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DESERET EVENING NEWS.

5 O'clock -EDITION.-

TRUTH AND LIBERTY.

NO. 265. SATURDAY, OCTOBER 14, 1893. SALT LAKE CITY, UTAH. VOL. XXVI

THE FURIOUS GALE.

Eastern and Southern Cities Almost Entirely Isolated.

TELEGRAPH WIRES PROSTRATED.

Justice Brown of the Supreme Court Reels with an Accident.—A Ship Sank and Lives Lost.

CHICAGO, Oct. 14.—As a result of the fearful wind and rainstorm telegraphic and telephonic communication with New York, Washington, Boston and other parts of the North is next to impossible. The wires from the West are working after a fashion as far east as the Alleghanies, but the country on the further slope of the mountains is cut off almost as though it had suddenly sunk into the sea. The trouble with the wires began yesterday and gradually grew worse through the night, reaching a climax this morning. In the condition of prostration it is said to be about the most complete on record. The only one approaching a parallel, so far at least as wire communication is concerned, was the extraordinary New York blizzard in which Boston Conklin lost his life. The blizzard, however, only affected comparatively a small stretch of territory. Today almost the entire Atlantic coast was cut off and the effects of the storm is felt over thousands of miles away.

WASHINGTON SWEPT BY A HURRICANE.

WASHINGTON, Oct. 14.—A storm of the hurricane variety passed over the city last night. It rained all day and towards night the wind began to blow harder and increased in velocity. The rain increased in volume until it poured when it ceased, but the wind continued with increasing force and the weather was dark and rainy. It roses were uprooted and some small trees were blown down. Telegraphic connection with the outside world was almost entirely cut off by the breaking of poles and wires. Finally, late at night, the Western Union got a wire to the West by way of Memphis for the Associated Press report. The storm abated at daylight this morning and by 8 o'clock the sky was clear.

Justice Brown of the Supreme court, while trying to close a window last night was struck by a piece of plate glass in the right temple, cutting a severe gash severing the artery. But for prompt medical attendance he would have died in death.

A SHIP GOES DOWN.

CHICAGO, Oct. 14.—A morning paper in a late edition has a dispatch from Boston saying that an unknown steamer was run down and sunk in the harbor last night in the fog, and many on board were drowned.

TROUBLE WITH INDIANS.

A Treaty with Them May Prove to Be Void.

GUTHRIE, Ok., Oct. 14.—The Kickapoo allotting agent is experiencing difficulty in getting members of the tribe to accept their allotments. They say that they did not sign the treaty which was agreed to by the government commissioners and a committee of Kickapoos. There is nothing to show that the majority of the tribe ever ratified it. If this be true it is not binding on the Indians and the action of Congress providing for the opening is void.

Cheyenne's Prosperity.

Special Dispatch to the News.

CHEYENNE, Wyo., Oct. 14.—There is a brisk demand for Cheyenne real estate. Scarcely a day passes that some valuable property does not change hands. The indications are that Cheyenne will enjoy a season of unusual activity and prosperity.

SHOT AND KILLED.

A Romance and a Tragedy.—The Actors Were Printers.

KANSAS CITY, Oct. 14. — Anton Behnch was shot and killed this morning by Charles B. Kent at Bertrand hotel, where he found Behnch and Miss Nettie McCall registered as husband and wife, occupying the same room. All concerned are printers.

A Hunting Party Missing.

RAWLINS, Wyo., Oct. 14.—T. H. Merrill arrived here from Greenwood, Routt county, Colo., and reports that he was a member of a hunting party of five. The other four left the camp one after another and never returned. The place was visited by a number of them will be named for life. Miss Dwabile has a fractured skull, internal injuries and is dangerously cut and bruised about the body. There is only the faintest hope of her recovery. She is conscious and unconscious by turns. Miss Hickey has her fracture of both legs. It was thought at one time that amputation would be necessary, but it has been decided not to perform the operation. There are slight hopes of recovery.

WERE FORCED TO ADJOURN.

A Cleverly Devised Scheme by Leading Silver Men.

