DESERET EVENING NEWS
Thursday. April 6, 1893.

FREE!

Our Beautiful Souvenir

—OF THE—

GREAT

TEMPLE

Size of Picture, 22 x 28 inches.

PRICE $2.00.

CAN BE PROCURED FREE WITH A

$5.00 CASH PURCHASE

Of anything in the SHOE Line at our store.

SEE SAMPLE PICTURES

DESERET NEWS OFFICE, HOTELS, RAILWAY STATIONS, AND AT STORE, 124 MAIN STREET.

We are the Largest Retailers in

FOOTWEAR

IN UTAH.

Besides carrying the Greatest Lines of Staple Goods we have all the

Latest Novelties!

Everything Guaranteed First-Class.

Inviting you to call,
We are yours respectfully,

SPENCER & LYNCH CO.,

Leaders in Footwear.

☞ Don't fail to secure this beautiful memento.

FRAGMENTS.

JUDGE ZANE was engaged nearly the entire morning in hearing settings of civil jury cases for trial.

THERE was a small and inexpensive blaze in the Columbian Saloon, between 5 and 6 o'clock last evening, caused by an improperly insulated electric wire.

PASSOVER services this evening at the Jewish temple, Fourth East between Second and Third South, begin at 8 o'clock. Sermon by Rabbi Jacobson: "Freedom from Life's Bondage."

ARTICLES of incorporation of the Meadow View Creamery company, a Sanpete organization, were filed with Secretary Sells last evening. The company will conduct a general dairy business, and is capitalized at $[illegible].

Probate Court Today.

Judge Blair had another easy morning in the Probate Court, the following being the only orders made:

Estate of Henry J. Cobb, deceased. Hearing on petition for sale of real estate. Granted, and the guardian's bond fixed at $2,000.

In the matter of the adoption of Marcenus Joshua Johnson, a minor, under the name of Joshua L. Davis, hearing was had in regard to same, on the petition of Amanda Johnson, Joshua Davis and Elsie Mary Davis, and an order made as prayed.

County Court Matters.

The County Court is again in session this afternoon. The first portion of the time after 2 o'clock was devoted to unfinished business, held over from Monday, including appropriations. The petition from residents of Sandy, asking that that town be incorporated, is down on the bill for consideration today.

An Old Offender.

Thomas Griffin, an old time crook who has just served a sentence of several months in the county jail for carrying burglar's tools about his person, was taken before Justice [illegible] this morning and plead not guilty to burglarizing Councilman Folland's office about a year ago.

Scots Will Meet Tonight.

The Salt Lake Caledonian club will meet in the Wasatch building at 8 o'clock tonight for the purpose of taking united action in regard to a representation of the Scotch residents of Utah at the Columbian Exposition during the week devoted to Scotch games and amusements, July 24 to July 31, 1893.

Ogden Hiles is "Mentioned."

A petition is in course of circulation amongst the members of the Salt Lake bar, asking the President to appoint Attorney Ogden Hiles an associate justice of Utah in the event of a vacancy. It is said to have been numerously signed.

Temple Souvenirs.

There have been many beautiful Temple souvenirs issued during the last few days and among the neatest seen are those of Utah silver, aluminum and mahogany in the shape of lappel badges and watch charms designed and made by Swaner, the jeweler.

FREED FURNITURE

—AND—

CARPET COMPANY

30, 32, 34, 36, 38 E. THIRD SOUTH.

Cash or Easy Payment

Especial Sale of

GUN FOLDING BEDS,

Mantel Beds,

Bedroom Suites,

Carpets,

Parlor Goods,

PORTIERS AND LACE CURTAINS.

LOCHRIE'S DEFEAT.

His Libel Suit Against the Old Deseret News Co. Goes to the Wall.

IT IS UPSET ON DEMURRER.

Chief Justice Zane Does Not Consider There Was Any Intention to Charge Corruption in Office.

Justice of the Peace Peter Lochrie has been knocked out of court by Chief Justice Zane on the hearing of the demurrer of the defendants to the libel suit which he some time ago planted in the Third district court against the old *Deseret News* company (predecessors of the present company). The demurrer was argued late yesterday afternoon by counsel on either side—Attorney Cook for the plaintiff and Hon. F. S. Richards for the defendants.

