THE DISTRICT COURT.

Trial of Charles Carter on a Charge of Stealing Gold Bullion.

KESSLER PLEADS NOT GUILTY.

Detective Sheets Objected To as a Witness—Civil Jury Cases in Judge Merritt's Divisions.

Criminal and civil business have again gone forward in the two divisions of the Third district court today. Chief Justice Merritt finished early, but Judge Barton has his hands full in dealing with the criminal calendar, and quite a number of prisoners yet remain to be tried. Those who attended court today expecting to find another big "sensation" went away disappointed this time.

ARRAIGNMENTS.

Daniel Kessler (more commonly known as "Don.") was arraigned on a charge of willfully and of malice aforethought murdering Frederick Nietzegall, by shooting him in a house of prostitution in this city, on Nov. 22nd of the present year.

When called upon to plead the defendant, who is an elderly man, declared that he was as innocent as a babe. He was about to make a statement but was checked, and told to state his plea. He then entered one of not guilty. Attorney J. D. Walker will defend Kessler upon his trial, the date of which has not been yet set.

Henry Thompson and George Hamilton were arraigned on a charge of robbery and took until December 18th to plead.

E. C. Coffin, of the late hardware company of that name, arraigned on an information charging him with making false entries in his ledger, was given until December 15th to plead. Bond is fixed at $500. A warrant of arrest had been issued.

Frederick G. Waite, an attorney of the Salt Lake bar, is indicted for obtaining money under false pretenses. His bail is fixed at $500 to be approved by Commissioner Greenman. A warrant for the defendant's arrest has been issued.

Frank Wilson was arraigned on a charge of assault with a deadly weapon. He was given till December 15th to plead.

Joseph Hunter stands indicted for grand larceny. Upon being arraigned now he pleaded not guilty.

SECOND GETS THREE YEARS.

James Brooks, convicted yesterday of burglary, came up for sentence.

Attorney H. S. Smith addressed the court briefly in mitigation of punishment, stating that the defendant had been awaiting trial in the county jail for about six months. As soon as the officers discovered this man and his companion after the burglary, the second assisted the officers as far as possible in recovering the property stolen from the Nielsen dwelling.

Judge Barton, after giving the defendant some good advice, passed sentence of three years in the penitentiary.

ACCUSED THEFT OF GOLD BULLION.

Charles Carter, formerly manager and assayer of the Calne Spring Consolidated Gold Mining Co., of Tooele county, was placed upon trial on an indictment for grand larceny, viz., stealing one bar of gold bullion, valued at $1,700, the property of his employers.

Assistant District Attorney Howat and Attorney W. C. Hall prosecuted; Powers and Strang, with whom Attorney Morris Seasons was associated, appeared for the defense.

The first witness called was Colin Peel, who testified that for some time prior to the arrest of the defendant it was suspected that bullion was being stolen from the mill. Suspicion eventually set upon Carter, and at the instance of the directors he was arrested. Witness said the defendant afterwards confessed to having stolen the bullion little by little and stowed it away until he had secured enough to make a bar. This he took to Salt Lake and handed over to another person.

Harry Hyde stated that he received two pieces of gold from Carter and shipped them on the defendant's account, to the San Francisco mint. The money for the same was sent to McCornick & Co's bank.

Detective Sheets was next called, but Judge Powers objected to his testifying "on the ground that he is in contempt, and the law says clearly that a witness in contempt shall not be heard for any purpose. He is not a competent witness under the circumstances."

The court overruled the objection and Judge Powers entered an exception.

Sheets testified to having arrested Carter at the Walker House. He did not say anything until they reached State street, on Second South, when he remarked that it was of no use for the officers to take him to the City Hall, as he would "fix the matter up." He admitted having stolen the bullion and wanted to "fix it up" with witness and Captain Donovan so he did not want to go to jail, proposing to give them $400 between them. "But," said Sheets, "we would not accept that proposition."

