THE LEGAL CHAPTER.

Judge Merrill's Decisions in Court Up Last Week.

A DEMURRER SUSTAINED.

A New Trial Denied in the Case of George A. Devin, Defendant.

Court's Decisions.

THE DIVISION OF THE THIRD DISTRICT will have met in session again today, the chief justice presiding with the law and chancery calendar and judge Smith sitting with criminal matters.

THE LITTLE DEMURRER.

Chief Justice Merrill granted again the demurrer in behalf of Allen M. Little in Jessie F. Little, signed and overruled last week. He sustained the ruling, holding that the complaint had been improperly joined.

The parties to this case intermarried in 1884, and there are two children, the eldest being about 10 years of age. The grounds on which the wife based her divorce and custody prayer were cruel treatment and failure to provide. The defendant in his demurrer to the complaint had been multifarious in his attempt to unite with the specified causes, which are enough for a divorce, other causes which, if true, would be in the nature of a cross bill. The court ruled that they were improperly joined, and sustained the demurrer. Mr. Little asserts that he has kept it provided for his wife and child, and she asked not to be required to make a full disclosure of her means and sources of revenue, in the immediate absence of the chief justice from the state, but to be allowed to make a report of such sums for the year 1895, and report the amount due to the hearing.

CONFIRMATION SALES CONFIRMED.

An order was rendered in the matter of the estate of Valentine F. Lowry, of William A. Shipler as executor last week.

On February 14, 1895, an action of ejectment, a temporary restraining order was issued restraining the defendants from selling or otherwise disposing of 12,000 shares of the capital stock of the Nine Mining company, alleged to be held by Jensenites, trustees and others, to transfer plaintiff, and the hearing was set for a week later, when after hearing the testimony and argument the court ruled that the temporary restraining order should not be made permanent.

After carefully reviewing the facts and evidence in the case, the court ruled that it appeared from the evidence, of which of facts, that the defendants, or either of them, had not threatened or attempted to dispose of the shares of stock, or to expect she had sold the same, until such time as the plaintiff had commenced with the specified conditions, which are enough they were entitled to the injunction. The court ruled that they were entitled to that, they had every reason to believe that they were wrong in plaintiff. Then, said to Edward, therefore, to be wrong, the defendants could not be wrong. It would be low disorder.

DISCLAIMERS.

In the case of In the Est. F. A. Jenkins vs. Salt Lake City, Judge Merrill ruled that the answers to plaintiff's bill of exceptions to motion to strike out. This is the case in which the plaintiff was lately treated by the ruling of a traveling salesman the attorneys in the West of the city had, because the trial of the action for damages the city found to be defendants.

Richard F. Cutler vs. David McCurdy. The trial evidence has been given in the amount complained.

Complaint in Replevin vs. David McCurdy et al. Hearing on motion to amended complaint, passed to the trial of the calendar.

Ex-Governor's vs. the Spring Garden Insurance Company. Demurrer to complaint argued and overruled, being considered to answer.

Geo. W. Ludlow et al vs. Geo. Earle et al. Motion to dismiss defendants and for the appointment of a receiver argued and submitted.

A NEW TRIAL MOTION MADE.

On April 20th and a jury in Judge Merrill's court found against George A. Devin guilty of assaulting "Dollar Dorothy," a Greek, on January 2nd, 1895, with intent to murder. This morning the motion to set aside the verdict and grant a new trial was argued by Attorney Hiram Hill and by Assistant City Attorney Howat and Richards in the prosecution.

The motion was argued, and it is stated that the verdict was not justified by the evidence. Suggestions of error were given as against judge's charge to the jury.

Several affidavits were submitted and read. Counsel then was by the Mr. Smith's counsel, Mr. Hill, and Mr. Howat, who argued against the motion. Assistant City Attorney Richards for the prosecution the trial judge for the court and said that the evidence, taken together with the instructions given, was sufficient to uphold the verdict. Judgment overruled the motion for a new trial.

Mr. Howat, in the prosecution, said that the defendant, Devin, had been convicted of a felony, and that the court should pronounce the sentence of the law upon him. Mr. Hill said that the defendant had been convicted of a felony, and that the court should pronounce the sentence of the law upon him. The court