

## ROUNDS OF THE COURTS.

Real Estate Suit Instituted by Joseph Baumgarten.

Different Divorce Cases.

Extreme Cruelty is Alleged in One and a Decree Granted in Another—Legal Short Bits.

Joseph Baumgarten today filed a suit in the district court against James and Salena Chapman to recover \$3,500 for the value of certain real property which they sold and warranted to him but failed to defend the title to, thereby causing the plaintiff to lose part of the property described in the deed.

The complaint alleges that on March 14, 1897, the defendants sold to plaintiff for a consideration of \$20,000 parts of lots 6 and 7, block 69, plat A, Salt Lake city survey, and by their deed warranted the title to said property and on October 8, 1901, plaintiff was, by due course of law, ousted from the possession of a strip of land 12 inches wide and running along the length of the lots a distance of 8 rods. Mr. Baumgarten further alleges that the defendants failed to defend his title to the property and he was compelled to pay \$263.10 costs in the suit, which was instituted against him at the time he was ousted of the possession thereof and asks that he be given judgment against the defendants for \$3,500. The property in controversy is situated on First South and Main streets.

**PHILIPS VS. PHILIPS.**  
Emily C. Phelps has filed a complaint in divorce in the district court against her husband Chester C. Phelps, charging him with extreme cruelty and inhuman treatment. The actions complained of are among the most cruel which have ever come to the notice of the divorce court.

The complaint alleges that the parties were married in Ogden, August 4, 1885, and there are five children now living as issue of the marriage. That on May 12, 1897, while Mrs. Phelps was in a delicate state of health, and about one month prior to the birth of their son Alfred, the said defendant struck her with clenched fist, knocked her down, choked her and pulled her hair. On December 23, 1900, Phelps came to her home in the city and broke in the door and threatened to "blow her brains out," compelling herself and children to flee to the Salvation Army headquarters for protection. On December 27, 1900 and January 31, 1901, the defendant struck and choked the plaintiff, causing her great bodily pain. The complaint further states that Phelps has never provided for his wife and family and on July 4, 1901, he deserted and abandoned them. Mrs. Phelps asks the court to award her the custody of the children and allow her \$25 per month permanent alimony, \$50 attorney fee and such temporary alimony as may seem just and proper.

**DIVORCE GRANTED.**  
Judge Stewart this morning granted a decree of divorce to plaintiff in the case of Martha Wade vs. John B. Wade. Mrs. Wade is allowed \$50 for attorney fees.

**JUDGMENT BY DEFAULT.**  
A judgment by default was entered by Judge Stewart this morning in favor of plaintiff in the case of John B. Smith vs. J. Schenck et al. The amount of judgment is \$4,533.47 and costs.

**TO QUIET TITLE.**  
In the suit of Robert K. Smith vs. Michael Gibbons et al., Judge Stewart today rendered a decree in favor of defendants, quieting title to mining property in Kingsham, Utah, owned by Gibbons and Olson were allowed costs.

**WANT SEPARATE TRIALS.**  
The attorneys for Rosaline Hewitt, charged in connection with Wm. Lindstrom and Irwin Perry, with criminal conspiracy, appeared before Judge Stewart this morning and demanded that she be given a separate trial. The attorneys for the two men made the same demand and the matter of hearing arguments on the motion was set for Wednesday, Feb. 6.

**NO TEMPORARY ALIMONY.**  
Judge Hall yesterday refused to allow Ida Olson temporary alimony pending the determination of the separate maintenance suit brought against her husband Olof E. Olson. The evidence showed that Mrs. Olson had realized over \$100 on some real property turned over to her by Olson and she has all of the household goods and other personal property, so the judge decided that she had made her own share and denied her motion for money.

**CHINAMEN AS LITIGANTS.**  
Charley Wa Hing, a Chinaman, is suing Frank Joy et al. in the district court for \$704.37 on three promissory notes executed by defendants in his favor. The notes were executed in February, 1898 and nothing has been paid on them.

**COURT NOTES.**  
The point of allowing the executor's fees in the Auerbach estate case was argued and submitted before Judge Hall today. The amount of the fee is \$11,000, which was contested by heirs of the estate.

The receiver of the Butterfield Mining company was authorized by Judge Hall to insure the mill belonging to the company in the sum of \$6,000, and pay for same out of funds in his hands. Judge Stewart today rendered judgment by default in the sum of \$381.36 in the case of the National Bank of the Republic vs. Fisher Harris and D. C. Dunbar. The suit was brought on a promissory note, dated Nov. 28, 1900 for \$100, defendants having paid only \$10 of said amount.

**CONFERENCE OF ELDERS.**  
The Elders of the Salt Lake Stake of Zion will meet in conference in the Assembly Hall, Salt Lake City, on Monday, Feb. 10, 1902, at 7 p. m.

