

## SPECIAL BUSINESS NOTICES

**DECORATION DAY** can be pleasantly spent at Spring Lake ("Calden's Farm") in dancing, boating, etc. Admission only Twenty-five cents, including dancing. The grounds will be closed at dusk.

**Geo. Calder,**  
Manager.

**Leah's Helixian Salve.**  
Never fails to cure corns, chilblains, bunions, old sores from five to ten years standing, cancers, ulcers, broken heels, burns, bruises, scalds, frostbite, etc. Price 50 cents per box.

**Geo. W. Crocker,** Sole Agent,  
deput opposite Kimball Block,  
Salt Lake City. Post office box 418.

**FULLER'S HILL** will be opened free, on Decoration Day, with all its attractions, swings, croquet grounds, quads, and other facilities for out-door sports. See advertisement.

**H. DINWOODEY HAS THE LARGEST ASSORTMENT OF WALL PAPER IN THE CITY, AND A FIRST-CLASS PAPER HANGER.**

Don't pay \$2.00 for Tullidge's Life of the late President Brigham Young, when you can get them at Dwyer's Book Store for \$2.50.

**d w l e**

**GILBERT'S EXTRACTS.** The best in town.

A well-timed and judicious concession to the popular demand for reduced rates has added very greatly to the former excellent popularity of the Colorado Hotel, Philadelphia.

**PURE DIXIE WINE FROM THE VINEYARD OF JOHN C. VAIL, TOQUERVILLE, AT Z. C. M. I. DRUG DEPT.**

**LARGEST stock of Wall Paper in the city at Rivers House, one and two doors south of Walker House.**

**KIDDER'S PATENT BEE HIVES, \$4.50; REFRIGERATORS AND WIRE CLOTH, AT DINWOODEY'S FURNITURE STORE.**

For good Garden and Flower seeds go to Smith's opposite Theatre.

**Household Goods Wanted—Cash.** Don't sell your household goods and traps until you consult John Crane, west of Theatre. He pays the highest cash price. Co-operate as good as gold in trade.

**USE SURE FOR TO DESTROY AND CLEAN YOUR HOUSE FROM ROACHES, ANTS AND BED BUGS.** Warranted by Rivers House, one door south of Walker House.

**ADDRESS of the Church Emigration agent: William C. Haines, P. O. Box 3007, New York City. Office address: Number 5 Battery Place, New York.**

**SURE FOR TO DESTROY AND CLEAN YOUR HOUSE FROM ROACHES, ANTS AND BED BUGS.** Warranted by Rivers House, one door south of Walker House.

**GILBERT'S LAUNDRY CASTLE SOAP** is the cheapest, as it takes less.

**How Hides are** discolored teeth, and how mortifying they must be to persons troubled with them. Yet it is unnecessary that they should be so, since SOZODONT will restore their health and pristine whiteness. Use it, for it is safe, aromatic, and effective.

**GILBERT'S YEAST POWDER.** The best never fails to please.

**SPORTSMEN ATTENTION! RESSER'S BIRD.**

On account of their large and increasing business, have determined to remove to larger quarters, and have secured the premises known as the Saddle Rock, one door south of Wells, Fargo & Co., where they will open with a large and improved stock of sporting Goods, consisting of Guns, Pistols, Ammunition, Fishing Tackle, Pocket Cutlery, and other requisites, use an extensive museum. There will be a Shooting Gallery attached to the premises.

**Reprints as usual executed with neatness and dispatch.**

**German Coffee Saloon Re-opened.**

The old, original Joe will re-open the above well known Coffee Saloon and Restaurant, on Saturday, the 27th, when he will be pleased to see all of his old friends, and extends a cordial invitation to new ones.

**German Coffee Saloon at Restaurant** 4138 No. 50, Commercial St.

**TERMINAL** ship taken at the Commission House, Old Constitution Building, John C. Cutler, agent.

**LACE CURTAINS AND WINDOW SHADERS A SPECIALTY.** AT Z. C. M. I. CARPET DEPARTMENT.

**NO. 5 ELDREDGE, SUPT.**

**SILVER** Silver paid and taken for grass, garden and flower seeds, oaks, corn, wheat, barley and potatoes, as T. C. Armstrong, 25 First South Street.

