### HISTORIAN'S OFFICE. Church of Jesus Christ of Letter-day Salats.

Shot Her Old

Mrs. Amanda Williams of Texas Follows Carroll Nix, of

Fayetleville, Ark., to Kansas City - She Entered His

Room While He Slept and Fired Four Bullets Into

Hum-She Admits That Jealousy Prompted Her Deed.

ONE AD, in the home is worth a hunired on the highway. Our circulation is home circulation.

# DESERET EVENING NEWS.

United States

# It will pay you, too.

FIFTY-THIRD YEAR.

ALL THE BIGGEST ADVERTISERS

Use the Deseret News. It pays them,

### LAST EDITION.

mams, who came here recently from

ras, shot and fatally wounded Car-

Nix of Fayetteville, Arkansas,

ie the latter was asleep in his room

## TRUTH AND LIBERTY

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

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

closer to a decision from the United States supreme court which shall be for even if the Securities com-had won today the government uld probably have appealed. The question was of such importthere who was a start and of such infort ter who won. These facts are cer-in. Both railroads held by the orthern Securities company still ex-

"When rathcad 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 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 9.--A troi-ley car was struck by a Grand Trunk train today at the Jefferson avenus crossing and smashed into kindling wood. Two passengers, Miss Clark Moorehouse and A. L. Rossman were seriously injured. The escape of the other occupants of the car was almost miraculous 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 will insure an early hearing and determiraculous.

#### Trunk Lines Made Respondents.

Washington, April 9.- The interstate 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 go that the proper official may approve the payrolls. mmerce commission today made number of trunk railway lines respondents in proceedings involving the legalents in proceedings involving the legat-ity of their local rates on grain and grain products, and in the case of two of the roads 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 Higan, Island of Mindanao, in the case of Lieut. Joel R. Lee, of the Tenth United States infantry, holding that the accused who was charged with and the decision of the court will settle the controversy for good. Of course, 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 In Application for Blanket Fran-Against the City. chise in Los Angeles.

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-trict court with the result as stated above.

CRUSADE HAS BEGUN.

Rooming Houses.

MAY DAY SALE.

tirely Legal.

AFTERNOON CALL.

-Yankee Con.

The mining stock market was practi

H. E. HUNTINGTON TO RESIGN

ACTION A FRIENDLY ONE.

The action is merely a friendly one

tteck of Southern Pacific on His

payrolls and take charge of the depart-ment as soon as such judgment is rensettled in the courts. Quo warranto proceedings were instituted in the dis-trict court today by Atty.-Gen, Breed-en, at the instigation of H. G. McMillian, who strend the settless to be arlies to be arlies to be arrived the world of the settless to be arranto in the wild is returnable on Saturday, April 18. Such date is the earliest possible one for the hearing for the reason that Judge Morse has been called to his former home in Kansas by the gevere McMillan, who signed the complaint, iness of his mother, and may not rerequiring Geo. A. Sheets to show by

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 council, and also the rule of the council which provides that all appointments shall be confirmed by the vote of a ma. ority of councilmen elected. A complete history of the appointment of Mr. Sheets by the mayor and the actions sheets by the mayor and the actual 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-

and hence the ranking officer in the de- | Sheets in the controversy.

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 dutles of assistant 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 seven cars, and was especially decor-

# Kansas City, April 9,-Mrs. Amanda | woman. Mrs. Williams is 30 years old The shooting occurred in the next room to that occupied by Bud Taylor, from the window of which the latter two years ago shot and killed his sweet-

40 West Ninth street early today. e police station later she refused Mrs. Williams and Nix were former earts. The woman was deserted she asserted, but he had evaded her Mrs. Williams admitted frankly that her husband some time ago in a the shooting was prompted by jealousy She said she had been deserted by he town and until recently had Fayetteville. Nix, it appears, o Kansas City a few days ago e woman had followed him aphusband in Texas a year ago, and that the acquaintance with Nix, whom she

Sweetheart.

