DESERET EVENING NEWS.

Monday, February 2, 1891.

Copy for advertisements which are intended to appear in the issue of the following morning should be handed in to the business department not later than 7 p. m.

Rates of advertising furnished upon application.

Notice to advertisements must be in not later than 7 p. m.

FRAGMENTS.

It is expected that the Territorial Supreme Court will commence its present term on the 16th inst.

A special session of the Third District Court will commence on Monday, February 16th.

SLEDDING has been all the rage today. The merry tinkle of the sleigh bell is heard in all directions.

MR. S. F. BROWN retired twice from the management of Beck's Hot Springs, but Mr. Lehi Pratt is now in charge of the springs.

BUSINESS at the postoffice was suspended from 12 to 2 p. m. today, and 2 p. m. today, during the funeral services over the remains of Secretary Windom.

CONGRESSMAN SOUTHER is confined to his bed with a severe attack of rheumatism. He will take a trip to California, with a view to improving his health, as soon as he is able to leave his room.

MR. G. W. COMSTOCK, who has for some years filled the post of rec. clerk in the Union Pacific office, has severed his connection with that company and has taken a position in the Rio Grande Western general office.

MR. D. S. NEWSOM, at the D. & R. office in the city, came up smiling this morning. The reason for his happiness is easily explained. Mrs. Newsom had just made him a present of a gift was in the shape of a fine solid silver prospective railroader.

MR. T. G. WOODWARD, a representative of the Chamberlain and Monroe Stove Company, called at this office today. Mr. Woodwardy is en route to California on business for his house. He is an old visitor for Beser & Co., and is always welcome.

THE list of bachelorish revelers arraigned before Police Magistrate Loney today numbered ten men. The indictation represented six nationalities, in the features of all those the traces of dissipation and riotous living were painfully apparent. A fine of $5 was imposed on each of them.

FUNERAL services over the remains of the late Sister Hannah Jackson Allen were held in the Twenty-first Ward at 11:30 a.m. yesterday. The speakers were Counselor Joseph E. Taylor and Elder George Romney. The sermon was led by Elder Thomas McIntyre. A long line of carriages followed the remains to their resting-place.

ABOUT 10:30 this morning, on the west side of Commercial Street, as a Chinaman was walking near the edge of an embankment, he tripped and fell headlong a distance of about eight feet into a newly made excavation. He sustained no injuries, however, as the hole was nearly filled with snow. The native of the "Flowery Kingdom" provoked considerable laughter as he emerged from the chilly depths into which he had fallen, and to all appearance enjoyed his experience as much as did the spectators.

"Monte Cristo, Jr."

At the Theatre tonight, the Kimball Opera Comique and Burlesque Company will commence a series of four performances, with "Corinne," the celebrated young operatic actress in the leading roles. Tonight and tomorrow night "Monte Cristo, Jr.," will be presented. "Carmen" is billed for Wednesday night with a Wednesday matinee. Of "Corinne" the *Boston Herald* says: "Monte Cristo, Jr." is a genuine success. Improved and adapted for the American market, and is a positive success." Corinne, as she appears in the chief role of "Dinorah" and "Marie de Cristo, Jr.," impressed those who had seen and admired her talents before that she has wonderfully improved in voice, form, features and chic, and was even more charming and piquant than ever. She sang exquisitely, danced merrily, and captured and captivated the audiences at will. "Monte Cristo, Jr.," was constructed for its fun-making qualities only, and it is above par in that regard. It is complete as far its sparkling and original music, gorgeous scenic effects, brilliant costumes, pretty girls, military drills and marches, in fact, it is a potpourri of everything catching to the eye or ear."

"The Sea King."

The William J. Gilmore Opera Company, which is to present the new operetta, "The Sea King," at the Theatre, Thursday, Friday and Saturday nights, with a saturday matinee, is according to judicious observers, an extremely favorable specimen of the talent of the native composer. Its subject, which deals with an old episode in one of the thirteenth century, is not only picturesque and interesting, but has been so treated as to afford an opportunity for the humor and fun which are necessary and important features to the success of works of this description. Advantage has been taken of the period and locality to give a mounting which includes picturesque scenery and artistic costumes. The designing of regular libretti is a specialty for Mr. Gilmore in the hands of Harry de Grimm, the clever one of whose times is praised by those who have watched his work in past years, as an illustrator and caricaturist. Comic opera is a pleasing form of stage amusement and grows in favor with each succeeding season.