Enough to Talk About for a Month in One Senate.—Deed of Night Over Alone.—The House.

WASHINGTON, Oct. 14.—The fright which resulted in the adjournment of the Senate last night was the result of a cleverly devised scheme worked by Dubois and Teller. They discovered that while a quorum was present for all purposes where pairs could be disregarded, there was not a quorum on points demanding the observation of pairs. Teller also discovered that the rules provided that the public document which had once been read could not again be read except by unanimous consent. Teller was speaking at the time and soon faced up a point of document. Teller raised the point of order against the reading. The chairman decided the point and an appeal was taken. This was what the silver men were looking for, and roll call was ordered showing no quorum present. Then the repeal was stopped in another way. Vilas tried to force Dubois to vote. After a long debate an effort was made to take a vote that the sergeant-at-arms compel Dubois from voting, resulting in another lack of a quorum and the Senate was forced to adjourn. The pending question is an effort to make Dubois vote and it is Vilas's intention to have Dubois arrested. Today it is stated, will bring out a nice constitutional question and develop a debate which the silver men claim will last a month at least.

TODAY'S SESSION OF THE SENATE.

Considering the late hour of adjournment last night there was a liberal attendance at the opening of the Senate this morning. Though there will be made no announcement on the subject, Vice President Stevenson will ask the Senate to sit tonight but will ask an adjournment about 8 this evening.

Morgan occupied the morning hour with a lengthy speech in reply to the criticisms of some Alabama newspapers. Not much activity was manifested in the matter of compromise.

It is believed that something definite will be ready to offer the Senate in the beginning of next week.

Notice was given of the proposed amendments to the rules of the Senate as follows: By Lodge, Mass: It shall not be in order for a senator to read a speech either written or printed, also that the Senate recess to excuse from voting those who still decline to vote, but shall be counted as present for the purpose of making a quorum.

By Stewart, Nevada: That no senator interested in any national bank shall vote upon any question affecting the privilege of issue of currency by the government or through the instrumentality of national banks.

THE HOUSE.

WASHINGTON, Oct. 14.—In the House yesterday a bill was passed increasing the number of army officers detailed as military instructors in state institutions from 78 to 100.

Before the debate on the Chinese exclusion bill was resumed an agreement was reached by the friends and foes of the measure to vote on the bill on Monday at 3 p.m. Its yesterday's debate the east was pitted against the west irrespective of party lines, the former supporting and the latter calling the measure. Bagnoni (Dem.) made a speech in advocacy of it, during which he attacked the decision of the Supreme Court and declared that it was the almost unanimous opinion of the American bar that the theory law is unconstitutional.

Maguire, California, made a reply in behalf of the Pacific coast and claimed that the advocates of the bill had chosen the driven out. They did not want the theory act extended.

Bower, California, and Draper, Mass. and McCall, Mass., were the other speakers.

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Una era at Jerusalem attempt was made to secure the co-operation of the Colonies this commitment in making the celebration a world-wide success.

Driven Out by the Alpheus.

BERLIN, Oct. 14.—The Russian Colonel Vasnowsky has been driven out of Pamiers by the Alpheus, after attempting to force his way across a district at the head of the Cossacks.

THE RAILROAD HORROR.

Many of the Injured May Recover.

JACKSON, Mich., Oct. 14.—It is believed all of those injured in yesterday's accident, except Miss Bessie Bertrade, of Canton, Ohio, and Mrs. Johanna Henry, of Morris Run, Pa., will recover, though a number of them will be crippled for life. Miss Bertrade has a fractured skull, internal injuries and is dangerously cut and bruised about the body. There is only the faintest hope of her recovery. She is conscious and unconscious by turns. Mrs. Henry has her fractures of both legs. It was thought at one time that amputation would be necessary, but it has been decided not to perform the operation. There are slight hopes of recovery.

POLITICAL AFFAIRS.

Results of the Republican Legislative and Municipal Convention.

ADJOURNED UNTIL TONIGHT.