The suit was filed May 12, 1892, and plaintiff demanded damages in the sum of $[illegible] for alleged defamation of character. The article complained of (headed "The Rum of the Tuscaroras") was written subsequent to Justice Lochrie's decision in the case of H. T. Duke vs. Elias A. Smith and A. G. Norrell for the possession of certain books and records belonging to the Democratic central committee, and ran as follows: "The decision of Justice Lochrie in the case of the 'Tuscaroras' who want to be recognized as the Democratic party of Utah, is, to us, amusing. It will be found in another part of this paper. The defendants, it will be remembered, filed a demurrer to the complaint, and submitted it without argument. The Justice appears to think this was a submission of the case, for he not only overrules the demurrer, which it was expected he would do, but he proceeds to decide the case on its merits before any trial has taken place. We say it was expected he would overrule the demurrer. Certainly. His association with the complainants, his holding his court in Jesse Powers's office, the whole manner of the proceedings, led to that anticipation. We suppose the defendants will take proper steps to have this matter settled by a competent court. Although the whole thing is based upon sea farce, the purpose and intent of it are such that it cannot be treated with the contempt that it deserves nor subverted by the ridicule which it everywhere evokes."

WHAT JUDGE ZANE SAID.

After listening to the legal arguments his honor said, in substance: "The plaintiff in this case avers that the defendant, by the words published, conveyed that the plaintiff, as a lawyer, is ignorant of the principles of law and unfitted to hold and exercise the power and authority of a justice of the peace; and whereby the said defendant did charge plaintiff with corruption in office as such justice of the peace, by charging that he held court in the law office of O. W. Powers. The language of the article, of course, may be construed to mean anything that the words, upon a reasonable construction, would authorize, and, in view of the circumstances under which the language was used. As inducement here there is nothing to explain further than that plaintiff avers that he at all times had demeaned himself as an honest man and an honest attorney, etc., and had never been suspected of incapacity or dishonesty, so that there is nothing averred in the complaint that would give to the language alleged to be libelous anything more than its ordinary meaning as applied to a justice of the peace and an attorney. Judge Zane read the article, and continued:

In view of the averments of the complaint as to inducement of the circumstances, I don't think the construction put upon these words is authorized. It would be unreasonable to draw such a conclusion, and the public wouldn't so understand it. The question ought to be as to whether it would tend to bring the plaintiff into ridicule and contempt. That is another question, but the charge, as here made, is corruption in office. In this country, as I have had occasion to remark before, we have a constitutional provision that guarantees freedom of speech and the press. It is not every criticism or unfavorable comment on public officers that amounts to a libel unless it is published for severe malicious or improper purpose. Newspapers and others have a right to criticise and comment upon the conduct of public officers to a reasonable extent and with proper motives. Of course they have no right to misrepresent or state falsehoods about a public officer for the purpose of bringing him into contempt, but they have a right to indulge in reasonable criticism. I don't think the language used in the article authorizes the inference that the intention was to charge the plaintiff with corruption in office. Therefore the demurrer is sustained.

A SINGULAR CIRCUMSTANCE.

A Flock of Sea Gulls Hover About the Temple Spires During the Storm.

During the violence of the storm today the attention of many people was directed to a flock of about one hundred sea gulls which hovered about the Temple spires. At times the wind would carry them a considerable distance away but as soon as there was a lull they would immediately fly back and circle about the sacred structure which they continued to do until about 12:30, when they disappeared to the northward.

A Slim Session.

Judge Bartch held court for about half an hour this morning and then adjourned till 2 p.m., at which hour the suit of Margaret Kelly et al vs. Lewis W. Clark et al. was to be called up. It is a hearing on motion for the appointment of a receiver.

Matthew A. Gardner, jr., a Scotchman, now residing in Juab county, and Christian McMillen, a native of Denmark, and now a resident of Emery county, were admitted to share in the rights and privileges of citizenship.

Highest of all in Leavening Power.—Latest U. S. Gov't Report.

Royal Baking Powder

ABSOLUTELY PURE

WITHIN OUR GATES.

Moront Brown, who in former days and for a long time was city marshal of Ogden, and a good one, was one of the callers from the junction burg yesterday.

J. M. Peterson, banker and merchant of Richfield, in the county which is Sevier in name but not otherwise, was observable on our streets and seemed to be enjoying life hereabout.

J. R. Murdock, of Philadelphia; O. S. Lund, of London, England; Mrs. H. M. Bowman and Miss McDonald, on their way to Chicago; J. G. Ammon, of Philadelphia; Lucian W. Sweet and wife, of Pawtucket, are at the Cullen and safe from the storm.

Azariah Smith, of Manti, called at the NEWS office today. He was a member of the Mormon Battalion and shared in most of its hardships during the Xenophonian march across the continent. He was also present at Sutter's mill when the first gold was washed out. His life would make a very readable history.

Harry S. Bunting of the Atlanta *Constitution*, accompanied by H. H. Harper of the Chattanooga *News*, dropped in last evening, evidently pleased with what they had seen and were seeing. Our Dixie brethren in the journalistic field paid a visit to the Temple in the late afternoon, and were more pleased than ever. Glad to see them.

