PROTEST BY THE BANKS.

The Disputed Assessment Comes Up For Hearing Before Judge Zane.

TAKING OF TESTIMONY.

Decision in the Erickson Divorce Suit. —General Orders of the Third District Court.

The principal feature in Chief Justice Zane's court today was the taking of testimony in the cases of four of the city banks against County Collector Hardy, on account of alleged excessive assessment on their respective properties. The banks in question are the Deseret National, the Utah National, National Bank of the Republic, and the Commercial National.

Judge Sutherland and Rawlins and Critchlow appeared for the plaintiffs; County Attorney Murphy represented the collector. After some considerable delay, occasioned by interpositions in regard to demurrers, etc., on the part of counsel, Judge Sutherland briefly stated the facts. He said that each bank had instituted a separate suit, and that of the Deseret National was first taken up. The plaintiffs asked the court to grant an injunction restraining the tax collector, Mr. Hardy, from collecting the taxes assessed against them respectively. They alleged that they were taxed far greater than the amount imposed upon other moneyed capital in the Territory. Under the national currency act permission was given to the cities and territories to assess the shares in national banks on the condition that such assessment is made at the place where the bank does business; but it was laid down that they must not be taxed at a greater rate than other moneyed capital in the Territory. In this Territory, by a statute passed in 1892, all debts secured by mortgages, or trust deeds of real or personal property, were exempt from taxation. Counsel intimated that he proposed to show by evidence that outside of the capital of the banks, national and territorial, 75 to 90 per cent of the moneyed capital was so secured and exempt—that the exemption was a material one, and it would be a material point on the final argument whether this exemption was a non-friendly discrimination. Each of the banks took this further exception—they desired either to obtain a restraint against the entire tax or to the extent of the excess. They insisted that the moneyed capital of each of them was assessed at its full value, dollar for dollar, and that the other taxable property in the county was uniformly and systematically valued at only about 70 per cent of its real worth. So that the banks were assessed excessively, to the amount, at least, of 30 per cent. These were the two points upon which evidence would be introduced. The territorial banks filed their complaint on the latter ground, of inequality in the valuation, and also on the ground that they had been denied the benefit of the exemption of mortgages, although the statute absolutely exempted these from taxation.

County Attorney Murphy objected to the admission of any testimony on the part of the plaintiffs, for the reason that the complaint did not state facts sufficient to constitute a cause of action. Counsel also interposed a special objection against the taking of any evidence as to the number of mortgages held by residents of Salt Lake County, on the ground that the exemption of such mortgages from taxation did not constitute such a discrimination against the national bank shares as was contemplated by the act of Congress.

J. R. Rawlins (county recorder), Mr. J. G. Raybould and other witnesses were examined during the forenoon.

NEXT!

The Zion's Savings Bank and Trust Company vs. F. J. Leonard, collector, is the title of another suit in the direction of alleged excessive assessment which will come on for hearing when the foregoing cases have been gotten off. As the arguments in the former will, however, occupy some time, it is very doubtful whether the Zion's complaint will be reached to-day.

The plaintiffs' counsel are Barlow Ferguson and John M. Cannon; Judge Hoge is the attorney on the other side.

DEMURRER SUSTAINED.

In the case of F. E. Barker vs. Author Arthur Pratt, heretofore submitted on mandamus, the demurrer to the alternative writ was sustained.

MAY END IN AN APPEAL.

Wm. Whitehall vs. George A. Moxes et al. The demurrer to complaint was sustained and notice of appeal given.

DIAMOND'S BAIL.

In the case of the United States vs. D. V. Diamond, indicted for treasonable use of the mails, the motion to reduce the defendant's bail was overruled.

A HUSBAND'S CRITICS.

In the divorce suit of Geo. A. Kirkham vs. Jennie C. Ellbridge, brought on the ground of desertion, the court granted the decree. J. H. Hart was the plaintiff's attorney.

REFEREE'S REPORT CONFIRMED.

