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DESERET NEWS COMPANY

CHARLES W. PENROSE, EDITOR,

Friday, January 20, 1858.

ATTACHMENTS IN CIVIL CASES

tion thereon, would sweep away all the protection which a debtor now has in dentist, for \$5,000 damages. The facts this Territory against having his property attached by any one or more of his creditors, before judgment, with-out notice, and in a summary manner. The gist of the bill is contained in its first two sections, which are as follows:

"SEC. 1. The plaintiff, at the time of issuing the sammons, or at any time afterwards, may have the property of the defendant attached, as security for the satisfaction of any judgment that may be recovered, unless the defen-dant give security to pay such judg-ment, as in this chapter provided, in the following cases:

the following cases: 1-In an action upon a judgment 1.—In an action upon a judgment, or upon contract, express or implied, for the direct payment of maney, where the contract is not secured by any mortgage or lien upon real or personal property, or any pledge of personal property, or, if originally so secured, such security has, without any act of plaintif, or the person to whom the security was given, become valueless. 2.—In an action upon a judgemint, or upon contract, express or implied, against a defendant not residing in this Territory.

Territory. SEC. 2. The clerk of the court must issue the writ of attachment upon re-ceiving an affidavit by, or on behalf of plaintiff, setung forth: 1.-That the defendant is indebted

to the plaintiff (specifying the amount, as near as may be, of such indebted-ness over and above all legal set offs or counter-claims) and waether upon a jadgment or upon a contract, for the direct payment of money, and that the payment of the same has not been se cured by any mortgage or lien upon cured by any mortgage or lien upon real or personal property, or any piedge of personal property, or, if pretty mouth and then gravely whis-pered to each other. Next Dr. Edgar T.Weed, a fine-look-ting young man with a silky beard, ex-(v has, without any act of the plain-tiff, or the person to whom the securi-

ty was given, become valueless, or -That the defendant is indebted to the plaintiff (specifying the amount, as near as may be, of such indebted-ness over and above all legal set-offs or counter-claims) and that the de-fendant is a non-resident of the Terri-

tory; and 3. That the attachment is not sought, and the action is not prosecuted to hinder, delay, or defraud any creditor of

The above provisions mean that any debtor in this Territory, say for excomplainant, but ponderous medical works were brought out by the deample, a country merchant who owes ample, a country instriant who owes emeants to a number of wholesals houses, who is honest, engaged in a strictly legitimate business, and is sol-vent, may suddenly have his store closed and his stock taken charge of by an officer, should a suspicion of his

ing up the facial machinery to go a cer- this time on. They will doub'less be lived in a one-story hut, with a tain time and then stop, like an ordin- as adroitly and persistently employed barn a short distance away. An inary watch or clock, the cessation only as were the tactics resorted to immedbeing reached by the stoppage of the lately after the appearance of the mespatient's breath. The most prolific if sage to show that Mr. Cleveland and not the only cause of this perplexing his party were "a nest of free trad- almost beneath a trap which had been affliction is a bungling dental opera- ers." The shifting effort will doubt-

less meet with the same fate as the tion. The New York World tells of a suit other-a gradual collapse-and for the for damages planted by a young woman same reason, that the people read and recognizable. Mr. Gregg says four against a dentist, who had, she think and the majority of them cannot exactly see it in that light. claimed, extracted a couple of teeth and in place thereof planted a click on

her jaw. The description of the trial was written by one of the World's humorous reporters, and we here give the

EXCUANCES which give particulars of larger portion of it: the late horrible weather in Minnesota, "A BILL providing for attachments," which has passed the Council, and was yesterday sent to the House for its ac-tion thereon, would sweep away all the the spinal column of a person even in Ferdinand Hasbrouck, a Broadway a superheated atmosphere. Probably Dakota was the greatest On the 18th of November, 1885, Miss sufferer from the extreme low temper-

