

# PATRICK PHELAN'S SPLENDID LEGACY

Appraisal of the Estate of De-  
parted Mining Man Filed.

## ORPHANAGE GETS \$76,630.

Real Estate and Effects to be Sold  
And Proceeds Turned Over to  
Kearns' St. Anne's Institute.

The appraisal of the estate of the late Patrick Phelan was filed with the clerk of the district court today. The appraisers, O. J. Salisbury, Frank Knox and R. B. Whittemore, find that the property is worth \$76,630.57, which was left entirely to Kearns' St. Anne's orphanage. The real estate will be sold and put out by the executors to the best advantage. The estate does not carry one dollar of indebtedness. The items which go to make up the total are as follows:

Cash in Walker Bros. bank	\$1,180.00
Cash in Deseret National bank	1,706.72
Cash in National Bank of the Republic	3,035.85
Two United States bonds	2,100.00
Twenty-four shares of stock in Deseret National bank	6,000.00
Fifteen shares in National Bank of the Republic	1,500.00
Cash in Deseret National bank	6,708.00
First mortgage loan on property on First West, between Third and Fourth South	4,000.00
First mortgage loan on property at Fifth South, between Fifth and Sixth East	2,450.00
First mortgage loan on property at corner of First South and Third West	1,200.00
First mortgage loan on property near corner Eighth South and Fourth West	1,100.00
One-fourth interest in White house corner	25,000.00
House and lot on Fifth South, west of Whittier school, rents for \$5 per month	3,500.00
House and lot, corner Main and Sixth South, rents for \$5 per month	6,500.00
House and lot on Main, between Fifth and Sixth South, rents for \$3 per month	1,750.00
House and lot on Poplar avenue, rents for \$5 per month	350.00
Lot corner Third South and Ninth East	500.00
House and lot on Third South, between First and Second East, rents for \$2 per month	2,000.00
House and lot on Second East, near the corner of Second South, rents for \$3	5,000.00
House and lot back from Fourth South, between West Temple and First West, rents for \$9 per month	1,000.00
Wearing apparel of deceased, value	50.00
Total	\$76,630.57

## YOUNG GIRLS IN COURT.

Held on the Charge of Being Incongru-  
ously Vicious.

Officer Barlow was the first witness called in the hearing given to the three girls, Eva Curtis, Maggie Curtis and Minerva Rives, who had been arrested on Saturday night upon a charge of drunkenness and profanity. He testified that the defendants were seen by him at the corner of State and Fourth South streets acting in a boisterous manner, and he warned them that many complaints had been made by residents of that vicinity and that unless they desisted they would be obliged to take them into custody. Later he placed the girls under arrest and took them to the police station, they being then in an intoxicated condition. William H. Chapman, who runs a store at 410 State street, testified to the boisterous behavior of the girls and some boys who were with them; none of the latter of whom he recognized. The girls were intoxicated and witness heard them shouting and making a loud noise generally. Some of them ran into his store, disturbing him with their boisterous laughter and shouts.

Ray Vroman, an employee of the feed and livery stable located on the corner of State and Fourth South streets, testified that he had seen the defendants in and about the livery stable and yards and that his employee had requested them to leave the corner at times when they were boisterous. Upon this testimony Judge Diehl held the three girls to the district court in the sum of \$50 each.

## MASTERS ACQUITTED.

Champion "Proposer" Advised to Shake  
Off Salt Lake's Dust.

T. W. Masters, the engineer of herculean physique, who was fined \$100 by Judge Diehl for assaulting Mrs. Sarah Haskell several weeks ago, was again called upon yesterday afternoon to defend an action brought against him by Mrs. Haskell. This time the offense charged was more grave than the former accusation, but the defendant managed to prove his innocence, and was permitted to go with the admonition to shake the dust of Salt Lake from his number tens as quickly as possible. The case came up before Justice Dana T. Smith. Mrs. Haskell alleged that because she positively refused to marry Masters, he swore he would kill her. The lady said Masters lived at her place some time ago and that about every five minutes of the day he would propose to her and she would reject him with scorn. After Masters' arrest for slapping her face, he wrote a letter to Mrs. Della Boyd, saying he was not in the least sorry for striking the woman, and that if she did not marry him he would "kick her slats in." Here is where the technicality of the case comes in. There are said to be two ways of interpreting the term "kick her slats in." According to Mrs. Haskell's idea it meant he would kill her, but the order and more modern interpretation means, "wave in a few of her ribs."

