The Evening paper is the paper of Today, the morning paper is the paper of Yesterday.

DESERET EVENING NEWS.

5 O'clock -EDITION.-

TRUTH AND LIBERTY.

NO. 46. TUESDAY, JANUARY 16, 1894, SALT LAKE CITY, UTAH. VOL. XXVII.

HERE IT IS, STRAIGHT!

"There Will Be No Prize-Fight in Florida."

SAYS BOLD GOVERNOR MITCHELL.

He Seems to Mean It, Too.—No Sparring, No Equivocation.—The Contest Will Surely Be Prevented.

TALLAHASSEE, FLA., Jan. 15.—If Governor Mitchell has any intention of allowing his fight against the Jacksonville Athletic club, he doesn't show any signs of it. On the contrary, he seems more determined than ever and now has plenty of backing. When approached today he said: "I can announce that I'm going to prevent this prize fight, for that's what it is, no matter how many other terms are applied to it."

"Is it true that the Jacksonville militia has declined to aid you," was suggested.

"That's not true," said the governor sharply. "Even if they did decline to do duty, it would not affect my place in the slightest degree. I'm going to prevent that fight, and there's no fuss about it. Corbett and Mitchell cannot fight in this state."

"Have you read that the club has several other places in view if Jacksonville is abandoned?" was asked.

"I have," said Governor Mitchell, and I repeat emphatically, the fight shall be prevented in the state of Florida. I grant you, they may attack us in some other state, and have a mill somewhere and have it run. But I don't see how this can be done. I shall not call upon the Jacksonville militia. Some of them are in favor of the fight and who have money who are interested."

"Then you will employ the militia of some other point in the state?"

"You may draw your own conclusions. The attorney general has planned to cover every point which might be attempted and he seem are men who say he depended upon. I am prepared in any event."

"Now, then," said the governor in conclusion, "I think I have made myself plain. I don't propose to Florida to see a fight and don't see one after spending its time and money, no can only these himself. There will, I repeat now more, be no prize fight here."

The attorney general would say nothing of his plans, further than the fight would surely be prevented.

SIDEY'S OFFER

ST. PAUL, Jan. 16.—The Cook City, Mont., Honorable company, which practically controls the business of that mining city, offers $75,000 in gold bullion and all expenses for the Corbett-Mitchell fight. They promise to deposit $10,000 in the bank at Helena, Mont., at once as a guarantee of good faith.

THE HOUSE.

THE DESERET NEWS BUREAU,
49 B Street, S. E.,
WASHINGTON, D. C., Jan. 16.—[Special.]—The rejection of the Hornblower nomination is thought a very significant defeat of the administration. The eastern papers are filled today with vigorous comments. The factors contributing to Hill's victory were his own personal energy and influence; the willingness of the Republicans to increase the embarrassments of the administration and the desire of the senators to maintain the courtesy of the Senate and their own right to be consulted as to the President's appointments in their own state. Moreover, a number of senators are opposed to Hornblower, who is a representative of the monopolists, gold monometallism and corporate interests.

In the House today there was a lively scene. The wool schedule was under discussion and specially the amendments regarding the time when wool shall go on the free list. The discussion was still pending at 5:30 o'clock. C. R.

By Associated Press.

WASHINGTON, Jan. 16.—The House resumed consideration of the tariff bill.

Wilson immediately began offering committee amendments. The first was to reduce the duty on furs for hatters' use from 20 to 10 per cent.

The second amendment was to place on the free list in addition to books printed over twenty years, hydrographic charts. Also agreed to.

An amendment changing the rate on sugar of milk from 25 per cent ad valorem to 2 cents per pound occasioned considerable debate, the Republicans declaring that it was a new industry inaugurated in 1890 and the proposed reduction would ruin it; and protesting against the bringing up of such amendments on disputed articles. Breckenridge defended the committee amendment.

TROUBLE ABOUT STOCKS.

A Suit for a Million Against Huntington May Ensue.

SAN FRANCISCO, Jan. 16.—The *Examiner* says there is trouble between the widow of Leland Stanford and C. P. Huntington. It is claimed that Huntington never informed her of the existence of a large amount of stock held for him and Stanford jointly and that it is likely a suit for recovery the a million will be begun against Huntington, unless he makes a settlement.

