THE DISTRICT COURT.

Hearing on the Tearing Down of the Cliff House Porch.

A SEALED VERDICT BROUGHT IN.

Appeal From a Commissioner's Judgment in Reference to a Horse's Bill—Other Matters.

Criminal business was finished up for the present in Judge Bartch's division of the Third district court yesterday afternoon, and tomorrow his court will leave for Beaver, where a short session of court will be held.

DISCHARGED A JURYMAN.

This morning Judge Bartch issued to the case of Minnie Morley vs F. D. Cliff et al., Judge Powers and Attorney D. S. Streep appearing for the plaintiff and Judge Henderson and Attorney J. M. Thomas for the defendants.

The hearing was on an order to show cause why the defendants should not be restrained from tearing down a portion of the Cliff house, in this city. On October 1st, 1894, the plaintiff leased from Cliff, for a period of one year, the upper part of the Cliff house, known as hotel property, while the first floor, the lower portion being occupied by Cliff Hall. It was claimed that the porch in question, which is in a line with the second story, formed a part of the leased property, the same being absolutely necessary for the use and enjoyment of Mrs. Morley's guests. About January 10th, it is alleged, the defendants employed workmen to demolish some twenty feet of the old porch, and it was when the tearing down began that injunction proceedings were instituted and a temporary restraining order was granted by the court.

On the part of the defendant Cliff it was denied that the porch is a portion of hotel property of the building at bench, it being stated that it was used in connection with the lower floor. Cliff declared that the plaintiff had never had possession of any part of the house, titles hon. answer similarly, also say it was necessary for a portion of the porch to be removed on account of its decayed and unsafe condition.

The hearing is in progress as the NEWS goes to press.

Before Judge Morris.

The first case tried before a jury today was that of James M. Dart and George V. Primmer vs Laura Marsh, executrix of the estate of Wm. Marsh, deceased. Peters & Allen for the plaintiff, Attorney Gen. Nye for the defendant.

The case came here on appeal from Commissioner Greenman's court, the action having been therein brought to recover $62.50 for medical services rendered to the deceased, covered between December 31st, 1891, and January 25th, 1892. Mr. Marsh died on January 31st of the latter year.

The commissioner found in favor of the plaintiffs for the amount claimed, and the appeal is from that judgment.

The case was to the jury just before the NEWS went to press.

LYNCH FOLLOWS BILLIE DAVIS.

"Billy" Lynch was convicted of fornication here yesterday afternoon by Judge Bartch and sentence was deferred for February 20th. The offense was alleged to have been committed with 15-year-old Miss Kairnes, of Lehi, at a house of ill-fame.

VERDICTS.

In the suit of the Anderson Pressed Brick company vs John W. Smith (appeal from Commissioner Norrell's court) the plaintiffs sued to recover $183.83, alleged to be due for merchandise, and judgment was rendered in their favor for $125.70 and costs. The case marked the jury in Judge Morris's court late yesterday afternoon, and they were instructed to bring in a sealed verdict.

This morning the jury brought in a sealed verdict, finding for the plaintiff in the sum of $130.95.

In the case of George F. Betz et al vs C. T. Nelson the jury, after a short consultation, late yesterday afternoon returned a verdict for the plaintiff for $146. The amount claimed was $203.35, balance due on a contract. The case was mentioned in yesterday's NEWS.

Mrs. Baxter's Funeral.

The funeral services over the remains of Sister Elizabeth Baxter were held in the Tenth ward assembly hall yesterday afternoon. There was a very large attendance of friends of the family, the meeting house not being large enough to accommodate all who endeavored to gain admission. The speakers were Elder Joseph E. Taylor, of the presidency of Salt Lake stake, the Bishopric of the ward—Elders Adam Smith, Jas. C. Woods and Joseph Keddington—and Elders Edmund Wm. S. Brighton and John Gallacher. All spoke in the highest terms of the deceased, who was widely known for her goodness and integrity. The remarks were consoling and instructive to the bereaved and to all who attended. A very large cortege accompanied the remains to the cemetery, where the body of Sister Baxter was laid to rest to await the resurrection.

Today's Probate Court.

Estate of Wm. J. Woodbury, deceased. February 23 set for settlement of account.

Sarah Ann Taylor, deceased. W. C. Hall appointed attorney for the heirs-at-law.

