THE SUPREME COURT.

Two Cases Only Here Come Up for Argument Today.

ONE HAVING BEEN DISMISSED.

An Opinion Yet, But Some May Be Expected Within a Few Days.

The Territorial Supreme court has been in session again today, and the several matters reported below were disposed of during the session:

ADMITTED TO PRACTICE.

Upon motion of Attorney W. A. Lee, Nathan J. Harris, a attorney at the bar of the supreme court of Michigan, was admitted to practice here.

APPEAL DISMISSED.

By consent of the parties in the suit, the appeal of J. W. Gamble vs Francis H. Roche and Caroline M. J. Roche (from the Fourth district) was dismissed and a mandate entered.

SUIT OVER A PROMISSORY NOTE.

The first case argued was that of F. H. Gregg & Co., plaintiffs and respondents, vs Hyrum Greenwood, Nicholas H. Greenwood, Henry M. Ryan, Alex. Wood and P. H. Dooley, defendants; Henry M. Ryan, appellant. The defendant was represented by Anderson & Armstrong, for the respondents Frank H. Hayden and Booker N. Smith.

Appeal from the Third district—Chief Justice Merritt.

Suit was originally brought to recover from the two Greenwoods the sum of $1,750 due upon a promissory note, which was endorsed by Messrs. Ryan, Wood and Dooley. The defendant Ryan filed a demurrer to the complaint which was overruled, by consent of the parties, he being allowed twenty days to separately answer. Herein he alleged that the note sued upon was sold and delivered to the plaintiff by the defendant Dooley, but that prior to the Ryan signature thereto, Dooley (who is the Ryan especially indicted) Ryan's name from the back of it as an endorser, that the was procured, but had inadvertently overlooked. It was further set forth that at the time the note was transferred by Dooley he expressly informed plaintiffs of the agreement.

Plaintiff then moved to strike Ryan's answer from the files as a sham, and for judgment on the pleadings. The court granted this and entered judgment against the defendant Ryan in the sum of $2,004.16, with costs taxed at $19.25.

Appeal is taken from the court's order, several errors being assigned.

A MATTER OF EQUITY.

The Opera House Bank, plaintiffs, respondents or to the Barkers, and appellants as to Dooley, vs William Barker, Mary Ann Barker, Franklin J. Barker and Lerey Barker, appellants, and Charles M. Hough, respondent.

W. A. Lee and H. H. Henderson for the plaintiff bank; Hoffman & McMillan for the Barkers; Evans & Rogers and A. G. Horne for C. M. Hough.

Appeal from fourth district—Judge Miner.

This was a bill in equity to aid of execution to set aside two conveyances, the first being a deed given by the defendants, William and Mary Ann Barker to Franklin J. and Lerey Barker, and the second a mortgage deed given by William, Mary Ann and Franklin J. and Lerey Barker to Charles M. Hough upon certain lands and premises in Weber county. The case was heard before the court sitting without a jury, upon the pleadings and upon the evidence taken before Attorney J. T. Smith as referee.

The findings made found that the mortgage given by William, Lerey and Franklin J. Barker and their wives to Hough was valid, and that as to Hough, the action should be dismissed. That avoiding the mortgage given by the other defendants to Hough, and also as to one given by the defendant Franklin J. Barker sits not invalidate said mortgage.

Motion for a new trial was overruled, hence the appeal.

Charity Entertainment.

An entertainment will be given in the Fourteenth ward assembly hall Friday, January 31st, by the Deaness and Primary associations, to assist the Bishop in furnishing coal for the poor. An interesting program will be given, consisting of songs, recitations and music, as follows:

Singing	By the audience
Recitation	Lillian Hodgson
Song	Ida Eldredge
Recitation	Mamie Ely Taylor
Recitation	Annie Taylor
Duet, violin and piano	Misses Alvord
Recitation	Mary Ann Lee
Recitation	Lizzie Young
Song	Amy Lee and Mamie Young
Recitation	Frances Young
Duet, violin and piano	Lizzie Young and Mamie Young
Singing	By the audience

To conclude with a laughable farce entitled "Taming of the Lion, with the following cast:

Jeremiah Harrison	George Fox
Charles Goodman	Charles Taylor
Timothy	Joe Morris
Tom Tatterson	Joe Young
Alice	Lizzie Lee
Dinah	Mamie Young

COLLECTIVIST GRONLUND.