CORBETT AND MITCHELL.

Odds Change for the Englishman, They Say.

BALTIMORE, Jan. 16.—An Associated Press representative interviewed Peter Jackson and "Parson" Davies regarding the Corbett-Mitchell fight. Both Jackson and Davies were strongly of the opinion that Corbett has a "dead cinch" to win. The welsh, height, 6 inches reach and six years of youth over Mitchell are advancing very little, but will carry Corbett to victory. They admit that Mitchell is the hardest hitter, and Davies says if the Englishman gets in a chance blow to disable Corbett, the fight may be his.

Jackson says that Mitchell is not the champion of England. He (Jackson) claims to have won that title by defeating Jim Smith and Slavin.

SIDEY'S PROPOSITION

To Pay Premium in Ten Per Cent Bonds.

WASHINGTON, Jan. 15.—Sibley (Dem. of Penna.) has prepared a bill to pay pensioners a new issue of two per cent bonds. He proposes to offer it to the House, in case a bill is prepared for a general issue of bonds. The bill is designed to give pensioners the benefits usually accruing from bonds and give the government ready means of meeting its yearly obligations. The plan is to issue denominations of one dollar to one hundred and make them legal tender, which would allow them to circulate as money. He also contemplates the issue of such bonds until the amount reaches $50 per capita by the population of the country.

SHE WILL NOT ABDICATE.

The Rumor Denied by Queen Liliuokalani's Representative.

The Dethroned Majesty Has Submitted Her Case to the Arbitration of the United States.

SAN FRANCISCO, Jan. 15.—As a result of the published rumor to the effect that Queen Liliuokalani had definitely abandoned the idea of restoration to the throne and would bring action for pecuniary damages against the United States, Samuel Parker, prime minister and minister of foreign affairs of the ex-queen, is now here. Last night he sent a strong telegram to Secretary Gresham, signed with his full official title, entirely denying the assertions, and declaring that the queen has submitted her case to the arbitration of the United States government. Mr. Parker said in an interview last night that he saw the queen half an hour before he sailed from Honolulu, and she was firm in her determination to maintain her claim to the throne. At no time did she or any of her advisers mention the possibility of presenting a claim to the United States for pecuniary damages.

DIED IN ANGUISH

Burned to Death.

MILLS, Ky., Jan. 16.—The dwelling and store of W. H. Hansen were burned this morning. Mrs. Hansen and two grown daughters perished in their beds.

The Rebels Beaten.

RIO JANEIRO, Jan. 16.—The United States cruiser, New York, arrived today. Renewed firing between the forts and ships and both sides have resulted in considerable loss of life on the insurgent vessel, which retired.

THE PRUSSIAN DIET.

The Opening Speech by Emperor William.

BERLIN, Jan. 16.—Emperor William opened the Prussian diet today. In his address he said the growing efficiency in the estimates could only be removed by a reorganization of the finances of the empire and an adequate increase of the resources. The emperor added that the government would continue its efforts to promote the prosperity of the agricultural classes and enable them to cope with the hard times.

THE DEADLY CIGARETTE.

Emporia, Kansas, Gives It a Decisive Legal Blow.

EMPORIA, Kan., Jan. 16.—The city council passed an ordinance placing so high a license tax on cigarettes that their sale is effectually stopped in this city. It prohibits any sale to children under sixteen years. Recent investigations have showed that not only most boys but a large number of girls are addicted to the habit.

ANARCHISTS IN ITALY

A Pitched Battle Reported Near Tirano.

ROME, Jan. 16.—Most sensational news is received from Carrara. The inhabitants were terrified by the sound of heavy firing in the hills near Tirano, where a band of six hundred to a thousand anarchists were reported fighting a pitched battle with a force of infantry and gendarmes, sent against them.

It is believed the loss of life is great as the infantry, according to the report, the been firing volley after volley at the anarchists. The latter are said to have taken a strong position behind the rocks in the hills and to make a desperate resistance.

It is reported finally that they were defeated and fled, leaving the dead and wounded on the field.

LATER.

It now transpires that an armed band of anarchists gathered at Tirano and overran the village, compelling the people to deliver up all the arms and ammunition they had. The anarchists then secured all the wine and spirits procurable, and prepared to march upon Carrara. A later dispatch says the number during the fight was not as great as the people of Massa had reported. Official advices state that eight anarchists were killed and forty-five wounded. The people of Massa claim to have fifty prisoners shot during the engagement.

