THE SUPREME COURT.

Three Decisions Handed Down by the Judges Today.

CASES ARGUED AND SUBMITTED.

People vs Elmer E. Ritchie for Criminal Libel—Suit for Damages Against the R. G. W.

The Supreme Court handed down a decision today in the case of David P. Wells, plaintiff and appellant, vs John Kelly, C. A. Wells and Jude Wells, defendants and respondents. This controversy arose in the probate court of Box Elder county over an order of that court, revoking the letters of administration of the appellant who had been appointed administrator of the estate of Henry C. Wells, deceased. There were also several other orders made, among them being one discharging the sureties of the appellant. From all these orders an appeal was taken to the district court of the Fourth district, and the appeal to the Supreme Court is from an order of the district court, dismissing the appeal taken from the order of the probate court. The judgment of the lower court was affirmed by the Supreme Court.

Decisions were rendered affirming the decision in the case of the People of the Territory of Utah vs William Hards, defendant and appellant, appealed from the decision of W. H. King, in the First district, and in the case of the United States of America vs Sam Hagan, defendant and appellant, appealed from the decision of G. W. Dickson, in the Third district.

ATTORNEY RITCHIE.

The case of the People of the Territory of Utah, appellants and respondents, vs Elmer E. Ritchie, defendant and respondent, was the first case a part. The appeal in this case is from an order overruling motion to arrest judgment and overruling motion for a new trial and from the final judgment of conviction.

The case was brought against the defendant in the Third district court for criminal libel, in publishing a certain circular, reviewing the financial position of what it denominates "the Deseret Building and Loan association." The testimony showed that the prosecuting witness, F. E. McGlattry, was president of the Salt Lake Building and Loan association, and C. S. Zane attorney. That from time to time since 1893, certain anonymous circulars had appeared. Witnesses testified to seeing a person go into the postoffice and mail a large number of letters. They claimed to identify the person as Ritchie, and that on examination found that the letters mailed by him contained circulars upon which the prosecution is founded.

The jury rendered a verdict against defendant. Defendant appeals on the ground that the indictment does not state a public offense; that the evidence is not sufficient to justify the verdict, and that errors were made by the lower court.

SUIT AGAINST THE R. G. W.

There was Joseph Kranz, plaintiff and appellant, vs the Rio Grande Western Railway company, defendant and respondent, appealed from the decision of Judge Merritt in the Third district.

The action was brought against defendant company for damages for personal injuries received while a passenger in the company's train, and claiming to be caused thereby. The complaint charges the respondents, in two counts, with assaults committed by the servant of respondent, and two others, upon appellant, at the station of Lower Lehi, and the third count charges that plaintiff alighted at the station to be ejected by the section foreman, and the second count charges that plaintiff afterwards returned to the station to purchase a ticket when he was again assaulted by the section foreman and two other persons. Damages were asked in the sum of $5,000 on each count. The answer of the defendant was specific denial of the allegations.

On the trial of the case the jury returned a verdict in favor of the defendant on the first count of assault, and for the plaintiff in the second, assessing the damages at $4,000. A new trial on the first count was denied appellant, but was granted respondent on the second count. From each order and judgment the plaintiff appealed. Argued and submitted.

A PROMISSORY NOTE.

The case of the First National Bank of Nephi, plaintiff and respondent, vs Charles Foote, W. A. C. Bryan, C. S. Tingey and Alma Hogan, defendants and appellants, was argued and submitted. The case is appealed from the First district court.

The complaint in this case alleges that on July 17, 1894, at Nephi, defendants Bryan, Foote and Tingey, and Alma Hogan as security, for their promissory note, promised to pay to the order of said plaintiff $3,000; that at maturity the same was presented and payment thereof was refused; judgment was therefore demanded in the sum stated, with interest.

The defendants admitted that on Jan. 17, 1894, they had given the note, as stated by the plaintiff, and alleged that prior to May 21, 1890, certain citizens and property owners of Nephi were unable to secure the survey, location and construction to and through said city of a certain projected railroad, namely, The Utah, Nevada & Colorado Railroad, and to that end a contract was made with Francis Tarrant, who proposed to represent the citizens of said road. That persons to sign subscriptions contained in writing was made between the citizens and Tarrant, in which it was agreed that the road should be constructed within two years, if the citizens would convey to Tarrant a tract of land for the benefit of said road. It is further claimed that Alma Hogan, cashier of the First National Bank of Nephi, represented to the defendants that the bank would purchase the land and pay thereof $3,000 in behalf of the citizens and property owners, that Tarrant would take the land, either by rescinding the contract or the railroad would be constructed and in case he should not take the land the said Hogan would take the land and pay the bank therefor; that he consented to act as surety upon one of the notes of the bank, and induced defendants to sign the note, with the understanding that Geo. C. Middleton, the president of the bank, was away at the time, would also sign it for his return, it being further represented to them that they would never be called upon to pay the note. Defendants further aver that Hague did not get the signature of said Middleton to the note. They also allege that said Hague never procured title to said land as represented, and that he never paid thereto the sum of $3,000, or any sum whatever. The lower court rendered judgment in the defendants in favor of plaintiff for $3,000, and an appeal was taken to the Supreme court.

