J. BECK VS H. M. RYAN.

This Injunction Suit Came Up Before Judge Merritt Today.

A DEMURRER IS INTERPOSED.

Argument Had Upon This, But the Hearing on the Complaint Goes Over.

For two hours and a half this forenoon Chief Justice Merritt was a very hard-worked judge. He listened to and disposed of motions just as fast as they could be possibly raised through, and when the end of smaller things was reached he turned his ear to the talk concerned in the Beck-Ryan injunction suit, concerning which a great deal has been already said and not one more, this far, done.

MISCELLANEOUS BUSINESS.

The following orders were made during the first hour and a half of the session:

Stuart Stephenson vs Jack. Defendant withdrew his demurrer and consented to judgment, which was entered accordingly.

J. P. Hollenbeck vs Nat M. Brigham. Hearing on motion to strike out answer continued till Saturday, Nov. 10th.

Matilda Compton vs John A. Compton. Order to show cause for contempt continued by consent till Nov. 10th.

In the divorce suit of Josephine C. Johnson vs Gustav O. Johnson, hearing was had on order to show cause why temporary alimony, attorney's fees, etc., should not be paid by the defendant. Evidence as to the defendant's means having been taken, the court made an order for the payment of $10 per month alimony and $40 attorney's fees.

Chas. E. Powers vs Carrie W. Foley et al. Judgment and decree by default.

Martha B. Taylor vs E. J. Smith et al. Defendant of W. H. Rowe and judgment against him only.

Matthew Hoke et al vs the Twenty-fourth Senate district. Order denying motion to dismiss appeal entered by attorneys for respondent.

Orson P. Arnold vs Big Cottonwood Power company. Order to show cause continued till Saturday, November 10 a. m. by consent.

John Boone vs W. H. H. Hoffman. Demurrer to complaint sustained; ten days allowed plaintiff to amend.

Chas. Stoner et al vs Elizabeth C. Winterbourn et al. Demurrer to complaint argued and overruled; ten days allowed to answer.

C. L. McKinnon vs Isabella McKinnon; divorce. Hearing on order to show cause for payment of alimony, etc. After listening to testimony as to plaintiff's means, the court directed that he pay $10 per month alimony and $40 attorney's fees.

Utah & Montana Machinery Co. vs P. J. Moran. Demurrer to complaint set for hearing on Saturday, November 10th.

Bank of Ogden, Crocker & Co. vs Wm. H. Smith. Hearing on motion to strike out answer and for judgment set for Saturday, November 10th.

Lucy Marsh vs the Salt Lake Building & Loan association. Order to show cause restraining sale under trust deed set for hearing next Saturday.

BEGIN AGAINST RYAN.

If this case should be "fought to a finish," present indications are that it will prove to be one of the most interesting if not "sensational" in the annals of Third district injunction suits in recent days.

A week or so ago John Beck obtained a temporary restraining order against Henry M. Ryan, and the latter gentleman was required to show cause to open court today why he (his applying also to the National Bank of the Republic) should not be permanently enjoined from negotiating or disposing of the plaintiff's note for $50,000, and from selling or attempting to act as a director of the Bullion-Beck & Champion mining company, of as Mr. Beck's agent.

Counsel for the plaintiffs now are Judge Henderson and Attorney Arthur Brown (Attorney Vernon having been "let out" since the original action by Mr. Beck was filed). Mr. Ryan is represented by Attorneys W. H. Dickson and Farley L. Williams.

It was not until this morning that counsel for the defense filed their answer, and with it a demurrer to the complaint.

The complaint, which is of considerable length, contains charges of a most serious as well as of a decidedly uncomplimentary character. In it false representations on the part of the defendant are alleged, the plaintiff averring that such representations were made by Ryan to induce Beck to place himself in such a position that the latter might be used him out of his property. Plaintiff declares that defendant never was a man of capital, but that he is an adventurer from Chicago, a pugilist, a bunco sharper, a confidence man, and an all-round sport. Known as "Cabbage Ryan."