Prof. Tarsitz's Lecture.

Prof. J. B. Tarsitz lectured last evening at the University lecture room on the subject of "Ventilation and Natural law, only displayed in the solar and stellar systems." The lecture was the second of the series, entitled the testimony of science in favor of Deism, and was listened to with much interest.

The lecturer stated that astronomy was one of the oldest sciences, and had been built up by successive stages. The force of gravitation had been known from the earliest time, but it was left for Newton to expound its laws to their true solution. Kepler's three great laws were given and explained. Many different methods and results of experiments to find the density of the earth were illustrated. The results now generally accepted is that the mean density of the earth is about 5.56. Prof. Tarsitz said that the motion of the moon and all its phases is due to the law of gravitation, and explained clearly why the moon keeps its path so exactly with the same side always turned toward the earth. The effect of the moon in causing tides was mentioned. In conclusion Prof. Tarsitz read a passage from a celebrated Fellow astronomer showing the wonderful unity of law and order of gravitation in the whole universe.

BEFORE IN POLITICS.

Salt Lake Workingmen Say They Will Organize in That Ward.

At the meeting of the Salt Lake workingmen held in the Tenth yesterday afternoon the following resolution was unanimously adopted:

Resolved, That we, workingmen of Salt Lake in mass meeting assembled, agree if required by the City Council, will not that in all matters such as the present case, where a property owner should be merely required, that our contractors shall be compelled to employ Salt Lake workmen, but also to pay them weekly in cash and at a wholesale less than 20 cents an hour, and that such a course shall be binding upon all contractors who contract for municipal work.

The following resolution was also accepted, as were resolutions protesting against the circuitous government issue of gold interest bearing bonds:

Resolved, That this meeting recognizes that the work done by the workingmen only come from crime and ignorance, and that the reform can come always through political action, therefore be it resolved that we organize a Workingmen's Political Reform club, to hold weekly meetings, for the purpose of discussing essential and local questions, educating public sentiment and bringing about a reform for the benefit of the whole people.

Mrs. Fritch's Funeral.

The burial of the remains of Mrs. Elizabeth Fritsch will take place from her former home at 280 north East Temple street, on Friday afternoon, services commencing at 2 o'clock. Friends are invited to attend.

STOLE DUNCAN'S BEST PANTS.

Left Him a Pair Full Four Inches Short.—A Cool and Test Awaiting the Thief.

Mr. Daniel S. Duncan, who lives at No. 109 north Second West street, having put one pair of pants that was full length and which were somewhat soiled but still good, washed them and hung them on the laundry clothes line and went to bed to await the drying process.

But it had been fated that he should be a surprised man, and he was. When he arose in the morning his only pair of trousers sufficiently long to cover his limbs had vanished, and "Dan" had to slip into a pair of "high water" pants, shabby, and full four inches short.

"Dan" was sorry that he lost the best pair of trousers but exceedingly glad that one pair although a little short was left him. He now gently intimates that he will be the man and not belonging to the missing pair and that he will place them on the same line where they were so easily purloined by the former night, thus providing the latter will only send back what might be well said for them.

OFFICIALLY ATTESTED.

Seal of the Territory Stamped on Certificates for 76 Constitutional Convention Delegates Today.

Secretary C. C. Richards this afternoon finished the task of officially attesting certificates of election for the Constitutional Convention delegates who have been declared elected by the Utah Commission.

The last list of these delegates was recently published in the NEWS, and showed 41 Republicans and 35 Democrats. Certificates for all of these highly honored gentlemen have now received the secretary's signature and have been stamped with the great seal of the Territory and will be mailed to the parties interested tonight.

Marriage Licenses.

The county clerk today issued a marriage license to Magnus Swensen, 35, of Provo, and Hannah Johnson, 35, of Pleasant Grove.

Getting a Jury.

SPECIAL TO THE NEWS.

LOGAN, Utah, Feb. 8.—It will take nearly all day to get a jury in the ballot box cases.

Mr. Kirby Superintendent.

Mr. John A. Kirby, formerly connected with the operating force of the Silver-Bell mine, has now been appointed superintendent of that valuable property, and the indications are that some of the disputes in connection with the past will be set at rest.

As to Survey Records.