Flourine Mills Burned.

CHARLESTON, Ills., Jan. 15.—The Wing Roller mills, the largest in this part of the state, burned last night. Loss, $100,000; insurance, $45,000.

The Coughlin Case.

CHICAGO, Jan. 15.—In the Coughlin case today, Halford, clerk in the Sullivan store, failed to identify the piece of carpet taken from the Carson estate.

Dr. Mayer Crugier was called to testify concerning the missing shirtbands transmitted between Chief of Police Hubbard and Coughlin before Coughlin's arrest. He also entirely failed to throw any light on the subject.

Crugier said he believed Dr. Iranscoln had been put into his hands, but he had not the faintest idea who had become of it unless it was burned with other papers.

Then the prosecution introduced expert testimony on the cause of Dr. Cronin's death.

It is reported the defense has found in Arizona the man who fired the shots heard by Mrs. Sullivan, it is alleged, drive Cronin to his death. That man is now here and will testify that he hired the horse to drive to visit a relative in the northern part of the city. That the relative will corroborate his testimony; and that the owner of Dinan's livery stable will identify him as the man who hired the horse.

TRANSFERRING CURRENCY BANK BILL

WASHINGTON, D. C., Jan. 16.—The Senate finance committee today and Secretary Carlisle before it, discussed the banking bill. Nothing was done, however, the committee has not adjourned without action.

MAY BE MORE SNOW AS SAID BEFORE.

NEW YORK, Jan. 16.—A number of additional inches of a result of yesterday's snowfall at Hackensack bridge are likely to come. Several of the wounded are in a very precarious condition.

HOT AIR CAVE.

Some parties out in the hills, six miles east of Manti, in Sanpete county, recently discovered a strange freak of nature. It is an aperture in the earth surrounded by limestone formation, from which issue hot, dry air—or not that it smells at all the worse for a combination of sulphur, it also emits or "spits" out dry dust in considerable quantities. The discoverers jot down into it about six feet and find the heat to increase. There is no disagreeable odor in the fumes.

The Watson Estate.

The hearing in the matter of the estate of Robert Watson, deceased, came on as per continuance in the Probate court this morning, and occupied Judge Hall's entire time.

Visiting the Schools.

PAYSON, Jan. 15.—County Superintendent of schools D. H. Christensen is down from Provo making a visit to the various departments of the Payson district schools.

THE REFORM SCHOOL,

Information Regarding this Territorial Institution.

On the occasion of the visit of the Legislature to the Reform school at Ogden yesterday, the following facts were elicited in relation to it:

The commitments during the year just ended were: Cache, 1; Garfield, 1; Sanpete, 2; Salt Lake, 25; Summit, 1; Tooele, 1; Utah, 7; Washington, 1; Weber, 3.

The crimes committed were: Assault to commit robbery, 1; attempted rape, 1; larceny, 16; house-breaking, 3; larceny, 1; incorrigibility, 16; petit larceny, 11; grand larceny, 4; robbery, 1.

Ages, 10 years, 3, 11 years, 1; 12 years, 1; 13 years, 6; 14 years, 9; 15 years, 7; 16 years, 6; 17 years, 11.

Nativity—California, 1; Germany, 1; Idaho, 1; Louisiana, 1; Minnesota, 1; New York, 1; Nevada, 1; New Zealand and Tennessee, one each; Kansas, Sweden and Wyoming, two each; Missouri, four; Utah, twenty-one.

The present number of inmates is 99—93 boys and 6 girls.

The average cost of each inmate is $257.56 per annum, covering $130.00 for food, $21.94 for clothing, $16.84 for salaries, and $29.73 for general maintenance. The blacksmith shop, a brush factory and a printing office are, as yet, all the industries followed, except farming in its season.

The Governor and members of the Legislature appeared to take a kindly interest in the institution and its inmates.

A New Organization.

