A STRIKING CHARGE.

Judge Bartch Instructs the Grand Jury as to Election Frauds,

AND OFFENSES AGAINST MORALITY

Jurors Who Will Serve at the February Term—Trial of Prisoners About to Begin.

At 10:30 this morning the December term of the Third district court ended. Judge Bartch rose temporarily retired from the bench, after disposing of sundry motions, and upon his return from chambers promptly on the stroke of 11 the task of empanelling grand and petit jurors was proceeded with. This portion of the program consumed the balance of the forenoon.

THE GRAND JURY.

The examination of those jurors, as to their fitness to serve, was conducted by District Attorney Judd, and the following were chosen:

E. H. Eldridge, J. F. Patten, A. S. Jones, Joseph Parkinson, George W. Steele, William D. Powell, D. A. Pomeroy, Ebenezer Bedwell, Joseph Moss, Samuel Sears, W. J. Stansfield, W. H. Hoy, Joseph H. Fitzgerald, Wm. Cox and Thomas Fleming.

Mr. Eldridge was appointed by the court to act as foreman.

"DO YOUR DUTY, GENTLEMEN."

Judge Bartch's charge was longer than usual. His honor very earnestly and in detail pointed out the duties of the grand jury, and laid special stress upon the fact that they must keep strictly secret the proceedings in their room. The jurors were warned to act fairly and impartially in all cases, and the judge took occasion to remark: "Let him who would enforce the law also obey the law."

His honor then proceeded:

"There is a class of offenses that I desire to call your attention to. During certain times in this court of cases arising under the election laws there was evidence adduced leading to show—and in some cases it did show—that the returns of the last election had been tampered with; also some evidence tending to show that the votes had been tampered with. The statute of this Territory defines a number of crimes connected with the conduct of elections. It is a matter of great importance to the entire Territory and to the people, and it is proper for the grand jury to investigate any charges that may come before them if they are supported by such legal evidence as to render it probable that the offense has been committed. All good people of all parties detest such conduct, and the investigation of any crime of that character should be conducted with the same spirit and in the same manner as any other crime, regardless of where it may lie, or who may be affected by it. But care should be exercised not to unnecessarily impeach the character of individuals who are innocent. Hence I say this to the investigation of such cases it is incumbent upon you to pursue the same course that you would in any other case, and not to be influenced in the least by what you have read in the papers, or by what you have heard outside of the grand jury room. Your investigation should be upon evidence solely and alone and not conducted for the purpose of merely investigating a scandal, or of investigating a matter for any other purpose than to ascertain whether or not a crime has been actually committed. As I have already said, when a charge comes before you of this character and is supported by such legal evidence as to render it probable that an offense has been committed, then it becomes your duty to investigate and indict. Owing to the importance of investigating criminal offenses of that character, I have felt it my duty to call your special attention to the matter, feeling that all good people are of one mind, the detection of those who are guilty and the shielding of those who are innocent."

Turning to another subject, that of the various offenses against morality, Judge Bartch said he had heard a good deal of late upon that question. It became the duty of grand juries to investigate such offenses carefully and impartially, for they strike at the very root of society. When cases of that class come before the grand jury—no matter from what source—they should give them serious attention. It should be their object, however, to avoid the investigation if a mere rumor. Charges should be supported by legal evidence the same as in any other case, whether of high or low degree.

In concluding the court charged the grand jurors to discharge their duty fearlessly and impartially.

THE DISTRICT ATTORNEY ON.

District Attorney Judd then arose and said—Before your honor finishes your charge to the grand jury, there is one thing I desire to have you call their special attention to. Ordinarily, in cities of this size houses of prostitution, or their control and supervision, are mainly left to the city authorities and the grand juries and the District Courts have not felt it incumbent upon them to interfere with such local regulations and control, although the statutes of this Territory denounce such things as a crime and give ample authority for the jurisdiction of this court. Certain citizens of Salt Lake have in person and through their lawyers complained to me, as the prosecuting attorney, that these houses have been moved from where they were formerly—where that is I don't know!—up to Commercial street, that their property there has been made to suffer and has become tenantless and useless by reason of it. The court cannot say whether they have been moved or ought to have been moved, but it can say to the grand jury that these things shall not exist at all, and I ask your honor to give this in the charge to them.