Salt Lake county and County Surveyor Harry S. Joseph have brought suit against E. Hawkins Jr., ex-surveyor of the county, in the Third District court, alleging that the defendant has refused and neglected to deliver the records of surveys made in his office, and refuses to do so, claiming that he is entitled to do so.

DEATH OF MAJOR HAMER.

An Old Timer Passes Away at His Home in the Seventh Ward.

Major Samuel Hamer, father of Daniel Hamer, president and editor of Weber county, died at his residence in the Seventh ward at 5:30 this morning after a lingering illness. For nearly a brief sketch of his life is furnished by a friend:

Samuel Hamer, the son of Samuel and Jane Hamer, was born August 26, 1816, at Burnley, Lancashire, England, emigrated with his parents to Nauvoo in 1841, from which place he migrated with his widowed mother in 1846 to Council Bluffs, Iowa, where they remained until 1851, when they migrated by means of ox teams to Utah and settled in Salt Lake City. In 1852 he was called to fill a mission to Pottawattamie county, Illinois county, Nebraska, where he nearly four years he served in the capacity of minister to the Indians at that place. Upon being released on returning with his family to settle at home in Salt Lake City and engaged at his trade, that of blacksmithing, being employed at the Union blacksmith shop, when the Street Car company was organized he accepted from it the position of foreman in its shop. For the last Bishop Jones he was in the employ of the Union Pacific Railway company as blacksmith. In the different positions which he filled he was always considered as one of the very best mechanics in his profession. Major Hamer was very successful in military matters, being in the line of the independence of the only Utah militia the position of major.

A large family and relatives mourn his death. He was a true and consistent member of the Church whose office he had always been to work by example rather than by precept. As the hour of death drew near he called his family together and pronounced upon them a father's blessing and admonished them to walk in the ways of honesty, purity and righteousness, and remain in Utah and be true to the Gospel which they had espoused.

Er. Eccles Returns.

Assistant General Freight Agent Eccles, of the Union Pacific, returned from Denver last evening where he attended a meeting at which there were present General Manager Dickinson, General Freight Agent Monroe and the railway officers, and at which the question of differences between competing lines in traffic matters were discussed and in a measure adjusted.

SEARS-UP IN THE STREET.

An Action Against the City Railroad Co. On Hearing Today.

In Judge Merritt's court this afternoon the damage suit of Benj. Fairbanks vs the Salt Lake City Railroad Co. was called for trial to a jury.

The case comes here on an appeal from Justice Wilkerson's court, where Judgment was entered for the plaintiff in the sum of $250 as an estimate of damages for personal injuries and damage to property.

Judge Powers for the plaintiff, Attorney Greenman for the defendant.

In February, 1893, Benjamin Fairbanks, a young man about 23 years of age, was injured in a buggy near the junction of Fourth South and East Temple streets, when he was struck by one of the defendant company's cars. He was badly hurt about the head and body, the vehicle was completely smashed to and the horse maimed. It is claimed that the motorman failed to give any signal of the car's approach and hence negligence is charged.

Insurance Men Meet Again.

That there are still matters of importance for the local insurance men to consider was evidenced this afternoon by the holding of another informally arranged meeting which took place in the office of A. W. Jacobs in the Progress building, beginning at 2 o'clock.

Lecture to Elders.

On Monday evening next, Elder Joseph E. Taylor, of the Salt Lake stake presidency, will deliver a lecture in the Fifth ward meeting house, to the Twenty-third quorum of Elders, comprising those of that ward residing in the Fourth, Fifth and Seventh wards.

Missionary Party.

At 7:30 o'clock this (Friday) evening, there will be held in the Sixth ward assembly hall a missionary party, complimentary to Elder Robert E. Parker, who leaves on a mission to Australia on Monday next.

Test Debate.

Much activity is being exhibited by those interested in the public debate between the Populist and Hamilton debating clubs, to occur in the L. M. C. A. room, No. 211 Main street. Both clubs are confident of success. A special program will be secured before the discussion begins. The entertainment commences at 7:30. The public is invited.

AMUSEMENTS.

KATIE PUTNAM begins her engagement tonight in the Old Home Kids, commencing with the play The Little Marvels. Harry Emery, not one cent, as old Salt Lake boy, is in the cast.

MOS AND WOODS—Next week ends the engagement of the stock company at the Grand. The week following they will take a farewell of Salt Lake in three notable performances of the Salt Lake Theatre, on the 21st, 22d and 23rd.

