 15 cents a pound; spring lamb, \$1.25 to \$1.50 per quarter. In the fish market, fresh salmon is

selling at 15 cents; pike at 20 cents per pound. Sacramento river shad is selling at 15 cents, pike, 20 cents per pound, 2 for 35 cents. Shrimps are 20 cents a quart: prawns are 40 cents a pound; crabs at 25 and 30 cents aplece: lobsters, 15 cents a pound; oysters, 50 and 60 cents a quart; blue points, 25 cents a dozen: salmon. Mackinac trout, white fish, 17% cents a pound; red snappers, 20 cents; fresh mackerel, 30 cents; fresh sea bass, tom cod, rock cod, soles, floun

Orange Free State to the Boers and he also identified himself with the ardent \$2.50 a hundredweight; straight \$2.30; bakers' grade, \$2.20. Wh grade Whole and cracked corn retailed at \$1.45; wheat, \$1.10 a bushel; lucern, 60 cents a hun-

those companies which it may have received from such stockholders in exchange for its own stock, or to mak such transfer and assignment to such person or persons as are now the hold ers and owners of its stock originally issued in exchange for the stock of said companies.

CONCLUSIONS OF COURT.

Circuit Judge Thayer stated the conclusions of the court. He recites the anti-trust act of 1890 and adds that under the act of Feb. 11, 1903, this case, heing of "general public importance" had been given precedence over others end in every way expedited. It is de-clared that under the admissions of the regarding the liberty of the citizen is to some extent limited by the comdefendants the matters of fact are that the roads were parallel and competing merce clause of the constitution and that the power of Congress to regulate lines, that they had jointly secured con trol of the Burlington, that in 1901 a holding company had been formed by large owners of the stock of the Northern Pacific and Great Northern rail-vays by which new company large stock interests had been acquired a

to the following results: new Utah lake pumping plant. The "First, it placed the control of the bars, after considerable trouble, were two roads in the hands of single persons, to wit, the Securities company, by virtue of its ownership of a large ma jority of the stock of both companies; second, it destroyed every motive for ompetition between two roads engaged in inter-state traffic which were natural competitors for business, by peoling the earnings of the two roads natural or the common benefit of the stock-clders of both companies; and, ac-

cording to the familiar rule that every one is presumed to intend what is th recessary consequence of his own acts, when done wilfully and deliberately, we must conclude that those who conserved and executed the plan aforesal intended among other things, to accom-plish these objects."

ANTI-TRUST ACT.

On the point whether the present case comes within the inhibition of th anti-trust act, the court discusses the meaning of the word trust in the act and adds that Congress was careful to declare that a combination in any other form, if in restraint of interstate trade or commerce, that is if it directly casioned or effected such rest restraint should likewise be deemed illegal, "Moreover, in cases arising under the act it has been held by the highest ju-dicial authority in the nation and its opinion has been reiterated in no un certain tone, that the act applies to in terstate carriers of freight and pas sengers as well as to all other per sons, natural or artificial; that words 'in restraint of trade or com merce' do not mean in unreasonable or partial restraint of trade or com merce but any direct restraint thereof: that an agreement between competing railroads which requires them to oncert in fixing the rate for the car riage of passengers or freight over their respective lines from one state to an other and which, by that means, re-tricts temporarily the right of any other of such carriers to name such rates for the carriage of such freight or passengers over its road, as it pleases is a contract in direct restraint of commerce within the meaning of the act, in that is tends to prevent com petition; that it matters not whether, while acting under such a contract. the rate fixed in reasonable or unrea schable, the vice of such contract o combination being that it confers the power to establish unreasonable rates and directly restrains commerce son's increased majority was not ex-pected, as he was bitterly assailed for his so-called "Little" England attitude. He openly declared the government ought to give back the Transval and therity contained in the federal Con-stitution to regulate commerce, to say that no contract or combination shall be legal which shall restrain inter-

state trade or commerce by shutting

[Special to the "News."] Washington, D. C., April 9.-Gilbert the rights of the individual to make contracts and is invalid, is declared to Stevens has been appointed postmaster be entitled to little consideration. The at Rongis, Fremont county, Wyo., vice Charles Fletcher, resigned. Pensions granted: Idaho-Increased, Pensions granted: Idaho-Increased, Amesiah Strickland, Emmett, \$12; Fran-cis N. Root, Houser, \$8. CONSTITUTIONAL PROVISION. "The provision of the Constitution does not, as we believe exclude Con-gress from legislating with regard to

Cla N. Root, Houser, 38. Wyoming-Increased, William H. Hom-montree, Beelton, 88. Utah-Martha E. Parker, Payson, 38; original, Benjamin D. Knorr, Grangeville, Ida., war with Spain, 38.