Chief Peel testified that when Carter was brought to the City Hall he stated to witness that he had taken bullion from the company's mill at different times, amounting in the aggregate, he thought, to between $3,000 and $5,000, that he had turned over to Mr. Henry Hyde bullion to the value of $1,700 on Thanksgiving day before, and that he had just previously gone out to the Deep Creek country and dug up. The defendant drew a diagram of the place he dug up the bullion and a bar, he said, more bullion was still buried.

Judge Powers elicited from the several witnesses in cross-examination that the defendant had certainly been on a hard drinking campaign for some little time. Chief Peel said that Carter when brought to the police station was very nervous. He looked very "lucky" and appeared to have been "on a long drunk." Asked where the diagram of the mine Chief Peel said he did not know; he left it in the grand jury room.

This was the point reached when court adjourned for luncheon.

This afternoon, when court reconvened, one or two additional witnesses were called by the prosecution, and then the defense opened its side of the case. The testimony went to show that the accused was under the influence of liquor at the time of his arrest, that he had been drinking immoderately for a week or more previous, and that his mind was consequently in a muddled condition.

The case may possibly reach the jury late today.

ACQUITTED, BUT HELD.

Walter Walker was acquitted by the jury last night on a charge of criminally assault upon his young daughter. There is a second indictment against the defendant with incest, in which another daughter figures. The trial of this case will take place later.

BEFORE JUDGE MERRITT.

Chief Justice Merritt this morning discharged the jury in the $10,000 damage suit brought by George Moser against ex-Chief of Police Paul and ex-officer J. W. Moser, and tried yesterday. The facts were given in last evening's NEWS. Suit was brought on account of alleged malicious arrest and false imprisonment. As to Mr. Paul, a nonsuit was entered yesterday, leaving the case of Moser only to be considered by the jury, who came in for the defendants at 5. A twenty days' stay was granted.

WANTS TO BE A LAWYER.

August Zeese, through Attorney Dinwiddie, applied for admission to the bar, and a committee was appointed to examine the applicant as to his legal qualifications.

GENERAL MATTERS.

Salt Lake Building and Manufacturing Co. vs the Salt Lake Amusement Association. Court allowing defendants 10 days additional time to plead.

The following petit jurors were excused for the term: F. A. Tolles, H. F. Thoresberg, H. H. Hendrix and T. H. McNair.

In the case of Charles Paine vs E. F. Beck et al, the defendants consented to entry of judgment for the plaintiff for specific performance if the contracts be complied, plaintiff to have judgment for the money value.

Samuel T. Duckworth vs the National Group Building and Investment association. Judgment as prayed for $[illegible] and interest at 8 per cent from July 20th, 1892.

John R. Grant et al vs Stephen Bolington. Demurrer and judgment as prayed upon the proof and pleadings.

Lorenzo H. Crandall vs Lewis Swett et al. Order made for publication of summons upon affidavit.

NOT GUILTY.

In the case of Jerome Smith, a young man about 20 years of age, charged with burglarizing the house of Moses Brown, of Tooele county, on May 31 last, the jury has returned a verdict of not guilty.

THE GUILTY PAIR.

Valentine and Mrs. Mulvaney in Charge of Capt. Donovan.

They are Making a Legal Fight at El Paso to Get Their Liberty.

A telegram was received this afternoon at police headquarters from Captain Donovan, who went to El Paso, Texas, after Charles Valentine and Mrs. Mulvaney, who eloped from this city. Captain Donovan says the couple were the ones wanted all right, and they are in custody. They are, however, making a hard legal fight to get off, and have engaged some of the best lawyers in town to handle their case. Valentine has been last as active in water, and engaged eminent counsel to combine the husband's side of the controversy, and the captain says he is confident of winning and of sending the erring couple safe to Salt Lake before many days have elapsed.

NESLEN VS. TEASDEL.

An Answer Has Been Filed in the Complaint in This Suit.

