NOT THROUGH TILL TOMORROW

Legislature Will Not Complete Its Work Sooner Than That.

SIGNS PUBLIC BUILDING BILL

Engrossment of It a Piece of Most Artistic Work by County Recorder Jensen—Miscellaneous.

The House was in session for nearly three hours this morning before its members "mustered" for roll. During the recess there was much talk among them on the advisability of convening the joint assembly for the purpose of once more attempting to agree upon a candidate for United States Senator in accordance with the plan suggested by Senator Clarkson. Not all of them, by any means, were willing to accept of the situation as set forth. On the contrary, several announced themselves as emphatically opposed to the proposition. The legality of such a proceeding, is, however, rapidly gaining ground among them and there is now little doubt that the joint assembly which adjourned sine die will again convene.

One of the important measures signed by the presiding officers of the Senate and House today and presented to the Governor was H. B. No. 184, by Hansen, "An act ceding to the United States exclusive jurisdiction over lands or territory within this State, hereafter acquired for a site for a public building, and authorizing the Governor to execute the same." It was most emphatically engrossed by County Recorder Jensen; and many were the expressions of praise heard concerning its execution. The bill consists of three brief sections which is full read as follows:

"Sec. 1. Exclusive jurisdiction is hereby ceded to the United States in, to and over any and all lands or territory within this State, which may hereafter be acquired by the United States for the purpose of a site for a public building provided for in an act of Congress entitled 'An act providing for the erection of a public building,' approved the 4th day of March, 1899.

"Sec. 2. This act shall take effect upon its approval."

Other business transacted was the final action taken upon H. B. No. 44, by Bogart, better known as the negotiable instrument bill. It was engrossed, signed and sent to the Governor. H. B. No. 32, by Mansfield, relating to the powers of county commissioners concerning the issuance of licenses to owners of sheep for grazing purposes, was killed.

The greater part of the afternoon session was taken up by a discussion of the appropriation bill, the consideration of which will probably be completed this evening.

The prospects are that the Legislature will not adjourn before tomorrow night.

SENATE.

The Senate resumed session this morning at 10 o'clock.

The substitute for Senate bill No. 5, by Evans, relating to service of summons from justices' courts, was taken up and received 21 votes on its passage, all present voting aye. The bill was held over for one more vote, which it received later, and passed.

House bill No. 113, by Farr, relating to the duties of the State auditor, was put on passage and received 21 ayes.

House bill No. 175, by O'Brien, making appropriation for certain highways and bridges, passed by an vote of 21 to 4.

Clerk Hall announced that he had amended so as to fix the salary of the attorney for the Second district at $2,000, for the Third district at $2,000, and for all the others at $1,500. The bill was then passed. Howell alone voting no.

Senate bill No. 96, by McKelvie, to provide revenue for the State for 1899 and 1900, directs the raising for general State purposes for each year the sum of $500,000 and levies a tax of 4 mills for such purpose. A 2 mill tax is levied for school purposes. For county purposes the counties are authorized to levy a 5-mill tax and for school purposes a 4-mill tax is authorized. This makes the total State and county taxes 17 mills.

The bill was passed by a vote of 12 to 8.

House bill No. 176, relating to the branding of convertainable goods, was passed by a vote of 15 to 1, Wright voting against it.

Senate bill No. 41, by Bidwell, by request, to provide for the punishment for offenses committed at primaries was passed by a vote of 12 to 6.

House bill No. 34, by Shepard, relating the law in regard to negotiable instruments, was called up by Senator Bidwell. He explained that the bill was exactly the same as the law of New York, and the bill passed, by a vote of 19 to 1. Senator Hopkins voted against it stating that he did not know anything about its provisions.

House bill No. 184, by Hansen, to permit the United States government to purchase a site for the new federal building, was passed by a vote of 12 to 8.

House bill No. 101, by Hamlin, was passed at 10 o'clock last evening, by a vote of 15 to 5.

House bill No. 132, by Johnson, relating to the publication of notices, failed to pass. Mrs. Cannon, Chambers, Perry, W. G. Nebeker, Robbins, Wright, Tanner, and Whitney voting against it.

INITIATIVE AND REFERENDUM.

The substitute for House joint resolution No. 1, by Smith, the initiative and referendum resolution, was taken up and passed. It is S. Mr. Smith being given the floor to explain the substitute of it. He said the measure was endorsed by Wm. J. Bryan, and that it differs mainly from the original in that it places in the platform, "Initiative is the right of the people by sufficient petition to propose a law to the Legislature, Referendum is the right of referring to the people a law passed by the Legislature, for their approval, before it shall go into force. The initiative and referendum only apply to such laws as are adopted for statewide or disaggregated for a certain percentage of the electors.

