THE DISTRICT COURT.

Today's Business in Chief Justice Merritt's Department.

ACTION BY THE U. P. RECEIVERS.

They Seek to Obtain an Injunction in Regard to a Certain Water Supply.

Chief Justice Merritt is taking things quietly in the Third district court, while Associate Justice Bartch devotes his time to writing Supreme court opinions. The following were the only matters that engaged Judge Merritt's attention today:

DECREE OF FORECLOSURE.

In the case of J. P. Bengham vs. L. F. Rossi et al, a decree of foreclosure was granted, $125 being allowed as attorney's fee.

OVERRULED.

Oliver Ames, second, et al vs the Union Pacific Railway Co. Motion to intervene by H. W. Lawrence et al, having been previously argued, was now overruled.

MOVE FOR AN INJUNCTION.

The only case down for hearing on today's list was that of James Metringer et al vs James Hansen and Charles G. Johnson. Williams, Van Cott and Sutherland for the plaintiffs; Pence & Allen for the defendants. It was on an order to show cause why an injunction should not issue.

Part of the property in the hands of the plaintiffs, as receivers of the Utah Central railroad, consists of a water tank situated at Decker's station in Parley's canyon, the same being used for supplying water to the locomotives. Such supply, it is set forth, is obtained through an iron pipe 1,000 feet in length, from a natural spring and outflow on the mountain side near the track. It is then alleged that the defendants have unlawfully and maliciously interrupted and diverted this water and thereby prevented plaintiffs from supplying the engines, by reason of which proceeding they state they are unable to haul more than one-half the number of cars with a locomotive over the road that they formerly did. It is also learned that the defendants have been thereby guilty of a contempt of the authority of the court by which the receivers were appointed. Defendants, they say, are wholly insolvent and are unable to respond in damages for the loss sustained by plaintiffs, but threaten to continue their unlawful acts. Therefore it is prayed that defendants, their agents and employes, be restrained from further interference with the property.

In the course of a lengthy answer the defendants deny that the supply of water through said pipe is necessary to enable plaintiffs to operate their railway and that by reason of their cutting off such supply they are unable to haul more than one-half the required number of cars with a locomotive over the road. It is alleged that for many years prior to the erection of the water tank by the railway company, or the laying of the iron pipe, the defendants Hansen and Johnson were the owners in the quiet and peaceable possession of the lode mining claim known as the "Golden Falls." The claim is situated in Parley's canyon, the discovery shaft being about 1200 feet southwesterly from the water tank, and defendants declare that if the injunction prayed for were granted they would not only be wrongfully deprived of their right to the exclusive possession of all the surface included within the lines of the said mining location, but also be hindered from the proper development and working of the claim. No work, they say, can be done upon the claim at any time without interfering with the flow of water in the pipe. It is prayed therefore that the plaintiffs be prevented from interfering with defendants in their exclusive possession and enjoyment of the claim.

The hearing is proceeding this afternoon, a number of witnesses having been already examined.

A PRISONER FOR MANTI.

Deputy Marshal Fowler, of Provo, arrived in the city this morning and left for Manti this afternoon with Ben Young, who has been confined in the penitentiary for some time past awaiting his trial on a charge of assault with a deadly weapon at Westwater. According to present arrangement, the prisoner will be tried tomorrow before Judge Smith.

Deputy Marshal Fowler states that the remittitur in the case of Enoch Davis, the Vernal wife murderer, has not yet been received from the clerk of the Territorial Supreme court, but that as soon as it reaches Judge Smith he hence will direct that the prisoner be brought before him—to hear the death sentence pronounced for the third (and probably last) time.

THIS IS THE LIST COMPLETE.

Prizes at Saltair for Home Industry Day.

The following prizes will be awarded at Saltair Beach on Home Industry day, tomorrow:

Oldest lady resident of Utah, chair by H. Dinwoody.

Oldest gentleman resident of Utah, three pairs of fine suspenders, by Utah Suspender Co.

Lady longest engaged in philanthropic work, cape, by Cutler Bros.

Best drilled man in Deseret Guards, fine model.

Lady making finest gentleman's necktie from Utah material, two cases Hewlett Bros' soda water; second prize, one case.

Lady wearing neatest and most appropriate sensible costume, one case fine soda water, by Desbaillets.

