THE DISTRICT COURT.

J. H. Fisher Sues the U. P. Railroad To Recover $15,000 Damages.

ACTION ON A PROMISSORY NOTE.

A Controversy About Sheep.—Salaberk and His Former Master-in-Law. —Other Suits.

The first case heard in Chief Justice Merritt's court this morning did not occupy more than a quarter of an hour and was tried by his honor, a jury having been waived. It was that of Bennett A. M. Felesch vs. H. H. E. Ward and George Ward, and the action had been brought to recover the sum of $600, balance due on a promissory note for $900, with interest at 10 per cent per annum from August, 1891, until paid, for $90.75 interest on interest payments, and costs of suit. As answer, the defendants set up that the note was given to be the purchase price of certain interests in Salt Lake property. That on July 28th, 1891, they were willing to pay the balance due on the note, provided plaintiff would furnish them with a clear title and warranty deed to the property, according to the terms of agreement, which, however, he was unable to do, and were accordingly compelled to have another half and sold. Defendants alleged therefore that there was now due, then $600, with interest, for which sum they prayed judgment.

His Honor, after hearing the testimony, found for the plaintiff in the sum of $600 and costs.

THE PRESIDENT DEFEATED.

The suit of Joseph H. Fisher vs. the Union Pacific Railroad Company was next tried before a jury, the plaintiff demanding $15,000 damages for personal injuries.

Suit is represented by Attorneys Baskin and Calder and the defendants by Attorneys F. L. Williams and D. H. Hempstead.

At the hour of the accident, which occurred on November 22, 1891, plaintiff was 22 years of age, and in the employ of Moore and Company, dry goods merchants, at this city. He alleges that the acts of carelessness, negligence and positive misconduct on the part of the defendants consisting of which he complains resulted in the turning of a train of cars on a private side track or switch upon which he and others were at the time working, no warning or signal of any kind having been previously given. It is further alleged that neither a brakeman nor any other person was stationed near the side of the moving train in order to see that the side track was free from obstructions, as he had been wont to do, but that he suddenly employed one a kind of demon connecting from the adjacent building without their first having the precaution to learn whether any person was working around the car, that the train was turned at an unusual time of the day, at an unusual rate of speed, and in utter disregard of the safety of the laborer and employee. As to the injuries sustained by the plaintiff, he says he was knocked down by the engine, his entire body was bruised and two wheels of one of one of the cars passed over one of his feet, crushing and mangling it in such an extent as to cause him great suffering and the foot is still in a weak and partially disabled condition. He claims damages to the sum of $15,000 are claimed, the total amount used for being $15,000, interest and costs of suit.

The defense pleads in an answer denying all the material allegations of the complaint, sole carelessness or negligence on the part of the company's servants.

The hearing will probably extend over the whole of tomorrow.

The same case was tried before Judge Anderson about three years ago and an judgment in account was entered. Then a motion for a new trial was applied for, and consequent to that the action was carried on appeal to the Territorial Supreme court, resulting in the present proceeding.

VERDICT FOR ONE DOLLAR.

In the case of Charles Dean Sr., of st vs Peter Anderson, tried yesterday, the jury today brought in a sealed verdict in favor of the plaintiff for $1, signed by nine jurors.

ERRORS.

Alfred Young, James Sylvan and Wm. Archibald, petit jurors, were excused for the week.

SOME JURYMEN.

In pursuance of the order issued by the court yesterday, U. S. Marshal Irgham this afternoon returned an venire of twelve petit jurors for the April term, as follows: J. H. Wallace, John D. Spencer, John G. Adams, J. D. C. Young, J. M. Wilcox, J. A. Davenport, Geo. H. Dickey, R. R. Pratt Sr., H. B. Young, T. F. Thomas Jr., Alfred Young (second) and J. A. Gibson.

DEFAULTED.

Thomas Brown vs. Joseph Marion. Dismissed upon stipulation.

CONTESTED ESTATE SUITS.

The case of James H. Erekson vs. H. J. Erekson and Isaac D. Erekson, administrators of the estate of Peter Erekson, deceased, is being tried before a jury in Judge Bartch's court this afternoon.

Attorney Critchlow appears for the plaintiff, Judges Powers and Hage for the defendants.

The total amount of the claim is $1,000, and the suit arises out of an estimated wrongful act is alleged the defendant, in October, 1893, induced the Peter Erekson 1,500 head of stock for a term of five years, under conditions specified in writing. Peter Erekson was insolvent in March, 1891.

NO MORE BOTHERED.

Edward W. Hoffman and his mother-in-law, Mrs. Frances Clark, will not, in all likelihood, be taken of again in a legal criminal here. The $10,000 damage suit which the former had against her divorced wife's mother about a year ago was on the road for hearing yesterday afternoon in Judge Bartch's court, but when the case was called at a late period of the day neither the plaintiff nor his attorney answered. For this reason, on motion of Mrs. Clark's counsel, the case was dismissed. It was a peculiar affair altogether. In the early part of 1893 Mrs. Hoffman commenced divorce proceedings against Edward W., and the husband, in turn, filed the suit for $10,000 against the mother-in-law, claiming that she had been instrumental in alienating the affections of his wife. The divorce suit resulted in Mrs. Hoffman obtaining a divorce in Judge Bartch's court, and she may have instituted Hoffman's "$10,000" suit since the latter now to go on their way.

