IN COURT CIRCLES.

Criminal Business Taken Up by Judge Bartch.

GRICE BURGLARY CASE NOW ON.

Petit Jurors for the September Term—Fined for Duck Shooting—Civil Actions.

Work in the criminal branch of the Territorial district court business was taken up by Judge Bartch today. U. S. Attorney Judd was absent, but efforts were attended to by Assistants Howat and Bierhals. The first work of the day was the filing by the U. S. Marshal, of the following names of persons summoned on open venire to serve as petit jurors for the term.

Henry L. Dodd, Calvin Rossiter, B. M. Wilkinson, Hyrum S. Stoffelt, L. S. Holmes, James O'Hanlon, Milton Barratt, Samuel E. Underhill, Thomas A. Ball, W. Fowler and W. A. Chapman, Salt Lake City; Walter K. Perkins, Emigration canyon; J. E. Ellison, Bingham; James Anderson, Mill Creek; James Spillett, Isaac Brockbank, Halliday, Salt Lake county; Heber Bennion, George Butterfield and David Barker, Taylorsville, Salt Lake county; George Proctor, Hyrum Forbush, Isaac F. Shaw and Lars Jacobson, Union, Salt Lake county; Francis H. Lossey, Tooele; H. F. Burton and Frank Turnbow, Farmers ward, Salt Lake county, W. C. Orgill, Draper, Salt Lake county; T. Francis Roueche and J. B. Meredith, Kaysville, Davis county; D. E. Cailffo and D. McLoughlin, Farmington, Davis county; William Prescott, Joseph Willey, John H. Barlow, W. A. Lawson and Henry Hall, Bountiful, Davis county; E. P. Ellison, Layton, Davis county; John S. Edwards, Sugar House, Salt Lake county.

Upon the call of the clerk, all responded but James Spillett, Heber Bennion and Frank Turnbow.

Isaac Brockbank was excused for the reason that he had served as a juror within the past year, to wit, in March last. Lars Jacobson was excused because taking him from home at this time would work an unnecessary hardship on him. Mr. Perkins was excused because of recent jury service. All others were passed, and subscribed to the Edmunds-Tucker oath.

Pending this latter proceeding, a demurrer to an indictment was filed in the case of Peter A. Clark, charged with murder in the first degree. Clark had been ordered to plead this morning. His counsel asked that the argument on the demurrer be set for Saturday next. The prosecution objected to the postponement, and insisted on an immediate hearing.

This was ordered, and Mr. Tewksbury, attorney for Clark, proceeded to argue in support of his demurrer, which raises the point that there are two crimes charged in the indictment, namely, an attempt to take life, and also the crime of murder, in killing Henry H. Nugent, at Park City, Summit county, on Sept. 19, 1895. The law provides that but one crime can be charged in an indictment.

Assistant U. S. Attorney Richards replied, insisting that only one crime was charged, namely, murder in the first degree; while the first part was merely a recital of the assault by which the murder was committed. This recital was essential to the validity of the indictment for murder, and did not allege a separate offense.

The indictment was in the usual form that has been followed for years in the Territory. Judge Bartch read it over carefully, and then overruled the demurrer.

A jury was called in the case of Samuel Grice, charged with burglary. The defense raised the point that the defendant had been in jeopardy before, having been convicted Oct. 1, 1894, of the same offense. The prosecution replied that the former indictment was held to be defective, hence there was no legal jeopardy. This view was taken by the court, and the trial was proceeded with.

The defendant Grice was represented by J. M. Hamilton and C. W. Morse. Mrs. Grice sat beside her husband with an infant in her arms and a boy three or four years old by her side. These constitute the defendant's family. Their clothing and general appearance indicate poverty.

Mr. Grice is accused of having burglarized James W. Wilson's butcher shop at the corner of Eighth West and First South streets, in this city, March 31, 1895. The prosecution claims that a knife stolen from the butcher shop, a tool fitting the marks where the door was pried open, with other alleged stolen articles, were subsequently found at Mr. Grice's house. Mr. Grice claims that he was not absent from home the night of the burglary. He says that the next day he found the knife, tool and other articles, in a field in a sack and carried them to his house. It is on this circumstantial evidence that a conviction was sought, and which the defense hoped to explain satisfactorily to the jury. Mr. Wilson and police officers testified to the burglary and finding the articles named in Grice's possession. Grice and his wife testified to the defendant being at home the evening the crime was committed, and to his finding a sack containing the stolen articles.

