DESERET EVENING NEWS.

Tuesday, - - March 24, 1891.

Copy for advertisements which are expected to appear in the Evening News on the day when received should be handed in to the business department not later than 7 p. m.

Rates of Advertising furnished upon application.

Cash for advertisements must be in advance.

FRAGMENTS.

Judge Anderson held no court today but expects to do so tomorrow.

There are messages at the Western Union office for Harry Woodhouse, Smith & Parson and H. C. Morris.

The residence of Deputy Marshal Sprague, near the Theatre, was nearly entered by burglars a night or two ago and $200 worth of jewelry stolen.

In the Third District Court yesterday afternoon, the accounts of United States Commissioner Cole, amounting to $126.15, were approved.

The recent Tabernacle Choir concert will be repeated on Friday night, April 3rd, for city residents and conference visitors alike.

Attorney Ingersoll is making arrangements for the trial of the Bayneard murder case and will be called on first thing tomorrow morning.

There has been a rather uninteresting day in the Third District Court. The most important case, which came to an abrupt termination, occupied greater part of the morning.

The case of the People against Hale Mackey charged with criminally assaulting Charlotte Thiele was dismissed before Commissioner Greenman at a late hour this afternoon.

DEPUTY UNITED STATES MARSHAL OLSEN arrested Hellaby Hall of Portage Creek yesterday on the charge of bigamy. He will answer the charge in the First District Court, at Ogden.

Yesterday afternoon a woman named Charlotte Hanmer, of South Cottonwood, was taken in charge as being insane and brought to the city. But a medical examination failed to sustain this belief, and she was set at liberty.

The regular annual review of the Fourteenth Ward Primary Association, held on Sunday evening, at the Fourteenth Ward Assembly Room, was under the supervision of Prof. Joseph Sarah H. Tagg and Rach el. Fox.

A SPECIAL to the NEWS from Richfield announces the death of L. C. Palmer, the man who was recently shot at Richfield by one McPherson, a full account of which appeared in the columns of the NEWS the day following.

JOHN SCHOFIELD, of the Twentieth Ward, called at our office today and stated that the John Scofield who was arraigned in the Police Court yesterday for petit larceny is another party than the gentleman of blended or Trinity. The exposition is cheerfully made.

Last evening the Henry Dinwoodey Furniture Company filed suit in the Third District Court against C. F. Reynolds and Charles Cass, owners and proprietors of the Franklin Avenue Variety Theatre, for a writ of foreclosure on the furniture and fixtures at the place for a debt of $992.35, with interest at the rate of one per cent per month.

An unfortunate accident occurred at the Pioneer patent Brass and Iron Bedstead factory afternoon. An employee named William Townsend had his right hand caught between the rollers, and it was badly crushed and lacerated to the wrist. Dr. Wilson dressed the injured member, but it is feared that amputation will have to be resorted to.

The examination of C. L. Blazer, the young man who is alleged swindled the Utah National Bank out of $20 by means of a bogus draft, was concluded before Justice Laney last evening. The defendant was found guilty of obtaining money under false pretenses and was held to answer the action of the grand jury in the sum of $2000.

Prof. J. H. Paul will lecture in the Eighteenth Ward schoolhouse tomorrow (Wednesday) evening. Subject, "National Growth for Faith." A programme consisting of vocal and instrumental music has also been arranged for and a good time is assured all who attend. Meeting will commence at 7:30 p. m. sharp.

Yesterday afternoon the committee appointed by Governor Thomas to invite President Harrison to visit Salt Lake during his Western trip met at the Chamber of Commerce. They appointed a subcommittee, consisting of H. J. Lawson, Spencer Clawson and James H. Bacon, to prepare the form of invitation.

Sunday School Union Conference.

The semi-annual conference of the Deseret Sunday School Union will convene at 7:30 p. m., on Sunday, April 5th, 1891, in the Tabernacle.

It is particularly desired that each Stake of Zion be represented at this meeting, and that the Stake superintendencies, officers and teachers attending the General Conference of the Church be present.

A cordial invitation is extended to the general public.

GEORGE Q. CANNON,
GEORGE GODDARD,
JOHN MORGAN.