Takes Back a Statement as to California and Turks in one in Utah and Colorado.

Collectivist Gronlund, the well-known lecturer, writer and expounder of socialistic theories, recently in Salt Lake, addressed a large audience in the Unitarian church at Oakland, California, a few nights ago, on "Collectivism and Individuality." The speaker was introduced by Mr. Wendte, the presiding pastor, and spoke for a long time.

On concluding his address, says the San Francisco Chronicle, Mr. Gronlund said that to the West he had found the professors and students more conservative and the people more radical.

Rev. Mr. Wendte in resuming the service took occasion to reply to the closing remarks of the lecturer. He said that at the Stanford and State universities the professors are conservative and usually name under the terms expounded by Mr. Gronlund. In fact Mr. Wendte took up the name of Carpenter professors and students. The Minister spoke in a pleasant manner of his explanation.

"I expect Gronlund," said Mr. Gronlund apologetically. He said he intended to see more particularly in Utah and Colorado. With this exclamation the lecture was over. Mr. Gronlund was quite busy by many people who gathered about him.

The Will Granted.

The Supreme court this afternoon granted the writ of mandate against the county court published in an Monday last by the attorneys of S. F. Parkes, doing business as the Utah Mountain Electric Co. The petitioner has a bill against the county for $[illegible] for erecting lamp posts, etc., in the opinion of the law joint city and county building, but the county court refuses to make the appropriation. Mr. Parkes has retained his line into court, hoping to get enforcement there.

The writ is made returnable on Friday next.

FOR THE SUGAR FACTORY.

A Suggestion for Beet Raisers and to Take Stock.

Also a Proposition for the Raising of Beet Manure—Other Resources on the Factory.

PAYSON, Jan. 27, 1896.

Editor Deseret News:

I take a few lines and sentiments to offer as to how the sugar factory at Lehi, also others that might be built, could be made a success financially, as the Lehi Institution has been in other respects. It seems to me to management must that it needs a great amount of capital invested in buildings and machinery; and if this has to be borrowed, it is almost impossible to make these industries a success after paying the enormous interest expected on such a large amount of capital. It would certainly be a great mistake if such a factory is let the Lehi institution be closed down, after making such a good success in the way of making sugar, both as to quality and quantity.

The interests of the farmers and the Sugar Company ought to be as much as possible identical, as we, these are all their employees. To this end I would respectfully suggest that the farmers who raise the beets for the factory agree to take, say 75 percent of the price of their beets in cash, and leave the other, or 25 per cent, as stock in the institution, also all the employees to leave 25 per cent of their earnings as stock in the same way. This might appear to some to be taking too much of them, and have to incline they could do, but I think they would better affect to the little book. It have seen factory close down for a year or more, and the farmers have only a suggestion, it might be 50, 40 or 30 per cent, more or less, and other factories could be built on the same principle.

There is another business that might be combined in connection with these sugar factories, namely the manufacture of molasses. As I understand it, there are a great many beets rotted, and are likely to be under any circumstances, that can't be used to make sugar, but could be used for molasses. In the case beets that could be used at all for either could be used and paid for accordingly. This, in my opinion is one of the ways for the people to save themselves from these scrap and other trusts, whose only aim is to rob and enslave the people.

The people of this Territory only feel lately gone to their having such men as those who have seen the chief promoters of this enterprise, and will having gained of the sense, I am satisfied they will try and help the people, if they will try and help themselves. Hoping to hear from others on this subject, I remain yours very respectfully.

JOHN DOXEY.

