AROUND THE COURTS.

Arthur Brown and His $25,000 Libel Suit Against the "Tribune."

COUNTY COURT BUSINESS TODAY

A Variety of Matters Come Before the Board: Utah Irrigation Commission, etc.

When the adjourned hearing of the $25,000 damage suit for libel brought by Attorney Arthur Brown against the Salt Lake Tribune Publishing Company was again taken up before Judge Morris and a jury at 10 o'clock this morning the plaintiff was seen sitting there within the bar, he occupying a seat in the left. Attorn. J. L. Rawlins, of counsel for Mr. Brown. Again assembled with Mr. Rawlins were Judge Henderson and Attorney C. S. Varian. The defendants, as on the previous days of the trial, were represented by Judge Powers and Hoge & Hilner.

Mr. James E. Olson, formerly a reporter on the Tribune, again took upon the witness stand and was questioned in relation to the article headed "The Fourth Precinct." Heard that week when this article appeared. Was asked if he knew who it referred to. Had never stated to him, and in which the article was based, to the best of his knowledge by him in good faith.

At this point the witness put in an amusing answer as a piece of pleasantry, Judge P. was pressing a statement going more into detail than he anticipated. Answer submitted but Friday, and fully an hour was consumed in legal argument, claims to by Judge Powers, Attorney Ogden Hiles, Judge Henderson and Attorney Varian. Attorney Rawlins had a good deal to say about the term "libel per se," the right of which he insisted belonged to the jury.

The court admitted the amendment and the former testimony of Mr. Olson was proceeding when an adjournment was taken for luncheon.

This afternoon Mr. Olson was related and cross-examined. Asserted that when he wrote the article which appeared in the Tribune on February 17th, after this libel suit was filed, he entertained no ill-will towards the plaintiff. He did not "know the News was politic to be establishing Newtonism, any sound to that effect as Arthur Brown." Witness stated that he was rather pique at the way in which the News had commented upon an article that he had written for the Tribune; he felt that it was unfair towards the News at Mr. Brown.

Colonel Nelson and Judge Goodwin, editors of the Tribune, were called. The former said he wrote the head lines which appeared over the article in question, but he had no feeling or malice towards the plaintiff. The statement, he said, that Mr. Brown had warned Hickey out of town was published simply as Hickey's own story. He did not look upon the article as reflecting upon Mr. Brown's personal character.

Judge Goodwin also disclaimed any feeling of malice towards Mr. Brown in relation to what was said in the Tribune as to plaintiff's alleged conduct as one judge in the Fourth precinct. He did consider, however, that Brown was then running a race "high horse," and the interest in writing the article was to "bring him down."

The Witness was under cross-examination by Judge Henderson when the News reporter left.

This action is the outcome of a well filled with local politicians and others, and interest in the case seems to be low on the increase. Up to this time the proceedings have been subdued and "tame" but matters of more interest may transpire later on.

Today's County Court.

There was a session of the county court this morning, but the business transacted was strictly routine. Chairman Judge Hoar presided and the usual members were present.

A communication from Bishop Hammond in reply to petition for a right of way was referred to the selectmen.

The case was authorized a report on the case of St. Patrick's church, as unfavorable.

Road Supervisor Hansen of Draper was directed to make a certain highway in the line in the Big Cottonwood district, in Sandy, Cottonwood.

The bond of Anderson Bros. for liquor license at Murray was approved and the clerk instructed to issue license upon payment of the necessary fee.

W. F. Lyon, county treasurer, reported that he has sufficient funds in hand to pay all outstanding county warrants up to register No. 4,000.

County Physician Worthington presented that there are at present in the county poorhouse in St. Mary's hospital and one at St. Ann's.

In compliance with a numerously signed petition from voters of South Cottonwood precinct, the court changed the name of that precinct to "Granite precinct." Pay the petitioners expense of the trouble in separating the present name from the other Cottonwood precincts, and in harmonizing with the name of the town and post office. "By this action no new precinct is created, it is merely a change of name.