Dr. H. J. Faust, fresh from the life-giving breezes of the Pacific coast in the town of San Francisco, is home again. The doctor is as ruddy and frisky as when, in the halcyon days of Utah, he ran fleet races against the pony express and valued a thousand or so no more highly than a school boy does a sack of marbles. He has favored the NEWS with some of his inimitable sketches of men and things while at the bay and promises to let us hear from him again. His return trip was quite pleasurable except for an experience with Joe McGlamagel, a conductor on the Southern Pacific, whom he denounces in unmeasured terms for his lack of civility and disposition to accommodate.

HOTEL ARRIVALS.

THE CULLEN.—Dr F W Penrose, Laramie, Wyo; [illegible]

THE KNUTSFORD.—Chas A Marsten, Portland, Or; [illegible]

THE WALKER.—Henry Gardner, [illegible]

COMMERCIAL.

REAL ESTATE.

Transfers filed in the office of the county recorder of Salt Lake County up to 3 p.m. today.

Joseph H. Winslow to Sarah G. Sel[illegible]	2250 00
Thomas Homer to Alice H. Homer, [illegible]	1 00
Alice [illegible]	1 00
James W. Campbell et al. to [illegible]	300 00
W. [illegible]	200 00
S. E. [illegible]	2400 00
Thomas H. [illegible]	2600 00
Lillian E. [illegible]	1150 00
Andrew [illegible]	2500 00
H. P. [illegible]	1 00
J. S. [illegible]	1000 00
Frank [illegible]	30 00

YESTERDAY'S CLOSING.

Following are the closing quotations yesterday evening of the securities in which local readers are most likely to be interested:

Central Pacific	27	Pacific	[illegible]
D. & R. G.	[illegible]	U. P.	[illegible]
R. G. W.	[illegible]	Wells Fargo	[illegible]
Preferred	[illegible]	Western Union	[illegible]
Atchison & S. F.	[illegible]	Oreg'n Short Line	[illegible]

NEW YORK, April 5.—The stocks were less active after [illegible] and the prices somewhat irregular. Traders showed a disposition to take profits [illegible] in a fractional reaction in the number of shares. Subsequently there was a partial recovery. At noon the market was steady.

Money closed irregular 4 to 5. Bar silver [illegible]

CHICAGO MARKET.

Chicago, April 5th.

Wheat—Steady; cash, [illegible]; May [illegible]
Corn—Lower; cash, [illegible]; May, [illegible]
Oats—Easy; cash, [illegible]; May, [illegible]
Pork—Firm; cash, [illegible]; May, [illegible]
Lard—Firm; cash, [illegible]; May, [illegible]
Ribs—Firm; cash, [illegible]; May, [illegible]
Rye—[illegible]
Barley—[illegible]
Flax—[illegible]
Timothy—[illegible]

CONFERENCE visitors desiring to save their money are invited to call at Zion's Savings Bank. The popularity of this institution is attested by the fact that its deposits are shown by official statements just published to be the largest of any Bank in Utah. Last year alone 2119 new savings accounts were opened, a record greater than that of all other Savings Banks in Utah combined. Economy is a virtue. After practicing economy you should have a safe place to deposit your money. Zion's Savings Bank and Trust Company offers you a safe depository and pays 5 per cent interest per annum on any sum from $1 upward, compounding said interest four times a year. Its officers are: Wilford Woodruff, president; Geo. Q. Cannon, vice president; George M. Cannon, cashier. Directors are: Wilford Woodruff, Geo. Q. Cannon, Joseph F. Smith, Lorenzo Snow, Francis M. Lyman, Heber J. Grant, Anthon H. Lund, Angus M. Cannon, T. G. Webber, James Jack, H. B. Clawson, George Reynolds, and L. G. Hardy.

We would advise our readers to visit the store of Alex. L. Wyatt, 262, between the Walker and Cliff houses. He has a very large stock of goods, fine watches, and everything in the jewelry line, at surprisingly low prices. He does not sell anything but what he can recommend. A visit to Wyatt will save money.

Dedication Notice.

The gates of the Temple will be closed sharply at 8:30, by which time, every one must be within. The Rio Grande Western train from Utah Stake will make faster time than any other, and will reach Salt Lake at 8 a.m., plenty early enough for admission to the Temple. Street cars will be in readiness to take passengers to the Temple Square without change or transfer.

Notice.

The Caledonian Club of Salt Lake City cordially invites her sister societies and Scotch people generally who may be visiting in Salt Lake City, to a special reception to be given by the club at Wasatch Hall, old Federal court house, 207 Main street, this evening, at 8 p.m. Admission only by tickets. Tickets to be had from James Moffat, 6 West First South; David Henderson, at Teasdel's store; P. S. Williamson, 68 West Second South; P. W. McCaffrey, 49 Commercial street, or any member of the club. No charge. JAMES MOFFAT, Chief.

Get your butter, milk and cream from the Netherland Fine Stock & Dairy Co., the largest and best dairy in the the west. P. O. Box 545.