LICENSED TO MARRY.

A marriage license was issued today to Gustaf Swanson, 18, and Nellie Hammerbeck, 16, both of Robinson, Juab county.

PETIT JURY DISCHARGED.

Judge Marshall discharged the petit jury for the term at the Ogden session of the Federal court today. The parties to the suits now before the court have agreed to have their cases tried by the judge. Not a case was tried before a jury.

FRUIT PROSPECT THIS YEAR.

It is Receiving Considerable Attention from Orchardists.

MR. FISHER SAYS IT IS GOOD

With the Exception of Apricots, East Mill Creek W. Ub. All Right Other Localities.

Since the announcement by Mr. J. I. Pyle, of Sugar ward, that he had found the stone fruit in his locality destroyed by the prolonged cold spell, and understood that similar effects were pretty general, orchardists have been examining fruit buds on their trees, with the result that while in some localities Jack Frost had done its work well, or ill, in other places the damage was not so serious.

Today a "News" man met J. M. Fisher, Jr. of East Mill Creek, and made inquiry as to the situation in that section, which comprises the principal fruit belt of this county. Mr. Fisher replied that with the exception of apricots he expected a pretty good crop of stone fruits, as well as of the others. He had made a careful examination of the trees on his Mountain nursery and fruit farm, found the bud in excellent condition in peaches, plums, cherries, etc., as well as the seed fruits. The apricots appear to be cut down by the frosts. He also examined the Cummings and other orchards, and found them in similar condition. So good are the prospects for peaches that he has trimmed the tree tops—something he did not dare to do last year, lest he should materially reduce his peach yield.

In Davis county, reference to which was made in the former item, the frost has done some damage, but peach orchardists expect a good crop. This is notably the case in Farmington and East Bountiful, where the fruit has suffered losses, report that it is so far their damage results they will not feel to have serious cause of complaint.

IN THE LAW'S CLUTCHES.

The young man Enslar, who was arrested last night for stealing articles from Auerbach's store, had his case continued to Thursday next at 2 p.m. in Justice McMaster's court.

The trial of Thomas Harley for having burglar's tools in his possession came on for hearing at McMaster's court at 4 p.m. today.

In the police court today Geo. Randall, a drunk, was fined $5 for his spree.

John Burke was up on the charge of vagrancy. He was given six hours to get out of the city.

CARLOAD WEIGHTS CHANCE

After Next May, Minimum Weights on Many Articles Will be Increased.

Jump is from 24,000 to 30,000 Pounds Car—Postmaster Thomas Wants a Change in Handling Mails.

The committee appointed by the Western Classification Bureau has sent out a circular giving the proposed changes in the carload rates to go into effect after the meeting of the bureau at Milwaukee in May. The changes are most sweeping, and increasing the minimum carload rates fully 20 per cent. The following are the principal at rates from the circular, and it will be seen that the changes affects mostly articles which are shipped to the East or the West by Utah shippers:

Barbed wire, from 24,000 to 30,000 pounds.

Wagons, carriages and piano supplies, from 24,000 to 30,000 pounds.

Potatoes, from 24,000 to 30,000 pounds.

Plate tin, from 24,000 to 30,000 pounds.

Stoves, from 24,000 to 24,000 pounds.

Earthenware, from 24,000 to 30,000 pounds.

Shoes (in), from 24,000 to 30,000 pounds.

Plumbers' supplies, from 24,000 to 30,000 pounds.

Sewer pipe, from 24,000 to 30,000 pounds.

The following articles are all raised from 24,000 pounds per car to 30,000 pounds per car: Iron pipe, iron roofing, wrapping paper and paper bags, tubes, sheep pelts, green hides, nails, ammunition, sash, doors and blinds, vinegar in wood, mineral water, junk, pig iron, beans, glassware, candies, canned goods, sugar, furniture, electric light plants, copper matting, brick; in fact, most articles imported into Utah and exported from the State will be affected by the proposed change. The weights on live stock, however, remain the same.

The change in the weights of carload weights looks upon the face of it, to be a discrimination against the small shipper. But the railroad men claim that it is only to make the shippers load heavier owing to the scarcity of cars in busy seasons.

U. P. Lands in Wyoming.

Cheyenne, Wyo., March 14.—Special Master Day of the United States court said the legality of the Union Pacific railroad grants in Wyoming, Utah, Nevada and Idaho, was the only matter of importance. The suit involved lands in Carbon, Sweetwater and Uinta counties, and land grants aggregated 47,000. They were all bought by Vice President Cornish for the Union Pacific Railroad company.