At Pleasant Valley.

A very successful entertainment was given in the Pleasant Valley Ward meeting-house, on the evening of the 19th inst. Fully one hundred persons were present. An excellent collation was provided. The vocal and instrumental music was well rendered. From eleven o'clock until midnight the time was spent in dancing.

Amusements.

On Thursday and Friday evenings, with a special matinee on Friday, "All the Comforts of Home" will be given at the Salt Lake Theatre. Of this play the San Francisco *Examiner* says:

"The face of the guidee who is supposed to preside over comedy and to maintain friendly relations with farce and comic opera ought to show a particularly wide smile just now. The intelligent playgoer has found at last something legitimately entitled to the blessed name of farce-comedy, at which he can laugh a self-respecting laugh. When one remembers some of the atrocities that have been perpetrated under that name, one hesitates to use it in good company, and yet it describes accurately, in its legitimate sense, "All the Comforts of Home." That engaging play would be amusing under any name, and the learning people would be attractive in a good many other circumstances. Some of the characters are so drastic, however, that one can easily imagine entirely different identities for them without winning the letter of the law."

At "Wonderland" 270 Ewing, the young giantess from Missouri is evoking the wonder of the many visitors who pay their respects to her, she is 8 feet in height.

SCHOOL BOND ELECTION.

The Utah Commission Served With a Writ of Prohibition.

HEARING OF MOTION SET.

Copy of the Affidavit Made by Richard W. Young, a Member of the School Board.

The following affidavit for a writ of prohibition was served on the Utah Commission by United States Deputy Marshal Byron Ireland today:

In the District Court for the Third Judicial District, Utah Territory.

Utah Territory, Salt Lake County, ss. Richard W. Young of said county, being duly sworn, says: I am a member of the Board of Education of said city, organized and acting under Chapter 15 of the act of the Legislative Assembly of said Territory, approved March 11th, 1890, entitled "An act to provide for a uniform system of free schools throughout Utah Territory," that on the 24th day of February, 1891, said Board of Education, in their judgment, deeming it advisable, being duly convened, resolved to call a meeting as authorized by section 123 of said act, and submit to a vote of the school district of Salt Lake City whether bonds of said district to the amount of $200,000 shall be issued and sold for the purpose of raising money for purchasing school-house sites, building school-houses and supplying the same with furniture, necessary apparatus and improving the grounds; and that on the 7th day of March, 1891, the president and clerk of said Board of Education were about to call such meeting by publishing notices the not as prescribed by section 123 of said act; that thereupon affidavits in that behalf was presented by the Utah Commission, consisting of G. L. Godfrey, J. A. McClennand, A. S. Williams, Alvin Saunders and R. S. Robertson, that on said last named day said Utah Commission gave out and declared their executive right and authority to give notice of said meeting, appoint voting places, supervise the election by judges, exceeding in number those provided for in section 124 of said act, and receiving the returns of said election to be made to themselves. That on the day aforesaid said Utah Commission issued their proclamation and published a notice, of which the following is a copy:

"Notice is hereby given that an election will be held in Salt Lake City, Utah, on Monday, the 16th day of March, 1891, for the purpose of voting upon the issuance of bonds for school purposes. The voting places for said election will be as follows:

First precinct, Ninth Ward schoolhouse.

Second precinct, Independence Hall, Third South Street west.

Third precinct, Seventh Ward schoolhouse.

Fourth precinct, Twentieth Ward schoolhouse.

Fifth precinct, Thirteenth Ward schoolhouse.

The polls will be open one hour after sunrise and will be kept open until sunset at said day.

The amount of bonds proposed to be issued is $200,000, of the denomination of $100,000 each, to bear interest at 5 per cent per annum, payable half of said bonds to be made payable in ten years, and the other half in twenty years from their date. The said bonds proposed to be issued to procure sites for schoolhouses and the erection of school buildings.

The judges of said election will make their returns to the Utah Commission.

By order of the Utah Commission.

RANDAL SMITH, Sec'y."