## One Dose

Tells the story. When your head aches, and you feel ill, constipated, and out of tune, with your stomach sour and no appetite, just buy a package of

## Hood's Pills

And take a dose, from 1 to 4 pills. You will be surprised at how easily they will do their work, cure your headache and biliousness, rouse the liver and make you feel happy again. 25 cents. Sold by all medicine dealers.

# A Wig

You don't see very many wigs nowadays. People have been educated how to care for the hair. That's one reason. Another is, Ayer's Hair Vigor makes wigs unnecessary. Nothing is equal for feeding the hair.

"For many years my hair has come out so fast every winter that I had to wear a wig. I tried Ayer's Hair Vigor. It stopped the falling, and made my hair grow so that last winter I did not use my wig at all."

Sarah F. Lewis, Pittsburg, Pa.

It was on the strength of this letter that the case was filed, and the court held that the man was not guilty and discharged him.

## MARRIED FOR SINGLE YEAR

Ada Wambolt Granted a Decree of Divorce  
From Her Husband Today.

Among Other Things Cruel Treatment  
And Willful Neglect Were Alleged  
In the Original Complaint.

Judge Stewart this morning granted Ada Wambolt a decree of divorce from her husband, Fred R. Wambolt, on the ground of cruel treatment to the extent of causing great bodily pain and mental distress, and for a willful neglect to provide the plaintiff with the common necessities of life. Mrs. Wambolt's maiden name, Ada Bobo, was restored to her. She was not allowed any alimony or counsel fees, but the costs of the action, \$18.70, were taxed to the divorced husband. The couple have only been married for a year last August.

## IN FAVOR OF SURBAUGH.

Judge Morse Finds for Defendant  
And Makes an Order.

After a three days trial of the Francis E. Johnson vs. T. M. and M. A. Surbaugh case Judge Morse today found the issues for the defendants, ordering that Mrs. Johnson endorse on the back of the \$1,000 note that she has been refunded \$500 of this amount. The costs of the suit are also taxed to her. On the counter claim the judgment of the court is for the plaintiff, the court finding that there is no cause of action.

## Tingle vs. Caffai.

Today was taken up by Judge Morse and a jury in the trial of the case of John Tingle vs. C. W. Caffai, which was appealed from Justice Lochrie's court. The defendant was a constable and served an execution on a horse, buggy and harness belonging to the plaintiff. The plaintiff's plea is that he needs the articles listed in his business, and that therefore they are exempt from execution, and he asks for \$50 damages and the return of the property. He is represented by Judge Looftbourd, and the defendant by H. C. Edwards and D. S. Freeman. The defendant's attorneys were arguing a motion for a non-suit when the "News" went to press.

## COURT NOTES.

Pardy Beardon's trial for assault with intent to commit murder has been set for Monday, Dec. 18.

The case of Jennie Paul vs. Heister Price was today continued to be reset at the January sitting of jury cases.

The suit for a certain right of way in Salt Lake county brought by the Rio Grande Western Railway company against W. Y. Croxall et al was today dismissed on motion of plaintiff and at its cost.

The defendant being in default Judge Hall has ordered judgment in favor of the plaintiff in the case of the State Bank of Utah vs. Don Carlos Young. The suit was brought to quiet title to certain real estate in Salt Lake county south of the city.

In the damage suit of Ward & Co. against the Rio Grande Western Railroad company for \$400 for cattle killed and injured the appearance of Stevens & Smith as attorneys for the plaintiff was entered today and thirty days stay of proceedings were granted.

