THE SUPREME COURT.

One Opinion Handed Down—Cases Argued and Submitted.

At today's session of the Supreme Court one opinion was handed down, and two cases were argued and submitted.

An opinion was handed down in the case of Edith B. Biddle, plaintiff and respondent, vs. Joseph Clark, defendant and appellant.

In this case Wm. Biddle died and left a land to W. H. Swan, taking in payment therefor a note, secured by a mortgage on the land. Swan assigned the note and mortgage to one Biddle. A few days prior to this Swan conveyed land to the plaintiff, the deed recording from the mortgage. Subsequently Biddle, otherwise known as Clark, assigned the note and mortgage to one Biddle. A few days prior to this Swan conveyed land to the plaintiff, the deed recording from the mortgage. Subsequently Biddle, otherwise known as Clark, assigned the note and mortgage to one Biddle. Plaintiff went to defendant and paid him $400 to release the lien from the mortgage, which he refused to do, but gave them credit for the amount on the note. Defendant afterwards obtained a decree of foreclosure of the mortgage, plaintiff and being made a party thereto, although Clark, who had, when he brought his suit, conveyed the interest of the land from the mortgage, asked for a decree of the mortgage as set up in his complaint. In the suit upon the note and mortgage the judgment against Swan did not implicate the $400, the court treating it as a payment on the note.

Plaintiff afterwards learned of the mistake and demanded that the credit be given for $400, but it was refused and she then was compelled to recover said amount, the complaint alleging payment by mistake.

The trial judge held that defendants was more negligent than plaintiff and instructed the jury to find for the latter.

The Supreme Court holds that the "mistake is attributable to plaintiff rather than defendant," and that the lower court erred in directing a verdict for plaintiff. The judgment of the lower court is therefore reversed and a new trial granted. The opinion was delivered by Justice King, Justices Merrill and Smith concurring.

SUIT FOR RENT.

The first case argued before the supreme court today was that of the Brigham Young Trust company, plaintiff and respondent, vs. Henry Wagner, defendant and appellant, the arguments were made by J. A. Williams for appellant and H. W. Young and Barlow Ferguson for respondent.

In this case the plaintiff entered suit before Judge Merrill in the third district court, for $700 for rent, and the jury found for the full amount. A motion for a new trial was overruled and an appeal was taken.

The case of Wallace, Smith & Co., plaintiffs and respondents, vs. F. J. McLaughlin and O. G. Lechner, defendants and appellants, and Hymns Grocery Co., plaintiff and respondent, vs. F. J. McLaughlin and O. G. Lechner, defendants and appellants, Brown and Henderson are attorneys for appellants, Jones and Pedersen for respondents.

These two cases are heard together. The appeal in each case is from an order made December 5, 1894, on proceedings supplemental to execution, and the appeal in each case is by the two principal defendants and E. C. Williamson and D. C. McLaughlin. Defendants owed the Park City Bank $10,000, Hymns Grocery Co. $2,500, and Wallace, Smith & Co. $1,000. They had a stock of goods worth about $18,000, and about $15,000 was due them. Defendants failed to pay the amounts due the plaintiff and suit was entered in the third district court for the same, one Thomas Dale being joined to the orders made by the court and appealed to the Supreme court.

Wedding Bells.

Two couples of prominent young Salt Lake people were made happy by being united in marriage last evening. The first were Lottie Young, daughter of Hon. L. Greenwood and Mrs. Young, and Mr. William Reid. The ceremony was performed at the handsome residence of the bride's parents in the eastern part of the city by the Rev. James E. Talmage. About fifty of the relatives and friends of the contracting parties were present and after a reception was tendered at which a large number of congratulations were well wishes offered congratulation.

The other wedding was that of Miss Mattie Rapp, daughter of Judge J. C. and Mrs. Rapp and cousin of Noel Rapp, the popular and well known actor and playwright, and Mr. Louis King, the singer. The ceremony was quiet and unostentatious and was performed at the home of the bride by the Rev. A. Kinney Hall.