Lady having largest family of children, one full set of Valley Tan shoes, by C. R. Johnson & Co.

Placed nursery under two years, high chair, by F. W. Mulvey.

Largest family party on the ground, one dozen bottles Salt Lake beer by Salt Lake Brewery.

Next largest family party, one dozen bottles beer by Salt Lake Brewery.

Next largest picnic party, one dozen bottles beer, Salt Lake Brewery.

Best lady waltzer, pair fine shoes by Crump Shoe Factory.

Best gentleman waltzer, pair shoes, Robinson Bros.

Best girl waltzer under 10, box fine candy by W. H. Dodge.

Best boy waltzer under 10, box fine candy by McDonald.

Foot race, boys under 10, fine trunk.

Foot race, boys under 10, box candy by Keys.

Foot race, girls under 8, box candy by Rooly.

Best girl pleasant under 12, organette by Calder.

Second prize, sheet music by Dayton & Cowler.

Most graceful girl rider, fan by Walker Bros. & Eyler.

Most graceful boy bicycle rider, order on Savage for one dozen cabinet photographs.

The Woman's Home Industry Association has completed the arrangements for the exercises at Saltair tomorrow. A great time is assured. The prizes are numerous and handsome. Many of the leading shops and factories of the city will be closed to allow the employes to attend the excursion.

The cause is a commendable one and the people appear to be anxious generally to help on the good work.

The association is desirous of establishing the proposed rescue home during the coming season, and no better object could be selected. All indications are favorable for a big crowd at Saltair.

The Hunter-Busby Case.

Editor Deseret News:

The following note explains itself:

SALT LAKE CITY, July 11, 1894.—Dear Sir—The defendant, T. W. Partridge, in action wherein Isaac Hunter is plaintiff and Partridge and George Busby are defendants, simply held the notes described in complaint for safe keeping along with other papers of the said George Busby, and it is only just to say that he was in no manner connected with the fraud alleged in the complaint.

Respectfully,

BARLOW FERGUSON,
Attorney for Isaac Hunter.

DEMOCRATIC EXCURSION.

Miss Viola Pratt Will Sing at the Big Saltair Jubilee.

The executive committee in charge of the arrangements for Democratic Day at Saltair on Saturday, have named the music committee for the occasion as follows: George D. Pyper, Mrs. H. P. Henderson, H. G. Whitney and Mrs. F. S. Richards. This committee has arranged a rare musical program, which will be interpreted between the speeches to be delivered by Messrs. Moses Thatcher, H. P. Henderson, B. H. Roberts and O. W. Powers. The program will be under the direction of Prof. Ole M. Kruse and will result in a song by Miss Viola Pratt, a violin solo by W. E. Walke and two quartettes by Messrs. Pyper, Whitney, Jennings and Crawford.

The program of addresses and music will be rendered at 8 o'clock, and will not consume longer than one hour. This somewhat early hour is set so as to enable the out of town visitors to catch their trains back. An interval will then elapse for bathing and picnic, and the whole will conclude with a grand ball in the evening.

The committee announces that although in Democratic ranks, Republicans, Populists and the public generally will be made welcome. A number of prominent Republican ladies and gentlemen have accepted invitations to the ball.

THE BUILDING SOCIETY.

Annual Meeting, Election of Officers, Report and Dividend.

There was a large attendance at the annual meeting of stockholders in Zion's Benefit Building society last evening, to listen to the reading of reports, elect officers, and attend to other business.

President T. G. Webber presided. After the reading of the call for the meeting, several amendments to the by-laws, which had been passed by the board of directors, were approved. The most important of these was in relation to the manner of declaring dividends. Heretofore these have been declared on the amount of subscriptions paid in, but the new rule makes them on the subscriptions and accumulated dividends. This places the earlier shareholders in a better position than formerly, and is more equitable in its arrangement.

A dividend was declared for the past year of $19,808 62, being 8½ per cent compound interest on subscriptions, and dividends.