**RED CANYON, ROCK SPRINGS AND WEBER COAL.**—The only reliable market for lump, sorted and egg coal. Large stock always on hand, and full weights guaranteed. Prices in 100 lbs. cased attention of the public. Office, Denver Bank Block.

**A. GOUTL, Agent.**

City along made to order, at the Free Woollen Mills agency, Old Constitution Building, John C. Cutler, agent.

**BUCKLE & SONS** want to talk to you. Find their advertisement and read it. They mean all they say and will do as they agree. Is not this a virtue especially rare in labor?

**Tarrant's Helixian Salve** is a very popular and pleasant medicine, especially in the summer time. See adv.

**CALDER'S Farm** is one of the places that presents unusual attractions for Decoration Day or picnic parties at any time. See notice.

## EVENING NEWS

Friday, May 28, 1898.

### PRICE OF COIN.

Obtained daily by Denver National Bank.

SALT LAKE CITY, May 28, 1898.

**GOLD**

Buying at \$1.10 Selling at \$1.11

**SILVER**

(Half Dollars)

Buying at 0.87 1/2 Selling at 0.88 1/2

### LOCAL AND OTHER MATTERS.

#### Friarhood Meeting.

Bishops and others interested are reminded that the Monthly Meeting of the Priarhood of this State will be held in the Fourteenth Ward Assembly Rooms, on Saturday, June 1st, commencing at 11 o'clock a. m.

#### NOTICE.

The Bishops are particularly desirous to furnish the names and ages of every person in their respective wards over 70 years of age, to enable the committee of the old folks' excursion to furnish their arrangements. Please send them in at latest, to Bishop Hunter's office, by Wednesday next, and oblige.

**E. HUNTER,**  
Presiding Bishop.

**GEORGE GODDARD,**  
C. R. HAYDOCK.

**Concert.**—The benefit concert, in aid of the Welsh, comes off at the Sixth Ward School-House to-night.

#### Missionary Meeting.

All the home missionaries of this State are requested to meet at the Council House on Wednesday evening, the 28th inst., at 7 o'clock.

#### Drowned.

On Saturday evening, a little daughter of W. H. Williams, who resides in Ogden Canyon, was crossing the river on a plank bridge. She lost her balance, fell into the surging stream and was drowned. So we learn from the Junction.

#### Special Taxes.

We learn from the U. S. Assessor and Collector, that all persons, dealing in liquors, beer or tobacco, and thereby made liable to payment of special taxes, must pay the same for the year beginning May 1st, 1898, before the end of this month, or they will have to pay half as much more and be liable to fine and imprisonment as well.

#### Decoration Day.

Thursday, Decoration day, it is expected will be observed as a general holiday. Many of the leading mercantile houses have signified their intention to close, and it is believed that all our business people will take a little rest and recreation on that day. The Denver News will join in the holiday, and give its employees an opportunity for an "out."

#### Grand Ball.

A social party will be given to-morrow, Wednesday evening, in the elegant assembly rooms of the 17th Ward. The proceeds of which will be devoted to the finishing fund for the completion of the building. Often's quadrille band will be in attendance and Mr. Jas. Curran will act as prompter. It is expected to be a very fine affair, and all who participate in the amusement will add to the finishing of the house.

#### Harrison-Hart Company.

"Doble Brothers" drew a large audience last evening, and the frequent applause indicated general satisfaction with the piece and the playing. The plot is not very intricate, but it gives room for the traditional daughter in love with a young fellow, forbidden the house by the stern father; the favored villain; the faithful maid; the inevitable trial scene, which always abounds; the final triumph of virtue and discomfiture of vice. There are several startling sensational positions in the piece, and it was placed on the stage with the usual admirable skill and care of the management.