COMMERCIAL CENSUS.

Compiler Squires Completes the Work in This City and county.

The work of making up the commercial census of Salt Lake City and county has been completed by Compiler Squires, and the following is a list of the various branches of industry, giving the number of stores doing business, capital invested, annual sales, number of employes and the wages paid:

Candy—13—Capital invested, $73,950; annual sales, $99,475; number of employes, 40; wages paid annually, $12,380.

Drugs—20—Capital invested, $249,300; annual sales, $303,475; number of employes, 74; wages paid annually, $34,080.

Millinery—5—Capital invested, $90,000; annual sales, $1,01,000; number of employes, 57; wages paid per annum, $40,400.

Groceries—117—Capital invested, $404,041; annual sales, $1,010,000; number of employes, 140; wages paid annually, $93,250.

Shoes—8—Capital invested, $104,500; annual sales, $112,400; number of employes, 37; wages paid annually, $15,670.

Dry Goods—8—Capital invested, $555,000; annual sales, $1,300,000; number of employes, 250; wages paid annually, $120,624.

Furniture—3—Capital invested, $15,000; annual sales, $70,000; number of employes, 27; wages paid, $21,600.

Furniture stores—5—Capital invested, $262,000; annual sales, $302,000; number of employes, 103; wages paid, $74,000.

Storage and Commission—14—Capital invested, $19,250; annual sales, $503,000; employes, 32; wages paid, $16,640.

Tailors—31—Capital invested, $41,150; annual sales, $183,200; employes, 80; wages paid, $61,100.

Shoes—13—Capital invested, $91,400; annual sales, $22,000; employes, 34; wages paid, $17,520.

Fruit—17—Capital invested, $12,070; annual sales, $93,800; employes, 31; wages paid, $3,700.

Second Hand Stores—20—Capital invested, $29,350; annual sales, $48,500; employes, 30; wages paid, $8,300.

Furs, Notions and Curios—14—Capital invested, $62,900; annual sales, $125,800; employes, 31; wages paid, $8,800.

Books and Stationery—11—Capital invested, $234,700; annual sales, $300,100; employes, 69; wages paid, $49,270.

Hardware, Guns and Sporting Goods—14—Capital invested, $412,500; annual sales, $608,000; employes, 90; wages paid, $11,620.

Clothing and Furnishings—21—Capital invested, $400,900; annual sales, $697,000; employes, 66; wages paid, $60,410.

Wagons and Agricultural Implements—7—Capital invested, $317,500; annual sales, $768,900; employes, 96; wages paid, $92,142.

Bakeries—50—Capital invested, $45,900; annual sales, $102,310; employes, 55; wages, $29,650.

Cigars and Tobacco—41—Capital invested, $75,700; annual sales, $271,000; employes, 81; wages, $123,504.

General Merchandise—63—Capital invested, $1,078,500; annual sales, $1,877,900; employes, 305; wages paid, $266,300.

Distillers—1—Capital invested, $32,000; annual sales, $48,000; employes, 14; wages paid, $10,000.

Liquor, Wholesale and Retail—35—Capital invested, $384,250; annual sales, $1,000,400; employes, 147; wages paid, $140,700.

Machine and Machinery—12—Capital invested, $110,140; annual sales, $410,270; employes, 109; wages paid, $51,300.

Meat and Fish—30—Capital invested, $131,420; annual sales, $668,700; employes, 134; wages, $68,340.

Paints, Oils, Glass, etc.—8—Capital invested, $127,000; annual sales, $207,000; employes, 41; wages paid, $35,200.

Restaurants—27—Capital invested, $27,200; annual sales, $31,940; employes, 115; wages paid, $45,190.

Wool, Hides and Produce—28—Capital invested, $247,800; annual sales, $1,100,300; employes, 131; wages paid, $81,510.

Jewelry—14—Capital invested, $150,150; annual sales, $177,500; employes, 22; wages paid, $22,740.

Ice, Coal and Wood—13—Capital invested, $102,000; annual sales, $305,000; employes, 81; wages paid, $4,000.

Lumber—14—Capital invested, $355,400; annual sales, $788,300; employes, 10; wages paid, $23,400.