Dunn was suffering from a severe toothache. She went to Dr. Has-brouck's office and had the two first melars in her apper jaw drawn by one of the assistants. She went home and lived on a diet of tea and milk for several days. After the swelling had subsided she began to eat solid food. To

her alarm she lound that when she went to chew her jaw clicked merrily. She laughed, and her laugh died away as the click grew louder. The clicking operation was accompanied by intense rate the wind increased with great arctic weather. It appears that the rapidity, and inside of five hours the servant girl at the house where the mercury darted down 35 degrees. In places objects were not disceruipain, and at times it compelled her to stay in bed. Hence the suit for dam-

At the trial yesterdar the foregoing was practically Miss Dunn's testi-mony. The defendant testified that Miss Dunn had come to his office and had two teeth extracted. This was two years ago. He did not see her again until May of last year, when she came and said she was suffering in-children on their way from school. came and said she was suffering in-tense pain. He made an examination but found apparently no trouble. The clicking might exist, he said, but it was probably caused by yawning, laughing or biting some hard sub-stance. It was probably the latter, as according to Miss Dunn's testimony, she was not troubled with the clicking appallingly numerous, scores of peo- doors, while all the windows in the she was not troubled with the clicking

until she had eaten something in a downtown restaurant. This part of the testimony excited a general smile. Then Dr. Frank Abbot, one of the defendant's witnesses, went up to Miss during the late inclemency makes one in a boiler or reservoir in another Duan and requested her to open her mouth. She did so, and after looking ashamed of the grumbling that has room. In this instance the botler into the pink cavern he asked her to work her jaw. Click, click, went the eccentric joint, and Dr. Abbott ac-knowledged he heard the mysterious phere in this region has net been posi-by two iron pipes, through which tively sultry compared to what it has the heat circulated. During the night been in other parts, it has at least a window was accidentally left open been tolerable. We think more than and these connecting pipes froze up. ever of our Utah climate, and we al- | When the fire was started in the mornplained that the mysterious noise was ways did entertain an appreciative ing and heat began to generate, its way caused by the stretching of the liga-ments of the jaw. He said that every time Miss Dunn would sentiment in regard to it.

laugh at a joke or try to masticate a beefsteak the jaw would click, thereby causing much incon-venience to the owner. It never could be cured, but must click on for-MORE ABOUT MT. PISGAH.

Under the head of "A Mormon Monument," the Alton, Iowa, Enter- lookout for such little secidents. prise of the 12th inst., publishes the

THE RECENT FREEZER.

ature and the bitter howling blasts

This seemed to impress the jury, and they were so silent that when a juror following in relation to the Mt. Pisgah asked Miss Dann some questions they Bary.ng Ground : easily heard that fatal click. It looked like a verdict for the fair

TO-DAY'S TELEGRAMS "For the past year there has been correspondence between the Mormon authorities at Salt Like, and Mr. A C. White in regard to the crection of a A Town in Minnesota Cut Off from monument to the memory of the dead at Mt. Plsgah, in Jones township. In this cemetery there are between 400 and 500 graves; among them is Bishop Huntington. We copy from Colby's Atlas the following: "it was here the Mormons mide Grain Elevator at Janes-

their temporary sojourn from 1846 to

52, and their 'B g Field,' as it was

called, which composed Sec 7, 8, 16, 17 and 18, containing about 1,400 acres of

and is, containing about 1,400 acres of land, was situated within its limits. It was enclosed on the north and east sides with a good fence of rails and poles, while the west and south por-lions were protected by Grand River, which was its boundary."

Mr. White, some time ago, sold the land occupied as a cemetery and since then has enclosed the lot with a sub-

stantial fence, and the work of build

Another Victim. DUBLIN, Jan. 20.-Blane, member of vestigation showed that the house had Parliament for South Armagh, was arrested at Armagh at the same time Father McFadden was taken into cus-tody. He was committed for trial on the charge of making speeches inciting tenants to resist the authorities. a cellar, and in this was the decomposed body of a man. This body lay built in the floor. In one corner of the

cellar were found two other bodies. Undervaluation. both so far decomposed as to be un-NEW YORK, Jan. 20 .- The investiga

tion by Collector Magone into cases of bodies were found buried beneath the under-measurement of textile fabrics stable, one of which was that of a imported from Europe, fixed the value woman. Lying alongvide of the barn, of goods imported in excess of the in-voiced quantity at \$20,000. Three large firms are said to be involved buried at a lepth of not over three feet, was unearthed the remains of a

man. About two feet away was a The Strike in Congress. second body. At the corner of the barn were buried the bodies of a third man and woman. The bodies were of the Reading Railroad strike came

given burial."