The acting was excellent. Harrison and Hart in their numerous characters exhibited unusual talent, and their representations were very faithful portrayals. All the company—and it is large, are good actors, and life and vim characterized the play throughout. The boys of the 9th formed a very pleasing feature of the entertainment, their perfect drill and admirable appearance eliciting tremendous applause. The songs and witty dialogues were far above the average, and there was nothing vulgar or objectionable in the least comedy presented.

The orchestra introduced several novelties to this part of the entertainment, and the song part of the entertainment was very enjoyable. As soon as the curtain was down, the band began to play, and as soon as the orchestra entered the curtain was rung up again, so that the interest of the audience was maintained throughout the evening. Dave Braham is the prince of musical conductors, and the cornet player is equal to Larry.

"Doble Brothers" will be repeated this evening and at a matinee to-morrow. It is well worth seeing, and all who want a representation of hearty laughs and to see some genuine comedy acting should not miss attending.

"Old Lavender" is the play for to-morrow night. This company will draw hugely in Ogden.

**The Beautiful Land Claim.**—The recent land case between James W. Burnham and Arthur E. Burnham, against Amos Call and others, of beautiful Davis County, has attracted considerable interest among various classes of the community. Believing that a correct version of the case in its entirety should be published, we have taken the trouble to obtain the facts, which we will place before the public as completely as possible.

The quarter section which was in dispute was owned in severalty, by right of occupancy, continuous cultivation, etc., by John K. Crosby, Jos. B. Noble, F. G. Sessions, Amos Call, William Jones, Wm. R. Smith, James Kippin, Thomas Tingey, James Wall, David Stoker, Alma Stoker and Edward Thomas. The company of these parties owned the section for a period of 15 to 25 years, and they had made permanent improvements amounting to thousands of dollars.

As early as May, 1890, William Jones was selected, by common consent of the interested parties, to homestead the quarter section in question, and he did so on the 4th day of the same month, as the entry on the record of the S. L. City land office shows. In 1874, Jones made final payment, and in January, 1875, as required by the land office, he made final proof, supplying a copy of papers of citizenship and a non-mineral affidavit. After waiting for one year, in good faith, for the patent, Jones was, under date of March 20th, 1876, notified that his entry was held for cancellation, because he had not settled upon the quarter section until May 4th, 1868. This was false, as Jones settled upon the land April 14th, 1863, and had lived upon it continuously from that date. The error occurred at the land office in this city, purposely or otherwise.

The Secretary of the Interior was informed of the mistake, if such it can be called, and while his reply was being waited for, the Union Pacific Railroad Company claimed the quarter section, under the government grant to that corporation of unimproved lands. The railroad company, without any notice to the occupants of the land, sold it to the Burnham Brothers, on April 13th, 1876.

Jones, the homesteading party, through a pressure brought to bear upon him from the Burnham side, became weak-kneed and signed a paper presented to him, by which he relinquished his right in favor of the railroad company or the Burnhams. Subsequently the same vacillating person made an affidavit revoking such relinquishment. Nine months later, by order of the Secretary of the Interior, Jones was required to make proof as to settlement on the land on April 14th, 1863. This he did in January, 1877, and yet after all the proofs were in, at the instance of the Burnhams, he signed, in his own house, a paper, presented to him, the contents of which he subsequently stated he was ignorant of at the time. The document ratified his relinquishment of claim to the land in favor of the adverse parties.

The decision of the Secretary of the Interior, which was adverse to Jones and in favor of the Burnhams, only reached this city, we understand, about 1894 or 1895.

On July 4th, 1876, pending the foregoing proceedings, the owner of the land, by right of occupancy, moved and hauled away from it a quantity of hay. In consequence of this the Burnhams entered suit against them for damages to the amount of \$2,000 on account of the hay cutting.

In their answer, the defendants set up that they never at any time cut any hay, etc., from any land whatever belonging to the plaintiffs. As the trial, S. J. Jones appeared as counsel for the plaintiffs, and J. G. Rutherford for the defendants.

