

AT OGDEN.

Proceedings before Judge Henderson yesterday:

Lars P. Carlson, a native of Sweden, now a resident of Weber County, was admitted to citizenship.

The case of Ogden City vs. James Berry was placed on trial. The complaint charged defendant with the offense of selling liquor on Sunday contrary to the city ordinance forbidding it. The trial occupied but a short time and the jury brought in a verdict of guilty as charged.

In the case of the United States vs. Peter Anderson, of Huntsville, unlawful cohabitation, a verdict of not guilty, was returned by direction of the court and the second indictment was dismissed as it covered a portion of the time during which Mr. Anderson served a term in the penitentiary.

Upon the dismissal of these two indictments defendant withdrew his former plea of not guilty of adultery and entered a plea of guilty. Sentence was set for Dec. 13.

The case of the United States vs. Absalom Woolf, unlawful cohabitation, was dismissed. Mr. Peters, upon examining the evidence before the grand jury, considering the proof insufficient.

The case of the United States vs. Jorgen Jensen, unlawful cohabitation, was dismissed owing to the age of the defendant, who is 70 years old.

The case of the United States vs. Joah Evans was continued far the time being.

John H. Berrett withdrew his plea of not guilty of unlawful cohabitation and entered one of guilty, waiving time for sentence. He stated to the court that some two or three years ago he went to California. While there an indictment was found against him covering a period prior to his leaving. Upon his return he at once surrendered himself to Mr. Exum and pleaded guilty. He married his plural wife 17 years ago and his youngest child by her was ten years of age; had lived with his first wife exclusively since his return. The court sentenced him to three months' imprisonment and payment of costs.

In the case of Freeman P. Kirken-dall et al. vs. B. F. Grant, an order for judgment in the sum of \$733 was entered.

In the cases of the People etc., vs. James Williams and John Schoufelt, on motion of N. Tanner, Jr., the appeals were dismissed.

THE "ORIENTAL LIMITED."

The Golden Gate Special Makes Its First Trip.

"The wheels of change roll fast." To realize the truth of this remark to its full extent one has but to take a glance at the history of railroads in the west. Verily the "course of empire" is headed toward the setting sun, and in these days of steam and electricity it is moving with a rush. Time was when ten or twelve miles an hour was counted a marvelous rate; in those days passengers were carried in the most ordinary coaches, and with absolutely no accommodations but a more rapid transit than by other means. But today veritable flying palaces afford means of transportation from one side of the continent to the other.

One of the most prominent features in the line of railway travel that has yet been accomplished in the west is the establishment of the "oriental limited," by the Union Pacific.

THE PIONEER LINE over the Rocky Mountains. In the inauguration of the Golden Gate Special, as the new train is officially called, the road maintains its claim of pioneer.

A few days ago the NEWS and other journals of this city received a courteous invitation from Division Passenger Agent J. V. Parker to send a representative on a special to Green River to return to Ogden on the first vestibule train to the coast. The special train left this city on Wednesday afternoon, having on board the U. P. officials in this city, officials of the Utah Central, D. & R. G. W. and Salt Lake and Fort Douglas and others.

The west bound limited was met at Green River, as arranged. It left Omaha on Wednesday morning, and at precisely 3:30 yesterday afternoon, the schedule time, rolled into the depot at Ogden.

THE TRAIN consisted of five cars, drawn by a magnificent locomotive. The first car, the "Golden Gate," contains apartments for baggage, etc., and in the rear end are the heating and lighting apparatus for the entire train, sleeping rooms of employees, refrigerators, gentlemen's bath rooms, barber shop, etc. These are elegantly fitted up.

The next car was the "Casa Monica"—the dining car. The antique oak woodwork, plate glass mirrors, silk plush upholstery, silk curtains and silver mountings present a gorgeous and dazzling spectacle. Add to this the ten tables, with beautiful china and silver service, and you have a picture of the interior of one division of the car. Next comes the "bridal section," a compartment separated from the public gaze by

BEAUTIFUL DRAPERIES, and containing two tables. The kitchen in one end of the car is lined with zinc and iron, and is as compactly arranged as possible. The meal provided is fully equal to that of the very best hotels.