taken from their resting places and up before the House committee on commerce today, though a request by

During the recent heavy frosts many water pipes have been frozen and burst, doing more or less damage in that swept the country. The approach various parts of the city. But a rather of the rushing hurricane was desig- unusual incident occurred last week regarded the subject as one of such gravity as to demand consideration at nated by an immense black cloud at Laramie, Wyoming, which should whose base touched the earth. As it be a warning to parties having stoves the hands of a full committee. After a short discussion the requestwas grant-ed and an

came sweeping onward at a fifty-mile of similar construction during this BARNEST DEBATE

ensued upon the merits of the proposi-tion. It appears that the committee is pretty evenly divided, a number of its incident occurred was out in the kitchen at an early hour ble more than a few feet distant, and and had started, a good fire members favoring immediate inquiry people caught on the streets of the when, all of a sudden, there was a terinto the strike, while perbaps as many more take the ground that if the strike more take the ground that if the strike concerns anything more than private interests, it is properly's subject for Investigation by the government. The inquiry should be made by the Inter-State Commerce Commission which has jurisdiction of the public rights

Congressman Martin denies that he blew out the gas at the hotel. He has traveled enough to know better than that. A gust of wind blew it out and he let her whizz to get even with the been indulged in regarding our own was in a room in the second story landlord. He was not unconsciou when they threw water over him, but he always sleeps that way.

was of course obstructed by the ice in the pipes and it did the only thing left for it to do, explod d w. th a loud noise. It might have killed someone and it will be well for others to be on the

the Outside World Three :

Weeks.'

ville, Wis.

WASWINGTON, Jan. 20 .- The subject

Resident Physician at the Deseret Hospital, bat still continues her out: side practice in obstetrics, eye, car, eic. as before. If Telephone 209. dim the sub-committee to which had been referred the Ander-son resolution providing for inquiry into the strike, that it be discharged from further consideration of the mat-ter. As a reason for making this re-quest, the sub-committee stated that it researched the sub-committee stated that it A Good Salesman, Address, R Co., Box 959, this city. BROWN'S COUGH BALSAM and Tar Troches are invaluable in

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day to present their side of the case.



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thing. The finder will be suitably re-Painted Expressly for this Play. warded on returning it to 173 West, South Temple Street this city. d&s 1 rand Effects, Correct Appointmen and Appropriate Costumes. NOTICE.

Whereas, certain parties are and have been trying to injure the business of the Utah Nursery Co., by certain false claims I publish the enclosed. AT THE ENTIRE PRODUCTION PERFECT IN EVERY DETAIL

SALT LAKE, Dec. 24, 1887. I. A. Goodhue Esq.: Sale of Seats commences' Thursday anuary 19. Prices 25, 50, 75 and \$1.00.

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printed forms, convenient for

vastiever issued to me.

DEAR SIR:-Referring to the attack made by A. Milton Musser upon you and your business I have only to say, that I have not a share of the stock of SALT LAKE THEATRE. the Utah Nursery Co., nor any interest therein. I did subscribe for one hun-dred of the 50,000 shares in order to in-corporate the company, but with no purpose of investment and the stock

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PART FIRST.

PART SECOND.

solvency or reliability enter the mind might claim they had a clicking law and of one of his creditors; or should get big damages. Then the Judge exone of the latter yield to a prompting of malice. As attachments take pre-cedence in the order in which they are issued, the rest of the creditors would engage in a lively scramble, each bent on getting his own in before the ethers: and any lawyer or business others; and any lawyer or business others; and any lawyer or business min can foresee the result. In the great majority of cases the unfortunate smiled as the verdict was given." great majority of cases the unfortunate debtor will be buried under an aval-

ever.

everybody

anche of litigation too great to admit of a hope that he will survive. The amount of wrong and disaster

possible to be wrought under such a law is very great, and it is a matter, or astonishment that this bill should have passed the upper branch of the Legissture of this Territory in such a form. If it shall become a law without amendment the possibility to effect the financial ruin of one-half the country merchants and co-operative stores throughout the Territory, inside of a month, will be created. Such in- significance of this action is well unstitutions will have no protec. tion against a crash save the honor or leniency of their creditors. The malevolence of the measure extends to all classes of debtors, but bears more directly upon persons engaged in mercantile and manufacturing pursuits.

