

LAST EDITION 6 O'CLOCK. DESERET EVENING NEWS.

Published daily, except on Sundays and holidays, at 6 o'clock.
Subscription price, \$1.00 per annum in advance.

FRAGMENTS.

No High Priests' meeting tonight.
The U. S. M. L. will be closed on Wednesday, February 1st, for the purpose of stock taking.

The Conservatory of Music was a scene of much interest and satisfaction last night. An informal reception was held and an excellent program rendered in first-class style.

SECRETARY BRADLEY of the Chamber of Commerce is expected to arrive here from San Francisco tomorrow evening, where he has been on business for the last two weeks.

The Rev. D. W. Barlett will lecture on the subject "The White Horse and the Rider," at Phillips' church, at 7:30 p.m., tomorrow night beginning at 7:30 o'clock.

A. Y. GRAYMAN was this afternoon held by Justice Ginn on a charge of stealing a horse and buggy from Hanks Bros. The rivermen, his bond was fixed at \$500 and in default of sureties he was sent back to jail.

COALIER & SNELGROVE, music dealers of Main street, have received a quantity of new sheet music and are now offering it at a special price.

A five entertainment will be given in the fourth ward assembly hall on Friday, February 2nd, some of the best local talent will be engaged.

An entertainment is in progress at the penitentiary this afternoon. The promoter of the affair is the Rev. H. H. Williams, pastor of the First Presbyterian church, who is assisted by other Christian workers of the city.

A religious chapter in the evolution of religion was the Rev. Mr. Williams' subject at the Theological seminary meeting, held here last night.

DAKOTA'S dog pound, was raised a couple of nights ago and several canines released from their iron prison. Several have been found to be such a nuisance that it is impossible for any one to pass without being caught.

At Shill's Auditorium, second and fourth streets, gospel services with stirring music by the Rev. J. D. Stalling on "The Return" will be held tomorrow evening. This is the third in a series of religious services.

The Star Course meeting in the Theological seminary hall promises to be highly interesting. The Rev. J. D. Stalling will be the principal speaker.

In the matter of the assignment of Cohn Bros. the dry goods merchants of this city, Lord & Taylor, New York merchants who are creditors to the amount of \$233,000, have filed suits against them.

Merchants' Protective Association.
There will be a meeting of the Merchants' Protective Association of Salt Lake City at the Chamber of Commerce, on Monday, at 8 p.m. Business of importance will be introduced. All merchants are expected to be present.

Weekly Pay Roll.
The city pay roll for the week ending today was: Waterworks, \$155.50; streets, \$119.50; health, \$230.50; coal inspectors, \$144; library, \$60; crematorium, \$60.50.

SUITS FILED TODAY.
One is Against the Ogden Water and Land Company.

In the Third district court this afternoon Allen G. Campbell joined a suit against the Ogden Water and Land Company. The complaint alleges that prior to February 17th, 1892, the defendants solicited plaintiff to subscribe for 200 shares of their capital stock, of the nominal par value of \$20,000.

The defendant company contemplated the construction of certain canals and ditches for carrying water from Utah lake into Utah county, over large areas of land having no water supply, and also the leasing and sale of the water rights. At that time a large number of settlers occupying lands from one to fifty miles from the lake were using for agricultural and other purposes, through the river, ditches and canals practically all the water of this lake.

In order to induce him to subscribe for stock in the company the defendants made a number of fraudulent representations, by means of which he was led to yield to their solicitations. He has since learned that his stock and certificate thereof, and demanded a return of his money, but the defendants refused to accede to his request. Hence he seeks for judgment against them—that the stock certificate be cancelled and declared invalid, for \$1850 and interest thereon from February 17th, 1892, and costs of suit.

Bennett, Marshall & Bradley are the plaintiff's attorneys.

Eliza A. Smith brought suit today against R. E. Burton, Jr., John A. Groves and W. B. Andrews, in partnership under the firm name of Burton, Groves & Co., to recover \$200 on a promissory note with interest at 8 percent per annum.

