FEBRUARY TERM OF COURT BEGINS.

Hearing of Cases In the Criminal Branch Commences Today.

CURTIS BROTHERS ON TRIAL.

Prisoners are Charged With Burglary —Well Known to the Officers — Additional Jurors.

The February term of the criminal branch of the Third District court commenced before Judge Norrin today with a large attendance of attorneys, police officers, deputy sheriffs, witnesses, jurors and spectators. The whole of the morning session was taken up with the examination of jurors on their voir dire. Out of the twenty-five persons summoned only seventeen were accepted. The names of twenty-seven have been drawn from the jury box and a special venire issued, returnable forthwith. The following named persons appeared on today's venire: N. B. Harris, Arnold G. Hanson, George W. Stevenson, Boyd C. Dexter, H. H. Rigby, Wallace T. Poston, Earl C. Dick, Joseph W. Clayton, Nathan Young, George W. Seeks, Fred Taylor, Martin N. Rathbone, W. M. Wantland, James Hepworth, Junior M. Barlow, John Wilson, Christian Stephenson, Joseph D. Park, Samuel D. Park and Edward Lechtenstaedt.

Those excused for the term were: Henry Newell, George H. Reynolds and W. D. Bowring. William Wood, Jr., got excused until tomorrow and Richard Conley was told to appear Monday.

The names of those accepted are: D. W. Jardine, Selden J. Clawson, George L. Cline, D. H. Hollis, Samuel S. Smith, Joseph Bull, Sr., Edward H. Dixon, George C. Thomas, Orson Hyde, C. F. Emery, J. J. Cannon, Andrew Gedsdell, Thomas W. Armstrong and Joseph Raleigh.

Charles H. Wilber and Archibald S. Geddes were fined $5 each for failing to respond to the roll of their names.

The first case on the calendar was the State against Jack Rickards, H. V. Lamb, Arthur Curtis and Sidney Curtis, all charged with separate offenses of burglary. By consent the Curtis boys, who are brothers and minors, were given a separate trial. The defendants were represented by Attorney Richard Hartley, while County Attorney Putnam appeared in behalf of the State.

The information accuses the defendants of having, on the night of January 7th, 1899, entered the grocery belonging to John C. Mackay at Draper, and stealing 20 pounds of oats, 10 pounds of lactera seed and one half bushel of potatoes. Until this afternoon it was custom to try the case and the taking of testimony was being proceeded with at press time.

LOWER COURT AFFIRMED.

Supreme Court Decision in a Damage Suit for Causing Death.

The Supreme court handed down an opinion today in the case of Mary Pritz et al, appellants, vs The Salt Lake and Ogden Gas and Electric Light company, affirming the judgment of the Third district court. A. N. Cherry, judge. The appeal was from a judgment of non-suit. The facts in the case are: Edward Pritz, husband of the plaintiff and appellant, was in the service of the defendant company as helper to the head engineer on the 16th of August, 1896. While at his work he came in contact with an iron bar left unguarded and not insulated, and was killed. His wife and brother later brought suit against the company for $25,000 damages, alleging that deceased met his death by reason of the negligence and carelessness of the defendant company in not properly guarding the bar. The defendant set contributory negligence and assumed risks. On these grounds Judge Cherry sustained the defendant's motion for nonsuit. This ruling of Judge Cherry's was the question raised before the Supreme court.

Today's decision was delivered by District Judge McCarty, Chief Justice Durfee and Justice Baskin concurring.

The court held that the defendant company was in no way liable for the deceased's death for the reason that the evidence showed that he thoroughly understood the dangers incident to and growing out of his employment.

On the question of the deceased's negligence in failing to properly guard the bar, the court holds that the mere fact that he failed to use the rubber and hot mittens, says the court, "in performing his duty when he knew the bar of ordinary character and reasonable safety, and the former is the test of the safety, for in regard to the style of the instrument, or nature of the mode of performance of any work, reasonable safety means according to the usages, habits and ordinary risks of the business. Absolute safety is unattainable, and employers are not insurers. When there are two or more methods or ways by which a servant may perform his duties and he selects the if choice one most hazardous, knowing it to be such, he does so at his own risk."

The court finds the non-suit was properly granted and hence affirms the judgment of the court below.

Dispute Over Mining Property.