The general financial statement was read, showing as follows:

Bills receivable	$[illegible]
Delinquent interest	[illegible]
Interest receivable	[illegible]
Real estate	[illegible]
Cash	[illegible]
Cash on hand	[illegible]
	$[illegible]
Subscriptions	$[illegible]
Dividends	[illegible]
Bills payable	[illegible]
Reserve fund	[illegible]
Undivided profits	[illegible]
	$[illegible]

The election of officers followed, the unanimous vote of the stockholders being given for the following, who were declared elected:

T. G. Webber, president; H. J. Grant, vice-president; L. S. Hills, treasurer; Edgar Howe, secretary; directors—A. W. Carlson, Arthur Pickens, Thomas Hull, W. J. Halmbake, O. C. Arnold, Jr., Robert S. Wells, John E. Bennett, Joseph M. Wells, David McKeown, John A. Silver, O. H. Beckstead; auditors—J. H. Burrows, C. A. F. Cobb, Henry T. McEwan.

Land Office.

Filings in the local land office under date of July 11 were as follows:

John Isetty, of Salt Lake City, homestead entry of the south west quarter of section 34, township 1 north, range 2 east.

Charles B. Berry, of Salt Lake City, solitier's declaratory statement to file upon, for settlement and cultivation, lot 1 and the northeast quarter of the north west quarter of section 18, township 2 south, range 1 west, in Salt Lake county.

James W. Pratter, of Pengelly, Garfield county, homestead entry of the west half of the east half quarter, the south west quarter of the southeast quarter, and lot 3, section 3, township 40 south, range 3 west.

The timber for July 10th were:

Caroline Shurtliff, of Milford, Beaver county, desert entry of the southwest quarter of the northeast quarter of section 20, township 26 south, range 10 west.

William B. Wilson, of Coalville, Summit county, homestead entry of lots 3 and 4, and the south half of the southwest quarter of section 2, township 2 north, range 8 east.

The contest case of Stevenson vs Shaw is in progress. It involves the south half of the southeast quarter of section 2, and the southwest quarter of the northeast quarter and the southeast quarter of southwest quarter of section 11, township 1 north, range 3 east, in Salt Lake county. Mr. Stevenson will show that Mr. Shaw failed to reside on the land upon his present entry filing.

Baseball at Garfield.

Following are the names and positions of the baseball clubs that play at Garfield Beach tomorrow:

Leadville.		Salt Lake's Patrons.
Name.	Position.	Name.
Simpson	Catcher	Lynch
Dalton	Pitcher	Bigelow
Sweeney	1st Base	Anderson
J. Quigley	2d Base	Corum
Hurley	3d Base	Spence
Ed Quigley	S. S.	Shaw
Perry	L. F.	Hoy
Chenoweth	R. F.	Kilgore
Keefe	C. F.	Smith
Ely	Sub.	

AMUSEMENTS.

ALF HAYMAN, brother and prime minister of the noted theatrical manager, Al Hayman, was among the belated travelers who came down from Ogden yesterday morning. Mr. Hayman is making the most strenuous efforts to get through to San Francisco, and for that purpose he returned to Ogden last evening, where he was sworn in as a deputy marshal, with a promise that he would be allowed to travel on the first mail train that set out.

The reason for Mr. Hayman's anxiety to reach the coast are that John Drew and his company, included in which is Maude Adams, are to open there next Monday night, and that all the preliminary work for their appearance is in Mr. Hayman's hands. He should have been in San Francisco a week ago, but the strike complications held him in Denver nine days, and altogether upset his arrangements. Drew and his company reached Denver by great good fortune and opened there last Monday evening to an $1,100 audience; they are to appear there the remainder of this week, but owing to the Southern Pacific gets into working order at once, they will barely be able to keep their appointment in San Francisco. Drew calls here on his return from the coast, and Mr. Charles Frohman, his manager, will in all probability accompany him. The Empire Theater stock company, headed by Henry Miller and Viola Allen, is another big attraction represented by Mr. Hayman, and it will appear here and in Ogden on its way west at the end of this month in the greatest dramatic sensation of the day, namely the Winds.

THE LYCEUM this week is playing to the customary good business. Carl Gardner's arrival has been deferred by the strikes and the Hoyt company is filling in the time.

PROF. TOROSTO TALKS.

His Address on False Reasoning of Interest to Strikers.

The teachers of the summer school were again entertained today with one of the ten minute talks that have been instituted as a popular feature of the daily program. The talk was given by Prof. Toronto, who spoke substantially as follows upon "False Reasoning:"

There is a great tendency in modern times to reason from false premises. Too often a result is taken for a cause, instead of proceeding to reason from a cause to an effect. The poor man considers the rich man his enemy. No matter what the motives of the capitalist may be, he is a benefactor to the laboring man in an important sense, and he is powerless to prevent the results of his investments from being a benefit to the laborer.

