SECOND EDITION.

DESERET EVENING NEWS.

Tuesday, September 8, 1891.

FRAGMENTS.

JOHN PAUL held an open air meeting last evening.

"A NOBLE OUTCAST" at the Theatre tonight.

A WATCH has been found. Owner can get it at the office.

THE City Council will meet tonight. An interesting session is looked for.

MR. H. A. GUEST, business manager of the "Lilliputian" company, is in the city.

THE grand jury for the September term of the Third District court will be empanelled on Monday next.

A BOHEMIAN glass gallery in the Paloon court has attracted a deal of gazing yesterday and was fined six.

THERE are messages at the Western Union Telegraph office for C. P. Coppedge, Charles Gilmore, Martin S. Hughes and Frank D. Stone.

THE hearing of the case of Joseph H. Perry, charged with attempting to murder his son, on Saturday night, has been set for this forenoon.

EDGAR PAYNE, General Freight and Passenger Agent Towne, has returned from his inspection tour in the southern part of the Territory.

JOHN DYE was before Justice Cole this afternoon on a charge of obtaining money under false pretenses. He entered a plea of not guilty and the case went over until later in the day.

HORSE OWNERS OWEN, or East Tom Smith, stole from another, and a native of Italy, is charged to have been housed at Ogden recently and is held by a couple of city constables.

The particular proceedings in the case of certain employees of the Utah Central railroad against that company came up before Commissioner Goodman this morning, shortly before the noon hour.

HORSES are being sent to Utah this week from the Sioux Indian agency for the delegates to be held across Time-Saving Bob line. Names of importance are going to the convention who be well known.

THE fire department had its practical test in the Club house, Lodging this afternoon. The alarm did smoke pile was on the roof and no usual. The department without mishap extinguished a few of hose.

THE Democratic primary called to meet in the Fourth precinct, Salt Lake City, for the purpose of electing delegates to the Democratic city convention, will be held in the Independent office, Second South between west, tonight, at 8 o'clock. All Democrats are requested to be present. J. L. Rawlins, precinct committeeman.

UPWARDS of 3000 people from Provo spent Labor Day on the Deseret excursion of Utah Lake. Harmony and enthusiasm were most nearly engaged in. The ladies had a most enjoyable time. The weather was cool and the day was given up to pleasure. A special train was used and the Opera House band and the Fourth ward glee club.

MR. J. W. STEVENS, an old resident, who was severely hurt by the running away of his horse on Fort Hill street one day last week, has died from the effect of his injuries. The funeral services will be held at 2 p.m. tomorrow from the residence of the daughter of the deceased, Mrs. W. J. Gray, 576 S. Fourth East. Friends of the family are invited.

A STRONG team of nine mules filled with the employees of the D. G. W. returned from Springville in an early hour this morning. The mood was a merry one and spent yesterday at Springville. A variety of sports and games was indulged in and a sumptuous dinner partaken of. The whole affair seemed to with a ball in the evening.

CHARLES MCCLELLAN and Deputy Clerk Lindsay are busy in preparing for the opening of the September term of the Third District court on Monday next. The docket will be short, it is said, and there are quite a number of expectant lawyers with criminal and civil, already looked. The prospects are looking forward for a golden harvest.

C. B. HANNY, the young young attorney, was today appointed clerk of the Fifth court by Judge Orn, and was being congratulated on the fact that he will have a clerkship for the subject and accompanying refining cook, Will L. Stewart. The appointment is an excellent one and it is believed will give universal satisfaction. The appointment will be announced by the Court tomorrow morning.

THE many friends of Brother George C. and Sister Mary Alice Lambert, of this city, will be pained to learn of the death of their two-year-old son, William Nicholson, who occurred at 3 o'clock this afternoon, after an illness of six weeks' duration. The child was born October, 1889, and was a bright and promising boy, and a general favorite among his acquaintances. The bereaved parents will have the sympathy of a wide circle of friends in their hour of great affliction.

For Resisting an Officer.

A bad sailor named George Smith was bowled for trial before Justice Cole this afternoon at 4 o'clock on a charge of assault and battery and resisting an officer. It seems that while en route to the city from Garfield last night Smith prevented Officer Randolph from quelling a row that was going on in the car by violently kicking him in the stomach. He was arrested and taken to police headquarters and locked in jail, where he passed the night.

Amusements.

Mr. Charles Dickson, whom the Eureka press describes as "the clever, jet light comedian on the American stage, and the superb company of comedy players with which manager George W. Lederer has surrounded him will play at the Salt Lake Theatre four Monday and Tuesday evenings, September 14th and 15th.

This week at "Wonderland" opens with many new features. The Italian Gypsy Orchestra is still to be heard in the Curio Hall. Captain Cullinan's collection is also on exhibition. Ride away. In the Dime Museum the Japanese Chinese and Australian attractions are to be seen. There also is to be seen the champion club-swinger Barnes, the Normandies and several other attractions.

COUNTY COLLECTORSHIP.

A Suit Filed in the Third District Court Today

AGAINST LEONARD G. HARDY.

A. L. Williams Asks That He Be Declared Duly Elected a Charged office.

In the Third District Court this morning was the complaint of the People of the Territory of Utah ex rel. Walter Murphy, county attorney of Salt Lake, Utah Territory, plaintiff, vs. Leonard G. Hardy, defendant.

For cause of action plaintiff alleges that on the 3rd of September, 1891, the defendant, without authority of law, intruded into and usurped the office of collector for said county of Salt Lake, and has ever since held and exercised the same without authority of law.

