THE DISTRICT COURT.

A Sequel to the Assignment of George A. Alder & Son.

MRS. ANGELL GETS A DIVORCE.

Action Against the Salt Lake City Railroad Company for $10,000 as Damages.

Judges Merritt and Bartch have been occupied in their respective divisions today, the former with a suit arising out of the failure of George A. Alder & Son, formerly carrying on business as boot and shoe dealers on east First South street, and the latter with general matters.

ALLEGED FRAUDULENT PREFERENCE.

The action brought by the W. L. Douglas Shoe Co., of Brockton, Mass., against Geo. A. Alder and Geo. D. Alder (formerly trading as Alder & Son), Lydia D. Alder, Samuel H. Parkinson and the Union National bank, filed November 17th, 1892, came up for hearing before Chief Justice Merritt, A. W. Hayward & Co. and the Bay State Shoe & Leather Co. et al figuring as intervenors.

Joseph Schroeder, Booth, Lee & Gray, and Sheppard Cherry & Sheppard, represented the plaintiffs and intervenors; for the defendants Young, Young & Hoyle appeared.

It was originally sought by the plaintiffs to obtain a decree of court declaring the preferences made in the assignment of Alder & Son to the defendants named illegal, fraudulent and void as against the plaintiffs and other non-preferred creditors. As to Parkinson and the bank, however, a settlement had been previously reached, now leaving only the preference as to Mrs. Lydia Alder to be attacked.

It appeared from the complaint that in April, 1891, George A. Alder and his son George D. entered into partnership and carried on a boot and shoe business in this city under the firm name of George A. Alder & Son. That some time in October the firm became insolvent, the assets being about $9,000 less than the liabilities, and it was alleged by the plaintiffs that for the purpose of defrauding their creditors and for the purpose of enabling George A. Alder to prefer fraudulent claims and individual creditors they dissolved partnership by mutual consent, George D. retiring and George A. assuming the debts and "pretending to continue the business in his individual name," the latter (it is averred) well knowing at the time that he was unable to pay the firm's debts. It is further set out that on October 19th, of the same year, George A., with intent to cheat the creditors of Alder & Son, made a pretended assignment of his assets for the benefit of creditors, naming in the deed Samuel H. Parkinson, assignee, the Union National bank and Lydia D. Alder; that the preference to the Union National bank on two promissory notes in the sum of $1,200 and $800 and in the deed of assignment to Lydia D. Alder, wife of George A., were fraudulent—in the first case the indebtedness being the individual debt of George A. Alder and in the second $4,500 and given without consideration. On October 19th Parkinson took possession, as assignee, and proceeded to sell the stock. Plaintiffs, the W. L. Douglas Co., claimed that the sum of $168 was due to them for goods sold and delivered to the firm.

Among the witnesses was Geo. A. Alder, who stated that at the time of the assignment the liabilities amounted to about $12,300 and the nominal assets to a little over $9,000.

The hearing is in progress this afternoon.

Before Judge Bartch.

In the case of the Salt Lake Building & Manufacturing Co. vs the Salt Lake Amusement association et al, heretofore submitted on demurrers to complaint, the court now overruled the same. An exception was entered. The defendants' attorneys, S. H. Lewis and L. M. Armstrong, were allowed ten days to answer the complaint, and the hearing on further demurrers was set for Saturday, January 5th.

Salt Lake Building & Manufacturing Co. vs Wm. Naylor et al. Hearing continued till the first Saturday in January.

The motion for a new trial in the case of Thos. L. Lowman et al vs the Earl's Furniture, etc., Co. was argued and submitted. The case originally arose out of the failure of the defendant corporation, against whom the plaintiffs recovered judgment. The defendants' motion now sought a new trial.

A DIVORCE GRANTED.

The hearing of the divorce suit of Thirza Angell vs Albert Angell occupied a few moments only. The divorce was sought on the ground of failure to provide. The case went by default, the defendant, who is a quarryman, having withdrawn his answer on Saturday last. The parties intermarried in this city on April 12, 1882, and there is one child, Eunice Maud, aged 10 years. No alimony was now asked for and the court granted the decree as prayed, giving the wife the custody of the child.

SHE ASKS FOR $10,000.

A Damage Suit Lodged Against the Salt Lake City Railroad Co.