The said Board of Education, believing that the said Utah Commission are acting without jurisdiction, and interfering in the business of said Board of Education respecting the calling, conducting and ascertaining the result of said election, and in excess of the jurisdiction of said Commission in appointing five voting places instead of one, as prescribed in section 123 of said act, and thereby requiring more than three judges of election as prescribed in said section, the affidavit is made for the purpose of procuring a writ of prohibition to be issued out of this Court to the said G. L. Godfrey, J. A. McClennand, A. S. Williams, Alvin Saunders and R. S. Robertson, constituting said Utah Commission, to prohibit and restrain the said Commission and each of the members thereof from further publishing said notice, from holding any election pursuant thereto, or further interfering in the matter of calling or holding the said election or receiving returns thereof.

Wherefore he, in behalf of said Board of Education, prays for the issuance of such writ, and for such other and further relief as said Board may be entitled to.

RICHARD W. YOUNG.

Sworn to and subscribed before me this twenty-third day of March, 1891.

J. R. MORRISON,
Notary Public.

A motion and order was also served by the same officer on A. S. Williams, acting-chairman of the Utah Commission, asserting that the Board of Education, through their attorneys, Rawlins & Judd, would at the opening of the Third District Court on Friday, March 27th, ask that a permanent writ of prohibition be issued directing the Commission from assuming charge of the coming school bond election.

By order of Judge Zane, Friday, March 27th, was fixed as the date of hearing such motion.

Sad Bereavement.

The American Fork *Independent* of March 20, 1891, contains an article on the death of Thomas Jackson, son of our esteemed friend and brother W. W. Jackson, of that town. We deeply condole with the family of Brother Jackson who have been visited with so serious an affliction. At the funeral service Bishop Halliday paid a worthy tribute to the deceased. Wm. B. Wade and Thomas Barrett also spoke with affectionate warmth of the deceased young man.

To Conference Visitors.

It will doubtless be welcome news to the hundreds of music loving people who will attend the coming Conference that the fine entertainment given by the Tabernacle choir a couple of weeks since will be repeated (with some additions and changes) in the Tabernacle, on the Friday night of Conference. As the cost of the new platform is not yet covered, and further improvements are necessary in the great organ, it is deemed advisable to give the intended concert.

THIRD DISTRICT COURT.

The First Ward Stabbing Affray.—Riegel Fined $350 and Costs in the Gambling Case.

In Judge Zane's Court this morning, the young man David Galford, convicted a day or two ago of stabbing Eph. Madsen at a social party in the First Ward, in February last, came up for sentence.

His attorney, Judge Bartch, asked that the clemency of the Court might be exercised in this case. He said the defendant was a young married man and up to this time had borne one of the best of characters.

Judge Zane remarked that the evidence adduced during the trial was somewhat conflicting. The jury had, however, found the defendant guilty, and he himself was of the opinion that the testimony of the witnesses warranted them in arriving at the conclusion that Galford did stab the complainant in the arm. It appeared that both men were under the influence of liquor at the time the affair occurred. The Court thought the defendant should be fined and sent to the house of paying a fine; to which Galford replied that he had nothing but what he worked for.

Mr. Critchlow, in answer to the Judge, said the defendant's parents lived quite little money, and he thought they could pay any fine which might be imposed, even if the defendant himself was unable to do so. He also mitigated of the defendant beyond what had developed on the witness stand at the trial.

Judge Zane fined the defendant $75 and costs. He remarked that the custody of one of the court bailiffs and detained until the fine was paid at a later period of the day.

RIEGEL CONVICTED.

In the case of Samuel Riegel,—charged with permitting gaming in his Clubrooms, on Second South Street, under circumstances reported in yesterday's NEWS—after the jury retired, Assistant District Attorney Critchlow offered in evidence a complaint sworn to by the defendant on October 4 last charging John Scott with robbing Riegel of $20.

J. R. Smith, of Bingham, testified that on October last he saw gambling in the rooms back of the Congress and Riegel sometimes dealt.

Robert Neuringer was called, and Mr. Critchlow asked if he was at the Congress house named on the night of October 4.

Witness—Well, I don't like to answer.

Mr. Critchlow—You are not protected in this class of cases.

Witness—I would like to make a statement first.

Judge Zane—Well you go on and answer the question.

Witness—I don't like to answer.

The Judge—Well, answer whether you like it or not.

