

NORTH. SECURITIES PLAN IN DISPUTE.

E. H. Harriman and Winslow S.
Pierce Claim Property as
Their Own.

ATTY. JOHNSON WAS CAUSTIC.

Much Cross-Firing Between Counsel
On Opposing Sides—The Contest
Will Be Bitter.

Trenton, N. J., May 23.—Argument was resumed before Judge Bradford, in the United States circuit court today, in the suit brought by E. H. Harriman and Winslow S. Pierce to restrain the proposed plan of distribution of the assets of the Northern Securities company.

Argument was opened by John G. Johnson, representing the Northern Securities company. He stated first, that the controversy was not between stockholders. Neither was it a claim that the directors of the Northern Securities company had exceeded their powers. What is in dispute, he said, is a plan of the Northern Securities company to distribute property which the complainants claim to be their own. The case, therefore stands, he said, on the question of title to the Northern Pacific railway stock which was formerly owned by Harriman and Pierce and which was afterward acquired by the Northern Securities company. Mr. Johnson outlined a number of points on which he would base his argument. Among other things, he said, the bill of complaint was insufficient because it made no averment of title. The bill, he said, violated the settled principles of equity. The complainants were guilty of certain matters and that at any rate they could not claim an interest in new shares of common stock which they had never owned.

Mr. Johnson was caustic in his references to Mr. Harriman who, he said, became a director of the Northern Securities company and that the stock acquired by the Northern Securities company was acquired with the aid of Harriman's vote. The stock held by Harriman and Pierce in the Northern Pacific company, he said, was sold to the Northern Securities company and from that time Harriman could have had no possible right in it other than interest in common with the stockholders of the Northern Securities company. When the Northern Pacific stock was sold to the Northern Securities company Harriman and Pierce, with their eyes open, forewent any claim to the stock, and the stock disposed of by them. Their present idea was to secure for themselves stock of the Northern Pacific railway company, which had gone up, and to leave all other stockholders of the Northern Securities company to serve themselves as best they could out of what was left and out of what Harriman and Pierce had sold. Mr. Johnson had deprecated in value.

Mr. Johnson then read some testimony given by Mr. Harriman, in which the latter stated that the negotiations for the sale of his Northern Pacific stock had been conducted with J. P. Morgan & Co. Mr. Johnson argued that there were no contractual relations between Harriman and the stockholders of the Northern Securities company. He quoted from Harriman's testimony to show that at the time the sale was agreed upon Harriman only knew vaguely that the stock was to go to a holding company, and he read Harriman's answers to the effect that in the negotiations Harriman was not influenced by the fact that the stock was to go to a holding company. Mr. Johnson said that the resolution of the directors of the Northern Securities company showing that this stock, 37,000,000 common shares, was to be sold, should be acquired by \$92,000,000, with payments of \$2,000,000, with the Northern Securities stock and by about \$9,000,000 in cash. The purchase was authorized, and this, Mr. Johnson said, constituted a complete sale, leaving Harriman with absolutely no rights with respect to the stock.

A long cross-fire followed between opposing counsel and the court as to the exact point upon which the complainants based their case. Mr. Johnson insisted that the contract of Harriman to sell his stock was a complete one in itself and not a continuing one, as maintained by the complainants, and that the obligation of the Northern Securities company to hold the stock of the Northern Pacific was not one in which Harriman had any right. This prompted Judge Bradford to remark that he understood Mr. Johnson's point to be that the contract of Harriman to sell his stock was a complete one in itself and not a continuing one, as maintained by the complainants, and that the obligation of the Northern Securities company was one of expectation by Harriman rather than a contract. Mr. Johnson replied that as far as the records were concerned there was nothing to justify an expectation.

NISARD WAS RECALLED.

French Ambassador Not Given
Leave of Absence.

Paris, May 23.—M. Nisard, the former ambassador of France to the holy see, arrived here today and conferred with Foreign Minister Delcasse relative to the closing of negotiations with the papal secretary of state, Cardinal Merry del Val. It is announced that the ambassador was recalled in the full sense of the diplomatic term, the French government having given up its first plan to give him indefinite leave of absence. The rupture is further emphasized by the determination of France to withdraw M. Denavene, its minister at the vatican. When the rupture was first decided upon it was the intention to continue M. Denavene at Rome as chargé d'affaires for the purpose of transacting routine business. M. Denavene is now here on leave, and it has been decided that he shall not return to take up his duties as minister. This leaves M. Sartigand with the rank of second secretary to carry out the routine business of the vatican embassy. It is understood that public statements of M. Denavene's apparently defensive attitude toward the course have contributed to the decision that he shall not return.

