

BRIGHAM STREET LINE

The Property Owners Still Fighting Street Car Extension.

ANOTHER ACTION FILED

COURT GRANTS A TEMPORARY INJUNCTION.

Suit is Brought by Attorney General Bishop On Behalf of the State—Decision Rendered by the Supreme Court—Guardian For Little Miss Wilmer.

On the relation of John Dern, David Keith, T. R. Jones, Theron Geddes and Henry J. McMillan, a suit was yesterday filed in the district court by Attorney General Bishop on behalf of the state of Utah against the Salt Lake City Railroad company, praying that it be adjudged that the defendant company has no corporate rights, privileges and franchises to construct or operate a street car line on East South Temple street (Brigham street), east of E street, and also that it be adjudged that the defendant has forfeited any and all rights it ever may have had or acquired from the territory or state of Utah to construct and operate a street railroad upon said portion of said street, and that said defendant company has, by means and use by misuser, forfeited and lost any and all franchises and franchises it may have heretofore possessed to construct and operate a street car line upon said portion of said street; also that the company has surrendered all its corporate rights, privileges and franchises to the extent of constructing a street car line upon that portion of the street, and that pending the action the company may be restrained from laying the track. A temporary restraining order was issued by Judge Cherry, made returnable on Monday morning.

OLD ACTION IN NEW FORM.

This is the same suit in a different form which was brought in the individual names of John Dern and other residents of East Brigham street, against the City Railroad company some months ago, and which was decided in favor of the defendant by Judge Hiles, whose judgment was affirmed by the supreme court. The order handed down by the latter tribunal at that time held that individuals had no standing in court in an action involving the validity of a franchise granted by the municipality, corporation under the act of the legislature, and the opinion intimated that an action brought by the state would lie, hence the renewal of the proceedings in their present form.

NORTH POINT DRAINAGE.

Recently Thomas Matthews lodged a complaint in the district court against Frank Gillmore and a large number of other North Point farmers, alleging that the defendants damaged his land by permitting drainage water from their ditches to overflow and injure plaintiff's premises to the extent that it became impossible to cultivate the same. Yesterday, on the hearing on the order to show cause why an injunction should not issue, a temporary restraining order was granted upon plaintiff giving a bond in the sum of \$3,000.

Suit to Recover Household Goods.

Helen M. Burt has filed suit against the Fred Furniture & Carpet company to recover the possession of certain household goods of the alleged value of \$5,000, which it is claimed was stored with the defendant, and which it has failed and refused to return to the plaintiff, although demand has been made for the same and the storage rent tendered.

District Court Orders.

A. F. Holden vs. the Palace Fullman Car company; order of reinstatement entered. Shepard vs. Freed; demurrer overruled and ten days allowed to answer. Utah National bank vs. the People's Building, Loan & Savings association; judgment for the plaintiff for \$800.33. W. S. McCormick vs. Henry Sadler; motion for a new trial overruled. George J. Morrow vs. Rachel McMaster; dismissed on stipulation. Andrew Bowden vs. Rachel McMaster; dismissed. M. J. Kelly vs. Guyver-Marion Gold Mining company; dismissed. J. F. McKernan vs. W. P. Noble; demurrer overruled and fifteen days allowed to answer. Hannah R. Wells vs. J. A. Livingston Smith; demurrer overruled and ten days allowed to answer. Josephine H. O'Leary vs. W. P. Noble; demurrer overruled and ten days allowed to answer. H. L. Driver & Co. vs. Salt Lake & Ogden Gas & Electric Light company; demurrer sustained and ten days to amend. Mattie Adams vs. Guy Adams; complaint in divorce; returned to Deputy Clerk Blair to take testimony and report. Salt Lake City vs. Susan Dudley; Zane & Rogers substituted for Moyle, Zane & Costigan as defendant's attorneys. William H. Butcher vs. D. J. Williams et al.; demurrer overruled and ten days allowed in which to file answer. Morgan Davies & Sons vs. M. H. Paper; trial set for Monday; motion for new trial denied.

Probate Orders.

