## CHAIRMAN CARTER DENIES.

### He Declares that He was Misrepresented by a Morning Paper.

THE JUDGESHIP VACANCY.

Mr. Carter Says that He Didn't Speak at all and Knows Nothing About it.—A Dinner He Didn't Eat.

Thomas H. Carter, chairman of the Republican national committee, arrived in this city from Colorado's capital yesterday afternoon and soon after placed his peculiar autograph on the Knickerbocker register.

Mr. Carter was called upon by a NEWS representative this morning just before he left for his home in Helena, Montana. He gave the newspaper a very cordial reception and chatted pleasantly with him the few minutes he had to spare before his train left for the north. During the course of conversation Mr. Carter answered the following questions:

"What brings you to Salt Lake at this particular time?"

"Simply—well, pleasure as much as any thing. I had occasion to go to Colorado a few days ago to attend to some personal business matters of importance and on my way home from Denver to Helena I had a little time to spare and just dropped into your beautiful city to spend a few hours."

Realizing that Mr. Carter's prominence in national politics is rather conspicuous and thinking he might have something of interest to say on the question of appointing a successor to Judge Anderson, the reporter inquired: "When, in your opinion, Mr. Carter, will Judge Anderson's successor be named? The question is asked because there is considerable anxiety manifest in regard to the matter, not only by the members of the bar but by the court patronizing public.

"I know nothing whatever on the subject, and therefore cannot give you any information."

"But a morning paper states that you told an audience with some distinctness a few days ago that subject last night."

"I am aware of that, but that statement is incorrect."

"Then you mean to say that Governor Thomas and F. H. Lannan did not call upon you and consult with you as to the Anderson judgeship vacancy?"

"That is exactly what I mean and what I say. I met Mr. Lannan and had a few minutes talk with him, but absolutely no reference was made to local political conditions.

"Have you taken any interest in the judgeship vacancy?"

"I have not, nor do I intend to do so as I do not think it would be proper for me to take any part in your political contentions or struggles. I have not even talked upon the subject while in your city."

Governor Thomas was also seen by a NEWS reporter during the day and when asked if he had called upon Mr. Carter he replied in the negative and added: "I happened to meet him but just passed the usual courtesies and parted. No reference was made to politics or business."

"You are reported as dining with him and Mr. Lannan at the Alta only last evening."

"Such talk is gross and malicious misrepresentation. I did not dine with Mr. Carter, was not invited to, and do not know of anyone who did."

Subsequent inquiry elicited the fact that not even Mr. Carter dined at the Alta, but that he took dinner at his hotel.

## JUNCTION CITY NEWS.

### A Kaysville Resident Has a Narrow Escape From Death.

SOMETHING OF THE ELECTION.

The Future of the Opera House.—An Important Law Suit.—The Improvement Bonds, Etc.

[Spoke Standard.]

The session of the Fourth District court yesterday was very uninteresting and no others of any interest were taken.

Chief Rindlisbacher left little in prospect to health yesterday and the doctor states that the malady has developed into typhoid pneumonia.

At the New West academy last night an enthusiastic audience listened to a pleasing programme presented by Miss Edith Assington and her pupils.

A drunken man last night fell down the stairs leading to the Broom Hotel barber shop and through the glass doors. He was considerably cut and bruised.

Three cars of ammunition for the most obscure Yankee blockading vessel yesterday, consigned to the quartermaster of the Mare Island navy yard, also at San Francisco.

The shooting match between Beeler and Hoover for the Arcadian championship will take place next Monday afternoon at the grounds of the Ogden Gun club. Several Salt Lake sports will be present.

The city council last night rescinded Mr. Rushton's contract with W. J. Hayes & Sons of Cleveland, Ohio, for issuance of the $50,000 issue of general improvement bonds, and sold the bonds to N. W. Harris & Company for $51,[illegible] and accrued interest.

The Rio Grande Western passenger train due in Ogden at 1 o'clock this morning was delayed two hours by a wash in the mouth of the west of Utah valley. The Union Pacific due here at the same hour was four hours late on account of the eastern connection and storm.

The case of Mrs. Ellen Lyons, the demented woman who was brought to Ogden on Monday morning by Constable Stagg, of Echo, where she had been picked from a Union Pacific passenger train, was acted upon yesterday by the county court, and last evening the sheriff was instructed to remove the poor creature to the city hospital, where she will remain the charge of the county.