Change in Handling Mails.

Postmaster Thomas is making a strong fight for certain changes in the handling of the mails of the State. He is now urging upon the department at Washington to contract with the Oregon Short Line to carry the Pocatello mail, as well as that for Big Grande Western. At present all the mail goes over the Western. By this means a better speed is Made and the mail is delivered at Salt Lake four to six hours in advance of going direct to its destination over the Short Line, comes to the Salt Lake office and is then transferred to the Western offices.

Makes People Hungry

Hostetter's Stomach Bitters is an appetizer, and helps the stomach to do its work right. It is the great blood cleanser, flesh-builder and nerve tonic. Best medicine in the world for the run-down, weak and debilitated.

Try a bottle and see for yourself how much good it will do.

Hostetter's Stomach Bitters.

Mr. Thomas thinks that the change will be effected.

Withdrawing a Cache Valley Train.

The Oregon Short Line has determined upon a change in its time, both for the northern and southern passenger service from Salt Lake. As previously announced in the "News" the southbound train will leave in the evening at about 5:30 instead of in the morning as at present. It has been decided to take off the afternoon train to Cache Valley points, giving a morning train to leave this city at 8 a. m. This "shakering" with the northbound trains is growing wearisome to the people in the north. The latter change will not be a popular one with Cache Valley people, as it shuts them out of an evening mail and makes them twelve hours late in receiving news from the outside world. The change will interfere with business as far north as Pocatello.

RAILROAD NOTES.

All east bound trains were on time this morning.

E. J. Flynn of the Missouri Pacific has returned from his trip to Butte, Montana.

Vice President Evans of the Utah & Pacific is in the city today on railroad business.

Gen. Agent Oglesby of the Rock Island has returned from a short business trip to Denver.

The first of the last order of locomotives for the Oregon Short Line will be here by the 24th of this month.

President Cornish of the Utah Central is expected in Salt Lake this evening, having completed the purchase of the Union Pacific lands.

Gen. Agt. Sherwood of the D. & R. G. at San Francisco, is in the city on his way to the head offices of the road at Denver.

Contractor Hendricks of the Utah & Pacific left this morning for the south. He did not secure men enough to fill up his new crew, but left the matter in the hands of Chief Clerk Eberhack.

Traveling Freight Agent J. L. Tomlit of the Rock Island left last night for the east with his family. Mr. Tomlit, who he almost from here for about two weeks, while his family will remain in the east for some time.

The Weber "Seven Devils" railroad has been incorporated under the title of the Pacific Northern. The incorporators are Thomas W. Bates, Mart Patrie, George S. Grover, L. G. Wilkerson and O. E. Jacobson. The company is capitalized at $1,000,000.

Chief Clerk McMillan of the railway mail service has received notice of the opening up of the mail service over the Utah and Pacific from Milford to Lund. It is further intimated that the service will be extended as far as the road is built.

Mr. Thos. H. Cavanaugh came in from Olympia, Washington, this morning. Mr. Cavanaugh is the general manager of the Lake Bonneville irrigation company. He will remain in Utah for several days and that work on his big enterprise will be started this season.

Mr. Calvin, general superintendent of the Short Line, has gone south. The trial of the combination locomotive recently borrowed from the Butte, Anaconda and Pacific Railway company has proved satisfactory. Mr. Calvin will make a further test before an order is placed for engines of that type.

Joseph Boef, one of the heaviest cattle men of Colorado, is in from Loudville. He says that the Colorado cattlemen will suffer greatly this season from the snow. He has recently been in central Colorado and says many of the railroads have been abandoned for the season, some of them being covered in places with fifty feet of snow.

The Ogden gateway lines will sell tickets to the coast for the Educational association convention, at the same rate as made by the Santa Fe. This will eliminate the difference if it has is allowed the Southern Pacific for the double haul from San Francisco in the N. E. A. rates. The white fight is against the Southern Pacific-Santa Fe alliance which was made to compel Lynch to go over the latter and return by the Shasta route.

The Union Pacific Railway company has just issued a short illustrated history of the Hawaiian Islands in the form of a folder. There are nine illustrations in colors of the prominent public buildings of Honolulu as well as of Hawaiian scenes in the interior of the country. The letter press gives an account of the islands from the time of the discovery by Captain Cook down to the annexation of the islands to the United States. Taken altogether the folder is a fine production in the line of railway pamphlets.