Papal Nuncio Mgr. Lorenzelli gave

SO TIRED.

Yet you toss about all night, unable to sleep. It's your nerves that are unstrung. Weak nerves are starved nerves and you therefore need something to nourish and put vim and vitality into them. For this particular duty Hostetter's Stomach Bitters is highly endorsed by physicians. It is also invaluable in cases of Poor Appetite, Indigestion, Dyspepsia, Weak Kidneys, Biliousness and Malarial Fever and Ague. We hope you'll try it at once.

HOSTETTER'S STOMACH BITTERS



Special Sales

Every Week
China
Crockery
Glassware
Enamel Ware
Household Goods

Watch Our
Stores.
Prices Talk.
It Pays to Trade

Great American Importing Tea Co.
245 Main St., Salt Lake City.

FIGHT WITH A BAND OF OUTLAWS

Gen. Wright Says There Was no
Disturbance in Cotto Bato
Village

IS NO CAUSE FOR ANXIETY.

Wood Sanguine There Will be No
Further Trouble Except to Run
All Down.

Washington, May 23.—Gov. Wright has cabled the secretary of war, making the following quotations from a dispatch sent to Gen. Wright by Gen. Wood:

"No disturbance in Cotto Bato valley. Affair was fought with a band of outlaws under Ali, who is as much an enemy of peaceful Moros as of ours. All Moros in valley are at work and friendly, and for the first time in history, are taking out cedulas. Have taken out 2,500 in last two weeks. Not the slightest cause for anxiety."

Gov. Wright adds: "Leonard Wood visited me, Baguio, about two weeks since. We went over Moro matters. He was then sanguine that there would be no further disturbance except that involved in running down Ali, who is a fugitive in the mountains with a small band of Moros. I am inclined to think him correct in this case. Incidents of this character are liable to occur, and, indeed, may be looked for. Aside from what Leonard Wood says in the above telegram, I do not believe it possible that there will be any concern in the opposition by Moros. They have no chief of prominence around whom they could gather. They are divided into very small groups, commanded by insurgent datus, intensely jealous, and at general war with each other. The Moro act abolishing slavery and establishing a form of government, which is in variance with what has existed heretofore, naturally has produced some dissatisfaction, but for the reasons indicated I regard serious opposition as improbable, if not impossible."

The Philippine commission has appropriated out of the congressional relief fund \$150,000 to enable them to build roads through Lanao region. Had expected to visit Moro province before this to make personal inspection, but have been detained by press of other matters."

TRADE IN MANCHURIA

Country Very Rich in Coal, Copper, Gold and Silver.

Washington, May 23.—A report of American trade in Manchuria has just been received at the state department from United States Consul Henry G. Miller at Newchwang, China. Mr. Miller says that the entire trade of Manchuria during the year of 1903 went through the port of Newchwang, where this year there are seven different avenues for trade, each doing considerable business. The consul says there are no official records from which to give even an estimate of the quantity of goods coming in and going out through these various channels, excepting for Newchwang. The foreign imports in 1903 for Newchwang amounted to \$13,314,012, against \$15,541,442 in 1902, the largest import in the history of that port.

Manchuria, the consul says, is extremely rich in minerals, including coal, iron, copper, silver, gold and other kinds, but these have been worked only in a small way by the natives. Should this mineral wealth be developed and worked by modern methods in a manner fitting its economic possibilities, Manchuria, he predicts, will prove to be one of the richest sections in Asia.

Mr. Miller says it is a mistake to attribute the growth of Manchuria trade to the building of the Russian railway, as the bulk of the produce is hauled in carts, which compete with the railroad in a haul of 400 miles or more.

It is erroneous to think that the United States has a monopoly of the Manchuria trade, or that there is no successful competition, says the consul, "as there are four active sources of competition, each striving for a larger hold on the trade, and the contest is so strong that the variations in the value between gold and silver have a determining influence thereon."

Bridge Builders Return to Work.

New Haven, Conn., May 23.—Over 200 bridge builders throughout Connecticut have returned to work as the result of an agreement whereby the companies agree to the demand for an eight-hour day at 50 cents an hour. Several big contracts have been held up for months.

Robs You.

Work, Worry, Trouble Waste Your Life
Force, and Rob
Your Heart.

Anything that uses up nervous vitality too fast in any one part of the body, robs and weakens the heart.

Thus overwork, worry, grief, fatigue, grippe, fevers and all sickness, tobacco, alcohol and other stimulants decrease the vitality of the heart and rob you of just so much of your life.

The best remedy is Dr. Miles' New Heart Cure. This restores to the nerves of the heart the vital strength of which they have been robbed, thus strengthening this vital organ.