The sale of seats will commence on Wednesday, February 4, at 10 a. m., at the box office.

Sugar Beets.

Editor Deseret News:

SIR—It was to be expected that the Utah Sugar Company would make efforts to have beet enough raised for its calculated manufacture of that product.

The Bulletin for and extent of country outside of Utah and Salt Lake Counties, where it will pay to raise the beets, will depend upon the rates of freight the company can obtain from the railroads. If we can ship beets from here by railroads for a reasonable freight, Farpoint recently formed an experiment in raising beets for the sugar factory. But as spring time will soon be here, and before farmers can make necessary preparations, we will want to know what the freight will be by car loads. Thatcher, we ask the Sugar Company to make known what rates, if any, they have made with the railroad companies.—Yours truly,

CHRISTIAN A. MADSEN.

GUNNISON, Jan 28th, 1891.

OGDEN POLITICS.

The Drift of Feeling and Opinion in the Junction City.

THE RING RULE NEARING ITS END.

What Will the People's Party Do in the Contest?

(Special to the News and News.)

The election here, which occurs a week from today, is being looked forward to with considerable interest at home and abroad, not merely because it is an election and because, as the second city in the Territory, great interests are at stake, but mainly for the reason that this will be the first important municipal election in a place wrested from the control of the People since the Tyrie upheaval.

Naturally, the "Liberals" are on trial, or rather they have been tried, and the verdict will be recorded on Monday next. If there shall appear a majority against the ticket of that party, it will be an expression of condemnation more or less positive according to the size of the majority; if they win, they will be endorsed to an extent corresponding with the degree of their preponderance. This is the case in a nutshell.

In order that the News might have something more substantial than mere predilections, preferences and surmises to base an opinion upon, I took the trouble to labor myself into every group or knot of people who were discussing the universal theme, wherever such action was at all proper, and learn from the lips of each and every one their preferences and opinions when expressed; from individuals of experience and long residence in the city, those "interviews" being confined to people of no particular class, line or shade of sentiment, but being as nearly as possible completely distributive. The strictly American system of argument in such cases—betting or offering to bet—of course figures extensively as a factor in the proposition, and putting the sum and that together, the opinion is irresistible that the "Liberals" are fighting up-hill.

The organized opposition to the party in power up to the present time seems almost exclusively from those who were and are of themselves—that is, "Liberals." These naturally comprise the more conservative and consistent element in the ranks, and are largely men of affairs, intelligence, property and experience in the community. Looking upon the record made by their organization as the governing power in municipal affairs, they find many more things to condemn than commend, and are honest, independent and outspoken enough to say so and act accordingly. We can all understand how it is that scissors in political parties sometimes cut and strain if they do not actually split the distuption of the organization; but when the party is purely local and observations upon its conduct are literally based on actual conduct than is the case with the great parties in States or the nation under similar circumstances, the grievances in such cases must be actual and unbearable. Neighbors are more likely to overhear wrong-doing among neighbors than those the wrongful acts occur in a place or places more or less remote; and thus it is, from what actually is and what I have heard, the conclusion above set out is the correct one at present.

So far the People's party has not dawned on the political horizon, but it will and at once, the principles scouting in the various wards this evening. What their action will be no man knoweth, or if any man does he has managed to keep his own counsel with singular seriousness. Only two courses are suggested—the nomination of a ticket of their own, and the endorsement of that of the Citizens' party—as the organized opposition to the "Liberals" so is spoken of in rumors. It is even now too early to predict the outcome of the primaries tonight, especially in view of the circumstances stated; but the prevailing idea is that the People's and Citizens' parties will fight shoulder to shoulder against the common enemy. The deed not, however, be received as a foregone conclusion by any means.