NAMES THE OWNER.

In Judge Bartch's court late yesterday afternoon the case of Mary Eastman vs. A. B. Carey et al was tried. Plaintiff alleged that on October 5, 1892, she was the owner of a portion of lot 5, block 33, plat B, Salt Lake City survey, and that the defendants entered on the premises and refused her possession, to her damage in the sum of $75. It was also stated that the value of the rent and profits during the time that plaintiff had been excluded from the premises was $25 per month. Hence she prayed for judgment for possession, with $25 as damages for wrongful detention and for the rental rate of $25 per month for the trial term of suit.

The defendants denied that plaintiff owned the property or was entitled to the possession of it on October 5, 1892, and claimed ownership themselves.

On this was in progress when court adjourned for the day, and the hearing was resumed this morning, when the jury found for the defendant, a bill of exceptions to be settled at any time within ten days.

DEFENSE SUSTAINED.

In the case of Edward Brown vs. Edwards Bevan, a suit to recover the sum of $200, being the value of a horse belonging to plaintiff which he alleged the defendant unlawfully took and killed, the jury now found in favor of the defendant.

In the lower court the finding was for the plaintiff for $125. The defendants then appealed, and now the cases are tried.

Today's Probate Court.

Estate of Robert Walsh, deceased. Hearing as to allowance of claims to administrator on money advanced by him. Order made as prayed.

Estate of Nathan Shaw, deceased. Hearing on petition for letters of administration and objections thereto. No request of counsel, however, the petition was withdrawn and the hearing dismissed.

THE INDUSTRIAL ARMY.

The General "Buckeye" Up to a "Few Years Ago"—Invented "Job as Leader."

At the regular meeting of Gen's battalion of the Industrial army last evening, "General" Coxey stated that he was a "workman" for another for a few years ago, but has been laid back while in order of a job, and since then to the laws governing law in the land, and was now a professed of reform. He had the men that they ought to get and agree amongst with their employer and work it out. He had to lead the body, and would accept the job "general," and less than thirty to a season.

After the job was called and twenty-four men responded, out of several hundred enlisted, and formed a company for the purpose of "Coxey's Army" (as a sentinel awkward name) the "General" had the crowd that they couldn't be asked to enter, as the army had been promised provisions and money by several leading citizens, one of the men, was Mr. Fred Simon, he said, and informed him that the men would be provided with food and shoes and clothes, and everything they required. He also guaranteed the transportation would be furnished for every one who wished to go.

A News reporter made inquiry today concerning the proposed movement of the railway officers, and a prominent Union Pacific official stated that no road was "back in the main instance" and would not carry the men under any circumstances more than as regular passengers. The other roads did not say what their intention was.

Police Court.

Edward Meyers, who was tried yesterday before Police Justice Rolfe on a charge of being drunk and disorderly, was fined $5 and costs.

Thomas Daily, George Davis and Frank Clark, brass-car footers, were sent up for ten days.

Wm. Johnson, James Wood and Thomas Hayes, charged with being drunk and boisterous, will hold down City quarter for thirty-five days.

H. O. Johnson, for assaulting a minor, was fined $5.

Personal Notes.

J. M. Andrews a well-known citizen of Sydney, Neb., is a visitor in the city.

S. Holt, a wealthy lumber and manufacturer of Fort Atkin, of Cheyenne, Ia., is a guest at the Templeton.

H. O. Holmes, of Butte, Mont., is registered at the Templeton.

W. L. Robbs and family, of Marshville, O., will shortly be prominently seen in Salt Lake, are at present sojourning in the city.

E. E. Ellis and wife, of St. Louis, are sleeping at the Templeton.

A Convention.

The management of the Young Institute of Salt Lake desires to call the attention of the public to an article which appeared in Wednesday's issue of the *Herald* stating that the Institution had closed its doors from lack of patronage. Where the *Herald* is at fault in its information is a conundrum we are unable to solve, but in order to set things aright and correct a wrong impression, we take this opportunity of stating the contrary to be true. While admitting we have had this summer a number of others, it is followed by numerous others, in fact, we have had more business than we can handle. We feel that those who have the Institution in our estimation will suffer a wrong in its behalf. Possibly there may be a slumber, to some, nothing other than that is the case, but that is not so, as we assert this. With an entire change in the business and professional management it may reasonable to be again opened for public that we will be proud of the old adage (Rome Room) with those open to receive patronage.

Sky Pilots.

Captain John G. Hooper, U. S. A., the Mormon figure, who has for many years been familiar with our Mormon people, will have, in the Sky Pilot, a strong article on the Mormons and history of the sect in a future issue. The Mormons' population are 19 Utah, who are recently made a journey to the Eastern for Deseret's Magazine.

COMMERCIAL.

TODAY'S GALVESTON RATES.