The defendant's counsel, asked numerous questions, the purport of which was to ascertain if the plaintiffs were in possession of the premises when the facts of the case transpired; and whether the defendants were not then, in the exclusive possession. These were objected to by plaintiff's counsel, and the court decided that the questions should not be answered, because he held that the answer admitted that the plaintiffs were in possession.

After these decisions, made on several such questions, the defendant's counsel made several formal offers of proof, as he said, to obtain a direct decision on the proof that the defendants were prepared to make as a whole. These offers were in brief, to show by evidence, that when the transaction took place which gave occasion for this suit, the defendants were in the actual possession of the land and had been in such possession for a long time; that the plaintiffs never had any possession of it until 1877, which was the year afterwards, and that the plaintiffs were not the owners of the hay and never had possession of it. The testimony so offered was objected to by the plaintiff's counsel, and the Court ruled it out.

It was contended on both sides that proof of the fact when the act of cutting the hay was done was necessary to give the plaintiff any right of action; the proof offered therefore tended directly to show that the plaintiffs need without having any case.

We have read the statements in the answer and if language, in a legal paper called an answer, is to be understood as, when good elsewhere, the decision that the plaintiffs' possession of the land is not denied, shows that the judge lacks either judgment or veracity.

In his final instructions to the jury he used this language, which we have copied from his handwriting on file:

"In that case the plaintiffs admit that the plaintiffs were in possession of the land described, and that the defendant entered and cut some grass and took it away without settling up any valid claim to the same. The plaintiffs themselves have a right to sue against the defendant, and the

material question for you to decide is the measure of damages."

The jury found for the plaintiffs in the sum of \$450.

**Brigham City.**—This morning we met Brother E. E. Bowring, formerly of this city, but now a resident of Brigham City. He is much amused with his new home.

He superintends the harness shop, in which he has six hands busily employed, turning out work that cannot be excelled in the country for quality or price. A good trade is being done in the harness line with the northern counties, and the goods are giving excellent satisfaction.

The main building of the new woollen factory is nearly finished. The upper floor was being laid on Saturday, when Brother Bowring handed over a period of 15 to 25 years, and they had made permanent improvements amounting to thousands of dollars.

There is an extension from the main building, 35 ft. by 41 ft. That is also advancing, the first story being up.

The wool clip has been unusually large and fine this season. It is estimated that it will be sufficient to run the factory for a year, without it being necessary to obtain any from other sources.

The people are united, prosperous and happy; ready and willing to help to toll on the work of the Lord.

**Returned Missionary.**—Elder F. F. Hintze, of Big Cottonwood, who has been absent on a mission to the States fifteen months, returned last evening. He left here Feb. 12, 1877, and during his absence, traveled extensively in Iowa and Nebraska, holding about 140 public meetings, and in connection with Elders Frantzen and Mortensen, baptizing 25 persons in the latter State. He also organized a conference at Omaha of three branches, numbering upwards of 60 members, 17 of whom have since moved to Utah. Elder Hintze reports the prospects for continued success in his late field of labor as favorable.

**Bad Accident.**—At half past three this afternoon William McCann, a laborer, while at work on the New Tabernacle, lost his balance, while on the scaffold. In descending he struck upon the timbers for the gallery, falling from there to the ground. His head was badly cut and his body much bruised and shaken. Dr. Richards, who was called to his aid, was of opinion that no bones were broken. The unfortunate man was inebriated when we went to press. He is a resident of the First Ward.

**"Uncle" Robert.**—Mr. Robert Carter, the veteran news dealer, familiarly known as "Uncle Robert," called to-day and left his portrait at the office, photographed by Mr. C. W. Carter. The likeness is a good one, being worthy of the original.

**Alerts Engine Co. No. 3.**—There will be a meeting of the above company, held at the Firemen's Hall, to-morrow evening, May 29th, at 7:30 o'clock, sharp. A full attendance of the members is desired.

**G. W. TIMMONS, Secy.**

**Tarrant's Helixian Salve.**—Is just the thing for this work. It not only cleanses and fortifies it never fails.

**FOUND.**  
A Pocket Book containing money. The owner can have it by applying at this office.

**SPECIAL CONSIGNMENT**

**WALKER BROS. LIQUORS**

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## CONTINUED ADDITIONS TO SPRING STOCK AT TEASDEL'S.