The two tickets so far in the field, it must be admitted, are formidable propositions over that just forth by the "Liberals" two years ago and the men who have been controlling the municipal affairs since that time. The result thus appears that the charges of inefficiency (if nothing more serious) against the powers that be are sustained as well by admission as accusations; only one of the present regime has been renominated, and he, we think, because of the curious which seems to have obtained to give a new legislative body a reasonable leavening of old material. Unquestionably the regular Liberals have alienated their former supporters and no longer seek or expect to hold on to power by direct means, their chief strategic tactic being to "set off" the opposition by resorting in advance to similar tactics—the nomination of new and comparatively unobjectionable men for the places of trust, honor and profit. Unless all appearances are utterly deceptive, however, they are destined find when the votes are all counted that the "reform" movement came too late, more particularly when, with such a varying strength of self-distribution, they plant themselves upon their record.

In the expressive if not elegant language of the London Q' Triggers—"It's a very pretty quarrel as it stands." There is, however, this difference remaining—that out of the ugliness quarrel good is likely to come. If the Citizens' or People's ticket, or both united, shall win, we all know there will be no disgraceful, which the opposition promise but only promise, with two years of misgovernment before us as the security edified. A few days more will tell the tale.

Notice

The Secretaries of Primary Associations of Salt Lake Stake are requested to send in their reports as soon as possible (not later than the 15th of February), to Miss Lila Whipple, Stake secretary, No. 364 west Third South Street.

WAGENER'S ACCUSERS.

The Defendant Will Seek Damages for Malicious Prosecution.

In the Third District Court on Saturday afternoon, Attorney Critchlow made an application to Judge Zane for a writ of habeas corpus in the case of William H. Wagener, alias Walters, who was arrested some two weeks ago by Deputy Marshal S. H. Parsons, at the Lincoln Hotel, on the day of his marriage, on a charge of robbing an aged man named Armin, of Evanston, Wyoming, of the sum of $2 98. The particulars of the case, and its remarkable surroundings, were fully given in the News at the time of Wagener's arrest. The present application on behalf of the accused is based on the assertion that he is being illegally deprived of his liberty, having been kept in jail many days when his preliminary examination might have taken place. The defendant further claims that the prosecution has refused to take him to Evanston for trial, although he is ready and willing to go, and that nothing has yet been done to bring on the hearing. The application for the writ was shortly opposed by Assistant District Attorney Dickson, who said that the further hearing of the matter was only set to stand over until tomorrow.

Counsel Critchlow informed a News representative this morning that he now in his possession letters from Wyoming which will satisfactorily clear up the charges to be the groundless charge preferred against Wagener. He further says he is confident that his client will be acquitted upon trial, and that it is Wagener's intention to bring an action against the person by and through whom he was arrested, for malicious prosecution.

From Springville.

Editor Deseret News:

I thought it might interest your numerous readers to know who was the inventor of the solid braided pin in common domestic use. Elderly people distinctly remember the uselessness of the old fashioned pin when the loose bead of fine twisted wire came off. My uncle William Wright was the inventor, and I well remember when a boy my father working on the pin machines. The inventor died at Kingswood, Gloucestershire, England, January 23rd, 1881, at the ripe age of 85 years and 11 months, the homepeople showing him every mark of respect, also publishing an account of his decease and success with more than flowing "Death of the Inventor of the Solid Braided pin." Like many another inventor, some knavery robbed the invention from him, and consequently the wealth that should have been his.

The Springville choir held their annual grand social party last evening on the 29th inst. We observed the good old fashioned way of meeting together at 3 p. m., when old and young set forth in the dance, interspersed in the evening with pieces by the full choir, with quartets, duet, songs, etc., dismissing about 12 o'clock, after an enjoyable time by the company.

FREDRICK WEBBY,

SPRINGVILLE, Jan. 31, 1891.

Third District Court.

The February term of this court was formally opened this morning by Judge Anderson and adjourned until Saturday next. It was stated, however, that any minor matters which chanced to come up might be disposed of from day to day.

Not Open To The Public.