Through her attorney, H. S. McCallum, Honora Murray this morning brought suit in the Third district court against the Salt Lake City Railway company to recover damages in the sum of $10,000 for personal injuries.

On September 13th, of the present year, Mrs. Murray was a passenger on the Lake Breeze car, coming towards the city. She hailed the car somewhere near Fifth West street, and had only reached the platform when, as she alleges, the motorman set the car in motion without either a signal from the conductor or himself giving the slightest warning. Plaintiff was thrown backwards against the power-box with great violence, and being with child at the time a miscarriage resulted. Her back was badly and, as she avers, permanently injured. Carelessness on the part of the company's servants is therefore alleged.

The Old and the New.

The last weekly meeting of the "old" county court was to have been held this morning, but owing to a meeting of the joint city and county building committee taking place, the selectmen decided to adjourn until this afternoon, when all arrears were to be wiped off, so as to leave a clean path for the incoming selectmen. The latter intend to assemble in the county court room tomorrow morning, shake hands, exchange congratulations and arrange a program for future work.

The New Year's Changes.

Today ends the official life of all the old county officers and by tomorrow morning a pretty clean sweep will have been made. Active preparations towards that end are now going on in the various departments, and the newly-elected officers are getting ready to step into their respective places. Most of the present under clerks will step down and out. It is learned, however, that among those whose services will be retained in the sheriff's office are Deputies Montgomery and Steele, and Night Guard Jensen of the county jail. County Clerk Hanson has chosen as his deputy Mr. Al Rose, a gentleman well known in newspaper circles in this city.

A Benedict Now.

About ten days ago Mr. D. S. Taggart, the highly popular traveling passenger agent of the Union Pacific stationed in this city, slipped quietly away to spend the holidays with his relatives and friends in the East, as he said. Today's mail brings the information in the shape of a neatly printed wedding card, announcing his marriage at "high noon" on Christmas day to Miss Louise Wallace, daughter of Mr. and Mrs. Charles D. Wallace, of York, Pennsylvania, where the happy union took place. Friends here say that the bride is a very pleasant and accomplished young lady. A host of acquaintances wish them an abundance of life's blessings. Mr. and Mrs. Taggart will be "at home" to their friends in this city after January 15th.

Personal.

Alexander Badlam, of San Francisco, California, was in Salt Lake today looking after business interests and visiting friends. Mr. Badlam's father, who was well known in this city, died about a month ago.

AMUSEMENTS.

LOTTIE COLLINS departs at the Theater, at the head of her variety or vaudeville company, tonight. Fred Solomon, the noted comedian, accompanies her as leading man.

LONDON ASSURANCE opens the second week of the new opera house tonight.

A BOX OF MONKEYS is the title of a clever two act society piece which Miss M. M. Babcock and several of her pupils in the school of culture rendered before a good audience at the Social Hall Saturday evening. The players all acquitted themselves most creditably, and the piece caused the utmost merriment from beginning to end. Miss Babcock herself played the elderly worshiper of everything English with ease and with evidently a thorough stage acquaintance; both Miss Cannon and Miss Taylor did excellently, the contrast between the American and the English girl being very well brought out. Mr. Best displayed decided talent in a very difficult part, and though his accent was uneven, his ease and general conception deserve high commendation. Mr. Soraco was also easy and natural as the young American. The first part was short, but entertaining, all who participated acquitting themselves with credit.

Searching for Mary Jane Garlick.

Henry Hilton who arrived in this city from Paris, Kentucky, on Friday night last accompanied by John Kraft and wife called at the police station today and requested Captain Donovan's assistance in an effort to locate a Mrs. Mary Jane Garlick. The directory does not give the name of such a person residing in Salt Lake. The lady's maiden name, says Mr. Hilton, was Glospy or Gillespie. He says also that she was a Mrs. Primsett, before becoming Mrs. Garlick. Any person knowing of her whereabouts will confer a favor upon Mr. Hilton and Mr. and Mrs. Kraft by communicating that information to them at the Salt Lake House, near the corner of Second south and Second west streets.

For the Metric System.

Geo. Q. Coray, secretary of the Utah Metric Society, went to Provo this afternoon in the interest of the metric system movement. Mr. Coray will spend two or three days in the Garden city and will endeavor to persuade the business men of that community to assist in the effort to have the system introduced in this Territory. He took with him the endorsements of the most prominent merchants and professional men of Salt Lake, who are almost unanimously committed to the proposition.