A "select" party witnessed an impromptu "set to" last night between Kid Gleason, a 110 pounder, who hails from St. Louis, and Frank Work, colored champion of Utah, who weighed in at 150 pounds, at the Utah Athletic club. Much blood was spilt. In the seventh round, after receiving considerable punishment, Gleason gave up the fight and the small purse was awarded to Work.

The owners of the Grand opera house contemplate holding a meeting this week to discuss matters in connection with the future management of the theatre and decide several questions which have been agitated. Already there have been several good offers made by responsible men to lease the house at a rental but little, if any, less than that paid by Mr. Bowers. The gentlemen who contemplate the expenditure of fifty dollars, providing, refurnishing and ventilating the interior of the building.

At the county court yesterday the county clerk was authorized to draw a warrant for $1750 in favor of Morgan county as the last payment of a loan negotiated by that county. The total amount of bonds belonging to this county in the hands of the officials of Morgan county now amounts to $2[illegible]. The bonds of Rich, Davis county assessor, for $70,000, were also sent and approved. The report of the county auditor, showing that $40,000 had been paid into the treasury, was ordered filed.

The recent snow storm will delay the commencement of work on the extensive waiting for the Southern Pacific shops for some little time, but just as soon as the weather clears a large gang of men and teams will be employed to clear the land upon which the buildings are to be erected and fill up a large drain which cuts the property in two. An[illegible] General Manager Castle has consulted Superintendent Knapp upon some proposed changes in the plans of the buildings and in doing so asked for some suggestions. The superintendent has recommended the building of a wing to the present car shops, the measurements being 50x[illegible] feet. This would necessitate an increase in the force of men now employed in the shops fully fifty per cent, thus raising the number to 150.

The case of L. R. Parsons and Albert Geyser vs. Fred J. Kneer and Ogden City was argued yesterday before Referee Leonard by H. W. Smith and Hartford Smith for the plaintiffs, and City Attorney Kimball for the defendants, and taken under advisement by the referee. The suit is one of considerable importance and involves two acres of valuable land situated on Wall Avenue just north of Twentieth street. The plaintiffs have been in possession of the property for many years, but never received a deed from the city. During the city administration over which Mr. Kneer presided an ordinance was passed authorizing for a quit claim deed, but were refused on the ground that the land was the property of the city. Shortly afterwards the municipality sold the strips in question to John and William Cheny, but the latter never took possession and the same was thrown out by the referee on a motion for a non-suit. The plaintiffs claim to be entitled to the land by reason of their continued occupancy if the no other.

Joseph Smith of Kaysville had an extremely narrow escape from death yesterday afternoon. He came to Ogden early in the morning and devoted the day to ending up on "Christmas goods." About 4:30 o'clock he discovered his team from the hitching post in the street near the Z. C. M. I. and, mounting to the seat, endeavored to move the sleigh back in front of a rapidly moving Washington avenue electric car. As a result, the wagon was overturned and the young man was thrown out on his head. The force of the fall rendered him unconscious and blood flowed freely from his nose and mouth. The injured man was assisted to Driver's drug store, but that gentleman declined to allow him to remain there, on the ground that "it hurt his business," and the poor fellow was taken to the city hall, where Dr. Blackburn attended to his injuries, which were found to be of a very serious nature. Smith returned home last night. The street car men were only exonerated by those who witnessed the accident.

One of Ogden's prominent lawyers made a statement to a Standard representative yesterday, in the course of which he said: "At the recent city election the Liberals elected several ineligibles to the city council, three of whom are so because they are not Republicans, and Charles F. Biggs of the Second precinct, because he was not at the time of his election a naturalized citizen. These may be startling facts, but they are true, nevertheless. There has been considerable talk of contests, but the idea has been practically given up, as under the existing conditions the first meeting of the new council the seat of Mr. Biggs will be declared vacant and then he will be elected to fill it. Both would be the same with other Liberal councilmen elect who are not owners of real property, or at least were not at the time of their election.

### THE ALEXANDER FAILURE.

Dissatisfaction is Expressed with Referees to the Receiver.

In regard to the affairs of D. Alexander & Co., of Main street, whose assignment was recorded in these columns about six weeks ago, readers of the NEWS will recollect that John Alexander and W. S. McCornick & Co. were made preferred creditors, the first named to the extent of $17,000 and the latter for $7,500. It is now alleged by those preferred creditors that the referee who was appointed to take charge of the firm's assets is not acting squarely. He has, they declare, employed as counsel for himself the attorneys of creditors who are ineligible to the claims of the said John Alexander and McCornick & Co., and the inference is that these attorneys will work for their own benefit.