The next cars in the train are the sleepers, "Khiva" and "Rabula." These are built by the Pullman company, who seem to have spared no means in making them as elegant and comfortable as human ingenuity could suggest.

The "Aladdin" was the last car, in it being the smoking compartment, library, ladies' bath rooms, etc. The furnishings in this car are as elaborate as in any other part of the train.

The whole train is heated by steam and

LIGHTED BY ELECTRICITY.

Hot and cold water are supplied from faucets. In fact everything that comfort can suggest or convenience require is provided for. The cars were fitted up at a cost to the company of nearly \$175,000, for this special train. It is the intention to make the round trip to San Francisco each week. The schedule time between Omaha and San Francisco is sixty hours, and the average rate thirty-four miles per hour. The most experienced and careful men are placed in charge. The train has the right of way over all others, and at times the speed passes

SIXTY MILES PER HOUR.

On the return trip it will pass through Ogden next Sunday night. On its arrival in the Junction City yesterday afternoon, the depot was jammed with humanity to see the latest wonder in the railway world. The curiosity of the people is aroused all along the line, and in the day-time the majority of the residents near the various stations are out to take in the sight.

A stop of eighteen minutes was made at Ogden—three minutes longer than was intended—when the train sped on its way over the Southern Pacific. The last time was made up before reaching the Promontory. There are on board about 60 passengers including a number of railway officials. General Superintendent Ed. Dickenson came west to Ogden, and took the Utah Central to this city.

FROM SATURDAY'S DAILY, DEC. 10.

Court Items.

The date for the sentence of Wm. Hill was fixed for today, December 8th, in the Third District Court, but owing to Judge Sanford having to go to Provo, judgment has been deferred until Monday.

Peter Elliott was before Justice Pyper today for sentence on the charge of assault. He was fined \$50.

Last evening Frank Waite was brought down by Sheriff Belnap, who made the arrest in Idaho. He is accused of grand larceny. He and a companion came down from Montana on a horse trading tour. In this city they had a disagreement, and Waite took the remaining span of horses and a wagon, and made off. At Ogden he left one of the horses, as is alleged, stole a cart and left for Idaho. An examination was held before Justice Pyper last evening, and Waite was required to give \$2000 bail to await the grand jury's action. He was unable to find sureties. He was taken back to Ogden on the night train, to answer to having purloined the cart.

Change of Venue.

Justice W. C. Burton, of the second precinct, has before him a civil case, transferred from the justice of the peace at West Jordan, where the suit was originally brought. The change of venue was granted because the defendant alleged that he could not get justice in the precinct where the plaintiff resides. The parties to the case are Andrew Shulsen and Hans Jonson. The former rented his farm out to the latter for \$100 per year, except the first year, and advanced \$100 to begin work. He said that Jonson agreed to pay the \$100 back in twelve months. The rent over due is \$67.40, which, with the interest on the note, makes a claim for Mr. Shulsen of \$187.40. In his answer Mr. Jonson says that he was to refund the \$100 and pay part of his rent in improvements on the place, so he has filed a cross bill against Mr. Shulsen. He says he made substantial improvements on the farm, at a greater expense than would have been warranted if he was not to be allowed for them, and claims they were made with an express understanding that Mr. Shulsen would allow him credit. His cross bill claims \$241.80. The improvements, he claims, consist in the making of levels, building a barn, seeding several acres to lucern, leveling mounds, moving fences, etc. Mr. Shulsen says he did not agree to allow for the improvements made.

NO ENACTING CLAUSE.

Informal Hearing Before the Utah Commission.

This afternoon at 1:30 an informal hearing of the Ogden election matter was had before the Utah Commission, all the members of that body except Mr. Williams being present. The object of having the arguments made was merely for the information of the Commission, and was not official.