The Jordan River Concentrating company have filed articles of incorporation with County Clerk Maloy. Charles S. Wilson, Frank Harris, Jr., Sherman Jr., Fred C. Gentsch, John Olson, James H. Smith and Frank Knox of Salt Lake and George W. Ballentine of Denver are the incorporators. The object is the generating, transmitting, selling and selling of electric power. Capital stock $500,000, divided in 5000 shares of the par value of $100 each. Charles S. Wilson is president, Frank Harris treasurer, Hoyt Sherman Jr., secretary, and Frank Knox treasurer. The principal place of business will be Salt Lake City.

Slugger Richards Again in Trouble

Frank Richards, the colored prize fighter, is again in the toils, a condition that he gets into with wonderful regularity. This time also a depraved white woman is associated with him in his troubles. The latter is known as Emma Thomas and is a notorious character. Last night the pair were arrested in a West Temple street lodging house together. The charge preferred was fornication, and the police claims abundant evidence to convict.

Divorce Proceedings.

In the Third district court Nellie Kennedy has filed a suit for divorce from her husband, John M. Kennedy. The parties intermarried at Wyandotte, Kans., in May, 1886, and it is claimed that the "money" has been a habitual drunkard for the past four years. Mrs. Kennedy further alleges that for the past year he has not provided for her and a half. In addition to a decree of divorce she prays that the custody of their three minor children be awarded her. Accompanying the complaint is the appearance of the defendant, waiving time to answer and consenting that a default may be entered.

FOR 1892 AND 1893.

Report of the Territorial Board of Equalization.

TOTAL ASSESSMENT FOR UTAH.

Taxable Property Listed in the Various Counties.—Additional Legislation Recommended.

The Territorial Board of Equalization filed its report for the years 1892 and 1893 with the Governor and Legislative Assembly this afternoon, and through the courtesy of Secretary J. J. Thomas he furnished the news media of the report the News received in present its readers with a full synopsis of the report in this issue. The Board of Equalization is composed of the following gentlemen: J. R. Dealy, chairman, R. C. Lund, J. E. Booth, W. W. Maughan, M. B. Snyder, A. H. Richardson and R. T. Hume, with J. J. Thomas, secretary.

The report opens with a review of its organization, following with the statement that during the years 1892 and 1893 the board visited every county in the Territory with the exception of Kane, Garfield and Uintah. It reviews the action of the board in 1892 in advancing the assessments on the following counties: Box Elder, real estate and improvements, 10 per cent; Water county, real estate, 5 per cent; Salt Lake county, real estate, 10 per cent; Sanpete county, 15 per cent; Sevier county, 15 per cent; Summit county, 10 per cent; and retain the work already done in assessment rolls in assessments and county courts.

Regarding the attempt made in 1893 to correct a very broad and apparent error in many a uniform reduction in the valuations as returned by the assessors, the Territorial board, believing that such action would be only temporary would be illegal, presented an opinion from its attorney, which signed last ballot. The opinion appears in the report. As a result of the action of the board, the time it was given.

The board also attention to the letter discussed by some of the county courts of section 2, subsection 2, of the act of 1890, and advises that measures be adopted to secure the enforcement of the law. It also advises that a change be made in the time for revenue laws so that assessor will report by May 15, county boards of equalization complete their labors by July 1st, and the assessment rolls be in the hands of the county by July 15 instead of August 1st. The expense of the board in excess of the appropriation heretofore made is $417.97. The board was largely for assessment rolls for the various counties for 1891.

The local assessment of the Territory for the year 1893, as compiled from the county reports to the Territorial board, amounts to $117,509,213.10. The Territorial auditor, in his report to the Governor, gave the amount as $113,114,842. There was a discrepancy of $2,390,033.16, which the assessors of the Territorial board say they are unable to explain.

LEGISLATIVE RECOMMENDED.

The board makes the following recommendations of change in the existing laws:

That the law making it the duty of the board to furnish counties with assessment rolls and tax-payers' statements be amended so as to include notices to tax-payers and tax-receivers, and the system be made uniform throughout the Territory.

That the law be amended so that the first subject of the assessment roll shall appear the tax-payer of the kind and value of his property.

That the law making it the duty of the board to furnish complete railway, depot, telegraph and telephone companies be amended to include "car companies." (This is to reach the Pullman car company's cars coming into Utah.)

That the preparing of plats for the use of the county assessor and their revision each year be left to several committee be made compulsory.