In the case of Albert Hall et al. vs. John W. Young et al., the report of the referee was confirmed and judgment entered for plaintiff.

NOTICE OF APPEALING.

In the matter of Andrew C. Brixen vs. John F. Free et al., twenty days were allowed in which to appeal.

A DEMURRER OVERRULED.

In the case of the U. S. National Bank vs. T. J. Angell et al., the demurrer to complaint was overruled.

ONE WITHDRAWN.

Thomas Bolton vs. J. R. Parkinson. The demurrer was withdrawn, with leave to answer instead.

AND ONE SOON.

In the suit of E. S. De Golyer vs. John A. Shields, the demurrer was withdrawn and ten days allowed to answer.

SUBMITTED ON STATEMENT.

Mary Waring vs. F. J. Leonard, collector. This is one of the tax cases at present in course of litigation, and was submitted by counsel on agreed statement of facts.

ANOTHER JOB FOR JUDGE ANDERSON.

Wilson vs. Barrett et al. Referred on demurrer to Judge Anderson as referee, to hear and decide.

HIS M'MASTERS WILL SEE TO THEM.

The case of Adam Dickson et al. vs. E. R. Clarke, assessor and collector, was referred, by consent, to Mos. R. F. McMasters to take testimony and report.

The same rule was followed in the case of Sarah A. Crowe et al. vs. E. R. Clarke.

THE MERCHANT DIVORCE CASE.

Judge Anderson gave his decision this morning in the divorce suit of Margaret A. Erickson vs. Albert T. Erickson, tried sometime ago, as reported on Wednesday last. The grounds upon which the complaint was based were cruelty and cruelty. The referee did not consider the charges established and dismissed the petition. He gave the young couple some good advice and expressed that they ought to live together happily.

TO SEE THOU A CHAIN.

A prominent attorney was anxious to get a case in which he was interested, before the notice of Judge Zane this morning. But the quarter of an hour allotted to informal business had gone by, and he was informed that he would now have to wait his turn, as the hearing of the tax cases was the next thing in order. "Couldn't your honor take it at noon?" queried the lawyer in the most persuasive tone. "Noon is noon," retorted the judge. "Noon is lunch time, and I take my lunch then." Everybody laughed except the attorney referred to, who tried to look as though it money was looking at him and an equity down.

AN APPEAL.

Transcript and papers on appeal to the Third District court have been filed in the case of James C. Mercer, assignee of E. S. Tanner, vs. A. Frohn. It comes from Commissioner Smith's court, where judgment was entered against the defendant in default of his appearance. $39.25 was the amount claimed.

PROVO LETTER.

In Legal Circles—The Westmater Murder Case—Accidents—Social.

Special Correspondence of the News.

PROVO, Dec. 17.—Judge Blackburn has returned from his trip to the Arkansas Hot Springs. He held a brief session of court yesterday afternoon. In the case of Wm. H. King et al., stockholders and creditors of the Provo City Lumber Co., vs. M. L. Todd et al., stockholders of the reorganized company, and the assignee, an amended complaint was presented. It was demurred to by defendant, who claimed that the suit should have been brought by the Provo City Lumber Company, and not by the individual stockholders, and further, that the interests of the stockholders and creditors were not identical, and hence the suit brought by them was a misjoinder. The demurrer was overruled. The plaintiffs in the case charge the defendants with fraud, and ask that a receiver of the property be appointed. A continuance was taken for five days.

The regular December term of court commences this morning. The first case on the docket is that of Capt. W. E. Davis, who is charged with murdering three men at Westmater last summer. It is probable that a jury in the case will not be empanneled today, however, as it is undesirable to keep the jury over Sunday.

The following witnesses in the Captain W. E. Davis murder case have arrived in the city: Mrs. W. E. Davis, of Westwater; G. H. Hallett, F. B. Grant (the only eye-witness) and C. H. Grant, of Denver, W. J. Henderson, Frank Young, Annie Lotty, S. Mercer and G. H. Ross, of Grand Junction.