H. W. Smith and Judge Powers appeared in support of the position taken by Registrar Cory, and C. C. Richards appeared in behalf of Ogden City.

Messrs. Smith and Powers take the ground that the ordinance under which Ogden City has been divided into municipal wards is invalid for the following reasons:

1. The territorial statute known as the general municipal bill, under the authority of which the city council of Ogden acted in creating municipal wards, is null and void for the reason that it is destitute of an enacting clause. 2. The ordinance made no provision for submitting to the voters of Ogden City the question of becoming a city of the second class. The ordinance does not conform to the laws of Congress relating to Utah.

Mr. Smith addressed the commission first, and quoted authorities and framed some plausible arguments in the endeavor to show that a law without an enacting clause is no law at all. Mr. Richards was to follow, and Judge Powers was to close.

RAILWAY NEWS.

Changes in Utah Central Time—Lucern Seed Shipments.

Tomorrow, December 9, a change goes into effect on the Utah Central, affecting all trains between this city and Ogden. Till further notice, passenger trains will leave for the north at the following hours: 8:30 a.m., 1:40 p.m., 4:30 p.m. and 9:30 p.m.; returning from Ogden, they will reach Salt Lake at 11:30 a.m., 6:30 p.m., 7:30 p.m. and 1:20 a.m. Freight trains will leave for the north at 8:56 a.m. and 5:40 p.m., and arrive at 8:25 a.m. and 5:25 p.m.

The shipping of lucern seed out of the Territory, is becoming quite a source of revenue to those engaged in the business. During the past month forty carloads have been sent out, seventeen cars being shipped from one point—Spanish Fork, Utah County. This represents an income of \$80,000 for the month's report.

A cable train collided with a Union Pacific freight engine at the crossing on Tenth Street, Omaha, on Thursday. The engine was backing a heavy freight eastward, and had nearly cleared the crossing when the collision occurred. The grip car was somewhat damaged. It is claimed that instead of holding to the rope the gripman was doing what is called by the cable line men "skinning the cable." No one was injured.

The yardmen employed by the Colorado Midland at Leadville are out on a strike. They demand as much pay as similar employes on other lines in the same neighborhood.

The freight rates of the transcontinental lines are still in a muddle.

The city council of Atchison, Kansas, after a protracted debate, has voted to accept the proposition of the Missouri Pacific to locate the proposed new shops of the company at that point. The city contributes to the enterprise \$100,000.

THE RECEIVER'S ANSWER

Takes Direct Issue with Judge Zane on Every Material Point.

The answer of Receiver Dyer to the charges made in Judge Zane's petition on behalf of certain school districts, in the suit against the Church, was not completed in time today to appear in this evening's NEWS. The attorneys were closely scanning it this afternoon and hastening to prepare it for filing, as it must be placed with the clerk of the Territorial Supreme Court this evening. The document is quite lengthy, and contains a specific denial of every allegation made in Judge Zane's petition that impugns the honesty or faithfulness of the receiver or his assistants.

As to the compromise which the petition alleges to have been the result of collusion, the answer cites the approval of that act by the Supreme Court, and while the amount agreed upon was less than the value of the property on March 2, 1887, it was not less than the value at the date of the compromise. The falling off had come through the use of the personal property assigned to the various stakes by whom a great portion had been consumed for various purposes before the appointment of the Receiver.

In regard to property other than that which the receiver has obtained, or accepted cash in lieu of, the answer states that the receiver has no knowledge of the existence of such property, and after diligent inquiry has failed to learn anything of it. Nearly all of the information obtained regarding Church property was from hostile witnesses, and if any others knew of any they were very careful to prevent that knowledge reaching the receiver.

The compensation asked, and which the petition says is "grossly excessive, exorbitant and unconscionable," the answer avers is but reasonable and just considering the amount of property handled, the tact and energy which it took to gather it, and the time and attention necessary to its proper care. As to the statement that it was rented to the Church agents—an act that was complained of in the petition—the receiver had rented it to the best advantage he could without infringing upon the interests of either party to the suit, and in a manner acceptable to both.

