PYPERS AND MALTESE

Are Suing the Rogerses Over Their Long-Standing Trouble.

EVOLVES OPERA HOUSE STOCK.

Mrs. Eva Theckston Wants a Divorce—Judge Ritchie Makes Equity Settlings This Morning.

JOHN T. Pyper, Mary E. Pyper, Brigham T. Pyper, Frank Maltese and Julia S. Maltese today commenced suit against John H. Rogers, James Rogers, Alexander Rogers, E. M. Rogers and J. P. McGrath to secure an accounting of the Salt Lake Amusement association and for the appointment of a receiver for the same. The plaintiffs allege fraud by the Rogerses in the conduct of the business of the Grand Opera house and that they have been much injured by the same. All the parties to the suit are or have been stockholders in the association, but in the process of "freezeout" the plaintiffs claim to have gotten worsted and are therefore asking the court for relief. The case is one involving issues which for a long time past have been public property and the outcome will be watched with interest.

Eva Theckston today commenced an action against Robert Theckston to secure a decree of divorce, the grounds of complaint being desertion and failure to provide.

EQUITY CALENDAR.

Judge Ritchie Makes Settings in His Court Today.

This morning Judge Ritchie made the following settings in the equity court:

MONDAY, OCT. 19TH.

Wm. Perego vs Silver King Mining Co; J. T. Marshall, G. P. P. Jackson; W. H. Dickson.

WEDNESDAY, OCT. 21ST.

L. D. Kinney vs S. H. Tufts et al; R. D. Walbach; J. M. Thomas.

FRIDAY, OCT. 23RD.

J. R. Boan vs N. K. Waterman; C. S. Kinney; Cord & Cord.

Mortlie Morley vs F. D. Clift et al; Powers, Stump & Lippman; J. M. Thomas.

Andrew J. Gibson et al vs F. T. Hoak et al; R. Ferguson; Sutherland & Murphy; F. S. Stephens.

MONDAY, OCT. 26TH.

Morrison, Merrill & Co. vs Milford E. Shirley et al; Stephens & Smith; Moyle, Zane & Costigan; J. M. Bowman.

TUESDAY, OCT. 27TH.

G. F. Culmer et al vs Annie Hooper Calder et al; Sutherland & Murphy; Rawlins & Critchlow.

WEDNESDAY, OCT. 28TH.

C. H. Jacobs et al vs Dalton & Lark Mining Co; C. S. Varian, C. C. Day; Brown, Henderson & King, H. J. Dunlavy, Dickson, Ellis & E. Smith, Lee & Lacy.

SATURDAY, OCT. 31ST.

Helen W. Raubhausen vs Wm. R. Beemer; E. W. Tatlock; Moyle, Zane and Costigan.

SUNDAY, NOV. 2ND.

Ann Kirby et al vs Carrie Keeling; Young & Moyle; F. Pierce.

B. M. Ellerbeck vs John G. Midgely et al; A. Howell, Richards & Richards; Dey & Street, Moyle, Zane & Costigan.

WEDNESDAY, NOV. 4TH.

Lorenzo Snow Jr. vs Peter Clays et al; Stephens & Smith; W. H. Dickson.

THURSDAY, NOV. 5TH.

Herriman Irrigation Co. vs Geo. W. Keel et al; Brown, Henderson & King; Bennett, Harkness, Howat & Bradley.

MONDAY, NOV. 9TH.

Joseph J. Dockworth vs Wasatch Asphaltum Co.; Stephens & Smith; Sutherland & Howat.

TUESDAY, NOV. 10TH.

Isaac Hunter vs Geo. Busby et al; R. Ferguson; C. O. Whitlemore.

M. M. Busby vs Isaac Hunter; C. O. Whitlemore, R. Ferguson.

WEDNESDAY, NOV. 11TH.

Mary S. Blakemore vs E. L. Shoots et al; Powers, Stump & Lippman; Bennett, Harkness, Howat & Bradley, G. W. Moyle, Brown & Henderson, Jones & Schroeder, Feigson.

THURSDAY, NOV. 12TH.

