DESERET EVENING NEWS.

Wednesday, February 3, 1892.

They do advertisements which are expected to answer to the Evening News as the day when received should be handed in to the business office not later than 9 p. m.

Terms of Advertising furnished upon application.

☞ Copy for advertisements must be in before 9 a.m.

FRAGMENTS.

NEW members will be admitted to the juvenile class at the Assembly Hall to-morrow afternoon at 3:30.

W. A. NEEDHAM and S. Patrick, Jr., of Z. C. M. I., returned this morning from a six weeks' trip to the East, whither they have been purchasing goods.

THE county clerk is having a busy time with applicants in the matrimonial market. Yesterday afternoon several more licenses to wed were issued.

LA grippe still clings to United States Commissioner Norrell, who although still laboring to do official duties looks and feels a very sick man.

A LITTLE stranger, a girl, arrived at the house of Dr. John Hayes, a Seventh ward resident, early in the first of this morning. Wife and child doing well.

EIGHT of the nine prisoners who escaped from the city jail on Sunday night have been recaptured. Five of them were caught in Park City, by the officers of that place, the eight one other three were nabbed by Provo officers in Utah county.

THERE was not a single item of court news to be gathered within the Masonic building this morning. Judge Zane sat in his private room preparing numerous Court opinions which will not be required until April next. Judge Anderson is at present away, and the United States commissioners were idle so far as public business is concerned. Clerk McMillan and his deputy, Mr. Lemmon, are busily engaged "turning up" for the next session of the Third District Court.

For Good Government.

Editor Deseret News:

I endorse my friend Sherman's suggestion to invite to a call for a mass meeting for the purpose of nominating acceptable persons for Salt Lake City officials at the coming election. While doing this I recommend the nomination of righteous individuals, who will represent squarely the interests of good and honest government. Such a ticket will receive my hearty approbation and support. W. F. ANDERSON,

235, Second East Street,
Salt Lake City.

LEGAL BREVITIES.

Filing of Mere Suits in the Third District Court.—Before the Commissioners.

The following suits were placed on the file of the Third District Court yesterday afternoon:

Hannah Roper Wells vs. John Lugan, Frank L. Gunnel, D. C. Ladd, L. C. Cline, Horace J. Mallhews and J. C. Thompson: "Plaintiff seeks to recover the sum of $10,000 alleged to be due on a promissory note dated January 11, 1890, running for eighteen months and bearing interest at the rate of 10 per cent, per annum.

Samuel F. Walker and Edwin E. Rich, trading as the Sugar Pine Salt Company, have entered suit against Hector W. Haight, probate judge, and Pulliam Harris, Aaron H. Forrerand Zebulon P. Ellison, selectors of Davis County, Utah, and William E. Cheney, road supervisor of District No. 3, in the same county. The plaintiffs claim damages $10,000. The complaint sets forth that all the defendants except Cheney, sitting as the County Court of Davis county, unlawfully passed an order requiring the road supervisor to enter upon the premises of the plaintiffs and lay out a highway across the same. Trees and fences were chopped down in the line of the proposed road. It is resisted that the order was made contrary to law, as provided for the acquisition of rights of way and the establishment and maintenance of highways. The Sugar Salt Company claim that their ground lies in the form of a square and is occupied by large vats used for the purpose of manufacturing salt by evaporation. They ask for a temporary restraining order pending the final action of the suit. An undertaking on injunction bond in the sum of $500 was filed by the plaintiffs.

Commissioner Norrell yesterday afternoon tried the suit of Leon Larson against Constantine Kamizes for $142 alleged to be due on borrowed money and other debts. Judgment was rendered for the plaintiff. A motion to dismiss the suit on the ground of allowing judgment in collateral proceedings was overruled and a notice of appeal was filed by Attorney Moyer for the defendant.

The Z. C. M. I. has filed with Commissioner Moyer two suits, one against P. J. Mellan to recover $110, and the other against A. D. Burr for $52.

Attorney Arthur Brown has got back from Boise, Idaho, where he has been engaged on legal business. The case in which he was professionally interested was that of the Tyler Mining company against the Last Chance Mining company. The litigation involved the laws of apex, the plaintiffs claiming that the vein of this mine penetrated the property of the Last Chance people. The defendants won the day.

Amusement Notes.

Miss Maggie Mitchell closed her engagement at the Theatre last night.

AN ENTERTAINMENT

was given last night at the Social Hall by a Scandinavian dramatic association. Miss Hilda Johnson and Miss Jorgensen gave vocal selections. Mr. J. Stow was there with one of his popular recitations, and Professor Beckhardt rendered two violin solos. A little farce, "Ein Lille Dalles," produced much laughter. The entertainment was greatly enjoyed, and will be repeated later on.

WONDERLAND.

The little ladies and gentlemen have Wonderland today and other wonders are announced for next week. Among these are Millie Christine, the two headed woman, and Garland, the glass blower. The 4-ok company will appear in a farce, "The Widow's Troubles." Today is matinee day.

THE CARLETON OPERA COMPANY.