The charge that the Receiver has been neglectful and indifferent is met by an emphatic denial, and it is averred that he has been diligent and industrious, using every lawful means within his reach to fulfill the purposes of his appointment. He invites careful scrutiny of his actions in the light of the circumstances that existed, both favorable and unfavorable to the accomplishment of his duty.

The Receiver characterizes the assault made upon him as a conspiracy to further the financial schemes and make political capital for those engaged in it and their sympathizers, and now that charges have been made upon his integrity as an official, he asks a full and thorough investigation, that his accusers may be foiled and their allegations proven to be without foundation in fact.

COURT AT OGDEN.

The Registration Case Causing Quite a Breeze.

The following cases were heard by Judge Henderson yesterday, at Ogden: In the case of the United States vs. Garrett Wolverton; defendant withdrew his plea of not guilty and entered one of guilty. Sentence was set for Dec. 13th.

The grand jury filed into court and reported two indictments under the Territorial laws and one under the United States laws.

There was also a stubborn witness who refused to testify and the jury asked instructions from the court.

The witness was Mrs. Susanna Bailey, of Wellsville, Cache County. She testified that she was the legal wife, but refused to swear on her *voir dire*, which was considered necessary to learn that she really was the legal wife. There were three wives—Susanna, Johanna and Hannah. The two first named were married on the same day and at the same hour, but Susanna claimed to be the legal wife. These women had married twenty years ago. After some conversation with Mr. Rolapp, the witness, having received an understanding of what was wanted of her, agreed to testify.

The case of the People, etc., vs. Wm. Spencer was dismissed.

The case of Ogden City vs. James Calvert, disturbing the peace, was called for trial. N. Tanner, Jr., prosecuted and L. R. Rogers and A. H. Nelson appeared for the defense. The case occupied all of the forenoon, the jury bringing in a verdict of not guilty.

Wong Bing, the Celestial who so freely used his pistol on a fellow Chinese a few weeks ago, was arraigned on a charge of assault with intent to do bodily harm, and took the statutory time to plead.

Sentence in the case of James Berry, convicted of selling liquor on Sunday, was postponed until Tuesday, Dec. 11th.

The case of Ogden City vs. Michael Drozdowicz was next disposed of. In this case it appears that Mr. Ternes, a real estate dealer of Fifth Street, had been using a small puppy pop gun; that some other party in handling it had shot at defendant, who wore tight trousers; that in consequence of this defendant had taken the pistol away from said party, at which Mr. Ternes interfered, and defendant struck Ternes in the chest. The jury brought in a verdict of not guilty.

In the case of the People etc. vs. Ezley Hale, the marshal was ordered to bring the defendant from the penitentiary.

George Pidd was admitted to citizenship.

At the evening session the habeas corpus proceedings in the case of J. B. Carrington vs. David Rees came up for hearing. On a complaint charging threatening and abusive language, the defendant, marshal of Brigham City, had been arrested and in the commissioner's court placed under \$1000 bonds to keep the peace and ordered to pay the costs, \$25.

Mr. L. R. Rogers, as attorney for Mr. Rees, stated there was no law in the Territory making abusive and threatening language an offense under the designation of disturbing the peace, though there was a law whereby persons could be placed under bonds to keep the peace, but that law had not been invoked, therefore Mr. Rees was illegally imprisoned and the commissioner's court held no jurisdiction in the case. Defendant was ready to file any bonds but not to pay the costs of a court that had acted without jurisdiction.

Mr. Hiles agreed to examine the papers that it might be determined whether the case was within the scope of the court or not.

In the case of C. D. Hays vs. George L. Corey, the motion to quash the petition was taken up and the arguments commenced. This question arises under the enactment of the late legislature regarding municipalities. It provides for a commission to take the census, and for registration and election in the several wards. In pursuance of this enactment, Ogden City appointed a census commission and when it was determined by the governor's declaration to what class Ogden belonged, the City Council passed an ordinance dividing the city into wards. On Dec. 5th, Mr. C. D. Hays applied for registration as an elector of the Second Ward, but Mr. Corey refused to register him except as an elector at large; upon which Mr. Hays filed a petition for the above mentioned writ of mandate.

