DISTRICT COURT, ETC

Civil Jury Cases in Chief Justice Merritt's Division.

BUSINESS OF THE COUNTY COURT

Three Defendants Arraigned on Charges of Adultery.—One Probate Order.

In Chief Justice Merritt's division of the Third district court this morning, the hearing in the case of Homer J. Council vs the Eureka Reduction works (West Jordan), which began last Friday, was resumed before a jury. As previously stated in these columns, there are three causes of action, the total sum sued for reaching $5,815, with interest from January 31st, 1891, and costs. On the first cause $2,700 is claimed for labor performed, goods furnished and money expended for the defendants between January 1, 1891, and January 31, 1891; on the second, $60, for two cars of sand sold and delivered to the defendants by Jeremy & Co. about September 25, 1893, and on the third item $50 for labor, etc., sold and delivered to defendants by J. P. Cahoon about July, 1893; these last two accounts having been assigned to the plaintiff.

Attorney H. G. Booth and Homer X. Smith for the plaintiff; Judge Henderson and Attorney Marriott for the defendant.

When the case came up again today the defendants' attorneys moved for a nonsuit on the first cause of action, on the ground that the person who assumed to be the contract for the plaintiff was not an agent of the defendants.

A long legal argument followed and was attentively by the court exercised the motion.

In reference to the accounts, the jury were instructed to find for the plaintiff—this by consent of defendants.

DAMAGES $5,000 CLAIMED.

G. C. Bettles vs Annie Peters Bixby, administratrix, is an hearing this afternoon. Attorney Frank Pierce appears for the plaintiff; Williams and Van Cott for the defendant. Action is brought to recover the sum of $5,000 alleged to be due for damages to certain land in the vicinity of a street yard in Pepperton place.

TOOK TIME TO PLEAD.

There were three prisoners arraigned in Chief Justice Merritt's court this morning. Their names are John Ore, E. M. Mattis and Don Bettelyoun; they took the maximum time to plead.

THE COUNTY COURT.

It was after eleven o'clock this morning when the County court settled down to actual business. Probate Judge Blair presided and the three sureymen were also present. Nothing of general public interest or importance transpired during the proceedings.

County Paymaster Worthington reported that there stood to date three county patients in St. Mary's hospital.

A petition was sent in by residents of Sanpete precinct, asking the court to establish the boundary lines of the county commencing east and west between sections 3 and 7, township 3 south of range 1 east, that Lake mentioned, as they now exist, so as to prevent further inconvenience and misunderstanding among the settlers on the borders of said road.

No action was taken to the matter.

TODAY'S PROBATE COURT.

Estate of Abraham Cook, deceased. Hearing on petition for sale of real estate and order nunc as prayed.

PENNEYCRAKER VS. "THE TRIBUNE"

The *Tribune* libel suit No. 2 did not reach the hearing stage in the Third district court today.

Information Wanted.

"The Dunkadder Gesellschaft Society" is desirous of obtaining the names and addresses of any of the Dunkadder family now residing in this inter-mountain region. Address Otto Dunkadder E-q., 878 West Gray street, Elmira, New York.

Land Office.

The following filings were made in the local land office under date of Nov. 24th:

George W. Lacy, of Burbank, Millard county, desert entry of the northeast quarter, lots 1 and 2, and the east half of the northwest quarter of section 30, township 21 south, range 19 west, containing 319.11 acres.

Louis H. Cherrington, of Holden, homestead entry of the south west quarter of the northwest quarter, and the northwest quarter of the southwest quarter of section 11, township 29 south, range 4 west, containing 80 acres.

Louis H. Sims, of Wasatch, commutation homestead of the southwest quarter of the southeast quarter of section 5, township 3 south, range 4 east, containing 40 acres.

James H. Dewey, of Salt Lake City, has filed application for a patent on the St. James mining claim, situated in the West Mountain mining district, Salt Lake county.

Attorneys Will Please Observe.

Chief Justice Merritt announced from the bench of the Third district court this morning that hereafter no verbal agreement will be recognized unless both sides are present. When one side only appears, agreement must be in writing.