**DARING HOLD-UP.**  
Two Young Men Robbed Early Last Evening by Footpads.

A hold up occurred last night about 8 o'clock on the corner of Fourth East and Third South streets, Burt Toad and Sapp Stone being the victims. The young men both live in the southern part of the city. They were relieved of a valuable diamond stick pin, a gold watch and chain, and

\$2 in money. No clue has been found of the perpetrators of the robbery and the officers are somewhat puzzled over this affair.

Mr. Toad was on the way to his home, on Fourth East between Third and Fourth South, and upon approaching the corner of Third East and Third South he noticed two well dressed young men coming towards him, but paid no attention to them until he was told to "hand over his goods." By one of the footpads, and upon looking up found that he was covered by two revolvers.

He immediately handed over his diamond stick pin, watch and chain, and \$2 in cash, and was then ordered to march east on Third South to Fourth East, under cover of the revolvers, where they met Sapp Stone, who was going south. One of the holdups turned his attention to Stone and searched him for valuables, but found nothing at all.

The two men were marched down Fourth East until they reached the home of Toad, when one of the men remarked to him "You look pretty good to have your old watch, your old stick pin, and your old money." They were then told to keep their eyes in a different direction, and the men backed away and made their escape. Chief Hilton was notified and hurried to the scene, and was told all about the affair by the young men. They said that the holdups were old about the same size and appeared to be young men and were well dressed and didn't have the appearance of being foot-pads. After a diligent search the police were unable to find any one answering the descriptions given.

**STOLE HENRY'S CORNET.**  
Lost Valuable Instrument at Park City Last Night.

(Special to the "News.")  
Park City, Feb. 1.—Hi Henry, the minstrel man, is the saddest person in town today. Last night some one slipped into the Theater and stole one of the best cornets belonging to the company, thus preventing the usual double cornet number that is one of the main features of the show. The management gave every possible assistance in the direction of the recovery of the instrument, but without success.

**CONSIDERABLE SNOW.**  
The snowstorm of the past few days has brought down a goodly deposit of snow. It is more than a foot deep in Park City while at some of the mines down town it is from four to five feet deep and still coming down.

**WORK AT QUINCY.**  
There is much activity at the Quincy. The last few days more men and teams have been put on with prospects of the number being increased. The property promises immensely for the current year.

**NOW IN COPENHAGEN.**  
Alleged Absconding Fireman Writes To Friends From Danish Capital.

It will be recalled that some time ago the Herald published a "sensational" story under a scare head about the alleged mysterious disappearance of Lewis Lewison, a former member of the fire department, and stated that Lewison left about the time of the Hay market.

"News" readers will remember that the story was contradicted by this paper, and attention was called to the fact that Lewison had but a short time previous, stated to a representative of this paper that he was going to join his wife who had come here to their native country, Denmark. Now comes the corroboration of the facts as published by the "News."

Yesterday afternoon a member of the Salt Lake fire department, and a personal friend of Lewison's, received a letter from his old comrade, dated at Copenhagen, Denmark, January 14, 1902. Lewison assures his friend that he is well, and that he enjoyed the trip to his native country. He left Salt Lake during the latter part of November, and since his arrival in Copenhagen he has been trying to get a position on the fire department of that great city. He says he has his application in for a position and asks some of the boys to give him a letter of recommendation. He says that Copenhagen has a population of 400,000, and that there are four sub-fire stations.

"They have," says he, "seven steamers and twenty hand pumps with 1,000 feet of hose to each cart. There are 223 firemen exclusive of the chief, secretary and operators and the men earn over \$1,000 a year. Each year every man in the service gets a uniform free, and is given an overcoat every four years. If any of the men lose any of their clothing in a fire it is replaced free."

Lewison further says that a chief there is regarded as being a "great man," and that the men are never sent into a burning building, he says, but stands out in the middle of the street and directs the movements

of the captains and men. The men there regard it as something wonderful if they can make a hit and get out onto the street in one minute and a half. "When I told them," says Lewison, "that we get out in from seven to ten seconds the men nearly fell off their chairs, and I guess they think I am the biggest liar on earth."

The ex-fire fighter closes his letter by sending regards to all "the boys" and asks them to write to him.

**RECEIPTS IN CLERK'S OFFICE.**  
County Clerk James has filed his statement of receipts for the month of January with the county commissioners which shows a total of \$2,527.50. This amount is an increase of \$43.63 over the same month in 1901, and an increase of \$755.75 over the same month of last year.

The amounts received by each department follow:

Marriage licenses	\$165.00
Incorporations	414.35
Probate fees	609.50
County clerk's office	241.25
Butcher's licenses	50.00
Miscellaneous	477.10
Reporters	192.00
Declaration of intention	10.00
Naturalization	3.00
Jury	25.00
Total	\$2,527.50

**GUARD ELECTIONS.**  
Special Order Issued from Adjutant General's Office.

The following order has been issued from National Guard headquarters: Adjutant General's Office, Salt Lake City, Utah, Jan. 30, 1902.