We are speaking what would be possible under such a law, rather than of what would, with reasonable certainly happen. But wise legislation guards against possibilities, even though they may be remote. It is, however, reasonably certain that if the bill shall become a law in its present form, civil ligigation will be greatly increased in the Territory, and many merchants and small dealers, who on account of uncontrolable circumstances are slow in meeting obligations, may be hopelessly sunk under attachments.

All of the arguments that supported the latter party, however, and the arrangement by the N.Y. Tribune to the theory that a debtor should have have Mr. Bisine do it was very clever, some protection against his creditors, as it gave him additional prestige and weigh against this bill. An enlightened he is as cipible as, perhaps more so public policy would disapprove of than, any of his as tociates. To simply placing in the hands of a creditor the oppose would not do, of course, and a disaster as a premature attachment a defined plan of action constituting power to bring upon any debtor such suit must be, not only because of the opposition must be outlined. With expense which it involves, but of the reference to the surplus question, the Maine statesman's plan was regarded damage it works to the reputation and redit of the defendant, Under the as a little too calmarical for a man of his ability and experience, but as there measure in question, the action of one malicious creditor might not only re-sult in great harm to a defendant, but are several ways of reducing the great siggregation in the national vaults, that matter was not so vital. It was also to others of his creditors, by placthe question of reform that constituted ing him in a position that, would prethe principal attraction, and on this vent him from meeting obligations subject he expressed himself as in which he could and would pay if not. handicapped with attachments. of course, that no candidate could be Under the present law, before a writ of attachment will issue, one or more popular who expressed himself as altogether against reform, and the manof the following grounds must be spe-

ner in which he would have it brought cified and supported by affidavit, not merely on information and bellef, but about was what constitutes the keynote of that section of the opposition. positively; That the defendant "stands in defi-President Cleveland, and of course the bulk of the Democratic party, oppose ance of an officer, or conceals himself

so that process caunot be served upon the abolition of the tax on whisky and him; or "Has assigned, disposed of or con

cealed, or is about to assign, dispose of or conceal any of his property with intent to defraud his creditors; or,

ing the monument is now in progress The base and first section will be of stone, set with cement and very solid. THE ISSUE WELL MADE UP. The shaft will be twelve feet high and be finished in the "rough" with pol-ished sides for inscription of the names and dates of the deceased. One THE first gun of the coming struggle was duly discharged in the ways and means committee of the House of Repside will have the name of Bishop Huatieston and a brief history of his resentatives at Washington yesterday. zeal and labors for the cause. The site of this monument will be It occurred upon the motion of Mr. McKinley to take up the bill for the in full view from the tracks of the C. B. & Q. and Chicago, St. Paul and K. C. abolition of the tobacco tax, and the motion was lost by 5 to 4-a strict. rallroads, overlooking the valley of Grand River and will stand out in the party vote, the Democrats being in sualight of the present civiliation as a strange history of a strange people. the majority and voting may. The To the passer by, who stops to read, the wonder will come with striking derstood where it occurred but perthe woader will come with striking effect that here, in the vast wilderness, a race of people stood a moment to look beyond and then journeyed on to the valley of Sait Lake. To Mr. A. C. White the Mor-mons | have been very courte-ous. The letters from President Tay-lor and Elder Huntington have been very kindly worded, and Mr. White has endeavored to carry on the wishes haps not so well here, and an explanation on it in detail may not prove uninteresting. Shortly after the appearance of the