AMUSEMENTS.

THE KENDALS closed their Salt Lake engagement Saturday night before an audience slightly smaller than those of preceding nights. A White Lie, while not possessing the absorbing interest of either A Scrap of Paper or The Second Mrs. Tanqueray, is a most clever comedy and it gave Mr. Kendal especially some excellent opportunities.

MR. THOMAS KEENE, the first among the tragedians of America, will commence a short engagement at the Salt Lake theater this evening, presenting Richard III. Seats for the performance are selling at the box office of the theater. The following is the cast of characters:

King Henry VI, Mr. Frank Evans; Prince Edward, Master Ernest Lawrence; Duke of Gloucester, Mr. Keene; Duke of Clarence, Mr. Frank Evans; Earl of Rivers, Mr. Ernest Lawrence; Earl of Oxford, Mr. Frank Evans; Lord Hastings, Mr. Ernest Lawrence; Lord Stanley, Mr. Frank Evans; Lord Lovel, Mr. Ernest Lawrence; Sir Thomas Vaughan, Mr. Frank Evans; Sir Richard Ratcliff, Mr. Ernest Lawrence; Sir William Catesby, Mr. Frank Evans; Sir James Tyrrel, Mr. Ernest Lawrence; Sir John Brakenbury, Mr. Frank Evans; Tressel, Mr. Ernest Lawrence; Berkeley, Mr. Frank Evans; Christian, Master Ernest Lawrence; Queen Elizabeth, Miss Ethel Brandon; Lady Anne, Miss Ethel Brandon; Duchess of York, Miss Ethel Brandon; Queen Margaret, Miss Ethel Brandon; Ghost, Miss Ethel Brandon; Lords, Ladies, Officers, Citizens, Messengers, Soldiers, Scrivener, Pursuivant, Page, Attendants, Ghosts, Murderers, Mr. Keene will be seen in the title role, Richard III, Monday evening, Tuesday (matinee), Wednesday afternoon, the Merchant of Venice, and Thursday evening, Richard III.

LOS ANGELES by a company of amateurs, under the management of Mr. Jessie Lynch Williams, will be given in the Pioneer theater, Georgie Washington will do the lead in male part.

WHAT THE RETURNS ARE.

Decision Arrived at Today by the Utah Commission.

Gain Taken by the Anti-Mormons—The Contest of Election Returns is Renewed.

The Utah Commission got down to work again today, and this afternoon began the business of further canvassing the election for delegates to the Constitutional Convention.

At the Friday session of the Commission, Mr. Tarbox offered a resolution that in the canvass of the vote the tally sheet should be taken as the governing paper from which the result should be ascertained. Judge Powell offered a substitute that the regular book used by the judges, the lists of persons voting in their respective orders, and the tally sheets, all should be considered as constituting the returns. Pending which a long debate, the Commission invited testimony to appear today at 11 a.m., at which time a joint session of the Commission and canvassing board was held. Attorneys F. L. Williams, G. W. Cowen and James A. Miner spoke against the amendment, and Judge G. W. Bennett contended a brief. Counsel were practically asked to the effect that no testimony cannot be admitted, and that the regularly book used by the judges, the lists of persons voting, and the tally sheets constitute authority of the election returns.

As to the powers of the board to go behind these, counsel were of the opinion that whatever discrepancies or irregularities were of such character as to prevent the proper ascertainment of the right of any person to an office, they had a right to resort to the tally book. This was in accord with the opinion of Judge Judd, given in the case of Hamel vs. Page, Aug. 25, 1894. The Commission agreed that was.

Additional belated returns have been received from various precincts, and statements of the ballot boxes called for, to be used in cases of necessity.

The canvassing board proceeded this afternoon to the returns of Weber county. No further counties had been completed in the Delegate vote. The summary returns added on the third votes are as follows:

LAND COMMISSIONERS.

Weber County.

	Yes.	Majority.
Thomas L. Griffin, (R)	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
C. C. Lyman, (R)	[illegible]	[illegible]

COUNTY OFFICERS.

