

OUR OWN STATE.

The branch office of the Desert News in Ogden is at No. 407 Twenty-third street. It is open every evening on the same terms as in Salt Lake City.

OGDEN NEWS.

OGDEN, APRIL 13, 1900.

BERRY ASSAULT HEARING.

Jury impaneled and a Number of Witnesses Heard for the Prosecution.

Interview With Drs. Rich and Rich—Characterize Damage Suits as Blackmail—New Locomotives.

The case of the State of Utah vs. Frank Berry, charged with attempted murder, was called for hearing yesterday morning in the Second district court before Judge Rolap. Over an hour was occupied in securing a jury; at last the following jurymen were accepted: David M. Smith, Richard Hill, Thomas Chambliss, E. S. Crocker, A. Y. Ross, David C. Low, W. G. Childs and Wallace Fowler.

The state was represented by County Attorney Halverson and the defendant by Attorneys E. T. Hulanicki and N. J. Harris. The case was presented in the jury by Attorney Halverson. The first witness called was Miss Beattie Smith, the 17-year-old girl, who was assaulted on January 24th at about 9:30 o'clock in the evening, about one block northeast of the end of the Twenty-fifth street car line. The girl told the story of her assault coming out of the brush by the path where she was going, and of his improper language to her and how she was knocked down and injured; the testimony was very much the same as was given at the preliminary hearing only that Miss Smith did not seem to care to say as much as she did at the former hearing that Mr. Berry was her assailant; she said that she thought that the defendant is fuller faced than the man who assaulted her on January 24th. A white dress, which was produced by the prosecution, and identified by Miss Smith as the sack she pulled from the head of the man during the assault, was called. It was claimed, had an odor of patty and limes, and as Mr. Berry is employed as a glazier, the sack was presented as evidence against him, but this point was not well substantiated by the testimony produced. Miss Beattie Smith, Mrs. Craig, Wm. Bostaff and Mrs. Bostaff all testified as to the sack and the description of the man who assaulted Miss Smith as she described him the night of the assault. Joseph Hughes, street car conductor, on the car on which Miss Smith rode, testified that the defendant rode upon the same car as Miss Smith and that his fare was not collected until about two blocks from the end of the car line, but he could not say as to where Mr. Berry got off the car. Ex-Captain of Police Robert Shaw testified that he saw Mr. Berry at the home of Miss Smith the next morning after the assault, and that he saw Mr. Berry with a white dress, which he said he thought he was. Detective Pender corroborated the former witness and further stated that he and Officer Bostaff had experimented in obtaining a sack off the car about a block below the end of the car line and caught a person getting off at the end of the car line in the direction Miss Smith did, and that they had proved that it could be done. Officer Brown testified to the same facts. At this point of the taking of testimony, the court was adjourned until this morning at 10 o'clock.

DRS. RICH & RICH INTERVIEWED.
Our reporter called upon Drs. Rich & Rich and interviewed them concerning the recent damage suits filed against them. The doctors did not seem to be much concerned about the matter, and in answer to our representative's inquiry, gave the following: "We realize we have some professional enemies, and should these cases come to trial, we will demonstrate our skill as successfully as we attempt at blackmailing."

PUTTING IN NEW LOCOMOTIVES.
The Southern Pacific Railroad company has bought twenty-two new engines of the 1,500 class to use on the road between Ogden and the coast. Four of the monster locomotives have already arrived and the others will be shipped during the next few weeks. They are what is called the Coal-burners and are very finely constructed. They were manufactured by the Patterson Locomotive Works, Patterson, N. J. Mr. L. H. Polak came out with the engines to start them out on the road.

OGDEN NEWS BRIEFS.

A new organization has been formed here known as the "Ogden Socialistic Society." The object of the association is to study and discuss sociology. Prof. Engle was made leader of the society. At the meeting of the association the members adopted a constitution and elected the following officers: F. W. Metcalf, president; Wm. A. Smith, vice president; F. R. Christensen, secretary and treasurer; executive committee, Dr. C. A. Wherry and C. A. Smurthwaite.

President Ben E. Rich of the Southern States mission is spending a few days in Ogden. He is here on his way to the "New" Theater building, which was remodeled a short time ago, and was sold yesterday for \$6,000 to George Mole.