intent on taking his life. had known for years, was renewed. is Nis lay asleep this morning Mrs. Hams entered his room at 5:30 Nix was a farmer, Mrs. Williams later, in a statement to the prosecutor, admitted that she unknown to any other occupant bad purchased the revolver with which she shot Nix a month ago, and that she had planned the shooting deliber-a ely. She was cool and collected when ouse and began firing at him. st shot struck Nix in the nose, ad one hit him in the cheek, a the groin and a fourth grazed arm. The fifth bullet, the last arrested, but later in her cell became hysterical and expressed extreme sorabmitted to arrest quietly. who was taken to the hospital for her deed.

row for her deed. The woman says here husband is James Williams of Gainesville, Texas. ing condition, said he had come as City to get away from the At noon Nix was still alive.



April 9.—President n early start this headquarters in the d trip through constraints and in the standing that numerous notices had been given to the outside world that no newspaper men would be allowed in the an early start this elt made no from his headquarters in the ar an extended trip through cerpark while the president was there, one enterprising reporter tried to force his rtions of the reserve. There are umber of mountain llons in the

way in yesterday. He rode a horse and had a dog with him. The man was arnd as the authorities are making as the authorities are making mined effort to exterminate them the dog shot. Later the correspondent ssible the president may get a | was released.

Thurber conducted the simple service

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

ang Mrs. Porter's favorite hymns

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

At the conclusion of the ceremony,

Mme, Loubet and various mem-

following the established official cus

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-

joining the church, where it will re-

U. S. Biscuit Co. Incorporated.

Indian Tribes Law Upheld.

hade good-bye to the

mining college had frequent encounters

with the villagers. Sir Wilfrid Law-

son's increased majority was not ex-

main until its removal to America.

ambassador and his daughter.

of Mrs. Porter. The choir



attened at Two Horses She Ran Upon a Railroad Track In Front of an Approaching Train and Was Killed in a Twinkling.

chara

Kindly Light'

Appointment of Negroes Indorsed 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 peo-

ple to partake of the fruits of citizen-ship, the system of the second secon Washington, April 9,-Special river bulletin: The Mississippl river continues to fall slowly from Vicksburg to New Orleans.

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

> The Hague, April 9.—According to the Vaderland, the Railroad Employes' union has asked the state railroad com-panies to agree to negotiations for a settlement of the dispute and the rein-clatement of the more statement of the men.

> > FIGHTING AT FRAJALA.

#### **Twice** Attempted to Carry the Fortress but Repulsed Both Times.

considered to be a strong local candi-

The Liberal success was due to the disaffection of the non-conformist Cor-nishmen with the government's educa-

tional measures. Sir Wilfrid Lawson's election brings back to Westminster a picturesque fig-ure, long known for his vehement in-terest in the cause of temperance. Colonial Secy. Chamberlain sent a telegram to the electors pointing out that throughout the war Sir Wilfrid had "Invariably sympathized with the one

"invariably sympathized with the ene mies of his country."

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-casar theater, San Francisco, who killed

herself with a revolver on the deorstep of the house of her sister, Mrs. Rowe, on Monday.

The Mississippi is Falling.

Sentinel Killed One Man.

tional measures.

Madrid, April 9 .- A dispatch from Melilla, Morocco, gives details of the fighting at Frajala. It says that a nsurgents made a desperate atta/ k on the fortress of Frajala April 8. After the customary prayers the trib smen advanced with a wild rush, to the accompaniment of religious exhortations. Twice they attempted to carry the for-tress by assault, but were repuised by well directed fusilades, which killed numbers of the insurgents. During the ettack the powder supply of the tribesmen exploded, killing many of them,



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



Wins Merger Suit

St. Paul, Minn., April 9 .- The United 1 off the operation of the general law of States circuit court of appeals today at noon handed down a decision in the suit of the United States against the ed to one person, with instructions how to vote if, the "result would have been Northern Securities company enjoining the company from voting the stock of the Great Northern or Northern Pacific Railway companies, but allowing the return of such stock - been deliv.

ered to that holding company. The 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 follows:

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

"Adjudging that the stock of the Northern Pacific and Great Northern Railway companies now held by the Securities company was acquired in virtue of a combination among the de-fendants in restraint of trade and commerce among the several states, such as the anti-trust act denounces as illegal enjoining the Securities company from acquiring or attempting to acquire further stock of either of said allroad companies also enjoining h from voting such stock at any meeting of the stockholders of either of said railroud companies or exercising or attempling to exercise any control, direc-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 ei-ther of said companies and likewise principling them from realize one and enjoining them from paying any divi-dends to the Securities company on account of said stock or permitting or suffering the Securities company to ex-ercise any control whatever over the corporate acts of said companies or to direct the policy

NEW JERSEY CHARTER. "So far as the New Jersey charter is concerned, the question brondly stat-ed, which the court has to determine, is whether a charter granted by a state

inder these propositions it is also

a ld that if the stock had been entrust

commerce, in view of which Congress bas absolute control. Presumptively at least no charter granted by a state is 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 unkawful, namely, a combination con-ferring the power to restraining inter-state commerce might be formed and state commerce might be formed and maintained because the enabling act under which the Securities company was organized expressly declares that

1-urpose.

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 promoters of the securities company, so that, however extensive and comprehensive 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 exercise your powers.

may be is indirect and remote and therefore not to be forbidden by Con-

a combination in direct restraint of interstate commerce," because it gave prover to suppress competition. The organization of the Securitier, company, it is held, "accomplishes the object, which Congress has denounced as illegal, more effectually than by other methods," and continues:

THE DECREE.

can be used to defeat the will of the national legislature as expressed in a law relating to inter-state trade and commerce, in view of which Congress

three or more persons may avail them-selves of the provisions of the act and 'become a corporation for any lawful ruppes.' Laws of New Jersey, 1899.

This language is not merely per-functory; it means obviously that whatever powers the incorporators saw fit to assume they must hold and exer-cise for the accomplishment of lawful

The contention that whatever re-straint upon interstate commerce there

Whence Comes

HISTORIAN'S OFFICE.

Church of Jesus Christ of Latter-day Saints.

His Authority

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

A. Sheets is entitled to act as chief of police or whether he is an usurper settled in the courts. Quo warranto

The controversy as to whether Geo. | partment could proceed to approve the of police or whether he is an usurper and should be ousted, will finally be has issued the writ of quo warranto

turn before that date.

COMPLAINT A LENGTHY ONE.

the matter may be appealed to the suf-the matter may be appealed to the suf-preme court, but, should a judgment i of ouster be rendered in the district court, an appeal will not stay the outer. firmed is also set out, as is also all the law relative to the case. Attys. C. F. & F. C. Loofbourow and City Atty. Nye will represent Mr.



(Special to the "News.") April 9 -- Little Violet, the nined daughter of Mr. and Mrs. Pothas run down by passenger train Oregon Short Line, northbound, ming and instantly killed. The int happened at a point about one injury being a small stream of blood is suing from the nose. Dr. Frank Noye with of Lehi as the little girl was was called, but could do nothing, as the way to school. Violet was comspark of life had fled. The bo n the wagon road which at this later taken to the home of the griefuns parallel with the railroad when she became frightened at stricken parents, who reside about a mile out of American Fork. The be lous appearance of two horses reaved family has been sorely afflicted running down the road be- as three sons were killed in the Scofleid a wagon. In order to avoid them disaster.

### AN ANCIENT CEREMONY.

#### peror Francis Joseph Washes the feet of Twelve Aged Men.

a, April 9.-Emperor Francis assisted by 11 archdukes, in burg today performed the anby Thursday ceremony of the lect of 12 aged men as ranged from 92 to 99, ag-1,052 years. The emperor d dishes of food before each the archdukes removed ly afterwards, the viands be to the men's homes. The aded with the emperor hangstaining 30 pleces of silver

ich man's neck. His majesty to be in excellent health. Trenton, N. J., April 9.—The United States Biscuit company, with an author-ized capital stock of \$4,500,000, 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. Nalley, K. K. McLaren and Joseph M. Mitchell of Jersey City. as a large gathering of court. itary officials pres Ambassador Storer and and Secv. Rives. Mill the Harris, the British am Sir Frederick Plunkett and nkett and the Duchess of

### STRIKE IN ROME.

aceful Solution of it Seems Washington, April 9.—The court of ap-peals of the District of Columbia has sus-tained the authority 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 Quite Probable.