CRUSADE HAS BEGUN.

ing of a midnight meeting of a quartet Sheets Says He Will Clean Out the of men who cemented the bond tween the Southern Pacific and My Rooming Houses. Garland, who acts as agent for the franchise applicants. This meeting

interstate commerce comprimises the right to enact a law prohibiting the Today Chief Sheets began a crusade against women of the town who hold contracts which directly and substanforth in rooming houses. He says he is. going after the women and also pro-poses to prosecute the proprietors. motely, incidentally and collaterally fic: Walter F. X. Parker, political agent for that company; William M. Garland and attorney Clarence Miller, regulate to a greater or lesser degree Under the law, the inmates must be The further contentions that the annotified to clear out before anything can be done, and then if they persist, At this meeting was born the plan that seems destined to wreck the peace ti-trust law was not intended for such mbinations as this, that this comarrests will follow. bination had been consummated before

of the transporting family, and which already has caused Henry E. Hunting-This afternoon, Sergeant Hempel 10bill was filed, and was in reality cated eight such characters and inn aid of commerce and not to restrain t, are held to be clearly untenable as ton to sever his official relations will formed them that they must seek other the Southern Pacific company, quarters. The proprietors were also to the first point and that the second point is a novel, not to say absurd inwarned not to rent rooms to women of Huntington has been for a long time director and vice-president of the Southern Pacific, but the attack of that this character. terpretation of the anti-trust act and as to the last contention it is said to

MAY DAY SALE.

The One Held This Afternoon Was Eutirely Legal.

born, Thayer and Vandeventer heard The postponed delinquent sale of the opinion, which was written by Judge Thayer and filed in the United States May Day stock was held at the company's office this afternoon and was

conducted by Secy, Weeks, The as-sessment of 1½ cent per share, was unpaid upon a total of \$331-3 shares. The defendants are the Northern cureties company, the Northern Pacifi the Great Northern Railway company I. J. Hill, William P. Clough, D. Willis

gan, Robert Bacon, George F. Baker and Daniel Lamont A copy of the decision in the Northern Secureties case, which was handed down at noon today, was filed with the clerk of the court in St. Louis.

CASE WILL BE APPEALED.

New York, April 9,-The case of the Northern Sucureties company will be appealed.

ase said:

Pacific

of the court."

where it is,

reverse is the case.

COMMENT ON DECISION. New York, April 9 .- One of the lead-

ng counsel in the Northern Secureties "As yet this is an undigested opinion, posted were as follows: but from the hasty glance I have given it I call your attention to the closing

Joe Bowers, 1,000 at 11 Martha Washington, 1,000 at 3%.

300 at 3512; 500 at 35; 100 at 3516; 100 at

READY FOR WORK.

A representative of J. P. Morgan & We are pleased to say that Dr. David Co. said the decision put a new light on the entire matter and would enable the lawyers of the Northern Secure-C. Budge is now able to attend to his professional duties, to the extent at ties company to work along new lines, J. P. Morgan said: "Until I see the least of receiving patients at his office In Logan, to which city he has just refuil text of the decision I shall not care turned after serving on the Medical to express an opinion on it. This much Board. He was recently appointed a member of that board by Governor

by five years' study at the best col-leges in the east, in which he graduat-ed with honors. He is one of our na-tive sons, his father is Prezident W.

even cars, and was especially deco Attack of Southern Pacific on His ated and equipped for the four. After the engine follows a baggage car, a combination buffet and baggage car, a Interests Forces Him to Sever Conpection With Company,

diner, a section sleeper, a compariment car, and finally the president's private Los Angeles, April 9 .- The Times this car, in which is arranged a parlor and observation compartment, state sleep-ing rooms, dining room, two sleeper It was accepted as a fact yesterday sections, a kitchen and sleeper sections that Senator William A. Clark of for servants.

SPIKE AND RAIL

A. C. Bird, who was recently elected vice president of the Missouri Pacific, has been elected to a similar position on the Denver & Rio Grande, Rio 82-mile street railway system in Los Grande Western and the Rio Grande Southern.

Every jobber in Salt Lake and Ogden is opposed to the scrip ticket book sys-tem. They prefer the old mileage books.

The Denver Northwestern & Pacific contractors are chipping trainloads of men out to the various construction camps with the object of rushing things this summer.

The Colorado state land board yester. day has granted a right of way to the Moffat road across the proposed reser-voir site of the mysterious New Cen-tury Light & Power company, all of which means another victory for Moffat.

Announcement was made in Boston yesterday that the annual convention of the International association of Ticket Agents of the United States, Mexico and Canada, which was to have been held May 10 at Salt Lake City, has been postponed until September.

W. J. Boyle, general agent of the passen; er department of the Chicago. Milwaukee & St. Paul at Milwaukee, is in Salt Lake today.

