THE LEGAL ARENA.

The Law and Motion Calendar Now Held the Boards.

ORDERS MADE DURING THE DAY.

Allen Hilton, an Incompetent, Ordered to Toll Expenses—Other Judge McNulty.

Chief Justice Merritt has [illegible] with the law and motion calendar, and up to 12:30 [illegible] was busy [illegible] a goodly number of cases the [illegible] day. The following [illegible] were entered:

Philip Nader vs George H. Culmer; [illegible] and [illegible] given to which to plead.

Ida E. Weaver vs W. C. Zeiner; [illegible] and [illegible] allowed to answer.

Emma Howells vs Peter Howells; [illegible] to the plaintiff.

National Bank of the Republic vs Joseph H. Maynard et al.; [illegible] to Mary H. Jennings [illegible].

Eugene Fennimore [illegible] company in the Gem Mine and Smelting company. Demurrer sustained. Five days allowed [illegible] to plead.

Edward Sweigert vs H. H. Bullock et al.; [illegible] plaintiff.

William Lowe vs Jim Lane Gang; Motion for a [illegible] and to set aside the verdict and judgment; overruled and exceptions taken. Motion to [illegible] withdrawn.

The People ex rel. vs J. G. McAllister, etc.; Motion for judgment against [illegible] sustained.

M. L. Neeb vs the Dolly Mining and Milling company. Motion [illegible] extending time to prepare and serve statement on motion for a new trial [illegible] 20th, by consent.

Henry Wagener vs A. J. Peterson; Henry Shelton appointed referee to take testimony and report, and order calling the Sigwalt for the [illegible] referee upon supplemental proceedings.

This afternoon the law and motion calendar is again being dealt with.

ALLEN HILTON "PRESERVED."

The only matter of any consequence that came before Judge McNulty this morning in the probate court was in relation to the estate and guardianship of Allen Hilton, "an incompetent." Mr. Hilton, in accordance with the petition recently filed in his behalf by Zane & Zane, was "restored to full capacity."

Some time ago, it may be remembered, Hilton was arrested by one of the city police officers on a charge of being insane. He was detained in custody for a while and then taken before the probate court with a view of ascertaining his mental condition, but no definite action was taken. Shortly after this the heirs of Hilton went before the probate judge and asked for the appointment of a guardian to look after his affairs, and he was shortly afterwards made that he was mentally incompetent. Orando Burns was named and appointed to act as guardian. Hilton was subsequently heard from in the character of a petitioner, the petition presented in his behalf by Zane & Zane setting forth that the guardian treated him "roughly" unkindly, that his treatment towards him was severe, and that he would not allow him the privilege of coming to the house upon whom the estate was necessarily. Hilton also set up, inter alia, that he was induced not to reply to the petition of a guardian by means of threats and the like, and that inasmuch as the court has never adjudged him insane, the whole guardianship proceeding was a delusion and a snare. He asked that the same be set aside.

Guardian Burns this morning put in his answer, stating that he has treated Hilton in no opprobrious manner or has criticised him in any manner the same was necessary for his use, or that the guardianship proceedings were taken, as alleged, for the purpose of wrongfully depriving petitioner of control of Hilton's property. Mr. Burns further answered that he did not to any way seek or desire the appointment as guardian, and only consented to act upon the repeated solicitation and repeated requests of the petitioner and his family, and as their witness states. At the time affiant was appointed the court was under judge totally instructed that he was being Hilton insane or incompetent and he act permanently in a large sense a criminal, capable of committing crime. Mr. Burns also stated that ever since his appointment as guardian Hilton has manifested himself in such a way that he (affiant) believes if he would continue to avoid the use of intoxicants it was unnecessary to him to remain subject under the care of a guardian. Affiant has no desire to withdraw from the case, and was not only willing to be withdrawn, but desired to be relieved from more office.

Without deciding to any of the pleadings on the main and during the hearing of the petition, which previously presented to the contrary, and for answer, Judge McNulty now stated that the court had [illegible] authority to [illegible] the petition, to which Hilton's [illegible] had been [illegible] and [illegible] the only [illegible] in the case.

Acting on the motion to set aside the guardianship proceedings, Judge McNulty said: "Mr. Hilton is a man who [illegible] and [illegible] the question with Judge Zane and Mr. Burns in chambers."

The question was continued to the 20th instant with Clerk Shields and attorneys.

[illegible]

Edwin W. Arthur, assumed Bertha G. Bailey, [illegible] to Mary A. Lowell, [illegible] Hartman [illegible] Fine Furniture, Stockland, Stockbridge on Bond & Bond of [illegible].

Tests of Horses: E. Walton, [illegible]. Hearing on final account and petition for distribution. Petition of [illegible] for [illegible] as executrix.

Amended Articles.

An amendment to the articles of incorporation of the Sunbeam Mining and Milling company, signed by the [illegible] and filed with County Clerk Shields this morning.

Mr. Smith's Journal.

The plea of Joseph Fielding Smith, that the journal of his father be not taken from his possession, was argued before Judge McNulty yesterday afternoon, and the decision given in favor of the plaintiff.

Mr. Smith, Jr., is the son of President Joseph F. Smith, and the journal in question is that of his father, President Joseph Smith, who was killed in Carthage jail, June 27, 1844. It is the journal of the prophet and martyr, and is a very valuable and interesting document. The defendant, George Reynolds, claims that it is his property, and that he has a right to keep it in his possession. The plaintiff, Joseph F. Smith, Jr., claims that it belongs to his father's estate, and that it should be in his possession. The court, in the decision, said that the journal was the property of the plaintiff, and that it should be in his possession. The court also said that the defendant should have a right to make a copy of the journal, which he claims he has a right to do. The decision was given in favor of the plaintiff, and the defendant was ordered to give up the journal to the plaintiff.

Mr. Smith, the plaintiff, who was present, then asked for a restraining order against the defendant, which was granted, and the defendant was ordered to give up the journal to the plaintiff.

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AFFAIRS OF THE COUNTY.

The Delinquent Revenue Committee Have Trouble with Officials.

A Few Days Devoted to Equalizing Assessments in Various Districts.

A few days ago the Delinquent Revenue Committee of the Board of Equalization, composed of Messrs. Ellis, Ferguson and Ferrin, [illegible] to the following effect:

"Whereas, we have been appointed a committee to report to this board, and we have to make [illegible] the delinquency of assessors, and [illegible] the assessors [illegible] and [illegible] the following report