S. O. No. 1.  
The resignations of Captain John U. Buch, company C, First Infantry, and Captain Ralph B. Sharkey, company H, First Infantry, having been tendered, are hereby accepted, subject to the general provisions contained in G. O. No. 1, C. S., to which attention is invited.

2. An election to fill the vacancy caused by the resignation of Captain John U. Buch, company C, First Infantry, will be held at Provo City, on Tuesday, February 11, 1902, or as soon thereafter as practicable, and in case of postponement, the date of the election will be determined by the supervisor thereof after conferring with the commanding officer of the company.

3. The election to fill the vacancy caused by the resignation of Captain Ralph B. Sharkey, company H, First Infantry, will be held at the Armory in Salt Lake City on Monday evening, February 10, 1902.

Colonel Sam C. Park will supervise the elections provided for in this order and make prompt report of the result. By order of the commanding-in-chief, CHAS. S. BURTON, Adjutant General.

**MURRAY CASE CONTINUED.**  
Preliminary Hearing Set for Next Thursday Morning.

The preliminary hearing of Andrew Murray, the negro charged with robbing a Chinaman several months ago, did not take place this morning, as set. On motion of Assistant County Attorney Loofton, the case was continued until next Thursday at 10 o'clock.

It was impossible to go to trial this morning, owing to the fact that three material witnesses in the case were not in town and cannot be here until next week.

Thilo Williams, the woman who assisted in the robbery, and who is now doing three years at the State prison, was on hand this morning to testify against Murray. She said she was sorry she had ever met the negro and she had made up her mind to behave when she regained her liberty. It is said in view of her turning state's evidence, an effort will be made to secure her pardon.

**REPORTED KILLED.**  
Result of a Serious Accident to an Old Man.

This afternoon there was a telephone message received at the police station stating that a man had been thrown out of either a sleigh or a buggy at the corner of Fourth South and Sixth East street, and probably fatally injured.

The report stated that he resided at the broken arm and leg and fracture of the skull. Chief of Police Hilton and Officer Hempel at once proceeded to the scene but by the time they arrived there the injured man had been taken to his home near Liberty Park.

Soon after the telephone communication was received, word reached the police station that the man had died. The injuries were of the nature of a fracture of the skull. The police are of the opinion that the victim of the accident was not killed, but that his injuries are of a dangerous nature, as he was unconscious, when taken home.

The members of the Opal club will attend the soiree at Christensen's next Wednesday evening instead of holding their usual social in the Ladies' Literary hall.

Christensen's weekly soirees are quite popular again this season. A large number attended last Wednesday evening.

The Opal club will give a ball at Christensen's February 28th.

The Deseret Camp 402, Woodmen of the World, gave a pleasant card-party at their hall last night, the amusement being high-life. The prizes, a silver bowl and silk umbrella, were won by Miss Malin and Mr. Montgomery.

An unusual feature of the game was that the winners made seven successive progressions, there being seven games in all. After the contest, delicious refreshments were served. A large number were present, there being forty-five tables.

An interesting meeting of the Ladies' auxiliary of the Y. M. C. A. was held this afternoon in the parlors of the association. After the business of the session was disposed of a reception was given in honor of Mrs. W. S. Giesey, who has been elected president five successive terms.

Mr. and Mrs. T. M. Schumacher, Dr. and Mrs. H. P. Pinkerton and Mr. D. E. Purley occupied a box at the Theater Monday night.

Dr. S. H. Pinkerton returned from a business trip to the north today.

**UTAH HONEY OUTLOOK.**  
What President Lowry Found in Three Counties.

President E. S. Lowry of the Utah Beekeepers' association returned this morning from a fifteen day bee inspection tour through Davis, Morgan and Weber counties. Conditions, he says, are much better than a year ago, particularly in the north end of Davis



**A STRAIGHT TRACK.**  
The reason why we have made such a success with our Three Crown Hacking Powder is that we are on a straight track from producer to consumer, with no hyphas, and no curves or peculiarities. There's a bit of excellence about our goods which those who like the best will fail to appreciate, and a decided saving in buying which must appeal to the economical.

Your grocer sells THREE CROWN Hacking Powder at the following prices:

5 ounce can	10c
8 ounce can	15c
12 ounce can	20c
16 ounce can	25c

Remember every can guaranteed to give perfect satisfaction or money refunded. You take no risk. Why not give it a trial?