The district attorney then quoted the following from Vol. 2, 1888, Compiled Laws of Utah, section 4581: "Every person who keeps a house of ill-fame in this Territory, resorted to for the purpose of prostitution or lewdness, or who wilfully resides in such house, or resorts thereto for lewdness, is guilty of a misdemeanor."

Judge Bartch—That is unquestionably true, gentlemen, and I will say now, in charging you with reference to the crimes against morality, that in the case of any house of prostitution, gambling house or saloon where the law has been infringed—these are all offenses against morality, of which the grand jury has cognizance. In a general way I direct your attention to this matter.

The grand jury were then conducted to their room and the empanelling of the petit jury was proceeded with. This was in progress when court adjourned for the usual noon recess.

Letter-Carriers' Ball.

A cordial invitation is extended the fifth annual ball to be given by the Salt Lake Letter-Carriers' association, in Christensen's hall, on Wednesday evening, February 6, has been received. The boys to play are so energetic and affable all, and their parlors are to variety sections of much enjoyment. The News is sure this will be no exception. Grand march at 8:30 p.m.

AMUSEMENTS.

AT THE THEATER.—Sadie Martinot closes her engagement Saturday night in a light home. Katie Putnam is the next attraction, barring of course the old folks's entertainment tomorrow afternoon, to which no tickets are sold.

AT THE GRAND.—Captain Swift closes the most successful week the house has yet shown on Saturday night. The matinee was packed, and the night house even larger than on easily night. Manager Rogers has not yet definitely decided as what line of action to follow after the present company closes, which will be a week from next Saturday night. He has received offers from Griffin and Scott that their attractions will end at 12 time, and he has announced to some of the members of the present company that if they chose to stay here and join the new company he would organize, they would be engaged at the same salaries they were now being paid, with the guarantee they might rejoice as to regularity of payment. Some of the members have so decided a preference for staying with Salt Lake that it is not impossible they may accept Mr. Rogers's offer. Tonight the final performance of An Unequal Match will be given.

AT THE SOCIAL HALL on Thursday evening next Miss Babcock and her pupils will give an entertainment for the benefit of delegates to the National Women's Council.

AT THE TABERNACLE tomorrow night a concert will be given in aid of the general charity fund. Ex-Governor A. L. Thomas is working up interest in the affair, which ought to be well patronized, as all the proceeds go to a most deserving cause.

Visiting the Sugar Works.

Among the many eastern visitors in this city are Judge Tall and John W. Barney, of Denver. They were the morning here to Salt Lake and were accompanied by Manager Clayton, and this afternoon they left for C. P. depot on a special train to visit the Lehi sugar works.

Utah Commission.

The Utah Commission met today and adjourned till Tuesday, February 12, when the Beaver county contest will be investigated. The report of the Third precinct canvassing board will be heard on the 15th.

Plays Alone.

John Held, director and manager of that excellent musical organization, Held's Military band, will render independently pieces in the concert in the Tabernacle tomorrow (Tuesday) evening, and not in connection with any other organization.

OGDEN.

OGDEN, UTAH, - Feb. 4, 1895.

"The Virginia."

On Friday evening the old-time acquaintance of Brother and Sister D. H. Perry, by invitation, enjoyed an old-time social at their new mansion, "The Virginia." The Virginia hospitably greeted the guests, which numbered over one hundred. Elder F. M. Richards dedicated the new home and invoked forth a spirit of gratitude for Divine providences which filles every heart with love, joy and peace. A most enjoyable evening was passed in feasting and dancing, all wishing the genial host and hostess happiness complete.

