

SALT LAKE HERALD. SALT LAKE CITY, UTAH. BY THE HERALD PUBLISHING CO. Yesterday's Temperature. 6 p. m. -77. Noon. -66. 6 a. m. -50.

Highest temperature for the last twenty-four hours, 73 degrees; lowest, 47 degrees. Corrected daily by United States observer. GEO. N. SALISBURY, Observer.

Forecast for the Herald. SALT LAKE CITY, May 11, 1893. For twenty-four hours ending 6 p. m. Friday, May 12: Fair weather; warmer.

GEO. N. SALISBURY, U. S. Observer.

TO ADVERTISERS. Changes for advertisements in THE SUNDAY HERALD must be handed in not later than Friday night.

BRIEF AND BREEZY. THREE boys engaged in peddling tea cream tarts were arrested last night for running their carts on the sidewalks within the bicycle district.

SERVICES this evening at the Jewish Temple, Fourth East between Second and Third South, beginning at 8 o'clock. Sermons by Rabbi Joseph P. Jacobson. "Love and Law."

The county clerk issued marriage licenses yesterday to Fred Livingston of Ogden and Maria Herguth of Salt Lake. George Williams Rose and Virginia Russell both of Salt Lake.

The Federated Trades have given Mr. Shelton of the sewer department, a vote of thanks for his defense of labor at the meeting held to consider the method of construction to be adopted for the gravity sewer.

A MEDICAL entertainment will be given this evening in Thomas' Barnacle, rear 413 South First West street, by the employees of F. H. Thomas, for the benefit of F. W. Simmons previous to his departure on a mission.

C. L. DAVIS will deliver a lecture on "Scripture," to be illustrated with lantern views in the Students' society of the Latter-day Saints college, on Friday, May 12, at 7:30 p. m. All are invited. P. Maycock, chairman.

HARRY JOSEPH, chief of the engineering corps of the Hot Springs road, whose leg was broken by a slide in Echo canyon near the base, has been removed from the hospital to the residence of Simon Bumberger, and will soon be able to go out.

OSWENBY SALISBURY's report of yesterday's temperature is as follows: 5 a. m. -Salt Lake, 61; Cheyenne, 58; Helena, 47; Miles City, 44; Winnemucca, 41; Idaho Falls, 39; 10 a. m. -Salt Lake, 68; Bingham, 58; Ogden, 50; Logan, 48; Park City, 47; Provo, 43.

CHAS. EDWARD SHELTON, vice-president of the Lincoln Normal university, writes to Secretary Sears inquiring if any of the real estate men are contemplating a scheme for the erection of a college. He is ready to accept the presidency of such an institution with all its responsibilities.

An attempt was made yesterday to fix up the striking apparatus of the town clock, so that it would strike the hours correctly, and the bell would become again an injured instrument. At first people thought there was a fire, but they finally settled down to the belief that the clock was suffering from an ail at the "joints."

In the case of James D. Pardee vs. James B. Lindsay, involving domestic entry No. 1020 and covering a tract of land in section 20, township 27, south of range 10 west, Register Tolpa yesterday announced his decision to the effect that the entry should be cancelled. The defendant is allowed thirty days to appeal from this decision.

A CLEVELAND driving a horse and buggy, and having his wife and child with him, undertook to cross the street railway track near the corner of Second and Third South streets. The motorcar was unable to stop in time to avoid a collision and the horse was thrown against a trolley pole and injured somewhat. While the shafts were broken, fortunately no further damage was done and no one was injured.

Abstracts furnished, titles insured and 5 per cent. paid on deposits by Utah Title Insurance and Trust Co., 100 Main street.

Miss Jennie Winston will receive pupils in voice culture at the College of Music, Calder's music store, West First South, Room 5.

\$70.00 to Chicago and return via Rio Grande Western. Ticket office, 290 Main street.

Only \$12 to Denver via Union Pacific railway.

Zion's Savings Bank and Trust Company is the oldest savings bank in Utah; has more deposits than any other bank in Utah; had more new accounts last year than all other savings banks in Utah combined, and wishes you account, any sum from \$1 upward received, and five per cent. interest paid; compounded four times a year. WILFRED W. OGDEN, Cashier.

GEO. M. CANNON, Cashier.

Greatest discount shoe sale ever known in Salt Lake city. DAVIS SHOE HOUSE, 110 Main Street.

To Denver and return \$28 via the Union Pacific railway. Tickets good for thirty days.

First-class restaurant meals 25c. Lunches for travelers a specialty. Next door south of Walker House.