Thanks!

With the season's compliments and their own, the Hughes Fruit and Produce Co., of this city, remembered the News with a box of fine oranges, large, sweet and juicy.

No One Yet Named.

A vacancy having occurred at the penitentiary through Guard Janney's resignation to rejoin the city police force, Marshal Brigham has the applications of several candidates for the position under serious consideration.

Back From the East.

Mr. L. H. Bailey, U. S. Marshal Brigham's private secretary, returned from the East this morning, after an absence of about six weeks. After staying a few days, on the eastward journey, at Washington, where he had some business to transact in connection with the marshal's office, Mr. Bailey proceeded to Trenton, New Jersey, where his wife is wintering at the home of her sister. On the return trip he spent a short time with his parents in southern Ohio, and altogether had a most enjoyable vacation.

For Money Due.

In the Third district court this afternoon W. J. Robinson, of Grantsville, Tooele county, brought suit against George B. Jund to recover $[illegible] on a promissory note, with interest and costs. As a second cause of action plaintiff sues for the sum of $15 [illegible], balance of account for merchandise.

Smith vs Clasbey.

On behalf of the plaintiff in the suit of A. C. Smith vs Jas. T. Clasbey, tried before Chief Justice Merritt last week, Attorney Street (Day & Street) this afternoon filed a motion asking that the U. S. marshal sell all the property, assets and good will of the late firm of A. C. Smith & Co. at public auction to the highest bidder, under such terms and conditions as the court may direct.

New Year's Day.

Tomorrow being New Year's day the courts will remain closed.

The Two Demurrers.

In the case of Bountiful City vs. Parkins, the demurrer of the defendant has been overruled and in that of Thomas James vs Bountiful City, the demurrer of the defendant sustained.

The January Number.

The current number of that most excellent magazine, *The Contributor*, is from the press. The table of contents gives a list of interesting and valuable articles, as follows: Beyond the Arctic Circle (illustrated); Temple Manifestations—St. George and Manti Temples; Midget—a New Year's Gift; Scandinavian Reminiscences III—First Brown in Denmark; Shining Lights (illustrated)—Frederick, Joseph F. Smith; Preaching and Preaching; College Department—The Development of Government in Ancient Athens; A Failure in Life; What We Owe the Jews; M. I. Manual, part II; Editorial; The True Poet; Music—Love is Love.

Will Not Issue Tomorrow.

Tomorrow being New Year's day and a legal and general holiday, the News will not be published again until Wednesday evening, until which time it bids its patrons and the public good bye and hopes that the coming year will be happier and more prosperous than any which has preceded it.

Land Office.

The following filing was made in the local land office under date of Dec. 31:

J. H. Bedden, of Hoytsville, Summit county, additional homestead entry of the east half of the southeast quarter of section 4, township 1 north, range 5 east.

Charles H. Wilcken Jr., of Wasatch county, desert entry of the northeast quarter of section 15, the east half of the southeast quarter of section 10, the southwest quarter of the southwest quarter of section 11, and the northwest quarter of the northwest quarter of section 14, township 3 south, range 7 east.

Andrew Rasmussen, of Milton, Morgan county, final desert entry of the unsurveyed southwest quarter of the southwest quarter of section 22, the southeast quarter of the southeast quarter of section 22, the west half of the northwest quarter of section 26, and the east half of the northeast quarter, the northeast quarter and the southeast quarter of the northwest quarter of section 27, township 3 north, range 19 east.

Hernabit Hamble, of Uintah county, desert entry of the southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter of section 22, and the northwest quarter of the northwest quarter of section 27, township 3 north, range 19 east.

Bullion, Beck and Champion mining company, mineral entry of the Dagenais lode, in Tintic mining district, Juab county.

Messrs. Silver Mining company, mineral entry of the Moana lode, in Uintah mining district, Summit county.

REQUISITION RECALLED.

Constable Linton Will Go Back to Oregon Without A. C. Brown.

Constable Linton of Eugene, Oregon, who has been in this city for nearly a week will go back to his home without A. C. Brown the man whom he wanted returned on a charge of larceny as bailee.

