

FOR A CRUSHED LEG.

The Union Pacific Sued for Fifteen Thousand Dollars.

The Jury in the Case Against Marshal Parson Fails to Agree—One Divisor Granted and Another Wanted.

The trial of the suit of John W. White against the Oregon Short Line & Utah Northern Railway company (Union Pacific) was commenced in the Third district court yesterday before Judge Zane and a jury.

The suit is brought by the plaintiff for damages in the sum of \$15,000, alleged to have been sustained by reason of negligence of the company under the following circumstances: That in March, 1890, he was employed by the defendant as a yard switchman at Pocatello. On the day mentioned he was compelled in the line of his duty to go upon a flat car of the defendant's, which was loaded with two sets of engine trucks, not properly blocked to prevent their shifting while the car was in motion.

The defendants in answer to the demand set up that the trucks were properly blocked, but by some accident in transit, for which the company could not be held responsible, the trucks had been thrown over the blocking and were thus allowed a play of about thirty inches, and that the plaintiff was not exercising ordinary negligence in standing inside of the tall gate instead of on the outside platform.

The testimony, which was in corroboration of the facts stated above, occupied almost the entire day. The case reached the jury at 4 o'clock, and at 6 o'clock, when they showed no sign of coming out, word was sent them to return, a sealed verdict into court this morning.

UNABLE TO AGREE.

The jury in the case of Sarah J. Levy vs. the United States marshal, on replevin, reported yesterday morning that they were unable to agree and were discharged.

TWO MORE MISERS.

Laura Grisman vs. John L. Grisman: suit for divorce on ground of desertion granted by default. Emma M. Varnes sued her husband, James A. Varnes, for an absolute divorce, setting up as grounds therefor that he has frequently beaten her in a cruel and inhuman manner, failed to provide her with the necessities of life and that he is guilty of habitual drunkenness.

FOR SUPPLIES TO MINERS.

Thomas J. Brown, who, from the allegations of his complaint, has been paying for the supplies and wages of the miners at the Highland mine, brought suit yesterday against Frank Hoffman, H. Donaher and L. E. Holden for the recovery of \$9,700, money advanced by him on bills for supplies and the wages of miners.

JUDGMENTS ENTERED.

Judgment has been entered for the plaintiff in the suit of A. B. Farquhar & Co. vs. John Lewis for \$322.50, and for \$301 in favor of the plaintiff in the suit of John L. Snyder vs. Brigham Sellers.

TO FORECLOSE A MORTGAGE.

George L. Wilsey filed suit against Ella S. Sears and E. C. Stinson for foreclosure of a mortgage given to secure a note for \$4,500.

TO REPLEVIN.

L. M. Hyere vs. J. H. Harlan et al.; motion to dismiss appeal argued and overruled. D. W. Beach vs. Harnel Pratt et al.; set for hearing in court on Friday.

TO REPLEVIN.

John H. Prince et al. vs. W. L. Webb et al.; decree of foreclosure. Verina Schum et al. vs. Utah Lodge No. 1 et al.; demurrer to amended complaint argued and continued till Monday next.

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H. E. Wheeler vs. James W. Campbell, on an appeal from a justice's court, was decided by Judge Zane in favor of the plaintiff. Judgment was entered for \$102.50 and costs. It was an action brought to recover the value of some chattels levied on by Campbell as a condition of a suit against Campbell brought by E. A. Marston, involving \$85, was referred to a referee.

PACIFIC LUMBER COMPANY VS. D. P. BLAIR.

Pacific Lumber company vs. D. P. Blair: motion to strike demurrer from filed allowed and default entered. Amos H. Fielding vs. John W. Young et al.; motion to take testimony of Amos H. Fielding allowed.

TODAY'S CASES.

The following cases will be tried before Judge Zane today: Adam Donck vs. W. H. H. Spafford et al. from yesterday's calendar. Walter A. Atwood vs. T. J. Ellis et al. James H. Smith vs. J. M. Morris. Frank H. Dyer vs. the Rio Grande Western Railway company.

PROBATE COURT ORDERS.

The following orders were made in probate yesterday: Estate of Thomas McClellan, deceased; continued to Oct. 26, at 10 o'clock a. m. Estate of James Gordon, deceased; admitted to probate and Peter Gordon, James Gordon and William Gordon appointed executors, to take effect on qualification in the sum of \$24,000 each. Estate of Howard M. Twombly, an infant; continued to Oct. 25. Estate of Hannah T. Wardle; appraisers appointed. Estate of J. H. Pickett, deceased; petition for decree of distribution argued and taken under advisement.

ESTATE OF ANN CHARLES, DECEASED.

Estate of Ann Charles, deceased; finding of referee on bills and accounts confirmed. Estate of Mary Ann Childs, deceased; Tuesday, Nov. 1, set for hearing of petition for appointment of commissioner to make partition.

TIPPED OVER A LOAD OF HAY.

Henry Chamberlain Becomes Very Serious Injuries. Henry Chamberlain, who lives at Cohn's ranch over the river, was coming to the city yesterday on a load of hay which apparently had not been safely balanced. While riding along a sideling road, the load of hay, wagon and all, tipped over. Chamberlain being thrown underneath the mass. When he was extricated he was almost suffocated. He was at once taken to the Deseret hospital where he was attended by Drs. Richards, Parkinson and Pratt. It was found that Chamberlain had sustained a compound fracture of the right leg just above the ankle and that a dislocated shoulder had been broken. He was resting easily last night, but it will be many months before he will be able to mount another load of hay.

TO EMPTY BENCHES.

Liberal Recruiters Have a Frigid Reception at Sugar. C. E. Allen, Charley Stanton, H. V. Meloy, C. B. Glenn, G. A. Burson, Billy McQueen and Jo Lippman descended upon Sugar precinct Wednesday evening in the cause of Liberalism.

There was a woeful lack of interest that must have made the aspiring office-seekers sick at heart. Even music failed to soothe the savage breast or draw out a crowd. Charley Stanton begged the few Liberals present to stick to the dead party as long as they could. Curly Glenn was the next on the list, and while he attempted to be funny at the expense of anything and everything that didn't smack of the deceased party, he made a miserable failure of it—most of the audience leaving the hall before the harangue was half finished.

G. A. Burson followed in his own peculiar style and was loudly applauded when he stopped. "With anybody but Liberals holding the county offices," he said, "I would stare the people in the face. Dr. J. Lippman was once announced. He proposed to fight the priesthood until his last breath. If Utah were to become a

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