Witness—I was there on the night of October 2nd, but did not play that night. I have played poker in that house and I have seen defendant dealing there.

F. M. Bishop testified—I am the foreman of the present grand jury. Mr. Riegel was before the grand jury and made a statement as to what he was doing in October last.

Mr. Critchlow—Is this to any testimony on this point, on the ground that the juror was bound by his oath not to reveal what transpired in the grand jury room, and, further, because the law provides that the testimony given by a witness for the prosecution could not be used against him. This testimony was given in an investigation of the charge of robbery against Scott. Riegel was subpoenaed as a witness, and after being put under oath was interrogated by the prosecuting attorney.

Judge Zane ruled that the witness could testify, and Mr. Bishop said Riegel testified that on the night of October 2 he was running a gambling house. The indictment against Riegel was found on the evidence brought out in the investigation of the charge against Scott.

This closed the case and the jury found a verdict of guilty.

This morning the defendant came before the Court and was ordered to pay a fine of $350 and costs of the prosecution.

A DIVORCE SUIT.

The divorce case of Johanna Hokanson vs. A. B. Hokanson, was called up, but the hearing was continued until next Monday. The parties resided at West Jordan, and the plaintiff asks for a divorce on the ground of cruel treatment. In her complaint Mrs. Hokanson alleges that in February, 1885, the defendant pointed at her a loaded pistol, and said: "This is good enough for us both;" that since that date he has treated her in an abusive manner, causing her great bodily injury and mental distress. She sues for an absolute divorce and alimony.

ALLEGED BIGAMY.

In the case of George D. Shell and George Barr, charged with embezzlement the prosecution elected to proceed against Shell in the second place first. The indictment alleged that in December, 1889, the defendant embezzled a note of J. T. Ollmer for $5,000, the note being the property of Moroni Williams.

Mr. Critchlow prosecuted; Messrs. Waugler and Hamilton defended.

Moroni Williams was called, but before any testimony was given the defense interposed a motion to quash the indictment on the ground that it stated no offense under the law. This question was argued by Mr. Dickson, who represented Barr. The matter was taken under advisement until this morning, when U. S. District Attorney Varian addressed the Court. When some time had been occupied the case collapsed on certain legal technicalities and the defendant was discharged. It is understood, however, that the case may probably be re-submitted to the grand jury.

TWO RAILROADS IN IT.

In the matter of John Robinson vs. the Oregon Short Line & Utah & Northern Railway Company, in which the plaintiff recently obtained a verdict for $4500 for the accidental death of his son while riding on a hand car on defendant's road in the northern part of the city, defendant was allowed forty days in which to file a statement on motion for a new trial.

In the case of John White vs. the Union Pacific, in which the plaintiff obtained a verdict for $2500 for injuries sustained by him at the hands of Union Pacific trainmen at Salt Springs, Wyoming, a similar order was made.

THE PICKARD INJUNCTION.

Judge Anderson May Not Deliver an Opinion Until After the Adjournment of the Supreme Court.

The case of W. L. Pickard vs. Salt Lake City, on a hearing to show cause why defendant should not be enjoined from selling Pioneer Square to James H. Bacon, the arguments in which were heard by Judge Anderson before going to California, will not be decided as soon as anticipated.

Judge Anderson informed a NEWS reporter today that in all probability he would not deliver his opinion in the case until after the adjournment of the Territorial Supreme Court, which met on Wednesday, April 1.

The reason of deferring the case is, the Judge says, the accumulation of a vast amount of important business during his absence which must necessarily be disposed of before he can find time to prepare his opinion in the injunction case.

SCHOOL MATTERS.

Power of the Utah Commission to be Tested in the Third District Court.

A special meeting of the Board of Education was held last night, with Vice-President Nelson in the chair. The trustees present were: Snow, Young, Pike, Armstrong, Mitchener, Newman and Calloth.

THE COMMISSION ESCHEWED.