A late issue of the St. Louis Globe-Democrat makes the announcement of the forthcoming marriage of Miss Clara A. Warner, the daughter of Vice-President Warner of the Missouri Pacific, to Mr. H. H. Rosser, the western commercial agent of the road at Salt Lake City. Mr. Rosser plends guilty to the soft impeachment and is receiving the congratulations of his friends this morning. Miss Warner, who is one of the leading young ladies of the city of St. Louis, paid Salt Lake a visit a short time ago, and when she left carried the heart of the commercial agent home with her. The wedding ceremony is to take place April 12, in St. Louis, after which the young couple will occupy the home in this city that the prospective groom is now preparing.

AMUSEMENTS.

The lecture at the Theater last evening drew a good turn out, but not the thing that had been expected in view of the fact that the event was for the benefit of the proposed hospital fund for our batteries in Manila. The inclement weather had much to do with the lack of attendance, and also owing to the fact that Dr. Pennies was unknown to our public also contributed. The night was one of patriotic demonstration, the big theater resounding to the speeches of Congressman R. H. Roberts and Hon. Moses Thatcher, rather than to the effort of the lecturer. These very good exposition views of scenes in Manila, of Dewey, Aguinaldo, and of Majors Richard W. Young and F. A. Grant were shown to appreciative and enthusiastic audiences. Congressman Roberts' effort, following, was a most eloquent one, and it was continuously applauded. He took as the cause of Major Young from the time he graduated at West Point until he left Manila and departed for the West, and the audience of the night Battle Fought, it forcast and stories of raids and concluded eloquently in the following language:

"In the midst of the confusion of the battle and the storm, here and there we catch a glimpse of the young hero of Malolos, the commander of Battery A of the Utah volunteers. Now and then, between the thunder of the guns and the thunder of the clouds, we may hear the commands he gives to his men, and catch faint echoes of their cheerful response. The enemy is checked, driven back from his entrenchments, the battle is won, and from the far east comes the inspiring story of the part our Utah sons took in the great fight. The commander's—the nation's pride of "our boys" sounds pleasant in our ears. All the dispatches sent to the eastern press mention the work of the Utah battery in terms of highest commendation. Utah's sons have covered Utah with glory. Our latest state, said the New York Herald, never yet over ready to give credit to Utah, but always disposed to ask, 'Who are good come out of Nazareth?'—Our latest state," said the Herald, "has borne its share in adding glory to the nation. In the battle of Malalo the Utah battery, whose guns were dragged through deep mud to send shrapnel into the Spanish ranks, showed itself deserving of all honor. Utah has had no trouble in the east, but when she sends such a contribution to the nation, we wipe out the memory of all treaties.

"That is sweet music to Utah ears. It speaks of a glory that is to come when Utah's people shall be wholly understood.

"Of engagements of a later date, it is perhaps premature to say that Utah's troops have maintained the high level of their reputation established in this their first baptism in war. Honor, but without loss of life, has gone to our Utah. But all this and the promotions that have come for gallantry, indicate that the end of the battle will be spoken of by others and I must keep within the limits allotted to me. I know not how it appeals to others, but I feel a thrill of pride in the reflection of the fact that the hero of Malalo bears the name of Utah's great Mormon leader, Young, and that the sons of Utah's sons who have fallen in battle, two bear the same name and very descendants of the same stock. Not that I would attach undue importance to this circumstance, for there were sons of other Utah families there who displayed the heroism and were ready to suffer, to bleed and to die, if need be, but it is a satisfaction to know that descendants of the 'Old Pioneer' were there, too, and did their duty in a manner worthy the name they bore.

"In the presence of noble deeds, especially in the presence of noble deeds that breathe of patriotism, we stand where the one touch of nature makes us all kin, where political and religious differences sink into insignificance—are forgotten. In fact, we think only of the deed done, of the noble nobility—the man and his achievement. In such manner and while entertaining such sentiments, I would place my hand upon the counterfeit presentment of Utah's soldier boys—Major Richard W. Young."

A picture of Major Young was thrown on the canvas from the stereopticon. It was taken just a few hours after the battle of Malalo, in which he had been the principal actor.

It had been the expectation of the local managers of the picture, Messrs. George E. Hale and Walter J. Hinds, that Prof. Thatcher would be present and deliver the eulogy on Maj. F. A. Grant, but owing to some misunderstanding, the invitation had not been sent in time to give the matter proper preparation, and with very little notice then, Moses Thatcher took his place. He spoke of the part of the patriotism of the Utah soldiers and read from manuscript a brief account of the career of Major F. A. Grant, whose picture was also thrown upon the canvas. Mr. Thatcher was heartily applauded for his impromptu effort.