Notes.

Little Jeddy Pidcock, who had his leg amputated on the 20th ult., was able to be up out of bed on Friday. On February 8th, Friday next, a musical and literary entertainment will be given in the Ogden tabernacle for little Jeddy's benefit. Mrs. Bowie Dean Allison has kindly consented to take part in the concert.

Suit has been filed in the Fourth district court to recover $5,000 from A. H. Fallis, alleged to be due on a promissory note.

At the tabernacle services Sunday afternoon Elder Tillotson, recently returned from a mission to Great Britain, gave an account of his missionary experiences. Elder Peter Ainscough, who departs this week on a mission to Norway, spoke of missionary work as a means of increasing our faith in God. Bishop Winslow Farr, of Malad, was a few remarks of a general character. The afternoon services continue to be well attended.

Mr. Warde's Shakespearian lecture at the Grand Opera house for the benefit of the Ogden public library was a success.

A negro engaged in a cutting scrape on Twenty-fifth street on Saturday night. His victim, a white man, received an ugly gash on the throat.

THE CHICORA FOUND.

Sixteen Men Still Alive on the Vessel.

CHICAGO, Feb. 4.—Charles Connelman & Co. report from their south Chicago elevator that the hull of the Chicora drifted ashore this afternoon with sixteen men aboard, badly frozen but alive.

Their Fraternities Revoked.

BROOKLYN, Feb. 4.—The Brooklyn board of aldermen at a meeting this afternoon adopted a resolution presented by representatives of the striking trolley men of Gilmore and Gaffney, requiring the franchises granted the Brooklyn trolley lines connected with the present strike. One alderman said the action of the board was not final, claiming the aldermen had no right to revoke the privileges granted the roads.

THIRD PRECINCT.

Another Chapter Opened in Reference to the Election Squabble.

A CONTINUANCE IS GRANTED.

The Counsel for the Utah Commission Make the Applications—Other Court News.

When Judge Bartch took his seat in his division of the Third district court at ten minutes this morning there was a large attendance, in anticipation of the taking up, as per previous arrangement, of the Third precinct election case, known by the title of John Henry Smith vs. J. R. Leicher et al. (in other words the members of the Utah Commission.) The hearing is on an alternative writ of mandate and an alternative writ of prohibition.

Of counsel engaged in the controversy two only were present—Judge Miner as representing the petitioner and Attorney P. L. Williams on the part of the Commission.

This morning's proceedings were, however, of brief duration. Attorney Williams first broke the silence by applying for a continuance. He remarked that, by previous stipulation, the Box Elder and Weber county cases were to abide the decision in the Juniata case. The law in those cases must be determinative of the Third precinct case. Whatever the final determination of the Supreme Court might be in regard to the duties of the Utah Commission, that ruling would have to be followed in all the cases. Hence it seemed to him useless to take up the time of the court, counsel, witnesses who also to incur needless expense by proceeding with the Third precinct case at this time. For that reason he asked that a continuance be had. Counsel seemed that the Supreme Court would render its decision in the case already submitted on the 20th instant, and if it were then seen that the Commission had no power to act as a canvassing board and register the ballot boxes under any circumstances, that would end the Third precinct case, the hearing of which, if now proceeded with, would simply be idle.

Judge Miner said his colleagues were not present now, but would be if the case were to be called up, say, 11 o'clock. They were quite prepared, on the part of the petitioner, to proceed with the hearing. It was important that it be taken up without further delay, inasmuch as it was the short time from now until the date fixed for the Constitutional Convention. The case particularly went over at the request of the defendants' counsel; this hurried an expense and now the witnesses were again in attendance. There it, pointed to him to be some doubt as to the duty the canvassing board under the circumstances, would and could be exercised in February 23rd, their duties being "ministerial in character." Judge Miner said, in conclusion: "A stipulation was made by counsel on the other side when this matter was last up here, upon which it was expected that certificates would be issued in the other cases, but that has not been yet complied with."