That there be appropriated for original and duplicate assessment rolls and taxpayers' statements, notices and receipts for the years 1894, 1895 and 1896, $3,000; $1,000 to be drawn each year, or so much thereof as may be necessary.

That the law be amended to require county assessors to have their rolls completed by May 15th.

That the county board of equalization be required to complete their work and be finally adjourn on or before July 1st, and that it be made the duty of the county clerks, immediately thereafter, to notify (not later than July 15th) in report to this board the total valuation of each class of property as enumerated on the assessment rolls, and the aggregate assessment of the taxable property, as corrected and approved by the county board of equalization.

RAILWAYS.

The Union Pacific railway assessment per mile of track for 1892 was $10,000 to $10,000 on its main line; $2,500 to $2,500 on its Oregon Short Line track; $5,000 to $5,000 on its Echo and Park City branch, with side tracks on all the branches from $1,000 to $3,000 per mile. The total rolling stock of the Union Pacific and its various branches in Utah in 1892 was assessed at $862,150. This, with real estate, improvements, etc., made a grand total of $10,410,221.

In 1893, the Union Pacific main line was assessed at $8,000 to $9,000 per mile; Oregon Short Line branch, $2,500 to $10,000 per mile; Echo and Park City branch, $5,000 per mile; Coalville branch, $5,000 per mile; with all other side tracks at $1,000 to $3,000 per mile. The rolling stock is valued at $862,150. With real estate, improvements, etc., there is a grand total of $8,895,746, or a reduction of $1,514,475 from 1892.

The Rio Grande Western was listed in 1892 at $8,000 to $10,000 per mile for its main gauge and $3,000 to $5,000 for its narrow gauge track; side tracks were assessed at $1,000 to $2,000 per mile. The rolling stock appeared at $131,150, and with the real estate and improvements added the grand total is $441,876.

For 1893, the Rio Grande Western is assessed at $8,000 to $10,000 per mile on its standard gauge track, and Eureka and Pacific at $3,000 per mile. The rolling stock is listed at $131,150. With the real estate and improvements added to the grand total is $1,410,918, or a decrease from 1892 of $969,276.

The Central Pacific assessment for 1892 was $7,500 to $14,000 per mile of track and a total of $292,500 for rolling stock. The grand total, including real estate, etc., is $1,375,000.

For 1893 the Central Pacific total is $1,033,196.75, or $342,543.25 less than in 1892.

The total assessments of other railroads in the Territory are listed as follows:

	1892.	1893.
Utah Central	[illegible]	[illegible]
Bingham branch	[illegible]	[illegible]
Salt Lake & Western	[illegible]	[illegible]
Salt Lake & Alta	[illegible]	[illegible]
Salt Lake City & Mercur	[illegible]	[illegible]
Utah Southern	[illegible]	[illegible]
Utah Southern extension	[illegible]	[illegible]
Utah Western	[illegible]	[illegible]
Utah & Nevada	[illegible]	[illegible]
Salt Lake & Eastern	[illegible]	[illegible]
Park City	[illegible]	[illegible]
Park City & Parley's Park	[illegible]	[illegible]
Park City & Kimball	[illegible]	[illegible]
Park City & Jordan	[illegible]	[illegible]
Park City & Ontario	[illegible]	[illegible]
Park City & Dalton	[illegible]	[illegible]
Park City & Anaconda	[illegible]	[illegible]
Park City & Alliance	[illegible]	[illegible]
Park City & Thaynes	[illegible]	[illegible]
Park City & Minnie Maud	[illegible]	[illegible]
Park City & Dalton	[illegible]	[illegible]
Total	[illegible]	[illegible]

The total assessment of railway companies for 1893 was $12,577,417.75. The only public roads where no increased valuation was made were the Salt Lake City and Salt Lake High Transit street railway companies.

TELEGRAPH AND TELEPHONE.

The telegraph and telephone companies are listed with property as follows:

	1892.	1893.
Rocky Mountain Bell Tel.	[illegible]	[illegible]
Western Union Telegraph	[illegible]	[illegible]
Postal Telegraph	[illegible]	[illegible]
Utah Home Telephone	[illegible]	[illegible]
Bingham Telephone	[illegible]	[illegible]

LIVE STOCK.

The total live stock assessment of the Territory for 1892 was: 67,417 horses and mules, $6,544,479; 258,403 cattle, $3,099,000; 1,161,000 sheep, $1,161,000. Grand total valuation, $9,221,563.