Reduction in World's Fair Rates. Chicago, first-class, \$29.00. Kansas City, first-class, 24.00. St. Louis, first-class, 26.00. Denver, first-class, 12.00. Call on W. G. Kind, Walker house lobby.

We eat hastily. Result: Lack of saliva. For your short-coming eat ADAMS' PEPSIN TUTTI-FRUTTI.

New Goods, New Stock, Low Prices. THE DAVIS SHOE HOUSE, 110 Main Street.

Trunks exchanged at Gallachers, 207 Main.

Go to Arbogast's For Boston ice cream, 108 Main street.

Don't fail to visit the DAVIS SHOE HOUSE, 110 Main street.

Chicago Liquor House, 44 and 46 East First South street, telephone No. 268.

RETURN OF MR. RAWLINS. He Consents to a Delay Pending Further Consideration.

THE REQUEST OF FRIENDS. He Did Not Antagonize Mr. Richards' Appointment.

Neither That Nor the Cleveland Incident Was the Cause—The Foundation of His Conclusion Somewhat Shaken—An Inaccurate Press Report.

Hon. Joseph L. Rawlins, whose resignation of the office of congressional delegate created such a profound sensation, both at the capital and throughout the territory, returned home yesterday morning, and was the busiest man in Utah during the remainder of the day.

He soon discovered that President Cleveland had his own views on the subject of appointments to office in Utah, and showed why he was right, when the president cut him short and intimated that there were other persons and other interests best qualified for the position.

Mr. Rawlins had two or three previous interviews with the president and made certain recommendations for appointments in his territory. He came to see what action Cleveland was going to take in these cases, and was fortunate enough to have a private conference with the president.

The incident occurred last Saturday. Mr. Rawlins had two or three previous interviews with the president and made certain recommendations for appointments in his territory.

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A VICTORY FOR SALTAIR. Judge Zane Grants the Relief Requested by the City Council.

SETTLEMENT OF THE FIGHT. Connection with the Western Depot is a Public Necessity.

A Crossing of the Bathing Resort Roads May Be Effected with Little Danger if the Companies Observe the Law.

Judge Zane rendered his decision yesterday morning in the case of the Salt Lake and Los Angeles Railway company vs. Salt Lake city and the Oregon Short Line and Utah Northern Railway company.

The plaintiff has applied to the court for permission to extend its track from a point on South Temple street between Sixth and Seventh West to a connection with the Rio Grande Western in order to reach the Rio Grande Western depot.

The first question is whether there is a public necessity for this connection which the plaintiff wants to appear that the plaintiff obtained a franchise to lay its track on South Temple street from Sixth West to the city limits, and obtained a right of way from that point to the lake, building its road at a cost of about \$210,000.

It also appears that improvements have been made at the lake at a cost of about \$200,000.

The east end of plaintiff's track is now in the middle of South Temple, between Sixth and Seventh West streets.

Of course, if there is a necessity for this road at all, there is necessarily these additional connections and accommodations for its freight and passenger traffic—and the middle of the street is not the proper place.

A PUBLIC NECESSITY. That there is a public necessity for the road is generally admitted by the Utah Pacific and the Rio Grande Western, its principal business is carrying passengers to and from the lake, and the people in general are benefited by visiting the bathing resort.

Competition regulates prices and values and stimulates enterprise and progress.

It may be said that there is no necessity for the privilege asked for; that plaintiff might build its depot at the terminus of its road, or further west.

But in my opinion that would not be as convenient for the public as a connection with the Rio Grande Western and to use their depot, which is centrally located.

It is also reasonable to suppose that the plaintiff has obtained these privileges at a less outlay than they would have to make in building a new depot.

This should also benefit the public.

THE AUTHORITY OF THE COURT. The further and more serious question is whether the court has authority to grant to the plaintiff the privileges asked.

The statutes provides for the public use of streets and for the regulation of the same.

It is also provided that the court shall have power to determine the conditions and regulations as well as to determine the manner and place of such crossings.

In case of a crossing the Utah Pacific track at the point named will subject that portion of the street to a common use.

REFUSAL OF THE CITY. There is a further question as to the court's authority to grant the permission asked by the plaintiff to connect its track across the street as it proposes to do.

By the plaintiff crossing the Utah Pacific track at the point named will subject that portion of the street to a common use.

THE MANNER OF CROSSING. His honor then dwelt for some time upon the manner of crossing the defendant's line of road and held that as they could not cross at a right angle they had a right to cross as nearly so as possible.