Mr. Williams—I regret to take away from counsel on the other side the enjoyment of double and treble fees; but I have asked him, and I desire to say to the court—as it is being continually iterated and reiterated that these Commissioners are engaged in bad faith—that I and my associate counsel are responsible for what has been done. It was stated in court, irrespective of the determination of the Juniata case, that they had concluded, so far as the Commissioners are all concerned, to issue the certificates to which every man seemed to be entitled. That appears to dispute and not to any other case, and that proposition is going to be strictly and religiously maintained. This case involves, legally, an inquiry that other cases are dependent upon. The gentlemen have thought will be, perhaps, a little more at ease if I say now, and reiterate, that they will get their certificates as far as the Utah Commission is concerned. The trial of this case now would determine nothing, because I say with all frankness that we believe we are right upon the law in this matter, and we feel like staying by that until the court of last resort here shall determine it. If we are wrong we will now with great celerity I, to the decision of that court. If this case should proceed now—no close of the court would end a needless expense incurred—and the decision should be against us, immediately we would accept, believing we are entitled to have our view of the law, at least, passed upon in the highest court.

Judge Bartch said he would not entertain the application made unless counsel came to a satisfactory agreement among themselves, and therefore the matter might go over until Saturday to enable them to confer together.

Attorney Williams—Then we will endeavor to make an arrangement.

Judge Bartch remarked that if counsel could come to some arrangement, it would be satisfactory to the court.

Thus the matter ended.

When the matter was called up at 3 p.m., Judge Henderson, on behalf of the Commission, objected to the case being heard until the Supreme court had determined the Juniata case, on the ground that it would be "a wholly useless waste of time."

Attorney Ogden Hiles, of counsel for petitioner, was willing that the case go over until Feb. 20th. He filed a supplemental affidavit by the petitioner and this date was fixed as agreed to.

ASKS TO BE DISCHARGED.

Attorney W. H. Dickson, on behalf of Thomas Kearns, who had been summoned to serve as a petit juror during the ensuing term of court, asked that that gentleman be excused. Mr. Kearns, he said, was superintendent of the Silver King mine, where operations of some hundred men are at this time busily engaged in development work, which requires his constant presence.

ANOTHER REQUEST.

Thos. Commissioner Norrell made a like request for J. P. Gardiner, the East Temple street clothier, who, he stated, had been called upon to serve as a juror not long in six years, and now he was called again. In addition to this, Mr. Gardiner was now occupied in the removal of his business to new quarters. In answer to the court, Mr. Gardiner said the last time he acted as a juror here was a year ago last July.

Judge Bartch stated that he would consider the applications, and present could see him in chambers later in the day.

THE SIXTH INDICTMENT.

District Attorney Judd called the court's attention to the case of J. W. Smith, included under the U. S. laws for taking a letter from the Salt Lake postoffice and then stealing a watch therefrom. The demurrer to indictment was sustained last Saturday. The district attorney now stated that he did not want the case resubmitted to the grand jury, but had judgment entered so that he could appeal, the court being thus enabled stronger than to have another grand jury than he had made already.

Judge Bartch said perhaps not under the United States law, but there was no reason why he should not under the territorial statutes. The court, of its own motion, would not discharge the defendant.

Judge Judd said he did not ask to have him discharged.

After some further conversation judgment was entered dismissing the United States case and remanding the matter to the grand jury of the February term, to which it will be presented under the territorial law.

GONE OVER TEMPORARILY.

In the case of Minnie Morley vs. F. B. Cull et al, the order to show cause or an injunction was sustained for the present. This is the matter in which it is alleged the defendants recently tore down a porch at the Cullhouse.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $101,725. Same day last year, $145,521.

TODAY'S QUOTATIONS.

NEW YORK, Feb. 4.—Silver, 64 bid, $0.62. London.—Silver, 27 9-16d.

ORE AND BULLION.

