

SON WAS A PARTNER.

man-Pender Case.

Denver Union Depot company, and Denver Union Depot company, and superintendent of the Denver Pacific division of the Y-mion Pacific railroad, and is a capable all-round railroad man. He is expected to arrive in Salt Lake tonight, in company with A. S. Hughes, general traffic manager of the Rio Grande Western, and will devote a few days to looking around before taking up the responsibilities of the direction of the road. While his ap-pointment has not as yet been official-ly made public, yet the circular an-nouncing the change will in all prob-ability be made as soon as the suc-cessor to Mr. Stenger on the Union Pacific has been selected. Mr. Geiger, whose successor Mr. Stenger will be, is so well known in the western country that any compli-mentary comment on his capability as a raitroad man would seem superflous. Mr. Geiger has been at various times connected with the Rio Grande, and his resignation is only placed at this time to accept a better position with the doorado & Southern, with which road he was formerly connected. Mr. Geiger takes with him the best wishes of all the railroad fraternity in this mention superintendent of the Denver Pacific

of all the railroad fraternity in this

ABBITRATE TWO-CENT FARE.

Terms Adopted Between Railroads and State Made Public Today.

St. Paul, March 26 .- Full terms of the arbitration between the railroad, and the state of the passenher and the state of the passen-ic today in the debate in the legis-lature over the joint resolution urg-ing a committee to press a plan of arbitration to the governor, attorner general, and representatives of the religion of the arbitration plan emgeneral, and representatives of the p_{2} The arbitration plan em-braces the adoption of a 2½ cent a mile passenger rate, a 2,000-mile in-terchangeable mileage book and a 500-mile family mileage book, both re-deemable in cash at 2 cents a mile any time

In regard to commodity freight rates, the railroads are to agree to acrates, the reluction of an equivalent of (wo-thirds of the reduction ordered by the state railroad and warehouse com-mission. In turn, the state is to dis-miss all suits now pending looking toward enforcement of the railroad commission rates.

PROSPERITY IN THE WEST.

Frank Trumbull of Colorado Southern In Optimistic Frame of Mind.

New York, March 27.—Frank Trum-bull, president of the Colorado South-ern system, has just returned from Chicago in an optimistic frame of mind over the continued prosperity of the He said:

"There are no symptoms of a down grade movement, except such as will naturally follow the curtailment of improvement by railroads and if this does

"The result will be that we will have "The result will be that we will have to charge practically the same for ali classes of freight. It will cost as much a pound in future to ship a bar of pig-iron as to ship a boil of cloth-as much to send by freight a piece of ore as a piece of furnture, so to speak. We have been charging the legal limit, 20 cents a ton a mile on only one class of freight in Nevada, first class freight, but we also have been running as low as I cent a ton a mile on some kinds of shipments. If a different law was desired, it would have been better to have made it. say, 13% cents a ton a mile the limit on the first four or five classes, and 4 to 5 cents a ton a mile on other classes. Even if we could af-ford to hau first class freight at 75 cents a ton a mile, we could not take the risk. For instance, the first class rate includes dry goods. Suppose a rainstorm damages a shipment of dry goods, and we have to pay the bill. The cost is heavy in such cases, and the railroads have to protect themselves; so in this case we will have to charge the limit on everything."

TETON BRANCH PROBABLE.

A Teton, Ida., correspondent of the Rexburg Standard says: "There is some very strong talk just now of a branch line of the O. S. L. being run from St. Anthony to the Te-ton basin, by way of Chester and Far-num. This would be a great benefit to the farmers in getting their products to market, and company the coal mines market, and opening up the coal mines of Teton basin, and would put an end to the coal famine in this part of the country_

SITUATION EASING UP.

Blockades Being Raised in California And Trains Running Nearly on Time.

A dispatch from San Francisco to-day says the railroad situation is much better than for several days past, though the coast route of the Southern Pacific and the line between Davisville and Sacramento are still out of com-mission. Portions of the Oregon line are working, and it is expected by rail-road officials there to have it in full running order within a few days. One of yesterday's overland trains, due last night, did not arrive until this morn-ing, but overland trains outbound are leaving on regular schedule time. The local situation as far as the Southern Pacific is concerned, is bet-ter than it has been for several days. Eastbound trains are coming in only about five or ix hours late, while trains going west all leave practically on time. A dispatch from San Francisco to-

going west all leave practically on time.