Adolph J. Hasselbalk filed an action against the Phoenix Mining company and Andrew Gebhardt in the Third district court today to quiet title to the west half of the Tribune No. 2 mining claim situated in the West Mountain mining district. Hasselbalk alleges that the property belongs to him by reason of a contract with Gebhardt made on January, 1892. The disputed property is alleged to be worth $10,000 and plaintiff prays for a restraining order to prevent a further extraction of ore.

Probate Matters.

Estate of William J. Jenkins, deceased; order made for sale of real estate.

Estate of Ernest R. Aldridge, deceased; hearing on summary distribution of estate referred to Clerk Hoag.

Estate of John Kilpack, deceased; order made for settlement of first account and distribution of estate.

AN ACCOUNTING ASKED FOR.

J. C. Fox Makes a Serious Allegation Against John E. Dooley.

J. C. Fox filed a petition in the probate court this afternoon praying for the re-opening of the estate of William A. Norton, deceased, and for the appointment of William J. Barrette as administrator.

It is alleged in the petition that the executor, J. E. Dooly, who was discharged in June, 1895, has failed to account for moneys of $6,000, belonging to the estate.

The court fixed Saturday, February 18, as the date of hearing the petition.

COURT NOTES.

The case of Thomas W. Jennings vs Willard E. Richards was stricken from the calendar today with leave to reinstate.

A motion to dismiss the appeal of William Hardman vs Eugene Dixon et al was sustained by Judge Cherry today, to which the defendants excepted.

The Grants-Grow case has occupied the whole of Judge Hiles' time today.

POLICE NOTES.

Tom Brennan was in the police court today for being drunk and for beating Mrs. Smith, who was living with him at a rooming house on west Second South.

Mrs. Smith appeared in court with her head bandaged up. The truth appears to be that Brennan came home full of fighting whisky and expected to spend the evening in knocking him the judge told him he was the only party he could see who was the pretty heavier. The sentence was for being drunk, a fine of $25, and in the complaint of $100, and 90 days imprisonment in the county jail. Brennan will appeal.

Ed. Ward and Mat Wagner were put up for only took a little beauty to keep themselves warm. As it was his first appearance he was discharged.

J. Adams, another drunk, was also discharged. It was his first offense.

Lou Pratt said he had not been drunk since Jan. 1st. Justice Hochstrasser fine him $10 in order to keep away from him for a year.

H. Howell, W. Cooper and M. Wheeler, three aged men, were also charged with exercise to animate, but their case continued till morrow.

H. W. Reed had his daughter up before the court for beating him. It was a family squabble in which police officer acted as peace-maker and the case was dismissed.

FINED FOR ASSAULT.

Joseph Atkins was up before Justice Bonner this afternoon charged with assault and battery on Lorenzo W. Brant. The first portion in the suit are lessees of Cottonwood and got in an altercation over a horse. Atkins was fined $2.

LICENSE TO MARRY.

A marriage license was issued today by Clerk Stevenson to L. of Granger, and Mary Olsen, M. of Murray.

CRUSHED BY THE SNOW.

Slide in Provo Canyon—Telluride Power Plant Injured.

Special to the "News."

Provo, Feb. 8.—A snowslide in Provo canyon last night, broke the frame of the Telluride Power company's electric light and power plant. Men were sent up today to clear away the snow and repair the frame.

Weight of snow broke in the roof of Butler & Vincent's saloon last night. No damage in first story of building swept from melting snow.

F. J. CANNON'S ADDRESS.

All Tickets Gone for the Meeting in the Theater Tonight.

The door at the Theater this afternoon bore a legend announcing that all the admission tickets to the Theater this evening, for the address of Senator F. J. Cannon were gone. The tickets were taken up early and seemed to secured them were seeking to make room out of the same. Many people who failed to get tickets were anxious to secure them and as much as a dollar each was asked.

CLEARING HOUSE REPORT.

Salt Lake City, Feb. 8, 1899

Today's clearings	$254,000
Same day last year	259,000

ORE AND BULLION REPORTS.

Following are today's ore and bullion receipts, as reported by the Bullion-Beck & Champion Mining company:

BAMBERGER & McMILLAN.

Ores	$12,655

NATIONAL BANK OF REPUBLIC.

Crandall ore	$1,300

T. R. JONES & CO.

Ores	$11,000
Bullion	8,500
Total	$28,455

McCORNICK & CO.

Silver and lead ores	$19,150

Silver, 59c; lead, $4.35.