An application from Matt Cochran, of this city, asking to be appointed sheep inspector for Salt Lake county, was filed. It was endorsed by Treasurer J. W. Winchester and others.

A letter was read from F. Auerbach & Bro. calling attention to the case of Joe O. Morrison, living at 53 south Main street, said to be very destitute circumstances, asking that his case be investigated and the unfortunate placed in charge of the county physician. It seems that Morrison is in need of proper medical attention. The case was referred to Selectman Bamberger.

A communication was received from the Utah Irrigation commission, asking an appropriation from the county court towards defraying the cost of publishing a new edition embodying the commissioner's report to the recent Denver Congress, and action was taken on the matter.

AMUSEMENTS.

THE LEW WALLACE sale opened briskly at the box office this morning. The renowned lecturer, author and diplomat ought to face a good audience Wednesday evening.

BULLY tonight. Dan Bully, the [illegible] people in upon as rather [illegible] recently, being to some [illegible] Hall, Washington, D. C., will [illegible] at one night only.

HAVIN ENDERS plays Hillsboro to [illegible] night only.

THE MARDAL sale opens tomorrow morning. The advance inquiries indicate that there will be an enthusiastic rush at the box office when the Tucker management are ready to sell. Mr. Tucker is now in advance and it is said will be first on the Salt Lake Tribune tomorrow.

FOUR RAILROADS connect at Ogden and [illegible] night and [illegible] to the Congregational church. It is billed to the pleasant church, the following addresses, each one will take part: Rev. Mr. Marsh, Mr. Hoar, Mr. Kimball, Mr. Ashworth and Mr. Robinson. Let us hope that the concert is being arranged so as to [illegible] are, and that the house will be filled to its capacity.

THE KIDDIE pets in five performances at Salt Lake Theatre, Thursday, Friday, Saturday, Sunday, Monday, Tuesday, Wednesday, Oct. 25. The leading matinee, Mercantile Venetian cloth, Bonnard 111. He sought to do a great business.

AGE AND YOUTH.

All must succumb to the Grim Reaper —Death and Sorrow is Manifest—Notes.

MANTI, UTAH, November 12th, 1894.

Editor Deseret News:

Another of Utah's Pioneers has passed away to the 31st inst. Brother Lewis Bailey breathed his last. He had been sinking for about a month, but was not taken sort only 10 days ago (since he made, the cause of which was old age. He was 80 years old on the 8th of last September.

Brother Bailey embraced the Gospel when a young man, was personally acquainted with the Prophet Joseph Smith, and passed through many of the trying crises connected with the early days of the Church, which others the exposure from Nauvoo. He was very near to Brother the temple work he helped and had planted to work in the first Logan Temple this winter. He was going with a team by way of Wyoming, where he had a son living, but his health decline him to abandon the trip, as they did not deem it wise for a man of his age to undertake such a journey alone. Brother Bailey was always true to the principles of the Gospel, and he now goes to reap the reward of a Well spent life.

On Monday the 12th inst., President F. A. Hammond and wife arrived in town intending to spend a few days on the morning of the 13th a message arrived at Brother Hammond with the startling intelligence that President Hammond's daughter Ella died last day very suddenly aged. Brother Hammond and Wife, with other members of the family who were here, started immediately for Shelby. They will probably leave their destination this evening. Miss Hammond was a student in her relatives, aged twenty-two years old. Her death was a shock to her relatives, as she was in health to her relatives, as the morning West which Brother and Sister Hammond set home.

We are having our usual amount of sickness and cousin of age. Sister Mary Stoll, one of the officers of the Relief Society, has been sick all summer with an internal tumor, which has grown to an enormous size. Last week she was taken to Salt Lake for the purpose of making an operation performed, for as a certainty it is believed that the tumor was of a cancerous nature, and could not be removed, and so they came to wait, and up the opening and had taken home. The good women are trying in Deseret as the point of death.