SPIKE AND RAIL.

fever.

City Passenger Agent J. W. Walton of the Burlington is ill with typhoid J. G. Doolittle, traveling freight agent of the Rock Island system. left for a 10 days' trip to Goldfield and other west-ern points yesterday.

F. L. Tettemer of the Baltimore Ohio S. W., and also representing t Ohio S. W., and also representing the Norfolk & Western steamship line, is in the city on a business trip.

Col. A. H. Stevens, commercial agent of the Central Railroad of Georgia, came in yesterday from Denver, and will remain here for probably a week.

F. A. Wadleigh, assistant general rassenger agent of the Rio Grande, will arrive in this city on No. 3 tonight, ac-companying General Traffe Manager A. S. Hughes and Ernest Stenger, the new

superintendent of the Rio Grande sys-tem.

Large photographic views of the Rock

15, respectively. Mr. F. E. Davisson, head of the mo-tive power department of the Salt Lake Noute, is up from Los Angeles for the purpose of inspecting the 12 new en-gines just received for the road, and which are now in the local yards. These engines are mammoth pulling machines, of the big 600 class, which have given so much satisfaction in the hauling of big trainloads of heavy freight on the grades between here and California. They are designed to han-dle the increased freight tonnage when the road opens up for business again about April 10, and are of the pattern successfully used by the road ever since it opened up. alty for the offense is 20 years in the state prison. On the night of Feb. 27 the two men followed Harold Berrum to within less it opened up.

From the passenger department of the Salt Lake Route has just issued a neat little eight-page pamphlet, entitled "From the Rockies to the Sea," the sume being descriptive of an excutsion to Los Angeles to be given by the Mys-tic Shriners May 7. The booklet is il-lustrated with beautiful half-tone enlustrated with beautiful half-tone en-gravings, portraying some of the welrd and fantastic formations found on mountain and plain on the Clark road, the new scenic line of the west. During the stay of the Shriners in the City of the Angels, the annual "Fiest de los Flores" (the feast of the flowers) will be held. This is one of the gayest of all gay holidays in the southern city, and compares with the great Mardi Gras festival of New Orleans.

Quick changes from hot to cold and back again try strong constitutions and cause, among other evils, nasal catarrh, a troublesome and offensive disease. Sneezing and snuffling, coughing and difficult breathing, and the drip, drip of the foul discharge into the throat, -all are ended by Ely's Cream Balm. This honest and positive remedy con-tains no cocaine, inercury, nor other harmful ingredient. The worst cases are cured in a short time. All drug-gists, 50c, or mailed by Ely Bros., 56 Warren Street, New York.

When You Bny Vogeler's Seeds you buy the very best, but be sure they are Vogeler's.

If you haven't the time to exercise regularly, Doan's Regulets will prevent constipation. They induce a mild, easy, healthful action of the bowels without griping. Ask your druggist for them. 25c.

"NOR ANY OTHER FLOWERS."

Mrs. Mary Christle Mixed on Her Fauna and Flora.

Mrs. Mary Christle was on trial in ludge C. B. Diehl's court yesterday afternoon on the charge of petit larceny. It will remain here for probably a week.
The first California spring excursion opens on April 26 over the Salt Lake Route. Tickets will be good returning for 90 days, and the round trip fare will be only \$30.
L. H. Harding, commercial agent of the Colorado Midland railroad in this city, has just returned from a trip over the round. He found comparison was found guilty but sentences.