That point was settled this afternoon when Governor West received a telegram from Governor Pennoyer, saying: "I recall requisition papers for A. C. Brown."

It was believed on Saturday that such action would be taken by Governor Pennoyer by reason of Utah's executive telegraphing to him that he believed he had been imposed upon and explaining the circumstances as they appeared at this end of the line.

The case was a trivial one and should not have been pressed as it was. Brown now talks of bringing a heavy suit of damages against Oregon officials for injuring his good name.

The Prophet's Birthday.

Monroe, Sevier Co., Utah,
Dec. 27, 1894.

Editor Deseret News:

The Sunday school workers, in order to commemorate the birthday of the Prophet Joseph Smith, set apart Saturday, the 22nd inst., for that purpose. The meeting house was beautifully decorated with evergreens, drapery, mottoes, pictures and the National Colors, the central picture being the martyred brothers, with the motto, "Absent but not Forgotten" and in gold letters in a very artistic manner by our local expert, Sister Annie Hanson.

The exercises consisted of songs, speeches, recitations, music, etc., appropriate to the occasion. The commodious house was densely packed. Visiting brethren on the stand were W. H. Clark, of the Sevier Stake presidency, Elder Allen, of the Panguitch Stake, and Brother O. F. Hunter, of Salt Lake, all of whom spoke in a very interesting and spirited manner. Five veterans wearing badges, who have seen the Prophet Joseph, presented themselves before the audience. This formed the reflection: "How long shall the people enjoy a living witness who has seen and conversed with the great Prophet of the latter days?" Five who had crossed the plains in hand cart companies also presented themselves. An incident in the life of Sister Brown, one of the five (then Sister M[illegible]), whose husband was drowned in the Sevier river during Indian troubles, her body never being recovered was given. On July 23, 1857, when just west of Laramie, she retired from camp with a few of her friends and gave birth to a daughter, returned to camp at night, was on the next day rode in the baggage wagon, but on the day following resumed her place in the handcart and continued there until the arrival at Salt Lake City, Sept. 12, of the same year. With the exception of being very deaf she is sound in mind and body. The daughter born under such circumstances is a resident of Monroe and the mother of nine children.

Truly the prophetic hymn was realized on this occasion:

[illegible]

The circumstances of those days and services then, compared with the ease and comfort of the palace cars of today, makes almost a miraculous contrast.

While all the parts were carefully rendered, the hymn, O My Father, etc., by Thomas Hansen, and O My Mother, by F. G. Gruis and company, were especially fine. These two meetings will be long remembered for the high class entertainment and the good spirit that prevailed. SPECTATOR.

PROVO.

PROVO, UTAH, Dec. 31, 1894.

First District Court.

The following business was transacted in the First District Court, this morning:

The case of Provo city vs the several irrigation companies and persons taking water from Provo river, was continued till Wednesday, Jan. 2nd.

W. F. Hunter et al vs Joseph F. Robinson; time to serve statement and affidavit on motion for a new trial extended to January 7th.

In the case of Nathaniel Williams vs A. F. Whipple, defendant appeared before Judge King and was examined as to his interest in 500 bushels of wheat deposited with the Provo Milling Co. to the credit of A. F. Whipple & Co. for the purpose of determining whether any portion of the wheat could be levied upon under a judgment in favor of plaintiff. After hearing evidence Judge King made an order that one-fourth of the wheat be held pending a suit by plaintiff to determine the ownership.

Emma Williams, of Heber was granted a divorce from James Williams, in conformity with the report submitted by A. C. Hatch, referee to take evidence in the case. Mrs. Williams was permitted to resume her maiden name of Emma Kinsey.

The Provo Furniture & Carpet Co., of Salt Lake City, has commenced suit against Patrick Condon and Mary A. Condon for $1,020, due on a promissory note, and for foreclosure of mortgage given to secure the same on real estate in Silver City, Juab county.

Garden City Notes.

Hyrum Lewis Iverson, of Spring[illegible], aged 25, and Ann Maria Thacker, aged 19, of Wallsburg; Perry Allen Pierce, aged 19, and Nellie Brown, aged 19, both of Provo, have taken out marriage licenses.

Laura Matthews Smith, wife of Josiah Smith, of the Third ward, died last Saturday after an illness of several months. She leaves a husband and one child. The funeral services were held today in the Third ward assembly rooms.

