

LAST EDITION

8 O'CLOCK.

DESERET EVENING NEWS.

Tuesday, December 27, 1892.

FRAGMENTS.

The City Council will meet in regular session tonight.

Commissioner Norrell spent Christmas day in Provo.

This morning Judge Zane returned from the city.

House Machinery meeting tomorrow (Wednesday) at 7:30 p.m.

J. O. McLean is in the city jail charged with robbing his room-mate of \$20 in cash.

Mr. J. P. Ryan, editor of the Utah (Mont.) Free-Press, spent Christmas in this city.

The inmates of the penitentiary have not forgotten this Christmas so far as good fare is concerned.

The marriage of Colonel M. K. Knight with Mrs. Harriet Dubois took place yesterday at the M. K. residence. The Rev. H. H. Hilt officiated.

Some of the Salt Lake churches were elaborately decorated for Christmas. The musical exercises at St. Mark's and St. Mary's were of a special character.

MANUAL DENTON'S present and his deputies on Christmas are consisted of a box of cigars of the choicest brand. The boys were delighted with their unexpected gift.

There was a general holiday in the courts yesterday. But Clerk McMillan and his deputy, Mr. Leonard, stayed in the office and quietly worked away, in order to catch up arrears.

CHARLES RAYMOND was allowed to go from the penitentiary yesterday upon the expiration of his sentence. He was sent from the First District Court at Provo, for three years for burglary, on October 1, 1890.

The county clerk-elect, Mr. H. V. Mailey, was taking a few more "happy hours" from Clerk Allen and Deputy Clerk Browne this morning. In order to be well up in his new duties before the first day of the coming year.

Twenty-two cases were on the trial calendar of the police court this morning. Two of that number were Christmas drinks and the remainder were made up of vagrancy, police disturbances, petty larceny and other minor offenses.

"I wish that the mayor will really say in his communication about 'Twenty-two' that he is not a 'Christmas drinker'." said a nervous citizen today. "I understand that somebody is in imminent danger of being impeached by his honor."

Sad Bereavement.

The many friends of President Harvey Cluff of Provo will be pained to learn of the sudden death on Christmas day of his son Alfred from that fatal and dreadful disease, diphtheria. Particulars of the case will be found in our Provo letter. The father of the deceased was at the Hawaiian colony in Skull valley at the time of his death and being forty miles from a railway or telegraph station he could not be apprised of the death until it was too late to get home for the funeral. On several other occasions his death visited the family of Brother Cluff, and being again on Christmas day, his affliction is doubly severe. Another child of the same family is afflicted with the same disease and is in a critical condition.

Incorporation Articles.

Goff & Co. filed their articles of incorporation with County Clerk Allen this morning. The object is the carrying on of a general merchandising business, to raise and deal in live stock, engage in farming, and the occupying and selling of real and personal property. The general place of business will be in West Jordan precinct, possibly with branches throughout the Territory. The amount of the capital stock is \$25,000, divided into 250 shares of the par value of \$100 each. The 2000 are subscribed for by the incorporators, 500 being unsubscribed, except as treasury stock.

CHRISTMAS PRESENTS.

A Few Out of the Many That Were Made in This City.—Kindly Deeds.

Aside from the giving of presents—a practice that was largely indulged in in this city—Christmas was celebrated in a very quiet and unostentatious manner. The poor were not forgotten, for in all parts of the city they were made recipients of appropriate gifts and offerings. A notable and unique affair in this connection was the dinner given to the poor in the old Continental hotel by the Salvation Army.

The wonderful dinner and celebration at the silver grill restaurant was participated in by about forty attaches of that popular place of amusement.

Christmas trees laden with the good things that are supposed to come from Santa Claus were found in many houses and the number of hearts that were made happy is legion.

The aged and infirm inmates of the county poorhouse were given an elegant and substantial dinner yesterday at the expense of Z. C. M. I. In addition to this W. H. Rave gave a present to each of the unfortunate who have taken up their abode in that institution.

Among the merchants who made valuable and useful gifts to their employees were Abernethy Bros., Colby Bros., Z. C. M. I., P. T. Treadwell, H. K. Thomas, Goldsmith, C. H. Savage and many others.

Postmaster Nash was surprised by the curia of efficient clerks who presented him with what he calls "the most beautiful smoking outfit ever sent in Salt Lake City."

The fire ladies were all wearing new mittens and mittens today. The first named articles were from Lippman, Scott & Co., and the latter from Auerbach Bros.

THIRD DISTRICT COURT.

The Fixing of Attorneys' Fees in the Smith Divorce Case.

THE ALEXANDER REVERSIBILITY.

A Bother Over Irrigation Water.—Something For a Referee.—Short Orders.

