THE SUPREME COURT.

An Opinion Rendered In The York Mining Company Litigation.

A CASE AFFECTING THE A. O. U. W.

The Ogden City Company Figures In a Suit as Plaintiff and Respondent.—Today's Business.

The judges of the Territorial Supreme Court resumed their siftings today in conjunction with the January term. All of them were present when the morning session opened, but as soon as Justice Zane had read the only opinion to be handed down Associate Justice Miner retired from the bench with a case from his district was under argument.

A DITCH RANCH WAS SOUGHT.

James McGarry, C. S. Varian and C. F. Loofbourow, appellants, vs the York Mining company et al, respondents.

The plaintiffs were owners of 5,000 shares of paid up stock in the defendant company, whose capital stock consisted of 200,000 shares of the par value of $5 each. By its articles of incorporation 50,000 shares were subject to be used in developing its mine, all the rest being subscribed. The articles further provided that no assessment should be levied on any of the stock for any purpose until the stock so set apart should be exhausted. It appeared that the indebtedness of the company due for working and developing the mine was $7,200, and that there was no money in the treasury to pay for this. The directors came to any of the stock upon reasonable effort to do so, but they made an assessment of 11 cents per share upon all the outstanding stock, the plaintiffs failed to pay the assessment on theirs, that the directors ordered the collection thereof, that suit was begun against them and judgment rendered against them, that the money so paid to pay such assessment was that the company became the purchaser. From the decree of the court below decreeing the company the sum of $1,000 of the stock so purchased the plaintiff prosecutes the present appeal.

They bounce upon no error in the court and demand the judgment of the lower court (Judge Bartch.)

THE A. O. U. W. AND ITS MEETINGS.

The first case argued this morning was that of Dennis Corcoran, plaintiff and appellee, vs the Grand Lodge Ancient Order of United Workmen, plaintiff and respondent, and all individual members of all lodges within and under jurisdiction of the state, defendants and appellants.

This was an appeal of the defendant society from a judgment rendered against them in the district court of Weber county. The defendant is the governing body of an unincorporated fraternity, benevolent order, composed of local and social societies called lodges, at the time of the suit there were lodges in Utah, Montana and Nevada, Utah, Wyoming, Montana and Idaho, each local lodge being subject to regulations governed by the laws adopted by the Grand Lodge. The plaintiff, it is stated, by the beneficiary fund within the time prescribed by the laws of the order, he was exempted, suspended, and it was now contended on the part of the appellants that the court below erred in claiming that the case should fall into the subordinate lodge by the member to maintain his good standing in the order was "advance assessment." It is upon this point the case hinges.

OF A PRELIMINARY AGREEMENT.

The next case on call was that of the Ogden City company, plaintiff and respondent, vs W. H. Harvey et al, defendants and appellants. The chief question involved was whether the signing of the preliminary subscription or agreement bound Harvey to pay to the company the amount subscribed by him for twenty shares.

Wyoming Oil Lands.

The county clerk of Johnson county, says the Laramie, Wyoming, Boomerang, received no less than ninety-six oil placer locations, comprising 13,320 acres of land, last week.

Most of these have been filed by Omaha parties, who have become interested in that part of the state and are satisfied that it is destined to outrival Ohio or Pennsylvania in the output and quality of its oil. There seems to be little doubt that a branch road from Casper will be built into the district in the near future, in the event of which many wells will be put down and wholesale shipments of oil to Omaha. The future of the oil interests of Johnson county is very bright indeed.

AMUSEMENTS.

PATTI ROSA opens her Salt Lake engagement tonight. She has many admirers here, and with the novelty of her new play is and her she ought to be a good business.

HERMAN closed a tremendous engagement with overflowing houses Saturday afternoon and evening.

THE BLACK FLAG will be rendered at the Theater some time this month by a company of amateurs and professionals, comprising most of the strength of the Dramatic company. The affair will be for the benefit of the general relief fund. Mr. Collins, the leading man of the Stock company, has sailed to Salt Lake tonight, and his many friends regret to see him go. The arrangements for the Black Flag production are in the hands of J. C. McNally.

THE CHORAL society resumes its work on the compositions of the German masters this evening at the usual place of meeting over Cashin & Sharp's.