Manager Barnes has made a deal with Mr. Fanny Woody the stock company will make their farewell appearance here in an important production. The piece will be the same as at the Grand Opera house. The play will be Mos and Woods, which succeeded so great a popularity on its first presentation here. There will be some new faces in the cast, and, frankly speaking, it will be the most meritorious production ever given by the organization. The Grand is being changed and strengthened and Mr. Barnes is putting up some extra efforts of their performance.

TERRITORIAL ITEMS.

Deputy Marshal Accidentally Shot—Cattle Crazed to Death.

BEAVER CROSSING, Feb. 7.—Just east of Beaver and over the mountain there has been some very severe weather. About seven inches of snow has fallen and this is being followed with a cold wave. Cattle have been crazed to death. Cattle are in a very poor condition in general, and many are dying.

For some time past Deputy U. S. Marshal Joseph E. Rose has been at work in the neighborhood of Lucin, Box Elder county, on the Central Utah, where attempting to use a Colonna, where attempting to use a cartridge into a gun, he chance exploded, the shot passed through the cylinder of the gun, lodging in Rose's right eye, turning powder badly disfigured his gentleman's face, and rendered the eye useless. At first he thought he had lost the sight of that eye, but it has fortunately developed that the right hand Right. Three of the fingers of the right hand are also badly injured, having received one across the back of them, a quarter of an inch deep. Mr. Rose came on formerly to Beaver and placed himself under the treatment of Dr. Fetzenmeyer. The injuries are very serious as well as extremely painful, and it will be some time before the unfortunate deputy will be ready to report for duty.

TAYLOR'S WATCH.

STOLEN BY A THIEF HAD AT NEW ORLEANS.

When the great French emperor was in the zenith of his power a wonderful timepiece was made for him by one of the most famous German watchmakers. Aside from giving the hours the watch contained minuiature actions, which used to delight his emperor on his journeys with one of the mechanical sort of Fancies. With the constantly that characterized the French people, the watch was made in connect with his Napoleon gave it away as a token of friendship, the chief aide-de-camp to Marshal Ney.

The story is that the watch was left by the marshal to Marshal Jomini Ney, the Duke of Elchingen, who, while visiting New Orleans, in 1845, with the illustrious victors Marshal Bertrand and Dr. Fitzgerald, Antommarchi, brought the watch with him and presented it to Dr. Ney, of the ship. This is the jewelled watch that served the emperor when he was in exile at Napoleon, which gave the Grand Hall until the ship surrendered to the Prussians. The watch has been in exhibition at the Creole Art Gallery, at the corner of Canal and Bourbon streets, recently, and has been valued at $1,000. The complete has been a thing glass case with a number of other minor items, and has been much admired. It is somewhat larger in appearance than the ordinary watch, and not so thick.

Yesterday evening there was several visitors in the place, and Abbott Dawson was explaining the history of some of the relics, when a young man, well dressed, entered the place. He carried a paper, and he remarked to the assembled folks that he was from the north and was down here in search of health and recreation. Mr. Hawkins did not pay much attention to his visitor, but his attention was suddenly turned to the young man by some loud oaths, coming from the direction of the case containing the watch. At the same time the young man started for the street. Mr. Hawkins rushed for him and went heavily to the floor when the young man had been standing. He then had the glass door of the case had been pulled back, and that it had started several pieces of antique, hand-painted French porcelain. Dropping a heavy lawyer's watch was taken out, and then darted out after the young man. He caught him nearly a block away, and was demanding the watch when a lady in Black who had witnessed the affair ran up and said: "Are you Officer Jones?" "No, I am not," said the officer, "I am a citizen." "Then I am Officer Jones," said the lady, and she was demanding the watch when the officer ran up. The man was then taken to the station and the watch was found in his possession. It is claimed that the watch was stolen from the case by the young man, who had been in the place a few days before, and who had left the place a

INDIANS AS HUNTERS.

THEY DO NOT PROFITEER WITH GAME AS WHITE MEN DO.

"It is a remark often made by officers who have been for years stationed where the red men was an occupant, that as the years roll by, and as a correspondent from Dakota to a New York newspaper, "that Indians never scare game away from a region in which they hunt. But, they say, whenever the white man comes with his firearms game is bound to be killed or driven away. These sayings are true with the qualifying statement that by reasonable game laws game of all kinds can be preserved and, even when nearly exterminated, restored to almost its original plentifulness in districts now occupied by savages and the domestic creatures.