The case had not been concluded up to the time of going to press.

BEFORE JUDGE HENDRYX.

The civil action department was conducted by Judge Merritt as follows:

Louis W. Ottinger vs W. P. O'Meara; motion for new trial sustained and new trial ordered.

John Featherstone vs Emily Page et al; court orders that clerk pay plaintiff the $100 deposited for attorney fees, and that plaintiff have judgment for his costs.

Frank Thompson vs John Brogan et al; demurrer overruled.

R. Wilgarten vs Western Loan and Savings company; demurrer overruled.

Eliijah Sells vs E. S. DeGolyer; default of defendant, and judgment given for plaintiff as asked, with $50 attorney fee.

Wm. Thomas DeGroot et al vs Anna F. Fells et al; default of defendants, order of foreclosure on trust deed, and $50 attorney fees.

COMMISSIONER'S COURT.

Claude Freed was before Commissioner Hammer today for shooting ducks earlier in the morning than one hour before sunrise. He pleaded guilty and was fined $1 and costs, $10.10 in all. Another Freed boy was up on a similar charge, but was discharged.

SUIT FILED.

Lucy M. Hinson began proceedings today against George Hinson, to secure a divorce. She says they were married in Salt Lake City, September 27, 1891, and that on the same day, immediately after the marriage, her husband deserted her and has since failed to provide for her the necessities of life; he also refused to live with her as his wife. Mrs. Hinson says she has one child, an infant, of which the defendant is the father, and she asks the court to give her custody of the child, with a decree of divorce. Willey L. Brown is the plaintiff's attorney.

AMUSEMENTS.

At the Grand Opera house this week, One Error will be presented. The drama has been a great success in other places, and will, no doubt, prove a drawing card at the Grand, in the hands of the efficient company there engaged.

At the Theater, the attraction on Oct. 14 and 15 will be The Passing Show.

IRRIGATION MEETING.

Many Matters of Vital Interest Spoken Upon at Saturday Night's Session.

The Utah State Irrigation association held an earnest, important and enthusiastic meeting in the Assembly Hall on Saturday night. The body of the hall was well filled, showing conclusively that the question of irrigation is becoming more and more a matter of grave concern to the people of Utah. The meeting, too, was a representative one in all respects and every section of the Territory has one or more of its sterling citizens present while not a few were in attendance from remotely located stake points.

President Sturtiff presided and Secretary Stevenson filled his usual place and in addition thereto outlined what the association had done, the benefits that had accrued, those that were expected to accrue and what it would certainly do with an enlarged membership.

Hon. George Q. Cannon emphasized the importance of the remarks of Colonel Stevenson, and added many new thoughts along the same line. He urged the organization of county irrigation associations, but deprecated the formulation of too many societies, which had in view, in part at least, the accomplishment of the same results as the state association. These, he thought, would simply be ramifications of the State Irrigation association. He also suggested the holding of a convention in the near future for the purpose of considering the preparation of a proper legislative article on irrigation matters—an article which shall be the work of practical irrigationists and one that will look to the just treatment of all interests incidental to this great one.

Governor West followed in an eloquent and able address on the same subject, to which he called attention to what had been done by the Pioneers in distributing the mountain streams over parched and unfruitful soil and making it yield in great abundance the necessaries and luxuries of life. He also directed attention to what other states were doing in the matter of developing their irrigation resources and said there was danger of them outstripping us by reason of the adoption of systems more scientific than our own. Nevertheless, the cradle of the system was yet here where it had followed the footsteps of the pioneers and here it would remain. Neglect of public water interests meant slavery to the people of Utah.