## BEATS HIS WIFE.

Colored Woman Details Some Inci-  
dents of Seamy Side of Life.

A Commercial street woman who goes by the name of Mrs. Bernard Naheene, accompanied by Mrs. Griffin, a colored woman, called at Judge Diehl's office this morning and demanded a warrant for the arrest of her husband, Bernard Naheene, on the charge of assaulting and beating her. The woman said she married Naheene some time ago, and that shortly after he compelled her to enter a house of ill fame on Commercial street. Soon after, she says, he began to abuse her shamefully and the other night knocked her down and gave her a severe beating. Last night, she says, he found her in a saloon and gave her another beating. The woman says she is becoming tired of that kind of treatment and wants her brutal spouse taken care of. Judge Diehl at once issued a warrant for the man's arrest and he is to be apprehended at once. The man makes a living as a piano player in one of the Commercial street resorts.

## AMUSEMENTS.

The first rendition of "Jazz of the Bar Z Ranch" in this city, took place last night at the Grand Theater, and seemed to interest thoroughly the good-sized audience who assembled. The play is on the more or less lurid border type, and is filled with the usual atmosphere of ranch life and cowboy heroism. It is not so wildly improbable as other plays of the same class, which have been seen here, and the people who had the main parts, notably Miss Archer as Jess, and Mr. Lang as the villain, did some very creditable work. The same performance goes tonight and tomorrow night with a Wednesday matinee.

The advance sale for the H. Henry Minstrel engagement at the Grand Theater, now going on, is said to be two weeks ago.

Margaret Barry, the New York elocutionist, appeared before a small audience last night. The affair had been very poorly advertised or the audience might have been larger. Miss Barry thoroughly pleased her audience by her humorous and rather selections, her readings from "The Little Minister" being special features.

"The Wedding Dance" is to be given in Salt Lake on the afternoon and even-

ing of Thanksgiving day. A dispatch received by the local opera company from New York states that the orchestra, books and parts were expressed this morning. Prof. McCellan will call the entire company, with the enlarged orchestra, together for rehearsal next Tuesday evening. Mr. Pyper says the number of inquiries already received at the box-office indicate that the regular work will take up the thread of his business just where it was laid down at conference time.

## WARD CONFERENCE NOTES.

At the conference held in the Cannon ward of the Salt Lake Stake of Zion, Sunday, November 17, 1901, Brother William D. Williams, formerly Second Counselor in the Salt Lake Stake, was elected a Patriarch. Brother Charles E. Davey was ordained a High Priest and set apart as Second counselor to Bishop Lewis M. Cannon, and Brother Lewis T. Cannon was set apart as a sustainer of the Sabbath school of the ward. President Joseph F. Smith ordained and set apart both of the brethren assisted by High Priest Angus M. Cannon, President of the Stake. President Joseph F. Smith addressed the people for nearly an hour, imparting valuable instruction and referring in a feeling manner to his early acquaintance and association with the late President George Albert Smith, to whom he paid tribute for his memory, and the friendship entertained for his family.

## LICENSED TO WED.

A marriage license was issued today to Aubrey S. Hull, 21, and Mary E. Twombly, 20, both of Salt Lake City.

## BUSINESS NOTES.

"We are now having many inquiries for small homes from persons desiring to make purchases on the installment plan," said a prominent real estate dealer this morning. "I think that in the spring there will be a demand for them much in excess of the supply. Under existing conditions it is more advantageous to buy and own a residence than to rent, and it is nearly as convenient, the first payment only requiring a considerable amount of money. For persons with money in the banks Salt Lake really offers pretty good inducements and a much better rate of interest than now money actually costs elsewhere. It is really cheaper to own one's residence in this city than to rent. For instance, say A has \$3,000 in the bank or invested at 4 per cent, the interest will amount to \$120 a year. If he will sell it for \$25 a month or \$300 a year. Figuring the interest at 6 per cent on the \$3,000 or \$180 and adding all other incidentals and still it will cost less to own one's home than to rent it. 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