On motion of Mr. Young, the regular order of business was suspended and the following report from the finance committee read and adopted:

"Your committee on finance, to which was referred the subject matter of the resolution of Thursday evening last, now offering for a suit to enjoin the Utah Commission from holding the election to test the position of one or the subject of the issue of $200,000 in bonds for school sites and school houses, has attended to the duty assigned it. Messrs. Richards & Judd have been engaged to bring the suit contemplated, and the papers for the same were filed in the Third District Court. The matter has been urged by the committee that a speedy determination of the matter is essential, and counsel fully understand the same.

MR. JOHNSON TO RESIGN.

Trustee Calloth stated that Mr. Johnson, one of the members of the Board, had moved from the precinct from which he was elected, and his office thereby became vacant. He therefore vacated. No action will be taken until Mr. Johnson formally tenders his resignation.

REFERRED.

Mr. Snow suggested the advisability of adopting a rule requiring the students desiring to enter class B of the first grade to do so during the first and second months of each term. Referred to the committee on school work.

OVERCROWDED SCHOOL ROOMS.

Superintendent Millspaugh said that primary pupils were crowding into the schools at such a rate as would soon render it necessary for the Board to take further measures to accommodate them. The primary department in the Second Ward was greatly overcrowded. There was accommodation in that room for forty-five pupils, and there were sixty-five attendants. In the Fourth and Sixth schools the situation was almost as bad. Referred to the committee on building.

The report of the finance committee was supplemented by Mr. Young, who stated that it was the intention of the Board to get a speedy hearing of the injunction against the Utah Commission. The question was an all important one, and whether or not the Commission had a right to interpose school elections would soon be decided.

Adjourned subject to call.

POLICE COURT.

A Variety of Characters Arraigned Before Justice Laney To-day.

A great many offenders were arraigned before Justice Laney today. A considerable number of other cases are waiting to be disposed of.

DAYS THIEVES CONVICTED.

Charles and John Weingart and John Scofield were found guilty of petit larceny as charged. The crime consisted in the carrying away of three ducks belonging to James C. Watson. The thieves were in the act of roasting and eating the stolen poultry by a sagebrush fire over Jordan when they were suddenly swooped down upon by Officer Seighrs, who arrested them and took them to police headquarters, with the fowls mentioned. They will be sentenced tomorrow.

WATCH THIEF SENTENCED.

Joseph Hamilton, the noted young petty larcenist, was sentenced to three months' imprisonment in the county jail for stealing a watch from one Nils Linford, on the 21st inst.

DISCHARGED.

Felix Green and B. Foster were arraigned on a charge of disturbance of the peace, but as the evidence was insufficient to convict, the defendants were discharged.

INEBRIATES.

James Anderson, an "old customer" and devotee at the shrine of Bacchus, was sentenced to fifty days at hard labor in the city gravel beds.

Moses Connors was given ten days in the city jail for drunkenness.

John Fox was arrested on a similar charge and deposited a silver watch and chain to secure his attendance in court tomorrow.

John Cole, Jack Brady, Mike Gavin, Con. Newman, John Staley and William Whitley were fined $5 each for inebriety.

Lines from Peoa.

J. A. Matchant writes us from Peoa, Utah, under date of March 19th, as follows: Since the year 1881 this place has been frequently visited with "la grippe." Four deaths among aged people and of three children have resulted. The health of the people generally has, however, much improved lately, though some of the aged cases and the young are still very much under the weather.

The snow is over a foot deep now on the level, but it is quite warm and there is plenty of feed for stock, which looks well all through the country. The snow is of sufficient depth in the mountains to assure plenty of water for the coming season.

DEATH OF DANIEL H. WELLS.

A Great and Good Man Has Passed Behind the Veil.

At 1 o'clock today one of the great souls of this great age passed to his rest. It is generally known that Counselor Daniel H. Wells was suffering from a severe illness. But the news of his death will be a sudden and heavy blow to the community. He was ailing for several days in Manti and coming to this city on March 14th he gradually grew worse, his sickness taking the form of pleuro-pneumonia. He experienced much distress until shortly before his death, which came to him painlessly though he was conscious to the last.