The Utah Commission opened its first session for this year at 10 o'clock this morning. Its home has the appearance of a private retreat rather than that of a public building. The monastic stillness of the place was more suggestive of the cloister than of the political forum. Everything about it bore a domestic quietude, absolutely unnerving to the newspaper man, and made him fear he was treading on the sacred heirlooms of the castle home of some patrician Anglo-Saxon. But like the monastic nuns of Childe Harold, which in other days had been devoted to other uses than that of prayer, so may have been with this Utah Lake monastery, it might in other days have been used for other purposes that that of law. But, as Lord Byron says, "Ancient tales say true nor wring those holy men."

The writer awed by the apparent sanctity of the house of the Utah Commission, asked the Secretary of that body, if its deliberations were open to the public. "Certainly not," replied that gentleman. The writer then intuited himself into the awful presence of the Commission. He stated his errand to a spacious lounge, and took a bird-eye view of the scene. Three gentlemen were seated at a table. One was reading a document relating to the Ogden election. Another gentleman who sat at the end of the table turned his gaze upon the writer. This gentleman was a venerable, pretty person. His aspect was bland and benign. His aspect was bland and benign. His office was where matters he had any business before the Commission. The writer confessed to being a newspaper man, and that he was present under the belief that the sessions of the Commission were open to the public. The suave Commissioner in parlance, announce the sessions were public, but in the present case the writer could not remain. If the desired he could come at the close of the session and the Commission would be happy to give the particulars. The writer then told the gentleman present, that he was a citizen of Illinois, and that he thought all United States courts were open to the public. Lest the Commission might entertain a dread that he writer was a Mormon, he informed the gentleman that he was not a "Mormon," and that they need not fear any injury at his hands. It was all to no purpose. The writer had to get, and his Parthian arrow, as he left the parlor, was "Tell the sensation of the Utah Commission are not open to American citizens from Illinois."

The venerable gentleman replied in his blandest manner, "Not in this case, but if you, or any other gentleman comes at the close of the session, the proceedings will be gladly given." The writer then left, and he is now at "clears to tell the Director-General of the World's Fair at Chicago, that a Chicago citizen eager for public information would not be admitted to the deliberations of the Utah Commission in Salt Lake City, on February 2nd, 1891.

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SUPREME COURT.

Only Two Judges Transact the Business Today.

Chief Justice Zane having gone to Provo on court business, and Judge Miner being similarly engaged in Ogden, Justices Anderson and Blackburn were the sole occupants of the bench in the Supreme Court this morning. Upon taking their seats, Judge Anderson remarked that counsel might entertain some doubt as to whether the Judges could legally sit as the Territorial Supreme Court, acting in the absence of the other two. This had, however, been done before, and he himself had no doubt whatever as to the validity of the proceeding. The only point was whether counsel engaged in the cases set down for hearing to-day were disposed to raise any objection. Of course if they felt so inclined there was no alternative but to adjourn the court over to-morrow. He Honor then announced that the first case on Mentzer's list was that of T. H. Allen, respondent, vs. the Union Pacific Railway Company, appellants.

Mr. P. L. Williams, counsel on the one side, said that the points involved in that dispute were stated in briefs, and the parties were content to submit their case therein.

THE COMPLAINT

set forth that the defendant company operates a line of railway between Omaha, Nebraska, and Ogden, Utah, that on or about the 20th of June last the plaintiff was engaged running a train of freight cars at Rime, Utah, acting in the capacity of a brakeman. A hitcher on one of the cars of the train was, it was alleged, imperfectly constructed, defective, and unsafe, and that such could have been discovered by the defendants by the exercise of ordinary care. While plaintiff was pursuing his duties, one of the rounds of the hitcher broke without negligence or fault on his part, he was thrown to the ground, and his left hand was crushed by the train and injured. It became necessary to amputate two of the fingers, and the whole hand was rendered useless.

The sum claimed was $10,000, and the jury found a verdict for the plaintiff for $4,283 and costs. The appeal now came before the Supreme Court on the ground of excessive damages, and that the insufficiency of evidence did not justify the verdict.

ANOTHER RAILWAY APPEAL.

The next case was that of Albert T. Webb (as administrator), respondent, vs. the Rio Grande Western Railway Company, appellants.