That on the first Monday in August, 1884, Nathaniel Jones was duly elected to the office above named, for the term of two years, commencing on the first day of June, 1885, and ending on the first day of June, 1887; and thereafter said Jones duly qualified and entered upon his duties.

That, thereafter, to wit, on the — day of October, 1886, the said Jones resigned the office of collector, both as well for the unexpired term for which he was so elected as aforesaid in 1884 as the term for which he was so elected on the first Monday in August, 1886.

That thereupon the defendant duly qualified and entered upon the duties of the office.

That at the general county election on the first Monday in August, 1887, the defendant Hardy was duly elected to said office for the unexpired term of two years, commencing on June 1st in that year.

That at the general election held in said county on the first Monday in August, 1889, he was duly elected to the office of collector.

That on the first Monday in August, 1890, the defendant was duly elected for the unexpired term of two years, commencing on the first day of June, 1891, and ending June 1st, 1893.

That at the general county election on the first Monday in August, 1891, he was re-elected to said office.

That at the general county election on the August 1st, 1891, one A. L. Williams, who was then a citizen of the United States, and who had been for the preceding six years and for more than one year immediately preceding the date last aforesaid, was elected to the said office of collector for the unexpired term of two years, commencing on June 1st, 1891, and ending June 1st, 1893, the said Williams having received a majority of all legal votes cast at said election.

That on the 10th of August, 1891, Elijah Sells, the then secretary of the board of Territorial Canvassers, duly and pursuant to the provisions of section 9 of an act of Congress entitled "An Act to amend Section 5279 of the Revised Statutes of the United States, and for other purposes," approved March 2nd, 1882, commonly known as the Utah Commission, did duly issue and deliver to the said Williams a certificate of his election.

That on the 4th of September, 1891, Arthur L. Thomas, governor of said Territory, duly commissioned him as such collector.

That after the issuance of such commission the said Williams submitted and tendered to the said Hardy, and gave a bond in the sum of $100,000, with approved security to the acceptance of the Probate Court, and did, also on March 3rd, 1891, give a bond in the county of Salt Lake, with approved security, in the sum of $100,000, also a bond in the sum of $100,000, also a bond of $100,000 in accordance with Section 10 of act of the Legislature of Utah, entitled "An act to provide for a uniform system of free schools throughout Utah Territory," approved March 10, 1890.

That thereafter said Williams demanded of the defendant that he be let into the possession of the office of collector, and receive all the books, papers and other property belonging to said office.

That the defendant then and there refused, and still refuses to surrender the same.

Wherefore plaintiff demands judgment that the said defendant, Leonard G. Hardy, be adjudged to have unlawfully intruded into and usurped the office of collector, and that he now unlawfully holds and exercises the same, and that he be ousted therefrom; that the said A. L. Williams be adjudged to be rightfully entitled to the said office, and be admitted to the same, and be invested, pursuant to law, with the emoluments of said office, and be given possession of all books, papers and property appertaining thereto; that the plaintiff recover from defendant his costs in this behalf incurred, and for such other and further relief as may be just and equitable.

W. H. Dickson and Messrs. Rawlins & Critchlow are attorneys for the plaintiffs.

The complaint was sworn to by Walter Murphy, the relator named therein, before Joseph A. Hunt, notary public.

Justice Jottings.

Annie Gardels and Mary White, frail females, forfeited $25 each in the Police court today on a charge of prostitution.

Charles Calvester deposited $10 in silver in court and answer to a charge of fighting.

H. E. Kelso is in jail on a similar charge.

The persons charged with intoxication were: Harry Black, a soldier; Joseph H. Mutchmore, William Lloyd, Pat Murphy and James Williams. They were assessed in the usual amounts.

Thomas Ellis was taken to bed by Officer Lidgett last night on a charge of robbery. He left $10 to secure his appearance to-morrow morning. This afternoon, when the case was to have been called for hearing, Charles A. Wallace is looked on a charge of vagrancy. The accused pleadily served one month's sentence, fifty days for stealing a couple of blankets in front of Sargent's Row, store. He is known as the worst type of small thief.

Amusements.

A deposit accompanying bid from Jesse Harlowe had greeted consent to Joseph F. Smith came over the wires yesterday after the News had gone to press. The bid of Joseph F. Smith's bid has been considered of polygamy is an error. We have no further advices on the matter at present.

A MANIAC'S RAVINGS.

He Has Made a Second Escape From the Asylum and Is Still at Large.

U. S. Prosecuting Attorney Valentine sent the following self-explanatory telegram relative to Governor A. L. Thomas:

SALT LAKE CITY, UTAH, Sept. 7, 1891.

To the Governor, City:

Sir—During the past few months I have been in the habit of advising the Territorial authorities from the Presidency, Hugh Allen, who is confined in the jail in Provo, I am informed, on account of the insane delusion. I requested that he be sent to the Insane Asylum, and I have been informed that there was no room for him in the Asylum. I have since learned that he has escaped from the jail in Provo. I have been informed that he is at large in the city, and I have put the matter in the hands of the United States Marshal.

C. S. VALENTINE, U. S. Attorney.

PLACE'S LETTER.

PROVO, UTAH, AUTUMN, July 31, 1891.

MR. VALENTINE, Assistant District Attorney:

Dear Sir—I desire to ask your aid in my case. Four years ago I was a member of the Territorial Council, I was elected to the office of Probate Judge, and I was appointed by the Supreme Court to fill a vacancy in the office of Probate Judge. I was not sworn in, and I was not in the office, and I was not in the Probate office. I resigned that office in the Probate office. I resigned that office in the Supreme Court, and I was not in the Probate office. I resigned that office in the Supreme Court, and I was not in the Probate office. I resigned that office in the Supreme Court, and I was not