The following orders in probate were made yesterday by Judge Hiles: Estate of Mary V. Hicks, deceased; sale of real estate confirmed. Estate of Elizabeth C. Decker, deceased; final account allowed and decree of distribution entered. Estate of Hyrum Beck, deceased; same order. Estate of Clara D. Young, deceased; same order. Estate and guardianship of Fidelia R. Hamilton, an incompetent person; hearing on petition for appointment of guardian continued for two weeks.

To Recover Money Loaned.

A. O. Von Klich has filed suit against

costs, and remanded, and as it was not shown whether or not the association had available funds to pay respondent's claim, the court may permit amendments to the pleadings, and upon failure of amendment to the complaint, dismiss the action.

UNCLE APPOINTED GUARDIAN.

Stella B. Milner, an Orphan, Become Ward of Her Mother's Brother. James E. Maginnis was yesterday appointed by Judge Hiles guardian of the person and estate of Stella B. Milner, his niece, upon giving a bond in the sum of \$3,000. Little Miss Milner is the eldest of the daughters of Mrs. Mattie E. Milner, who for a time was teacher in the public schools in this city and who died last summer from appendicitis. The father of the little girl is Fugate, News, last November. From the time the parents of the little girl were separated by a divorce they have been in care of the sisters at St. Mary's academy.

SECOND FORECLOSURE.

Anderson Estate Property On Commercial Street Foreclosed Again. On its face a large-sized foreclosure suit came to judgment in the district court yesterday, when Jesse S. John, Young & Moyle, obtained a decree of foreclosure of a mortgage, representing \$51,944.44, against Betsy Anderson, widow of the late Peter G. Anderson, but as a matter of fact the proceeding was taken to cure an error in description of the mortgaged premises in a former suit. The property subjected to the judgment of foreclosure is at 66 Commercial street, and added to the judgment were \$39 attorney's fees and interest from March 17, 1898. The defendant was in default.

SMITH VS. SMITH.

Divorce Modified So That the Children May Go to School. Probably the last order that ever will be made in the old divorce suit of Ida Leonard Smith vs. William R. Smith, was made yesterday by Judge Hiles. After the lapse of several years the decree, in so far as it related to alimony, was, on March 14, 1898, modified so that the title to ten acres of land in the south-east corner of the southwest quarter of section 22, township 3 south of range 1 west, was vested in the children of the divorced couple, Leonard C. Elias W. Fred, Daisy, Don and Amos O. Smith, for their use and benefit.

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BAKING POWDER ABSOLUTELY PURE Makes the food more delicious and wholesome

ORGANIZATION OF WHEELMEN

KNOWN AS THE UTAH CYCLE PATH LEAGUE. Will Build Cycle Paths Along the Country Roads—Improvement of the Road to Ogden.

NATURAL HISTORY SOCIETY

PAPERS AND TALKS AT ANNUAL MEETING. Prof. Marcus E. Jones Elected President of the Utah Society—Facts About Birds and Insects.