**AN ELEGANT LINE OF LINEN LAWN, GRASS CLOTHS, PERCALES, FLOWERS, FANS, PARASOLS, PRINTS, PRINTS, PRINTS.**

**The Handsomest and Best Line in the City, and THE BEST GOODS FOR THE PRICE AT TEASDEL'S.**

**A SPECIALTY WORTH ADVERTISING.**

**TO ALL LOVERS OF GOOD TEA.**

**THE IMPORTATION OF THE TYCOON TEA**

**By G. F. CULMER,**

Has met with immense popularity. To accommodate the increased Trade we have decided to sell it in Half Pound Papers. A Large shipment just received direct from Japan.

**BE SURE YOU ASK FOR THE TEA POT BRAND.**

**THOMAS TAYLOR**

**Conference Friends and Visitors**

**DRY GOODS, CROCKERIES, BOOTS, SHOES, HATS, CAPS, &c. &c.**

**THE UNITED ORDER OF TAILORS,**

**Merchant Tailoring Establishment,**

**OPPOSITE Z. C. M. I.,**

**IS THE LARGEST AND MOST RESPONSIBLE TAILORING HOUSE IN UTAH TERRITORY.**

**GENTLEMEN'S OWN MATERIAL MADE UP,**

**FIT AND WORK GUARANTEED.**

**Cleaning and Repairing a Specialty.**

**A COMPLETE VARIETY OF GOODS.**

**NOTIONS.**

**STAPLE & FANCY DRY GOODS,**

**Ribbons, Hosiery,**

**FANS, PARASOLS,**

**OIL CLOTHS & CARPETS.**

**New Goods, Just Received,**

**AT GREATLY REDUCED PRICES.**

**ONE & ALL TO CALL!**

**And Save Money by Examining Quality and Prices before Purchasing Elsewhere.**

**WM. JENNINGS & SONS,**

**Eagle Emporium, Salt Lake City, Utah.**

## WALKER BROTHERS. CARPETS! CARPETS!

**One Hundred Pieces CHOICE**

**Body BRUSSELS**

**BEING OFFERED AT PRIME COST**

**BY THE PIECE!**

**—TO REDUCE STOCK—**

**A NEW LINE OF**

**INGRAINS**

**50c, 60c, 70c, 80c & \$1.00 per Yard.**

**Carpets, Carpets.**

**OVER 200 PATTERNS TO SELECT FROM.**

**Ladies wishing their Houses furnished tastefully, should buy their Carpets of us.**

**WALKER BROTHERS.**

**REMAINS OF THE LATE NEW YORK FIRE**

**\$5,000 worth of Damaged Dress Goods**

**Consisting of the Latest Styles and Patterns.**

**Silks, Merinos, and Ladies' Hosiery,**

**Part Remains of the late New York fire on Canal Street, where our Agent contracted for the purchase of same.**

**WITH SAME SHIPMENT WE ALSO RECEIVED**

**500 Diagonal Coats and Vests, 500 Lig 1 Cass'mere Suits**

**Of Our Own Manufacture, at No. 54 Mercer St., New York.**

**These Suits embrace the Latest Styles and Patterns, made expressly for the Utah Trade, also, 100 Youths' and Boys' Suits, especially adapted for the boys of Utah. We will sell the above stock, at**

**Auction, Without Reserve!**

**Those wishing to save from 25 to 100 Per Cent. on Dry Goods, Clothing, and Notions, will do well to call and examine our inventory, at**

**REGGEL'S AUCTION COMMISSION HOUSE,**

**85 Main Street.**

**Sales Daily. Special Sales Wednesdays and Saturdays.**

**L. REGGEL, Auctioneer.**

**WESTERN OIL COMPANY,**

**MANUFACTURERS OF**

**Oils and Axle Grease,**

**NOT ST. LOUIS, MO.**