TWO CASES AFFIRMED.

Supreme Court Decision in the Case of Ellison vs. Kaysville City.

LAYTON IS OUTSIDE OF CITY LIMITS

Another Case Also Decided Today—Judge Bishop Held No Court This Morning—Other Matters.

The Supreme court handed down opinions today in the cases of Kaysville City, respondent, vs. E. P. Ellison, appellant, and Nels P. Anderson et al vs. R. E. Davis and Jesse C. Garbers, affirming the judgment of the lower court in each case.

The defendant Ellison, in the first named case, was charged with a violation of the ordinance of Kaysville City, in that he carried on the occupation of a butcher in June, 1897, and thereafter, without a license. He was tried before Justice of the Peace Albert Beaver, adjudged guilty and fined $50, from which the defendant appealed to the Second district court and Judge Bishop was asked to quash the case, which he refused, and so Kaysville City go to the Supreme court.

The question presented was whether the city of Kaysville had power to enact and enforce an ordinance regulating merchants, doing business within the city limits, but outside of any incorporated town. It appears that Kaysville is situated in Layton, two miles from Layton. Layton is a town of 300 people, governed by a commission adopted by the board of county commissioners for Davis county in 1893. It also has its own justice of the peace and constable and its own precinct is formedred it, so that it doesn't pay any taxes to Kaysville City, and it is in revenue for the support of the former.

The court holds that Kaysville has the power to require any merchant, doing business within its range, to pay a license, and that Mr. Ellison, in Layton, is beyond the limits and that it would be unjust to a Layton merchant to require him to pay a license to Kaysville city, since he could not receive any municipal benefit. The court then affirms the lower court's judgment.

The opinion is by Chief Justice Zane, Justices Sutch and Miner concurring.

The second case involves the Davis property located in a homestead in Bannister county. The defendants contended that plaintiffs abandoned their claim to the premises, under the law, when they moved to another county, but he held that they had not abandoned it because from the fact that they left a portion of their furniture in the house. Justice Sutch dissents from the opinion on the ground that the evidence did not establish it, and therefore affirms the Judgment of the lower court.

Chief Justice Zane also delivered the opinion in this case and is concurred in by the associate justices.

NO WORD FROM LOOMIS.

Rumored That Detectives Will Shortly Be Sent Out To Locate Him.

Not a word, so far as known, has been received by anyone from Special Bank George H. Loomis, and great speculation is consequent manifested in this city and elsewhere. All sorts of rumors are floating around the city and society building as to the probable steps that will be taken to bring the alleged embezzler back. It is said that criminal proceedings would shortly be commenced against Loomis, if not already instituted, and that the Utah Central detectives would employ secret detectives there and will be to try and locate him. A number of gentlemen were discussing the matter in Judge Miles' office this morning and one of them remarked that Loomis would prove an easy mark for the detectives, for the reason that anyone who had ever met a good look at him would not be apt to forget his face in a hurry.

The absence of the public deputy clerk has also caused the disappearance of all kinds of talk respecting his habits and habits. He went away, it is said, private who say he drank, gambled and spent money lavishly on women. Reports are to the effect, a great number of Loomis's friends were amazed at them. The fact that he didn't give bond was not because it could not have furnished them, for it is rumored that Loomis had a host of influential and wealthy friends in Salt Lake City, who would have gone good for him in any sum.

Developments of an interesting character may be looked for within the next few days.

Prospects of a Settlement.

There is prospect of a settlement of the $1,000 judgment recently obtained by Frank Cox against Salt Lake City. The case contemplated taken on appeal to the Supreme Court, but the probabilities are now that the matter will be compromised, and the judgment, after a small reduction is made, paid.

His Honor Missed the Train.

Judge Bishop missed the train from Ogden today. Consequently there were a number of disappointed looking lot of attorneys in the equity branch of the Third district court this morning. The cases set for trial were continued, and Clerk Blair adjourned court until tomorrow morning, when it is expected Judge Miles will be in attendance.

Jury Commissioners at Work.

Jury Commissioners Walter J. Brickey and John L. Lawson in the New Assembly Hall of the Fire company in the rear of the calendar.

The Amusement Company's suit.

As stated in Wednesday's "News" Judge Cherry and a jury yesterday afternoon took up the case of Jesse V. Fryer vs the Salt Lake Amusement Association, Plaintiff, as assignee of Brigham Y. Fryer, sued to recover $1,100 alleged to be due for work and labor up to the Grand Theater between May 2, 1898, and June 8, 1898.

The case had not concluded at press time.

Federal Court Notes.

There were no cases tried in the Federal court today, and up to the time of going to press the grand jury had reported no more indictments. On account of the delay of attorneys in some cases, the court was without any business today, and Judge Marshall, who lives within easy reach, only to hear the report of the grand jury when it should be in.

Several petit jurors in attendance on the Federal court, were excused till Wednesday morning.