Wells, Fargo & Co. received today: Bullion, $6,855.

C. R. Jones & Co. received today: Bullion, $6,100; ores, $3,500. Total, $9,600.

Stocks and Markets

NEW YORK, Feb. 4.—Stock market opened weak and active. There was a change to a fair market in an hour. The tone is stronger due to the belief of the Sunday call in the House, to-morrow, instead of waiting to Friday.

The news of Saturday generally shows good in tone. The only decline is due to the fact that it is a government loan day and it is not yet known how the syndicate issue has turned out. The bank statement was good, and the Treasury operations were not so bad as expected. Union Pacific advanced 2 per cent.

STOCKS AND MARKETS.

NEW YORK STOCKS.

Sugar	111	Pacific Mail	41
Tobacco	93	Denver & Rio Grande pfd	75
Union Pacific	19	St. Paul	72
Atchison	4	St. Paul & Omaha	122
Chicago & Alton	157	Pullman Palace	161
Central Pacific	33	Texas Pacific	5
Denver Pacific	37	Oregon Navigation	75
Northern Pacific pfd	75	Northern Pacific	14
Preferred	34	Western Union	86
Chicago & Northwestern	104	Union Pacific	43
Preferred	140	Pacific Express	76
North American	5	Adams Express	150
New York Central	97	Sugar	86
Illinois Central	99		

CHICAGO MARKET.

CHICAGO, ILL., Feb. 4.

Wheat—Feb. [illegible]; May, [illegible].
Corn—Feb. 40c; May, 41c.
Oats—Feb. [illegible]; May, [illegible].
Pork—Feb. [illegible]; May, [illegible].
Lard—Feb. [illegible]; May, [illegible].
Short ribs—Feb. [illegible]; May, $6.67½.
Flax—$1.[illegible].
Timothy—$2.75.
Barley—38.
Rye—39.

CASTORIA

for Infants and Children.

"Castoria has [illegible] that it commands it unsparingly to my friends." H. A. Archer, M. D., [illegible], Brooklyn, N. Y.

"The use of 'Castoria' is so universal and its merits so well known that it seems a work of supererogation to attempt to add our testimony to the long list which has already been published." Carlos Martyn, D. D., New York City.

Cuticura Cure, Complexion, Scalp Humors, Blotches, Eczema, Kills Pimples, gives glory, and promotes a smile.

CUTICURA SOAP, [illegible]

"For several years I have recommended your Cuticura and CUTICURA SOAP to my patrons, and have never had one return to me or say it has injuriously purchased benefit of results." Pierce F. Pearson, D. D. S., [illegible] New York City.

The Cuticura Company, 27 Renfield Street, New York City.

BIRTHS.

GREENHALGH—In the city of Ogden, on Sunday, February 3, to the wife of E. H. Greenhalgh, a daughter. Mother and child doing well.

DEATHS.

PECK—At Cedar Fort, January 31, 1895, Ann Quimby, aged 77 years, 8 mos. and 8 days. A native of Massachusetts.

BATTEN—In the Tenth ward of this city, February 3, 1895, Sarah Ann Batten, beloved wife of Joseph Batten, aged 50 years, 4 mos. 5 days. Funeral services will be held in the Tenth ward meeting house, this (Monday) afternoon, commencing from 1 o'clock. Friends and acquaintances are invited to attend.

JOHNSON—In the city, Feb. 3, 1895, Anna Johnson, born in Gunnarsby, Christianstad, Sweden, Dec. 28, 1820, an honored member of the Church of Jesus Christ of Latter-Day Saints for over 40 years, and the mother of the wife of our President, who survives a husband and six grown children, three sons and three daughters, who have the sympathy of the community in their bereavement. Funeral services will be held in the Third ward meeting house, Thursday, Feb. 7, at 1 o'clock. Her friends are invited to attend.

THE CHARITY CONCERT.

Program for the Entertainment at the Tabernacle.