J. F. Jack Laid on the Shelf In Favor of G. R. Bateman.—Citizens' Complete Ticket.

Ten o'clock this morning was the appointed time fixed by official call for the purpose of nominating candidates for the several municipal and legislative offices to be voted for in November next, by the local Republicans. The basis of representation for the convention was two delegates for each precinct, and in addition thereto, one delegate for every twenty-five votes or major fraction thereof cast for the Hon. P. J. Cannon for delegate to Congress at the general election, one year ago.

The convention was slow in getting down to business and there was considerable delay occasioned by the tardy arrival of delegates. During the wait those present assembled in groups in different parts of the hall and discussed matters of moment to themselves and their constituents.

At 10:45 Chairman H. J. Konjoa of the city committee called the convention to order and the secretary, Harrod Pratt, read the call. Mr. Konjoa then named E. B. Critchlow as temporary chairman and L. M. Hart as temporary secretary.

In assuming the chair Mr. Critchlow promised to deliver a red hot Republican address. Among other things he said the gravity of the situation that the convention had to deal with was such as to require the most careful consideration. It was not too much to say that the coming legislative election was the most important ever held in this Territory. Since the last legislative election in this Territory many changes had taken place in national politics and the trend of events was such as to assure every loyal citizen to see to it that proper protection would be given to home industries. Since the last legislative election in Utah but that of the Democratic Grover Cleveland has been made President of the United States. The Democracy in fact was seated squarely in the national saddle, and as a result an extraordinary and awful state of affairs existed. Industries were stilled and business was in a state of stagnation. An extra session of Congress had been called in an arbitrary and dictatorial manner for the purpose of repealing a single catchcrating clause of the Sherman act. The fact that the wheels of industry had been stopped, that mills had been shut down, and that a gigantic train of evils was flooding the country should cause the people to rise up and protest mightily against the unprecedented despotism of the national administration.

The speaker said that we were rapidly drifting into anarchy and chaos. The President had refused to enforce the treaty law and the United States was contending to that not all federal legislation on an election matter of vital interest. A note sounded only to that of 1891 was before the people and just as united and determined action would be necessary now as then to avert ruin.

As to things that directly affected home people it should be borne in mind that every ton and bale of wool coming under the shade of the sheep raised in the territory, and every ounce of manufactured goods for the Lehi sugar factory and the progress and prosperity of that institution was a living testimony of what the Republican system meant for the people of Utah. The whole thing, he said, was an unanswerable argument in favor of the Republican party of this district, who should see to it that three councilors and six representatives were elected to the Legislature of the future Republican class of Utah.

The following committees were then appointed, after which an adjournment was taken until 7 o'clock this evening.

Committee on credentials—Fred C. Bassett, C. C. Gripe, S. H. Hill, John T. Lynch, E. D. R. Thompson.

Committee on resolutions—Wiley Brown, T. D. Lewis, Arthur Parsons, Fred Hale, T. Ellis Brown.

Committee on rules and permanent organization—M. M. Breen, T. R. McDonald, W. A. Hyde, D. J. Chadwick, E. E. Ritchie.

BACHMAN ENDORSED.

The Citizens' committee of fifty held a brief, businesslike session at the Walker house last night. As a result of their deliberations J. F. Jack's declination of the recordership nomination was accepted and the name of Mr. Bachman substituted.

GENERAL TICKET.

The Citizens' and Independent Citizens' municipal ticket now stands:

Mayor.....R. N. Baskin
Recorder.....Gustave Behnke
Treasurer.....W. H. Shearer
Marshal.....Arthur Dixon
Justice of the Peace.....Orson H. Throe

COUNCIL NOMINEES.

FIRST PRECINCT.

L. G. Reilly, Leonard Coop, E. P. Newell.

SECOND PRECINCT.

H. J. Cleveland, Geo. D. Dixon, A. G. Glasgow.

THIRD PRECINCT.

Joseph Watson, W. S. McCornick, R. P. Smith.

FOURTH PRECINCT.

Spencer Clawson, J. F. Burton, J. J. Daly.

FIFTH PRECINCT.