Weber County.

Clerk, John T. Giles 413, T. R. Giles 843, Recorder, Joseph A. Morrison 90, Thomas S. Walker 342. Assessor, Andrew Hicken Jr. 460, H. M. Allen 158. Collector, Robert Dalton 404, Wm. Turner 335. Prosecuting attorney, Wm. Hays 555, A. G. Hatch 352. Sheriff, James S. Marshall 317, J. H. Livingston 355. Surveyor, S. A. Bond 443, Wm. Hays 355. Coroner, John McDonald 459, John Cross 337. Selectmen, John Lyon 455, Louis O. Wall 361, William Van Wagoner 420, C. L. Brown 352, George T. Ellis 354, J. A. Steadman 327.

OGDEN.

OGDEN, UTAH, Nov. 26, 1894.

UNDER A TRAIN.

Elisha Millard's Mangled Remains Found on the R. G. W. Track Near Ogden.

A terrible accident happened on the Rio Grande Western line near the Fort Farm Saturday night. From particulars that can be obtained it appears that Elisha Millard, who lives near the Fort Farm, was in Ogden on Saturday, and when he left to go home was under the influence of liquor. He wandered down the Rio Grande Western track and was run down by the train which leaves Ogden at 7:30 p.m. the body was found early Saturday morning, mangled and cut to pieces. The remains were reported to his residence, which is near the Fort Farm. He has a wife and children.

The deceased was an old resident of Utah. In a early day he lived at Bountiful. He was about 45 years of age. A coroner's inquest was held yesterday.

A Damage Suit.

In the Fourth district court suit for $10,000 damages was entered by Sarah A. Tarbox, guardian of Jack C. Barlow, against the Ogden International company, the Barlow was working in the Union Opera House building. About two years ago the elevator suddenly started up, throwing the boy to the floor, causing his leg between the block and floor, inflicting a very severe injury. Plaintiff claims the accident was the result of a defective elevator.

$1,500 Fire.

Saturday morning Clark Stratton's residence at Mule Hill was destroyed by fire entailing a loss of 1,500; insurance, $1,000. The house was unoccupied and the fire is supposed to be the work of a firebug.

Ogden Tabernacle.

Yesterday was a beautiful day, and brought out a large number of people upon the streets and also to the different churches in Ogden. The Tabernacle was filled to its capacity, choice flowers adorned the pulpit. In the morning President Wilcox occupied the time. Hosanna was the kingdom of God, and the duty necessary to the Priesthood of Israel from twelve through the Prophet Joseph Smith. He was listened to with much interest by the audience.

A BIG RABBIT HUNT.

Salt Lake Sportsmen Preparing to Slaughter Rodents.

SUNDRY AND DESTRUCTIVE.

The Hunters Will Be Met By Jack County Farmers Who Are Anxious to Save the Pests Slaughtered.

Salt Lake sportsmen are preparing for a great rabbit hunt on Thanksgiving Day. For a week past they have been sending word in their offices as it were of a piece of slaughter.

This morning the locality was definitely determined upon and that by reason of a pressing invitation sent to have been received from the farmers of Skull and vicinity, Juab county, asking them—inviting them in fact, to go to that section of the country. Accompanying the invitation was an offer on the part of the farmers to meet the hunters at the nearest point on the Union Pacific with teams and wagons enough to convey them to and from their destination free of charge. Also to gather up and haul the carcasses of the slaughtered rabbits to the train on the same condition.

This generous proposition is made with the hope that the rabbits which are said to abound in that part of the Territory by the tens of thousands may be as nearly exterminated as possible. It is claimed that they mentioned in that vicinity the last summer with a rapidity that was cause of genuine alarm on the part of all farmers whose crops were greatly damaged by their ravages.

More than one hundred sportsmen have already signified their intention of going and it is said that at least fifty others will join the expedition. A special train has been arranged for with the Union Pacific officials. It will consist of three passenger coaches and two baggage cars, and will leave this city at 7 a.m., reaching Moore's siding and returning leave there at 3 p.m. and arrive here at seven.