It is the accumulation of wealth that gives employment. Had the employes of Carnegie saved one dollar in ten of their earnings, they would have been able to have bought out the entire plant at Homestead, after the economies of a few years. Speaking from the point of view that the average man is not provident with his earnings, the gigantic enterprise would never have been built and it falls upon the employes to have created the works. The gambler reasons that he is a benefit to the community, because of the fact that instead of hoarding his money he spends it freely. Apply such a theory to all lines of legitimate business, and the argument falls of its own weight. Also a few years ago the people of this city, after subscribing means for a number of years, made the "interest investment," and when private expenditures became beyond their limit, public outlay was resorted to to save the community from going into bankruptcy. Because of the fact that the average man does not save his earnings, capital is concentrated in the hands of a few.

Miss Brotherhood is to speak tomorrow.

Of Interest to Educators.

The National Educational association now in session at Asbury Park, New Jersey, is having an unusually interesting session, and is largely attended. The association was organized in 1857, and has had annual sessions excepting in the year 1861, 1862, 1867 and 1875. In 1884 it was incorporated, and has a permanent fund of $10,000. Among the subjects already presented are: "The educational value of the Columbian Exposition," by Dr. S. H. Peabody, of Chicago; "The Ethical Aim in Education," by Dr. J. A. McClellan, Toronto, Canada; "Education for Citizenship," by the Hon. Hoke Smith, Secretary of the Interior; "Professional Training of Teachers," by Prof. Cook, Normal, Ill.; Prof. N. Williams, Ithaca, New York; Dr. E. E. White, Columbus, Ohio; "Recent Improvements in City School Systems," by H. P. Emerson, Buffalo, N. Y.

This evening an address will be delivered by Mrs. Allce Freeman Palmer, Cambridge; also an address upon "The Influence of the Higher Education of Country Life," by Dr. Wm. Harris, Washington, D. C.

The Fourth at Ryndale.

RYNDALE, Utah, July 5th, 1894.—The celebration of Independence Day in this place was a great success. It was carried out by the Sunday schools and Primary associations of Ryndale, South Hooper and Cleveland. At nine the guns were fired at Ryndale, answered at Hooper; flags were raised at the pestoffices, the school houses and grove, and at 9:30 a. m. hundreds were on their way to the court. In the procession Miss Kempton represented the Goddess of Liberty. The original dress was represented by thirteen young ladies, viz. The car was decorated with bunting and banners painted by our local artists.

At 10:30 the exercises commenced by the Sunday school union. Amen; prayer by Bishop Cozzens; singing Hail Columbia by the Primary; reading of Declaration of Independence, in a clear, distinct tone by Hunter A. Clark; song by Prof. Singleton and assisting choirs, Mrs. Williams, the executor by Sylvester Pingree; recitations, American Flag, Mrs. Hampton; speech of Patrick Henry, J. H. Cozzens; song by Mrs. Manning, Mrs. Singleton and others; recitation, The Bluing, by Miss Frandsen; speech by the Bluing, recitation, Marie Hilegy; song by Mrs. H. Kelly, Misses Cook and Robins singing to the chair; bread eaten by the company; picnic in the grove.

At 2 the business of the program was resumed, after which a dance was given the children. A game of base ball between the married and single men resulted in a victory for the married men; in the evening a grand ball in the pavilion.

The main feature was the car young men and ladies were mostly out spectators, they had the honor of being our entertainers, a plan that gives them an experience and helps to fill them with patriotic feelings.

J. C.

AT LAKE TOWN.

A Glorious Celebration of the National Birthday.

Special Correspondence DESERET NEWS.

GARDEN CITY, Rich county, Utah, July 5, 1894.—The people of Rich county did themselves proud in celebrating the Fourth of July. About 10 o'clock a.m. the people from the different settlements began to pour into Lake Town, and immediately repaired to the grove, some two miles south of town. There were present delegations from Woodruff, Randolph, Lake Town, Round Valley, Meadowville and Garden City. On arriving on the ground the town United with much pleasure received the Randolph brass band. At 11:30 a.m., Chatterton, of Woodruff, called the vast assembly to order under a blue coat bowery. The Randolph brass band rendered another selection. The Lake Town choir and the congregation sang America.