Annie M. Hamilton, administratrix, vs John R. Howard et al; Stephens & Smith; Geo. J. Marsh, J. M. Hamilton, F. Pierce.

Emma D. A. Neve vs Isaac M. Waldell et al; R. Ferguson, J. M. Cannon; Richards & Richards, Moyle, Zane & Costigan.

J. H. Dewey Furniture Co. et al vs S. F. Neve et al; J. H. Moyle, H. H. Shepard; R. Ferguson, John M. Cannon, Richards & Richards.

FRIDAY, NOV. 13TH.

S. F. Walker vs L. D. Kinney et al; Sutherland & Howat; Brown & Henderson.

S. F. Walker vs L. D. K iney et al; Sutherland & Howat; Brown & Henderson.

Oliver Yeager vs Emma S. Woodruff et al; J. L. Rogers; Le Grand Page, F. S. Richards.

George Allgood vs Inter-Mountain Salt Co.; Moyle, Zane & Costigan; Ferguson, Benson & Frost; Richards & Richards.

Ellen Cory vs G. S. L. & H. S. Dry Co.; Young & Moyle; Rawlins & Critchlow.

John H. Bailey vs G. S. L. & H. S. Dry Co.; Young & Moyle; Rawlins & Critchlow.

S. S. Walker Estate Co. vs City of Montreal, et al; Rawlins & Critchlow; Moyle, Zane Costigan; S. Ferguson.

E. W. Taylor vs R. G. Wilson, et al; Sutherland & Howat; J. W. Judd, C. S. Varian.

Joseph Heidenbach vs D. Alexander, et al; Bennett, Harkness, Howat & Bradley; N. A. Rosenson; C. S. Varian, C. C. Day; Loofbourow & Kahn.

George F. Rhodes vs Mary A. Cline, et al; Young & Moyle; C. S. Varian.

Utah Notary Co. vs W. P. O'Meara; C. S. Varian; J. M. Thomas.

Thomas Greenwood, et al, vs Henry Irlington C.; Daniel Higgins, A. V. Taylor; Pres. & Allen.

Charles Farnham vs John F. Upstaff et al; Jones & Schroeder; F. Pierce.

Patness H. Young vs Lovina A. Sudbury, et al; Thomas Adams; James & Schroeder.

Patness H. Young vs Lovina A. Sudbury, et al; Thomas Adams; Jones & Schroeder.

William T. Wyman, et al, vs Tom Ferguson, et al; F. Pierce; W. G. Van Horne, D.J. Flower.

MONDAY, NOVEMBER 16TH.

S. L. Lilly Co. vs Jos. Miles and S. Co.; Stephens & Smith; Richards & Richards, S. H. Lewis, N. A. Sonnedecker, C. C. Whitlemore.

Highest of all in Leavening Power.—Latest U. S. Gov't Report.

Royal Baking Powder

ABSOLUTELY PURE

PROVO.

PROVO, UTAH, OCT. 17, 1896.

Founder's Day.

The following is a synopsis of the exercises in the Tabernacle yesterday, Oct. 16, in celebration of Founder's Day:

Singing by vocal class, Zion Prosper all is Well.

Prayer by Elder Charles W. Penrose.

Singing by vocal class.

Professor N. L. Nelson read the Founder's Day ode.