In his answer Mr. Ryan gives an unqualified and indignant denial to all the scarcely more against him. He, in turn, makes a long reply, in the course of which it is set forth that he was wrongfully discharged from Beck's employ on October 22nd, and he certainly refuses to let his agreement to his damage to the tune of $45,000. He prays that the note for $50,000 be adjudged a valid lien upon Mr. Beck's $1,000 share of stock and a valid claim against him, and that he may recover his most just claim, plus $15,000 additional.

When the case was called Attorney Arthur Brown informed the court that his side was not ready to have Attorney Dickson examined as one of their witnesses, but in consequence of domestic ill health that gentleman was unable to be present today. It was therefore mutually agreed that arguments should be had on the demurrer only, and that when these had been concluded further hearing should be over until another day, to be agreed upon later.

With this understanding, Attorney Dickson proceeded to explain the grounds upon which the demurrer was based—that the complaint did not state facts sufficient to constitute a cause of action. Counsel referred to the extraordinary allegations therein set forth, as against Mr. Ryan. Under ordinary circumstances the defendant would be entitled to the benefit of a presumption that he was a man of good character, but here the plaintiff himself had set up a state of affairs which, if true, would show that Ryan was a man of the most opposite character. Counsel argued that the complaint was not sufficient to constitute a cause of action. Counsel referred to the extraordinary allegations therein set forth, as against Mr. Ryan. Under ordinary circumstances the defendant would be entitled to the benefit of a presumption that he was a man of good character, but here the plaintiff himself had set up a state of affairs which, if true, would show that Ryan was a man of the most opposite character. Counsel argued that the complaint was not sufficient to constitute a cause of action.

HE WILL HALT NOW.

Judge Bartch Proposes to Leave Next Week for Beaver.

CRIMINAL TRIALS SUSPENDED.

Next Monday, However, a Short Session Will Be Held to Clear Up Arrears.

Judge Bartch did but little in his department of the Third district court this morning. No trials were had, and most of the time between 10 and 11 o'clock—at which hour an adjournment was taken till Monday—was consumed in a legal argument on demurrer to an indictment in a criminal case, mentioned below.

GOING TO BEAVER.

In reply to District Attorney Judd, Judge Bartch announced that he would commence work on the criminal calendar after next Monday, as on the following day he expects to leave for Beaver, for the purpose of holding court there. Upon his return—but the date of that is quite uncertain—the cases of prisoners will be again taken up. The only matters before the court today were the following:

DEMUR TO INDICTMENT.

In the case of the People vs. W. S. Pierce, who is indicted for having embezzled some $10 of his employer's money, the demurrer to indictment was argued by Judge Anderson on behalf of the defendant and by Judge Hall on the part of the prosecution.

The matter was taken under advisement by the court.

SAYS NOT GUILTY.

F. M. Sawyer was arraigned on a charge of embezzlement and joined not guilty. His bond was reduced to $100.

Municipal Matters.

The special Council committee appointed to locate the various offices of the municipality in the joint city and county building entered up a regular bonanza last by the unsatisfactory manner in which they did their work. As a result a supplemental meeting has been called for Monday night.

Pay rolls were authorized at the City Hall today as follows: Police, $3,742; fire department, $2,100; prison department, $418; total, $6,118.

Agricultural Plats Filed.

UNITED STATES LAND OFFICE,
SALT LAKE CITY,
November 3, 1894.

The United States surveyor general for Utah Territory has filed in this office the following agricultural plats (fractional):

Township 12 south, range 2 east, Salt Lake meridian.

Township 15 south, range 1 east, Salt Lake meridian.

Township 16 south, range 3 east, Salt Lake meridian.

Township 18 south, range 3 east, Salt Lake meridian.

Township 19 south, range 2 east, Salt Lake meridian.

Township 20 south, range 2 east, Salt Lake meridian.

Township 23 south, range 1 east, Salt Lake meridian.

Notice is therefore given that on and after the 10th day of December, 1894, this office will receive applications for the entry of lands in said township.

EDWIN EBBO, Register.
FRANK HARRIS, Receiver.