A motion has been filed in the Third District court to remove the receiver upon the grounds that he is subordinating the interests of the trust to the direction and control of partisan attorneys, and that the latter have treated the preferred creditors adversely in retaining answers into their suits, whereas they are endeavoring to collect claims that are justly due them. It is very likely that the matter will come before Judge Zane on next motion day—Saturday.

## THE DAY'S LEGAL COLUMN.

### Judge Zane and Several Referees Working on the Docket.

A COLORED MAN'S RIGHTS.

An Action Against the Latter-day Saints Reviller in the Fifteenth Ecclesiastical Ward.

Miscellaneous business is at present the order of the day in the Third District court, and nothing of striking importance is expected to come to the surface until the Paterson term begins.

When court opened this morning Chief Justice Zane disposed of the case of the Westside Mining Co. vs. Joseph A. Jennings et al., which was before his honor yesterday afternoon.

As already stated in these columns, the dispute has been in litigation for nearly ten years. It now came up for the fourth hearing. The action was brought to declare the defendants trustees and to compel an accounting for ore deposed of, said to be worth $40,000.

His honor said it was impossible for him, without taking probably two or three days to hear it, to come to a satisfactory conclusion in this suit. The court did not wish to indulge in mere guesses on matters of this kind, and would not do so. He was of the opinion that this was a case under the chancery practice which should be referred to a special master to try and report the facts as to the reasonable expenditures of Jennings in developing and improving the property. At the same time, Jennings should have the right, if he deemed it necessary, to offer some additional evidence as to the cost of work. His honor said he would appoint Judge Howatt as special master.

Attorney Lewis remarked that Judge Howatt had already formed a law partnership with Judge Sutherland, who was connected with the case. Otherwise he had no objection to Judge Howatt.

Judge Zane said he was not aware of that, and referred the case to Judge Marshall.

DECREE ON CROSS-COMPLAINT.

R. Voelcker vs. Benj. R. Hole et al. By consent the decree, as prayed, was entered for the plaintiff on cross-complaint.

ALSO BY CONSENT.

John Ingram et al. vs. Monheim, Biggs and Ryan, being an action in regard to a strip of land on Sec. 22, east of the penitentiary. A decree was entered for the defendants by consent, with $75 costs. Dickson & Stephens were for the plaintiff; Marshall, Cabell and Letcher & Kinney for the defendants.

JUDGMENT BY DEFAULT.

Wells, Fargo & Co. default judgment was entered for the plaintiff in the sum of $561.

The case of Elijah A. Whitaker vs. James L. Fulton et al., in default, by consent a decree of foreclosure was entered, as prayed.

THE STEWART BUTLER.

The case of Benj. F. Stewart vs. Salt Lake City et al. was dismissed on motion of Attorney H. W. Young. It was a matter arising out of the Franklin & Tooele theater trouble.

ONE MORE ALEXANDER.

On motion of Attorney Cherry, in the matter of Buchanan et al. vs. D. Alexander et al., leave was granted for William Katz and six others to intervene.

FOR PLAINTIFFS.

George C. Kibler et al. vs. Carry Blunt. By consent judgment was entered for the plaintiffs as prayed, without attorney's fee.

DEMURRER ARGUED.

In the case of William C. Allen, executor, vs. Heber J. Allen, the demurrer to complaint was argued and submitted.

ABOUT A NOTE AND MORTGAGE.

Anton Keyser vs. A. H. Mikesell et al. was the title of the first case called on for trial. It was a small suit on a note and mortgage. A decree was entered for plaintiff.

AN INTERESTING SUIT.

The next case on call was that of Waldemar Van Cott, as administrator of the estate of Samuel Varney, deceased, plaintiff, vs. Elias Morris and the members of the corporation of the Church of Jesus Christ of Latter-day Saints residing in the Fifteenth Ecclesiastical ward of Salt Lake Stake of Zion, defendants.

Williams & Van Cott appeared for the plaintiff, J. R. Rawlins and Pergamene and Cannon for the defendants.

Plaintiff's suit to recover all of lot seven in block 81, plat A, Salt Lake City survey. The property was conveyed by Samuel Varney and Jane Clark in trust for the poor of the said ward in February, 1857, and Mr. Varney died in the August following. John Clark thereafter deeded the property to the defendant corporation in trust for the poor of the ward.