Election is over, and we find we have been defeated along with the Democratic party. Nevertheless, we have the satisfaction of the Populist party protest the election. The campaign was a long one. Among those who voted it, and sought to improve as well the idea that our only enemies were in a big [illegible] Brothers Walsh, A. J. Lindsay, Adam Wilson and John C. Hoff, and Mr. Hansen H. Johnson in Pleasant Valley and Miss Phoebe C. Jones in Gunnison. Who were listening to the interest of the Populist party. Mr. Cousins has been a Republican, but not for, but has recently joined the Populist party and joined in the contest. He is a good speaker and well posted in regard to the subject, but also we extremely embarrassed by some who thought the interest of the gentlemen rather too high.

The Republicans have gained the day so that they will be in hell good humored and do something grand for us. —S. H.

Bars Burned.

On Saturday night at 8:30 a frame barn at the rear of 240 West First South street, the property of August Cannon, was found on fire. There were several animals in the building, but all were rescued without injury. The department was called out but the fire spread so rapidly that the barn was destroyed. It was insured for $200. The fire is supposed to have caught from a match thrown into the hay or a smoker. At 11 o'clock the fire started up a second time and was extinguished by Mr. Cannon and his son.

OGDEN.

OGDEN, UTAH, Nov. 18, 1894.

Sunday Services.

The services in the Tabernacle on Sunday afternoon was well attended. Bishop McQuarrie presided. Elder P. C. Christensen, of Mayfield, Sanpete county, who has been doing missionary work in Weber Stake since Oct. 21st, occupied the pulpit. His address was of a general missionary character, many of the ideas which members of the Church should faithfully discharge. Elder D. M. Stuart spoke briefly upon the subject of faith.

Court.

In the Fourth district court before Judge King was heard the case of Kimball vs. Kimball, in which the plaintiff sues for $5,000. Mr. Carr & Callahan for the defendant. Court adjourned.

The plaintiff sues the Board of Education paying the money to Mrs. Kimball, which the board claims, and pay other matters to Carr & Callahan. The court decided the board should not be made party to the suit.

Judge King will preside in the Fourth district this week. Judge Smith to the First district.

PROVO.

PROVO, UTAH, Nov. 18, 1894.

Postmaster Taylor's Case.

Further evidence was taken in the case of the United States vs. Samuel Taylor, an ex-postmaster at Fairview, Sanpete county. Postoffice inspector Nicholas testified that he visited the office, examining its books, and found a shortage of $600. Taylor was then postmaster, and had been such in his absence appointed his deputy.

Postmaster Nicholas, in his testimony, admitted that he had been absent to the office at Washington to go to the office and the money wanted to have been found, but that had to do so without a press of other business.

The first witness examined in the Fifth district court this morning was the witness to set aside the judgment entered by default on the 23d of October, 1893, in favor of the widows in the case of Adam Marks et al. vs. J. F. Sanders et al., and the motion was a new one.

The motion was argued by Mr. Rose for plaintiff and by Mr. Whitelaw for defendants. The judgment was opened for note and a new time granted upon payment of costs to date of plaintiff, within three days.

The motion to Worthen a new trial in Kimball today was taken by the court. Put at rest the Lots Smith case, the district, and we think it of the letter provision of by law, the defendants will be successful in all the case on the case not in evidence.

The case of Joseph H. Dennis vs. Sanford Ashdown et al., in which the plaintiff sues for the value of a [illegible] John A. Fleming as a member in board, on a promissory note made by Leonard & Co. in his favor, and paid by Mr. Fleming to Mr. Dennis was argued by the counsel on both sides. Which testimony was taken in the case it will be remembered Mr. Fleming testified that one set aside the note briefly for the purpose of assisting Mr. Dennis to collect a claim against Leonard & Co., and was by mutual understanding that the money paid to Dennis not to be considered in settling.

F. H. Anderson & Bro. have commenced suit against Gibson Sprague Whitney for $[illegible] and against John Lowry et al. for $[illegible]. The amounts in both cases are for merchandise sold and delivered.

Notes and Personals.

It is expected that a home industry meeting will soon be called by Mayor Hoffmann.

Home and Heth's Uncle Tom's Cabin have the house at the opera house tomorrow evening.