* * *

At the Grand last night the house was again almost full. The bill was Olivette, played with the same cast as when it was first rendered, week before last. The whole performance was noticeable to the voice of Mr. Broderick, which is gradually creeping back to its old condition. He was a hearty recall last night for his rendition of the bass song. Some misunderstanding has been created by the announcement that this Mr. Broderick was the old Broderick of the Emma Abbott days. This is an error. That Broderick's name is William and he is now with the Bostonians in San Francisco, having taken the place of Eugene Cowles with that organization. The Gran Broderick is his brother Frederick, who is the Tiny Vagabond (Kraxinor will be the bill, and tomorrow afternoon Fra Diavolo will be revived. In the evening the first performance of the gondolier, Pinafore, which has been done here by the Grau company, will be given.

* * *

There was a great deal of interested comment among the opera people at the Grand last night, over the fact that the Melba company and the Bostonians both opened in San Francisco last night and the opinion was general that the former had the advantage by the competition. The following dispatch to the "News" came from San Francisco this morning:

* * *

San Francisco, March 14.—The success of the Melba opera season is already assured, for she made a great hit last night, not with the unqualified approval of the cast audience. Speaking of Marguerite, as played by Melba, the critics say:

"Through the garden act her pure clear voice was used with an art entirely free from any trick or mannerism. There is a simplicity and sweetness about all her singing which is especially suitable, since no singer, except Patti, has had the voice with such ease and grace, caressed more beautifully or given such delicate shading to the passages which are, perhaps, the most difficult of all music to sing. Melba's Gracefully, she acts, gracefully she sings, and her action goes most admirably in the music of the part.

"But in the prison scene Melba reached her greatest height. Hardly could one expect such vibrant force as Melba gives to that. The voice and art are the same, and never losing its beauty, speaks a meaning which more than any special number in the opera, makes Marguerite, here spiritual, here powerful, now the imagination of Goethe. It was the scene of the evening, and it opened the eyes of many of the audience to a quality in Melba which nothing she has sung before has given us an idea of. First, and last Melba has established her claim to be called an artist in that broad sense that is not limited to special parts and characters.

Pandolfini took the role of Faust on two hours notice and sang it fairly well. De Muhlenfelsen sang Mephistopheles well, and Mme. Gerville-Reache's Siebel was good, and in fact all of the company made a good impression.

* * *

New York, March 14—The Mookerjea, Sisters Grundy's version of the Dalkas romance, had its first New York presentation at the Broadway Theater last night. Miss Jessie O'Neil as d'Artagnan and Blanche Bates as Milady. Much interest was taken in these two young people, the former having made a great impression in the metropolitan stage, and the latter because of her success in the Great Ruby. Miss O'Neil made a great impression d'Artagnan, manly and brave, but without the offensive swaggering braggadocio which attached to the character in the old dramatizations. Miss Bates, as the woman who, after wrecking the life of the Comte de Fette, because the test of Richelieu demanded it, turned against the queen, met all the expectations of her friends and by her strong interpretation of the role established herself firmly as a New York favorite. The cast in general is excellent.

* * *

New York, March 14—Americans at Home, opened with the Lyceum with a good house last night and a good cast, of which Mary Mannering and Eric Lewis were the principal leading. The play is by Grace L. Furniss and Abby Dorsenheim.

NORRELL DECIDES GRIFFIN CASE.

Ex-Sprinkling Contractor Obtains Leave to Go to Nevada.

FORMER ORDER RELEASED.

Mrs. Griffin Asks for a Mortgage and a Lien—Court Undecided Whether to Allow It.

J. H. Griffin, whose migration into Nevada about three weeks ago, was brought to an abrupt and sudden halt, through an action on the part of his former wife, may now pursue the even tenor of his way, make all the money he can by means of teams and wagons and pay Mrs. Griffin, as speedily as possible, the $1,500 awarded her by the Supreme court.

The foregoing is in harmony with a decision rendered by Judge Norrell today, his honor ceasing to be dismissed the temporary restraining order and overruling the motion asking that Griffin be punished for contempt of court.

Judge Norrell delivered a verbal opinion and among other things said that he did not believe the defendant had any intention of permanently leaving the State, or that it was his intention to remove his property outside the jurisdiction of the court. His honor then reviewed the testimony as given at the hearing and said that while the defendant had not paid Mrs. Griffin any alimony, it did appear that he was anxious to reduce his indebtedness for the reason that he had received the money fully $4,000. The court then took judicial cognizance of the fact that Griffin had borne all the expenses of the divorce suit trial, including the attorney's fees. As regards requiring the defendant to remain stationary until he had discharged his obligations and the court's order, Judge Norrell said the age in which we lived did not contemplate that a man should be bound and not allowed to move. Before the defendant could liquidate the obligations he must have money with which to do it and to deny him the privilege of prosecuting his labors to the end was unfair in the extreme. The court was always ready, willing and anxious to enforce and exact a performance of his promise and would be quite severe in a case that showed a willful violation. In the case at bar his honor thought the intentions of the defendant were good, as shown by the facts in the case and therefore denied the motion.