THE IOWA STATE BAND, en route for the Midwinter Fair, stopped off at Salt Lake at noon today long enough to give Salt Lakers a taste of their quality. As admirers have it proved, the H. G. W. input was packed up an immense assortment of purple drapery of the great amateurdom, and as the numerously uniformed band of Hippiants swayed from their noonday stopper, a stately procession of sightseers was set up. Under the direction of Mr. Phinney, the band played four numbers, each was rapturously applauded, but probably the most appreciated was the selection from Robin Hood, which was admirably rendered. The band is made up mostly of wind instruments (I plays with brilliancy, dash and taste, and is sure to charm the Westerners when it plays at the opening of the Fair on the 27th. Whether or not the organization will call here on its return is uncertain, but the probabilities are that it will.

Farewell Social.

There will be a farewell socialle in Union Ward meeting house on Wednesday evening next in honor of Edwin Bennett and Hamilton, who will shortly leave on mission to Europe. A fine program of exercises has been prepared for the occasion.

Beaten By a Negress.

People who had reason to go on to the west side of Main street, between First and Second South about 8:30 o'clock Saturday night had were startled to hear a terrific crash, and immediately afterwards a man emerged from a house, followed by a massive appearing negress, who pursued and beat him numerously over the head with a broom-handle. The blows descended thick and fast, but the man managed to crawl away, apparently more cool than alive. What occasioned the trouble no one seemed particularly desirous of ascertaining.

It was the opinion of the small crowd who had gathered together in the meanwhile, that had it been later in the evening, with fewer people on the street, the man would have been more seriously hurt.

UTAH HISTORY CASES.

Result of a Number Heard Before Commissioner Norrell.

A number of recent cases brought by J. H. R. Webster, represented by the firm of Richards & Richards, to force payment for subscriptions to Bancroft's History of Utah for which defendants were understood to have signed contracts, have resulted invariably in plaintiff's favor.

In several instances defendants claimed they did not sign contract, and that some of them could not read or even write. From the testimony and upon examination of the signatures to the contract by the court comparing it with other signatures which the defendants acknowledged they had signed, the commissioner decided in favor of plaintiff for full amount and costs.

In another case defendant first set up fraud in the procuring of the order, and also claimed that no consideration had been made after the contract had been signed. From the testimony as presented before the court, and upon examination of contracts under magnifying glasses, the court decided that there had been no waiver of contract and no fraud shown in the procuring of the same, and so decided in favor of plaintiff with costs.

LOST TWO FINGERS.

William S. Burton Met With a Severe and Painful Accident Today.

The many friends of William S. Burton will regret to learn of the very sad and painful accident that happened to him at the Barnes-Beaver company's mill, about noon today, in the loss of two fingers at the second joints of the left hand. While using the jointer his hand slipped from the piece of wood on to the knives, and in a second his fingers were off.

HE SEEKS NO CHANGE.

Least of All the Change That Has Been Lately Proposed,

As to the Grand San Juan County Movement—Lively Report of Sale Forced Things in Blue City.

BLUE, San Juan County, Utah, January 8, 1894.

Editor Deseret News:

DEAR BRO.—I see by your issue of January 3rd that Mr. WEBBY an article relating to the changing of the boundary lines of San Juan and Grand counties. In this proposed change a line from the county twenty-five miles wide will be added to Grand county. Now this, to say least, would be very wrong, for the reason that our proved revenue is scarcely sufficient to keep up a respectable county organization, and a county per cent of our taxes are derived from cattle and sheep that are ranged upon the portion of our county that is in dispute. There are quite a number of fine ranches that have deeds of United States patents, but these are the only tracts of land that have secured government titles, these are located also on the lines proposed to be given to Grand county.

One reason set forth in behalf of the change is the long distance the citizens located on that side of the Colorado have to travel to transact business with the county, as the county seat is at Bluff. This objection would be well taken were it not the fact that the county seat is now proposed to be moved to Monticello, a more central point. When this shall have been accomplished, there will make use of boats will have but a few miles to travel, while those that may wish to reach Moab, the present county seat of Grand county. Our revenue is mostly derived from cases entered on our stock range in the Colorado, and some large herds have been a few years ago have been removed, which of course tends to lessen our revenue. This is not an agricultural country, the industry is very limited, and no lands of irrigation water must remain so unless we have music and skill to make a success of conveying water. Again, we have no mines that we can depend upon for support of families. We have a few prospectors, and much effort is placed stripping across the river, and a few mine wipes and of silver claims on the Blue mountains.