The attorneys for Mr. Corey claim that the sections under which the census had been taken were not applicable to Ogden City. They also claim that the United States laws literally cut off from the Legislature all power it ever had (and consequently took the power from municipalities) to legislate on the subject of elections, unless permitted by Congress.

The attorneys for Mr. Hays claim that the sections referred to are a

complete bill, conveying certain powers upon the city and the governor; that the election machinery had not been in any way tampered with, therefore the ordinance did not conflict with any congressional law.

The arguments will be continued this evening, and are to be concluded by midnight.

The Ogden Standard in its reference to the registration case says the "scheme is nothing but a farce." The Standard continues:

"There is ample proof in existence that this whole affair was cut and dried as a Liberal dodge, to forestall any possible action of the Utah Commission in ordering the registration by wards. We can imagine that a sensitive judge, like the one now presiding in the First District Court, must be anything but pleased at the insult offered to him. We believe that no one has attempted heretofore to impugn Judge Henderson's honesty. His judgment and his decrees have been occasionally criticised, but the universal verdict has been that he wanted to do right. It remained for the Liberals, by the action in this Hays case, to insinuate that the Judge was not above partisan dishonesty. If Judge Henderson has any local political affiliation, it is with the Liberal party. The way this matter was first presented showed all parties litigant and the Judge himself of one political complexion, leaving Ogden City—the party mainly interested—unrepresented. And it was with this array that the Liberal campaign managers in Ogden expected to receive Judge Henderson's decision in the case. In two respects up to date these managers are doubtless disappointed: By Mr. Heywood's courtesy, the city attorney and Judge Emerson will appear in the case for Ogden; and the court has not railroaded the case through as suddenly as was hoped, in order to anticipate today's meeting of the Utah Commission."

First District Court.

The Provo branch of this court has adjourned until January.

At Ogden on Saturday, Frank Waite pleaded guilty to grand larceny, and was sentenced to one year in the penitentiary.

The jury in the case of James Middleton, of Ogden, for selling liquor on Sunday, could not agree and were discharged.

Judge Henderson stated that it was apparent that perjury had been committed in both the Middleton and Berry cases, and instructed the grand jury to make an investigation.

The grand jury reported one case ignored and one indictment under United States laws. The jury then took a recess till January 8th.

The trial of Mark Hall, for murder, was set for December 10th.

In the case of the People vs. Ezra J. Halle, murder, the defendant was arraigned, and took the statutory time to plead.

Wm. H. Howard pleaded not guilty to a charge of obtaining money under false pretenses.

Andrew Hansen, convicted of unlawful cohabitation, was sentenced to six months in the penitentiary.

The trial of John Rowland, for selling liquor on Sunday, was in progress when court adjourned.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One bay MARE, 16 hands high, about 4 years old, branded GB on left shoulder. She has a sorrel Mare Colt with her.

One sorrel HORSE, 15 hands high, about 7 years old, white stripe in face, left feet white, shod on front, branded EP on right thigh.

One sorrel HORSE, 14½ hands high, about 7 years old, all four feet white, white stripe in face, shod all round, branded X on right thigh.

One bay yearling MARE, white stripe in face.

If not claimed they will be sold on Saturday, December 22nd, 1888, at 10 a. m.

J. R. MILLER, Poundkeeper. South Cottonwood, December 6th, 1888.

KSTRAY NOTICE.

I HAVE IN MY POSSESSION:

One light red COW, about 2 years old, white under belly, both ears cut off, illegible brand on right thigh; she has a calf. If the above described animal is not claimed within 15 days, will be sold to the highest cash bidder, at the St. George cattle pound, Friday, December 21st, 1888, at 10 o'clock a. m.

GEORGE T. COTTAM, Poundkeeper. St. George, Dec. 6, 1888.

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