By taking Dr. Miles' New Heart Cure before the heart is permanently affected, possible dangerous disease is averted off. Even after the disease is upon you, Dr. Miles' New Heart Cure will yet be nearly sure to effect a permanent cure.

When eminent physicians have been unable to restore heart trouble, Dr. Miles' New Heart Cure has restored the patient to perfect health.

"I was taken with a very severe pain in and around my heart, accompanied by irregular heart action. My doctor, after several treatments and received no permanent relief, then commenced taking Dr. Miles' New Heart Cure, which I continued to take and I have since passed examination for old life insurance, and was recommended for a \$10,000 policy, having had no return of the symptoms."

J. W. BOWERS, Newman, Ga.

If the first bottle fails to help—the

druggist will give you back your money.

FREE Write to us for "Dr. Miles' New Heart Cure," the only Scientific Remedy for Heart Trouble. Also, our

Specialist will diagnose your case, tell you what is wrong, and how to right it.

Free. DR. J. C. MILES, MEDICAL CO.,

LABORATORIES, ELKHART, IND.

MARRIAGE OF DIVORCED PERSONS

General Assembly of Presbyterian
Church in United States is
Not Averse to It.

REPORT AGAINST IT KILLED.

Special Committee Advised Ministers
To Refuse to Marry Any Whose Mar-
riage is Forbidden by His Church.

Buffalo, N. Y., May 23.—By a vote of 262 to 244 the general assembly of the Presbyterian church of the United States this afternoon wiped out that part of the report of the special committee on marriage and divorce, which advised Presbyterian ministers to refuse to marry any person whose marriage is forbidden by the church of which that person is a member. The committee had formulated this provision to help promote the work of the interchurch conference on marriage and divorce, which takes in 13 denominations, and this action of the assembly, it was declared tonight, might prove a setback to the conference. The remainder of the report was adopted.

The general assembly also approved the partial report of the special committee on forms and services, which provides an order of morning service and an order for the baptism of infants. Both orders are to be optional. The recommendations of the special committee on marriage and divorce are as follows:

"Then general assembly again enjoins all ministers under its care and authority to refuse to perform the marriage ceremony in the cases of divorced persons, except as such persons have been divorced upon grounds and for causes recognized as scriptural in the standards of the church."

"Recognizing the comity which should exist between Christian churches, and believing that it would be desirable and to the increase of a spirit of Christian unity, we earnestly advise all the ministers under the care and authority of this general assembly to refuse to unite in marriage any person or persons whose marriage such ministers have granted to believe is forbidden by the laws of the church in which person or persons seeking to be married may hold membership."

"The appeal and address to the interchurch conference is hereby endorsed by this general assembly, and commended to the consideration of all our ministers and congregations." The committee on marriage and divorce is continued, and instructed to "co-operate with the representatives of other churches in endeavoring to obtain such ecclesiastical unity, and such state or national legislation as may shield both church and state from existing and pending perils."

The committee is working with committees of the 13 other denominations, all of which form the interchurch conference on marriage and divorce which recently issued an appeal to the Christian public.

The report of the committee on missions for freedmen was adopted. It recommends the expenditure of \$300,000 in the work of the coming year.

Telegrams were received and read, and great enthusiasm, from the assemblies of the Cumberland Presbyterian church at Dallas, and the Presbyterian church of the United States at Mobile, rejoicing in the probable union of all three bodies.

The report of the special committee on forms and services was then taken up. Dr. Van Dyke of Princeton is chairman of the committee, which reported a form for morning service and a form for baptism of infants. The proposed new forms have not been voted on by the conservatives, who think they favor the conservatives, who think they favor the conservatives.

Speaking on the subject, Dr. Van Dyke said that 75 per cent of the 2,000 churches selected at random by the committee, the already using some form of service with a responsive feature. Nine-tenths of the ministers desire a book of forms—not a prayer book, not a litany, not a ritual, but a "collection of forms, proper and helpful, for voluntary use in Presbyterian churches."

At the conclusion of Dr. Van Dyke's address a resolution was unanimously adopted endorsing the work of the committee so far as it has progressed and continuing the existence of the committee until its work shall be completed.

Debate on the report of the committee on marriage and divorce was then begun. A number of the commissioners took exception to the second paragraph of the report, which recommended, advising ministers to refuse to unite in marriage any persons whose marriage is forbidden by the laws of other churches. This paragraph was finally carried out by a vote of 262 to 244. The report was amended was taken until tomorrow.

Assaulted by Mistake.

Denver, May 23.—That A. J. Gregory of Salt Lake City, the Rio Grande railroad employee who was beaten several weeks ago, was mistaken for Detective Lyle Gregory, who was later murdered, is a theory on which the police are working. A. J. Gregory was waylaid by three men, who beat him savagely over the head and left him unconscious. The detectives have descriptions of this trio and hope to run them down.