Land Office.

The following filings were made in the local land office under date of Nov. 3:

Joel Sealock, of Joseph, Sevier county, desert entry of the east half of the southwest quarter of section 17, township 30, range 9 west, containing 80 acres.

Waldemar T. Nielsen, of Milton, Morgan county, homestead entry of the northeast quarter of section 30, township 4 north, range 2 east, containing 160 acres.

Erastus W. Christiansen, of Vernal, Uintah county, homestead entry of the northeast quarter of section 23, township 1 south, range 24 east, containing 160 acres.

Henry R. Ward, of Vernal, Uintah county, homestead entry of the west half of the southeast quarter, and south half of the southwest quarter of section 9, township 1 south, range 24 east.

Model Sunday School.

The organization of the Latter-day Saints' College Sunday school will occur tomorrow at 10 a. m. All interested are invited to be present.

WILLARD DUNN, Principal.

Wants a Divorce.

Suit for divorce was filed in the Third district court this afternoon by Anna A. Nelson, who alleges that her husband, Hyrum Edward Nelson, deserted her in October, 1891, and has since remained away. The marriage took place at Chicago in October, 1884. In addition to the decree of divorce plaintiff prays that her maiden name, Anna H. Johanson, be restored to her.

H. R. Waite is Mrs. Nelson's attorney.

THE NATIONAL GUARD.

What Civil Soldiers and a Military Band are Doing at Brigham City.

The members of Company D of the Utah State Guards, says the Brigham City Bugler, are exhibiting an energetic spirit in the way of improving their new drilling ground on Forest street. This spacious lot has been generously deeded to them by the city council. The boys are excavating and grading up one part of the place for a skating rink. This necessitates considerable manual labor, which the boys are doing them-wives. They also have in contemplation an armory building. This must be large enough for a common drill room and another apartment in which to store their arms and other paraphernalia. Our young soldiers are practicing hard and are making marked improvement. In the ambitious scheme of drilling Utah into three regimental divisions, making Brigadier Clelles and Brigadier Kenyon of northern district, the Brigham company will be composed of of the southern forces, which, no doubt, would likely have its headquarters at Brigham City. This would give Brigham considerable prominence in Territorial military circles, and we hope the scheme will materialize. The local military band is also working itself to the front and will in time make itself heard outside of Box Elder county.

Home for Unfortunate Women.

The ladies of the city are urgently requested to attend a meeting at the First M. E. church, November 5th, at half-past 2 o'clock, for the purpose of effecting a permanent organization for a home for females and fallen women. MRS. M. F. LOGAN,
Sec. Temporary Organization.

OGDEN.

OGDEN, UTAH, Nov. 3, 1894.

Shooting Affray.

A serious shooting affair occurred Thursday night at the Southern Pacific freight yards. C. A. Daniels, a cook formerly employed at the Arlington hotel, Salt Lake City, was shot by Joseph A. McIntire, special watchman at the Southern Pacific yards. Daniels was waiting around the yards when McIntire inquired of him if he intended to make coal train out. He replied in the negative, but as the last car was passing climbed on the rear, when McIntire fired at him, calling to him to get off the car. The shot took effect in the right thigh and penetrated into the neck. Daniels crawled into the car and remained there until he reached Kelton, where he crawled to the caboose. He treated every possible attention at Kelton and was sent back to Ogden on the passenger train yesterday.

Sheriff Belnap placed McIntire under arrest until the case could be investigated by the prosecuting attorney. A complaint was filed against McIntire, charging him with assault with intent to kill.

"No Cause of Action."

Much interest is taken in the case of William Best against T. C. Chamberlin. The case has occupied the attention of the court since Tuesday, and was given to the jury yesterday afternoon.

Best tries to recover $25,000 damages for alleged malicious prosecution and false imprisonment. It took the jury just three minutes to decide in favor of the defendant, verdict, "No cause of action."

Bit Bail.

William Glassman, accused of criminal libel, was bound over to the grand jury on three different charges. The bail on the first was fixed at $500, and at $250 on each of the other two.