AMUSEMENTS.

The Baconian begin their engagement at the Theater tonight. They also play Thursday and give a matinee on Saturday afternoon.

The Warren & Zabriskie engagement begins at the Theater next Monday. The repertoire is as follows: Monday—Othello, Tuesday—Henry IV., Wednesday—Francesca da Rimini, Thursday—Julius Cæsar. This will be the last opportunity Salt Lake will have of seeing the two great stars together, as they are to separate next season. The plays to be given here will be gorgeously mounted with special scenery, properties and costumes, etc. The sale of seats begins Friday morning, Jan. 31st.

The Tivoli Gaiety drew a good house despite all the new Opera House had cash. It runs along smoothly and is only interpolations need time the infinity of its engagement. Monday night, Thursday, will be usual, be the biggest of the week.

Land Office.

The following filings were made in the local land office since date of Jan. 25:

James K. Judd, of Salt Lake City, homestead entry of lots 1 and 2, and the north half of the southwest quarter of section 19, township 2 north, range 1 west.

Joseph Patterson, of Beaver county, desert entry of the southwest quarter of the northwest quarter of section 3 and the southeast quarter of the northeast quarter of section 4, township 30 south, range 7 west.

Robert George Booth, of Beaver county, final proof of desert entry of the southwest quarter of section 29, the northwest quarter of section 32, the northeast quarter of the northeast quarter, and the northwest quarter of the southwest quarter of section 32, township 29 south, range 7 west.

Mathias A. Christiansen, of Morgan county, final proof of desert entry of the southwest quarter of the northwest quarter of section 21, township 3 north, range 3 west.

The following mineral patent was received from the general land office:

Levi C. Iver and Frances A. Iver, of Salt Lake City, for the Sunset, quartz mining, Lake claim, No. 36, 232, Tintic mining district, Juab county.

THE RECOUNT TODAY

H. A. Smith, Democrat, From Third Precinct, Makes a Gain.

SAME POLITICAL COMPLEXION.

Return Falls Behind—Three Democrats and Two Republicans Score Rejections.

The board appointed to recount the returns of Salt Lake county convened at 10 o'clock this morning and was called to order by Chairman Dale. Besides the board there were present the following: Charles Crane, John M. Cannon, H. A. Smith, A. H. Raleigh, Wiley Brown and E. E. Ross, and also Andrew Hindmarsh appeared on the scene.

The question of opening the ballot boxes was brought up, and Attorney John M. Cannon presented the following:

SALT LAKE CITY, Utah, January 27, 1896.

To J. H. Hart, W. H. Dale and George L. Syer:

Gentlemen—Come now H. A. Smith and A. H. Raleigh and object to the ballots sealed up you in presenting a recount of the returns of votes cast at the election on November 6, 1895, for the Legislature in the Governor-elect Cannon's in the Third precinct of the Third ward of Salt Lake City, in Salt Lake county, Utah Territory, and we hereby demand of you that you come and the boxes and in all other parts of said precinct and that we be at liberty when the ballots are and boxes, Smith and A. H. Raleigh, in demanding the number of votes cast for each of said persons.

H. A. SMITH,
A. H. RALEIGH,
By JOHN M. CANNON,
Their Attorney.

The petition was received and filed. The board then proceeded to open the ballot box of the third poll, in accordance with the statutory provisions, placed and verified.

Resolved, That, whereas, from the evidence it is impossible to reach the component parts of the votes in the case of A. H. Raleigh and H. A. Smith, or to satisfactorily account for the ballots and [illegible] in Precinct 3, Ward 3, Salt Lake City, and whereas, there are no ballots there upon the ballot boxes upon the ballots, and there are no ballots in any way, nor indicated, with, nor, indicated, in any way, and, and, Resolved, that in accordance with the provisions mentioned above, that we proceed to open the ballot boxes from the third poll of said precinct and count the votes of said Hartman, and if and the recapitulation of said votes cast for said in said ballot boxes, and, and, that we counting proceed to count as the votes of said H. A. Smith, so far as the evidence can separate or account for said votes cast in the said box.