Daniel Hanmer Wells was born at Trenton, Oneida County, New York, October 27, 1814; he was consequently in his seventy-seventh year when he died. When quite a young man he moved to Illinois and lived at Commerce which, when the Saints occupied it, was afterwards known as Nauvoo. Here he became intimate with the Prophet Joseph Smith whom he greatly admired. In the persecution that came with the martyrdom of the Prophet, Squire Wells took no two called, but he left with the afflicted "Mormons," joined the Church, took a prominent part in the defence of Nauvoo and followed the Saints to Winter Quarters. After returning to Nauvoo to settle up his affairs, he came to Utah, reaching this place in 1848, and has ever since occupied a prominent place in the affairs of the Territory and in the hearts of the people.

He was for many years second Counselor to President Brigham Young and at his decease was made a Counselor to the Twelve Apostles. When the Manti Temple was completed he was appointed to take charge as President which position he held until his death.

As Superintendent of Public Works, as a military officer, as Mayor of Salt Lake City, as a member of the Legislature and as an ecclesiastical officer he was eminently successful and won the respect and esteem of all with whom he was associated. He was a man of character, kind, affectionate, cheerful and generous to a fault. He has gone to join the great spirits who laid the foundation of this latter day work and to rest from his labors. Peace be to him, and may God comfort his bereaved family and friends.

SAD DEATH AT PAROWAN.

A Young Man Falls From His Horse and Dies Suddenly.

A very sad affair happened at Parowan on the 19th inst. Adelbert F. McGregor, son of Wm. C. and Sarah McGregor, was out on the race course with some twenty-five or thirty others. They were trying a favorite young horse on the track and it was proposed that Adelbert should jump on the animal's back and ride around on the outside of the ground. He took off the saddle and rode around. Presently it was evident to the boys that something was wrong. The horse stopped and the young fellow fell to the ground, resting upon his elbow. He gave a few gasps for breath and died in less than five minutes, without saying a word. The deceased had been very sick with la grippe, but was able to move around most of the time. He was a heavy man, weighing over 200 pounds, and no doubt the rough horse-back ride in his then condition of health explains the cause of his sudden death.

McGregor was about thirty-three years of age. It was his intention to return to his home in a few weeks in Manassa, Conejos County, Colorado, where his wife died three years and six months ago, leaving their with three little girls and a boy nearly six years old. The girls are now with their grandparents and will be cared for by them.

Notes from Bountiful.

A few weeks ago it was proposed by some of the leading business men that the citizens of Bountiful be asked to subscribe for stock for the purpose of erecting a new opera house. A meeting was called for the evening of March 20th, when subscriptions were received to the amount of $12,000. Many others are desirous to secure shares, but so far it has not been determined what the capital stock shall be. It is estimated that a building such as is suggested will cost $15,000 or $20,000. A committee was appointed to draft by-laws and incorporation papers. The new opera house will be so constructed that the lower portion may be used for carrying on a mercantile business, while in the upper part will be a hall with one circle and a parquette.

There are already eight mercantile institutions in the town. Bountiful Co-op. does a thriving business. The premises are to be enlarged during the present summer, and when completed this will be the largest institution of the kind in Davis County.

Spring fingers the inhabitants of Bountiful the hole of the garden. Already gardeners have begun to sow their seed. An over supply of water is not expected; still, by the kindness of Providence, they hope that their spring labors will bring due reward.

Salt Lake may inquire of Bountiful gardeners for the choicest vegetables, and if the land were properly tilled they would get the quantity.

CALEB.

Street Railway Extension.

The Rapid Transit Railway Company are busily engaged in stringing ties and rails along the State Road, with a view to extending their line two and a quarter miles south of the present terminus. Track laying will be commenced in a few days and pushed to a rapid completion. When finished, it is claimed that it will be the longest straight electric street car line in the country. At present there is a satisfactory half hour service on that line. The cars are double trolleys and exceedingly high speed and beautiful finish.

FLORA C. R. SAVAGE will lecture in the Sixteenth Ward schoolhouse tonight at 7:30 o'clock, on Stanley's Travels in Africa.

Highest of all in Leavening Power.—U. S. Gov't Report, Aug 4, 1889.

Royal Baking Powder

ABSOLUTELY PURE

CHEW DISCHARGED.