Today's cotton seed exchanges amounted to 1,000,000. Same day last year, 1,000,000.

TODAY'S QUOTATIONS.

New York—Sugars, 1-8 off 5.25. Lard 6.35. Cotton—Spot, 7.75.

OIL AND MINERAL.

Wells, Fargo & Co. received today: Pure, 5.00 $5.00.

Hatchings & Co., received today: Harvest Queen, $3.00.

T. R. Jones & Co. quote: Lump Bright, $1.25; nuts, $4.00. Tons, $5.00.

REAL ESTATE.

[illegible]

ENGAGEMENTS.

[illegible]

Women full of Pains

[illegible]

Musical Clocks

[illegible]

The Carnival Show

[illegible]

SAVINGS BANK

160 Main Street.

[illegible]

Utah Title Insurance & Trust Co.

Capital $100,000, Full Paid.

[illegible]

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BOOK .·. AND .·. JOB .·. PRINTING
- - - AND STEREOTYPING

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Gustaveson's Axle Grease, the BEST.

C. B. Durst Grocery Co.

74 E. SECOND SOUTH.

Pays cash for Eggs, Poultry and Potatoes.

They make a specialty of home productions, and handle extensively home made Soaps, Brooms, Wash-Boards, Baskets, Canned Goods, Pickles, etc.

A whole box of Soap for $1.25.

P.S.—Try our POULTRY FOOD if you want to make money on poultry. Mail orders solicited. Send for trial order.

GUSTAVESON'S CONDITION POWDER is the best, we are local agents

"DIRT DEFIES THE KING." THEN

SAPOLIO

IS GREATER THAN ROYALTY ITSELF.

KINGSFORD'S OSWEGO STARCH.

RECEIVED HIGHEST AWARDS [illegible]

FOR PURE AND SILVER GLOSS FOR THE LAUNDRY.

AND CORN STARCH FOR THE TABLE.

FOR SALE BY ALL GROCERS

WALTNER & Co.,

MERCHANT TAILORS.

210 South Main Street.

WE HAVE JUST RECEIVED A FULL Line of the very best imported Spring Suitings and Trowserings. Our prices for Clothing are the lowest. We also keep a Large Stock of Home Manufactured Woollens. Look at the Prices.

SUITS TO ORDER	$18, $20, $22 AND UPWARDS
PANTS TO ORDER	$5.50, $6, $8 AND UPWARDS
OVERCOATS	$16, $18, $20, $22 AND UPWARDS

JAMES SPENCER & BATEMAN CO.,

(Successors to David James & Co.) (and Spencer Brown Co.)

Plumbers, Tinners, Gas and Steam Fitters.

We carry a complete line of Gas and Tubular Fixtures and Stoves, Gasolines and Oil Stoves, Tin Ware, Genuine Japanned and House Furnishing Goods.

NO. 67 MAIN STREET.

The BERRY GROCERY CO.,

[illegible] Single and Fancy Groceries

Home Production Store. 247 STATE ST., HOLMES BLOCK, [illegible]

R. K. THOMAS,

25 to 32 East, 1st South St.

SALT LAKE CITY.

Please read and profit by the following announcement:

We are greatly overstocked on Ladies' Spring Jackets, therefore offer the following immense bargains—To Sell, To Sell. First come will get the choice, so call early. Don't defer it if you have any intention of buying a Spring Wrap. Country mail orders will get personal and careful attention, so if you can't come, order, sending either

2.50, 5.00, 7.50, 10.00 or 12.00

and we will sell you one of the following genuine sale Jackets:

200	LADIES' SPRING JACKETS,	2.50	WORTH	5.00
200	" " "	5.00	"	10.00
200	" " "	7.50	"	15.00
200	" " "	10.00	"	20.00
200	" " "	12.50	"	25.00

Children's and Misses' Jackets in great variety.

LADIES' CAPES ALSO.

We are closing out our entire stock of Lace Curtains, so we offer about 10,000 pairs. The greatest bargains imaginable. We include in the sale Curtain Nets and Screens, and quote the following bargains:

25c	CURTAIN NET AT	16c	YD.
30c	"	20c	"
40c	"	25c	"
10c	SCREEN AT	5c	"
12½c	"	8½c	"
20c	"	12½	"
25c	"	16½c	"

SALE ON

RIBBONS.

NO. 5 AND 7 ALL SILK RIBBONS	5c YARD
NO. 9 AND 12 "	10c YARD
NO. 5 AND 12 SATIN AND GRO GRAIN	16c YARD

FANCY RIBBONS, 8c, 10c, 15c, 25c, WORTH DOUBLE.

10 Styles Ladies' Waists, 25c up.
6 Styles Ladies' Wrappers, 65c up.

SHOES, SHOES.

JOHNSON MAKE. FLEXIBLE SOLE.

100 Pairs $3 Ladies' Button Shoes at	$2.25
100 Pairs 3.50 " " "	2.75
100 Pairs 4.50 " " "	3.25

We do not offer trash in Shoes, nor does it pay you to buy such. Always pay 25c a pair more and get the home made, or equally as good wearers.

R. K. THOMAS.