The resolution was carried by the vote of Messrs. Hart and Syer, Mr. Dale voting no, and advancing the following, which was defeated by a vote of 2 to 1:

Whereas, The discrepancies existing in the Third precinct of Salt Lake county affecting the result as to A. W. Morrow, A. H. Raleigh and H. A. Smith have not been satisfactorily explained:

Resolved, That in accordance with the resolution of this board passed on adjournment, we now proceed to open the ballot boxes from said precinct and proceed to count the votes of said ballots cast in said precinct therein as the same appears in the ballots of the persons allowed by said the recapitulation.

Upon going into the third poll, the discrepancy in Mr. McCauley's case was determined to have been caused by giving him one ticket of tallies the ballot, the tally sheet with the lowest number for him being found attached—[illegible] in point.

Thus Mr. H. A. Smith's case was taken up on poll 5, and the ballots counted, giving him a gain of 11 votes over the number recorded by the judges. These were placed to his credit.

Mr. Raleigh's case not being within the scope of the resolution, nothing was done with it, thus:

The figures in the third precinct now as follows from the judges returns:

	Votes	Majority
John Henderson, R.	1[illegible]	[illegible]
Harvey H. Rowe, R.	1[illegible]	38
H. A. Smith, D.	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	
[illegible]	1[illegible]	

The recount today shows H. A. Smith to have received 11 votes more than were counted for him by the judges, making his total vote 1[illegible], which places him ahead of A. W. McCauley. This gains for H. A. Smith a seat in the Utah Commission, leaving for him out of the same value [illegible].

The canvassing board meet again to-morrow morning.

If these figures should stand, those elected will be W. H. Dredge, Andrew Kimball and H. A. Smith, Democrats, and J. H. Sloan and G. D. Emery, Republicans.

PETIT AND OTHER OFFENDERS.

Brought Back on a Charge of Larceny—Shrved Chapman and Goldstein.

The following cases were heard before Justice Smith in the police court today:

F. Williams and George West, two male boys, were confronted with the charge of petit larceny, it being averred that they stole an overcoat from Tagarts hall. They were stopped in Ogden last evening en route to Butte and brought back to this city. As the complaining witness did not wish to press the charge, West, who it was proved, had no complicity in the act, was discharged, while F. Williams received seriously admonition from the court and was let off with the costs of suing warrant, transportation, etc., amounting to $11.50.

Frank Black and Frank Edward were given till 2 o'clock to get out of town. Both men have just been released from the penitentiary after serving two years for highway robbery. Edward showed a disposition to return to town day were arrested for the theft with the above result.

T. H. Harlan, drunk and disturbing the peace, was fined $15.

F. Dunier pleaded not guilty to the charge of assault and battery with a deadly weapon upon the person of one John Nicholas, son of Sheriff Dolly, in having a vessel fired at him and shooting at Temple street. The case proved to be rather a boomerang to Nicholas, as the evidence tended to show that the Italian was, if anything, the aggrieved. Nicholas endeavoring to forcibly remove Dunier in the latter's home, which terminated in a rather one sided fight, together with a lick on the shoulder with a cannel from Dolly. Dunier was fined $5 for assault and Nicholas $5 for fighting.

In the case of Chapman and Goldstein, which came before the court at 2 o'clock this afternoon, the charge of petit larceny against Chapman was dismissed. In the absence of the principal witnesses the prosecution, Mr. Sullivan, was unable to get the defendant Goldstein's story, and there quite a farce in court of producing little slips verbal tally sheets, etc. Where every one thought he had got enough he would make a little slip for his vest or other pocket and produce another tag. Mr. Sullivan has been advised to take two days over the weekend to endeavor to polyfaw he was only trusted to prove to a certainty of the prosecution. Third says the Dunier witnesses, if they can be found, will be ready to make things interesting for a change, who seems to have a great partiality for liquors and transitions.