Has an Elephant Farm.

The friends of L. A. Ho. Elliot in this city and Fernley will be interested in learning that the gentleman is engaged in business in an extensive scale at his new home in Lima. In a letter to President McClelland, of the City Council, he says among other things, "In the Lima from which my law license is derived we have fifty attorneys, fifty doctors with 20,000 inhabitants, and only one lawyer, who is considered as a privilege man—a blood sucker." Also now of us live in the back woods as in Lima. The company with which Mr. Elliot is connected is the Hunting-Barnum Trading Corporation, limited.

TO ORGANIZE A STATE BOARD.

A Convention of Club Delegates Has to be Held in this City on the 12th Inst.

The following letter, which is being sent out broadcast to the amateurs in the Territory of Kentucky and objects explained sufficiently, is self explanatory:

Just Should you has been given by the [illegible] of the Outdoor Club of the Pacific that the Kentucky office should be [illegible] by the Kentucky Club of Salt Lake City, Utah, for the ensuing year. In view of this fact, and the considerations, the most appropriate have appointed the undersigned as a committee to issue a call for a convention of the Kentucky Club of Utah for a meeting to be held in Salt Lake City on Wednesday, June 12th, at 8 o'clock p. m., in the Council office of the powerful Board of Fire Underwriters, in the Commercial block, for the purpose of electing an organized state board, state organ and other officers and approval by the general membership.

The organ of said board will be in the form of a monthly, and will be devoted to the Territory and the organization to be formed in the interests of and exclusively for the office as provided existing in this city and, in its stead, daily organs, monthly journals and all kinds of [illegible] of a character which have been [illegible] during between the Kentucky Club of the Territory and the Kentucky Club of the State of Fire Underwriters of Salt Lake City, which, of the [illegible] the Kentucky Club of Utah, [illegible] the Kentucky Club of the same board, [illegible] to be located in some city [illegible] in the Territory.

The membership of the Kentucky organization will be well known to most fire underwriters. Membership organized in the [illegible] Kentucky Club and not with the [illegible] appointed [illegible] the [illegible] Fire Protection Board, which is to be [illegible] a similar board in some of the states in Utah.

We need no further urge you [illegible] in its presence in the meeting, but simply [illegible] to which is to organize [illegible] the [illegible] Kentucky Club of Utah [illegible] opinion of the majority [illegible] [illegible] Yours truly,

E. W. Wilson,
H. D. Cannon,
M. F. Cannon.

JOHNSON KNOCKED OUT.

The "Black Prince," in the Language of the Sporting Fraternity, Put Him to Sleep.

It was very quiet and apparently uninterested last night that Charlie Johnson, the man from Butte and Sugar House ward, made the "acquaintance of the," when he arranged for a match between himself and the Sugarhouse soldier, known as the "Black Prince."

There was a large attendance at the Salt Lake Athletic club to witness the affair, which was of the "short, sharp and decisive" order. So much so was this the case that before the second round had finished Johnson was literally knocked into dreamland and unconscious condition and Referee Cannon declared they will put each other up the help of the "Lone Star State" athletics in October next.

Each man's manager was padded with eight ounce gloves and they fought for points, the biggest and most creditable of which was the $50 purse, which went to the successful contestant. Sam Clark, the Salt Lake "Sackie boy," seems to be likely for a Marquis Queensberry in a preliminary skirmish to the main event that he was called off. Jim Williams, manager, of Golding, came at the end, and his brother Henry summed the crowd in a very clever little tout.

Robbed a Butcher Shop.

Unknown burglars entered the East Drive meat shop at the corner of Eleventh South and Fifth East streets last night and, after breaking open the till with a view to tapping it of cash, but finding none, helped themselves to a considerable quantity of meat. The proprietor of the shop is of the opinion that he knows who carried his roasts, steaks and sausage away, and if upon investigation his suspicions are confirmed, then Mr. Sargent had better look out.