For 1893: 92,492 horses and mules, $8,708,879; 260,007 cattle, $2,962,219; 1,425,100 sheep, $2,525,301; $8,196 swine, $12,309. Grand total valuation, $13,708,403.

OTHER PERSONAL PROPERTY.

There are listed in 1892, 14,034 individual lines valued at $44,682; merchandise and trade fixtures $5,795,343; moneyed, loan, etc., $2,150,481; money, judgments, etc., $3,000,665; miscellaneous, $2,303,413.15. Total personal property for 1892, $21,001,862.75; for 1893 it was $20,932,442.15—a falling off for last year of $2,068,420.45.

TOTAL ASSESSMENT.

The total assessment in the Territory for 1892 was $117,116,809.31; for 1893, $117,509,213.10.

The total assessment of real estate for 1893 was $91,097,456.28.

The assessment by counties was as follows for 1893:

County.	Real Estate.	Personal Property.
Box Elder	[illegible]	[illegible]
Cache	[illegible]	[illegible]
Carbon	[illegible]	[illegible]
Emery	[illegible]	[illegible]
Garfield	[illegible]	[illegible]
Grand	[illegible]	[illegible]
Iron	[illegible]	[illegible]
Juab	[illegible]	[illegible]
Kane	[illegible]	[illegible]
Millard	[illegible]	[illegible]
Morgan	[illegible]	[illegible]
Piute	[illegible]	[illegible]
Rich	[illegible]	[illegible]
Salt Lake	[illegible]	[illegible]
San Juan	[illegible]	[illegible]
Sanpete	[illegible]	[illegible]
Sevier	[illegible]	[illegible]
Summit	[illegible]	[illegible]
Tooele	[illegible]	[illegible]
Uintah	[illegible]	[illegible]
Utah	[illegible]	[illegible]
Wasatch	[illegible]	[illegible]
Washington	[illegible]	[illegible]
Weber	[illegible]	[illegible]
Wayne	[illegible]	[illegible]
Total	[illegible]	[illegible]

BOARD EXPENSES.

The expenses of the board for the past two years amount to:

For 1892	[illegible]
Stationery	[illegible]
Postage	[illegible]
Telegraph, telephone and express	[illegible]
Office rent	[illegible]
Printing original and duplicate assessment rolls, notices, taxpayers' statements, stationery, envelopes, reports, etc.	[illegible]
Total	[illegible]

The appropriation made by the last Legislature was $6,000, leaving a balance of $617.97, which the present Legislature is asked to appropriate.

AFTER A LONG ILLNESS.

William B. Smith, President of the Davis Stake, Passes Away at His Residence Last Night.

William B. Smith, president of the Davis stake, died at his home in Centerville last night at 7:30, after a long and severe illness, resulting from stricture of the bowels.

William Reed Smith was born near Farmersville, Ontario, Canada, August 11th, 1828, and was therefore in his sixty-eighth year. His father was a native of the New England states, but removed to Canada, where he married Mary Reed, mother of the deceased, who was the daughter of Major Reed of the British army. President Smith was the youngest of nine children and was left an orphan in his early childhood. He consequently was placed in a home with a Quaker family by the name of Patrick. From the time he was three years old until he was six teen he was mostly cared for by this good family.

In the fall of 1837 the Patrick's with three of their sons and their families, came to the United States, settling in Stark county, Illinois. About this time large numbers of the members of the Church were moving into and building up the city of Nauvoo and it was then that the deceased became interested in Mormonism. In 1841 he was baptized into the Church and during the same year started on a mission to his native country, in company with Elder Orson Hyde. After joining the Church Mr. Smith took up his residence in Nauvoo, where he remained for a year and a half, during the whole of which time, however, he was in a feeble condition from frequent and severe attacks of chills and fever.

At the expiration of this time he returned to Stark county, where he engaged in stock raising until 1849 when he was called to the Rocky Mountains, arrived in Salt Lake City some time later. In 1850 he went to California where he was mining business, while some months later he returned to Utah settled in Centerville, where he continued in the stock business and where he made his home up to the time of his death. He subsequently built large herds of stock in Idaho, which he disposed of from time to time advantageously.