April 9 .- Apeaceful solution of te continues to be probable. div has almost resumed its norwho are not members of the tribes and has sustained the authority of the scere-tary of the interior to enforce such an indian law by removing from the Indian territory all cattle and other its ect the only difference being bee of cabs. Many pilgrims, lermans, have arrived for f functions. They will be reidience by the pope on Mon. upon which this fee is not paid. more than 300 churches Holy ces are proceeding without The people rushed to see the s and especially admired the he church of the American col-

### H. Bradley, Retired, Dead

parted for England today without a demonstration. An early hour was chosen so as to avoid a manifestation. pril 9.-The adjutant gen-Quite a number of American and Engdeath of Capt Ish members of the church gathered 8. A., retired, a apt. Bradley server the civil war, firs Secular priests immediately took up be civil war, may the usual work during holy week. services are proceeding uninterrupted-Butant general's department. IY.

#### Wants Canal Concessions Parliamentary Vacancy Filled.

-Negotiations are pro-London, April 8 .- The parliamentary vacancy in the Camborne division of Cornwall, due to the death of W. S. States and Caine, Progressive Liberal, was filled British com-with the Pan-ullt. The Post include opportoday by the return of Sir Wilfrid Lawson, with an increased Liberal majority. The figures were: Sir Wilfrid Lawson, and cealing ships Liberal, 2.558; Arthur Strauss, Liberal Atlantic and West Unionist, 2,869. Considerable rowdyism marked the canvassing. The students of a local

### United States navy. Funeral of Mrs. Porter.

2.-The funeral of Mrs. pected, as he was bitterly assailed for the United States amhis so-called "Little" England attitude. He openly declared the government at 11 o'clock this mornan church in the Rue impressive tribute. French government, diplomatic corps | pro-Boer party. of American

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

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" Battallon, and all who have taken part in any pioneer she was hit by the engine and thrown movements, their descendants, off the grade. When the train was others who may be interested, the idea brought to a standstill the body was picked up and found to be not mutilated being to hold a great reunion of the pioneers and lovers of pioneer movein the least, the only outward sign of ments,

### 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, who had 30 men and 30 teams employed. It took two weeks to complete the The greatest trouble was encoun tered in removing the sand bars at the that "the scheme which was thus de head of the canal, which had been formed there by the discharge from the new Utah lake pumping plant. The "First, it placed the c bars, after considerable trouble, were

removed very satisfactorily. SALT LAKE MARKETS.

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

The Salt Lake retail markets continue 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 221/2 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 bost 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 **Passionist Fathers Leave Paris.** cents per pound: caulifower, 15 and 20 cents; cabbage, 5 cents; grape fruit four for two bits; radishes, 5 cents; celery 5 Paris, April 9 .- The Passionist Fathers, who have been conducting the Anents; beans, 15 cents; onions, two for glo-American Catholic church here, de cents.

In fruit, oranges are retailing at from 20 to 50 cents a dozen; bananas at 25 cents; apples at from \$1 to \$1.75 a bushel; figs, 5 to 25 cents a package; dates, cents a pound.

Fresh and cured meats are retailing following prices: Prime ribs of roast, 17% cents; porterhouse steak, 20 cents; fall lamb, 15 to 20 cents; mutton chops, 121/2 to 15 cents; yeal, 15 to 20 cents; pork, 15 to 171/2 cents; lard, 15 cents a pound; spring lamb, \$1.25 to per quarter. In the fish market, fresh salmon is elling at 15 cents; pike at 20 cents per bound. 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; jobsters 15 cents a pound; oysters, 50 and 60 cents a quart; blue points, 25 cents a dozen: salmon, Mackinac trout, white fish, 17½ cents a pound; red snappers, 20 cents; fresh mackerel, 30 cents; fresh

sea bass, tom cod, rock cod, soles, floun-ders, hallbut, herring, two pounds for a quarter; blue fish: 17½ cents. In the flour and grain markets, prices

ought to give back the Transvaal and Orange Free State to the Boers and he remain as follows: High patent flour, \$2.50 a hundredweight; straight grade, \$2.30; bakers' grade, \$2.20. Whole and identified himself with the ardent cracked corn retailed at \$1.45; wheat, \$1 10 a hushel; incorn 60 cents a hun.