PROVO.

PROVO, UTAH, Nov. 3, 1894.

Verdict in the Sheep Shear Case.

The jury in the case of the People vs Madame Dunn and Tom Morgan, assault with intent to murder, went out at 3 o'clock yesterday afternoon and came in at 11:20 o'clock in the evening with a verdict finding Dunn "guilty as charged," with recommendation to mercy; and rendered a verdict of acquittal in the case of Morgan.

Mr. King, attorney for defendant, gave notice that he would move for a new trial. Time for argument and hearing motion for a new trial will be set this afternoon.

The next case to come up was B. Bateman, administrator, vs Mary Christina Dyer. Sharp & Edwards appeared for plaintiff and M. M. Warner for defendant. The case was tried before six jurors by agreement, that being all the jurors of Elder on the panel after the peremptory challenges had been exercised.

Plaintiff, as the administrator of the estate of John W. Blackburn, deceased, sues for $500 for legal services rendered defendant by the deceased in his lifetime, in connection with the defendant's interest in the John M. Drake estate.

The defense is that Judge Blackburn acted for Mrs. Pennington, a client of defendant, and that if he did so he did not also represent defendant, as the interests of the two were practically alike. He was informed by defendant that she had employed Mr. Edwards to look after her interests, and could not pay him for her services already performed for her, when she would want to do it if she employed Judge Blackburn. He had then said that he would act with Mr. Edwards in matters relating to the estate, but he was not employed by defendant.

New Industrial Incorporation.

Articles of incorporation of the United States Lithographic House company were filed with the county clerk yesterday.

The object and business of the company is the mining, operating in quarries, ledges, and deposits of lithographic stone, quarrying, dressing and preparing said stone and selling the same upon the market in the United States and foreign countries; the making, working, laying and selling of any other valuable stone, substance, mineral or mineral-edible, etc.

The general office of the corporation is at Tucker, postoffice Clear Creek station, Utah county, Utah, and a branch office is to be maintained in Topeka, Kansas, or at some other place as the board of directors may determine. The capital stock is $500,000, divided into shares of $100 each.

The following officers are named: H. R. Rowley, president; H. M. Taylor, vice president; W. J. Black, second vice president; Frank G. Willard, treasurer; J. C. Clark, secretary. These officers, with W. S. Hall, W. B. Jackson, Frank Hazel, Jacob L. Clark and E. H. Sanders constitute the board of directors.

The property of the company consists of deposits of lithographic stone, near the station of Clear Creek in Spanish Fork canyon.

An Evening Scare.

Last evening, at a late hour, Bailiff Fowler visited the residence of one of our attorneys to inform him that an attachment was wanted at the county court. He tried the door but was not successful in drawing the attention of anyone within, so he climbed up to the window, and in a short time—say appeared and he stated what he wanted. She disappeared suddenly, and Mr. Fowler supposed he had gone to call her husband. In a few moments the again appeared and made the following remark: "Now tell me what you want, quick." As the officer found the request emphasized with a revolver in the hands of Mrs.—, pointed directly at him, he explained the errand in the shortest possible time. Mrs.—informed him that Mr.—was at a political meeting, and he departed under the impression that he had made himself only unpleasant in the first conversation he had with the lady.

Will Wed.

Erastus H. Clark, aged 24, and Effie P. Clements, aged 19, both of Springville, have received a marriage license.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $332,284. Balances, one day, $116,484. Week's clearings, $1,600,000; same week last year, $937,[illegible].

TODAY'S QUOTATIONS.

New York—Silver, 59½; lead, $3.00.
London—Silver, [illegible].

NEW YORK MONEY.

McCormick & Co. received today Hexamer bankers, $5,000; silver and coin, $4,500. Total, $10,000.

Wells, Fargo & Co. received today Dwyer, $10,000.

L. S. Jones & Co. received today Bullock, $3,000; silver, $6,900. Total, $9,900.

STOCKS AND BARGAINS.

NEW YORK STOCKS.