Hon. L. W. Sheriff returned from his south yesterday. Mrs. Julia Smith is home again after several months' absence in Oregon.

That Throbbing Headache.
Would quickly leave you if you used Dr. King's New Life Pills. Thousands of sufferers have proved their matchless merit for Sick and Nervous Headaches. They make pure blood and build up your health. Only 25 cents. Money back if not cured. Sold by Z. C. M. I. Drug Dept.

Easter Candies at Koltz Stores.

Free concert with the "Angels" piano player, at Cullen Hotel, from 2 to 4 p. m. daily.

Saturday's Special.
Italian Chocolates, 35c. Caramel Creams, mixed 12c. at Koltz Stores.

PROVO.

State Insane Asylum—Big Damage Suit—Thrown From a Horse.

Special Correspondence.
Provo, April 12.—The board of commissioners of the State insane asylum was in session today at that institution. All members were present.

Medical Supt. Hardy reported the movement of patients for March as follows:

	Males.	Females.	Total.
No. in Asylum, Feb. 25	147	159	297
Admitted during month	10	4	14
Under treatment	155	164	319
Discharged	1	2	3
Died	2	0	2
No. in Asylum, March	152	162	314

The board made the following appropriations to cover expenses for March: Salaries, \$1,357; current expenses, \$1,159.57; sundry expenses, \$157.50. The treasurer's report showed the following: Balance, March 1, \$423.25; received from pay patients, \$72; received from State warrants, \$2,709.56; total, \$3,205.31. Disbursed, \$2,855.81; balance on hand, April 1, \$349.50.

Dr. Hardy submitted his estimate of the cost of maintaining the institution for six months, amounting to \$16,000. The estimate was approved and the doctor instructed to advertise for bids for supplies.

John Nicholson was awarded the contract for painting all the wood work on the outside of the asylum building. The price bid was \$130 for the horses which were killed.

WANTS \$25,000 DAMAGES.
Elisha Peck Jr., of Lehi, today entered suit against the Oregon Short Line Ry. Co. for \$25,000 for personal damages. The complaint alleges that on Dec. 4, 1899, the plaintiff was thrown from a team of horses attached to a light vehicle, and had occasion to cross over the company tracks. While doing this a train came along at a rate of twenty miles an hour and the vehicle was struck by the rear. Both horses were killed and the buggy demolished. Plaintiff was thrown to the ground and badly bruised, and believes that as a result of the collision his back spine was permanently injured. It is alleged that the defendant company omitted doing their duty by not ringing a bell or blowing a whistle to warn plaintiff of the train's approach. The plaintiff also asks for \$100 for the horses which were killed.

WANTS HIS SHEEP.
Michael Haloran has commenced action against the Oregon Short Line Ry. Co. for \$25,000 for personal damages. The complaint alleges that on Dec. 4, 1899, the plaintiff was thrown from a team of horses attached to a light vehicle, and had occasion to cross over the company tracks. While doing this a train came along at a rate of twenty miles an hour and the vehicle was struck by the rear. Both horses were killed and the buggy demolished. Plaintiff was thrown to the ground and badly bruised, and believes that as a result of the collision his back spine was permanently injured. It is alleged that the defendant company omitted doing their duty by not ringing a bell or blowing a whistle to warn plaintiff of the train's approach. The plaintiff also asks for \$100 for the horses which were killed.

THROWN FROM A HORSE.
W. D. Roberts was this forenoon thrown from a horse which he was riding and very badly bruised. The horse took to bucking and the clinch of the saddle broke and he was thrown to the ground.

Millions Given Away.
It is certainly gratifying to the public to know of one concern which is not afraid to be generous. The proprietors of the Utah Dispensary for Consumption, Coughs and Colds, have given away over ten million trial bottles and have the satisfaction of knowing it has cured thousands of hopeless cases. Asthma, Bronchitis, Grippe, and all Throat, Chest and Lung diseases are surely cured by it. Call on Z. C. M. I. Drug Dept. and get a free trial bottle. Regular size 50c and \$1.00. Every bottle guaranteed. Z. C. M. I. Drug Dept.

Easter novelties at Koltz Stores.

EUREKA.
Only Three Cases of Smallpox—Want to Open Schools Again.