SCROFULA

It is Foul Blood's Advertisement

But it is Soon Cured by Hood's Sarsaparilla.

Yes, Scrofula, lingering, may be called the advertisement of foul blood. It is the scourge of the world—offensive, painful, debilitating, stubborn and will sign unendurable.

Outward applications do not cure, they only drive the difficulty to new quarters. Emollients may palliate, they cannot abolish the evil. There is but one sure way out, and that is to eliminate the foul poison from the blood.

There is one remedy that can effect this, and it is the only one that, so far as we know, has almost invariably succeeded—even where the system has been poisoned by long years of taint, and the ravages to be repaired are tremendous. That remedy is Hood's Sarsaparilla. Read this:

"My daughter was afflicted with impure blood. There were running sores all over her body and they caused her much suffering. We tried medicines that were recommended as blood purifiers, but could see not that they did any good. A friend told me about Hood's Sarsaparilla and I began giving the girl this medicine. The result was that she was perfectly cured after taking a few bottles. She has had no symptoms of scrofula sores since that time." MARIETTA M. SMITH, South Middleboro, Mass.

Hood's Sarsaparilla

is the best—in fact the One True Blood Purifier. Hood's Sarsaparilla. Hood's Sarsaparilla.

Hood's Pills act harmoniously with Hood's Sarsaparilla.

RAILWAY MEN IN A DAMAGE SUIT.

Mitchel Files His Demand for $10,000 from Nash.

ALLEGED CAUSES OF ACTION

Parties Well Known Railway Men—R. G. W. to Open General Railway News.

Attorney J. D. Pardee says that this afternoon he will file a complaint in the Third district court in the case of Alex. Mitchell vs Fred A. Nash, to recover $10,000 damages for slander. The complaint goes on to allege that on the 16th day of January in the year 1897, the defendant, in the presence of divers persons, published a statement to the effect that the plaintiff had sold half-fare permits of the Chicago, Milwaukee and St. Paul railway, which report was false.

For the second cause of action plaintiff sets forth that in the presence of officials of the Chicago, Milwaukee & St. Paul Railroad, the defendant made use of the words, "He has been drinking again," which words were alleged to have caused the plaintiff's discharge from the position of commercial agent of the road at Salt Lake, damaging the plaintiff to the amount of $10,000 on both counts.

It will be remembered by readers of the "News" that the parties to this suit were those who took part in a row in the rotunda of the Knutsford hotel last week, in which Mitchell was the aggressor.

The entry of this action is causing considerable talk in local railroad circles. The defendant Nash is the general agent of the road for the west, with headquarters at Omaha.

RAILROAD NOTES.

General Agent S. F. Nevins of the Rio Grande Western is sick at his home from a bad attack of la grippe.

Col. Hopley, the town cattle feeder, who has been in the city for some time having cattle, returned home this evening.

The Overland limited on the Union Pacific was delayed today in two portions. The first section reached Ogden on time and the second at 3 p. m.

W. H. Firth, the general agent of the passenger department of the Rock Island railroad, at Denver, came in from the east over the U. P. this morning.

A dispatch received by General Agent Clay of the local office from Cheyenne at noon states that unless the storm continues the Union Pacific track will be kept open.

Traveling Freight Agent K. O. Kyes of the Chicago, Milwaukee and St. Paul, came in from the Northwest this morning. He reports a great amount of freight waiting for settled weather, to be moved.

Live Stock Statistician Anderson of the Union stock yards, Chicago, who has been in the city since the storm, will leave this evening for a trip over the stockyard districts of Colorado and Wyoming.

H. C. Wagner, the Denver general agent of the Chicago, Milwaukee and St. Paul, came into the city this morning from the north, on his way home. He says that it is a wonder how the snowslides have kept so clear, on account of the snow. Mr. Wagner leaves for Denver this evening.

It was announced at the office of the general superintendent of the Rio Grande Western today that the line was open on the Denver & Rio Grande, and that passenger trains would run in three sections from Grand Junction between 6 a. m. and midnight. The blockade on the Midland is still unbroken.

A large number of Ogden people is expected in the city tonight by special over the Short Line, to attend the meeting at the Salt Lake Theater called by Senator Frank J. Cannon. Mr. Pitts, general passenger agent of the Union Pacific, and Mr. Ogden, and Mr. Ogden, and Mr. Ogden