President George Q. Cannon delivered the oration. He expressed pleasure in being present and congratulates the board of trustees, the teachers and all connected with the Brigham Young academy upon the successful termination of the twenty-first year of the institution. The speaker remembered well the time when the inception of the institution was formed in the mind of President Brigham Young. Many hindrances of President Young connected with the work of the academy had not yet been carried out; he had thought very seriously of adding manual training to the system of education, for none more greatly appreciated the value of technical education to the community, but he did not live long enough to see these ideas carried into effect. That which had been accomplished had, however, proven of great benefit to the community, and especially to the Latter-day Saints. Few men understood the benefits of education better than did Brigham Young; he was placed under conditions which made educational advantages difficult to obtain, but became a great advocate of learning. This led him to establish the Brigham Young academy, the Brigham Young college in Logan; before his death he had in contemplation the establishment of an educational institution in Salt Lake City. The speaker traced the educational growth of the Territory and State of Utah from the first winter the Saints located here, when such means as were available were eagerly utilized for the education of the young. This zeal, and universal desire among the people to give their children all possible opportunities was further exemplified by the commencement of the Deseret University under the discouraging and adverse conditions existing in pioneer days. The wonderful progress made by the Brigham Young academy, since its commencement with one teacher and sixteen pupils until today, with a faculty of about thirty, and about 800 pupils were portrayed. In doing this President Cannon mentioned the name of Dr. Karl G. Maeser, (a burst of applause greeted the name of the venerable teacher) in teaching love and respect for God and religion, which system had been continued by his successors and had produced well balanced men and women.

In the leading educational institutions in the East it had been found that there was danger of young men and women, children of the saints, neglecting the spiritual and moral education, and in order to contract this it had been considered necessary to establish branches of the church among the young people who attend those places. The great advantages of the Brigham Young academy in imparting such training that the so called scientific theories will not shake or destroy faith in God and His work were pointed out. The students were taught to know God and to know that they were His children, and when the theory that man had evolved from a lower order of being was presented they knew it was untrue and would not accept the erroneous doctrine.

These blessings should cause the students of the academy to praise their Heavenly Father and under Him the faithfulness and generosity of President Young in establishing this place of learning. Should be memorized with gratitude. He closed by earnestly expressing the hope that the Church institutions of learning might manifestly until all parents would have an opportunity to send their children to a place where there was no danger of erroneous ideas being taught them or their faith shaken; and that the students would carry the good instructions received into their various places of abode and be examples of of purity and virtue to the people among whom they dwell and not cultivate a spirit of arrogance because of the educational advantages they have received.

Miss Ida Paterson, accompanied by Professor Giddings, rendered a solo with beautiful effect.

Dr. Karl G. Maeser was the next speaker and was heartily applauded as he arose to address the audience. He said: "My dear brethren and sisters, fellow teachers and fellow students: When I look upon this assembly and remember the occasion of the meeting, my spirit fails to find utterance. I have been carried back to the time when President Young asked me to come to Provo and take charge of the academy and through the history of the academy. I can speak a little, but I ask God, my Heavenly Father to bless the Brigham Young Academy. Amen." Dr. Maeser was very much affected during his brief address and many eyes in the audience were suffused with tears.

President Woodruff next spoke; he was also greeted with applause as he arose. He said he admired the education of adults and for young days such as we. In 1812, when five years of age, he commenced to attend a district school in Connecticut, walking two miles to school every day, winter and summer. The teacher would appear with a bundle of hickory with head rods and if he did not do considerable whipping he was not respected very highly. President Woodruff was thankful to God that he had been permitted to see the change that had taken place in this State from his arrival in 1847 to the present, and referred to the great blessings the young enjoy in being taught in regard to the great work God has established on the earth in this day. "God bless you; improve the time; get all the knowledge you can; treasure up this knowledge; it will be worth more to you than gold and silver."

A trio was rendered in excellent style by the Misses Paterson, Jones and Romney of the academy vocal class.

Elders Heber J. Grant and Willard Young spoke briefly giving good counsel to the students.

A few words were spoken by President Cluff of the academy, calling attention to the many distinguished visitors present, and to those who were in attendance who had been connected with the academy from the beginning.

After singing by the vocal class, benediction was offered by Elder Edward Partridge of the Stake presidency.

Fourth District Court.

The following business was transacted yesterday in the Fourth district court:

Frank Merrill, Patsey Colvey and James Owens, who on Tuesday were convicted of a crime against nature near Spanish Fork in Sept. 1895, came up for sentence. Messrs. Rich & Booth moved for a new trial on the grounds of error in the charge of the court to the jury and error admitting testimony. A. J. Sloan on the ground that Messrs. Thurman and Whitcomb had prosecuted the case for Mr. Sloan had not been appointed assistant prosecuting attorney. The motion was opposed by Messrs. Thurman and Whitcomb and after argument was overruled and defendants sentenced to three years each in the State prison.