Reference was then made to the case of Harvey put a large force of men at work repairing the damage, and Supervisor Hinds also put a lot of men at work on the street.

They promptly had every thing in good shape by today, but this does not appease the wrath of unfortunate residents of the inundated district, who properly lay the blame at the door of the incompetent watermaster, who might have prevented all this trouble by the exercise of ordinary prudence and foresight.

For the East. Mr. Fred Meyer, of Z. C. M. I., leaves for New York this morning, over the Union Pacific railway.

He goes in the interest of the gens' clothing and furnishing goods department of that institution. His daughter Miss Rosa Meyer, accompanies him, and together they will take in the World's Fair at St. Louis.

Benefit Entertainment. There will be a musical entertainment this evening at R. K. Thomas' pretty little hall called the Barnacle at the rear of his residence 443 South First West street, at 8 o'clock sharp.

It is for the benefit of his well known salesman, F. W. Simmons, who is about to start on a mission. The entertainment is given by his friends and the entire proceeds will be donated to him. Further particulars will be found elsewhere in this paper.

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Bros. Waggon company; settled and dismissed. B. H. Towndrow vs. the Salt Lake Improvement Co.; Natural Gas company; amended answer and cross-complaint struck out on motion of the plaintiff.

JUDGMENTS ENTERED. W. S. Burton vs. Klambeck & Parsons; judgment in favor of plaintiff for \$432.35. National Bank of the Republic vs. A. L. Williams et al.; judgment in favor of plaintiff for \$632.20. (Two cases.)

Litigation Over a Real Estate Purchase and a Gray Mare. The first case called for hearing in the Third district court yesterday was that of Solomon Brischler vs. Robert Foster, an appeal from Justice Hall.

The plaintiff alleged that he gave the defendant the sum of \$2,192 for the purchase of certain real estate, and that plaintiff only used \$2,000 of the said sum, leaving a balance due plaintiff of \$192. The plaintiff denied the allegations of the defendant. A jury was waived and trial had before the court.

The next case taken up was also an appeal from a lower court, and involved the possession of one gray mare or 75. Don C. Van Dyke was the plaintiff and H. Denhalter & Sons defendants.

The trial was held by jury and was submitted about the middle of the afternoon, when a verdict was rendered in favor of the plaintiff.

COURT PICKINGS. New Actions Filed and Proceedings in the Lower Courts. Lipman, Wallerstein & Co. are suing George Yeaton for \$7.80 and J. T. Lynch for \$35.45, in Justice Whitehorse's court, it being alleged that the amounts are due for merchandise.

The case of J. N. Harrison vs. A. A. Bowman et al. has been appealed to the Third district court from Commissioner Sloyer's court. Suit was brought in the lower court to recover \$250 on a promissory note and judgment was rendered against the defendant J. M. Nelson for \$322.50 from which judgment Nelson appealed.

Justice Gee has rendered judgment in favor of the Earls Furniture company and against the following parties: E. C. Fleischman, \$28.90; Mrs. Nellie Hickney, \$20.85; West Side Association, \$10.

The Consumers' Trading company is suing T. B. Ester in Justice Gee's court to collect \$68.11 alleged to be due for merchandise.

Probate Court Orders. The following orders were made by Judge Blair in the probate court yesterday: Estate of Edward P. Conner, deceased; petition to sell real estate granted.

Estate of Herman Hyde, deceased, continued to June 20. J. H. administrator ordered to present all vouchers on that day.

Estate of Christian F. W. Fullmore, deceased; continued to May 12.

DR. HASBROUCK FINED. He is Sentenced to Pay \$50 and Appeals His Case. At 4 o'clock yesterday afternoon, Dr. Hasbrouck, the eclectic who was convicted on Wednesday of practicing medicine contrary to law, appeared for sentence in Commissioner Pratt's court.

A fine of \$50 was imposed, and the defendant's attorneys at once filed a notice of appeal, which was allowed until this morning to file the bond.

This will form a test case, in which the question as to the validity of the law will be decided, and the case of Dr. Ungar will be passed indefinitely.

Pure California and imported wines at Chicago Liqueur House.

Walter L. Price & Co. 64 Main street, vegetables, fruits and poultry. We make these three lines of goods a specialty. Give us a trial.

Nineteen Millions "Grand Republic" cigars were sold in 1891.

Fathers and mothers put ADAMS' PEPSIN TUTTI-FRUTTI on your table and serve to your children after each meal.

Our Special World's Fair Accident tickets cost a dollar a week, \$3,000 at death or \$15 weekly indemnity.

JENNINGS & CAINE CO., 43 Hooper Block.