This is cool, I think, to see why we should object to the proposed change, for it will largely decrease of already very limited revenue. I don't see keeping on the city as usually in question at least 12,000 head of horses, cows and burros are in county, and there is some of the finest feed ever found in the country.

There is another subject I wish to speak of, it is the case of law now being followed by many people of Blanding down here and it looks very cold and dark to people of wealth in Colorado. This has been going on now for some four years, numerous people have come from Colorado. One party said he collection, the result of some two or three months expectation of search, I am told, for gold. Now, people who come from Colorado, have moved to get here with one of the largest collections yet shaked. They locate in one place some seven miles from Blanding and some eight out under the present surface of the ground. Besides these boxes were large quantities of relics, consisting of pottery ware of very unique design, war clubs, arrow heads of immense size, feather robes, etc. These pieces, I understand, are in the company of some seven or eight who pay the boys a stipulated wage per day or month. Judging from what other collections have been and the time last they should bring some $6,000 or more. You may ask, well, what does we do, or what can we do about it? Can not the Legislature pass a law prohibiting people from coming into this Territory and desecrating the graves of the dead, and if there need be the interest of science, modifies reasonable, reserve the right to the living, the citizens of Utah? These relics of a lost race I think should be placed in our museum, and let our pioneers and scientists have the first right of examining them, and then give the results to the world. In this much I am agnostic-mind. I would have all the relics of the lost race of the extinct race confined to the people of Utah in general and to the citizens of San Juan county in particular, previous to their being taken away. Still I would be willing to—. We have no hard feelings towards our Colorado neighbors, for they have been and are aiding our best friends, but what I object is their dividing up the horses, and especially the profits of this raising of dead tribes, we feel by object, and I am thinking that should our boys make a raid over into Colorado and commence to carry off the relics of their Indians they would make a kick and their governor, Mr. Waite, would act like "waiting in blood up to the hubs of his bridle, and saying with it "Hill hell freezes over."

We have had two weeks of hilliblas, rollicking, dancing, and two very good theatrical performances, "Look, the Foresters." It was placed on the boards by the students of the Young Ladies' Mutual Improvement Association, Mrs. Lucinda Reed, Miss Ann Bailes and Miss Lucinda Nelson. Miss Ann Bailes took the leading character, in which she was well acquitted herself. All other parts were well sustained, especially the part of Roland, taken by Prof. William Allen, and current interest was well.

I saw last, as to our holiday season, the scene of the brethren way back in 1856 and '57—the time of the reformation—I am glad it is over. We are having wind now and it is here a cold away, the mercury says four degrees above zero. A good many are complaining of bad colds and sore throats, as a result, no doubt, of our late sleet pelting.

Our Camp declined to dividend this year for the first time—cause, hard times. We have plenty to eat and good store clothes to wear. Most of the brethren sport a stylish shirt, which need to be the exception a few years ago. We have plenty of lard to extract most of the families have a year's and some have two years' lean shell on hand. We also have pork of a thousand we expect to pay there all, without discount or defamation.

All our improvement associations are in good order, and I understand the Young Ladies', who have continued their meetings throughout the entire year. We have finished and are now moving the last lands which that for gubernatorial we had much have not written. They are all fine, intelligent boys, one young man, was killed and coronated in the Cashin election. They all tell me to mark good, esteem Lieutenant Sanders. Our new meeting house is finished up to the square and carpenters are now engaged in putting on the roof, thinks is not worthy it seems and comments, the building committee.

Thanks, my boy, to you for your reply since time ago to an article from here signed "Walter," wherein the writer attempted to go for me in regard to my attitude on the Ute United Order. I am sorry you left him, tears was not enough at him in right to strike at.

Success to the NEWS, the champion of the right and a terror to the evil-doer.

F. A. HAMMOND.

Elders' Meeting.

The ninth quorum of Elders will meet in the Eighteenth ward meeting house tonight at 7:30. Elder A. M. Cannon, President of the Salt Lake Stake, and counselors are expected to be present.

LOGAN.

LOGAN, UTAH, JAN. 13, 1894.

Miscellaneous News.

Mr. M. E. Cundal of this city, was seriously injured on Wednesday last while hauling a load of wood from Franklin canyon. The load tipped over and one of the sliders struck him a violent blow on the head. He is slowly recovering, but has not yet passed the danger line.

The Lotile Cutlery company was greeted by a very fair audience on Thursday evening.

Thomas Davidson was taken before Commissioner Norrell on a charge of defamation, and held in $500 bonds to await the action of the grand jury.