Sundries—19—Capital invested, $97,000; annual sales, $190,700; employes, 44; wages paid, $26,40.

Grand total—Number of stores, 744; capital invested, $7,821,900; annual sales, $18,500,000; number of employes, 2,091; wages paid annually, $1,000,222.

OUTSIDE THE CITY.

Number of business houses, 99; capital, $282,100; annual sales, $505,250; number of employes, 121; wages paid, $50,157.

TOTAL CITY AND COUNTY.

Business houses, 843; capital invested, $7,895,804; annual sales, $19,000,250; employes, 2,212; wages paid, $1,049,379.

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the great

SKIN CURE

Instantly Relieves

TORTURING

Skin Diseases

And the most agonizing forms of eczema, psoriasis, blotching, and itchy skin, scalp, and blood humors, and pimples in a moderate form, when all other remedies and the best skill have failed. CUTICURA, Women Worldwide, and the world of sufferers, testify to the humors to be the most speedily, permanently, and economically cured.

Self-treatment for the world. Health Guide, Skin and Blood Diseases of Mankind. Letter, Porter Drug & Chem. Corp., Sole Prop., Boston, U. S. A.

A PICTURE OF HEALTH TODAY.

Mrs. Moore Was Sinking—Paine's Celery Compound Made Her Well

The people have given their verdict!

Every state, county and most humble village has had a voice in it.

There is a consensus of testimony from all America to the fact that Paine's celery compound is making sick, feeble, nervous men and women well and strong again.

There have been published by thousands in every state in the country, this spring, testimonials from people in every station of life in these states telling of the many, many cases where this greatest of all remedies has made people well.

The DESERET NEWS has published the unsolicited testimony of well-known and highly esteemed people in Salt Lake City who have found health and strength in the remedy that was first prescribed by Prof. Edward Phelps, M. D., LL. D., of Dartmouth college.

Men and women of national reputation have written thankful letters on the same subject, which have been published the world over, and have called forth unasked, for responsive words from equally prominent men and women in other lands.

Below is a letter that commends itself to the minds of men, to every woman in Salt Lake City. It was recently written to Wells, Richardson & Co., by a lady whose position, given above, is a guarantee of her high character and honest disposition. Read a picture of womanly health. She is Mrs. Robert M. Moore of Laporte, Ind., and she writes:

"Please accept my heart-felt thanks for the great good Paine's celery compound has done me. I do think that there cannot be too much said in its favor. I was completely run down a year ago, and had the advice and attendance of two of the best physicians in the town, who pronounced my sickness nervous prostration. I was treated by one for two weeks, and then went to another and at first seemed to be benefited, but after a while instead of getting better I went from bad to worse.

"At the earnest solicitation of two of my children and a dear friend, who was very much interested in my case, I commenced to take Paine's celery compound and took seven bottles and am thankful to say that I am a well woman today. Considering the low state of health in which I was, my cure has been pronounced wonderful. You can use this testimonial as you see fit.

For recovery from the effects of the somewhat labor work, worry, exertion of body or mind, and for the general depressed state of health that is sure to result from a sedentary life of hard work and routine, Paine's celery compound is the only strictly scientific medicine. It refreshes and renews the nerve-tired brain, nourishes the body to force on new work, and rapidly clears the system of the condemned elements that clog its healthy working.

Sleepless indoor workers who seldom get a long breath of fresh air—and there are many such, both men and women—should sight of Paine's celery compound through the use of Paine's celery compound.

OGDEN.

OGDEN, UTAH, - JUNE 12, 1895.

School Exercises.

This will be a week of commencement exercises for our schools. Weber Stake academy's will be held this afternoon at 2 p. m. and Thursday evening and we Friday evening a reunion party at Lester Park pavilion. The city High school will hold its exercises this evening at the Grand Opera House. The Weber county public schools meet at Lester Park on Saturday at 10 a. m.; kindergarten class on Thursday evening, and the Sacred Heart academy on June 18 at 10:30 a. m.

$20,000 Damages.

In the case of James A. Wright vs the Southern Pacific, a non-suit was granted as to the second cause that medical attendance was incompetent, for the accident by which Wright had his foot cut off, by being run over with the cars, the jury after being out thirty minutes returned a verdict for the plaintiff in the sum of $20,000. Defendant's counsel moved for a stay of proceedings for sixty days to serve statement for a new trial.

Notes.

Colonel Pulsifer's lecture on "New Women" at the Grand Opera House was well attended. It will be heard in Salt Lake in the near future.

Matt and J. M. Browning left yesterday for Cleveland, Ohio, to take part in the shooting contest given by the Cuyahoga Cartridge company.