The chase, it is thought will result in the killing of from 2,000 to 3,000 rabbits, which will be brought to this city and, under the direction of Sheriffman Bonderof, of the county court, be distributed among the worthy poor.

Weber County Teachers' Institute.

The county teachers met in the city hall, Ogden, Saturday, at 1 p.m., President M. Hall in the chair. The minutes of the morning were read and approved.

Mr. Fowler, of Hooper, gave an exercise in reading from the First Reader, explaining the method of drawing out the thought and producing natural expression.

Dept. Hall led in an exercise in drawing, showing how easily monosyllabic words might be drawn, giving illustrations upon the board.

Mr. Brewer gave a short talk from from Parker's Pedagogy, dwelling upon "What is the child?"

Mr. Wade spoke in regards to "Myth," claiming that one child gains a knowledge of history through fairy tales.

Mr. Stuart gave a number of illustrations concerning the moral instruction of pupils, musically and geography.

Mr. Fowler followed with the "Child and Its Natural Surroundings."

Mr. Davis took up "Learning to Write" and gave a review of the text in the chapter.

The following schools had less than five tardies during the month: Miss P. Reilly, Pleasant Grove, 5; John Wheeler, Harrisville, 5; Mrs. G. W. Clark, Ogden, 5; Miss M. Kay, Hanover, 3; Miss Annie Poole, R.F., 3; Mrs. Jessie Miner, Harrisville, 4; J. H. Fowler, Hooper, 4.

Institute adjourned for the month.

M. HALL, D. P. CARRINGTON, President. Secretary.

PROVO.

PROVO, UTAH, Nov. 26, 1894.

A $20,000 Damage Suit.

The R. I. case called this morning was the Central Building company vs. A. O. Smoot and H. H. Cluff. Judge Lewelling and E. E. Dalton appeared for plaintiff and H. B. Thurman, J. W. N. Winnrodt and D. O. Hoyt represent defendants. Plaintiffs sue for $20,000 damages, sustained in the following manner: Defendants sold to S. S. Jones and H. H. Dodd a lot in Provo. The lot was transferred to the Central Building company, and that a company proceeded to erect a building upon it. The defendants were unable to furnish the lot to the property which they sold, and the building is now left in an unfinished condition.

OTHER BUSINESS.

Allen Chandler sues for damages and suit for slander against L. Lee and Cal. Schenck. Plaintiff says that the parties interfered in Moroni, Sevier county, in May, 1893. For three years past defendant has treated plaintiff in a most cruel manner; threatened to take her life, and once was so outrageous language to her in the presence of her children and strangers. And finally on the 20th day of October last, drove her from their home. She prays for damages at the rate of $5,000 per year, for $15 the loss of her husband's society, and a reasonable attorney fee.

Teresina Martin has brought suit against Peter Martin, E. T. Martin. The parties intermarried in Park City on the 15th day of May, 1893. Plaintiff charges, as grounds for divorce, drunkenness, and a long series of personal violence. She prays for the custody of her minor child, Ada, $15 the loss of her husband's society, and a reasonable attorney fee.

George C. Whitmore has brought a suit against the Brigham Young academy, A. O. Smoot, W. H. Dusenberry and S. S. Jones for $5,000, based on due on a promissory note for $5,000, dated March 14, 1894.

In the case of Anna Tanner vs. Moroni Tanner, demurrer to answer sustained; defendant given till the 30th to file amended cross-complaint.

Notes and Personals.

George W. Scott, a Z. C. M. I. traveling man, came into town Saturday evening, and the city began to feel as the Co-op mills were called in. The boys became frightened and left town. They tore down a lamp post and a drinking trough and ran some fire stocks when they were stopped by a shotgun. No great damage was done.

Sheriff Carter, of Sanpete county, is in the city on official business.

Cyrus A. Storey, aged 58, and Charlotte M. Wilkins, aged 21, both of Provo, have received a marriage license.

Ralph, the four-month's old son of Mr. and Mrs. Robert Stevens, died Saturday evening, from bronchitis. He was buried yesterday. Mr. Stevens is confined to his room suffering from nervous prostration.