The jury in the Buckner trial on the charge of selling an unstamped letter through the mails, upon instructions from Judge Marshall returned a verdict of guilty. His honor stated that there was no provision in the statutes covering such cases, which was a regrettable fact.

The hearing in the case of John E. Ringo vs E. H. Peacock et al, was postponed for December 12th.

AS TO UTAH LIVE STOCK

Clay Robinson's Agent Speaks of Denver as a Good Market.

HANDLED BIG DROVES THIS SEASON.

Nearly Twenty Thousand Shipped from This State to Colorado—Utah Should Be Represented at the Convention.

Mr. A. E. DeRoque, manager for Clay Robinson & Co., of Denver, Colo., is at the Knutsford hotel. In speaking of the cattle business which he will be in charge during the season, he handled from Illinois to Denver, thousand Utah cattle at Denver, and met the importance of Denver as a market for Utah cattle and sheep cannot be overestimated as it is so much nearer the original point of the stock and the middle man's profit is saving of weight, and proportionately appearance of stock as another shipping to Missouri River points is great. Most of the cattle that come from Utah are stockers and feeders that are desired in Nebraska and Kansas, and the Utah cattle that Denver gets the benefit of the through rate to the Missouri river from there is so much less than it is for a side to pay more for his cattle at Denver than he could if purchasing at the original shipping point.

In speaking of the convention that is to take place in January in Denver, Mr. DeRoque said that the Utah and Idaho men should make it a point to be there in force, as a great many subjects of interest pertaining to this country are going to be taken up. One of the important questions that is proposed to be discussed is the question of the public lands in the states. Another is the forest reservations and many such topics of that nature in which every cattle man in the west, as the country is rapidly be crowded. This convention is of course, the National Live Stock Association, and the cattle men from the East will be anxious to be on hand to range cattle for parties amounting to some 20,000 or 25,000. The cattle are from Texas and all sections of the country, and it is very valuable to the men of the country to know who are in the cattle business and who are not, and where they are. He can see the class of cattle that comes from various sections and the cattle men of the Utah Desert will be surprised to see the many impossibilities that have been made in regard to cattle from Utah. Mr. DeRoque was asked if he ever had any trouble with the cattle men of Utah, and he said that of all the states in the west, Utah and Idaho men have a manner of their cattle at the exhibition so as to keep up their reputation for cattle of good quality, which is a thing well established in the East. After the exhibit of these cattle it is proposed to sell the stock that has been on exhibition, and he handling the business in this way there will be no expense of handling to the man who exhibits the cattle, whether he draws a prize or not. In addition to the cash prize offered there are going to be a great many other prizes offered by various concerns that will help to make the affair attractive.

Was Small, But Got a License.

Charles H. Chapman, a diminutive looking chap, who gave his age as 21, applied to Deputy County Clerk Reedal today for a marriage license. Miss Hendal evidently had a doubt in her mind as to the correctness of the applicant's age, for looking over from the counter, to where the little fellow was standing, she inquired how old he was. Chapman told her and invited his prospective bride, who had been waiting outside, to come in. The future wife proved to be Miss Minnie Oldfield, her age as Minnie Oldfield, her age 24 and her residence Salt Lake. The license was granted.

NEWS TERSELY TOLD.

The Lotan (Utah) Opera company has been incorporated.

The Firemen of Ogden delivered their new hall last night.

The union class of the Ogden high school has organized a Dramatic society.

The state land board has purchased 10,000 North of Salt Lake county lands. The purchase price not yet out.

George A. Whitney's county commissioner, has gone to attend the meeting of the American Federation of Labor at Kansas City.

Mr. H. A. Lafferty of Ogden, editor and manager of the Utah State Journal, was a visitor in Salt Lake today.

The Mikado will be presented in Ogden for the last time tomorrow night by the opera company there.

Details of the match between Jim Williams and Willard Brown will probably be made at the local "Sporting Gentleman's" Pastime Athletic club tonight.

Boys with air guns are suspected of destroying electric lamps and a watch has been established to apprehend them.

The Cream Wagon and Machine Co. has purchased the Ogden street office, headquarters of the Eureka-Holman, a business of $100,000 annually.

At the rough of a farmer from Ogden brought Chief of Police Devereaux of that city for his arrest that there be no turkey tables at Christmas.

In a runaway on Main, belonging to the Henderson grocery house, one of the delivery wagons was smashed yesterday afternoon and Fred collision with an electric light pole.

Mesdames Thomas W. Sloan and Hebber Lee and Miss Kate Wells, will give an exhibition and sale of hand-painted pictures and china, beginning this evening, and continuing until the 15th inst. The display will occur at 569 Templeton building.

The Horn of Careless Correspondence.

Many of us would, until the pressure of today's affairs, regard the sudden presence of inter-writing, with its phonograph, sentiment and chatted engineer, quite out of the question. As we take the other extreme and alternate our conversation so that they are cast as telegraphic communications, we do not realize what we are doing. Thus they are for all "Dot" Dick the other end of the line. Joe Bolsh Carlyle, who knew how to be faithful, and who excelled in letter-writing, once penned these words to a regular correspondent: "Oh, poor woman, thou you go about! Apple, a fine effective, and thou shalt be a fine and honest, and to of more and more frequent occurrence, till you fall out of acquaintance with our minds, and feel the sad Jonah experience of the gourd. The gourd don't write to me, the man you will be in small with the gourd." Yours, etc.