In the matter of Wm. F. Neslen vs. Samuel P. Teasdel, the assignee of the late firm of S. P. Teasdel & Sons et al., today filed their answer with the clerk of the Third district court. They repudiate the claim of Wells, Fargo & company, involving a sum of $19,000 or thereabouts, denying that the sums was the individual property of S. P. Teasdel and alleging that it was a month ago that the firm. It is stated also that without the intervention of a court of equity it would be impossible for the assignee (Messrs. Dusty and Cockrell) to determine which are and which are not the individual claims against the respective members of the late firm of Teasdel & Sons, and which are claims against the copartnership.

The hearing on motion for receiver and injunction in the case of W. F. Neslen vs. S. P. Teasdel was set down for tomorrow morning. It is doubtful whether it will be then reached, as several cases precede it on the law and motion calendar, the first of which is expected to occupy most of the day. It is that of Cline, Brice, administrator, vs Chas. Bresler et al.

Law and Motion Cases.

The law and motion calendar will be taken up at 10 o'clock tomorrow morning by Chief Justice Merritt.

The Subject of Subsoiling.

It is worthy of note that long continued cultivation of land that is at all heavy increases its compactness, and that one of its effects is to create a hard bottom to the soil at about the usual depth to which the plow penetrates. After some years of plowing the tendency is to make a hard stratum, which prevents rainfall penetrating the subsoil except when the soil is saturated. In this case in Indiana, there is a manifest advantage which will attend the practice of subsoiling, instead of relying upon the usual operation of the soil, says the Iowa Homestead, which adds:

A subsoil plow loosens between the power of the land to hold water and means of the subsoil a reservoir from which crops can draw at times when the soil in the upper layers has been usually rather dry. The operation has been made and subsequently willing of modern farm in the last ten years would, if possible, be about very marked and favorable changes in the ability to grow crops and passage in the climate itself.

THE CANVASS TODAY.

Sevier, Kane and Uintah Counties Official Count.

The Figures in Cache and Summit Counties on Delegates to the Constitutional Convention.

Today's work of the canvassing board on the regular general election returns brings up this afternoon as follows:

DELEGATE TO CONGRESS.

Uintah County.

	Vote.	Majority.
J. L. Rawlins (D)	[illegible]	[illegible]
E. A. Greene (R)	[illegible]	

Kane County.

Rawlins	[illegible]	[illegible]
Cannon	[illegible]	[illegible]

Sevier County.

Rawlins	[illegible]	[illegible]
Cannon	[illegible]	[illegible]

LAND COMMISSIONER.

Sevier County.

	Vote.	Majority.
Thomas Gordon (D)	[illegible]	[illegible]
Jacob Adams (D)	[illegible]	[illegible]
Peter Greene, sen. (R)	[illegible]	[illegible]
James Welch (R)	[illegible]	[illegible]
A. M. Stephens (R)	[illegible]	[illegible]
C. E. Ignes (R)	[illegible]	[illegible]

Kane County.

Gordon	[illegible]	[illegible]
Adams	[illegible]	[illegible]
Greene	[illegible]	[illegible]
Welch	[illegible]	[illegible]
Stephens	[illegible]	[illegible]
Ignes	[illegible]	[illegible]

Uintah County.

Gordon	[illegible]	[illegible]
Adams	[illegible]	[illegible]
Greene	[illegible]	[illegible]
Welch	[illegible]	[illegible]
Stephens	[illegible]	[illegible]
Ignes	[illegible]	[illegible]

COUNTY OFFICERS.

Uintah County.

Clerk, R. O. Cotton 141, Peter Hansen 327. Recorder, R. O. Cotton 147, Peter Hansen 321. Assessor, W. H. Dugan 405, Calvert, W. H. Dugan 405. Treasurer, J. Ira Rice, recording 226, C. H. Atwood 226. Prosecuting attorney, Wm. Ashton 199, R. S. Allen 160. Sheriff, Daniel L. Rice 169, John Pope 276, Wm. O'Neil 126. Surveyor, Joe Joe 141. Commissioner, R. Cotton 215, Curtess, T. T. Holdaway 402, Bohrman, John Dickson, sec. 149, James Harding 219, George Brown 455, Jesse Osborne 304, H. C. Hallagan 268.