State of Utah vs Jos. E. Crook; demurrer to information and motion to quash set for hearing Saturday October 24th.

State of Utah vs Cy. Robinson; motion to quash information on the grounds of former jeopardy and lack of authority in prosecuting attorney to make out information; argued and taken under advisement.

Oliver P. Graves et al vs J. S. Page et al; abated dismissed at plaintiff's cost.

Andrew Aitchinsd of Provo, a native of Scotland, was admitted to citizenship, as was Albert Cedarborg, of Benjamin, a native of Sweden.

Insane Asylum.

The monthly meeting of the board of directors of the Hole asylum for the insane was held yesterday, and the following business transacted:

The estimate of the medical superintendent for supplies for six months, ending April 30, 1897, was approved and the officer authorized to advertise for bids.

The following appropriations were made: Salaries for September, $1,[illegible]; current expenses for September, $[illegible]; salary amounts for superintendent, etc., $[illegible]. The treasurer reported for the month of September: Amount on hand September 1st, $4,[illegible]; receipts, $9,[illegible]; disbursements, $11,[illegible]; balance on hand September 30, $2,[illegible].

Of the receipts and disbursements $9,000 were received from the State and paid out on notes owing by the asylum.

The board reported to the auditor that there are 229 indigent and 11 pay patients in the institution.

The board reported to the auditor that there are 220 indigent and 11 pay patients in the asylum.

The following table shows the movement of patients for the month of September:

	Males.	Females.	Total.
In asylum Sept. 1st	114	119	233
Admitted during month	[illegible]	[illegible]	[illegible]
Under treatment	[illegible]	119	230
Discharged	[illegible]	[illegible]	[illegible]
Died	[illegible]	[illegible]	[illegible]
Remaining Sept. 30th	110	113	223

Notes and Personals.

J. T. Thorne is in the city representing the Deseret News; he reports many new subscribers.

J. W. Stott of this city went to Salt Lake yesterday. He is the brother of Mrs. Mitchell, who died from the effects of anodentat poisoning yesterday morning; it was his intention to bring the body here for burial today.

Messrs. Beesley and Newell, members of the city council irrigation committee, Watermaster Taylor and James Markham, came back from the lakes at the head of Provo river, Thursday evening, having been gone eight days. Some work was done on the lakes to retain the water till it is needed in the spring. The representatives also visited the officers of the South Kamas Irrigation company and notified them not to increase the flow of water taken from the river by that company. The Washington Irrigation company, in Kamas, was notified to take no water from the river and their dam taken out. This was done in order that the Washington company can use their ditch uninterrupted for the full time for a sufficient length of time to give them title, in case the question of right to the water ever comes before the courts for adjudication, which seems probable.

Last evening Professor Biblin's educated horses and mules appeared at the Opera House. Another performance will be given this evening, and the beautiful and intelligent animals should be seen by everybody who can possibly attend.

CONSUMPTION

To the Editor—Please inform your readers that I have a positive remedy for the above named disease. By its timely use thousands of hopeless cases have been permanently cured. I shall be glad to send two bottles free to any sufferer who will send their express and post office address. T. A. Slocum, M.C., 183 Pearl St., New York.

FARMINGTON.

FARMINGTON, UTAH, OCT. 17, 1896.

Foster and Populism.

The Populist candidate for Congress, Hon. Warren Foster, addressed a full-fated audience in the district court room last evening. Through some misunderstanding on the part of the managers of the Populist party in Davis county, the coming of Mr. Foster was not well advertised as might have been. At the time given out for the meeting, the local Republican organization were occupying the court room transacting business pertaining to the formation of an Independent Republican ticket.

Ex-Judge Haight called the meeting to order and introduced Mr. Foster as the speaker of the evening.

Mr. Foster began in a pleasing manner, jocularly referring to the other parties and elicited several hearty smiles by calling attention of the conversion of the Democratic party to Populistic creed. He then delivered a speech in support of the Populist ticket.