Hon. J. H. Smith referred to the work of the late irrigation congress at Albuquerque, and noted the fact that one of the most important questions with which persons interested in irrigation would have to deal was that of distributing water arising in one state and flowing into another. It was a matter that would have to be considered most carefully. Unless it was complications of the most serious character would arise.

The meeting was chiefly notable from the interest and enthusiasm evinced and the number of those heretofore unidentified with the association who became members. The annual fee is but $1, which entitles members to all benefits, including the receiving of a large amount of irrigation literature annually.

A Respected Veteran.

Edson Barney, the well known and respected pioneer of this Territory, and now a resident of Provo, is at present in the city. Father Barney has the distinction of being the oldest living male member of the Church, having been baptized on May 8, 1831, by Elder Simeon D. Carter in Lorraine county, Ohio. He was for thirty years a resident of St. George and was numbered as one of its most industrious citizens. He is stopping at the residence of P. H. Young, No. 61 west South Temple street, where he will remain until tomorrow night, and invites his old acquaintances to call and see him.

Indiscreet Behavior.

The attention of the chief of police has been called to the habits of the employes of the fire department, in sending trusties for liquor, and afterwards getting them intoxicated. They have also been found interfering with inmates of the city jail. Chief Pratt doesn't propose to have such actions continue and will have the matter thoroughly investigated.

Personal Paragraphs.

T. J. Massey, Butte, is at the Knutsford.

George D. Crooks, of San Francisco, is a Walker guest.

E. E. Hill, of Denver, is registered at the Cullen.

Mr. and Mrs. George P. Quigley, of Cheyenne, are Templeton guests.

J. A. Limbach, Eugene S. Goldsoll and O. H. Baird are Chicagoans at the Knutsford.

Wesley K. Walton, of Woodruff, Utah, has his name on the Walker register.

D. G. Calder, of St. George, is in town and stopping at the Templeton.

H. M. Berry, of Silver City, is located temporarily at the Knutsford.

Will White, of Beaverdell and Sons, Ogden, is in town today.

Mr. and Mrs. Peter McMahon and J. W. Eden, of Pocatello, are guests at the Walker.

J. Brinker and Lawrence Brinker are city guests, look at the Cullen.

D. W. McAllister, of St. Louis, is numbered among the guests at the Templeton.

A. W. Smith, of San Francisco, arrived in town today and put up at the Knutsford.

D. J. Warren and James I. Ludlow, of San Francisco, are enjoying the Cullen's hospitalities.

Dr. J. H. White is up from Provo and has rooms at the Templeton.

S. W. Wells of Schuyler, Neb., and J. M. Ebner, of Cleveland, Ohio, are stopping at the Knutsford.

Mrs. W. R. Malone, wife of the principal of the High School, and son Justin Depew, are registered at the Cullen.

Carl von Knoblock and wife, Mr. and Mrs. Robert Smith, and Mrs. Bon. Howell, all from Rock Springs, are at the Templeton.

New Yorkers at the Knutsford are Joseph Frank, Wm. A. Schwarzhopf, N. M. Hackwell, Mr. and Mrs. J. E. Ryskes and J. R. Bleecker.

OGDEN.

OGDEN, UTAH, - - OCT. 7, 1895.

Junction City Items.

Ogden experienced a very quiet day yesterday, it having literally emptied itself into Salt Lake City. The low cut rate on Saturday and Sunday was too great a temptation to be resisted. Its large a number of people never went out of Ogden in any two previous days as did on Saturday and Sunday.

J. D. Patterson is still confined in the city jail, not having furnished bond. He was arrested for forging checks and is now trying to arrange a settlement. Having prepared a course of lectures to be delivered on the subject of the evils of intemperance and particularly of the liquor and morphine habit, he will describe his own experience in his lectures and on this means square up his financial difficulties.

Dinah Haynes, wife of Anthony Haynes, one of the pioneers of Weber county, died at Hooper on Saturday.

Mrs. A. Nicco was seized with a fainting spell and fell. The lady was curling her hair at the time and in falling the point of the hot curling iron went into her eye. The injury is serious.

The alleged rapist Lund was given the full extent of the law for assault; the charge of attempted rape could not be sustained.