Hugh Allen, F. W. Mulcry, C. L. Rood.

POLITICAL SHORT RUNS.

An American who recently fell out with Governor Mont G. Taylor and who was a large legislative level belonging to the Democrat, proposes to introduce a bill providing for the abolition of coroners and will accompanying ask the legislature to act on them.

Judge McNally is spoken of as a candidate for nomination to the Legislature on the Democratic ticket.

The action of the Republican convention tonight is awaited with interest. As to the probable nominees for legislative honors but little has been said.

The Utah Democrat club will meet in the rooms of the Business Men's association in the Progress building at 8 o'clock this evening.

It is generally conceded that the dead heat in the coming election race will go to the party that Fred Kneff and other prominent Ogden Liberals have rolled.

The man who doubts the correctness of the scientist's demonstration that claims that the common atmosphere weighs a ton to the square foot of this earth's surface needs only to pay a visit to Liberal headquarters to be convinced.

The various municipal nominating committees of the Citizens' and Independent Citizens' conventions met yesterday afternoon and evening and mapped out a plan of active campaign work.

The newly elected Democratic city committee, two from each precinct and one from the city at large, will meet at 8 o'clock on Monday afternoon on the second floor of the Herald block to elect a chairman and secretary and transact other important business.

Judge Blair's term of office, it is claimed, will expire tomorrow, that is, the unexpired term of Judge Barnes to which Blair was appointed will cease. As a consequence the Democrats look to the speedy removal of Mr. Blair and the appointment of Attorney McNally or Judge Norrell, with the chances decidedly in favor of the former.

It is stated that C. E. Allen has more nerve and self-assurance than any man in the Liberal party, with the possible exception of Signor Gallagher, and a case in point is what he was illustrated. On Tuesday night Mr. A. stalked into the Eleventh ward polling and after looking about awhile perked up and inquired: "Well, I guess I had better take the chair." This he did and followed it up by handing a secretary after which announced "I suppose we ought to have a committee to tellers and I will name Frank Hoffman and Oscar Youngberg." There were times when Allen's jibe the same but they swallowed it all the same.

There were ominous whisperings among certain politicians this week that if the effort that is made by the Republicans and Liberals fail and a conference today which would probably result in the Republicans bolting a straight municipal ticket tonight. The Liberals are claiming that they should be done believing that victory would thereby perch on their banners. As a sweetener it was proposed that the Liberals should put up a legislative ticket in the field but that they would go to the Right on national issues. To the latter proposition other Republicans will consent, but they declare that they must act in good faith in the Citizens' and Independent Citizens' movements. A few more, they say, cannot make a "Hell" for the party. If any trading is done it must, they contend, be done openly. It is not unlikely that a lively passage at arms will occur in the convention tonight though it is believed that wisdom will prevail and that no action will be taken in the city ticket.

DESTROYED BY FIRE.

Farmington Visited by a Blaze Last Evening.

Special to the DESERET NEWS.

FARMINGTON, Oct. 14.—The barn, sheds, corral, and about sixty tons of hay belonging to the family of the late Leonard G. Rice of this place, were destroyed by fire about 5 p. m., yesterday.

The barn, one buggy, a mower, horse hay rake, horse hay fork, and other implements are valued at $700, and the hay $750; total loss, $1450. There was no insurance on the property, and the origin of the fire is as yet unascertained for.

The youngest child is between seven and eight, and had just returned from school. Mrs. Rice and her eldest son were absent in Salt Lake City, and the youngest eight days. Behind on approaching their home in the evening can be realized by all, but more especially by those who have passed through somewhat similar experiences.

The family residence was situated eighty feet from the barn and some of the sparks of fire reached within sixteen feet of the fire. But the little breeze that was blowing happened to be from the right direction, and by the efforts of a large crowd of willing neighbors, the other property was saved. C. T.

Judge Goodwin's Lecture.

The Congregational church was well filled with a select audience last night to listen to Judge Goodwin's lecture on Washington Character Sketches and Gold and Silver. The lecture was preceded by a number of excellent selected musical selections. Judge Goodwin was in his happiest mood and talked interestingly for about forty minutes.