The city council will elect delegates to the Trans-Mississippi congress tonight.

LOGAN.

LOGAN, UTAH, Nov. 18, 1894.

City Council.

At the last meeting of the city council, held Wednesday evening, Jo. H. Grover's claim for $1 for damage against the city was taken up. It appeared to have been caused by the street being in a dangerous condition while sitting over a deep bridge within the city limits. The case will probably go to the jury.

The petition of a building company asking the council to grant the street to their property was referred, and that of Jacob Hatch for a commission to take, he being nearly totally blind, was granted.

It was been customary in former years for the municipal authorities to take control, during the winter months, of the Logan, Hyde Park and Smithfield canal, which is used from the Logan River to the Logan canyon and is the source of the city's water supply. An agreement was presented at the consideration of the city council for an office for the company's [illegible] during the winter, and only of the water must be flowing along which stream, when the stream again reverts to the possession of the canal company. Something over $6,000 was appropriated for the payment of current expenses. There also several hundred dollars in the city war chest outstanding and a lengthy discussion was had as to finding ways and means for paying them. The superintendent was instructed to clean out the city roadway and the usual adjournment.

Dramatic.

On Thursday evening, November 29, the Logan Dramatic company of Logan will give their initial performance. The play selected for presentation is a high-class comedy drama, entitled "The Dading Horse." There are several local actors in the company, some amateurs quite known in Salt Lake and Ogden as comedy, numerous are being and Kimball nightly as everybody wishes good success.

Notes.

H. J. Matthews, after serving Z. C. M. I. in the city for fifteen years, resigned last week to prepare to assume the duties of county clerk on January 1st.

During the past week two new arrivals have made their appearance in Logan. In the home of J. Raymond Kimball a girl was born, while Mr. Hans Hick presented her husband with a boy.

Exhibiting Her Modesty.

(Chicago Tribune.)

"I have to stay, madame," said the cashier, "that you are Mrs. Jykes, the person named in this draft, but the rules of the bank require that you must be identified by someone known to us before I can cash the paper for you."

"I suppose I could go and hunt up some acquaintance," replied the lady, "but I do not like to let people who are sufficiently familiar with my name to make such a formality unnecessary. It has been in the public prints often enough. I can know me by my name, I presume, as a public speaker and a member of the political arena."

"I expect, madame, that so far as I am personally concerned, I have no doubt you are Mrs. Jykes, the well-known public speaker, but in business matters, as you must be aware, a banking house must be guided by exactly [illegible] rules."

"When business principles are contrary to established rules of common decency," interrupted the caller, impatiently, "what is the use of being guided by them? Rank shall be drawn, sir, to facilitate the transaction of business. The money is that we are organized to serve as a means of promoting the rapid interchange of commodities, or failed the overbearing of commodities into the circulating medium of the country, to the end that not may most in the reward with our money. But mark, sir, we are defied for the real purpose of exhibiting their proprietors. They are [illegible] take a liberty to call on them. They form not another link in the chain which whole prosperity, is falling the lower of labor, another specimen of earth on the surface that creation [illegible] into the ground the [illegible] people! Banks, sir, are simply a part of the sole the citizens, are specialty. Where the rich are growing richer and the poor are growing poorer. The money bank assisted the means of exchange and circulation to the workers the money which the workers make, [illegible] Lose & Income Vampire the money power fastens on the life-blood of the people and——"

"Madam," said the cashier, fairly, "here's your money."

OBITUARY NOTE.

JANE SMITH FAWCETT.

Jane Smith Fawcett was born November 4, 1818, at Shawbridge, Yorkshire, England, she was married to William Fawcett, on the 3rd of August, 1841, in Bradford, Yorkshire, England, and was baptized into the Church of Jesus Christ of Latter-day Saints in the city of York on the 14th of January, 1842, from there she was led forward, first to Nauvoo, then to Winter Quarters, then to Utah, they left England on August 15, 1852, in sailing vessel, and arrived in Zion in 1853. She then settled with her husband in Salt Lake City, where they lived for a time, then moved to Provo, where they were baptized in Utah. They