H. A. Johnson on Trial for Defacing and Using Cancelled Checks.—Other Business.

In the Probate Division of the First District Court before Judge Blackburn, yesterday afternoon were continued the cases of the People vs. Chew, charged with stealing a horse belonging to Mr. Robbins, of Scipio. The case went into the hands of the jury, who returned a verdict of not guilty.

The case of the People vs. Hans A. Johnson, charged with defacing and using a cancelled check signed by H. J. Mallen, in obtaining a suit of clothes and other goods to the value of $100, from James J. Reynolds, of Springville, was next in line.

The testimony of Reynolds went to show that Johnson came to his store on November 12, 1890, to make some purchases. A suit of clothes and other goods were given to the defendant, together with $60 in cash, in exchange for a $100 check, which was identified by the witness. Henry Mallen, the signer of the check, gave testimony to the effect that the check in question had been paid by the First National Bank of Provo, returned to him and after being filed had been thrown out of the back door, where it had evidently been picked up by some party with the expectation of recashing.

The assistant cashier of the First National Bank testified to the check having been paid and presented a second time, showing signs of having been defaced, and payment refused. Was positive as to the check on exhibition being the same as he had refused to pay.

A witness named Christiansen, from Richfield, Sevier County, testified to having seen the defendant at some time last November, where he attempted to cash a check for $100, signed by H. J. Mallen, but that the fraud was detected and $20 of the money recovered.

The defense admitted having cashed this check at Richfield, but would endeavor to show that the $100 check that was passed at Springville was not done at the hands of Johnson.

The defendant was placed on the stand and testified in his own behalf, after which the case was submitted to the jury without argument.

The disposal of this case views the criminal calendar for the present term.

JUDGES.

The following orders were made before Judge Miner at Ogden:

W. N. Stephens vs. James G. Mayes et al.; demurrer to complaint overruled; ten days to answer.

Morant Steen vs. F. W. Sherwood; demurrer to complaint overruled; $5 costs; ten days to answer.

Valentine Gibson et al. vs. Mary Barker; demurrer to complaint sustained; $5 costs; ten days to answer.

C. E. Griswold vs. C. C. Lowman; demurrer to complaint; paragraph number six of the answer overruled.

The People vs. W. H. Maugham et al.; motion for a new trial overruled.

Ogden City Company vs. W. H. Harvey et al.; demurrer to answer sustained; motion to strike out part of the answer granted; ten days to amend.

William Bailey vs. Sidney Stevens; motion of Smith & Smith granting plaintiff five days additional time to answer cross complaint.

S. E. Belcher vs. James Iverson; trial. Miller & Maginnis for plaintiff; Maloney & Perkins for defendant. Verdict for plaintiff $11.

In re-summoning of petit jurors; order for four jurors.

John Green vs. Union Pacific Railway Company; trial; Evans & Rogers for plaintiff; P. L. Williams for defendant. Pending.

A. C. Fox vs. A. R. Patton et al.; on motion of F. S. Schsnower, case dismissed at plaintiff's cost.

Probate Court.

The following business was transacted before Judge Bartch in the Probate Court yesterday afternoon:

Estate of L. B. S. Miller; order made confirming sale of personal property.

Estate of Peter Brooks; order made confirming sale.

Estate of George Eckman; Wm. A. Eckman appointed administrator; bond filing a bond in the sum of $5000 and taking the usual oath.

Estate of John Betchart; T. E. Harris appointed administrator; bonds $1000.

Estate of Daniel Garn; Thursday, April 16, appointed to hear final account and petition for distribution.

Estate of Mercy Sheobridge; James William Harris appointed administrator.

Estate of Frank Crocker; decision on real estate sale reserved until attorney for minors reports, which is to be as soon as possible.

Estate of Henry Hirschman; bond of administrator in the sum of $2,500 approved.

Estate of George Boyle; Saturday, April 25 to hear petition for sale of real estate.

Estate of J. Harley Warner; M. Rush Warner administrator upon filing a bond in the sum of $25,000 and taking the oath prescribed by law.

Tariff.

The recent action on the tariff shows the sentiment of the French Chamber of overwhelmingly protectionist. Passage of the tariff bill is regarded as certain. It is estimated that the tariff will bring in next year thirty-eight millions in additional revenue. The royalists have given their adhesion to the increased duties.

DEATHS.