Jewelry at bargains. Watch repairing a specialty, at J. S. Jensen, 22 E. 1st South.

SYRUP OF BANANA. Nature's True Laxative, for sale by Godbe-Scarff Drug Co. and all Druggists.

Dr. Price's Cream Baking Powder

IS PURE AND SPOTLESS.

The only Baking Powder not tainted with Ammonia, Alum, or some adulteration. Hence food raised with Dr. Price's is always wholesome.

When Flaky White Biscuit, Pastry of surpassing delicacy and flavor, or Cake that is moist and sweet are desired . . .

Dr. Price's Cream Baking Powder

IS INDISPENSABLE.

Robinson Free. $3.00 Shoes are Leading. 8 to 10 West, 1st South St.

CARPETS In the Latest Designs and Colorings and at bottom prices at Neve & Child's, 37 to 41 E. 1st South St.

SYRUP OF BANANA. Perfectly Pure, Harmless and Agreeable. For sale by Godbe-Scarff Drug Co. and all druggists.

Weber (Grass Creek) Coal, 159 S. Main.

Fine Perfumes Johnson-Pratt Drug Co.

Business Invitation. Merchants visiting Conference are respectfully invited to call and see our Paper Box Manufactory, located on Main St., between Walker and Cliff Hotels. W. C. McDONALD.

People visiting the City during Conference will do well to call and examine our immense stock of Carpets, Linoleum, Oil Cloths and Draperies, and satisfy themselves that we can sell cheaper than the cheapest. UTAH CARPET & DRAPERY COMPANY, No. 19 W. First South Street.

"Brace Up" Is a tantalizing admonition to those who at this season feel all tired out, weak, without appetite and discouraged. But the way in which Hood's Sarsaparilla builds up the tired frame and gives a good appetite is really wonderful. So we say, "Take Hood's and it will brace you up."

For a general family cathartic we confidently recommend Hood's Pills. 8

See Scarff about Druggists' Sundries.

All kinds of Coal, 159 S. Main.

The Gold Band Package is handsome, but the quality of the goods inside sells the store.

Merchants Attending Conference. You are respectfully invited to visit our CANDY FACTORY, between Walker and Cliff Hotels on Main Street. JAMES G. McDONALD Candy Co. 8

SYRUP OF BANANA, the Great Fruit Laxative. Does not gripe or nauseate. For sale by all druggists.

THE CELEBRATED "Gendron" Carriages, acknowledged to be the Best and Cheapest Baby Carriages in the market, sold by Neve & Child, 37 to 41 E. 1st South St.

COOK'S PERFECTION CREAM for Chapped Hands and Face. The Most Elegant preparation known. For sale by all druggists.

WE MEET ALL COMPETITION In price and workmanship with our new and choice Wall Papers: Neve & Child's, 37 to 41 E. 1st South.

Prescriptions, Johnson-Pratt Drug Co.

PROVO MILLS CLOTH Will outwear anything in the market.
We Make Men's Suits to Order.
We also have a stock of Ready-made Clothing on hand.
JOHN C. CUTLER & BRO. 36 MAIN STREET.

Sufferers from Coughs, Sore Throat, etc., should try "Brown's Bronchial Troches," a simple but sure remedy. Sold only in boxes. Price 25 cts.

ANOTHER CAR LOAD Of Bedroom Suites and other Furniture just received by Neve & Child, 37 to 41 E. 1st South St.

WILL EXCHANGE OUTSIDE REAL Estate in Salt Lake City for cattle. Address P. O. [illegible]

NOTICE.

All the

PRIDE OF JAPAN TEA

in our

WRECK SALE

is now gone, but we have PLENTY OF ALL OTHER GOODS that are advertised from the Late Wreck.

The Noted Pride of Japan Tea

is now

20c.

PACKAGE.

SALT LAKE EQUITABLE CO-OP.

P. W. MADSEN

51, 53, 55 E. FIRST SOUTH ST.

Carpets, Wall Paper,

BABY CARRIAGES, REFRIGERATORS,

FURNITURE,

In Endless Variety.

PRICES LOW AS THE LOWEST!

THE OLD RELIABLE

Godbe-Pitts Drug Co.

Are still at the Old Stand, Corner Main and First South Streets. The Largest and Best Stock of Drugs, Chemicals and Patent MEDICINES in the Territory. Prices Very Moderate. Everybody call and see us.

HAVE YOU SEEN THE NEW BALL-BEARING "BICYCLE" WHEEL BABY CARRIAGES, SO EASY TO PUSH.

From $5.00 Up.

DINWOODEY'S

WE HAVE MOVED.

Come and see us in our Elegant New Store in the McCornick Block, 18 W. First South St., just Round the Corner from former location.

Utah Book & Stationery Co.

Duncan M. McAllister, Manager