The woman was found guilty but sen-tence was not pronounced by the court.

of the state, and said that Logan people are much gratified that the bis college still remains in their midst. followed Harold Berrum to within less than a block of his home at 1022 east Fourth South street and then pounced upon him and brutally assaulted him, after which they relieved him of about \$75 in cash. The men are soldiers from Fort Douglas and they attempted to prove an alibi and place the responsi-bility on some other soldiers who had been with them on that night. Their efforts were unavailing as the jury found them guilty and they will hear their fate on Friday. So Holds Judge Lewis in the Bridgman-Pender Case. Judge Lewis has rendered judgment in favor of defendant in the case of Michael Bridgman, administrator of the estate of William Pender, against George P. Winsness, administrator of the estate of George Roberts, for the recovery of certain foundry machinery and supplies or for \$6.354.70 the value of said property. William Pender and his son, James, were partners in the foundry business in this city several years ago and they became indebted to Roberts in quite a su of money. Upon the death of the elder Pender in 1902. James Fonder transferred the property of the partnership to Roberts in satis-faction of the indebtedness. Soon after-wards Roberts died in Pueblo. Celo, and the administrator of the Pender state began suit against the adminis-trator of the Roberts estate to set aside the transfer of the property on the ground that the son was not a partner in the business and had no authority to make the transfer. The case was on trial for five days and was concluded yesterday. Judge Lewis held that the son was a partner in the business and hence the transfer of the property was legal therefore judgment was rendered in favor of defendant. CITY IS NOT LIABLE. Judge Lewis has rendered judgment

month."
M. J. Gray is in the city from St. Anthony, Idaho, and is stopping at the Kenyon. Mr. Gray has large ranching and stockraising interests in the flourishing little town of eastern Idaho, and is section of the state. "Idaho has been called the 'State of tomorrow." said Mr. Gray, "and I think the dawn is just about breaking. Our country is one of the best in the west," said the great Yellowstone park, and travel in our direction is increasing every year. Our natural resources are becoming interests are attracting a class of country builders that always make well for the section in which they settle. The last season building operations were more extensive than ever before, and we look for a continuation of the prosperous time this year." Mr. Gray is in Salt Lake on business and will be here for several days.

. . .

month.



Attributes Present Good Health to Pe-ru-na.

MR. BAILEY had for nearly thirty judicious use of that great remedy. years been afflicted with kidney Washington elimate is notoriously bad combles. for kidney and liver troubles, yet by a

Within a short period he has been per- judicious use of the remedy he is now uaded to try Peruna, and his present quite cured and in excellent physical ealthy condition is attributed to his condition.

This brief statement of lacts, without exaggeration or hyperbole, appears tell the whole story, which the Peruna Company is authorized to use, if so chooses, believing, as I do, that by so doing it will be for the general od .--- William Bailey, 58 I St., N. E., Washington, D. C.

CATARRH FOR TEN YEARS, PE-RU-NA RELIEVED: "I have been afflicted th catarrh for about ten years, and I have tried different remedies and benefit. About two years ago I hought a bottle of Peruna and commenced ing it according to directions, and it relieved me so much, I continued using runa until I had used five bottles, and now I hardly feel the effects of catarrh all. I have also used Peruna in my family for fever with good success. I cheermmend it to all."-Mr. John M. Winstead, R. F. D., No. 2, Tra

Hotel Man of Provo Dies After Illness Of Five Months. (Special to the "News.")

JOHN GRIER DEAD.

Provo March, 27 .- John Grier, proprietor of the Grier house of this city, died here last night. He had been ill for five months, suffering from internal cancer. Nothing was found to give him permanent relief, although everything was done that money or skill could command to eliminate the morbid growth.

morbid growth. Mr. Grier was born in Dumferline, File, Scotland, Oct. 1, 1839. He came to Utah in 1865, settling in Manti. For the last 25 years, however, he has been a resident of Prevo, where he has con-ducted a restaurant and hotel. De-censed was of a generous and kindly disposition, and was always honorable and upright in his dealings, and diel with the respect of all. He is survived by his wife, seven children. Is grand-children and six great-grandchildren. Funeral services will be held on Fri-day at 2 p. m. in the Fourth ward meetinghouse. The remains may be viewed at the family residence between the hours of 11 and 1 on Friday.