The little girl, aged three years, of Mrs. Mary E. Bateman of Alpine, fell on a hot stove last Thursday, and was severely burned on the chest and forehead. With careful nursing she will recover.

Hyrum Johnson, one of the laborers on the new Bank-Blood block, was struck on the left hand yesterday by a large knife which fell from the building. The two middle fingers of his hand were dislocated and he was obliged to quit work.

Arrangements have been made for a class rehearsal of an hour each day during the holidays for the singers and aids of the B. Y. A. choral society. The bass and tenors will have similar rehearsals later on.

Professor Giles will organize choral societies in the outlying wards.

George McGrath was fined $5 yesterday by Justice Goss for battering Mrs Cynthia D. Rogers.

Reg Smoot, who has been on a three and a half years' mission in the South Sea Islands, telegraphs from San Francisco that he has arrived safe and sound and will be home on Monday next.

Peter Peterson and Marcus C. Jacobson, of Provo, have taken out a license to marry.

W. R. H. Parsons is reported to be slightly on the mend.

If Delaware of Delaware carried out his usual jolly, his kingdom is now stripped of the best fighters you had—the finest assassins on record. When the famous assassins return home the assassins have been defeated and driven back. Delaware's loss has been to cut off the heads of all the survivors of the fight. The Samoan chiefs are believed to murder each other the French army, and he will find out his mistake with the loss of a few of his best men. The difficulties in Samoa have Disturbances more or less emergency of the dark continent in the white man.

OGDEN JOTTINGS.

Hackmen Arrested for Trespass.—Accident to a Little Girl, Etc.

(Under Standard)

The Woolen City tin stamping works at Five Points are clearing their decks for action and preparing to increase the force of workmen and can only next month in anticipation of the great rush of business which usually comes in the spring.

No session of the Fourth district court was held yesterday and Judge Miner took a rest. In company with Superintendent Perry the judge visited several of the county schools.

The board of education held a meeting last night.

The concert and ball given by the Ogden City brass band at Five Points last night was a great success.

J. C. Slade and Charles Hoffingshead, hackmen were arrested yesterday morning by Sergeant Tyree, charged with trespass on the grounds of the Union depot company. The privilege of standing hacks and vehicles at the passenger platform has been sold to the Gurney Cab company and the other hackmen object and persist in driving upon the forbidden territory. Several days ago suit was commenced in the district court by Slade to obtain an injunction restraining the depot company from selling the exclusive right to the grounds to the Gurney people. Pending a settlement of the action Judge Powers continued the case against Slade and Hoffingshead indefinitely.

A sad case of special ill luck and surprise for the Oil Well supply company of Yokohama, Japan, will arrive in Ogden this morning over the Union Pacific and be transferred to the Southern Pacific. The shipment is from a Pittsburg manufactory.

Through the miserable mischievousness of a small lad, a little daughter of L. V. Herrick escaped a broken arm Tuesday night. She was going home from school when, on Grant between Twenty-sixth and Twenty-seventh, the boy placed his foot in front of the child, causing her to fall to the sidewalk, breaking her right arm just above the elbow.

Deputy United States Marshal Carey returned from Logan yesterday morning, bringing with him John Evans, J. W. T. Dudley and James G. Bates, who were held to await the action of the grand jury by Justice Smith, the charge being larceny. The men were taken to the penitentiary last evening by Deputy Gill.

Among the arrivals at the Broom hotel yesterday were several residents of Terrace and employes of the Southern Pacific there, who are in Ogden looking for homes in anticipation of the removal of the railroad shops to this city.

An Interesting Exhibition.

The glass blowing exhibition now on at 257 south Main street, opposite the Walker House, is in every respect a marvelous one. The skill and ease manifested by Prof. Theo. Gruner, the fashionable glass blower, in fashioning and modeling articles of glass into instructive articles of different designs, are really wonderful. Two engines of exceedingly intricate and artistic workmanship are in active operation. These miniature steam wonders were on exhibition at the World's Fair at Vienna in 1873 and at the Centennial in Philadelphia in 1876, and it is stated will be on exhibition at the Columbian Exposition in Chicago next year.