This was an appeal from the Third District Court against an order refusing a new trial. The original action lodged against the appellants was for negligently causing the death of Louis T. Webb, and it was brought for the benefit of Elizabeth L. Webb, mother and sole heir of the deceased.

Webb was twenty-eight years old at the time of his death, and unmarried. It appeared that on a certain occasion, at the Salt Lake City depot, while switching, pulled out the draw-head of a refrigerator car and then the train became separated. The forward portion of the train was backed up and broke the brake beam of the car ahead. The forward part was moved on. Then the conductor called Rice, the car repairer, to remove the broken brake beam, and that the cars could be coupled with a chain and the broken car set out of the train for repairs. He came with the deceased man, the latter acting as an assistant. Brownlee, the brakeman, proceeded to make the coupling with a chain, but in endeavoring to do this he dropped the pin. Deceased stepped in on the side opposite the brakeman, to assist in coupling. Both men were down on their knees at the time, and while in that position the forward cars made a retrograde movement and crushed deceased's head, killing him instantly.

The defense was that the deceased went to the brakeman's assistance not under an order pursuant to duty, but merely to a stranger to get out of the way; that on previous occasions he had been warned to keep out of similar danger voluntarily assumed, and in this instance he was warned of a hitcher a brakeman's duty proved fatal. Any negligence on the part of the company was denied.

A verdict was rendered for $5000, and against the entering of judgment for this amount by Judge Zane the Railway Company appealed.

Judge Marshall argued for the appellant company and Attorney Bawlins for the respondent. At the close of the arguments the case was submitted to the Court.

THE SCHOOL TAX CASES.

Mr. P. L. Williams reminded the Court that the further hearing of the school tax cases had been set down for tomorrow morning. He asked whether this would take precedence of all other cases.

Judge Blackburn—I think that was the understanding. Let it be so.

The Governor Supplants the Committee.

The committee appointed at the meeting recently held in the Chamber of Commerce to formulate the resolutions they were authorized to frame. They were strongly refutory and condemnatory of the slanders lately published in the *Illustrated American*. When they were presented to Governor Thomas he had positively refused to sign them. He proposed, however, to relieve the committee from further responsibility in the premises and had with his aid framing a new set of resolutions in harmony with his own views.

A meeting was to be held this afternoon, when the committee expected to decide the question as to the acceptance of the Governor's substitute. Representatives of the press were excluded from the meeting today. The information about the action of Mr. Thomas is straight, having come from an unquestionable source.

An Anxious Inquirer.

The following telegraph message was received at police headquarters this afternoon, from St. Louis, Mo., signed Kate O'Mally, 1908 Clemens street:

"Inquire through daily papers for John O'Mally, formerly of Leadville, Colorado. His father is dangerously ill."

For the accommodation of Judge Blackburn, whose health is badly impaired, Judge Zane went to Provo today for the purpose of empaneling a jury for the Fifth Judicial District for the ensuing term of court.

A LIST OF LAND PATENTS

Received at the Salt Lake Land Office From Washington.

THE NAMES OF THE PATENTEES.

The Clerk of the Land Office Requests the Withdrawal of the Patents Named Below.

UNITED STATES LAND OFFICE,
SALT LAKE CITY, Utah, Jan. 29, 1891.

The following is a list of patents now on file in the U. S. Land Office, and the attention of parties interested is called to the importance of withdrawing them and having them recorded.

The duplicate receipts should be promptly sent to the Register, who will deliver or mail the patents free of charge to the parties surrendering same.

MORGAN COUNTY EXTENSIONS.

Anderson Simpson
Anderson Andrew
Anderson Peter
Arbet Jno W
Atkinson Thomas
Atkinson Joseph
Atkinson Benjamin
Allen Stephen H
Allen Jno H
Bingham Andrew G
Bingham Andrew
Burbidge Elizabeth
Burbidge Martin
Bonneville Chas
Bonneville Chas
Bingham Andrew S
Bingham Andrew M
Bingham Edwin
Bailey Thos H
Bailey Jesse N
Bailey Thos H
Bailey Jesse N
Bailey Thos H
Bailey Jesse N