EVANS.—In the Fox Ward, of this city, March 21, 1891, of consumption, Leland Evans, son of John C. and Mary A. Evans; aged 2 years and 1 month.

Funeral service at First Ward meeting house Wednesday, March 25, at 1 p. m. Friends of family are invited to attend.

HAIR.—At Nephi, Juab County, February 18, 1891, Mary Ann, wife of Thomas Hair. Deceased was born April 19, 1821, at Leaton-dorks, Nottinghamshire, England. She joined into the Church of Jesus Christ of Latter day Saints by Elder James Brown in twenty part of Iowa, 1846, in the Winnowick Branch, Lesser Conference, from which she and her husband emigrated in September, 1848. The deceased was married to Thomas Hair in March 1841, from which she never rallied. She passed away calmly with an enduring faith in the Gospel at the residence of her eldest son Israel Hair.

Millennial Star, please copy.

MARKETS AND STOCKS.

NEW YORK STOCKS.

Closing quotations, March 18, 1891.

Bar Silver		York Central	1[illegible]
Lead	[illegible]	Maryland	[illegible]
Lake Shore	[illegible]	Illinois Central	[illegible]
Michigan Central	[illegible]	Pacific Mail	[illegible]
Kansas & Texas	[illegible]	North American	[illegible]
Central Pacific	[illegible]	St. Louis & S. F.	[illegible]
Union Pacific	[illegible]	St. Paul & Omaha	[illegible]
Denver & R. G.	[illegible]	Texas Pacific	[illegible]
Northern Pacific	[illegible]	Western Union	[illegible]
Preferred	[illegible]	Pacific Express	[illegible]
Reading	[illegible]	Western Union	[illegible]

Stock market after 12 o'clock quotations were not furnished on account of illness of our clerk.

In 1850 "Brown's Bronchial Troches" were introduced, and their success as a cure for Coughs, Colds, Asthma and Bronchitis has been unparalleled.

Cures in Colorado.

I used Ely's Cream Balm for dry catarrh. It proved a cure.—H. P. M. Wolfe, Denver.

Ely's Cream Balm is especially adapted to catarrh, cold in the head, or aggravated by alkaline dust and dry winds.—W. A. Hover, Druggist, Denver.

I can recommend Ely's Cream Balm to all sufferers from dry catarrh, from personal experience.—Michael Herr, Pharmacist, Denver.

Ely's Cream Balm has cured many cases of catarrh. It is in constant demand.—Geo. W. Hoyt, Commercial, Cheyenne, Wy.

Several years ago Chamberlain & Co., of Des Moines, Iowa, commenced the manufacture of a cough syrup, believing it to be the most prompt and reliable preparation yet produced for coughs, colds and croup; that the public appreciate true merit, and in time it was certain to become popular. Their most sanguine hopes have been more than realized. Over three hundred thousand bottles of Chamberlain's Cough Remedy are now sold each year, and it is recognized as "the best made, wherever known. It will cure a severe cold in less time than any other treatment. For sale by Z. C. M. I. Drug Dept. d&w

There is no danger of a cold resulting in pneumonia when Chamberlain's Cough Remedy is used, as it directs "for a severe cold." It effectually counteracts and arrests any tendency of a cold to result in pneumonia. This fact was fully proven in thousands of cases during the epidemic of influenza last winter. For sale by Z. C. M. I. Drug Dept. d&w

Williams' Australian Herb Pills.

If you are troubled with Biliousness, complicated with Headache, bad breath, dreary, no appetite, lost, use your Liver is out of order. One box of these Pills will drive all the bad humors away and make a new being of you. Price 25 cents. Zion Co-op Mer. Inst. Drug Dept., Agent. d&w

John Rossiter.

Flower and garden seeds.—The largest variety and purest seeds, lower than Eastern prices, under the Utah National Bank, Clock corner, Salt Lake City. d&w

DR. PRICE'S Cream Baking Powder.

Used in Millions of Homes—40 Years the Standard.

A Pure Cream of Tartar Powder. Superior to every other known.

Delicious Cake and Pastry, Light Flaky Biscuit, Griddle Cakes, Palatable and Wholesome. No other baking powder does such work.