The Utah Society of Natural History met at the High school building at 2:30 p. m. yesterday. In the absence of President C. H. Whiting, Vice President J. H. Linford of Logan presided. A kindly greeting from Dr. Whiting to the society was read by Miss Susan Stokes as an introduction to the president's annual address. In the latter President Whiting included "A Few Words on Insect Development." It was very interesting and well received. Dr. Orson Howard read a paper on "Molluscs of the Great Basin." Dr. Howard gave the natural boundaries of this region, and said that in many ways the mollusc fauna is a regionally distinct fauna. He thinks it is full of as yet undiscovered facts, which, when brought together properly, will help to solve some very vexed problems in biology as well as other sciences. Dr. Howard is an original investigator. In his study of molluscs he has compared the fossil ones with living ones, the main object being to find out whether there has been any important climatic changes since the Quaternary age. The problem is not yet solved. The arid west is not now rich in molluscs, neither are the shells brilliantly colored. The sea once rolled over the Wasatch mountains, as is shown by the kinds of fossils on those mountains. Professor Marcus E. Jones gave an interesting talk on "Native Trees of Utah." He classifies the flora of the world into two great divisions—the tropic and the temperate. This is a rather startling classification, differing very widely from that of recognized authorities. It is, however, the classification of Professor Jones himself, and he presents cogent reasons for its acceptance. The tropical includes what is ordinarily called the sub-tropical, and the alpine, he says, is not a distinct flora at all. Professor Jones has arrived at this conclusion from a close comparative study of grana and species. The tropical flora is represented in the southern corner of Utah. This he calls the larva (crescens bush) belt, because of the characteristic plant. All the rest of Utah is in the temperate zone. This division the juniper belt is characterized by the juniper and sagebrush, though the latter runs over into another belt. From came the oak belt, and the spruce or evergreen belt, reaching up to the tree line. Above this is what is called the alpine belt. Professor Jones then spoke of the lumber trees of Utah. His lecture was extremely interesting. "Birds of Liberty Park," by Miss Mary E. Hill of the Salt Lake High school, was delightful talk by one who loves birds more for their beauty and music than for their anatomical structure. Miss Hill expressed the wish that it may become possible to study birds without shotguns as necessary aids. Miss Hill uses an opera glass, and sees more than most people think there is to be seen. She says the robins have been here all winter. She then gave some interesting observations on the manners and customs of various birds. Professor J. H. Linford gave a brief report on a two-headed lamb, which he had studied quite thoroughly. He exhibited the skulls united by parietal bone. A paper on "A Marine Flowering Plant," sent in from California by Ray E. Chase, formerly of the Salt Lake High school, was read. A committee of three to begin a collection of flora and insects from all parts of the state was appointed, as follows: Dr. Orson Howard, Miss Susan Stokes, Marcus E. Jones. The election of officers for the ensuing year resulted as follows: President, Marcus E. Jones, vice president at large, J. H. Linford, secretary for Salt Lake county, J. E. McKnight; secretary and treasurer, Mary E. Hill; executive committee, Jones, Linford, Hill and Stokes. The executive committee will meet on May 5 to arrange for the work of the coming year.

RACES AT NIGHT.

Proposition to Construct a Track In the City. A proposition is on foot to construct an eight-lap board cycle track in the city this spring, and to hold evening bicycle racing throughout the season. This will probably will receive support in other cities and ought to prove so here. The one evening race meet held at Calder's park two years ago was a great success. It was held under somewhat adverse circumstances. Given a good track near the center of the city, and with comfortable seating arrangements, evening bicycle racing would be popular here without doubt. There are plenty of racing men in the city, and all they need is a track and something to race for and they will put on exhibitions that would draw crowds nightly.

Decorations Day Race.

The only event thus far scheduled as a certainty in racing circles is the annual Decoration day race, under the auspices of the Social Wheel club. There is some talk of a professional road race to be given about the middle of June, but the probability has thus far taken up in only a half-hearted way and the event is not by any means a certainty.

NEW POLICEMEN SWORN IN

REORGANIZATION OF THE DEPARTMENT ACCOMPLISHED. New Men Will Assume Their Duties This Morning—Firemen Take the Oath of Office.

NEW POSTOFFICE INSPECTOR.

J. D. Small of Denver Assigned to This District. George M. Sutton, postoffice inspector for the district of Utah, will be succeeded in that position tomorrow by James A. Small, formerly of the Denver district. Mr. Small is well known in Utah. In 1886 and for several years thereafter he was in charge of the Utah district and he is thoroughly acquainted with the work in this state. He has been in the postal service for many years, having had charge at various times of the districts of Spokane, Wash., Helena, Mont., and Denver. Mr. Small has been in town for several days preparing to take up the work of his office. Inspector Sutton has been assigned to work in connection with the postal department in New York, and will leave in a few days to begin his new work.

Pleasant Party.

Misses Emily and Alice Rogers gave a very pleasant party at their home, 655 Second street, last Monday evening. The evening was pleasantly spent with card-playing and other games, after which a delicious supper was served. Those present were: Emily, Alice and Agnes Rogers, Mary Terry, Annie Kimball, Lillian Anderson, Nellie Cavanaugh, Jessie Wescott, Annie Boylin, Bird Anderson, Alice Castleton, Ida Hilton, Belle Campbell, Marie Olin, George Glade, Raphael Brown, Doris Shurcliff, Sam Peterson, Will Power, Fred Anderson, Walt Reed, Bert Young, Ed Smith, George Rogers, Ernest Flemming.

INDIAN PLEADS GUILTY.