Another case growing out of the strike was partially tried on Saturday. Hodges attempted battery against Joseph Davidson and Thomas Farmer, relatives of Thomas Davidson. The case appeared of serious character, inasmuch as the girl and her father were beat upon, and to hide where the could not be found.

On Friday N. A. Kowalski of Brigham City has his preliminary examination before Commissioner Norrell on a charge of larceny. The case was adjourned.

At the last meeting of the city council it was decided to remove all of the various city departments into the Journal building. The offices of the city police also removed will be quarters, and those of the recorder and attorney upstairs.

Eight carloads of cattle were shipped on Friday by Messrs. Gibbs, Ginger and Berger, to their farms in Nebraska.

Preparations are already being made for the reception of the Territorial Legislature, which will be in the city on their visit to the Agricultural College. They will in all probability be met by a delegation of members of both the county and city governments, members of the Agricultural College faculty and prominent citizens, and will be wined and dined at the college.

Heber C. Kimball Middleton of the Seventh ward died on Friday morning, the immediate cause of death being dropsy. He was one of the pioneers of Logan and widely respected. The funeral services were held on Sunday in the ward meeting house.

On Thursday afternoon 152 head of horses were sold by the Sheriff as the property of F. A. Mitchell. The top best horses brought only $18.75, and the remaining 151 only $25.00. It is believed that Mitchell has some 300 head of horses, the property of Mr. Hockhaus, of Salt Lake, to which court there will be further trouble.

Arrangements are all for a wedding reception and supper to be given on Wednesday evening next in honor of the marriage of Mr. James Jacobsen, of Logan, with Miss Mary A. Hickenson, of Ft. Worth, Texas, which will be solemnized in the Temple.

OBITUARY NOTE.

MARY GRIFFITH.

Mary Griffith died in Logan on the morning of the 12th inst. Sister Griffith was at Cornish, New York, on Friday last, Mr. Daniel received months in Ogden during the year 1888 as the guest of Mr. and Mrs. Thomas Griffith, and had many friends here. Mr. Dan was related by marriage to Francis M. Shurtliff of this city, and Sister Griffith was a sister-in-law of Mrs. F. L. Cannon, who is in the east, and across the Atlantic twice on her bonds.

SAVINGS BANK

100 Main Street.

Utah Title Insurance & Trust Co.

Capital $150,000, Full paid.

A. H. PARRY, President. W. S. MCCORNICK, Vice President & Jr. Treasurer. Sec. and Treasurer.

CASTORIA

for Infants and Children.

"Castoria is so well adapted to children that I recommend it as superior to any prescription known to me." H. A. ARCHER, M. D., 111th Street and 7th Ave., New York City.

"The use of 'Castoria' is so universal and its merits so well known that it seems a work of supererogation to endorse it. Few are the intelligent families who do not keep Castoria within easy reach." CARLOS MARTYN, D.D., New York City.

Castoria cures Colic, Constipation, Sour Stomach, Diarrhœa, Eructation, Kills Worms, gives sleep, and promotes digestion, Without injurious medication.

"For several years I have recommended your Castoria, and shall always continue to do so as it has invariably produced beneficial results." EDWIN F. PARDEE, M. D., 125th Street and 7th Ave., New York City.

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

COMMERCIAL.

TODAY'S GRAIN AND PRODUCE.

Today's opening wheat exchanges amounted to 2,142,000, same day last year, 1,234,000.

TODAY'S QUOTATIONS.

New York—Wheat, [illegible] cash, [illegible]. London—Wheat, [illegible].

ORE AND BULLION.

Wells, Fargo & Co. received today Porgo's bullion [illegible].

McCornick & Co. received today Horsman bullion, $1,000; silver and bullion, $2,000.

REAL ESTATE.

[illegible]

STOCKS AND MARKETS.

NEW YORK STOCKS.

[illegible]

CHICAGO STOCKS.

[illegible]

U. S. DEPARTMENT OF AGRICULTURE.

DAILY WEATHER BUREAU.

[illegible]

Eight carloads of cattle were shipped on Friday by Messrs. Gibbs, Ginger and Berger, to their farms in Nebraska.

Preparations are already being made for the reception of the Territorial Legislature, which will be in the city on their visit to the Agricultural College. They will in all probability be met by a delegation of members of both the county and city governments, members of the Agricultural College faculty and prominent citizens, and will be wined and dined at the college.