11.00 ONLY—\$1.00.

To American Fork and Return.

Via D. & R. G., May 27. The Woodmen special leaves promptly at 7:45 p. m., 30 minutes' ride in the moonlight through Utah's most beautiful valley.

FIRST IDAHO EXCURSION

Via Oregon Short Line.

Saturday, June 11. One fare for round trip to principal northern Utah and Idaho points. See agents for full particulars regarding limits, etc. City ticket office 201 Main street, Salt Lake.

SPECIAL TOURIST CAR FOR TEACHERS

Via Rio Grande and Burlington Route, May 30th.

From Salt Lake City to St. Louis. Send in your names for reservations. Rate per double berth \$4.00. Call on telephone No. 649 or write office No. 73 West Second South street.

REMOVAL NOTICE.

The City Package Delivery is now located at their new office 248 south

First West. Tel. 1555. Trunks, baggage, furniture and storage a specialty.



TWO VIEWS OF NEWCHWANG, REPORTED TO HAVE BEEN EVACUATED BY THE RUSSIANS AFTER AN ATTACK BY THE JAPANESE.



\$500 REWARD for WOMEN

WHO CANNOT BE CURED.

Backed up by over a third of a century of remarkable and uniform cures, a record such as no other remedy for the diseases and weaknesses peculiar to women ever attained, the proprietors and makers of Dr. Pierce's Favorite Prescription now feel fully warranted in offering to pay \$500 in legal money of the United States for any case of Leucorrhea, Female Weakness, Prolapsus, or Falling of the Womb, which they cannot cure. All they ask is a fair and reasonable trial of their means of cure.

WHEN LOVE INVITES

The woman follows the man of her choice through the path leads out of Eden into a world of trouble and untold trials. What is her reward? Many a time when her health is broken by the burdens she has borne for the man's sake, her reward is to see him turn from her to seek rosiest cheeks and brighter eyes. It is man's nature to crave beauty in the wife as in the world. And what woman is there who would not be happy to keep her maiden bloom when her motherhood has crowned her wisely? Some women seem to have found this secret of perpetual youth. "Age cannot wither them." They have learned that fairness of face and form depend upon the health, and that the general health depends upon the local womanly health. They establish regularity of the periods. They dry the

disagreeable drains which draw the luster from the eyes and the vermilion from the lips as well as sap the body's strength. They quench the internal fires of inflammation in which the very elements of beauty are consumed. They heal the ulcer which gnaws into the very life. They walk the world as wonders—women exempt from the sacrifice to love. How have they done this? By the use of Dr. Pierce's Favorite Prescription, which makes weak women strong and sick women well. It matters not how weak the woman is, or how sick she is, "Favorite Prescription" will cure the womanly ills that vex her; will round out the sunken curves of her form, put light in her eyes, tint her cheeks with health's carnation, and make her a glad and happy woman.

Hundreds of thousands of women testify to the truth of these statements. Let every ailing woman read the two testimonials given below and remember that these two women speak for more than half a million other women cured by the use of Dr. Pierce's Favorite Prescription. There is no alcohol in "Favorite Prescription" neither has it any opium or other narcotic.

"Two years ago I began to gradually lose my health," writes Mrs. Nellie D. Stark, Vice-President Bethesda Society, 30 Gardner Street, Worcester, Mass. "I became nervous, lost my appetite, and

it seemed impossible to obtain a good night's rest. I became emaciated, had low-eyed, and suffered with frequent heart palpitation. Complexion was bad and 'muddy' looking and I had a bagged expression. I felt as though life had lost its charm; did not care to live, for life without health is simply a living death. Dr. Pierce's Favorite Prescription changed all this. It came as a blessing into my home; I felt better in a short time after starting to use it, and within a month I was like another woman. New life, health and vigor returned and my husband fell in love with me all over again, and a new light and happiness came into my life. Your medicine did all this for me, and it is certainly worthy of praise."

"I was a great sufferer for six years and doctored all the time with a number of physicians but did not receive any benefit," writes Mrs. Geo. Sogden, 641 Bond Street, Saginaw (South), Michigan. "I had given up all hope of ever getting better, thought I would write to you. When I received your letter telling me what to do I commenced to take your 'Favorite Prescription' and follow your advice. I have taken ten bottles in all, also five vials of the Pleasant Pellets. Am now regular, after having missed two years and suffered with pain in the head and back. I was so nervous, could not eat or sleep. Now I can thank you for my recovery."

Dr. J. C. MILES, MEDICAL CO., ELKHART, IND.

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