There will be an entertaining program, and it is expected that there will be those companies which it may have received from such stockholders in exchange for its own stock, or to make 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

### CONCLUSIONS OF COURT.

Circuit Judge Thayer stated the con clusions of the court. He recites the petition which was brought under the anti-trust act of 1890 and adds that ander the act of Feb. 11, 1903, this case, being of "general public importance" had been given precedence over others and in every way expedited. It is de-clared that under the admissions of the defendants the matters of fact are that the roads were parallel and competing lines, that they had jointly secured control of the Burlington, that in 1901 holding company had been formed 1 large owners of the stock of the Northern Pacific and Great Northern railstock interests had been acquired a au agreed price, and the court holds vised and consummated led inevitable

companies."

"First, it placed the control of the two roads in the hands of single persons, to wit, the Securities company, by virtue of its ownership of a large maority of the stock of both companies; second, it destroyed every motive for competition between two roads engag-ed in inter-state traffic which were natural competitors for business, by pooling the earnings of the two roads or the common benefit of the stock-olders of both companies; and, according to the familiar rule that every one is presumed to intend what is th

necessary consequence of his own acts when done wilfully and deliberately. we must conclude that those who con-served and executed the plan aforesaid intended among other things, to accom plish these objects."

#### ANTI-TRUST ACT.

On the point whether the prese case comes within the inhibition of the anti-trust act, the court discusses the meaning of the word trust in the ac and adds that Congress was careful to ceclare that a combination in any other form, if in restraint of interstate trade or commerce, that is if it directly or casioned or effected such restrain restraint should likewise be deemed illegal

"Moreover, in cases arising under th 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 interstate carriers of freight and pas-sengers as well as to all other persons, natural or artificial; that the words 'in restraint of trade or commerce' do not mean in unreasonable or partial restraint of trade or commerce but any direct restraint thereof that an agreement between competing railroads which requires them to act in concert 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 freigh or passengers over its road, as nleases is a contract in direct restrain 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-senable, the vice of such contract or combination being that it confers the p.wer establish unreasonable rates and directly restrains commerc by placing obstacles in the way of free and unrestricted competition between catriers who are naturally rivals for fatronage, and finally that Congress has the power, under the grant of au-

thority contained in the federal Con stitution to regulate commerce, to say that no contract or combination shall be legal which shall restrain interstate trade or commerce by shutting

gress, is not found to be well sustainabove. The contention that if the existing

company is in violation of the anti trust act, then that act unduly restricts the rights of the individual to make [Special to the "News."] Washington, D. C., April 9.-Gilbert contracts and is invalid, is declared Stevens has been appointed postmaster be entitled to little consideration. The at Rongis, Fremont county, Wyo., vice court says:

CONSTITUTIONAL PROVISION.

"The provision of the Constitution does not, as we believe exclude Congress from legislating with regard to 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 regarding the liberty of the citizen is to some extent limited by the com-merce clause of the constitution and Sheets Says He Will Clean Out the that the power of Congress to regulate interstate commerce comprimises the right to enact a law prohibiting the citizen from entering into those specific ontracts which directly and substanfally, and not merely indirectly, renotely, incidentally and collaterally regulate to a greater or lesser degree mmerce among the states." The further contentions that the an-

ti-trust law was not intended for such ombinations as this, that this comnation had been consummated before the bill was filed, and was in reality ald of commerce and not to restrain , are held to be clearly untenable as o the first point and that the second point is a novel, not to say absurd in-terpretation of the anti-trust act and this character.

