DEVINE FINED $100.

He Failed to Inform his Counsel Till the Last Moment.

THE CONTEMPT PROCEEDINGS.

Judge Merritt Talks Very Emphatically—The Hearing this Afternoon.

Those persons who assembled in Chief Justice Merritt's court at ten o'clock this morning thinking to listen to the further developments in the Devine-Montagne controversy were slightly disappointed for the time being.

On Tuesday last Judge Merritt issued an order upon the Fire chief to show cause why he should not be punished for contempt, which consisted in his having refused to obey the mandate of the court requiring him to reinstate Plyeman Montagne in his former position in the department, and the writ was made returnable at ten a. m. today. Judge Powers, the petitioner's counsel, was there, so also were Devine and his legal representative, Judge Hogg, and a few moments after his hour had taken his seat on the bench Judge Powers called attention to the fact that he was ready to proceed.

But counsel on the other side, with some vexatious of confusion, said he would like to see the transcript of the court. I received these papers (holding up the writ, etc.), only a few minutes ago and I came right down over to court.

Judge Powers—If counsel desire to accommodate counsel, but the return of the sheriff shows that his papers were served upon the respondent on Tuesday last, and the fact that he has not seen fit to pay any more attention to the court of this court than at the first instance is no excuse. I have no disposition to be unreasonable, but I certainly do insist that he is trifling and only with the law, and will be with of this court.

Judge Hogg—When Mr. Devine received these papers he, on the morning, I told him there would have been a written answer and an affidavit put in, but he said, I don't believe, the a fine and costs would be sufficient.

Judge Merritt (sharply)—Mr. Devine may think we took the sun to shine on his account in this court, and I propose to inform the world and some of this subject I have done the American people, that I will exercise the whole power of this tribunal. I shall be surprised if he does not. An order to show that Mr. Devine refused the petitioner to be office, now let his Honor that court, if it is alleged that he has violated it. I don't want to see him in a bending house he is nearly, and I will therefore give him until Saturday this afternoon to make his return on this writ.

Judge Hogg—I hope your Honor doesn't blame me in this matter.

Judge Merritt—No sir; Mr. Devine is a man of ordinary intelligence, of market intelligence, and he has known fully and repeatedly his contempt before.

The fire chief, who was in uniform, rose from his seat and boldly addressed the court in substance as follows: "If your honor please," but he was promptly cut short in the middle of the sentence by the court, who gave attention to the interrupting man.—Well, you have not anything to say, sir. When I want to hear from you I will call upon you.

With this curt rejoinder all the parties concerned left the courtroom.

All the parties were in readiness at 2 p. m., but the case had to be adjourned for nearly half an hour to allow of the introduction of some legal authorities to another branch of the court. When the opportunity offered Judge Hogg got up in the respondent's answer, which was affidavit by John Chalmers, the father of Mrs. Devine, and one of the oldest members and all the books of the fire department.

The respondent denied in his answer that he had refused to reinstate the petitioner in his position. On the contrary, he says, on April 2nd, immediately after the serving of the peremptory writ of mandamus, he then and there ordered Montagne, paying his name to the payroll and certified, as required by law, to said payroll, which authorized him to draw the pay for services as firemen up to date. Afterwards he notified Montagne that he was suspended from the service, and that he (Devine) would present charges of his reason for such suspension to the board of police and fire commissioners. A copy of these charges had been served upon Montagne. The board had now been assembled and qualified and had these charges in their hands for consideration. Respondent then gave us to state that he has no disposition nor intention to evade, evade or to say way, or by any other means, obey the writ.

Chalmers, in his affidavit, certified to the posting of the name of Montagne upon the pay roll of firemen, immediately after the serving of the writ, at the one case's request, the latter carrying to the same.

Mr. Devine was called to the witness stand by Judge Powers, to testify to whom he said that he suspended Montagne while Rileen or Young should refer to not stated to be in record. He said, "I suspended him for not at work at all, though his name was placed on the pay roll. Wilson and Allity Allotting Judge secured testimony of the latter witness to request Montagne. He said it would be the proper thing for him to obey the writ of mandamus." "Did you refuse?" he asked. "I did not obey himself the law."

Montagne, the petitioner, was called and testified to the conversation between himself and Devine after the serving of the writ of the latter. Devine said, "I acknowledge the writ and I retain your" but before going out and returning, stated "You are now suspended." To Judge Hogg, petitioner said he had received no pay for the past month; the deduction was made for the time he was sick laid off.

E. C. Moran, a member of the fire department who was present when the petitioner applied to be reinstated and reported for duty, after the receipt of the writ of mandamus by Devine, also testified to the conversation between Montagne and Devine. Witness was one of the men who had been summoned to the same way as Montagne, to, that persons were placed on the pay roll.