In the Europe an Mission.

(Millennial Star, May 23.)

RELEASED—Elder George A. Seaman has been honorably released from laboring as Traveling Elder in the Liverpool conference to return home May 25, 1895.

Elder Parley P. Parrish has been honorably released from his labors as Traveling Elder in the Newcastle conference to return home May 25, 1895.

ARRIVAL—Elder George F. Phillips, of Ogden, arrived in Liverpool per steamer Kensington, on May 22. He will attend to some business affairs before returning home.

Tenth Quorum of Seventies.

The Tenth Quorum of Seventies will hold their regular weekly meeting tomorrow night, Friday, June 7th, at the Ninth ward meeting house, at 7:30 o'clock.

SCHOOL BOARD MATTERS.

A City Superintendent to be Elected Tonight—A Board of Examiners to be Named.

The board of education will meet in regular session tonight and among other important business to be transacted will be that of electing, for the ensuing year, a superintendent of the city schools. Under the law that duty is imposed of the board at its first session in June.

As yet as known there is but one candidate for the position—Dr. McMaster—who has also and constantly filled that important office from the abolition of the district system of schools in this city to date. His re-election will be unanimous without a doubt. At the same meeting a chart of examiners will be elected for the purpose of passing upon the qualifications of persons applying to teach in the public schools the ensuing year.

OGDEN.

OGDEN, UTAH, June 6, 1895.

Junction City News.

A most unfortunate accident happened yesterday afternoon in Ogden canyon, by which a Scandinavian employee on the Oregon line was caught in a mangle of wire by one of a hoisting engine and almost instantly killed. The deceased's name is Jonas Jensen, and he was married and has a family. Jensen was working on the Oregon Short Line, and was at work on the engine when the accident occurred. Yesterday afternoon a gang of men were working on the line, and one of them was cut off by a large wire rope which was in use, and the end of the rope of a hoisting engine. The rope was in a manner that it is doubtful if it will make it necessary to adjust the line.

A call was filed in the office of Clerk Perry to which Charles H. Hart, executor of the will of Michael Murphy, vs. F. A. and H. E. Mikel. It is at the foreclosure of a mortgage for $10,000.20 and $500 attorney's fees. The property is in Uinta county.

Jonathan Chessman, a traveler from Boston, left his hack, and in going, slipped down and fell down. When taken to jail $1.00 was found in his pocket, he was fined $5, which he did not in the least stand to pay.

At a meeting of the Ogden Union Railway Depot company, the following directors were elected for the ensuing year: F. S. Williams, Thomas Kearns, James Agee, W. H. Dinwoodey and F. J. Kiesel.

On Friday evening the school board met to select a superintendent. Seven applications have been filed—two Utah, one Illinois and five Eastern.

The resignation of Dr. of the county Hospital, R. Williams, the man who was hurt by the G. V. Pyle, was accepted to take effect immediately.

OBJECT PRESERVATION.

Five Ounces of Air in Woodward's Bottle Sent by Parcel Post.

Probably the most diminutive package ever sent through the mails was received in this city yesterday afternoon. It was a little bottle containing five ounces of pure air, and was addressed to a gentleman in the employ of the principal office of the United States in which a portion of one of the upper floors now stands, and is falling, rapidly being demolished, portions of which are now in the hands of the scrap men of Washington. Nothing like it has ever before been seen in the office. It was found that a frequently unusual process of fumigation had been adopted in the building in question, the presence of impaired breathing having been noticed in the building, presumably from the fact of having a comparatively large amount of plaster.

Whether or not the air in question came from Dr. Hoff's Health Bureau, or from the Health Bureau of the Department of Health, Washington, D. C., or from the Health Bureau of the Department of Health, New York, Boston and Philadelphia Bureau of Health, Chicago Bureau of Health, Cincinnati Bureau of Health, Detroit Bureau of Health, Cleveland Bureau of Health, Pittsburg