who sat in a dentist's chair-

Presidents' annual and monothem message to Congress, Mr. J. G. Blaine, then and now in Europe, was easily has endeavored to carry out the wishes "found" by a representative of the of the Mormons in every respect, and when the work is done we believe it will be well done and will be satisfac-New York Tribune and was much more communicative than he was ever known to be before, at least to the interviewing gentry. Mr. Cleveland

had already arranged the platform of mity years. When the monument is completed it contest, declaring unequivocally for tariff reform and against useless accu-mulations in the Treasury, and this left the task of the Republican leaders comparatively easy, as they had only When a European correspondent to take the opposite view. Some one had to voice the sentiments of

runs short of news he at once telegraphs that the condition of the Emperor of Germany is such as to excite the gravest alarm. Then the next day he sends another dispatch speculating upon the effect which the kaiser's, death would have upon matters and things. Then the next day he announces that the kaiser has a bad cold but is rapidly recovering. In this way he keeps up an interest in affairs and if the kaiser should happen to die in the meantime he has said something on the topic and made an interesting and timely article.

A Misnesota exchange credits a prominent physician with the following suggestions for the benefit of paople who are compelled to take trips in cold weather: "Provide yourself with favor of a "limited reform, knowing, a good kerosene lantern, well filled and trimmed and with sufficient oil if necessary for refilling, and you have the most efficient means for enduring the cold that can be got. Tals lantern being lighted and kept beneath any covering that is used to protect the limbs will add materially to one's comfort who make winter trips. I will add, in connection with the lantern, that a tobacco and would extinguish the surrubber coat gossamer or rubber blan-

plus by reducing the receipts of the government by means by cutting long cold ride. If anyone will try down the customs duties on some these suggestions, he or she will never raw materials to sufficient start out for a cold drive again without

The Utab Nursery Co. was organized to do a legitimate business, and hope by honest and fair means to hold the trade they now have and increase it. James E. Nowlin Hanged Today at Cambridge, Mass., for a Brutal Murder. d&s Don Carlos Wants Spain Made Lequiring Marriage License Record. Strong and Predicts a ting up without much writing, or i bet any other kind of Records of Blanks, can obtain them on short no-Republic. hee and reasonable te ma at the DERFREI NEWS OFFICE, Salt Lake Another Cold Snap in the North-West.-The Reading Strike Considered, etc.

By Telegraph to the NEWS | Extension Granted.

NEW YORK, Jan. 20 .- It was annonuced yesterday that a settlement between Isidor Cohuffeld and his creditors had been completed and the documents signed by all the creditors or their representatives. It is said that Cohnfeid has been granted an extension and he is to pay his creditors in full in four years.

A Big Expedition.

LONDON, Jan. 20 .- It is stated that Spain is organizing an expedition for Morocco to consist of 25,000 men.

Badly Blockaded.

MINNEAPOLIS, JAU. 20.-A Browns Valley, Minn., special says: We have tory to the friends of those burled ' there, who have more zeal than has been witnessed on this continent for been blockaded for three weeks. Unless a train comes in with fuel within two days there will be serious suffer-ing here and all about. There is no wood nor coal in the market.

Terrible Explosion.

JANESVILLE, Wis., Jani 20 .- A toiler n George Kastner and Co's. grain elevator exploded this morning, killing Mr. Kastner, a man named Kennedy and Sames Bracker. The building took fire and at last accounts there was danger of a general confligration, as the water supply was giving out. The firmes were working towards the to-bacco wavehouse and the northwestern depot depot.

Executed for Murder

BOSTON, Jan. 29 .- James (E. Nowli

was hanged at Cimbridge jail this maraing at 9:23, for the murder of George A. Codman, his employer, oh January 4, 1887. The details of the money and for which young Nowlin was executed, mark it as the most norrible in the history of New Eng-land. Nowlin, who was only seven-teen, was employed by Codman to de-liver milk. According to Now in's confession, he went to the barn and waited for Codman early in the morning, and when he appeared struck him in the neck with a knife killing him instantly, ' He' afterwards cut up the body so he could carry i' putting the parts in an old milk wagon

Patriotic Dep Carlos.