Kane county.

Clerk, Peter Hendricks 68, Joel H. Johnson 130. Recorder, Peter Hendricks 68, Joel H. Johnson 130. Assessor, Samuel Heaton 2 311, Joseph E. Robinson 149. Collector, Samuel Hopkins 111, Joseph E. Robinson 149. Treasurer, James E. Lewis 90, H. E. Bowman 195. Prosecuting attorney, John F. Bowman 237. Sheriff, John H. Findlay 190, John A. Finlay 59. Surveyor, Hyrum Hoopes 87, H. E. Bowman 195. Commissioner, C. E. Judd 53, Z. S. K. Judd 226. Selectman, Taylor Urmey 85, Robert Skousen 108, Chas. W. Carroll 122, M. D. Hardy 108, Alex. D. Findlay 130, John Riley 115.

Sevier county.

Clerk, S. O. Clark 503, John A. Holdaway 341. Recorder, J. M. Lowrance 501, James Stevens 508. Assessor, Charles Anderson 602, J. B. Christensen 524. Collector, Fred. H. Willes 619, James H. Wells 602. Treasurer, Hans P. Hansen 508, W. C. B. Orton 524. Prosecuting attorney, W. M. McCarty 603, H. S. Harris 564. Sheriff, John W. Cline 735, S. F. Moore 349. Surveyor, P. D. Schoener 591, Cor. ser, A. B. Hawley 470, John Johnson 513. Selectman, A. C. Sutherland, H. A. Adams 602, Hans Hansen 671, W. H. Robinson 524, H. H. Hickman, Jos. S. Fairbank 613.

Cache county was being canvassed by the board for the regular ticket when the NEWS went to press.

CONSTITUTIONAL CONVENTION.

The Utah Commission rested up the following today, but at the hour of going to press had not affixed their signatures and made the canvass official:

Cache county.

	Vote.	Majority.
Moses Thatcher (D)	[illegible]	[illegible]
W. J. Ballantyne (D)	[illegible]	[illegible]
R. Warren Jr (D)	[illegible]	[illegible]
Henry Ballard (D)	[illegible]	[illegible]
J. H. Hendricks (D)	[illegible]	[illegible]
James L. Lewis (D)	[illegible]	[illegible]
H. H. Maughan (D)	[illegible]	[illegible]
W. H. Wallace (R)	[illegible]	[illegible]
O. N. Stephens (R)	[illegible]	[illegible]
J. W. Sorbie (R)	[illegible]	[illegible]
Orson Smith	[illegible]	[illegible]
W. D. Hammond (R)	[illegible]	[illegible]
J. H. Lewis (R)	[illegible]	[illegible]
Joseph Hyrum (R)	[illegible]	[illegible]
Joseph Smith (R)	[illegible]	[illegible]
W. D. Maughan (R)	[illegible]	[illegible]

Summit county.

R. C. Chandler (D)	[illegible]	[illegible]
P. H. Wilson (D)	[illegible]	[illegible]
W. [illegible] (D)	[illegible]	[illegible]
J. E. Page (D)	[illegible]	[illegible]
David Evans (R)	[illegible]	[illegible]
Thomas Kearns (R)	[illegible]	[illegible]
J. L. Rawlins (R)	[illegible]	[illegible]
John Beveridge (R)	[illegible]	[illegible]

The list and position of the Constitutional delegates that the ticket is to be elected by the canvass is as follows:

Democrats.	Republicans.
George Franklin	John Henderson
John W. Maughan	Orson Fairbanks
Wm. Hyde	H. A. Mills
John M. Horne	Charles Crane
J. H. Robinson	Daniel Thompson
Cornelius Jones	John L. Rawlins
William A. Spillsbury	A. S. Anderson
A. W. Ivins	Jerome Kelly
A. H. Dyer	A. M. Bird
J. E. Thatcher	A. L. Pratt
Seth Taylor	Thos. Hoskins
A. K. Loftus	John Jones
Hyrum Smith	W. C. Dunn
Wm. Paul	H. G. Boyle
A. J. Evans	John H. Clark
Jesse W. Crosby	J. E. Sprague
D. Lewis	G. W. Hampton
J. A. Boyer	H. Dunn
J. E. Cowley	J. Jones
A. Kimball	E. D. Pickett
W. Lambourne	A. Eldredge
J. H. Lee	
W. F. Sears	
Jesse Smith, jun	
W. H. Hewitt	
Angus Stewart	
W. Thatcher	
W. D. Carr	
S. Winters, Jr	
H. Hughes	
A. H. Thomas	
J. C. Lees	
G. H. Dun	
W. H. Maughan	

QUEER QUAINT NOTIONS.

BURIED LEGEND LOVED BY MRS. VERNON LOBELLIARD, MRS. DUNCAN ELLIOT AND MARK TWAIN.

It is the fashion to make collections. Why not then a collection of mottoes and legends? They are always useful either to lend to one's neighbor or to embellish or point upon one's own belongings.

The following assortment, which has

For Christmas, Buy Miriam Godbe's Fine CANDY.

CALIFORNIA FRUIT STORE, 224 South Main Street.

taken some time and a fair amount of patience to get together, is offered herewith to any one in need of an appropriate legend.

A few days, for instance, sunny-hearted maids, and a suitable one was recently discovered painted in gold upon a cozy nook of embroidered cretonne.

"Every moment is the crisis,
Hours, min, sec and all day,
Make no mistake and miss it
Do not make and lose it too."

A very agreeable device from the wonderful motto "Bon Voyage" which we can forward and after it, on the velvet bags, is the pretty line, "Here's to the pilot that weathered the storm!"

A motto like one following will sometimes be the one for a wife pillow:

"Blessed head that lies on mine,
Rest as sweetly as thou wilt,
Dreams of me shall be thine
Till the morrow's dawn of guilt."

Another verse for a hard rug, permanently one decorated with slippers, is the following:

"Wishing you well and yet so lonely,
Yet not wishing you any ill,
Fancy many friends are found,
Should they meet with my will."

The Hon. Chas. Marquis Kennedy has a bed spread:

"Tis not in mortals to command success,
But we'll do more, Sempronius, we'll deserve it."

A pretty verse to point upon our kitchen's motto is this:

"Oh for a cook
And a good cook
For love comes in at the kitchen door."

Mrs. Sarah Cowell Le Moyne has a most old-fashioned mirror, in gilt frame. Just above the glass, in the frame, as in touch of the mirror, is inferred the quaint line:

"Glass in the mirror and you will see,
Frame is of no account to me,
If I could but choose a right view,
Glass of all would look for you."

Another motto for a mirror—

"Mirror mirror hold thou
And let me behold
Another face than mine own."

A very interesting piece of a legend is the quote above the fireplace: "Coal of fire, home is lost," is a saying not frequently seen "Ask, I have seen the fire and am warm," is another appropriate legend.

"The ornament of a house is the guests who frequent it," is the reading given above the fire place in the drawing room at Mark Twain's house at Hartford.

"Oh! if to live and feel, bless ye the Lord," is read above the chimney piece in the hall of the house at Abbey Park, Duke's Ferry. It is an house built by Cyrus Field for his daughter, Mrs. Lindley, and recently mortgaged by Mr. Chauncey Depew.

In Mrs. Paine Lorillard's village at Tarrytown, a motto in old Greek letters greets one from the wall of our inn door—

"Gentle may my last house be, decreasing
Have time for thee to weary alone soon."

The nursery in Mrs. Cornelius Vanderbilt's new house is a charming room, with the walls nearly covered with sentiment, Mother Goose rhymes and pretty verses.

A Fifth avenue matron has this couplet above her dressing table:

"Will to do or endure is the sphere divine
And more a person is than what they wear."

Above the writing desk is this—

"Know your mother daughter, and be
Your parents, both kind and curious."