Looking for old Friends.

Mr. J. J. Keep, of Clarkston, Cache county, Utah, asks if any of the family of John Sargent is still living. Mr. Sargent with his family emigrated from Newbury, Berkshire, England, in the year 1856. He was accidentally killed on the road, but his children came on to Salt Lake valley. Brother Keep would like to communicate with any member of the Sargent family.

Fire at Meeker Today.

Heber J. Grant & Co. today received a dispatch from Anderson & Dandelion, merchants at Meeker, stating that their store and contents had been destroyed by fire. The loss is not stated, but they carried a fair line of insurance with a foreign company.

BUSINESS AND MINES.

Prospective Falling Off in the Territory's Sheep and Wool.

GOLD-SILVER MEMORIAL BOOK.

Men Fled in Southern Idaho.—Mount Pleasant Progress.—Business and Mining Items.

The movement among sheep owners in shipping mutton sheep east, where they have been able to get good prices, is bringing a considerable quantity of money into the country, and the cash is finding its way into circulation. Many thousands of dollars have come in this way already, and sheep men are feeling better over the fact that they are able to meet a goodly proportion of their obligations.

The shipment of sheep outward is still going on, with a prospect of continuing for some time. The condition of the wool market does not indicate improvement, and a large shipment of wool is to be sent out from Sanpete in a few days. This is by the same combination that received the week an $800 draft for the sale of mohair in Kansas City, in which the sheep owners called $2.60 to $3.60 per head for their sheep.

The present demand for mutton has also induced a goodly proportion of sheepowners to send out large shipments of lambs on which they are able to realize twenty cents. "We've got to do it," said a large sheepowner today. "Our cable must be met. We lost heavily on wool this year, and now that we have a chance to get money for sheep, both mutton and lambs, we have to take it to keep our financial credit good."

"What would be the effect on the quantity of sheep and wool produced in the Territory in a few years?"

"Well, it means that we will not have near as much as we have had this year. Last spring was a bad one for lambs, and the proportion of losses was very heavy. Ewes are now selling all the cullings they can for some the best of cash crowds them to it, and that brings their heads down. They are also disposing of their lambs, and that will make a still further cut. I know a number of them now in this county, as well as in other, who are now arranging to send out a very large shipment of lambs. The number going out is greatly in excess of what it would have been if we had all money on our wool. But we have obligations to meet and must meet them at the expense of reducing the number of sheep. The fact is that, the way things are going now, the coming years will see a good many less sheep in Utah than there has been for a number of years. Of course our wool production will fall off proportionately.

"I think, however, that this will cause us to get better prices for both wool and mutton. It is this way: Everybody in the sheep business all over the country is doing the same, growers are selling off all they can to meet their bills. The result will be that throughout the country the number of sheep will be greatly reduced. As times will be less well grown to come into market, and as the demand is not decreasing, the school will be to command prices of wool generally. We will get our share of the advantage, though it is believed that wisdom will prove to be the wisest course. The sooner the Territory from the sheep business may be considerably under what it was in 1892."

SHEEP FORGING.

Within the last two or three weeks three caused losses of sheep in a way have occurred in the mountains east of the city, says the Mt. Pleasant Progress. About three weeks ago a band sheep forty-five head of good bucks, and during the once storm last week Joseph Sorensen lost about 125 and Thos. Bailey about 150 head of good lambs and wethers. The losses of this kind are not the vegetable point as to the purpose of buying the underflow. The initial point of work is on the north bank of the river about four miles north of Duggett. Two water rights have been located, one claiming 10,000 miners' inches and the other 1,000,000 inches of the unappropriated water of the Mojave river. The water is to be diverted from the river and conveyed upon the land to be irrigated by means of a canal 100 feet wide at the bottom and 150 feet wide on the top and ten feet deep, with a grade of three feet to the mile.