Barlow Ferguson is the plaintiff's attorney.

News has been received from the Utah mine, located near Iron City, of a rich strike at a depth of 120 feet. The body of ore is very large, the vein being 12 feet wide, and the pay streak is 18 inches wide and getting wider every foot. Pay ore is being taken out and the streak averages 200 ounces.

COHN BROS.' ASSIGNMENT.

Something Unexpectedly Sprang in Chief Justice Kane's Court.

TO SET ASIDE AN ATTACHMENT.

It will Come up for Hearing on Monday.—The Alexander Hubbs—Civil and Criminal.

Chief Justice Kane had a lighter morning today than usually falls to his lot on Saturday. The most important matter was the motion to set aside an attachment on a suit filed by Samuel Lord, Jr., against Cohn Bros., the dry goods merchants of this city, who assigned last week. The matter was discussed at some length by counsel for the respective parties, and the hearing set for Monday next. His Honor, at 11:30, adjourned court until Monday morning, having completed the day's list.

WHEN WILL IT STOP?
Attorney Ogden Hines again mentioned the matter of Burman and Co. et al. vs. Alexander, in which he said, a number of suits were consolidated.

The receiver of the Alexander estate (Mr. T. K. Williams) recently obtained the judgment of the court setting aside the assignment of a lease of the Alexander residence from Daniel Alexander to his wife, virtually on the ground that the assignment was fraudulent.

Upon that finding the court granted a decree dismissing Mr. Alexander, and authorizing the receiver to take possession of the premises. A stay was asked for which expired today on Monday.

Counsel said that he expected in behalf of Mr. Alexander, who, since the Alexander block was built, had occupied about thirteen rooms on the lower floor as a home for himself, wife and six children, the latter being all under age. If the decree were carried out, it would have the effect of disposing of the home of the family.

He asked that such an order of court be made as would protect Mr. Alexander's home and family.

Judge Kane said he should allow the decree to be executed, and if Mr. Alexander desired to purchase he could do so in the regular way.

COHN BROS.' ASSIGNMENT.
The case of Samuel Lord, Jr., et al., plaintiffs, vs. Louis Cohn et al., defendants, was the next case called up. On behalf of the assignors Attorney Varley L. Williams moved to set aside the attachment, and this was opposed by Attorney Kinney.

Attorney Kinney's argument, Judge Kane asked Mr. Kinney whether he was now prepared to state the allegations of fraud in the affidavit on which the attachment was issued.

Attorney Kinney—Not yet, but I will be able to substantiate every statement I make. The assignment shows upon its face that it was drawn up after the assignment on the 30th of December, 1892. This was after the assignment was made to the United States marshal on January twenty-four days afterwards.

Mr. Williams—On what do you say that?

Mr. Kinney—On the face of the assignment itself.

Mr. Williams (emphatically)—It does not show anything of the kind, and I will be sworn if the court please.

Mr. Kinney—There is an alteration, correction and a blank space in the copy to show it. I have the assurance here that the assignors have received goods to the amount of nearly \$200,000 through the United States marshal since December 30th, 1892, and some goods, even, since the assignment was executed.

Mr. Williams stated that what counsel referred to was purely a clerical error in the copying of the document by his typewriter, he was quite ready to prove, and asked Mr. Kinney on what grounds he based his latter statement.

Mr. Kinney said he had been informed that goods were in transit at the very time the defendants must have known that they were insolvent. He was, however, prepared to substantiate that this morning on account of lack of time.

Mr. Williams said that what fact did you make the averment in this affidavit that the defendants have assigned and disposed of their property with intent to defraud their creditors?

Mr. Kinney—Upon the fact that the original assignment as examined by me in the office of the county recorder upon the day it was filed shows that it was dated December 30th, 1892, and upon the fact that these defendants had made an assignment preserving nearly \$200,000 worth of goods that would not figure at all, as early as I could estimate, much more than enough to pay my preferred creditors.

