

he had better let such a woman go her way. After pointing out the unlawful act of which Kent had been guilty he ordered him to pay a fine of \$100 and the costs of the prosecution. "But," his Honor added, "I will make no order for your commitment now."

The defendant held the child in his arms while before the court. He appeared to be devotedly attached to the little fellow.

THE AUSTIN SHOOTING.

In the case of the People vs. James Austin, charged with assault with a deadly weapon with intent to murder, a motion for a continuance was made by Attorney C. B. Glenn and overruled.

TO COME UP FRIDAY.

On application of Assistant District Attorney Stephens, it was ordered by the Court that Isaac Sears and Gilbert Marchant, who had previously plead guilty to a charge of unlawful cohabitation, come up on Friday morning next for sentence.

DISMISSED.

The charge of fornication against George Etchell was dismissed on motion of Assistant District Attorney Stephens, who stated that the lady mixed up in the case had since "married another," and she did not want her name now brought up.

Court adjourned till 2 p.m.

CIVIL BUSINESS.

Judge Anderson this morning took up the law and motion calendar on peremptory call, but the proceedings up till noon were devoid of public interest. Among the spectators were Miss Emma Lee, "the lady lawyer," who occupied a seat at the attorneys' table and paid particular attention to what transpired.

The first case called up in Judge Zane's court this morning was that of William Durden, who stands indicted for sheep stealing. Prosecuting Attorney Stephens stated, however, that the defendant's counsel were not present, Judge Powers having gone to Nebraska to defend in the Irvine murder trial, and Attorney Ogden Hiles being engaged in the Cass Hite murder case at Provo. Under these circumstances Mr. Stephens consented to the matter going over for the term.

ALLEGED FALSE PRETENSES.

R. E. Moulton's name stood next on the criminal calendar for today. The defendant is charged with obtaining money by false pretenses, his alleged offense, as stated by Prosecuting Attorney Stephens, consisting of the alleged selling of a draft for \$100 on the defunct Farmers and Mechanics' bank at Ogden. The affairs of the late bank are being now investigated, and pending that investigation counsel asked that the case, by request of the attorneys for the defense, be continued. The Court so ordered.

ANOTHER CONTINUANCE.

John Cramer is indicted for shooting at one Jerry Richardson with intent to murder, and he was to have had his trial today. It was explained, however, that the defendant is in Idaho (being out on bail) and had been living there ever since the hearing before the United States Commissioner. His attorneys had written him to come down, and he is expected to be here shortly. Prosecuting Attorney Stephens

therefore asked that the case be continued for the present. Counsel intimated that he would probably make another setting of criminal cases toward the latter part of the present term.

HERE'S ANOTHER.

William A. Morrow is indicted for selling liquor without a license; but upon the application of Judge M. Kay, who will defend, the case has been temporarily continued.

GRAND JURY REPORT.

The grand jury came into court and reported having found eight indictments under the Territorial laws and two under the laws of the United States. They ignored the charge of adultery against John Girard and that of assault with criminal intent against Alfred Roberts.

ADJOURNED.

The day's programme having been run through by 10:45, court adjourned until ten a. m. tomorrow.

JUDGE ANDERSON'S COURT.

Judge Anderson this morning went on with the law and motion calendar, and by noon quite a number of cases had been wiped off on short order. None of the matters which came before his Honor were of public interest.

COURT NOTES.

The case of James Austin, charged with shooting at his son with intent of murder, occupied the entire time of Judge Zane and a jury yesterday afternoon. The facts were briefly stated in Monday's News. The accused, who appeared to feel his position acutely, was found guilty of assault with a deadly weapon. Sentence will be pronounced on October 17th.

Effie Smith, committed from the Third District Court on December 5th, 1891, for one year, for grand larceny, will be released from the penitentiary October 5th.

John Stringam, convicted in the Third District Court on December 10, 1891, (one year, for grand larceny), will also be let out on October 5th.

Robert Young, sent up from the First District Court at Ogden, June 25th, 1889, (five years, for burglary), will be free on October 25th.

Ed. S. Ford, sent up from the Third District Court on December 28th, 1891, (one year, for grand larceny), will be let out October 28th.

D. W. Rentch has filed a petition for a writ of review in the Third District Court to compel U. S. Commissioner Pratt and Andrew J. Burr, sheriff, to certify all proceedings in an action brought against the petitioner by one Peter F. Goss up to this court from said lower court. Judge Anderson has issued the writ according to the prayer of the petition, and made it returnable on October 8th.

Frank E. McGurkin and Elmer E. Darling have begun suit against O. E. Clifflin, administrator, et al., in the Third District Court to collect \$1348.45 on a promissory note secured by a mortgage. The usual decree is asked.

Prosecuting Attorney Stephens is today looking up the Dan St. Clair "non-commitment" case, mentioned in yesterday's News. Meanwhile the unsentenced youth continues to languish at the penitentiary. That "someone has blundered" is clear; but nobody seems inclined to accept the responsibility.

Mr. Stephens "believes" the man was sentenced; Warden Parsons holds no order of commitment; Clerk McMillan says he has no record of the sentence, and rightly insists that it is no business of his to direct the accused's detention or release. In a word, he entirely wipes his hands of the business, leaving the Prosecuting Attorney and Warden Parsons to settle the matter between them.

So great is the noise caused by the tram cars and vehicles generally rattling past the Dooly building that it is often difficult to hear what judge, witnesses and counsel are saying. This is especially the case when the windows are open for purposes of ventilation; but there appears to be no remedy at hand just now.

The grand jury have adjourned over conference and the fair.

George Wilson, the alleged Grand Junction burglar, who was yesterday arrested by Deputy Sheriff Lacer, was taken to Grand Junction last night by Sheriff Inner, of Mesa county, Colorado, the defendant having expressed his willingness to start on the journey at once, without waiting for the arrival of the extradition papers.

BLAZER HAS DEPARTED.

C. L. Blazer seems to be a rather slippery individual. He gave bonds a few days ago, his sureties being Captain Davis, of Westwater "Jame," and Mrs. Anne V. Ziegler, an Ogden lady. Davis, however, subsequently withdrew, and it seems that soon after this the defendant was missing. Some of his friends thought he may be searching for another surety, but the officials incline to the opinion that he has taken a longer step than that.

NEW SUITS FILED TODAY.

W. T. Ayland, jr., and Samuel Roberts, jr., this morning brought suit against S. S. Howard and John Perkins to recover \$2,000 and costs. The complaints allege that the defendants, on August 20th, near South Bountiful, Davis county, by force imprisoned plaintiffs for a period of three and a half hours without probable cause or authority. They were thereby prevented from attending to their business during the time named, and their credit, they say, has been injured. C. G. Gardiner is the plaintiffs' attorney.

Rhoda Stoddard also brought suit today against Judson L. Stoddard and sixteen other defendants of the same surname in which she seeks to quiet title to a piece of real estate in Davis County, and also another lot located in Farmington. She alleges that the claim of the defendants thereto is without any legal right, and asks that they be debarred, by order of Court, from asserting such claim. Thomas Adams is the plaintiff's attorney.

At one period of its existence smoking was so common that it was actually practiced in church. Previous to the visit of James I to the University of Cambridge, in 1815, the Vice Chancellor issued a notice to the students, which enjoined that "No graduate, scholar or student of this university presume to take tobacco in Saint Marie's church, upon pain of excommunication from the university."