In the spring of 1852 he was ordained Bishop of Centerville, and in 1857 was made captain of the Nauvoo Legion, which the Canada Valley near the mouth of Bear River and arrived in Salt Lake City during the following month after a very tedious journey. Previous Smith returned his outfit over the Centerville road, and unfortunately encountered many difficulties on the way. Upon his return to Utah he was made a member of the Utah Legislature—Provisional Territorial Legislature, and afterwards—in 1856—he was again elected to a seat in the Council. In 1871 he was elected probate judge of Davis county and held that office for nine years.

In June, 1872, he was appointed president of the Davis stake, a position he filled until the end of his long and useful life. He also served as a mercantile and was at home a most affable and hospitable host. In all of his different trust, both civil and ecclesiastical, he exhibited nothing except unselfish judgment and fearless ability. He was ever known as one of the most consistent men of the Territory. He leaves a large and well respected family to mourn his death.

Missionary Benefit Concert.

A concert in honor and for the benefit of Elder Rudolf Grigg, who has been called to fill a mission to Switzerland, his native land, will be given in the Seventh ward assembly hall on Wednesday evening, under the auspices of the Missionary Aid society. An entertaining program has been prepared and it is to be hoped enough persons will respond to the invitation, which is freely extended to all, to fill the house and enjoy the entertainment.

An Additional J. P.

At yesterday afternoon's session of the county court, subsequent to the close of the News report, the following resolution was adopted: "Whereas, it would seem from the statements of various persons, whose petitions are now on file, that an additional justice of the peace in the Fourth precinct of Salt Lake City would be a public convenience; therefore be it resolved, that we, sitting as the County Court, appointed an additional justice of the peace in and for the said Fourth precinct of Salt Lake City, Utah Territory."

Got Through at Last.

The county court, before adjourning yesterday afternoon, passed a resolution granting to W. H. Rowe et al an electric railway franchise. The line will extend from the city limits to Big Cottonwood canyon. The company will be permitted to charge 15 cents for a single continuous passage from the city limits to the terminus, but between the terminus points they can charge in proportion to the distance traveled, where the charge is not less than 5 cents. The remainder of the resolution is surrounded by the customary restrictions. The matter was under discussion for greater part of yesterday.

Resulted in Death.

Robert Moore, the section foreman who was accidently injured at Frisco, Southern Utah, on Thursday last, says the Ogden *Sun* of last evening, succumbed to his injuries at the Union Pacific hospital this morning. The unfortunate man received his injuries by being accidentally run over by a car while attending to his duties, and although everything has been done to save his life since his arrival at the hospital all efforts were without avail. Deceased was a young man and unmarried.

Gas Shale.

Quantities of gas shale have recently been discovered in Sanpete county. Ledges have also been located near Mayfield, in that county. The sample from that forty per cent gas, while it is said the Australian gas shale contains from eighty per cent and contains forty dollars a ton. The article from Sanpete county, it is said, can be laid down in this city at a very low price, at twenty dollars a ton. It is thought it will improve greatly in quality as it is developed.

Canal Construction.

The Iron county *Record* says that the Great Eastern Reservoir & Irrigation company is taking out a high line canal from Coal creek for the purpose of bringing under cultivation the bench land north of Cedar City. Two miles of the ditch is already completed, and it is said that the rest of the ground work will be finished and the canal extended six miles further this season. There is a large amount of arable land subject to entry under the proposed ditch.

The Work Abroad.

Concerning the progress of missionary work in Denmark, Brother Adam Petersen, president of the Copenhagen conference, writes that it is very encouraging even though there are few baptisms. A spirit of freedom is being manifested among the people, and the enjoyment have no longer the power over the thoughts of men they formerly had. As a consequence of this the Elders have more liberty and the people are willing to listen to Divine Principles and hatred are vanishing, and the saints were never better in a more favorable light than at the present time. The Elders report that they can bear their testimony to their fellowmen.

THE SUPREME COURT.

One More Opinion Came Down From the Bench This Morning.

SPRINGVILLE CITY AS APPELLANTS

The Charges Against a U. S. Commissioner Dismissed.—Action Against a Local Bank.—Other Cases.