The conveyance is attacked upon five grounds, viz.: that Samuel Varney was of unsound mind and incapable of making a deed; second, that the deed was procured by undue influence; fourth, that it was void, inasmuch as it was attempted to reserve a life estate, and because of the vagueness and uncertainty of the trust created, as the beneficiaries could not be ascertained; fifth, that the corporation in question is incorporated "for immoral, unlawful, and criminal purposes;" and plaintiff says the organization is therefore null and void.

All of which the defendants deny in their answer.

FOR GOODS SUPPLIED.

Butler Bros. are the plaintiffs and I. M. Solomon is the defendant in a suit filed in the Third district court this morning to recover $[illegible], and costs for goods supplied at the defendant's request.

TERMS UP AGAIN.

Judge Sutherland this morning, as referee, had another tussel with the case of John W. Smith vs. J. H. Bowman, the well-known contractor—a piece of litigation which has been bandied about in the courts for some time past. The plaintiff originally claimed that he was in partnership with Bowman, which the latter denied. The matter was taken before Judge Sutherland, as referee, who decided in the affirmative. The case now comes before him on an accounting in regard to several buildings, the Odd Fellows' hall, the Midgley block and the Cheshire block on the corner.

AN ELECTION SQUABBLE.

The Coalville election dispute will come up for hearing before Chief Justice Zane on Saturday. It is alleged that the judges dropped six ballots in the wrong box and afterward refused to count them, whereby the Democratic candidates for the office of treasurer was defeated.

THE COLORED MAN'S REVENGE.

Harry Wilson is a man of color, and in September of the present year he went to the Saddle Rock restaurant on Main street and called for a meal. The proprietors, Roberts and Dunn, declined to serve him on account of his color, whereupon the darkey instituted legal proceedings, claiming $500 as damages, on the ground that they refused to serve him was in violation of the Civil Rights act. The defendants came upon the scene with a demurrer, and this was argued before Judge Andersen, who sustained it.

By the Supreme Court of the United States it has been held that the civil rights act is unconstitutional in the states, but their honors refused to rule that it is repugnant to territories. Hence Judge Andersen in giving his decision on the demurrer rules that it would hold in a territory. The suit was one issue, common carriers, places of amusement, etc., and the question then arose as to whether or not a restaurant was an inn. The judge thinks that it was not, defining an inn as a place where persons might secure lodgings in addition to refreshments. He sustains the demurrer and orders the action dismissed unless the plaintiff should file an amended complaint within twenty days.

ALLEGED EMBEZZLEMENT OF A HORSE.

William Harkins, contractor, has been sued by Chandler Lewis, a man to await the action of the grand jury, in a bond of $500, on a charge of embezzlement. The complaint is made by Charles G. Lundeng, who alleges that the defendant withheld from him a horse worth $60, and shipped the animal to Wyoming. He says he intended it to Harkins to "break it in" for work, but that the defendant though twice asked to return the horse refused to do so.

A REFORM SCHOOL CANDIDATE.

Frank Starr, alias "Tex. Kid," a small boy, has been transferred to Judge Zane, by U. S. Commissioner Norrell, with the object of his being sent to the reform school. The youngster had been arrested on a charge of stealing brass from the Union Pacific Railroad company's shops, and valued at $15.

### Wonderland.

The usual souvenir custom was observed this afternoon at this favorite family resort, the house being comfortably filled at each entertainment. The usual change of programme takes place tomorrow. The Stock company will produce the society drama Divorce, accompanied by pretty and effective scenic accessories. In all the assembly many standard attractions will be seen.

### Local Weather Report.

Through the courtesy of the Deseret Telegraph Company the NEWS is able to publish the following weather report received by wire today from the cities and towns named:

Paris—Cloudy and cold.
Logan—Fine and pleasant; three inches snow.
Ogden—Cloudy and cold.
Provo—Foggy and cold.
Nephi—Very cold and clear.
Fillmore—Cloudy and cold.
Beaver—Snowed two inches last night.
Parowan—Clear.
Cedar City—Clear; about two inches snow.
Toquerville—Snowed last night.
St. George—Cloudy.
Mt. Pleasant—Clear.
Manti—Cloudy and cold.
Richfield—Cloudy.

### DEATHS.

PETERSEN.—At Morgan, Sanpete County, Utah, Dec. 6, 1892, of general debility, Stephen Petersen, aged 78 years, 8 months and 10 days. Deceased was born at Ashton-under-Lyne, Lancashire, England, May 28, 1814; baptized January 11, 1841. He presided over the Hyde branch in Hillsdale and over the Ashton branch from 1846 to 1851, when he emigrated to Utah, acting as the building of the Salt Lake Tabernacle. He moved to Manti soon after arriving in Utah, and shared in all the hardships incident to the building of remote settlements in early days, passing through Indian wars and threatened famine. His hand was always open to help the needy, and he was leading up the life of a child of God, of which he at all times desired to be a faithful member. He endeared himself to the hearts of many of the saints, and died in full faith of a resurrection of the just, bearing a strong testimony to the truth of the Gospel.—Com.