But White Girl Denied Charge of Fornication. Keats Woodruff and Caddis Miller, the pair who were arrested at Fort Herriman Friday on a charge of fornication, were arraigned before Justice Krogger yesterday. Woodruff, the big Indian, pleaded guilty to felony, and was bound over to the district court. His bond was fixed at \$1,500. Miller went back to jail. The girl pleaded not guilty to fornication, and will have a hearing on Monday.

MEETING OF FRUITGROWERS

SALT LAKE COUNTY ASSOCIATION REORGANIZED.

Joshua Terry Elected President—Instructive Remarks By Inspector Sorenson and Others.

The fruit growers of Salt Lake county yesterday effected a reorganization of the old association, which had died from inaction. The new association started off with a large membership, and from the lively interest shown it is evident that the society from frequent meetings, discussion of topics pertaining to horticulture, comparison of methods and results, and periodical exhibits of fruits, will be beneficial to our fruit growing industry in this county. Joshua Terry, the pioneer horticulturist, was elected president of the new association and Reed Cannon, secretary.

ORGANIZATION OF WHEELMEN

KNOWN AS THE UTAH CYCLE PATH LEAGUE. Will Build Cycle Paths Along the Country Roads—Improvement of the Road to Ogden.

Several prominent wheelmen have organized an association known as the Utah Cycle Path League, whose object will appeal to almost every man or woman in the state who rides a wheel. The association, which starts out very modestly, proposes to set industrial paths at work to build cycle paths along the country roads leading out of this city north and south.

The first problem which the association will tackle will be the stretch of road just north of Beck's Hot Springs, known as "Beck's hill," and the first money obtained from membership fees will be expended in constructing a good path beside the road up this hill. With this small beginning the association will not be satisfied, however, for if the league prospers, as it certainly ought to do, the path will be extended farther north. Through the Davis county settlements as far as Layton the roads are excellent, but beyond, over what is known as the "sand hills," is a stretch of road which is a terror to wheelmen. With the co-operation of the Ogden cyclists, it is hoped in time to construct a good, rideable path. When that is done the thirty-seven miles between the two cities will be but a pleasant spin, whereas now it is a full day's arduous journey.

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ANOTHER WEEK! On Account of Conference.

On Account of Conference. Dr. Shores, Salt Lake's popular Chronic Disease Experts, have yielded to the request of the thousands of conference visitors, who wish to accept their free examination offer before it is withdrawn, and extend their offer to examine free of charge all sick people applying at their offices in the Harmon Block, one more week—with the positive announcement, however, that this will be the last extension—and all who wish to take advantage of the offer must apply before Saturday night, April 15th.

THIS IS NO CHARITY OFFER, but in Dr. Shores' good-natured way of letting sick people test their skill as Expert Specialists in Chronic Diseases before paying out their hard-earned money for medical treatment.

DRS. SHORES ARE CHRONIC DISEASE EXPERTS. and cordially invite all sufferers from CATARRH, DEAFNESS, ASTHMA, or any other Chronic Affection—such as Stomach trouble, Liver trouble, Kidney disease, and like ailments, to call at their parlors any day this week and get a thorough diagnosis of their case free of charge.

LET THE SO-CALLED INCURABLES COME. Dr. Shores especially invite those to come who have about lost faith in doctors, and learn without cost why you have never been cured.

LET THE DEAF COME. and see Dr. Shores' wonderful instrument for lighting up cavities, and see for yourself whether your ear drums are destroyed or not, and whether you can be cured.

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WILLIAM RAFFERTY, 776 E. Third South Street, Salt Lake City, Utah.

Mr. William Rafferty, whose picture is given above, has been a sufferer from Asthma for many years. Doctor after doctor tried to relieve him and failed, and gave him no hope of recovery. Dr. Shores' completely banish every symptom in two short months. Here is his story: "I have been a sufferer from Asthma for years, so long I can hardly remember when I was free from suffering. I had shortness of breath, choking sensation, numbness of the limbs, and had to sit up night after night for fear of choking to death. I had no appetite and could not work at all. Doctors failed to help me and I got steadily worse until I went to Dr. Shores. I began to improve in three days under Dr. Shores' wonderful treatment, and today I feel perfectly well and can do any kind of work. If people know what these doctors could do for them they would never hesitate to go direct to them for aid. I have been under their treatment just a little over one month and they have made me feel well, while other doctors did not even help me."