Special Correspondence.
Eureka, Utah County, April 12.—The board of health will consult with the State board of health tomorrow upon the advisability of reopening the schools of this camp. For several months, on account of the smallpox epidemic prevailing in Eureka, the schools have been closed, public gatherings and the like have been prohibited, but as there are at present only about three cases in the town it is quite probable that the quarantine will be removed by the 15th inst.

Arthur Bowen has been appointed Justice of the peace for Eureka precinct in the place made vacant by the resignation of John P. Freckleton. Mr. Freckleton resigned his position to go on a mission to Scotland. Mr. Bowen is a prominent young man who was recently admitted to the bar and will no doubt fill the position with credit.

A Horrible Outbreak.
"Of large sores on my little daughter's head developed into a case of scald head" writes C. D. Isbell of Morgan County, Tenn. "My daughter's hair has since the recent rain. Most of the grain is in and much of it up and looking well. The stock in the county are well wintered and in fine condition to go on the range. Prof. H. C. Fry is confined to his bed by a severe cold, having contracted a severe cold while attending conference."

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GOING TO THE BIG HORN.
About the 20th of this month Morgan will leave quite a number of men, John J. Simmons and families, of Morgan City; John Croft and three sons from Enterprise; John H. Dickson, of Richville, and three or four others are expected to go to the Big Horn basin. There is consequently some good properties for sale here, if any persons would rather purchase homes than go to a new place to make one.

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The excavation for the basement of the new meeting house to be built in South Morgan ward is completed and work on the meeting house in North Morgan ward is going on.

DISPLACED BY JAPANESE.
The U. P. Railroad company have put Japanese to work on the sections along the road in place of white men.

BRIGHAM CITY.

Thrilling Escape From Death—S. N. Lee Nearly Electrocuted.

Special Correspondence.
Brigham City, Boxelder Co., April 12.—Brigham City is now a mass of pink and white flowers; pink among the dainty green and bare gray and white among the brown. The air is full of the sweet odor of fresh blossoms and the city is putting on its spring dress of colors. The storm has done much good but orchardists have been in suspense regarding the outcome. So far the cold weather has not greatly damaged the fruit prospect.

THRILLING ESCAPE FROM DEATH.
S. N. Lee, our thrilling clerk, tabernacle choir leader, etc., had a narrow escape from death last Saturday. Mr. Lee is manager of the Electric Light company of this city. About six o'clock Saturday evening Mr. Lee was doing some repair work on the line. The current came on before the time agreed upon by the operator and Mr. Lee was suddenly thrown to the ground. The wire fell across his body and the electric current burned a hole through his clothing and was burning into the body when his son, who providentially was near him, tore the wire from him. It was some time before Mr. Lee recovered consciousness. He is now about all right again, but feels the effects of the shock. He says of his experience that the suffering was something terrible the few seconds before losing consciousness. He doesn't take much stock in the theory that electrocution is painless.

Spreads Like Wildfire.
When things are "the best" they become "the best selling." Abraham Bitters, a leading druggist of Belleville, O., writes: "Electric Bitters are the best selling bitters I have handled in twenty years. You know why? Most diseases begin in disorders of stomach, liver, kidneys, bowels, blood and nerves. Electric Bitters tones up the stomach, regulates liver, kidneys and bowels, purifies the blood, strengthens the nerves, cures indigestion of mal-assimilation, it builds up the entire system. Put new life and vigor into any weak, sickly, rundown man or woman. Price 50 cents. Sold by Z. C. M. I. Drug Dept."

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PHIL. J. DWYER IS IN FULL CONTROL

Change in Directorate of Empire City Race Track.

CHAPMAN AND IVER LAWSON

The Two Crack Wheelmen Come to Salt Lake to Reside Permanently—On the Diamond—Notes.

A New York dispatch this morning announces that within the next few days a reorganization of the board of directors of the Empire City race track will be effected. Phil. J. Dwyer, it is stated, will be the controlling spirit, and he will have associated with him a number of Brooklyn capitalists. Those who are familiar with the negotiations which have been in progress between the executors of the estate of the late Wm. H. Clark say that Mr. Dwyer is to be in absolute control of the arrangements. Improvements contemplated at the Empire will involve an expenditure of \$100,000.

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