	New York, Nov. 2, quot.	
[illegible]	Pacific Mail	[illegible]
[illegible]	Reading & Co.	[illegible]
[illegible]	Reading & Co. 1st pref.	[illegible]
[illegible]	Reading & Co. 2d pref.	[illegible]
[illegible]	St. Paul	[illegible]
[illegible]	St. Paul pref.	[illegible]
[illegible]	Texas Pacific	[illegible]
[illegible]	Union Pacific	[illegible]
[illegible]	Wabash pref.	[illegible]
[illegible]	Western Union	[illegible]
[illegible]	Sugar	[illegible]

CHICAGO GRAIN.

Chicago, Ill., Nov. 2.

[illegible]

Pimples, blotches and eruptions completely vanish before a steady use of

Beecham's Pills

(Wonder of the World)

and health again glows in the pure skin and clear complexion.

At druggists.

AUCTION! AUCTION!

Elegant Furniture, Carpets, Stoves, Fine China Dishes and Glassware, on Monday, Nov. 5th, at Annex Terrace, between Third and Fourth East, on Third South Street.

R. A. ANDREWS, Auctioneer.

Sale at 10:30 a. m.

Dr. Price's Cream Baking Powder
World's Fair Highest Medal and Diploma.

The Perfume of Violets
The purity of the Dew, the glow of the sun, and the fragrance of Violets combine in Pinaud's Violetta Powder.

TO FUND.

I. F. AUERBACH & BROS. STORE, a large mercantile house, desire to fund money by giving property and paying for advertisement.

F. AUERBACH & BRO.

The Fitting of Glasses

IS AN ACT THAT should be entrusted only to those who have been specially trained. The same relation should exist between the optician and the optician, as that between the physician and druggist, the latter by law is not allowed to prescribe medicine, neither should any be allowed to fit glasses unless they have had a thorough collegiate training, and are competent to discern the difference between impairment of the eye and anomalies of refraction.

Headache, vertigo and many nervous disorders are often caused by defective vision, the microscopic and sometimes conscious strain causes reflex nervous actions which culminate in disorders of the system, which symptoms disappear when the proper corrections are applied.

Dr. Shlaudecker makes a specialty of correcting defective sight, and the straightening of cross-eyes without the things in an operation. He comes from California with many flattering testimonials, the most prominent among which is our team, Hon. T. J. Geary, and Chinese Jone. All having trouble with their eyes, or those who have sought in vain for relief should see him.

WORDS OF PRAISE.

[illegible]

THOS. J. GEARY,
Former Governor Utah.

A Few From Salt Lake.

I can now read for hours with glasses fitted by Dr. Shlaudecker, formerly of San Jose, Cal., and my eyes are comfortable. [illegible]

JOHN W. GREENMAN,
Of Greenman Bros., Contractors.

It gives me much pleasure to express my entire satisfaction with the glasses I received from Dr. Shlaudecker. My eyesight is now perfect, and I can read for hours without fatigue or pain. [illegible]

J. M. GIDEON,
The Leonardo.

Having received high authority for my business and reputation, I feel bound to say Dr. Shlaudecker is the man to properly fit glasses. [illegible]

F. A. CARYWELL, M. D.

Dr. Shlaudecker will visit Ogden every other month, and will be with the Original with his aid to attend to cases he cannot correct. Consultation free.

10 and 12 Scott Auerbach Block,
162 So. Main Street.

Priesthood Meeting.

The Salt Lake Stake Priesthood meeting was held in Assembly Hall today, commencing at 11 a.m. Elders Angus M. Cannon and Joseph E. Taylor, of the Stake presidency, presided.

After singing and prayer, the roll was called, showing the following attendance of officers:

Two Patriarchs, Elders George B. Wallace and William C. Dunbar, of the Presidency of the High Priests' quorum, ten Presidents of Seventies, and two home missionaries.

All the wards of the Stake were properly represented excepting the Tenth, Fifteenth, Eighteenth, city wards, and Union and Hunter, of the county. The First, Second, Fifth, Tenth, Twelfth, Fourteenth, Seventeenth, Eighteenth and Nineteenth quorums of Elders were represented by their presiding officers.