Heber C. Kimball Middleton of the Seventh ward died on Friday morning, the immediate cause of death being dropsy. He was one of the pioneers of Logan and widely respected. The funeral services were held on Sunday in the ward meeting house.

On Thursday afternoon 152 head of horses were sold by the Sheriff as the property of F. A. Mitchell. The top best horses brought only $18.75, and the remaining 151 only $25.00. It is believed that Mitchell has some 300 head of horses, the property of Mr. Hockhaus, of Salt Lake, to which court there will be further trouble.

Arrangements are all for a wedding reception and supper to be given on Wednesday evening next in honor of the marriage of Mr. James Jacobsen, of Logan, with Miss Mary A. Hickenson, of Ft. Worth, Texas, which will be solemnized in the Temple.

DISSOLUTION NOTICE.

[illegible]

R. K. THOMAS,

26, 28, 30, 32

EAST, FIRST SOUTH STREET, SALT LAKE CITY.

"THE SILK HOUSE"

Special Holiday Offerings At Less Than New York Cost.

Silks

$1.00 Double Warp Surah Silks for 55c.

10 SHADES IN PINK.	10 SHADES IN BLUE.
5 SHADES IN RED.	5 SHADES IN HELIOTROPES.
5 SHADES IN GREEN.	5 SHADES IN TOPHYES.
5 SHADES IN GREY.	5 SHADES IN SLATES.
5 SHADES IN TAN.	5 SHADES IN MILE

$1.00 Colored Satins for	55c.
About 15 shades to close.	
$1.50 Assorted Dress Silks,	75c.
About 10 pieces to close.	
75c, 22 inch China Silks,	55c.
45c, 22 inch China Silks,	25c.
Bright colors for fancy work.	
Colored Sash Silks,	25c.
Printed China Silks,	25c.
Fine Black Satin Brocades,	65c.
85c Colored Crystal Silks,	65c.
$1.25 Shaded Crystal Silks,	85c.
$1.25 Colored Diagonal Silks,	85c.
SPECIAL PRICES IN BLACK SILKS.	
Shaded Silks,	85c, $1.00, $1.25.
Ombre Shaded Silks,	$2.25 yard.
ELEGANT FOR DRESSES AND TRIMMINGS.	
$1.00 Colored Silk Plushes,	55c.
$1.25 " " "	75c.
$2.25 " Brocaded Velvets,	$1.50.
$3.25 Fancy Silk Velvets,	$1.50.

Nothing is more appropriate for a Christmas Present than a Silk Dress.

INITIAL HANDKERCHIEFS.

VERY FINE.

Ladies' Linen Cambric, 5 for $1.00. Gents' Linen Cambric, 3 for $1.00.

Ladies' Linen Cambric, 4 for $1.00. Gents' Silk Initial, 25c and $1 each. Ladies' Silk Initial, 25c and 50c each.

What is Nicer Than a

Plush Wrap

For a Christmas Present

ALL NEW.

No. 1142, Plush Jackets, $15.00, now, [illegible]
No. 1126, Plush Coat, $25.00, now, [illegible]
Plush Diagonal Cape Coat, $30.00, now, [illegible]

FOR THE LADIES.

Gents' Handkerchiefs and Mufflers.

Gents' Hemstitched Linen Cambric Handkerchiefs, $3.50 doz., worth $5.50.
" " " " $2.00 " " $3.75.
Colored Border Linen Cambric Hemstitched, $2.50 " " $4.25.

SPECIAL NUMBERS IN LADIES' COATS.

ASK FOR THEM UNDER THESE NUMBERS.

No. 1051, Ladies' Fur Trimmed Coats, $9.75, now $4.75.
No. 1061, " " " " $7.75 " $4.25.
No. 1065, " " " " $8.75 " $5.75.
No. 1112, " " " " $9.75 " $5.75.
No. 1068, " " " " $10.00 " $7.75.
No. 1111, " " " " $11.75 " $7.75.
No. 1074, " " " " $11.75 " $9.50.
No. 1076, " Fur Trimmed Capes, $10.75, " $9.50.

...Old Stock...

Last Season's Ulsters, 25c on the Dollar.

[illegible] each, were $1.50.
[illegible] each, were $1.50.
Ladies' Jackets, $5.00, $4.75 and $4.75 each. Great Bargains.

Remnants! Remnants!

Thousands of Them Very Cheap.

R. K. THOMAS