BEAT HER TERRIBLY

Mrs. Philbrick Complains of Her Husband's Cruel Treatment.

SHE WANTS A SEPARATION.

Opinion from the Attorney General—The Case Shed Briefly—Injury Imprisoned—Case of Bromilow.

This morning there was filed in the Third district court a complaint in a divorce case. The plaintiff is Mrs. Lizzie Philbrick, who asks the court to annul the marriage contract existing between her and Charles Philbrick. Mrs. Philbrick alleges that she married the defendant at Hermitt, Lost Animas county, Colorado, on January 29, 1892. Since the marriage the defendant has treated his wife in an inhuman and cruel manner, causing her great bodily injury and mental anguish. Particular cases of cruelty are cited in the complaint, and it is said that Philbrick threatened his wife's life and in March, 1893, when the woman was ill he struck and beat her, threw her down on a chair and then produced a large pistol with which he threatened to take the life of the woman he had sworn to protect. The terrorized little Philbrick sought to her rescue two gentlemen who knocked the defendant down and took the pistol away from him. These men prevented her until next day, when she, the plaintiff, in a wagon and conveyed to her family. Since that time Mrs. Philbrick has never seen her husband except on one occasion. This was at a time when, from the ill treatment she had received, she was forced to go through a very delicate and dangerous operation. The defendant was sent for at that time, but has since remained separate from his wife and has neglected to provide for her in any way.

W. T. Ginnel is attorney for plaintiff.

Costs Upon Removal.

On a question similar in some respects to one asked of the same officer before, the following opinion has been handed down:

OFFICE OF ATTORNEY GENERAL,
SALT LAKE CITY, UTAH,
July 20, 1896.

H. C. Dallinger, Esq., chairman of the Board of County Commissioners, Vernal, Utah:

Dear Sir—I have before me your letter of the 22nd inst. relative to the costs in criminal cases removed from one county, on account of a change of venue to another, as to the liability for costs after such removal, etc. A question involving the same points of law was submitted to this office by Mr. Jacob Evans, assistant county attorney of your county, a few days ago, and was replied to at the time. Section 107 of the county government act, found on page 152 of the laws of 1896, providing, "when a criminal action is removed from trial the costs accruing upon such removal shall be a charge against the county in which the indictment or information was found," this would seem to settle definitely the question of liability for costs in cases of this kind.

You also asked to be advised, "for what rate of law does any county become responsible for the prosecution of criminal cases?" In reply thereto will say that section 105 of the same bill is substantially based, in my opinion, to render counties liable for all costs and expenses in criminal cases which are not specifically made a charge against the State.

As to what was made a special charge against the State I beg to refer you to section 106 of the same act, which is so far as it relates to criminal cases comprehends the following: for mileage and attendance of petit jurors, engaged in the trial of criminal cases in the district courts and for mileage and attendance of witnesses, compensated by or on behalf of the State to attend cases in the district courts. You will observe that the word "criminal," and therefore does seem to be carefully used in this section, and that the payment of petit jurors in civil cases, like that of other witnesses, is left to the counties liable for the payment of the witnesses in such cases. This is the only law upon the subject which occurs to me at this moment, but I will be happy to give it further consideration if you desire it, and to give you my opinion on the subject.

I have the honor to be very respectfully yours,

A. C. BARRY,
Attorney General.

No Food to Eat.

Mrs. W. H. Sharp, who resides at 210 South Second East street, and who has five children aged from six years of age, applied to Charities Commissioner Dallinger for assistance. She represented that her husband had been out of employment for a long time and that she and her family had been without food. Mr. Dallinger found the statement to be true and gave the woman a few little months. She will be assisted.

Doctor's Fees in Board.

Charles Tribe has had his leg painfully in the stocks. The Board yesterday afternoon granted the interview desired and took the matter under advisement. It is not all of persons, however, that any action will be taken to assist the gentleman's case, and the most that can be done will also do is grant a rebate until the next meeting of the board of physicians.

Gold Mining Incorporation.

W. S. McCornick, C. J. Sheedman, C. K. McCornick, H. H. Sheedman and H. A. McCornick today incorporated the Santa Anna Gold Mining company. The capital stock of the company is fixed at $600,000, divided into 6,000 shares of preferred at class A stock and 100,000 shares of common of class B.

AMUSEMENTS.

AT THE GRAND.

A good house, especially opulent, welcomed the Midnight Alarm last night and followed the adventures of an impossible villain throughout five acts. The play is well staged, in fact the scene painter and carpenter at times eclipsed the author. The plot is somewhat erratic, everything making way for sensationalism and a lavish display of weapons of offense and defense. The climaxes at the place being fire last night, and the great swing bridge scene together with the native bloodhounds made latter to arouse the anticipated enthusiasm to the required pitch.

The parts in several instances are seen to better advantage than heretofore. Messrs. Pearson and Jory acting well in their respective roles, the latter as Midnight Dick Foster introduced some specialty work, when the situations become too tragical—that was received vociferously. The Midnight Alarm goes for one more nights at the Grand when the A. Y. Pearson company leave for the northwest.

TOMORROW'S CIRCUS.

Another Greatest Traited Exhibition To Appear in Salt Lake—Last of the Season.

With the two greatest of American circuses, menageries and hippodromes, which appear in this city tomorrow, comes the two biggest battle of performing elephants extant—that of the Great Adam Forepaugh show, which is the originator of nearly half a century's collection and training, and the well known Sells Brothers' drove, which includes kings and remarkably gifted female mammals. Something like a score of them altogether are seen in the splendid morning parade, and appear simultaneously in the circus and the hippodrome rings. Albino, Asia, Cayuse, Sumatra and Bornea are represented by elephants of every size and disposition to an extraordinary and amazing degree of proficiency in climbing and difficult trick and wonderful and laughable imitations. There are military, dancing, jousting, playing, kissing, boxing, musical, acrobatic, balancing, bicycling, aldermanic and lumbering elephants, constituting different schools of training and talent in original and varied accomplishments. Some of them are stupendous creatures at least a capacity of 6,000 pounds, comparatively fat, boasting tusks and as playful as kittens.

Several circuses have been in Salt Lake this season, but not one which lodged more than tolerable enterprise in advertising in Western territory will be the one here tomorrow. The Forepaugh and Sells Bros.' combined shows will arrive early in the morning from Provo. Tickets to the large and little circuses can be secured at the usual places.

Insist

Upon having just what you call for when you go to Hood's Sarsaparilla. There is no substitute for Hood's. It is as you ask to your intelligence to try to impose something else. Remember the all effective to better, and to buy an article you do not want, and you know exactly what you want when you call for