all through showed evidences of good, hard, conscientious work, description of public appreciation and active support. The solotists of the evening were Miss Mary Ryan, soprano of St. Mary's choir Miss Nora Gleason, accompanist; Miss Alce Wolfgang, contraito of the First Prebyterian choir; Miss Maude Thomas iccompanist; Colormatter M. J. Brines, incompanist; Colormatter M. J. Brines, to solve the source of the Bas on the solve the companist; Mr. Thomas E. Nowan, formerly jenor of the Bas to nins," and the Emma Abbett Open company; Mrs. A. C. Peabody, scour-panist. Miss Ryan showed hersolf pre-cessed of such a powerful dramitle volce hat file could have Miss Ryan to train be the could have Miss Ryan to train pre- a year, he would make a great so-prano out of her. Miss Wolfgarg well pheld the reputation she has made in the past year as a contraito singer of superior merit, one of 'the best in the state, her rich, heavy well modulated ones and correct method impressing the and correct method impressing the predictions present wiry favorably, while er stage present wery favorably favorable in instead of well in New York is evi-ble of singing in both of the dramite and in the schools Mr. Brines is a great addi-tion to Salt Lake's musical colory. Mr. et which in the tones that please.

There is only one

not extend too far it may prove salu-tary in the matter of adjusting labor conditions, money rates, etc. "If we look at our situation in an

"If we look at our situation in an unrufied way we can count up a num-ber of blessings. For example no rate wars, no rebates, no retailatory rail-road construction, no apprehension of paralysis over thousands of miles of territory by strikes of railroad employes because the railroad managers offer to settle upon certain figures or arbitrat-tos."

Mr. Trumbull said the prospects in all territory of the Colorado Southern lines were never so good.

BAD FOR ALL PARTIES.

Nevada's New Railroad Law Likely to Prove Very Expensive,

According to the opinion of an offi-According to the opinion of an on-cial of the Salt Lake route, which is sald to reflect the views of Traffic Man-ager Frederick A. Wann, the new rall-road law just passed by the Nevada kerislature is going to work a hardship not only on the roads, but on the people



NEED VINOL the modern strength creator and body builder

Many people right here in this vi-cinity are all run down and hardly able to drag about,-don't know what

able to drag about,--don't know what alls them. In ninety-nine cases out of a hun-dred this is cassed by overwork, too close confinement or continued strain and worry. Mr. Druchl of Druchl & Franken, says: "Such people need Vinol, our cod liver preparation without oil, which contains in a highly concentrat-ed form all of the medicinal and strength-creating elements of cod liver oil actually taken from fresh cods' livers, but from which the use-less oil has been eliminated and tonic less oil has been eliminated and tonic iron added."

saline sex.

Vinol cures conditions like this because in a natural manner it increas-es the appetite, tones up the digestive organs, makes rich, red blood, and We ask every organ in the body. We ask every man, woman and child in this vicinity who is run down, thred and debilitated to try Vinol on our offer to return money if it fails. Druchi & Franken, Druggists; also Smith Dune Co.

the road. He found conditions generally prosperous

Fireman Rugg will recover from the injuries received by the locomotive ex-plosion at Garfield, although he is bad-ly scalded. He is resting easy at St. Mark's hospital.

Mrs. E. J. Yard and daughter, Gen-eral Manager Ridgeway and Mr. and Mrs. Shaffer left this morning for Den-ver, after attendance on the funeral of the late chief engineer of the Rio Grande. All printing specially attended to at the Deseret News Office. Estimates promptly furnished. Rush orders a specialty.

We can fill orders promptly. MARTIN COAL CO. BURGLAR CAPTURED.

Sheriff Harmon of Provo Makes a Good Catch for Local Police.