Attorney Oscar W. Morris, appearing for Mrs. Griffin, asked that the defendant be required to secure his client by giving her a second mortgage on his wagons and horses, subject to the mortgage of W. S. McCornick; also for a lien on the money due Griffin from the city on account of extra sprinkling. Judge Norrell questioned his authority to make such an order and held the question open until Mr. Moyle had produced authorities.

SUPREME COURT OPINIONS.

One Reversal and an Affirmation in the Record for Today.

The Supreme court delivered an opinion today in the case of W. I. Prank, appellant, vs the Bullion-Beck & Champion Mining company, reversing the judgment of the lower court.

Plaintiff in this case sued the defendant company to recover damages for personal injuries alleged to have been received as the result of an accident in the defendant's mine, November 4, 1896. Plaintiff alleged in his complaint that the defendant failed to properly timber the mine, by reason of which the accident resulted. The defense was contributory negligence on the part of the plaintiff. The case was tried before Judge Higgins and a jury. When the plaintiff had rested counsel for defendant moved for a nonsuit, which the court allowed, at the same time ordering a dismissal of the case. From this judgment plaintiff appealed.

The grounds upon which plaintiff relied for a reversal were that there was sufficient evidence of negligence on the part of the defendant company for the jury and that defendant's motion was insufficient to sustain a judgment of dismissal.

The court holds that the question of negligence on the part of the defendant and contributory negligence on the part of the plaintiff are questions of fact that should have been submitted to the jury. With respect to Judge Higgins sustaining defendant's motion for a non-suit, the court finds that he erred in so doing, for the reason that the motion was too general and did not specify the grounds upon which it was based, says the court:

"We are of the opinion, and so hold, that a party moving for a non-suit ought to be required to specifically state the grounds upon which he bases his motion and thereby call the court's attention and that of the opposite party to the point on which he relies."

The court then refers a reversal with directions to the trial court to grant a new trial.

The opinion was delivered by Justice Judge McCarty, Chief Justice Bartch and Justice Hoskin concurring.

THIS CASE AFFIRMED.

An opinion, affirming the judgment of the trial court, was also handed down today in the case of William B. Wilson et al, appellants, vs the Triumph Consolidated Mining company.

This was an action in ejectment and involved title to the mining claim known by the name of "Steeple Chase" and "Mormon Chief," situated in Tintic. The issue of fact tried were as to whether any assessment work for 1896 had been done and whether the Triumph company was in possession, working and developing the claims at the time of the Steeple Chase location. The jury found for the respondent. When the appellants appealed.

Numerous errors were cited, chief among which was the question of estoppel. The court finds that as a general rule it is true that only citizens of the United States can locate mining claims, but adds it "has been held that this is a defense the, can only be asserted by the government.

Several other assignments of error were made, but the court holds none of them were tenable, and, finding no reversible error, was constrained to affirm the judgment of the trial court.

The opinion was delivered by Justice Miner, Chief Justice Bartch and Justice Hoskin concurring.

Trouble Over Water.

T. M. Herbert commenced injunction proceedings against Herman Neyens in the Third district court today, asking that defendant be restrained from excavating a ditch for the purpose of diverting the waters from Higley's Spring, situated on the west side of the Jordan river, near the point of the mountain as the south end of Salt Lake valley.

Plaintiff alleges that he is owner of the spring and that defendant is at work making a ditch with the intention of diverting the waters so that it will flow on to his land, which adjoins that of plaintiff's. Judge Cherry signed a temporary restraining order and made the case returnable Thursday, March 23rd, at 10 o'clock a. m.

Dr. Ewing Sues for Damages.

On the 2nd of August of 1898, Dr. A. C. Ewing of this city, had the misfortune, while stepping off the elevator in the Mercantile block, to break the ankle of his right foot. Today he filed a $10,000 damage suit against Walker Bros. Dry Goods company, alleging that the accident was the result of insufficient machinery with which to run the elevator; also, that at the time of the accident it was being run by an incompetent person.

On Trial for a Heinous Crime.

W. A. Munson was placed on trial in the criminal branch of the Third district court today on the charge of assaulting Anna Bell Low, his five-year-old step-daughter, on the 21st of January last. Considerable difficulty was experienced by the prosecution in getting the little girl to testify. The child said she was afraid her stepfather would whip her. Munson was then taken to another part of the court room, where the child could not see him. Then the little tot related her story of the extremely revolting crime.