Mrs. Albert Kissel and Miss Minnie Schrammeck have returned from their six months' visit to Germany.

PROVO.

PROVO, UTAH, - - OCT. 5, 1895.

First District Court.

Burns Bench Irrigation Co. has brought suit against Ira Burton and twenty-six others asking that the plaintiff corporation may be adjudged the owner of three-fifths of the waters of Bruen Creek, and the defendants perpetually enjoined from appropriating more than two-fifths of said water. Defendants are charged with diverting and using more than two-fourths of the water. The parties are from Uintah county.

The case of the People vs Louis McCarty and Henry Maingreen came up in the First district court this morning. Defendants are charged with stealing a heifer and a steer from Alex Barton, in Sanpete county, on the 5th day of August, 1895. The defendants claim that the cattle in question became mixed with a herd they were driving and that defendants did not know it till after they had driven about twelve miles, at which point the cattle were found by plaintiff.

Notes.

The coroner's jury in the case of Leslie Dunn, the 12-year-old step-son of Mr. J. Dunn, who was accidentally killed at the depot last Saturday, exonerated the railroad employes from any blame. The funeral services over the remains of the unfortunate boy took place this afternoon in the Second ward meeting house.

Mrs. Mary Jacobson, a widow about 45 years of age, died suddenly last night, about 11 o'clock at her home in the Second ward from heart failure. One of the children summoned Tino. John, saying their mother was very sick. He and other neighbors went to the house and did what they could to help her, but she expired a short time after. Mrs. Jacobson came here from Draper about four years ago, and since that time has worked hard to support her children, her husband having deserted her before she arrived here. Her mother, Mrs. Susannah Smith, of Draper, has also been living with her for some time. The funeral will take place tomorrow in the Second ward meeting house.

Sheriff Murdock, of Wasatch county, and Hon. Wm. Hays, of Heber, brought Mrs. Olive J. Haight down last evening to have her committed to the asylum to be tested for insanity. Mrs. Haight, who is from Uintah county, brought a suit for divorce against her husband, G. B. Haight, in the First district court, this term charging him with adultery. He filed a cross complaint making the same charge against her. Judge King refuses to grant a decree to either of the appellants. Since then she has been working in Heber, and Wednesday evening she became violently insane. The probate judge of Wasatch county was sent for in Heber at the time and she was brought here to be examined before Justice Dusenberry. He is away, and in the meantime the patient is in the county jail.

LOGAN.

LOGAN, UTAH, - - OCT. 7, 1895.

Electric Light and Power.

Work on the Hercules power plant is progressing at a very satisfactory rate. The machinery is expected daily, and the post holes are being dug and the poles are. The secretary of the company attended the meeting of the city council on Wednesday evening and asked that a committee be appointed to designate where poles might be set. The intention is to have the wires strung from the plant into Logan by the 15th of November. The company will furnish the ordinary sized incandescent lamps at a rate not to exceed forty cents per month, with a full twenty-four hour service if required, and will make an even cheaper rate if the patronage is sufficiently large. Power for electric motors will also be furnished cheaply.

Republican City Ticket.

The Republicans of Logan have made their nominations for a city ticket as follows: For mayor, Orson Smith; marshal, E. M. Coles; recorder, Fred Lundberg; treasurer, W. K. Stoker; water judge, Robert Murdock. The Democrats will hold their convention for the nomination of city officers on Monday next.

Notes.

The attendance of the public schools of the city is very nearly the full enrollment according to the school census. The absentees are all in the upper grades. The attendance at both the Agricultural and B. Y. colleges promises to be larger at the commencement of the winter term than ever before recorded. One hundred and sixty of the pupils of the A. C. of U. are members of the college cadet corps, and the average attendance at the daily drill is 150.

The Logan Temple has been closed during conference week, and as a result the marriage market has been dull. Only two licenses were issued during the week.

A little girl from Gentile Valley was operated on by Dr. Parkinson a few days ago for the removal of a tumor growing on the side of her tongue.

President Miles of the Cache county agricultural society went to Salt Lake on Friday to attend the meeting of the State Irrigation committee.