Probate Court.

Judge Bartch made the subjoined orders this morning:

Estate and guardianship of Abraham O. Woodruff et al., minors. Hearing on return of sale of real estate. Sale confirmed.

Estate and guardianship of N. C. Peterson et al., minors. Hearing on petition for letters of guardianship. A. J. Peterson and Lulu Howard appointed guardians.

Estate and guardianship of Arthur and Flora C. Rowlands, minors. Bond of guardian in the sum of $400 approved.

A Good Home Made for Hens.

The first thing to be looked after is to get your hens well enough to keep well and not to allow them to make them hard and injure their flavor. Make your table just strong enough to float an egg. Then stir in enough sugar or New Orleans molasses to give it a rather sweetish taste, and in every six gallons of the mixture dissolve from two to three ounces of saltpeter. Stir up your pickle and skim off all impurities before using it. Keep the hens weighted down and covered with the pickle for from four to seven weeks, depending on their size and the temperature of the weather, in mild weather small hens will be salt enough in three weeks, but in a freezing temperature no exact time can be indicated in advance. Small and large sizes should be pickled separately, otherwise some will be too salt and some too fresh. Persons experienced in the business can tell pretty accurately from their appearance when the hens are salt enough to be taken out for smoking, but where there is doubt it is well to cut one and see that the salt has gone into the bone. Smoke with hickory wood or corncobs. Never salt any part of the hog until the animal heat is all out of the carcass.

Green Manuring.

Many of our best farmers believe that in no other way can soil be brought into condition so rapidly and with so little expense as by green manuring. At the south red clover is the preferred growth to turn under for manurial purposes. At the north, where the cow pea makes a luxuriant growth, the cow pea is the crop selected for plowing under. A very common practice is that of growing a third crop for green manuring between two other crops. Rye sown after a crop removed in autumn is plowed under for a late spring or summer crop is a familiar instance. Rye does not remove as much fertility out of the soil as does the red clover, but then it may be depended upon to get the best of our crops.

Among the persons under arrest in Marietta, Ga., on suspicion of having been concerned in the murder of Mrs Looney are three John Smiths.

A Paris bird dealer has recently received some kinds of parrotlike, 300,000 Indian birds of various species and 100,000 humming birds.

I do not believe any one knows any medicine is a kind of half cure. I do know from experience that a cake of Cuticura Soap, a box of Cuticura Ointment and a vial of Cuticura Resolvent will do more than all the doctors, medicines and hospitals in the world for the cure of eczema, tetter, itching and scaly skin diseases. Cuticura Soap is the only medicinal soap, Cuticura Ointment the only odorless ointment, and Cuticura Resolvent the only blood purifier of any value. Cuticura Soap is also the purest and sweetest of all skin and toilet soaps. Cuticura Soap, Cuticura Ointment, and Cuticura Resolvent are sold everywhere. Price, Cuticura, 50c; Soap, 25c; Resolvent, $1. Prepared by the Potter Drug and Chemical Corporation, Boston.

"How to Cure Skin Diseases," 64 pages, 50 illustrations, and 100 testimonials, mailed free.

PIMPLES, blackheads, red, rough, and oily skin, scalp humors, and baby blemishes, cured by Cuticura Soap.

DREADFUL PSORIASIS,

Covering Entire Body with White Scales. Suffering Fearful. Cured by Cuticura.

By Potter Drug and Chemical Corporation.

My disease commenced two years ago on my left cheek in the form of a small patch of dry scales, which I thought would soon disappear. It spread so rapidly on my face, and in less than a month was covered with a white mass of scales. The skin would crack and bleed at times, and I was in a fearful state. My scalp became affected, and my hair came out by handfuls. My ears were affected, and I was in a terrible state. My hands became affected, and I was obliged to wear mittens. My nails became affected, and I was in a terrible state. My feet became affected, and I was in a terrible state. My nails became affected, and I was in a terrible state. My whole body