Laid to Rest.

The last sad rites were paid to the remains of the late Henry Hendrickson yesterday, on account of whose death appeared in last evening's NEWS, the body was taken to Kaysville where the funeral services and interment were held.

The body was followed from the family residence in North Farmington by a large cortege. The Farmington wind choir accompanied the remains, and rendered the Kaysville choir in respecting music for the occasion.

The speakers were Bishop Burton of Kaysville, who had known the deceased in his labors as a missionary in England, Bishop Secrist of Farmington, Patriarch Hyde and Elders Barnes, Miller, Hirsing and Leonard. All spoke in the highest terms of Brother Hendrickson and paid earnest tributes to his memory. His family have the fullest sympathy of the two wards which he knew as home, and two communities mourn his loss.

The G. O. P.

The Republican party met last night to nominate not the other, but themselves. A number of the Republican friends of silver do not seem to support the straight out Republican ticket now in the field. But a movement was on foot to have the straight out Republican ticket adopted by the Independent Republican party which was to have been held last night. But there were a few who had not been properly consulted, and sixteen of them, wanting to the nominees are supposed to merely efficient. Just how this "happy thought" will go down can't be told. It is not in the cards, then in the judgment of the court, "they will be forever barred."

Will Be Home Today.

Sheriff Sanders is expected home today from the south for the train rather. The sheriff was telegraphed shortly after the robbery was made known and has been in service in the interest of justice ever since. Deputy Sheriffs Shore and Thomas of Salt Lake passed through town last evening on their way home. They were not slow in expressing their opinions regarding the robbers which they view certain bills more than were willing to pay.

Militia Matters.

Co. H. N. G. U. meets in regular drill this afternoon, and will engage in target practice, with Lt. Alcott in charge of the line.

The company has not yet received the challenge expected from the Morgan Co., but it is thought that Sheriff Sanders, who is the honored captain of Co. H., will call his men from the Weber, bring some athletic work from the Morgan Co.

The New Booths.

County Clerk Phillips has received a consignment of voting booths from the Lowell company of Ogden. There are 44 of the Box pattern, canvas covered, screens behind which the Australian ballots will be marked.

Notes.

Allen, the young daughter of John and Melvin Burton, our newspaper, is regaining consciousness from a severe attack of typoid fever. Her many friends will be pleased to learn of her convalescence.

ONLY CURE FOR PIMPLES IS Cuticura SOAP

For your Protection CATARRH

IT WILL CURE COLD IN HEAD

Take Your Soap

"WHERE DIRT GATHERS, WASTE RULES."
GREAT SAVING RESULTS FROM THE USE OF
SAPOLIO

BELASCO'S
Great Comedy Drama
GRAND OPERA HOUSE
Week Beginning Monday, Oct. 12.
The GRAND OPERA HOUSE COMPANY
will present
MAY BLOSSOM,
David Belasco's Famous Drama.
Prices: 50c, 75c and $1c.
Saturday Matinee, 25c.
Evenings at 8:15. Matinee 2:15.
A NOTABLE PRODUCTION.

SALT LAKE BUSINESS COLLEGE,
76 West Second South.
Thorough course in Book-keeping, Shorthand, Typewriting and the common branches.
Private instruction in these branches.
Call or write for circular.

Lyceum Theater
Wednesday, October 14.
The American Girl
The famous play by
H. GRATTAN DONELLY.
NEXT ATTRACTION:
October 16, 17, 18, SCHILLING'S MINSTRELS

GREAT SPEECHES!
Get the photograph of William McKinley, Patrick Henry, Daniel Webster, Clay, Calhoun, Jefferson, Adams, Washington, Lincoln, Grant, Sherman, Sheridan, Meade, Hancock, Sherman, Sherman's march to the sea, Grant's Memoirs, Lincoln Centennial, Grant's Tomb, Grant's Funeral, Grant's Tomb at Night, Grant's Tomb at the Dedication, Grant's Tomb with Grant and Sherman, Grant's Tomb with Grant and Sherman, Grant's Tomb with Grant and Sherman