The Sumpter Valley railway has just purchased for immediate shipment, 709, tons of 40-pound steel rails for an ex-tension of its line, 12 miles further in the upper country.

The woolgrowers of Idaho and eastern Oregon have had notice of a raise in freight rates to Boston from \$2 to \$2.1812. The reason assigned is an alvance by eastern roads of their prorata from 44% to 63 cents. The rate last year was \$2, and the year before shipments were made as low as \$1.39 to \$1.50.-Baker City Herald.

----TEACHERS' INSTITUTE.

Sevier and Sanpete Counties Will Hold Joint Session This Week.

At the Assembly hall, in Mantl, on Apiri 10 and 11, the teachers of the public schools of the above two counties will meet in conjoint session, beginning Friday afternoon at 2 o'clock and closing Saturday evening. All who desire to attend will be welcome. A most excellent time is anticipated. The following educators of the state

will be present: Prest. J. H. Paul, L. D. S. univer-sity; Supt. D. H. Christensen, Salt Lake City schools; Prest. Banl. Cluff, B. Y. Academy; Miss Rosalie Pollock, primary superintendent. Salt Lake City schools; Miss Ella Larsen, primary su-perintendent, Salt Lake City schools; perintendent. rof. Geo. H. Marshall, Wasatch acad-

emy Prof. Newton E. Noyes, Show wademy, Supt. Oliver Christensen, Junb County: The following persons will participate in the musical portions of the program; Miss Eva Crawford, Miss Clara Hall,

Miss Retta Snow, Miss Harmon, Miss Ruby Wright, Clay Allred, Manie Bawden et al., Prof. M. E. Christo-

Reduced rates have been granted by the railroads for the benefit of those who wish to attend. The affair is under the direction of Supt. Jacob leby of Sevier county, and Supt. A. L. be glad to learn of his convalescence. | and Eureka on hand. The special re- | Larson of Sanpete County.

"That statement in a morning paper to the effect that only one man has been killed on the Lucin cut-off since operations commenced is all rot," said a gentleman who visited Promontory last week. "Two Greeks were killed out there about a week ago when some piles snapped under a heavy train and the track spread. The statement, how-ever, that the cars were lost is natrue. The wrecking crews was soon on the spot and with the bringing into action of a heavy crane it took about just seven minutes to get each car out of the water and on to the track again,

Weels, who recognized his ability and knowledge of his profession, gained will leave Salt Lake for Provo over the ed with honors. He is one of our na-tive sons, his father is Prezident W. Budge of the Bear Lake stake. Dr. Budge has not yet fully recovered his strength, but his numerous friends will be side to learn of his convergence.

Former O. S. L. Freight Man to There was a good attendance and the competition was keen. Hustle Wool in This Territory. Effective tomorrow there will be The price paid was about the marke price of the stock. The amount of the assessment and costs was prid for the ew traveling freight agent in the field a the person of L. A. Fulton, who enthe ters the employ of the Santa Fe in that capacity, with headquarters in Salt Lake, under General Agent Warren. Mr. Fulion is well known in this territransfer of \$1 shares of stock. AFTERNOON CALL. Mining Stock Mrrket Continued Firm

-Yankee Con.

The mining stock market was practi cally unchanged this afternoon, Prices

ranged about the same as at the forenoon session. Yankee Con., however, weakened and sold lower. The sales

40%; 100 at 40%; 500 at 40%; 100 at 40. Sacramento, 500 at 26%.

now held by it, to such person or per-sons as are now holders and owners of original stock in exchange for the stock of the said companies. This right 35, 8 30,

Daly-West, 100 at 43.20; 150 at 43.15; 25 at 43.25; 50 at 43.22½.

phrase of the judge's order, which practically nullifies the whole effect of Daly-Judge, 109 at 9.95. Lower Mammoth, 200 at 41; 100 at e decision. It provides that the North ern Secureties company may transfer

and assign the stock of the Northern and Great Northern railways

of transfer is vital and it seems to me nders nugatory the main conclusion

when once they got down to work."

certain, however, it will not rest "The question of the right of two or more railroads to be operated by a holding company will be taken up to the United States supreme court. In-stead of looking upon the decision of the court today as a blow to rail-road enterprise. I should say that the "Capital all over the country is

ory as a freight hustley and for number of years was in the employ the Union Pacific, and the Oregon Short Line, both as a traveling freight agent and as city freight agent at Ogden. Illinois Central Mortgage. Chicago, April S .- A mortgage of \$3.-000,000 given by the Illinois Central rollroad company to the United States Trust company of New York has been filed for record. It is designated as the Illinois Central Railroad company's ex-

tended first mortgage gold bonds, ma-tures April 1, 1951, and bears 31/2 per cent interest.

Wabash, 500 at 29%; 500 at 29%; Yankee Con., 100 at 36%; 100 at 36