LET THOSE COME WHO HAVE SOME COMPLICATED TROUBLE.

who have suffered for years without knowing just what it was that did all them and are perplexed by the different opinions given by different doctors. Dr. Shores will tell you HOW you suffer and WHY you suffer, and if you are incurable, Dr. Shores will tell you so.

COME TODAY, COME MONDAY. COME ANY DAY THIS WEEK.

and Dr. Shores will examine you free of charge. Dr. Shores' six years' continual practice in Salt Lake City and Los Angeles—treating nothing but Chronic Disease, have won for them the largest practice among the best classes of people in the west. Their success is attested by the thousands of published testimonials from sick people made well all over the west.

DON'T WAIT UNTIL THE LAST DAY TO APPLY.

for there will be no further extensions of time, and if you are left this time it will be your own fault. Don't wait until the closing hours and be crowded out, as has been the case the last two weeks, but come early.

THIS OFFER HOLDS GOOD EVERY DAY THIS WEEK.

but no longer. All you have to do to learn beyond a doubt what your trouble is, and what can be done for it, is to apply at Dr. Shores' parlors any day this week, and secure free consultation and advice, and an expert examination with Dr. Shores' wonderful appliances. No matter what your disease is, or how many you have, this offer applies to you—and it's free.

WHAT IS THIS EXPERT EXAMINATION?

IT is the rare opportunity that comes once in a lifetime to learn from a recognized authority—Chronic Disease Experts—just what your trouble is—and whether or not it is curable.

DRS. SHORES ARE HONEST WITH THE SICK.

If they find a case where medical skill is powerless, they frankly tell the patient so—and give such advice as will aid them, without charge. If you are curable, Dr. Shores will tell you so—and tell you just how much it will cost you to be cured. This saves sick people the trouble of going from one doctor to another to find out what they "think" the trouble is—and then trying to decide whether or not they are near to the truth. It saves suspense—it saves time—it saves money—for Dr. Shores POINT OUT THE SORE SPOTS—TELL YOU EVERY ACHE AND PAIN YOU FEEL—tell you why you suffer—and how you can be cured. There is no mystery about it—no mysterious bug-a-bug, but simply the result of years of special training—years of hard work—treating nothing else, and the grand experience gained in treating thousands of similar cases—that enable Dr. Shores to tell at a glance what organ is affected—how and why—and what the remedy is.

REMEMBER, YOU CAN TEST DR. SHORES' SKILL AT DR. SHORES' EXPENSE—COME ANY DAY THIS WEEK AND RECEIVE FREE CONSULTATION, EXAMINATION AND ADVICE.

ALL DISEASES.

These Master Specialists not only cure Catarrh, but they cure Bronchitis, Neuralgia, Heart Disease, Dyspepsia, Skin Disease, Blood Disease, Rheumatism, Malaria, Nervous Diseases, Kidney Diseases, Female Complaints, Insomnia, Dysentery, Paralysis, Rickets, Scrofula, Consumption, Spinal Disease, Liver Disease, Diseases of the Bowels, Sciatica, Spinal Diseases, Varicocele, Rupture, Stricture, and all Chronic and Private Diseases. Prices and terms within the reach of all. Consultation and advice free to all at the office or by letter.

DRS. SHORES & SHORES, EXPERT SPECIALISTS, HARMON BLOCK, Salt Lake City, Utah. Entrance, Room 210. 34 East Second South.

SUPREME COURT REVERSES

Second District Court In Building Association Case. The supreme court yesterday reversed the decision of the Second district court in refusing to grant defendant a non-suit in the case of O. J. Stillwell, plaintiff and respondent, vs. the People's Building, Loan & Saving association, defendant, and also that the plaintiff, on Dec. 16, 1898, wherein the plaintiff paid the sum of \$400 and interest at 6 per cent annually from Nov. 16, 1892, the date when he became the owner of a certificate for five shares of stock of the par value of \$80.

THE CERTIFICATE PROVIDED, AMONG OTHER THINGS, THAT AT THE OPTION OF THE HOLDER, THE SUM OF \$200 MIGHT BE WITHDRAWN AT ANY TIME AFTER THREE YEARS FROM DATE OF CERTIFICATE, TOGETHER WITH ANNUAL INTEREST HEREON AT 6 PER CENT, FROM DATE OF CERTIFICATE.

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