Mr. Williams—What do you know about the amount of stock and when did you derive your information? On what basis do you figure your stock of goods?

Mr. Kinney replied that he figured it upon a general estimate. He admitted in answer to counsel that he was not familiar with the dry goods business, but said he had been through the entire store, except the basement. He had not seen the books or accounts of the firm and knew not what they aggregated. Mr. Kinney said that statements furnished him from the Utah Pacific office showed that the defendants had received nearly 100,000 pounds of merchandise since December 1st, 1892, and that upon the very day the assignment was filed they received merchandise valued at \$25,000. On the day after the filing of the assignment they received some 150 pounds. He claimed that he was entitled to a reasonable time in which to verify his assertions.

Mr. Williams asked Mr. Kinney whether he had any other evidence.

Mr. Kinney replied—I can also show that the assignors are practically in possession of that store today. The assignors are not staying there, but remain at their own place of business across the street. The assignors are employing their help to go on with the special sale, are marking the goods, and have the entire control of the business. The other day, when I went into the store with the sheriff, we had to send for the assignees in order to serve the attachment. The assignors were both there then.

Mr. Williams expressed himself ready and anxious for a complete investigation as to the allegations made by counsel, and said that in view of the importance of the matter he must insist that there be no unnecessary delay. He thought the other side should be ready to proceed by two o'clock today, as it was not an unnecessary delay to make the assignment of the store to the United States marshal, Judge Kane said he was not inclined to make the assignment of the store to the United States marshal, Judge Kane said he was not inclined to make the assignment of the store to the United States marshal.

THE PROSECUTION.
Coronels McLaughlin et al. vs. Henry Hinchman et al. In this case, submitted yesterday afternoon on demurrer to complaint and motion for judgment, Judge Kane this morning rendered his decision, allowing the demurrer to stand.

THE DEFENSE.
In the case of the People vs. James A. Varney, charged with obtaining money by false pretenses, the defendant was given till Tuesday next to plead.

CONTINUED.
M. J. Weeks vs. L. G. Hardy, collector. Hearing on objection to admission of testimony, set for Saturday, Feb. 4th.

FOR NEXT WEEK.
A. H. Hess et al. vs. M. White et al. Hearing on motion to set aside default set for Saturday, Feb. 4th.

ADMITTED TO THE BAR.
Mr. George Waterfall, of this city, on request of the committee appointed to examine candidates, was admitted as an attorney of this court.

SUBMITTED.
The application for a peremptory writ of habeas corpus in the district court, J. H. Dwyer vs. A. B. Richardson (the former treasurer) was submitted.

ADDITIONAL TIME.
Frank Hoffman vs. W. L. Pichard. Defendant was allowed ten days additional time to plead.

"MORRIS" LIFE INSURANCE COMPANY.
In the matter of the application of the Morris Life Insurance company, on a motion to dissolve the corporation, W. J. Halseman was sworn, and examined by Attorney Richard W. Young.

The witness having sworn, the court granted the decree of dissolution as prayed.

MADE A PARTY PLAINTIFF.
Edward Fawkes vs. J. Raleigh. In this case Fawkes was made a party plaintiff.

TO ANNOY COUNSEL.
Harriet E. Hart vs. Cohn et al. Ten days additional time allowed to amend complaint.

WALL, WALKER SERVICE.
Anna H. Fielding vs. Le Grand Young (trustee) et al. Leave granted to withdraw service to amended return.

DEFAULT ENTERED.
H. W. Fuller vs. Edwin W. Renner et al. Default of both defendants entered.

CHARGED WITH MISDEMEANOR.
Frank Miller indicted for embezzlement was arraigned and pleaded not guilty. Through his attorney (Mr. Kinney) he also entered a plea of former acquittal and jeopardy.

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