Island offices in this city have been tak-en with General Agent J. E. Ogiesby, Roy Adamson and J. H. L. Youngerman standing in the doorway, just as though pothing was happening. With the assistance of Sheriff Harmon of Provo, the police department of Salt Lake has been able to make a capture of considerable importance and has also been able to recover a

W. P. Temple, assistant city ticket agent of the Salt Lake Route, w" leave the employ of that road t. first of the coming month, to engage in mining, W. J. Thomas, ticket agent of the Rio Grande, will succeed Mr. Tem-ple in the Salt Lake Route ticket office. \$400 seal skin cape and a gold watch. Some time ago the residence of Mrs. Some time ago the residence of Ars, Margaret Clawson, 150 North State street, was entered by a burgiar who made off with a seal skin cape valued at \$400. The matter was reported to the police and they worked on the case for several days but without re-sults except they learned that the cape had been offered for sale on Commercial street. One of the wo-men of the town gave the officers a description of the man who wanted to sell the stolen article but they were unable to locate the fellow. Yesterday a man was arrested at Provo on the charge of pelit larceny and the police here had reason to be-lieve the man was the same who tried to sell the cape. Chief Sheets com-municated with Sheetf Harmon and the latter said he would bring his prisoner in this morning. He did so and the man was the name of Ar-thur Hackett and finally made a clean breast of the whole affair. He also is charged with stealing a watch from a man namedo Austin on East Second South. Margaret Clawson, 150 North State H. W. Henderson, formerly superin-tendent of the Salt Lake Route, who left here several years ago to become manager of the Guayaquil railroad in Ecuador, South America, is in this country on a vacation, and is expected in Salt Lake in a few days.

In Sait Lake in a few days. The stage line is now running daily from Acomato Caliente, on the Sait Lake Route in Nevada, and connects every day with No. I, which leaves this city at 9 p. m. for Caliente. This en-ables the public to get to Pioche and De La Mar, in good shape, and these pas-sengers are nicely taken care of.

sengers are nicely taken care of. Trains are running regularly on the Salt Lake Houte between Los Angeles and Hoya, on the California side of the washouts, and between Salt Lake and Acoma, on the Utak side. It is ex-pected the breaks will be repaired by April 10, when regular traffic will be restored and the Los Angeles Limited, which is at present out of commission, will make its accustomed fast runs.

South. Shortly after the arrival here of Sheriff Harmon and his prisoner, De-tectives Raleigh and Wheeling man-aged to locate the cape on Commercial street and they also found the watch Negotiations are under way for the

Negotiations are under way for the placing of a fine new pleasure steamer on the lake the coming season. Tak boat is to be 75 feet long and will be a stern-wheeler, capable of carrying a hundred passengers. This boat will ply the lake waters between different re-sorts and will probably make Antelope island in its tours, and will be a wel-come addition to the attractions of the solute set. in a pawn shop. Hackett will be charged with burghacket will be charged with burg-iary on two counts and when the Provo authorities get through with him on the petit laraceny charge he will be brought here for trial for a more serious offense. with



No Damages for Trespass. In an opinion handed down by the supreme court the judgment of the lower court in the case of Charles Gillmer, appellant against Salt Lake City was affirmed. Gillmer sued to recover \$614 as damages for trespass alleged to have been commit-ted upon his property by members of the police department who were search-ing the Jordan river for the body of a dead man. It was claimed by Gillmer that the officers tramped down his lu-cert, ruined some of his trees and left some dynamite unexploded near his dam which required him to build a new dam. The city entered a demurrer to the complaint on the ground that it did not state facts sufficient to constitute a cause of action. The lower court sus-tained the demurrer and dismissed the action, from which judgment an appeal was taken.

CITY IS NOT LIABLE.

Supreme Court Holds That There Were

No Damages for Trespass.

action, from which judgment as the su-was taken. This judgment is affirmed by the su-preme court which holds that the city is not liable for the trespass of the officers under the circumstances cited in the complaint. The opinion of the court was written by Justice Frick and concurred in by the other members of the court.

SERVED TERM: STILL IN JAIL.

Petition for Release of James Kennedy Under Writ of Habeas Corpus.