—Mary R. Robbins in the December Woman's Home Companion.

Zions Savings Bank & Trust company, Nos. 1, 3, and 5 Main street, is the largest and oldest savings bank in Utah. $1,114,000 deposits have been opened since the bank was established in 1873. Have you an account? If not, start one now.

EVENTS IN THE WEST.

A Record of Occurrences in Neighboring States and Territories.

EXCITEMENT IN THE TOWN OF DELMAR.

Herle, the Actor, is Dead—The Alexander Arrives—An Editor Arrested—Beede Bailey Was Hanged.

The contribution has been received at this office of the Nevada Mining Journal and Battle Mountain Nev., was found, not mostly found in Nevada.

Harvey Scatton Berage of Augusta, Maine, was stabbed a dozen or more times by a lunatic with a knife. The first stabbed, drove her thus and one the same necessities.

An earthquake shock was felt at Salt Lake City, Wednesday morning. It was severe enough to rattle windows and shake the houses. No real damage is reported.

The New Time, a Chicago reform magazine, edited by Frederic Arnold, has been contributed to by Mrs. Ellen Gates Starr, John Clarke Ridpath, and her other prominent people, has been suspended by Paul Tyler.

James Brown, editor of the Daily Times, has been attacked in Chicago, accused of being a member of the "Chicago ring." It is alleged that he is indicted on account of his paper, the Times, which carries charges of the same contained in article published in W. Times.

The Robin case, prosecuted closely Wednesday. The attention of the court was directed to the fact that the jury had been allowed to go to their homes without any instructions, and it was ordered to report this morning, when the case will be resumed.

The funeral of the late Charles D. Kennedy, superintendent of the Johnson Publishing Company, killed by an accident on Monday, will be held in Oakland, Cal., Sunday afternoon. Rev. Dr. Stakes, Rev. Dr. Gibbons, Rev. Dr. Leonard, officiating. The Masonic lodge will have an impressive ceremony at Bon Fabo. The deceased was known in Salt Lake City, and leaves a brother residing in Newcastle.

Harwood Hoyle, the actor, whose name of the stage was Herle, died in Oakland. He suffered of pulmonary consumption at the Alexander Hotel, Oakland, Cal., and the day before yesterday, he was taken to the home of Australia, and 8 years. He leaves a widow in New Wilmington, Pa., and a sister, Mrs. Wells, who is the wife of the author of "Ben Hur." Mr. Wallace, who is now touring on the Pacific coast, has offered to give a benefit for the widow, and the Hoyle family, for an opportunity to extend that to Kneeze.

The whaling bark Alexander, the last of the fleet, left San Francisco for the Arctic, and the bark Jeanie, Capt. Tripp, arrived at San Francisco without picking up a single whale. The Jeanie reported that it was off Point Barrow, she was unable to be off Cape Lisburne, on Mar. 1st, and returned to San Francisco. The ice had in which she was held was 40 miles off shore. The Jeanie left the bark Jeanie that the Nome fleet had left for Point Barrow for Yokohama.

Several mysterious fires and an attempt to poison the inmates of a boarding house have been noted much excitement in the little town of Delmar, a village of 300 inhabitants, Iowa. A vigilance committee has been organized and William Bailey, a young man, was hanged by the committee on Tuesday, but been unable to find any evidence of his guilt. Bailey's friends have employed Mr. Bennett refuses to do so and doing so, he is a lawyer of high rank in the East. After the exhibit of these cattle it is proposed to sell the stock that has been on exhibition, and he handling the business in this way there will be no expense of handling to the man who exhibits the cattle, whether he draws a prize or not. In addition to the cash prize offered there are going to be a great many other prizes offered by various concerns that will help to make the affair attractive.

LITERARY NOTES.

The holiday number of the Woman's Home Companion is a very fine one, and bound with the wealth of short and long stories, poems, and pictures. The frontispiece is a beautiful Robert Louis Stevenson, Mrs. Frances Hodgson Burnett, Harold Frederic, Richard Harding Davis, Hamlin Garland, and William Dean Howells, are represented in stories. A Christmas song, Bryan-Lan presents a Christmas story, Mrs. Frances Edwards A. Barney, in relation the Mormon Tabernacle, Mrs. Ellen Gates Starr, the Chicago reformer, the story of Antioch, with a very strange Christmas story, Mrs. Mary Ellen Lease, from an Kansas standpoint, the effort is made to the eye in artistic, moving, and pleasing manner. The Mary's Lesson, by Lyman Abbott, Mrs. Mary's Lesson, by Lyman Abbott, Mrs. Mary's Lesson, by Lyman Abbott, Mrs.