Chapman Isaac T. Price, of Round valley, offered up prayer. The Lake Town and Round Valley brass band played a fine piece. Elder Bengtsy, our genial county clerk at Randolph, read the "Declaration of Independence." Music by the Randolph Guitar and Mandolin class. This was loudly applauded and an encore demanded, which was given. McGlashan Bros. & Co. compose this class.

Hon. Aquila Nebeker delivered the oration, which was followed by a fine recitation by Mrs. Pearl Brough, of Randolph. The Lake Town and Round Valley brass bands played again, after which Wm. Gordon, of Meadowville, made a speech appropriate to the occasion.

Prof. Peter McKinnon rendered a violin solo accompanied on the organ by Miss Agnes Smith, both of Randolph.

The Lake Town choir sang another beautiful song, after which the meeting adjourned, and all repaired to their various lunch baskets and partook of refreshments.

The brass brass bands united and rendered several selections during the afternoon. Foot racing and base ball playing were also indulged in. All seemed to enjoy themselves and the day's outings wound up with a grand ball in the Lake Town hall, which was kept up until the wee sma' hours of the morning it was a time long to be remembered.

NOTES.

We are blessed this season with very frequent refreshing rain showers, and less one just before the 4th which laid the dust and left the air cool and delightful all day.

W. A. Moore and his son Phillip have taken a trip to Snake river to visit some of their relatives. Brother Moore has two daughters married in that country. They are expected back this week.

A. C. Isaacs and family celebrated the Fourth at Sugar Lake, with friends and relatives. V. RITE.

Summer School at Manti.

The Manti summer school was formally opened yesterday. Between 40 and 50 students were present, besides the children who had come to attend the kindergarten. The railroad strikes caused a little trouble in relation to obtaining a full supply of books, but that difficulty is now settled.

The work of the leaders will be confined chiefly to the building and under the immediate supervision of Miss Chapin of Boston, who has charge of the kindergarten and primary methods. The work in mathematics, language and science is so arranged that the student will come at certain hours for class work and then be relieved for the day. No lectures or recitations will be made, the course will run on at the time appointed.

Opposite the room where the ladies are receiving instructions in kindergarten work is a model of little children in practical training under the direction of Miss Nettie Messer, who is assisted in the musical work by Miss Vendie Pike.

As these in attendance represent the best educational ability of this section of country, a high quality of results may be expected. EMMA.

Will Assemble Tomorrow.

The members of the Utah Commission will meet at 11 o'clock tomorrow morning for the purpose of appointing county registrars.

DISASTROUS EARTHQUAKE.

Many Human Beings Buried in Constantinople.

CONSTANTINOPLE, July 11.—Four fresh shocks of earthquake were felt yesterday. In the jewelers' quarter the inhabitants fled, leaving their valuables behind. Many were buried beneath the ruins. It is known that in this city five were killed and in the suburbs over 150 were buried beneath the debris.

Populists Adopt Resolutions.

MINNEAPOLIS, July 11.—The State Populist convention today nominated H. H. Owen of Minneapolis for governor by acclamation. The platform reaffirms the Omaha platform; demands the endorsement of the initiative and referendum and demands the nationalization of the liquor traffic. Additional resolutions condemning partiality to organized labor and condemning the arrest of Debs as unwise and unjust were adopted.

Christian Endeavor Conference.

CLEVELAND, July 11.—The city is represented in yellow and white today in honor of the Christian Endeavor convention. Notwithstanding the big railroad strike, delegates have arrived. Secretary Baer estimates the attendance to be 12,000. This evening as a preliminary to the convention of the Christian Endeavor, a mass meeting will be held in fifteen churches.

John M. Allen has just returned from the Big Horn country, whither he sled two citizens left, about six weeks ago. We have been unable to gather any news from him concerning the country as yet.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $[illegible]. Same day last year, $111,[illegible].

TODAY'S QUOTATIONS.

New York—Silver, [illegible], lead, $[illegible]. London—Silver, [illegible]. W. S. Moloney & Co. received today: Bullion, $2,[illegible] gold, $[illegible]. Total, $[illegible].

REAL ESTATE.

Transfers filed in the office of the County Recorder of Salt Lake County, July 10, 1894.

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]