The question of attorneys' fees in the divorce suit of Maggie Smith vs. Charles Smith, tried and disposed of in Judge Zane's court last week, was a subject of great discussion in the Third District court this morning. Four attorneys were sworn in after another to give their opinion as to what they deemed a proper amount to be allowed on this head, Judge Matthews, Judge Judd, Judge Matthews, Judge Judd, and Attorney Dickson and Rawlinson. The respective estimates varied all the way from \$500 to \$750, and when the matter reached Judge Zane his honor struck the happy medium, thinking \$500 a fair and reasonable sum under all the circumstances. So at \$500 it rested. The attorneys in the case of Smith vs. Smith were Messrs. Richards and Mayne for the plaintiff, and Col. M. K. Knight for the defendant.

ABOUT IRRIGATION WATER.

The first case called up was that of David P. Cooper vs. the State of Utah. It was a dispute involving the right to the use of water for irrigation purposes, from a stream called East creek. The case was originally commenced in June, 1887, and a restraining order was then granted to the plaintiff, who claims the water in question for farming purposes, while the defendant says claims to it almost entirely for irrigating meadow land. The question now came up for the court to determine the quantity of water to which the respective parties had a right, and damages were also claimed by the plaintiff. The case was argued by four attorneys—Messrs. Van Cotte and Dickson and Rawlinson and Le Grand Young—in almost empty court. It was first tried before Chief Justice Matthews, and now came on for trial de novo.

NOT QUITE READY.

Receiver Johnson, sitting in the Alexander & Co. matter, was to have tried the right to the water, as far as the right of Judge Zane on Saturday, but an application was made to have the proceedings on this case deferred until tomorrow, to which the court assented.

IT WAS OVERHEARD.

In the case of Helling Bros. vs. E. McNeely et al., the motion to remove the referee, Attorney J. U. Gray, and security for costs, was overruled.

GOSE TO A REFERENCE.

In the suit of M. Goldberger et al. vs. M. Shagnessy et al., Attorney W. H. Dickson moved for a continuance to the part of the trial to be held on next made and telegrams received. Acting for the plaintiff, Judge Foster, and opposed the motion. The court was of opinion that the case should be referred, and by consent of counsel it was referred to Attorney W. C. Hill to write and file a report and report findings, etc., on the issues.

DISMISSED.

William Burke vs. W. C. Hill. This suit was dismissed on motion of plaintiff's counsel, without costs.

INCORPORATION ARTICLES.

The demurrer was withdrawn and ten days allowed to answer in the case of Frank Fritsch vs. Jennie Holcomb.

AN AMENDED COMPLAINT.

Leave to file an amended complaint was granted in the case of James Thompson vs. Henry Haynes et al.

UP AGAIN.

In the matter of the Zion's Savings Bank & Trust company vs. L. G. Hardy, collector, on account of alleged excessive amount, plaintiff was allowed a thirty days' stay on judgment rendered by the court weeks ago last Saturday.

First Ward Sunday School.

The first ward Sunday school, Salt Lake City, celebrated Christmas on Monday, December 20th, 1892, according to the spirit of it. The children, with their parents, gathered in the assembly hall at 2 p.m. The house was crowded. Three hours' real enjoyment was had, consisting of singing, recitations, dialogues, short addresses, etc. Many presents were distributed among the children, consisting of books, candies, nuts and other trifles.

A handsome book, entitled "Superb Photographs of Famous Scenes,"

was given Sister Matt Johnson by the school for prompt and efficient work as a Sunday school and ward organizer.

AMUSEMENTS.

THE LIGHT OF ASIA.

Yasothara—Mrs. Anna Colburn Plummer, soprano.

Siddhartha—Mr. Geo. D. Pyper, tenor.

The King—Mr. A. H. Penabody, basso.

Narrators—Mrs. D. A. Rykes, soprano; Mrs. Fannie Steinhorn Gray, contralto; Mr. W. H. Whitney, tenor; Mr. Horace S. Ensign, Jr., baritone.

CHORUS OF 250 VOICES.

Such were the forces, added by the grand organ under Prof. Radcliffe, a string orchestra headed by Welles and a piano presided over by Frederick, with which the enterprising and successful Evan Stephens last evening gave the first presentation of the new play, "The Light of Asia," in Western America. Radcliffe's Light of Asia. The Talmadge held 1500 people, a fair gathering considering the inclemency of the night and the strong counter attraction at the Theater, but on no way commensurate with the musical importance of the occasion.

To musicians, amateurs and those artistically inclined the achievement was a most notable one, and by their applause it was the first and foremost success in the musical history of Utah. Other companies have been where the chorus was larger, where it was united with some foreign orchestra like that of Thomas' orchestra or Gilmore's band.

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