as to the last contention it is said to be possible, but not a matter for deon of the court. The One Held This Afternoon Was En-The decree is entered, as already given

above. Circuit Judges Caldwell, San-born, Thayer and Vandeventer heard the case and all concurred in opinion, which was written by Judge Thayer and filed in the United States pany's office this afternoon and was ircult court of appeals in this city. The defendants are the Northern S

cureties company, the Northern Pacific the Great Northern Railway company J. J. Hill, William P. Clough, D. Willis James, John S. Kennedy, J. P. Morgan, Robert Bacon, George F. Baker and Danjel 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. Mining Stock Mrrket Continued Firm New York, April 9 .- The case of the Northern Sucureties company will be appealed.

COMMENT ON DECISION.

ranged about the same as at the fore-New York, April 9 .- One of the leadnoon session. Yankee Con., however, weakened and sold lower. The sales ng counsel in the Northern Secureties se said: As yet this is an undigested opinion, posted were as follows:

ut from the hasty glance I have given I call your attention to the closing brase of the judge's order, which ractically nullifies the whole effect of decision. It provides that the North. n Secureties company may transfer nd assign the stock of the Northern Pacific and Great Northern railways now held by it, to such person or perons as are now holders and owners of riginal stock in exchange for the stock of the said companies. This right of transfer is vital and it seems to me 35, 8 30,

enders nugatory the main conclusion the court." A representative of J. P. Morgan & o. said the decision put a new light a the entire matter and would enable lawyers of the Northern Securi s company to work along new lines. ill text of the decision I shall not care express an opinion on it. This much certain, however, it will not rest

where it is "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 reverse is the case.

"Capital all over the country is

POSTMASTERS AND PENSIONS.

### Interests Forces Him to Sever Connection With Company.

Los Angeles, April 9 .- The Times this morning says:

It was accepted as a fact yesterday Charles Fletcher, resigned, Fensions granted: Idaho-Increased, Amesiah Strickland, Emmett, \$12: Fran-cis N. Root, Houser, \$8. Wyoming-Increased, William H. Hom-montese Bealton \$ that Senator William A. Clark of Montana represents the Southern Pacific in the application for the cole-Wyoming-Increased, A. M. Marker, Payson, 38: Utah-Martha E. Parker, Payson, 38: original, Benjamin D. Knorr, Grangeville, Ida., war with Spain, 38. brated "blanket" franchise for an

82-mile street railway system in Los Angeles. Any doubt that might have existed

is dispelled by the discovery of the holding of a midnight meeting of a quartet of men who cemented the bond he-tween the Southern Pacific and Mr. Garland, who acts as agent for the

franchise applicants. This meeting Today Chief Sheets began a crusad vas held at the office of Attorney against women of the town who hold Jarence Miller in the Bryson block forth in rooming houses. He says he is and those present were W. F. Herrin general counsel for the Southern Paci going after the women and also profic: Walter F. X. Parker, political agent for that company; William M. poses to prosecute the proprietors. Under the law, the inmates must be Garland and attorney Clarence Miller. notified 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 arrests will follow. This afternoon, Sergeant Hempel lo of the transporting family, and which already has caused Henry E. Hunting-ton to sever his official relations with the Southern Pacific company, Mr. cated eight such characters and in-formed them that they must seek other

quarters. The proprietors were also warned 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 corporation upon his interests makes it impossible for him to continue. If he has not already resigned he This news comes from head quarters. It marks an episode of na tional importance in railroading-the passing of the successor of C. P. Hunt-The postponed delinquent sale of ington, one of the founders of the cor-May Day stock was held at the comporation, from the board.