Many Cache valley people attended the Eisteddfod and conference. The trains on this branch of the U. P. were crowded.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $314,238; same day last year, $204,176.

TODAY'S QUOTATIONS.

New York—Silver, 67½; lead, $3.20.
London—Silver, 30¾d.

ORE AND BULLION.

W. S. McCornick & Co. received today: Hanauer tailings, $3,825; silver and lead ores, $5,800; cyanide, $22,000. Total, $34,225.

Wells, Fargo & Co. received today: Pennsylvania tailings, $4,100; ore, $1,885. Total, $5,985.

C. H. Jones & Co. received today: Dear tailings, $6,000; ores, $11,800. Total, $17,800.

STOCKS AND MARKETS.

New York, Oct. 7.—Money market opened strong, after advancing 2 per cent, yesterday, when advances of 5 per cent were recorded, and some loans were made after 10 o'clock, and even closing, 10 per cent; usual rate, prevailing at Stock Exchange and Block Island.

The government statement was checked after it appeared and a general freeboard fully passed. After a brief period renewed pressure was exerted on the market by the bears of the morning. Sugar declined 1 per cent.

Money, ruling rate.

New York, Oct. 7.—Money on call easy at 2@3; ruling rate, 2½; closing bid, 2½.

CHICAGO MARKET.

Chicago, Ill., Oct. 7.

Wheat—October, 67½; December, 68½@68¾.
Corn—October, 27½; December, 28.
Oats—October, 17½; December, 17½.
Pork—October, 9.40; January, $9.57½.
Lard—October, 5.37; January, $5.37½.
Ribs—October, 5.35; January, $4.67½.
Cattle, 10,000.
Hogs—Sales, 40,000.
Sheep—Sales, 15,000.
Timothy—$4.35.

OMAHA LIVE STOCK.

South Omaha, Neb., Oct. 7.

Special Telegram to the NEWS.

Cattle—Receipts, 1,300; market steady; native steers, $3@5.25.
Western steers, $3@4.35.
Cows, $1@3.60.
Feeders, steady, $3@4.60.
Stockers steady, $2@3.75.
Western cows, steady, $1@3.25.
Calves, $2@5.50.
Lambs, $3@4.35.

LOST!

THREE HORSES FROM BLACKFOOT, Idaho, coming south through Lucin's Western Country. Two bays branded J H on left shoulder. One sorrel branded S C on left shoulder. Finder please address WM. HOWARD, Provo, Utah.

Looking Backward

to the good old days one wonders how the colonial housewife succeeded at all without

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ADVERTISEMENT.

DEMOCRATIC TICKET.

United States Senator,
JOSEPH L. R. WILLIS, Salt Lake.
MORRIS THATCHER, Cache.

Governor,
JOHN T. CAINE, Salt Lake.

Congressman,
B. H. ROBERTS, Davis.

Judges of the Supreme Court,
SAMUEL R. THURMAN, Utah.
RICHARD W. YOUNG, Salt Lake.
THOMAS MALONEY, Weber.

Secretary of State,
FISHER S. HARRIS, Salt Lake.

Attorney-General,
A. J. WEBER, Weber.

Treasurer,
ALMA GREENWOOD, Millard.

Auditor,
GUY C. WILSON, Sanpete.

Superintendent of Public Instruction,
KARL G. MAESER, Utah.

State Senators,
PARLEY L. WILLIAMS,
GEORGE A. WHITAKER,
JOSEPH S. RAWLINS,
CHARLES S. SAVAGE,
OSCAR W. MOYLE.

House of Representatives,
DAVID E. ALLEN,
SULON S. WELLS,
JOHN H. MURPHY,
HEBER BENNION,
HENRY WALLACE,
CHARLES W. PENROSE,
ORRIN P. MILLER,
CHARLES J. PENCE,
JOSEPH E. TAYLOR,
ADAM SPIERS.

County Superintendents of Schools,
OSCAR VAN COTT.

Judges Third Judicial District,
OGDEN HILES, Salt Lake.
ANDREW HOWAT, Salt Lake.
LE GRAND YOUNG, Salt Lake.

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