Upon the recommendation of their respective Bishops, thirty-five young men received certificates authorizing their ordination to the office of Elder, each responding in honor and magnify his office and calling it ordained.

On the recommendation of their Bishops thirty-one Elders of the Lesser Priesthood and one member were authorized to be ordained to the office of Elder.

The speakers were Elders A. H. Cannon, Joseph E. Taylor, Richard J. Pilcz and Angus M. Cannon.

The first of these expressed his satisfaction at seeing only two of the home missionaries of the Stake in attendance at the Priesthood meeting. Making allowance for all circumstances, he felt that the attendance of the missionaries here should be much greater. Much might also be said of all the officers of the Priesthood.

Instances were named where Teachers, in visiting among the people, had talked of matters of no value, instead of imparting instruction to the families visited. Speaking of the activities of the campaign just closing, Elder Cannon deprecated the tendency, too often manifested, to allow political differences to interfere with religious duties and brotherly feeling. He advised those who engage in politics to raise it to a higher level than it occupies in the world at large, feeling assured that no matter what the outcome it will be overruled for the advancement of the work of God. Proper humility and decorum in the whole of others are absolutely necessary in this as in all other matters.

The other speakers mentioned the necessity of care in keeping ward statistics and making reports; also in keeping track of members from and to the Stake, that statistics in these matters may be correctly presented.

Elder Taylor stated that statistics, should be kept of the individuals regularly drawing support, but merely the heads of families. Such reports should be kept by the Bishops of all donations which pass through their hands in the past, this being made a part of their regular statistics. Referring to certain evils which are too prevalent among the people, Elders Taylor and Cannon presented a caution against keeping them along by exaggeration or by lack of religious. The present time of freedom from persecution was spoken of as fraught with peculiar dangers, which should be carefully guarded against. Especial attention should be paid to the instruction of children by their parents, a child unduly being thrown around the little ones. Home instruction in theology should go along the lines, supplement by that given in the organizations where the children are placed under the care of other teachers.

Perfect purity of the law enjoined, that the length of Zion may not be lengthened.

R. K. THOMAS,

26, 28, 30, 32, East First South Street,
Salt Lake City.

Special September Announcemnnt.

WE ARE NOT LOOKING FOR PROFITS,
WHAT WE WANT IS VOLUME OF BUSINESS.

We shall offer some Tremendous Bargains to effect this object. We shall show a thousand or two

JACKETS,
CAPES AND
WRAPS,

At about one half their value, ranging from Two to Ten Dollars. We don't want a Wrap left by November First. We want increased room for our Dry Goods Department, so we will close out our Entire Stock of

LADIES,' MEN'S AND
CHILDREN'S
SHOES.

You'll all want Shoes for winter, and now is the time to get about two pairs for the price of one. You should not wait until soles are broken, but call early. Mail orders can be filled by giving sizes

SILKS.

About Ten Thousand Dollars worth will be thrown on counters, at prices that all can afford a Silk Dress. We are showing about Five Hundred Pieces

New Dress · Goods,

Which will sell at not much more than half of last fall's prices. We shall offer Fifty Thousand Dollars worth of

RIBBONS,
LACES,
HOSIERY,
GLOVES,
TOWELS,
SHAWLS,
FASCINATORS,
UNDERWEAR,
SHIRTS,
TIES,
WINDSORS
HANDKERCHIEFS,

And Family Supplies Generally in this sale, all at Cut Prices, as we are determined to close them before January stocktaking. We don't want to have it a few weeks before then when people have been supplied, but the Knife goes in at the very commencement of the season. You'll all want some for your money this fall. It will be given you at our

Reliable
Establishment.

This is a bid for your business, and the One Hundred Thousand Dollars worth of goods we expect to move between now and Christmas, will save to the customer fifty Thousand Dollars.

REMEMBER the Three Great Specialties,

SILKS.
SHOES.
CLOAKS.

R. K. THOMAS.