

SALT LAKE HERALD. SALT LAKE CITY, UTAH. BY THE HERALD PUBLISHING CO.

An Unexcelled Advertising Medium is The Sunday Herald.

BRIEF AND BREEZY.

This evening at 7:30 the Utah Democratic club will meet at the Wasatch hall.

The dancing club gave one of its pleasantest suppers at the Parker-Christensen hall last evening.

There are messages at the Western Union telegraph office for Ruben S. Leveque, M. L. Bohan, Snielids & Clark, and Fred Simon.

Some devotees of Terpsichore were also seen at Cliff's which suggests that a storm cannot dampen the ardor of lovers of the dance.

The Social Hall was the scene of an enjoyable dancing session last evening, which was well attended, in spite of the inclement weather.

A private dispatch received yesterday announced the fact that Edward E. Wilcox, of this city, has just passed a successful examination at the medical and surgical department of the University of New York.

Marriage licenses were yesterday granted to Oscar M. Anderson and Edith E. Enga H. Hendricksen, aged 28, both of West Jordan, and to Clarence Graman, aged 35, and Verada Ferris, aged 19, both of Salt Lake.

The joint city and county building commenced work yesterday afternoon, but was interrupted by a heavy rain, which made the ground very rapidly assuming a perfect condition.

At 6 a. m. yesterday the thermometer registered 48, and at 10 a. m. it was 58, the maximum temperature being 68 and the minimum 54. Observer Salberry's forecast for Saturday and Sunday shows severe frost Saturday and Sunday, high winds.

In the land office yesterday John S. Woodbury, city, Iron county, filed a desert application for the west one-half of the southwest one-quarter, section one-half, township one-quarter and lots 5 and 7, section 6, township 36 south, range 11 west.

James M. Thomas was driving in the neighborhood of the city tracks yesterday morning when his horse took fright and ran away, throwing Mr. Thomas violently from the buggy. Fortunately Mr. Thomas was not injured by the fall, but the buggy was badly disfigured.

Dr. Uiter delivered a lecture on Brownism before the Industrial Home building last evening. The speaker showed a thorough knowledge of the life and works of the English poet, as well as a deeper appreciation of the same than is often accorded to it.

San Francisco officers of the Salvation army will visit the Salt Lake corps to-night and remain over Sunday. Happy "Buddy" and "Buddy" are the names of both of whom have won great reputations on the coast for their musical and oratorical powers, and will be the guests at the meetings, and grand results are expected from their stay in this city. All are welcome to the meetings.

Hon. John T. Crane returned yesterday morning from Price, where he had been for several days on business connected with the county election for Carson county. He reports the situation as in a very unsatisfactory state for the territory. The Democratic and Independent Citizens' party has no particular issue or platform. The Democrats have a strong ticket, but they are not confident of winning the battle. They are making a hard fight. The battle will be fought in the county, where there are four contestants. Price, Helper, Schofield and Wellington. All have good supporters and the outcome seems decidedly uncertain.

Abstracts furnished, titles insured and 5 per cent paid on deposits by Utah Title Insurance and Trust Co., 169 Main street.

Weber coal \$5 per ton at Ellerbeck's. The Wagner Brewing company will have their Beck Beer on tap Saturday, April 28. Office, No. 64 East First South street.

PERSONAL MENTION. J. N. Whitney is down from Evanston. D. H. McKean, of Milford, is a Cullen guest. W. S. Allen, of Draper, is stopping at the Cullen. Hickman, of St. Louis, is at the Walker. B. H. Langley, of Helena, is at the Templeton. D. H. Brownlee, of Butte, is stopping at the Knutson. Prof. J. H. Paul, of Logan, was in the city yesterday. Samuel Q. Robinson, U. S. A., is a Walker house guest. H. A. Nelson and A. E. McLean, of Castle Gate, are at the Cullen. J. C. Quinly and A. Kennell, of the Union Pacific Coal company, Rock Springs, are Kautson guests.

Allyn, a prominent Omaha live stock broker who has been solicited to take a large lot of Utah's prize beefs, departed for the east last evening behind a train load.

Advance Agent Blacklock, of Sonns's band, arrived from the west yesterday morning, and is staying here until all arrangements for the appearance of the band had been made, left for Denver.

Rudy's Pile Suppository is guaranteed to cure Piles and Constipation, or money refunded. 50 cents per box. Sent by mail. Circular and free sample to Martin Rudy, Lancaster, Pa. For sale by Gode-Pitts Drug Co., Salt Lake City.

\$400,000 at 7 to 8 per cent. No delay. Call and see us. Conway & Donnellan, rooms 26 and 28, Commercial block.

Do You Know That on every Wednesday, Thursday and Sunday there leaves Ogden, Salt Lake, Provo and other common points a through tourist or family sleeping car for Kansas City, Chicago, Boston and Philadelphia via the Great Southern highway, the Rio Grande Western Railway. Berth rates are less than half of rate charged on first-class Pullman cars, being but 10 cents for river and \$4 to Chicago. Sleepers or excursions are personally conducted and no change of cars is required. The Rio Grande Western also runs daily, a through first-class Pullman sleeping car to Denver, Kansas City and Chicago. For other particulars inquire of agent.

To Picturesque Subscribers. Successful parts to Picturesque America, received weekly.

TO ADVERTISERS. The Herald has the largest circulation in Utah. It is a visitor to more homes in this territory and its surrounding region than any other newspaper published. Its constituency comprises more heads of families than any other, and it is therefore the best advertising medium in Salt Lake.

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WADSWORTH FOR \$4,000.

Krantz Gets Judgment Against the Rio Grande Western.

JOSIE FRISK'S PIN MONEY.

A PRETTY LAUNDRESS ASKS PAY FOR A CRUSHED HAND.