**HEWLETT BROS. CO.**  
SOCIAL AND PERSONAL.

On Wednesday evening Mr. and Mrs. W. S. Romney gave a musical and social in honor of their niece, Miss Minnie Folson. A delightful musical program was rendered by Miss Minnie Folson, Mrs. Lizzie Thomas Edwards, Mr. Thomas Ashworth, recitation by Miss Sue Clark, after which dainty refreshments were served. The house was tastefully decorated with garlands and ferns. About sixty guests were present.

A delightful luncheon was given by Mrs. Lillian May yesterday in honor of Mrs. Lindsay Rogers. The table was decorated with violets and maiden-hair. A delicious candy table shaded in green completed the lovely decorations and ferns. About sixty guests were present.

The executive committee of the Utah Federation of Women's clubs met yesterday in Ogden, and discussed the club attitude upon questions likely to be brought up at the meeting of the General Federation in Los Angeles. It was decided that the club should favor the Massachusetts plan of organization instead of the Georgia plan. The Massachusetts plan of club division reform was also endorsed, and the Federation will ask the support of Utah's representative in Congress in endorsing the plan.

The young ladies of the Salt Lake Business college gave the young gentlemen of the college a surprise in the form of an enjoyable social last night. The program of music, recitation, and speeches the latter being made by President Nelson and other school officers. A delicious supper was served at the close of the program, and the affair in every way was one to reflect credit upon the young ladies managing it.

The dancing party given at Christensen's last night by the students of the University of Utah was a delightful affair. Some seventy couples were present. The chaperones for the evening were Mrs. H. M. Wells, Mrs. J. T. Kingsbury, Mrs. Rachel Miller, Mrs. Angus and Mrs. Davis. Among the ladies present were Misses: Jennie, Mary, May, Billings, Bell, Weiler, Leda, Hawkins, Louise Rowe, Lena Badger, Eva Thomas, Leone Taylor, Effie Greenstreet, Hattie Kirtley, square, Leone, Minnie James, Gertrude Rieff, Stella Reilly, Mabel Barker, Edna Barker, Lucile Barker, Josie Morris, Gertrude Barker, Hattie Barker, Clara Barker, Florence Barker, Helen Barker, Grace Barker, Louise Barker, and many others.

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county and in Weber and Morgan. In the south end of Davis bees are suffering greatly from foul brood and President Lowry recommends that the citizens of that section petition their county commissioners and ask for the appointment of a bee inspector. Such an appointment he believes will give that part of the county good, healthy bees, and fine honey.

The whole bee and honey question will be considered at the regular annual meeting to be held in this city on April 5.

**STRIKE IS FAILING.**  
Electrical Wires Apparently Meet Defeat at Outset.

About twenty electrical line workers are taking an impromptu vacation today, as was indicated in last evening's "News." They demand an increase of wages from \$3 to \$3.50 per day, because, they allege, the cost of living has increased and the demand is only a just one. The contractors, however, fall to rise the situation up in just that light, and decline the proposition with thanks. There is no ill feeling, said one contractor this morning, "merely a difference of opinion; but the men will stay out, I suppose," he said, "until they get good and ready to return to work. We won't give in until some other firm does, and then I suppose we will. If one contractor or contracting firm yields to the demand of the men, why, all the others will have to as a matter of course."

The above was the situation at noon. Later, however, signs appeared indicating that the strike would be of short duration, and the following agreement between the electrical contractors and the men was reached: The men will work on the Salt Lake City wires from 7 a. m. to 5 p. m. On and after the first day of February, 1902, the wages of journeymen wiremen shall be \$3.50 per day of eight hours.

One apprentice, if he is a member of this union, will be allowed to each journeyman.

Apprentices shall not go on construction, fixture, or repair work outside of shops, except under the supervision of a journeyman who is responsible for the work.

On a country work, journeymen shall be allowed the same scale of wages and expenses, such as transportation, board and room.

Members of this union shall not do any side work, and will do all in their power to check the wiring being done by clerks, engineers, non-union shopmen, etc.

If work is done by any member of this union in unsatisfactory or faulty, the same shall be rectified by the guilty journeyman on his own time.

A fine of \$20 will be placed upon any member of this union who does side work, and the same member shall not be allowed to work in any shop until the above fine is paid.

Contractors are cautioned not to sell any members material to do work in this city, unless officially notified to do so by written order with the official seal of the union.

This agreement is to expire Feb. 1, 1903.

**TO CURE BRUISE IN TWO DAYS.**  
Laxative Bromo-Quinine removes the cause. E. W. Grove's signature on every box. Price 25 cents.

**WEEKLY HEALTH REPORT.**  
Five New Cases of Scarlet Fever—Twenty Releases.

The report of thirty-three births to the health department for the week ending Feb. 1, 1902, shows fifteen males and eighteen females. Of the deaths reported there were six males and five females. Three were shipped here for interment. Five new cases of scarlet fever were reported during the week and twenty were released from quarantine, leaving seventeen cases in quarantine compared with thirty-two for the preceding week.