"I live all my days with SIVIL," is Mrs. Duncan Elliott's pet motto, and regularly painted in red on the stone floor of a bay window her inlaid table.

The favorite legend of the late Col. Elliott F. Shepard was that

"Life owes to manners only all its light and security."

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearings were exchanges amounted to $[illegible]. Balances last year, $[illegible].

TODAY'S QUOTATIONS.

New York—Silver, [illegible] bid, $1.00. London,—Silver, [illegible].

ORE AND BULLION.

T. R. Jones & Co. received today Bullion, $10,[illegible], ore, $10,[illegible]. Total, $22,000.

BONDS AND STOCKS.

New York, Dec. 11.—The stock market opened a shade easier, the tone was not quite so firm as yesterday, and fractional losses were made in most of the active issues. The market was generally strong after 11 a.

BONDS AND STOCKS.

New York, Dec. 11, noon.

Bonds	[illegible]	Pacific Mail	[illegible]
Va. centuries	[illegible]	Pullman P. C. Co.	[illegible]
Va. deferred	[illegible]	Western U. T. Co.	[illegible]
Adjustments	[illegible]	St. Paul & Omaha, pf.	[illegible]
Northern Pacific	[illegible]	Chicago, B. & Q.	[illegible]
Northern Pacific pf.	[illegible]	Illinois Central	[illegible]
Preferred	[illegible]	Lake Shore	[illegible]
Reorganization	[illegible]	Chicago, R. I. & P.	[illegible]
Preferred	[illegible]	Union Pacific	[illegible]
Kansas & Texas	[illegible]	Union Pacific, new	[illegible]
New Centuries	[illegible]	Western Union	[illegible]
Reg. Sinking Fund	[illegible]	Sugar	[illegible]

LIVERPOOL MARKET.

Liverpool, Dec. 11.

Wheat—Dec. [illegible] Jan. [illegible]
Corn—Dec. [illegible] Jan. [illegible]

R. K. THOMAS,

26, 28, 30, 32, East First South Street, Salt Lake City.

A TREMENDOUS

HOLIDAY

SALE

Commencing Dec. 1st.

If you want Useful Presents at Bargain's Low Prices, you will call and look at the immense Bargains we offer in

SILKS,
VELVETS,
DRESS GOODS
AND TRIMMINGS,

A Stock of $25,000

Which we will offer without reserve of Price Cost and less, up to the Cost of Domestics and Print cloths, first cloths. Everything marked in plain figures and displayed in centre of store. This does not consist of old stock but fresh New Goods.

Bargain Aisle, Velvets and Trimmings, for evening and street wear. No sale can afford to miss this opportunity, and no gentleman should fail to buy his wife a dress. We do not resort to the sensational and big bluff in our advertising, and we desire to inform our patrons and the public we intend to be strictly fair in our dealings. We do not give two prices, and the number of our advertisements and our store, being assented this will lead to a continued patronage.

IN THIS SALE WE WILL OFFER

500 Kid Body Dolls, 25c, 50c, 75c, $1.00. Half Price.

Two Lines Silk Initial Handkerchiefs, 25c and 75c, worth 50c and $1.25

50 doz. Ladies', Men's and Boys' Fur Top Kid Gloves, 50c, 75c, $1.00. Very Cheap.

$1.75 Grade Foster Kid Gloves, 5, 6, 7, 7½, $1.00 pair.

$1.00 Grade Foster Misses' Gloves, 4½ to 5½, 50c pair.

50 doz. Assorted Fascinators, special Prices.

Knit Underwear and Hosiery, Reduced for this Sale.

SHOES AND SLIPPERS,
BOYS' CLOTHING
AND WAISTS,
MEN'S AND BOYS'
SHIRTS,
CLOAKS AND SHAWLS.

Everything Goes at Sale Prices.

R. K. THOMAS

The Perfume of Violets

SPRY,
Practical Tailor.
Room 303, Constitution Building.

ASSESSMENT NOTICE.

CHURCH BLANKS

Printed and for Sale at

THE DESERET NEWS OFFICE,

SALT LAKE CITY.