Ex-Mayor Turner is sick at his home.

PROVO.

PROVO, UTAH, - JUNE 12, 1895.

A Pleasant Social Event.

Last evening the elegant home of Judge and Mrs. W. H. King was the scene of one of the most delightful social events that ever took place in this city.

About 200 guests were most royally entertained. The spacious rooms were prettily festooned with roses and other choice floral decorations, and delicious refreshments were served. Among the guests were the following Salt Lake and gentlemen from Salt Lake City:

Judge and Mrs. Henderson, Judge and Mrs. Powers, Judge and Mrs. Hunter, Miss Mrs. Arthur Brown, Secretary and Mrs. C. C. A. Richards and Mr. and Mrs. J. P. Rudgers.

Mrs. Marks Wants Damages.

Mrs. Anna Marks, of Eureka, has brought suit in the First district court against the Bullion, Beck & Champion Mining company, H. G. Wilson and John Doe Dedrick for $5,000 damages. Plaintiff claims that defendants have injured her to the extent by excavating and adjoining her place of business in Eureka, which has caused her house to fall down, and damaged her buildings through the explosion of gunpowder used in excavating. At the pleadings, defendants the defendants from continuing the excavation under and beyond the house has been issued.

Notes and Personals.

Numerous parties started from Provo and both enjoyed this morning so invariable the most discovered there. There is considerable difference of opinion as to whether such is paying questions exists in the hills adjoining Provo. The interest now awakened in the question probably will settle that disputed point.

L. Dunkley, of Salt Lake City, who has been in charge of the asylum for some time, died night before last. His remains were taken to Salt Lake City today.

The Salt Lake Concert company came in this morning from Payson, where they delighted an appreciative audience last evening.

H. S. Whitney, representing Mead Estate, is in the city in the interest of the publication named.

Owing to numerous requests Dr. Shelmerdine has consented to sacrifice part of his vacation, and remain in Salt Lake during June, so that those who have been unable to be fitted with glasses, can avail themselves of his skill.

Glasses that do not fit are dear at any price, whether they cost fifty cents or fifty dollars. Properly fitted glasses will lengthen the life and vigor of the eyes, by preventing strain.

Go and see how if your glasses are not right. He has given full universal satisfaction that you will not make a mistake in calling and having a talk with him concerning your eyes.

The following are a few prominent people of the many that have been benefited by Dr. Shelmerdine's work:

ELIAS ROBINS, at Town, South Temple.

A. H. WOODRUFF, wholesale department, Z. C. M. I.

GEORGE SAYMOUS, secretary to the president, Mormon church.

JOHN SICHOLSON,

G. G. SWAYZER, superintendent machinery, Salt Lake Temple.

CHARLES WILKEN, city water master.

N. A. LEPUY, the salt police, commissioner of the Sons of Utah, Lodge 1.

ISAAC SACHS, Sachs & Co.

JOSEPH E. TAYLOR, the undertaker.

N. C. SCHICK, porter Presbyterian church.

THOMAS SCHAFFER, grocery department, Z. C. M. I.

J. W. SHIPLER, the photographer.

Examination Free.

DR. SHELMERDINE,

Office Hours, 10 to 5.

Frick-Murdock Building,

162 Main Street.

R. K. THOMAS,

26, 28, 30, 32, East First South Street, Salt Lake City.

GREAT CLEARANCE SALE.

From Wednesday, May 1st to May 15th. Two Weeks. Two Weeks. Save your dollars for it. Come to town during these days. Remember the Dates.

May 1st First Choice.

May 2nd Second Choice.
May 3rd Third Choice.
May 5th Fourth Choice.
May 6th Fifth Choice.
May 7th Sixth Choice.
May 8th Seventh Choice.
May 9th Eighth Choice.
May 10th Ninth Choice.
May 11th Tenth Choice
May 13th Eleventh Choice.
May 14th Twelfth Choice.
May 15th Last Choice.

We shall take the intervening days going through the stock and marking everything down for this sale. It will embrace goods from every department.

Merchandise has never been offered as low as prices we shall name, and it will pay you to come from all distances to attend this

GREAT CLEARANCE SALE.

Specialties.

Ladies' Waists, Boys' Waists,
Ladies' Wrappers, Boys' Pants,
Ladies' Capes, Men's Ties,
Ladies' Jackets, Men's Suspenders,
Infants' Cloaks, Men's Shirts,
Infants' Capes, Men's Shoes,
Summer Knit Underwear,
Ladies' Muslin Underwear,
Straw Hats for Boys and Girls,
Hosiery, Gloves, Ribbons, Etc., Etc

R. K. THOMAS.