W. F. Rice was likewise examined by Judge Powers and cross-examined by City Attorney Hogg.

Judge Powers and a few words are made to the effect "If I recollect rightly" and in another place "I think the witness say "I suppose you." This was, he continued, a gross case of violation of the order of the court. The fire department of Montagne's name upon the payroll was not a concession to office, as acquitted by the writ of mandamus.

Judge P. was not Assist. City Attorney Van Horn Dow to be of whom appeared on the scene, and Judge Hogg then discussed the question of Devine's power, contending in support case in the opposed, holding of section 1 and 2 of the new police and fire commission act. Mr. Van Horn denied that Devine had clearly stated in the writ and point of the law were, for which reason, counsel in this summary by the commission of disorder, he respected his man and both with more charges in writing against him.

FINED $100.

His honor adjudged Devine guilty of the contempt, gave him a short lecture, and imposed a fine of $100.

BUSY ST. GEORGE.

The People There are Bristling with a Will.

D. H. Cannon, Esq., is up from St. George for conference, and reports affairs as prosperous down his way. There is a greater interest in sugar being planted than ever before. In the field which is brought under water by the canal, about 1,200 acres of land will be cultivated this season additional to that of former years, and there will be a better supply of water for the whole. Some 800 acres of winter wheat will be necessary for irrigating his crop.

The mission and agent discussion have dropped, partner, point, etc., now in full force. And fruit and garden crops are a certainty. The season there opens early, and if there was railway transportation, early vegetables would be shipped to the market some three months of California.

Mr. Rapine Here.

Don Magnin wasn't the Fair today. He reached Salt Lake this morning, fresh from the Midwinter Fair at San Francisco, where he has been associated with his Dora society. He states that the Tooele's display there is strongly substantial, and attracts much attention. Well, he is in the Fair on Tuesday Fair today to see a good book seller, and concerning "Gems in building the life in San Francisco, he says to the Nonpareil Institute. Dim is coming up admirably."

Returned Missionaries.

The News had a pleasant call today from Elder James Vance Jr., who returned yesterday from a mission to the Southern States. He left his home in Salt Lake valley, Arizona, on March 1, 1892, and was assigned to labor in the Virginia conference. His field was the central portion of the state, where he was well treated by the people. He speaks highly of their hospitality. His health was good and he enjoyed his missionary labors. He will make his home in Arizona after Conference.

Elder D. H. Cannon, of Logan, who returned with Elder Vance, also called in today. He left home April 4, 1892, and performed missionary duties in the West Virginia conference, meeting with good success. There was quite an interest manifested by the people, among whom he was hospitably treated. His health was good.

Elders John P. Carlisle, of Logan, and John S. Carter, of Orangeville, Emery county, also reported, each having filled a two years mission in Virginia.

Took the Wardrobe Bath.

Blanter, at the request of Fire Chief Devine, has taken the outside bath with the West Virginia conference, meeting with good success. There was quite an interest manifested by the people, among whom he was hospitably treated. His health was good.

AMUSEMENTS.

The Conference season at the Tooele opera house promises swearing with the production of the brilliant opera of the Crimson Scarf by the talented of Salt Lake's musical amateurs. Prof. Keeser and Mr. Weller's enlarged orchestra will furnish the accompaniment, and the cast will include Jennie Hawley Woolley, Jennie Wilcox, Jno. D. Spencer, Geo. D. Pyper, R. S. Wells, Frank Weller and Mr. H. G. Clawson. On the same evening, the Home Dramatic club, headed by Mr. H. M. Wells and Edith Clawson will present the laughable one act farce, Teen Idle Teen. The big dramatic producers of the Silver King have in store all for Saturday and Monday evenings.

The Tabernacle Choir concert is set for Thursday evening. The full choir and the recent prize winners will appear in conjunction and tickets will be a big feed in the program.

Tomorrow Nagelvort's lecture on the "Discoverer of Image by the Brilliant" will find the Deseret hall full.

Y. L. M. I. A. Officers' Meeting.

A meeting of the officers of the Young Ladies' Mutual Improvement associations will be held Friday, April 6th, at 1 p.m., at the residence of Counselor M. Y. Dougall, at 3 West Temple street (opposite west gate of Temple block). It is earnestly desired that every Stake shall be represented. Word of the meeting from a distance will be made welcome.

Louisa S. Taylor, President.
Ann M. Cannon, Secretary.

Primary Officers' Meeting.