Had No Money to Back.

Eames Bros. filed an action against Frederick Heath today to collect the sum of $250. Plaintiffs allege that in May, 1898, defendant executed his check for the month ahead and drawn on Walker Bros bank for $250 and payable to the order of plaintiffs. When the check came for payment, it is alleged, was refused on account of "no funds."

COURT NOTES.

Judge Cherry announced in court yesterday that on Saturday he would continue the setting of civil jury cases. Just before adjourning court in the evening he hence changed the date to Thursday.

CHURCH NEWS.

HIGH COUNCIL.

The High Council of the Salt Lake Stake of Zion will convene in regular session on Wednesday, March 15th, at 7:30 p. m.

Owing to the change in the date of sailings from Philadelphia for Europe the Mormon Tabernacle choir scheduled to leave on the 25th of March will be unavoidably detained until a week later, April 1st.

BUSINESS ON THE NEW EXCHANGE.

Stocks Were Fairly Active on a Stationary Basis.

DAISY WEAKENS A TRIFLE.

Centennial-Eureka Sells at $1 85 Preceding on the Old Board This Afternoon.

On the new exchange this afternoon there was a fair degree of activity, the sales made aggregating 19,500 shares for which buyers paid the sum of $6,282.88. On the whole, stocks maintained a gratifying firmness, but Daisy proved an exception, the security setting down to 48 cents and being freely offered a little above this figure. The call brought out a sale of Centennial-Eureka at $42.25, and a little business in Four Aces around 27, while Mercur sold at $6.25 and had a closing bid of $6.50. The other sellers were Boston De La Mar, Dalton, Golden Eagle, Oaks, Silver City Con. and Superior, all of which went at ordinary quotations.

Figures were posted as follows:

DIVIDEND PAYERS.

Stocks	Bids.	Asked.
Alice	1.25	1.45
Bullion-Beck	4.30	5.00
Centennial-Eureka	42.25	47.00
Chloride Point	.67	1.10
Dalton and Lark	.9½	.11
Geyser-Marion	.30	.52
Grand Central	2.00	4.50
Mammoth	2.17	
Mercur	6.50	
Ontario	6.00	
Ontario Consol	.32	.44
Swansea	2.50	
South Swansea	1.15	1.25
Utah	.15	1.00

PRODUCING MINES.

Stocks	Bid.	Asked.
Buckeye	.4½	.5½
Daisy	.45	.47
Dalton	.1½	.2
Dexter	2.37½	2.40
Eph. Wolf	.3	
Eagle and Blue Bell	1.40	1.50
Four Aces	.27½	.27½
Fibrec	.3½	.3½
Golden Eagle	.7½	.7½
Joe Bowers	.15½	.16½
Lower Mammoth	.25	.30
Northern Light	.47½	.50
Showers Consolidated	.35	.40
Star Consolidated	1.14½	1.15
Sunbeam	.05½	.07½
Tonaine	.62	.64½

LISTED PROSPECTS.

Stocks.	Bid.	Asked.
Antler	.2	.3½
Boston De La Mar	.1½	.1¾
Dalton Black Talbot	.4½	.6½
Dexter Mining	.2½	.3
West Daisy	.2	.3½
Cedar Valley	.01	.02
Emma Silver	.11	.12
Gold Hill	.5½	.5¾
Homestake	.9½	
International	.2½	.4½
Joe Bowers Extension	.3	.3½
La Rose	.55	.75
Little Pittsburg	.9½	.12½
Martha Washington	.1	.2
Midnight Bonanza	.3	.5
Monarch	.½	.1½
Omaha	.11	.41
Ontario	.4½	.5
Richmond Anaconda	.7	.11
Silver City Consolid'ted	.1½	.1¾
Superior	.½	.1½
Success	.1½	.2
Triumph	.1½	.2
Yankee Consolidated	.3	.4
Utah Sulphide	.½	.¾
Valeo	1.15	1.25
West Morning Glory	.½	.3
Yellow Jacket	1	4

STOCK TRANSACTIONS.

Boston De la Mar, 2,000 at 11½; 2,000 at 1¾.

Centennial Eureka, 100 at $42.25.

Dalton, 5,000 at 1½; 2,000 at 1¾.

Daisy, 100 at 47½; 100 at 47½; 1,100 at 49; 100 at 49½.

Four Aces, 500 at 27½; 1,200 at 27¾.

Golden Eagle, 1,000 at 7½.

Mercur, 100 at $6.25.

Oaks, 2,000 at 4½.

Silver City Con., 1,000 at 1½.

Superior, 1,000 at ½.