One of the largest stocks of liquors, wines and cigars to select from at the Chicago Liqueur House.

Large stock, low prices at J. I. Gallacher, 207 Main.

Woolley, Lund & Judd vs. The Fish

Highest of all in Leavening Power.—Latest U. S. Gov't Report. Royal Baking Powder ABSOLUTELY PURE

THE RATE MUDDLE. Matters in Stain Quo on a \$13 Basis.

The Western Protested Against the Union Pacific Cut—But the Utah Roads Will Pull Together.

There were no new developments in the railroad situation yesterday and there is not likely to be any for several days, as both the Rio Grande Western and Union Pacific are selling Denver tickets at \$13 and the round trip at \$23.

The only display of feeling between the local passenger departments was caused by the Heralds publishing that the Western gave its consent to the cut-rate before the Union Pacific made it.

The Union Pacific men were highly indignant that the public should have been led to believe that it was necessary for the great joint corporation to consult with the Western before it made the reduction.

But for all this, there seems to be a disposition for the two Utah roads to pull together, and the rate muddle can be settled, it will be an easy matter for the Western and Union Pacific to settle their grievances.

A Saltair Excursion. The initial excursion to Saltair will occur on Sunday, when a fine train will leave this city for the beach at 2 p. m. and returning leave Saltair at 5 p. m.

Of course the work at the beach is as yet far from completed, but there is much of interest to see there, and if the weather is fine an immense crowd will doubtless go out.

Railway Notes. The ticket brokers are advertising first-class passage to Chicago for \$28.

There were 109 passengers on the Rio Grande Western's regular eastbound train Wednesday morning.

R. J. A. O'Riley, district superintendent of the Pullman company at Ogden, was in the city yesterday.

A train of nine cars of Phillips excursionists eastbound passed over the Rio Grande Western yesterday.

George Hall of the Pennsylvania, and Mr. Shattuck of the Ohio & Mississippi, are circulating among the local passenger agents. It is now in order to look for Shepherd of the Alton in a day or two.

Nineteen cars of Raymond excursionists passed through the city on the Rio Grande Western during the last twenty-four hours. The second section of fourteen cars stopped over yesterday morning and viewed the sights of Zion.

AMUSEMENTS. Nat C. Goodwin, the talented and genial comedian, will signalize his annual engagement in this city tonight by the production of a new comedy, written for him by Henry Guy Carlton and entitled "A Gilded Fool."

The play has already been seen in New York and other large cities, and its success has been so great that the comedian has made it the single feature of his present tour, laying aside for this season all the other pieces in his repertory.

"A Gilded Fool" was presented in New York at the Fifth Avenue theatre for a run of four weeks. It caught the popular fancy at once, and the crowd that thronged the theatre were so large that the orchestra was banished from its usual abiding place to make room for more chairs.

Then the run was extended four weeks, and at the end of the time the play was withdrawn in the height of its popularity because it was impossible to secure more time for it in the house.

CALMENCITA. Carmencita, the noted Spanish dancer, appears in Glen McDonough's merry comedy, "The Prodigal Father," at the Salt Lake theatre, Saturday evening, for one performance only.

A LONG JOURNEY. Three Californians Will Cross the Continent on Wheels.

Frank J. Kissel, Frank Pierce and G. T. Morgan, three sturdy wheelmen from Monterey, Cal., are in town and are being lionized by the local cyclists.

The visitors have made the trip from California on their bikes, and will continue their journey awheel to Chicago and New York. They have had a delightful trip thus far and will leave for the east this afternoon, when several members of the Social Wheel club will escort them out of town.

Two of the visitors ride Victors and one a Columbia, all of course, using the pneumatic tire. They have had but one puncture since starting.

For Letter Heads, Bill heads, statements, ball tickets and all kinds of job work send to THE HERALD. Quick work and reasonable prices assured.

The Dunford Shoe Company are the people to get your footwear from. Durability, comfort and reasonable prices are the principal features. 14 E. First St.

The gas stove department of the Salt Lake and Ogden Gas and Electric Light company have just received an additional supply of gas cooking stoves and sundries. Call and see them at their warehouses, 22 Commercial street.

THE SINGLE TAXERS. They Organize a Club for the Propagation of the Theory.

A number of persons interested in the single tax met at Calder's hall last evening and organized a Single Tax club with N. B. Dresser as president and Alex S. Helme as secretary-treasurer.

The club will meet every Thursday evening, at 231 Main street, for the study and discussion of taxation and other economic questions. All persons interested in such questions are invited to attend.

The following