Sale of tickets commenced this morning. The first performance will be given tomorrow night. Mr. Carleton sings the part of Janie in "Indigo." A diminutive donkey and a horse play parts in the piece.

THE EUREKA TOWNSITE CASE.

Further Evidence Adduced on the Part of the Protestants.

This morning, at the United States Land Office, before Register Hindman and Receiver Dickinson, the inquiry relative to the Eureka townsite Cases was resumed, when

Manuel F. Sammon was called as a witness for the protestants. He is a sheonkeeper and has resided at Eureka for about three years and a half. He had worked as a miner, he said, for sixteen years, and had been so employed in the Tintic mining district. He had worked in the Keystone and Sullivan Rock mines. He could not state whether part of the town of Eureka was located upon the surface ground of the Keystone and Sullivan Rock, but there were some houses on the latter ground. He was one of the owners of the Homestake mining claim, by purchase.

Major Bird here offered in evidence a certified copy of the notice of location of the Home Stake mining claim.

Judge Sutherland, however, objected to the introduction of the notice, as it did not contain the description of any property subject to location, and the description was imperfect according to the laws of Congress. It included, apparently, more than the area allowed to be located.

Major Bird said it was hoped under the United States laws, which allowed 1500 feet in length by 600 in width. This location he read. Counsel then asked the witness if he had examined the surface ground of the Home Stake claim, and whether he had been to the workings or mineral developments on that claim.

He replied that he had, and the output showed at the workings thus started with him.

Questioned as to what was the extent of the Keystone workings during the time he was mining there, the witness answered—While I worked there they never made a shipment, and I worked between the 200 feet level and the six. It has, however, developed into a paying shipping mine now. From his knowledge of the direction of the workings to the mine he thought they extended under the town of Eureka. So far as he could see, there was no difference in the surface ground as to mineral indication between the Sullivan Rock and the Home Stake.

Major Bird—How far did they have to go before striking paying rock or minerals?

Witness—Between eighty-five and ninety feet—so men told me who struck it.

Major Bird—Have you and your co-owners in the Home Stake ever speculated in town lots or used the surface ground of the Home Stake for any purpose other than prospecting and mining?

Witness—No.

Major Bird—Are the people who have settled upon the surface ground of the Home Stake, and built there, settlers by your permission, or against your and your partners' wishes?

Witness—They are there against our wishes.

To other questions he said the buildings on this ground were built in the form of streets, but scattered over it.

Q.—Are the settlements upon the claim by the old inhabitants of the town of Eureka, or by people who have come in there since the location of the claim?

A.—To the best of my opinion, there weren't a house built there before the location of the claim.

Witness further said he knew of one case of speculation in town lots upon the Home Stake. One lot was sold there by Pat Shea. The occupation of the settlers upon that claim, he thought, with few exceptions, was that of miners.

Q.—Does the claim contain any public buildings?

A.—The Denver and Rio Grande railroad bought a few houses there since they ran through, but I don't know where they moved them to. That was a few months, or more, ago.

Q.—Did they buy them from the miners, or from people who had squatted on the claim?

A.—From the squatters.

Mr. Dixon then took the witness in hand for cross-examination, but nothing of importance was elicited.

Mr. M. L. Powers was next called to the stand.

Fire at Fountain Green.

Editor Deseret News:

The residence of the late Rasmus Anderson, in this place, was burnt to the ground last night about 9 o'clock. The origin of the fire was a stove-pipe in the upper story. The building was partly insured. The people wished me to preserve their residences across the street. There was a strong breeze from the north which carried the shingles, causing them to alight on the top of the houses and upon straw-stacks. By persistent labor of the people all other property was saved.

HIRE H. LEWELLYN.

FOUNTAIN GREEN, Utah, Feb. 1st, 1892.

It is to be Statehood.

Mr. Charles Ellis announced to his hearers, last Sunday evening, that he had not then decided upon his subject for next Sunday. He has made choice now and desires there to be no say that his subject will be "statehood." He also wishes to announce that, in addition to the volunteer services of the Union Glee Club and the Mesa sisters, Miss Vivian Pratt has kindly consented to favor the audience with a solo.

Public Debate.

A debate will occur in the Murray school rooms, Thursday, Feb. 4, 1892, between the Murray Literary and Debating Club and the Zeta Gamma.

Following is the Programme in full:

Affirm of Resolution ..... R. S. Judson
Denial—REPLIER, Hall Minor
Affirm—Hall Minor ..... Mrs. Ella Wilson
Denial—Mrs. Ella Wilson ..... Hall Minor
Affirm—Mrs. Ella Wilson ..... Mrs. Ella Wilson
Denial—Mrs. Ella Wilson ..... Mrs. Ella Wilson
Affirm—Mrs. Ella Wilson ..... R. S. Judson
Denial—Mrs. Ella Wilson ..... R. S. Judson
Affirm—Mrs. Ella Wilson ..... Mrs. Ella Wilson
Denial—Mrs. Ella Wilson ..... Mrs. Ella Wil