The semi-annual meeting of M.M. officers of the Primary association will be held at the residence of C. D. Felt, 155 south, East Temple street, on Saturday, April 7th, immediately after the close of the morning session.

Lucie H. Felt, President.
May Anderson, Secretary.

ST. GEORGE AND PAROWAN.

Each to Have a Term of the Second District Court.

The Remaining Two Terms Will Be Held at Beaver in May and November.

The following proclamation was issued this afternoon by Governor West:

Territory of Utah,
Executive Office.

To all to whom these presents shall come, greeting:

Know ye, that by the authority of the people and the laws of the United States, I, Caleb W. West, Governor of the Territory of Utah, do hereby proclaim and make known that the second district court for the Territory of Utah, will be held at St. George, in the county of Washington, and at Parowan, in the county of Iron, on the second Monday in April, and at Beaver, in the county of Beaver, on the second Monday in May, and shall be held in Beaver in the county of Beaver, and Parowan in the county of Iron, respectively, on the second Monday in November, and shall be held at St. George in the county of Washington, respectively, on the second Monday in December, and shall be held at Beaver in the county of Beaver, respectively, on the second Monday in May, and shall be held at Parowan in the county of Iron, respectively, on the second Monday in November.

The said court will then open at the hour of 10 o'clock in the forenoon of the days herein designated.

In testimony whereof I have hereunto set my name and caused the seal of the Territory of Utah to be affixed.

Done at Salt Lake City this 1st day of April, A. D. 1894.

Caleb W. West.

By the Governor:

Charles S. Zane,
Secretary of Utah.

COMMISSIONERS MEET.

Fire and Police Board to Join Executive Session at a Late Hour.

The new fire and police board, which was to meet at 2 o'clock this afternoon, did not do so exactly as set forth, at which hour they went into executive session in Chief Bancroft's office on the city hall. The purpose of the meeting was confidential.

There were only a score of written applications for the chief's place, so it was generally supposed that additional applications for the same position were to be forthcoming. With the commission constituted as it is at the time, quite a matter of importance.

A Greek Peddler.

John Nicolas, a Greek peddler, was arrested by officer Ford this morning for contracting the minerals. The case was to be considered before Justice Smith this afternoon.

A Singer in Trouble.

James Cullen in the police court became of a local singer who needed no a dangerous degree this morning, disturbed his peace and attempted to strike City Detective Hawes because he wouldn't take him without further parole with which to buy a restaurant that lost his eye. He was secured in the police station where he was later released on his promise to present himself before the court for trial this afternoon.

ADDITIONAL TELEGRAPH.

HOPEFUL OF BELL.

He Still Thinks Your Man Will Take Coleman's Indictment.

DENVER, Colo., APRIL 5.—A special to the Times from Washington says owing to the determined fight made by Representative Bell, the committee has agreed upon the Hawaiian resolution. It will be reported to the house on Monday. Bell is hopeful that the resolution will be passed by the house before adjournment. Bell is hopeful that the report of the committee will be in time to prevent action by the house on the resolution.

THE ENGLISH SEIGNIORAGE BILL.

Not Entirely Satisfactory to Our Government.

WASHINGTON, April 5.—The English bill to give effect to the Paris agreement about the seigniorage relative to the silver seigniorage, was laid before the house today. It is understood that the bill was inadequate and does not go as far as does the bill passed by the senate yesterday looking to the prevention of such coinage. It contains special exception to the clause providing that the act shall not be suspended against a West Indian state unless previous to the passage of the act, because the Pacific is now covered with Canadian sealing vessels.

THE POLICE PORCELAIN.

Paris Anarchists Hurl All Their Ghosts.

PARIS, April 5.—In view of the explosions of the bombs in the restaurant hour near the senate chamber, the opinion is generally expressed that the police is practically powerless to prevent such affairs. Several persons have been arrested upon suspicion, but it is known the police have no clue to the identity of the criminals. The place was completely wrecked and the damage done to the adjoining buildings is much worse than at first supposed.

TO TAX GREENBACKS.

A Measure to Stop a Combination Proposed.

WASHINGTON, April 5.—Representative Hall, who is delegated by the committee on banking and currency to write a favorable report on the Cockrell bill to tax greenbacks, and conferring the bill, I signed the opinion of a well established one. The answer is the bank of yesterday, and the bank of today, and the bank of tomorrow, and the bank of the day after tomorrow, and the bank of the day after the day after tomorrow, and the bank of the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after tomorrow, and the bank of the day after tomorrow, and the bank of the day after tomorrow, and the bank of the day after tomorrow, and the bank of the day after tomorrow, and the bank of the day after tomorrow, and the bank of the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after the day after