Last Thursday Evans Williams, who was serving out a sentence for stealing, made his escape while at work on the streets. The same day an overcoat, belonging to a traveling man by the name of Robinson, was taken from the Hotel Roberts. On Saturday Sheriff Brown learned that the coat had been sold at P. V. Junction. He went up to get the coat, and followed Williams, who had sold it, to Castle Gate and arrested him. Williams will now have a charge of housebreaking to answer to.

Guy Nelson, of Springville, appeared before Commissioner Dusley last Saturday to answer to a charge of fornication. After hearing the evidence the Commissioner Dusley held the defendant over to await the action of the grand jury in $300 bonds.

The Provo opera house was sold today under a trust deed to S. R. Jones for $6,750. The building cost the company when erected is about $30,000.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $71,[illegible]. Year's clearings, $[illegible]. Last year, $[illegible]. Month's clearings, $[illegible]. Same month last year, $[illegible].

TODAY'S QUOTATIONS.

New York.—Silver, [illegible]; lead, $3.00.
London.—Silver, [illegible].

ORE AND BULLION.

Wells, Fargo & Co. reported today: Base bullion, $1,[illegible]; ore, $[illegible]. Total, $[illegible].

McCornick & Co. received today: Silver and lead ore, $[illegible]; Hanauer bullion, $[illegible]. Total, $[illegible].

T. R. Jones & Co. received today: Base bullion, $[illegible].

REAL ESTATE.

[illegible]

New York Stock Market.

[illegible]

STOCKS AND BONDS.

[illegible]

CHICAGO MARKETS.

[illegible]

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

A Handsome Complexion
[illegible] Pozzoni's Complexion Powder [illegible]

NEW EDITION OF THE
LATTER-DAY SAINTS'
HYMN BOOK
For sale by the Deseret News Pub. Co.
PRICES: 35c. TO $1.85.

SUNOL!

ROBERT BONNER
Superintending the shoeing of Sunol with the Putnam Nail.

[illegible]

[signature]

The Putnam Nail is the only exclusively Hot-Forged and Hammer-Pointed nail.

Look in your smith's shoeing box. If the nails have smooth edges for the whole length they are the PUTNAM, for they are Hammer-Pointed and are not sheared.

[illegible]

PUTNAM NAIL CO.,
Neponset, Boston, Mass.
For Sale by Z. C. M. I. and Branch Houses.

R. K.
THOMAS,
26, 28, 30, 32, East First South Street,
Salt Lake City.

A TREMENDOUS
HOLIDAY
SALE
Commencing Dec. 1st.

If you want Useful Presents at Ridiculously Low Prices, you will call and look at the Immense Bargains we offer in

SILKS,
VELVETS,
DRESS GOODS
AND TRIMMINGS,

A Stock of $25,000

Which we will offer without reserve at Prime Cost and less, up to the 31st of December, 1894. First come, first chosen. Everything marked in plain figures and displayed in centre of store. This does not consist of old stock but Choice, New Goods.

Elegant Silks, Velvets and Trimmings, for evening and street wear. No lady can afford to miss this opportunity, and no gentleman should fail to buy his wife a dress. We do not resort to the sensational and clap trap in our advertising, and we desire to inform our patrons and the public our object is to serve two purposes, the first to give you Bargains, and the second is to advertise our store, feeling assured this will lead to a continued patronage.

IN THIS SALE WE WILL OFFER

500 Kid Body Dolls, 25c, 50c, 75c, $1.00. Half Price.

Two Lines Silk Initial Handkerchiefs, 25c and 75c, worth 50c and $1.25

50 doz. Ladies', Men's and Boys' Fur Top Kid Gloves, 50c, 75c, $1.00. Very Cheap.

$1.75 Grade Foster Kid Gloves, 5¾ 6, 7, 7½, $1.00 pair.

$1.00 Grade Foster Misses' Gloves, 4½ to 5½, 50c pair.

60 doz. Assorted Fascinators, special Prices.

Knit Underwear and Hosiery, Reduced for this Sale.

SHOES AND SLIPPERS,
BOYS' CLOTHING
AND WAISTS,
MEN'S AND BOYS'
SHIRTS,
CLOAKS AND SHAWLS.

Everything Goes at Sale Prices.

R. K.
THOMAS