Mr. and Mrs. R. R. Sutton's four-year-old friend child died Saturday from pneumonia.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Twenty-four banks reported exchanges amounted to $[illegible]. Same day last year, $[illegible].

TODAY'S QUOTATIONS.

New York, silver, 67½; lead, $3.00. London, silver, [illegible].

SALT LAKE BARS.

T. R. Jones & Co. received today: Bullion, $6,[illegible] silver, $3,[illegible]. Total, $12,[illegible].

McCornick & Co. received today: Silver and lead ore, $3,[illegible]; bullion, $3,[illegible]. Total, $[illegible].

Wells, Fargo & Co. received today: Bullion, $[illegible].

STOCKS AT BARGAIN.

NEW YORK STOCKS.

Money	[illegible]	Pacific Mail	[illegible]
Ex. sterling	[illegible]	Houston & Texas Central	[illegible]
Ex. sterling, sales	[illegible]	Western Union	[illegible]
Silver bullion	[illegible]	Chicago Gas	[illegible]
Bonds, 4s	[illegible]	Sugar Refinery	[illegible]
Bonds, 4s, coupon	[illegible]	Distilling & Cattle Feeding	[illegible]
Bonds, 4s, new	[illegible]	Tennessee Coal & Iron	[illegible]
Bonds, 5s	[illegible]	Cotton Oil Certificates	[illegible]
Bonds, 5s, coupon	[illegible]	Cordage	[illegible]
Bonds, 6s	[illegible]	Cordage, preferred	[illegible]
Bonds, 6s, coupon	[illegible]	Lead Trust	[illegible]
Bonds, 6s, new	[illegible]	Lead Trust, preferred	[illegible]
Bonds, 6s, new, coupon	[illegible]	Rubber Goods	[illegible]
Bonds, 6s, new, coupon	[illegible]	Sugar	[illegible]
Bonds, 6s, new, coupon	[illegible]		

CHICAGO STOCKS.

Wheat—Dec. [illegible]; May, [illegible]. Corn—Nov. [illegible]; Dec. [illegible]; May, [illegible]. Oats—Dec. [illegible]; May, [illegible]. Pork—Dec. [illegible]; Jan. [illegible]; May, [illegible]. Lard—Dec. [illegible]; Jan. [illegible]; May, [illegible]. Ribs—Dec. [illegible]; Jan. [illegible]; May, [illegible].

What is

CASTORIA

Castoria is Dr. Samuel Pitcher's prescription for Infants and Children. It contains neither Opium, Morphine nor other Narcotic substance. It is a harmless substitute for Paregoric, Drops, Soothing Syrups, and Castor Oil. It is Pleasant. Its guarantee is thirty years' use by Millions of Mothers. Castoria destroys Worms and allays feverishness. Castoria prevents vomiting Sour Curd, cures Diarrhœa and Wind Colic. Castoria relieves teething troubles, cures constipation and flatulency. Castoria assimilates the food, regulates the stomach and bowels, giving healthy and natural sleep. Castoria is the Children's Panacea—the Mother's Friend.

Castoria.

"Castoria is so excellent a medicine for children that I recommend it as superior to any prescription known to me."

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Castoria.

"Our physicians in the children's department have spoken highly of the merits of Castoria, and although not generally known to the medical profession, our experience has proved that the merits of Castoria has been so far in accordance with facts as to warrant us in speaking of it in terms of commendation."

UNITED HOSPITAL AND DISPENSARY, Boston, Mass.

ALEN C. SMITH, PRES.

The Centaur Company, 77 Murray Street, New York City.

REPORT OF THE CONDITION OF THE

The Deseret Savings Bank.

At the close of business, November 19th, 1894.

RESOURCES.

Bills Receivable	[illegible]
Real Estate, Furniture and Fixtures	[illegible]
Due from Banks in Utah	[illegible]
Due from Banks in Other States	[illegible]
Cash on hand	[illegible]
Cash on hand	[illegible]
Cash on hand