Total shares sold, 19,500.

Selling value of stocks, $6,282.88.

On the Old Exchange.

With indignant mien over what they termed a direct insult to the stock, the members of the old exchange met this afternoon and dealt in Centennial Eureka at $85, at the same time branding with suspicion a sale made on the neighboring board at $42.25. They also dealt in Four Aces at 27½ cents, in Mercur at $6.60 and in Northern Light between 47 and 48, after which Ontario was taken at $7, this sale closing business in listed securities.

SALES OF LISTED STOCKS.

Centennial Eureka, 25 at $46.

Four Aces, 500 at 27½c.

Mercur, 50 at $6.60.

Northern Light, 200 at 47½c; 400 at 47½.

Ontario, 100 at $7.

MINES OF THE SOUTH.

Harvey Hardy Talks of Sulphur and Copper Deposits in Emery County.

Harvey Hardy, once sheriff of Salt Lake county and later a packer in the U. S. army, has returned from the south, where he has been sojourning in Emery county, where he has been giving attention to sulphur and copper deposits.

When seen by a "News" reporter today, Mr. Hardy declared Emery one of the best counties in the State for mineral deposits. He said he had been working in Sulphur Canyon for a time, where he had a deposit of brimstone feet long by 40 feet wide. The mine directly had located six claims which showed ore running 58 per cent copper, $47 to $59 gold and 191 to 195 ounces silver to the ton. Specimens of this ore exhibited, and from the appearance indicated all that was claimed for them. These properties are in the Sandstone district, where, Mr. Hardy looks upon as one of the richest mineral sections of the State.

CLEARING HOUSE REPORT.

March 14, 1899.

Today's clearings... $326,696.41

Same day last year... 246,434.70

ORE AND BULLION REPORTS.

Following are today's ore and bullion receipts, as reported by the institutions below indicated:

T. R. JONES & CO.

Bullion... $ 2,140

Ores... 356,556

Total... $358,696

McCORNICK & CO.

Bullion... $ 4,000

Silver and lead ores... 18,000

Total... $22,000

WELLS, FARGO & CO.

Bullion... $3,967

DIED.

LYTHGOE.—In Honeyer Summit Co., Utah, March 8, 1899, of pneumonia, Stephen son of Edward and Hannah A. Lythgoe. He was born August 8, 1897.

Millennial Star, please copy.

DAVIS.—At Birchley, Millard Co., Utah, March 7, 1899, of pneumonia, Lewis, son of Edward and Lorenia Hutchison Davis; born September 26, 1898.

A CONVINCING ARGUMENT.

There was a time when people expected a question of price to be the controlling element which decided you of the first-class use of a baking powder. They thought all you had to do was to pay 50 cents a pound and you was sure to get a good quality. Now U. S. Baking Powder has been on the market, it is entirely different; they have found that it is not necessary to pay a high price for a first-class baking powder. This is true because U. S. Baking Powder is sold for a low price and is a high quality product. If you have never tried it, you will soon be convinced of its high grade by buying a single can.

TO THE CHOICE BUILD

U. S. Baking Powder

Following prices:

1 OUNCE CAN ..... 10c.
4 OUNCE CAN ..... 25c.
8 OUNCE CAN ..... 45c.
16 OUNCE CAN ..... 85c.

Remember every can guaranteed to give perfect satisfaction or money refunded. "Take no risk. Why not give it a trial."

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THE GRIP CURE THAT DOES CURE.

Laxative Bromo Quinine Tablets removes the cause that produces La Grippe. The genuine has L. B. Q. on each tablet. 25c.

P. T. Jos. White Wagons, tel. 46, Mt. I. Co.

"Give me a liver regulator and I can regulate the world," said a genius. The druggist handed him a bottle of De Witt's Little Early Risers, the famous little pills. F. C. Schramm, McCornick Building, corner Main Street, First South.

Advertisers who desire to reach the country population of the Western States and Territories should patronize the "Semi-Weekly News," its circulation books are open to all advertisers.

LEGISLATIVE FIASCO.

Had the Legislators in the Utah House and Senate kept themselves clean and cool by using P. T. spring water, the Votes of the Utah would have no cause for complaint. White Wagons. Tel. 46. F. A. Stearns Mgr.

The Semi-Weekly "News" is the great country paper of the intermountain region. It circulates in every city and settlement in Utah, and to most in those of Idaho, Wyoming, Arizona, Colorado, New Mexico, Montana, Nevada, Western Canada and Old Mexico as an advertising medium it is unexcelled.

Cohn's

DRY GOODS STORE

Muslin Underwear Sale

THIS WEEK!

BRAND NEW STOCK