Little River. The new 20-stamp mill at Monmouth is rapidly nearing completion, superintendent Robinson expects to have it in operation by the coming New Year. Over fifty men are working on the buildings and grounds. Mr. Dietrich, who has the contract for the carpenter work, expects to have his contract finished early in November. Nearly four carloads of machinery have been unloaded on the grounds and about the same number are en route. The amalgamating process will be used, and the mill, later on, will be increased to forty stamps. A fish lake grading outfit is at work on the pipe line to Death creek, which will be completed this fall, but the pumping station will not be put in until next spring, the company having water enough to run the mill this winter.

Horse and Buggy Stolen.

Mrs. Sarah Cannon, of this city, was at Forest Dale last evening, visiting at the residence of her son, George M. Cannon. Her horse and buggy were placed in the yard, where the animal was tied. When she came to return home, the horse and buggy were missing. The animal was traced south to Twelfth South street, where it turned east toward the penitentiary. Up to the present the thief has not been apprehended. The horse was a large brown animal, branded H R on the left shoulder. The vehicle is a phaeton, almost new.

Liberty Bell and the well-tendered flag of peace to their sisters around the world. If contributions are received in excess of the cost of this golden book memorial of the exposition, the surplus will be used in entry on the work of the Columbian Liberty Bell committee.

IN BOX ELDER.

The following are the valuations of real estate, improvements, cattle, etc., in Box Elder county. They are the totals taken from the county assessor's rolls for the year 1893:

Real Estate	$1,[illegible]
Improvements, including railroad and telegraph	[illegible]
Street and [illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Mercantile [illegible]	[illegible]
Money and [illegible]	[illegible]
Personal property not otherwise enumerated	[illegible]
Total	[illegible]

NOTES.

A soap factory is being inaugurated in Ogden by the Western Manufacturing company, with a capital of $50,000.

A Benicia, California, dispatch says that [illegible] per ton has been struck at the Dewpoint mine and the vein is an immense one.

A dispatch from Colfax, Washington, dated October 11, says that the threshing season throughout the famous country from the 1st of October to date have damaged the wheat crop to an extent hard to estimate. The rains began in the district of the late harvest, and in some fine cutting have fallen.

J. J. Duke of Salt Lake, who recently purchased Banner Rich's attractive residence in the First ward, is now comfortably settled with his family in their new quarters on the corner South Wall and Pleasant streets, near the Kingsam Rogler. Mr. and Mrs. Duke and family will no doubt be warmly welcomed to the City of Homes.

Dillon, Mont., Tribune: W. P. Lee, of Bannock, was in town Saturday after supplies. Mr. Lee has secured the contract for hauling twenty tons of ore daily from the Rich mine to Barrett station. Tommy Haw and Steve Cook shipped this week seven carloads of ore to Chicago. The contract calls for an average speed of 25 miles an hour, so that, that train will beat passenger time.

Mr. Pleasant Grove: Mt. Pleasant once more shines under the luminous rays of the electric light, and these are now a permanent fixture. The light is very good, and in the dimness especially presents a striking contrast to the old lamps. The lights extend down Main street from the dynamo house to the depot, and at evening look very attractive. A large number of lights have been put in business and other places are taking them, and will meet them at the expense of reducing the number of sheep. The fact is that, the way things are going now, the coming years will see a good many less sheep in Utah that there has been for a number of years. Of course our wool production will fall off proportionately.

I think, however, that this will cause us to get better prices for both wool and mutton. It is this way: Everybody in the sheep business all over the country is doing the same, growers are selling off all they can to meet their bills. The result will be that throughout the country the number of sheep will be greatly reduced. As times will be less well grown to come into market, and as the demand is not decreasing, the school will be to command prices of wool generally. We will get our share of the advantage, though it is believed that wisdom will prove to be the wisest course. The sooner the Territory from the sheep business may be considerably under what it was in 1892."

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DISTRICT COURT.

The Grantsville Tragedy Once Again Raked Up.

APPLICATIONS FOR NEW TRIALS.

Suit For $2000 Damages Against the Rio Grande Western Railroad Company on Trial.