There was one more opinion handed down from the Supreme court bench this morning and that was delivered by Associate Justice Smith. It was in the case of Wilmer S. Henderson vs Daniel Turnbow et al, appellants, and was an appeal from the Third District court (Judge Zane's division.) The case were reported in these columns on the argumentts being made last week.

The plaintiff was a judgment creditor of the Wasatch Stone company, an insolvent corporation, of which the defendants were the corporators. It was an action in equity to recover from the defendants unpaid subscriptions to the capital stock of the company. In their answer the defendants alleged that they had paid their subscriptions by conveying to the company certain mining locations.

The issues were of opinion that the court below rightfully held the defendants responsible to the plaintiff and therefore affirmed the judgment. Judges Miner and Bartch concurred.

THE CHOU HSIEN WAN DIVORCE SUIT.

In the matter of the charges preferred by Messrs. H. M. Bonney and J. N. Peterson of Manti, Sanpete county, against U. S. Commissioner Zeilstra, who they alleged had appropriated a portion of their fees as witnesses in a criminal case heard before him, the court now dismissed the case.

FELL INTO A STREAM.

The case of Perry A. Thomas and Lavina M. Thomas, respondents, vs Springville City, appellants, was argued by Attorney Christopherson on behalf of the latter and by Sutherland & Thurman on the part of the respondents. It was an appeal from the First district court (Judge Blackburn presiding) and involved the hearing of an action for personal injuries sustained by Mrs. Thomas, caused by a fall from a bridge across a stream within the defendants' corporate limits, the same having been constructed by the backing off the bridge of the horse and buggy which she was driving. The defendants, it is alleged, were liable on account of the dangerous and unsafe condition of the structure, the floor of which had been recently repaired by nailing over a board a piece of plank; and it is also contended that a slight crack on the side of this nailed board enabled the horse to see through, consequently took fright, shied and backed over the end of the bridge and fell with the buggy into the bed of the stream. A verdict was rendered against the city for $2,000, signed by six jurors. Upon motion for a new trial the court struck $1,000 off the verdict, but the appellants insisted that even with this deduction it was unfair to any amount, as amount of errors occurring at the trial and that in any event the damages were excessive.

THE BANKS IN IT.

Fred S. Hadra, plaintiff and appellant, vs the Union National Bank, defendants and respondents, Lowborow & Hadra for the appellant; Williams & Van Cott for the respondent.

The bank named was authorized to collect a certain amount of rent due monthly to Messrs. Daly, Kellet & Hadra, which it did, paying the money to A. H. Jones, its cashier, for $60. When the check went into the Utah National it took the receiving and paying teller endorsed Jones's name thereon and stamped it "paid." The check was sent to the American National, on which it was drawn, for payment. This bank declined to pay it, however, because it was not personally endorsed by Jones, the payee mentioned on the check. After some trouble the officials of the American National telephoned to Hadra, who instructed them not to pay the check until properly endorsed by Jones. Hadra brought suit against the Utah National bank to recover damages on this state of facts; the jury in Judge Bartch's court found for the defendant, and the plaintiffs appealed to this court.

CONCERNING PROMINENT MEN.

Louis Hyams and John A. Erwin, plaintiffs and appellants, vs Thomas Hamburger and O. J. Salisbury, defendants and respondents. Jones and Skinner represented the former and Attorney Lewis the latter.

By the action in the lower court the plaintiffs sought to recover the sum of $15,30 0, the value of three promissory notes and 2,000 shares of mining stock in the Bullion-Beck & Champion Mining company belonging to plaintiffs and alleged to have been wrongfully converted by the defendants to their own use. Defendants denied this and the issues joined upon ownership. The case was referred by agreement to Judge J. A. Miles, who found for the plaintiffs, and judgment of the findings judgment was entered in favor of the plaintiffs for $282 and costs of suit. From action of the court below appellants move for a new trial the plaintiffs now appeal.

Judge Merritt Will Hear It.

In the suit of Gilbert D. Ames vs S. M. Green, et al, reported at some length in these columns at the time of its recent filing, the hearing upon the order to show cause why an injunction and restraining order should not issue was then referred to Judge S. A. Merritt.

Not on the Bench Today.

Chief Justice Zane did not take any part in the business of the Territorial Supreme Court today. As his House expects to step down and out this week, or early next, he does not desire to sit and hear arguments in any cases where opinions have to be prepared and subsequently handed down.