MITTLER.—At Cherry Creek, Oneida county, Idaho, Dec. 16, of cirrhosis and inflammation in the bowels, after forty-eight hours' illness, John Mittler, infant son of Mr. and Mrs. Rachel Jesse Mittler, born October 4, 1891, at Willow Springs.

### Strength and Health.

If you are not feeling strong and healthy, try Electric Bitters. If "La Grippe" has left you weak and weary, use Electric Bitters. This remedy acts directly on Liver, Stomach and Kidneys, gently aiding them organic perform their functions. If you are afflicted with Sick Headache, you will find speedy and permanent relief by taking Electric Bitters. One trial will convince you that this is the remedy you need. Large bottle only 50c., at A. H. Smith & Co.'s drug store.

### LEGAL NOTICE.

In the Probate Court, in and for Salt Lake County, Territory of Utah.

In the Matter of the Estate of James Russell, deceased.

NOTICE IS HEREBY GIVEN THAT Thomas R. Lewis, administrator of the estate of James Russell, deceased, has rendered and filed his final account and report of said estate, and has made and filed his petition for the distribution of the residue of said estate, and that Tuesday, the 27th day of January, A. D. 1893, at 10 o'clock, at the Court House, in said county, in the County Court House, Salt Lake City, Salt Lake County, Utah Territory, has been appointed by the Judge of said Court, for the hearing of said account and said petition, when and where any person interested may appear and contest the same, if any there be, and make and adjust such rights as may be entitled and by law entitled to. Said decedent's lands are located in [illegible].

Dated December 2, 1892.

C. S. ALLEN,
Clerk of Probate Court.
By CARTER SHOWEN, Chief Deputy.


## SCROFULOUS SORES.

Badly Afflicted Three Years Tries Many Doctors Here and in England Without Benefit. Gives Up Cured by Cuticura.

My wife having suffered from Scrofula some time back on her neck, and after trying all we could and to find a cure, and after being told we could do no more, she was induced to try Cuticura, and after using two bottles of Cuticura Resolvent, and of Cuticura Soap, and having used all kinds of remedies I no longer hesitate to say that CUTICURA has cured her, and today she is as well as she ever was in her life, and the hair is as good as any one ever. Please, sir, I let this my second letter go to press.

A. W. JONES, Foreman,
12 Scribe Street, Cleveland, Ohio.

### Scrofula Ten Years.

I had a running sore on my ear as a scrofula abscess for ten years. Had been treated by several physicians, but obtained no relief until I used CUTICURA, which healed it up in a few days. This was more than a year ago, and I have had no trouble with it since. I consider your CUTICURA REMEDIES invaluable for the business you claim it to be.

MRS. E. A. WOODWARD,
Hardwick, Caledonia Co., Vt.

### Cuticura Remedies

are the greatest Skin Cures, Blood Purifiers and Humor Cures ever compiled, and are the most economical and agreeable of any and all Humor Remedies, the great Skin Cure, and Cuticura Soap, an exquisite Skin Purifier and Beautifier, especially adapted to the treatment of Humors, Rashes, Itchings, Irritations, and Inflammations of the Skin, when every thing else and hours of the skin, scalp, and blood, with loss of hair, from infancy to age, from purpose to overflow, when the best physicians, hospitals, and all other remedies fail.

Sold everywhere. Price, CUTICURA, 50c.; Soap, 35c.; RESOLVENT, $1.00. Prepared by the Potter Drug and Chemical Corporation, Boston.

Send "How to Cure Skin Diseases," 64 pages, 50 illustrations, and 100 testimonials, mailed free.

LOVE'S PAIN.—Weak, Painful Kidneys, Back and Side Pains relieved in one minute by the Cuticura Anti-Pain Plaster, the only pain killing plaster.

WEAK, PAINFUL KIDNEYS.

WASHBURN
Guitars, Mandolins & Zithers
are the best and easiest of tone, are the best in the world. Write direct to wear to any dealer. Write for catalogue and price lists. Sent free. Special offer. Catalogue, contents and price lists, outside of Western states will be Mailed FREE.
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