The Gentler Sex Have a Day in the District Court—An Action for False Imprisonment—Motions the Order in Both Divisions This Morning.

It is doubtful if Joe Krantz's check was good for \$100 yesterday. Today he is probably awaiting a judgment against the Rio Grande Western railway in the sum of \$4,000.

The jury in the case was ready to report its verdict when at 2 o'clock yesterday afternoon Judge Merritt stepped upon the bench and the machinery was put in motion for the afternoon grind. The verdict bore the approval of but nine of the panel, the others dissenting. This, under the territorial statute, is declared sufficient to gratify the requirements of territorial justice, and while counsel upon losing side have frequently manifested their disapproval, the matter has never been passed upon by the United States supreme court.

Yesterday, however, Judge Marshall, as the findings were about to be entered, made a move which indicates that the question whether a verdict agreed upon by nine jurors—three of the regular panel dissenting—constitutes a constitutional verdict, will be passed upon by the court of last resort.

The jury had, as instructed, found for the defendant on the first count, which recited, as a cause for action, that the defendant's duty to protect him existed even after the plaintiff had left the train at the point of destination.

On the second count, which recited that he demanded a return ticket before the second assault that constituted his second cause of action was committed, the jury returned a judgment for \$4,000.

The third count, which recited that the plaintiff was entitled to \$5,000 for permanent injuries, was ignored.

To this finding Judge Marshall objected on the ground that it was in violation of the fifth and seventh amendments to the constitution of the United States, and further, that the territorial statute authorizing nine out of twelve jurors to return a verdict was unconstitutional. He asked and was allowed thirty days to prepare a statement in support of a motion for a new trial, whereupon Mr. Varian took the floor and stated that the plaintiff would avail itself of the same period in which to prepare its application for a new trial. He was not reconciled to the ruling by which the first count was expunged, and again he desired to ascertain why the claim on account of permanent injuries had been ignored by the jury. The issue is threatened with an interesting revival at the expiration of thirty days.

COMPROMISED FOR \$3,500. John Frisk's Widow Obtains Damages Upon His Life.

The old case of Josie Frisk against the Rio Grande Western railway was taken from its sequestering yesterday and the defendant handling over \$3,500, it was returned to the clerk a dead and buried issue.

It was the last act in one of the most exciting causes ever tried in the district court and one which, for a time, threatened to bring the county to a standstill. The plaintiff brought an action to recover damages upon the killing of her husband, the price of whose life, her attorney Messrs. Kessler & Dinney, were occupied in the trial, the evidence showing that one crisp night in October, 1891, John Frisk was employed on a branch of the defendant's system between Salt Lake and Thistle, acting as brakeman in the capacity of brakeman. The train was turning a curve when it suddenly dived into a landslide and in the rush of the train the plaintiff was thrown from the train and killed.

The jury returned a verdict in the sum of \$10,000, and motion for a new trial was given and counsel finally coming together on compromise in which the widow of the luckless trainman receives \$3,500 was effected.

In the trial Mrs. Frisk was represented by Messrs. C. S. Kinney and C. D. Dyer, and Messrs. Messrs. Bennett, Marshall & Bradley.

Minutiae from Merritt's. Herman Harris, a native of Germany, was yesterday admitted to citizenship, a distinguished deponent in the applicant's behalf being Governor West.

In the case of The Board of Education vs. the Salt Lake Pressed Brick company, defendant was yesterday allowed to file an amended answer and cross-complaint.

In the case of Abraham Jeffs against Charles Hayes, an action on a contract for the recovery of \$2,000, the jury yesterday unburied on counsel's motion that the court instruct the jury to find for the defendant, who was represented by Messrs. Richardson & Richards, the plaintiff by Messrs. Kessler & Dinney.

Efforts were made to get the case of Samuel Roberts, jr., vs. S. C. Howard on for trial yesterday, but it was allowed to go over to Monday's call. The action is one in which plaintiff demands damages for false imprisonment, the court heard the case of James Hughes vs. E. J. Harley, yesterday, an action involving \$345.45, and took it under advisement.

Judge Merritt announced that at 10 o'clock this morning the settings for the cases would be made and requests attorneys to be present.

BEFORE JUDGE BARTCH. A Crushed Hand and Pretty Claimant for Damages in Court.

The day in Judge Bartch's court was occupied in an effort on the part of counsel for a fair claimant to show the perils that overhang the employee of a steam laundry.

It arose in the case of Susan Williams against the Utah Steam Laundry, the plaintiff claiming \$5,000 for injuries sustained by her while the defendant's employ. The testimony was concluded shortly before 5 o'clock, the jury was taken out to measure the alleged dangers of the laundry and returned to their box, were excused until Monday, at which time arguments will take place.

Briefs from Bartch's. The following orders were made during the day: Thomas L. Leeton et al. vs. The Earls Furniture & Carpet Co.; thirty days allowed to prepare and file statement on motion for new trial.

Utah National Bank vs. John A. Grossbeck; demurrer to amended complaint overruled and tens days allowed to answer.

Ellis F. Dyer vs. H. P. Henderson; thirty days to file answer to cross-complaint.

Court Condemnations. An order adjourned until 10 o'clock this morning, when motions will be heard.

A transcript on appeal was yesterday filed in the Third district court in the case of M. R. Haynes vs. L. C. Crossman, the plaintiff obtaining judgment in the lower court for \$256.53 and costs. Mrs. Nellie Watson yesterday, in the

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THE DEAD SERGEANT. The committee on claims reported having audited the expenses incurred by the board of directors of the Salt Lake & Los Angeles Railway company, who have hitherto extended passes to these officers, had shut them off at the beginning of the present year, and the council, it is claimed, simply justice that the legitimate expenses of the detectives be provided for.

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