"Note the Indian in hunting as he creeps out and steals upon the deer or wild turkeys with the soft tread of moccasined feet. In the twang of his bow string and the flight of the whizzing arrow there is no explosive sound to warn the creatures near. Do not the birds, the Thermopylae, to sympathetic sound with the lion and coiled pads and mountain cougar, and with unerring aim to make their nest against his prey as he settles with trying to avoid time within an astonishing distance of the region where he lurks.

"It is when white hunters of the gentlemen variety invade the country, their presence heralded by the trend of their loaded guns, their clothes alien in appearance to the lines and contours of the creatures of the wilds, and their purpose known by the crack and crash of firearms, that game begins to migrate to other feeding grounds. And to the law-abiding and intermittent sportsman, or alongside's sake, the remembrance the white man's hunting, and it is easy to see why the depopulation of the forest and plain, when unrestricted by law, is speedy and sure. Ever since the general abolition of Indians as friends of the hunting it has not been found that large game has continued, naturally to reside in the white man, is an interrupted visitor, although Sir Samuel Baker, the explorer, hunted African game and positively consider that Indians can endure traps, pitfalls, fire, and every savage method of hunting, but firearms will speedily clear them out from extensive districts."

COMMERCIAL.

DAILY LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $159,196. Same day last year, $112,647.

TODAY'S QUOTATIONS.

New York.—Silver, 59½; lead, $3.32½.
London.—Silver, 27½d.

ORE AND BULLION.

Wells, Fargo & Co. received today: Ingots, bullion, $2,594.
W. H. Jones & Co. received today: Ore, 19,000 pounds, $280. Bullion, $12,000.
McCornick & Co. received today: Silver and bullion, $15,000.

REAL ESTATE.

Transfers filed in the office of the County Recorder, Salt Lake City, Utah, for the 24 hours ending at 5 p. m. yesterday, furnished daily to the NEWS by Lewis & Hardy, real estate and insurance brokers, 111 South Main street:

[illegible]

Pacific Coast Produce.

SAN FRANCISCO, Feb. 8.—Quiet conditions ruled today, and the market lacked definiteness. The demand was very small and prices were easy in tone.

[illegible]

MINING STOCKS.

NEW YORK, Feb. 8.—Mining stocks were dull today, and the market lacked definiteness. The demand was very small and prices were easy in tone.

[illegible]

BOSTON STOCKS.

BOSTON, Feb. 8.—Mining stocks were dull today, and the market lacked definiteness. The demand was very small and prices were easy in tone.

[illegible]

Cuticura
the great
SKIN CURE
Instantly Relieves
TORTURING
Skin Diseases

Dr. Price's Cream Baking Powder
World's Highest Gold and Diploma.

What is More Attractive
Than a pretty face with a fresh, bright complexion? For it, use Pozzoni's Powder.

$5.00
DR. SHELMERDINE will give you the benefit of his experience, make a complete diagnosis of your case and supply a pair of eyeglasses or spectacles for $5.00, varied to slightly complicated cases. He will make a careful and thorough examination, with his certain scientific instruments, such as rarely obtained from such before a final correction is made, thereby making an error in measurement impossible.

If you are wearing improperly fitted glasses or your sight is deteriorating from them, you should call before it is too late, as injury will be certain for any degree of the loss.

Every pair of glasses are especially ground to suit the peculiarities of each case, and are guaranteed to give satisfaction.

The following testimonials are evidence of the doctor's ability.

A Few From Salt Lake.

[illegible]

THOMAS SCOTTER,
Secretary Department E. C. M. I.

[illegible]

JOHN SCHOLES.

[illegible]

R. K. BENSON,
Box Manufacturer, Salt Lake City.

WM. H. STUART,
[illegible]

THOS. A. BEADY.

DR. SHELMERDINE,
Consultation Free.
Office Hours, 10 to 5.
Scott-Auerbach Building,
152 Main Street.

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26, 28, 30, 32, East First South Street,
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Shoes! Shoes!

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Men's Women's and Children's Shoes.

$20,000 STOCK

At Nearly Cost, For One Week.

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If You Want SHOES Come to us for Them. You Will be Satisfied.

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