Colonel Montgomery, in presenting a motion and affidavit for a motion in arrest of the [illegible] Hyrum McBride, indicted for taking part in the killing of Dr. C. O. Elliott at Grantsville, coupled some time upon the opening of Judge Zane's court this morning. Judges Jack and Howat opposed the request, and after a good deal of talk leave was the accused's counsel to file a further affidavit at a later period of the day.

The statement on motion for a new trial in the case of John Benson is to be filed in Court by Thursday morning next.

WANTS A NEW TRIAL.

In the case of the People vs George Brennan, convicted on Thursday of perjury, the hearing on motion for a new trial was set for Oct. 23d.

HAMBLIN'S CASE.

In that of the big Harry Hamblin, indicted for the murder of Little Ogle Robertson, an affidavit was filed by the defendant's counsel setting forth impertinently, and on that ground asking that witnesses for the defense be subpoenaed at the expense of the people.

HE DON'T SATISFIED.

Attorney W. I. Snyder, of Park City, moved for a new trial in the case of J. W. Neal, recently convicted of assault and battery upon Mrs. Johanna Ross, in Summit county. The application, which was opposed by Assistant District Attorney Howat, was based upon three grounds, viz., that the verdict was contrary to the evidence, contrary to law and also alleged errors of law on the part of the court, excepted to by the defendant's counsel at the time of the trial.

Judge Boreman he would have been satisfied had not the jury mentioned the defendant and overruled the motion, as also a motion in arrest of judgment.

In the lower (justice's) court the fine was $50, and upon the representation of counsel that defendant is a very poor man, Judge Zane fixed it now at the same amount, with the costs of the prosecution.

The bond on appeal was fixed at $200.

HE FAILED.

Attorney Armstrong argued the motion for a new trial on behalf of Charles Carter, convicted the other day of burglary at the Bialy residence. It was opposed by Assistant District Attorney Howat and overruled. The defendant was then sentenced to two years in the penitentiary.

MISCELLANEOUS.

In the case of the Commercial National bank vs Chas. J. Young et al, default, judgment was entered for plaintiff as prayed.

The Crane company vs Jas. L. Morgan et al, appeal dismissed.

A $1000 DAMAGE SUIT.

Judge Barton and a jury this morning took up the trial of an action for damages brought by Joseph Hall against the Rio Grande Western Railway company, in which the sum of $2000 is claimed.

It is alleged by the plaintiff that on December 20, 1891, he was a passenger by one of the company's trains running between Green river, Utah, and Salt Lake, from which he was ejected, unlawfully he claims, by the conductor. This occurred some three miles west of Green river, and at night time. It was, he says, utterly cold weather, and he feared that he would be frozen to death on the walk back to Green River. The plaintiff states that he was thereon "humiliated and disgraced," and feels that nothing less than $2000 would be a satisfactory salve for his wounds.

The defense—which is in the hands of Bennett, Marshall and Bradley—puts in a general denial to the allegations of the plaintiff. Judge Powers and Ogden Hiles are the plaintiff's legal representatives. The case will probably last all day.

THIRTY DAYS' STAY.

In the case of Bates vs Adam Paul et al, a stay of thirty days was granted by Judge Barton in which to file statement on motion for a new trial.

AFTERNOON SESSION.

In Judge Zane's court this afternoon the grand jury presented another report, having found three more indictments all under the laws of the Territory.

The charge of burglary against Alex Scott was dismissed by the prosecution.

Hannah J. Butler was granted a divorce from her husband, Nicholas Butler, on the grounds of drunkenness. The case went by default. $10 per month alimony and $50 attorney's fee were allowed by the court.

In the case of the American National bank vs J. A. Norlen et al, judgment for defendant was entered on the pleadings, on motion of counsel. Attorney's fee five per cent was allowed.

No new suits had been filed in the Third District court today up to 4 p.m.

A Receiver Appointed.

In the Third district court Cornelius McLaughlin has brought suit against the Park City bank calling for judgment for $20,000 due on a certificate of deposit, and stating that a receiver be appointed. Judge Barton has appointed D. C. McLaughlin receiver, on filing a bond of $10,000.