The following is the program for the grand concert to be given at the Tabernacle on Tuesday evening, under the auspices of the Associated Charities and the Young Ladies' Aid society. It has become, if ever, been carefully in review and rehearsal:

Overture, Orphan in the Hermitage.

Tenor solo, Mr. Ed Parry, accompanied by Professor Cannon, "Fairest gem from home, adieu." Prof. Lee Greenwood.

Duet and chorus, Pilgrim's song of hospitality, Miss Jennings and Mr. Parry.

Tenor solo, Mr. Ed Parry, accompanied by Professor Cannon, "Oh, for your health." Prof. Lee Greenwood.

Duet and chorus, Lo, a fire! Miss Jennings, Mr. Parry, Lee's Mammoth Chorus, by request.

Chorus, Hosts and Hostesses, Military Drill.

Violin solo,
1—Polonaise in D, No. 1[illegible].
2—Polonaise in A, No. 2, Op. 21, Wieniawski.
Prof. Lee Greenwood.

Aria, Lucia, arranged for Double Bass, Professor Cannon.

Tenor solo, The Dying Poet, Miss Jennings, Prof. Lee Greenwood, Professor Cannon.

Soprano solo, Sweet as Long, by Eva Hayden.

Miss Anna Cannon Pianist.

Auditorium Chorus, Associated Charities and Young Ladies' Aid Society.

Prof. Krause has kindly consented to accompany Miss Jennings, Mr. Gerlach and Mr. Circ.

Prof. Pedersen gives the services.

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

The Perfume of Violets
The fragrance of the [illegible] the glow of the rose, and a thousand other sweetness in Pompeian's Heliotrope Powder.

$5.00

DR. SHELMERDINE will give you the benefit of his experience, make a complete diagnosis of your case and supply a bottle of medicine or specimen for $5.00, except in highly complicated cases. He will make a careful and thorough examination with the various scientific instruments, and a like result obtained from each before a final correction is made, thereby making an error in measurement impossible.

If you are wearing improperly fitted glasses or your sight is defective, have them attended before it is too late, as many will be remorseful for any neglect of her loss.

Every pair of glasses are especially ground to suit the peculiarities of each case, and are guaranteed to give satisfaction.

The following indorsements are evidence of the doctor's ability.

A Few From Salt Lake.

[illegible]

GEORGE SCHRIEVER,
Secretary of the President, Mormon Church.

[illegible]

THOMAS WINTERS,
Grocery department Z. C. M. I.

[illegible]

JOHN SCHOLES.

[illegible]

G. H. SWEARS,
Salt Lake Theater.

WHAT DOES T. C. SEARY.

[illegible]

THOS. J. SEARY.

DR. SHELMERDINE,
Consultation Free.
Office Hours, 10 to 5.
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102 Main Street.

In Curing
Torturing
Disfiguring
Skin Diseases
Cuticura
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Boil throughout the world. Potter Drug & Chem. Corp., Sole Prop., Boston. How to Cure Skin Diseases, 64 pages, 50 illustrations, and 100 testimonials, free.

NOTICE.

THE ANNUAL MEETING OF THE stockholders of the Salt Lake and Ogden Gas & Electric Light Company will be held at office of said company, in Ogden, Utah, on the First Tuesday, February 12th, 1895, at 2 o'clock p. m., for the election of board of directors and for the transaction of such other business that may come before the meeting.

JAMES MOFFAT, Secretary.
SALT LAKE CITY, UTAH, Feb. 4th, 1895.

We Want our Friends to Know that the
TEMPLE PHARMACY
Has Removed to No. 102 W. South Temple St

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

Shoes! Shoes!

GRAND SHOE SALE!

For One Week.

Men's Women's and Children's Shoes.

$20,000 STOCK

At Nearly Cost, For One Week.

If You Want SHOES Come to us for Them. You Will be Satisfied.

GRAND SHOE SALE!

BONA FIDE

Shoes! Shoes!

R. K. THOMAS.