ORANGEVILLE PROSPERITY.

Plenty of Room for More Settlers and Good Land Cheap.

Capital Wanted for the Erection of a Woolen Factory to be Commenced in the Spring.

Editor Deseret News:

I thought perhaps a few words from this secluded little hamlet would not be amiss as we hardly ever read anything from our little town.

The health of the people as a general thing is good with the exception of a cold among the children, which of course sometimes proves fatal when it occasions a group as has been the case for past two weeks. Bro. and Sister Robert Leigh lost their little one on the 9th inst., and Bro. and Sister Wm. Hastings's little one died on the 21st.

We have three district schools in good running order, which are well attended and are really full to overflowing. We are very much in need of a school house, which are the most.

Our tabernacle school house is a flourishing condition under the management of our worthy superintendent, J. G. Sharp, and his aids. The Orangeville Brass Band played on the 11th inst. for the benefit of our Sunday school, which was quite a success, which will be a great benefit to our school, as it was very much in need of some music to carry on the school.

Our roller mill, which has done such noble work for us, is now going up for a short time, perhaps till the 15th of February. We really know how to appreciate the good flour we have this close the first of October last. We most sincerely have a good mill. Its capacity is sixty barrels, and it has ground as high as seventy-five. The machinery is from the Great Western Manufacturing company, and we are proud of the structure.

Some of the people are now agitating a woolen factory, and I expect we will make a start in that direction next summer in the way of getting timber for the business and perhaps getting in the machinery. We have plenty of good timber here for that purpose, to wit: Cedar, pine and fir. Now we would like to the capitalist to help us out with a little money for the machinery. We have the machinery are here for a factory, but not a water fall to carry that into place. It would be a big thing, as the good wishes of all are regarding local woolen mills. I think will never fail.

We would like some settlers to come and settle with us, as we have plenty of room. There is lots of land for sale, and lands good land for the sale at low prices. There are very choice ones. Work on new roads and obtain water rights, etc.

Perhaps I had better close. There is lots I would like to say, but will write more at some future time about our country. A. ANDERSON.

ORANGEVILLE, Emery county, Utah, Jan. 27, 1896.

Essie Watkins's Case.

Essie Watkins, charged with keeping a house of prostitution on Commercial street, failed to answer to the call of her name in the police court this afternoon and her bonds were declared forfeited. A few minutes later she arrived and secured another continuance of the case, the time until Thursday at 2 o'clock.

EXTRAS FOUND NOTICE.

ONE ALAN WISE ABOUT A YEAR ago left some extras at my place. Call and pay for them and take them away, or they will be sold to pay for keeping them. If not some definite arrangement is made in a reasonable time they will be sold to the Essey round house.

JOHN D. MAYNES,
Forest Ranger.

CHURCH BLANKS.

Printed and For Sale at

THE DESERET NEWS OFFICE.

SALT LAKE CITY.

Stake Reports,	$10 per doz
Ward Reports,	20c "
Relief Society Reports,	20c "
Primary Association Reports	20c "
Y. L. M. I. A. Reports	20c "
Y. M. M. I. A. Reports	20c "
Elders' Certificates,	20c "

Bishops' Recommends, books of 50, 50c; of 100, 75c.

Primary Association Roll and Record Books, $1.00.

Ward Records, 1 qr., $4.00; 2 qr., $6.00; 3 qr., $7.00.

High Priests' Records made to order.

Seventies' Records made to order.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Yesterday's total bank exchanges amounted to $[illegible]. Balances day before, $[illegible].

STOCK QUOTATIONS.

New York—Silver, 67½; lead, $1.[illegible]. London—Silver, 31 [illegible].

ORE AND BULLION.

Wells, Fargo & Co. received today from Tintic, $[illegible].

J. R. Jager & Co. received today from Tintic, $[illegible].

BEAN SILVER.

Transferred to Salt Lake on the Pacific Express of yesterday, a total of [illegible]

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]