A petition for the release of James

Under Writ of Habeas Corpus. A petition for the release of James Kennedy under a writ of habeas cor-pus was filed in the supreme court to-day by Attys. Snyder & Snyder. Ken-nedy was convicted in Ogden of as-sault with a deadly weapon and on Sept. 29, 1905, was sentenced by Judge Rolapp to five years in the state prison and to pay a fine of \$500, or in lieu of the fine to serve one day in the prison for each dollar of the fine. It is alleged in the petition that the restraint of Kennedy by Warden Pratt is illegal for the reason that five years is the maximum penalty for the crime of assault with a deadily weapon and that the fine \$500 is in excess of that maximum and hence void. Kennedy has been allowed the usual "copper" for good conduct while in prison and hence his sentence of five years expired on Jan. 29, 1907. He is still detained by the warden and is serving out the fine, which it is claimed is illegal. The pa-pers were served on Warden Pratt to day and the court issued a writ of ha-beas corpus returnable on April 1, when the matter will be heard. beas corpus returnable on / when the matter will be heard.

PILES CURED IN 6 to 14 DAYS. PAZO OINTMENT is guaranteed to cure any case of Itching. Blind. Bleeding or protructing Piles in 6 to 14 days or money

NOTICE TO LADIES.

Wanting Easter Millinery, Spring or Summer Dress or Street Hats. When ready to select give me a call. You will find the styles right, the work neat, and prices most reasonable. MRS. E. WARREN. 59 E. 1st South St.

We can fill orders promptly. MARTIN COAL CO.

EXCURSION TO IDAHO.

Commercial Club Arranging for a Ten-Day Trip Through Gem State.

The excursion committee of the Commercial club is busy arranging for an excursion to Idaho, to cover a period of week or 10 days. At a meeting held esterday afternoon the matter was dis-used and met with general approval among the members, and although the date was not definitely fixed, the trip will likely be taken about the middle of May. A special train, provided with sheeper, a dining and a bagggabe car, will carry business men and their friends into some of the Idaho cities, where situations will be tooked into, acquaintances formed in a business and fraternal way, and a time of pleasure and profit indulged in. Eater similar fourneys will be undertak-en into Wyconing. Colorado, Oregon and Nevada. Two trips were taken by the Commercial club to the mining regions of the latter state last year, and so suc-cessful were the invasions there that good results are looked for in the proposed ex-cursions for this year. mong the members, and although the



before leaving for Goldheid, Nev. William Walsh, a prominent mine owner of the famous Lead City dis-trict, of South Dakota, is in Salt Lake for a few days, a guest of the Wilson. Mr. Wilson is on his way to Nevada, where he expects to investigate the mining conditions thoroughly with a view to investing. Utah properties will glas precive attention at his han is, and he is very much impressed with the mining situation. "You have some very good camps," said Mr. Walsh, "and the future of Utah's mines teems to be fully assured. I am also much pleased with your city, and think it is one of the finest in the west."

cae of the finest in the west." "Billy" Wilson, manager of the Her-mitage, the well known resort in Og-den canyon, is at the Kenyon. Mr. Wilson is thinking some of leasing his resort and retiring to his Idaho rameh for a few years. "I am looking up a proposition or two I have to lease the place," sold Mr. Wilson, today, "and if the people can get together on it we will make a deal. If the Eccles read extends up from the mouth of the canyon to the resort, half the town will be up there every Sunday, and then some. The fishing is good and the mountain air is irresistible, and the people fock there from all parts of the country. But I am looking for a rest," said the jolly Hermitage host, "and I expect to take It this summer."

ORPHEUS OPEN HOUSE.

Enjoyable Musicale Given at the Club Rooms Last Evening.

The Orpheus club gave a very enjoyable open house musicale last evening at their rooms in the Godbe-Pitts building, before rooms in the Godbe-Pitts building, before a good attendance of friends of the club. The function was informal, and for that reason entirely free from any suggestion of stiffness, the invitations reading. "Wear your business clothes." The club-men were present in full numbers un-der the leadership of Prof. Peabeds; they sang in excellent tone and tone, and the vessitation was well balanced and har-monicus. Professional musicians present said the club sang as well as any sing-ing club in the country, and expressed gratification at being able to be present. The favorite, "Tally-ho," song was given with a vigor and interpretation that greatly pleased; in fact, it attreed every body up. A plane accompaniment was used with effect. Dr. Ebaugh playing the accompaniment. The singing of the club



Free from harmful drugs. Cure coughs and hoarseness. Prevent sore throat.



That is





ber desire to re