FULTON GOES TO SANTA FE.

onducted by Secy, Weeks. The ase-ssment of 1½ cent per share, was unpaid upon a total of \$331-3 shares. 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 market new traveling freight agent in the field in the person of I. A. Fulton, who enprice of the stock. The amount of the assessment and costs was paid for the transfer of \$2 shares of stock. ters the employ of the Sanfa Fe in that apacity, with headquarters in Sult Lake, under General Agent Warren. Mr. Fulton is well known in this territory as a freight hustler and for a number of years was in the employ o the Union Pacific, and the Oregon Short Line, both as a traveling freight agent and as city freight agent at Ogden. cally unchanged this afternoon. Prices

#### Illinois Central Mortgage. Chicago, April 9 .- A mortgage of \$2,-

Lucin Cut-Off.

At the Assembly hall, in Manti, on Apirl 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. will be present;

Prest. J. H. Paul, L. D. S. univer-sity; Supt. D. H. Christenson, Sait Lake City schools; Prest. Hanj. Cluff. Y. Academy; Miss Rosalie Pollock primary superintendent, Salt Lake City chools; Miss Ella Larsen, primary superintendent, Salt Lake City schools; Prof. Geo. H. Marshall, Wasatch acad-emy: Prof. Newton E. Noycs, Snow academy. Supt. Oliver Christensen, Juab County;

in the musical portions of the program: Mirs Eva Crawford, Miss Clara Hall, Miss Ectta Snow, Miss Harmon, Miss Ruby Wright, Clay Allred, Manie Bawden et al., Prof. M. E. Christoperson

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 Mag-leby of Sevier county, and Supt. A. L Larson of Sanpete County.

ated and equipped for the tonr. After engine follows a baggage car, a the combination buffet and baggage car. diner, a section sleeper, a compartment car, and finally the president's priva car, in which is arranged a parlor and observation compartment, state sleep-ing rooms, dining room, two sleeper sections, a kitchen and sleeper sections 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 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 intractors 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 Meffat.

Announcement was made in Boston 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 Sait Lake City, has been postponed until September.

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

The Sumpter Valley railway has just purchased for immediate shipment, 700 tons of 40-pound steel rails for an extension of its line, 12 miles further in the upper country.

The woolgiowers 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 ad-vance by eastern roads of their pro rata from 4412 to 63 cents. The rate last year was \$2, and the year be were made as low as \$1.30 to \$1.50 .- Baker City Herald.

TEACHERS' INSTITUTE.

### Sevier and Sanpete Counties Will Hold Joint Session This Week.

000.000 given by the Illinois Central ratiroad company to the United States Trust company of New York has been

The following educators of the state

The following persons will participate

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 untrue. 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, when once they got down to work."

### A Few Excursions Scheduled.

At 5:15 this afternoon a special train will leave Salt Lake for Provo over the Rio Grande on the occasion of the or-ganization of a new lodge, E. P. O. E., Budge of the Bear Lake stake. Dr. Budge has not yet fully recovered his strength, but his numerous friends will be glad to learn of his convalescence. in the Garden City. Aside from the

Daly-West, 100 at 43.20; 150 at 43.15; 225 at 43.25; 50 at 43.221/2. filed for record. It is designated as th Illinols Central Hailroad company's ex-tended first mortgage gold bonds, ma-Daly-Judge, 100 at 9.95 Lower Mammoth, 200 at 41; 100 at April 1, 1951, and bears 312 per 40%; 100 at 40%; 500 at 40%; 100 at 40. cent interest. Sacramento, 500 at 26% Joe Bowers, 1,000 at 1% Martha Washington, 1,000 at 3%. "That statement in a morning paper to the effect that only one man has Wahash, 500 at 29%; 500 at 29%. Yankee Con., 100 at 36%; 100 at 36; been killed on the Lucin cut-off since operations commenced is all rot," said at 35%; 500 at 35; 100 at 35%; 100 at a gentleman who visited Promontory last week. "Two Greeks were killed out

### READY FOR WORK.

We are pleased to say that Dr. David C. Budge is now able to attend to his professional duties, to the extent at least of receiving patients at his office in Logan, to which city he has just re-

Weels, who recognized his ability and knowledge of his profession, gained by five years' study at the best col-leges in the east, in which he graduated with honors. He is one of our na-tive sons, his father is Prezident W.

turned after serving on the Medical Board. He was recently appointed a member of that board by Governor