LONDON, January 20,-In an interlew at. Venice, Don Carlos declared that Spain must become one of the ket, is a most desirable garment for a great European power s, that her navy must be immediately strengthened and that obligatory military service was essential. The present monarchy, he said, was unfitted to carry on the work before it and unless it was replaced, he

-Beading. Mr. B. S. Toung. Beck's Hot Springs. 3-Piano solo, "Valse Caprice"... Little Mand Bowring. Pearline makes Washing easy. WARRANTER DEEDS 5-Ballad, "Embarrassment"..... Muss Lizzie Thomas. Providing for Relinquishment of Dower, as well as all other kinds of 6-Selection, "Rigoletto"...... Orchestra. Blank forms, for sale at the DESERCE VEWS Office. The best regulator of digestive or-gans and the best appelizer known is Angostur Bitters. Try it, but be-ware of imitations. Get from your greeer or druggist the genuine article, manufactured by Dr. J.G. B. Siegert & 0-Serenade, "Appear, Love, at Thy Gregh Southern Antidote for Malaria. Mindow". Mr. George D. Pyper. It is generally known that Simmons Liver Regulator is relied upon to se-cure immunity from all malarial dis-orders. This is proven by its popu-larity, and anyone who has lived in the 1-Reading. Mr. H. M. Wells. -Song, "She Wandered Down the Mountain Side". south has seen its curative effects and the protection it gives against this weakening and dangerous malady. It, acts more promptly than calomel or quinine, without any of their injurious This Institution is offer that has been es-tablished for the public good, as a place of learning. All the leading papers of our own Territory and many valuable periodicals and papers from the United States and Eng-land, are on the tables, to be read free of charge by those desiring to attend. This concert is expressly gotten up to pay for books. All should aid by attending; thus, not only alding a worthy object, but also be repaid by listening to the performance, which alone is worth the money. consequences. Coughs and Hoarseness .-- The irritation which induces coupling imme-diately relieved by use of "Brown's Bronchial Traches." Sold only in Can't Sleep Nights, is plaint of thousands suffering from PROF. GEO. CARELESS......Conductor. PROF. W. WEIHE. Leader of Orchestra. RE. JOS. BeINTER......Accompanisf. RE. J. N. WHITTAKER.......Manager. Asthma, Consumption, Coughs, etc. Did you ever try Acker's English Rem-edy? It is the best preparation knowii for all Lung Troubles, sold on a positive guarantee at 10c., 50c an Hox Office open for Sale of Tickets on Monday at 10 o'clock a. m. Far Sale by Z. C. M. I. Drug |Dept. ar Usual Theatre Rates. Try that free sample of Pearline. HAMMOND TYPE WRITERS. S Months' trial. C. ORLOB, Z. C. M. I., Salt Lake City. LOST. A SILVER WATCH AND CHAIN ON Fifth East Street, Jannary 18th, 1888, between First South and South Temple Streets. The finder will be rewarded by leaving it at No. 33 South, Fifth East St. d Beck's Hot Springs. Every Grocer keeps Pearline. MEMORY . Breck's Hot Springs repaired and initial blast. A Candid Acknowledgment, Extract from a letter of Dr. D. W. Atkmso Stloam Springs, Ark. Siloam Springs, Ark. "I know that many physicians are very much prejudiced against all pro-prietary medicines, and I think some-times foolishly so. I am, however, willing to acknowledge merit wherever it is deserved. I have prescribed Sim-mons fliver Regulatar, and have given it a pretty thorough trial myself, and think it deserves all the praise it re-ceives. I have watched fits use for the last five years and do not know of a more popular medicine. My patients praise it very highly and it gives good results wherever it is used." d Many Of the good things of this life are sorrowfully



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ESTRAY NOTICE.

on right shoulder, and Bon right thigh.

One black MARE, 15 years old, while hind feet, and blotched brand on left thigh. Which, it not claimed and taken away with in 10 daye, will be sold according to law, Friday, January 21th, 1883, at 1 o'clock p. m. JOHN HORTON, Precinct Poundkeeper. Rockport, Summit Co., Jan. 17, 1888,

