

SALT LAKE HERALD

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

Keep It Before The People.

If you can get your name so thoroughly and so permanently associated with the business in which you are engaged that people will instinctively think of the name whenever the business is suggested.

You will have achieved the same of Advertising.

If you will put your name and your business together in THE HERALD every day.

You Will Soon Reach That Point.

BRIEF AND BREEZY.

Eight tramps were run in yesterday by the police.

Yesterday's clearings were \$214,673 as compared with \$211,361 for the same day of last year.

The city engineer has reported to the treasurer the sum of \$2,045 as the receipts of his office for the month of April.

A marriage license was yesterday issued to Theophilus Carr, aged 23, of Murray, and Sarah Phillips, aged 19, of Mill Creek.

Clerk of the Board of Education Morton is engaged in making out the contracts with the teachers appointed at the last meeting.

At 8 a. m. yesterday the thermometer registered 55 at noon 65, and at 6 p. m. 70, the maximum temperature being 71 and the minimum 50.

There are messages at the Western Union telegraph office for E. A. Blankman, C. S. Nichols, Jack Van Landingham.

Jim Williams, champion of Utah, has been given the position of instructor of the Salt Lake Athletic club. He entered upon the duties of his new position yesterday.

James Jack raises his oranges at his Paradise (Utah) plantation. He is kindly presented The Herald with a couple of boxes yesterday, so we know we are not yet begun to enter.

Mrs. Clara Foltz will address the convention at 11 o'clock this morning. Certain Republicans are enthusiastic over the probability of seeing her name on the list of speakers for the coming campaign.

Frank Fitzgerald and G. W. Sanders are under arrest charged with assaulting an old man in a saloon on Saturday evening last. The old man claims to have lost his watch in the melee, but this charge has not as yet been entered.

Jack May and Ern Brockbank were initiated the new fry just received by growing Brose called the "May Fry." Jack May was the originator of the fry. They did the work in the fish tank at Manana's, where the trout raise to every cast. The boys caught three fish in that many days attesting the excellence of the new fry.

In patrolling his beat early yesterday evening Night watchman Thomas Doherty found that the planks covering an opening to the Pacific Express company's cellar, in the rear of the building, had been taken up, presumably by crooks, who intended to make a descent in the place later. The captain's discovery put an end to their plan, however.

Burglars made a raid on the Union Pacific coal office Sunday night, but nothing of importance was taken. They also attempted to make a hit in Brown, Terry & Co.'s, but were frightened away before they had succeeded in getting through the rear door. A brace and bit with which they were working is now in the possession of the police.

John Dow Sealey will appear in police court this morning to answer to the charge of disturbing the peace. It is alleged that the parties who desire action by the council on closing the canal in the city limits, or, if not closing, at least remedying it, were at a rock at a party given at the residence of the late Mr. Sealey's family.

The following named gentlemen have consented to act as a committee to examine applicants for appointment as naval cadets to the academy of the United States at Annapolis, Prof. R. S. Perry, of Ogden; Prof. W. J. Kerr, of Logan; Prof. B. Cliff, Jr., of Provo; Librarian George C. Corbett, of Salt Lake City; and Hon. Frank Pierce, of Salt Lake City.

The population of Fort Herriman as shown by the figures collected by the statisticians in the employ of the county, is as follows: Parents—male, 31; females, 46; unmarried adults—male, 12; females, 12; children—boys, 38; girls, 38; total, 167; native, 217; white, 23; colored, 4; Chinese, 1; Little Cottonwood (Alta), has a population of eight, of which three are married and five single.

Last night was fixed for a hearing by the committee on Jordan canal and irrigation of the parties who desire action by the council on closing the canal in the city limits, or, if not closing, at least remedying it, were at a party given at the residence of the late Mr. Sealey's family.

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

To loan small or large amounts, 5 to 10 per cent; no delay; be sure and see us. We will build your homes. CONWAY & DONNELLAN, 25 Commercial block.

GREAT CAPE Sale this week, reductions sweeping—annihilating. At F. AUERBACH & BRO.

Dr. Tillman fills teeth without pain.

Don't Miss The Chance To Get a Gasoline or Oil Stove For Almost Nothing.

FOR THIS WEEK ONLY WE WILL SELL YOU

A1 Burner Anchor Junior Gasoline Stove for \$2 50

A2 Burner Anchor Junior Gasoline Stove for 3 00

A3 Burner Anchor Junior Gasoline Stove for 4 25

A 1 Burner Oil Lamp Stove for 50

A 2 Burner Oil Lamp Stove for 1 00

A 3 Burner Oil Lamp Stove for 1 50

THE SALT LAKE HARDWARE CO., 42 and 44 W. Second South, Sign of the Big Gun.

ORDERED DISCHARGED.

Not Sufficient Evidence to Hold Rudy and Engestretsen.

MURDER WAS THE CHARGE

ALLEGED THEY KILLED ALBERT BARNARD ON JULY 24, 1892.

No Positive Evidence That the Man is Dead—Statements Made by the Defendants Themselves Was the Strongest Evidence Against Them—The Defense Introduced Testimony to Prove That Barnard Was Alive Long After July 24, 1892.

The preliminary hearing of Willis Rudy and Engestretsen for the murder of Albert Barnard in Emigration canyon on July 24, 1892, was resumed yesterday morning before United States Commissioner Pratt.

The first witness called was George W. Kellogg, who on behalf of the prosecution said he resides on South Temple street, in this city. He was acquainted with the defendant Rudy, whom he met several times while engaged sinking artesian wells at North Point, sometime in October, 1892.

Witness had heard it reported that Albert Barnard had been killed and asked him what he had done with Barnard. Rudy said that he and Engestretsen went up in the canyon and had "done him up" and that he would not say anything more about stealing coal.

The talk had been common over Barnard's disappearance and witness had the conversation with Rudy at the latter's father's ranch being "done up."

Answering Judge Dey, witness stated that this was the first time he had mentioned the subject of Barnard's disappearance to Rudy. He knew Engestretsen as a sheepherder. Rudy told him that he was getting pretty handy with the gloves, and was knocking out all the boys around the neighborhood.

Deputy Sheriff Montgomery came up to witness house about three weeks ago to make inquiries, he reported to them the conversation he had with Rudy respecting Barnard being "done up."

He did not remember having previously mentioned the circumstance to any other person. Barnard had informed witness that Frank Rudy (the defendant's father) had been stealing his (witness's) coal, and he told the Rudy's of this, saying that he wanted it stopped, and had sent men to work on the father's ranch.

Witness said that he and Barnard was in Frank Rudy's employ, as a sheepherder at this time.

"When such an alarming statement as that was made to you by Willis Rudy about Barnard, did you keep still, or did you say anything?" asked Judge Dey.

"I don't remember what I did say," answered the witness.

He was Haunted.

Mrs. D. P. Hogleson next took the stand. She resides at Lake View and knows the defendants. On July 24, 1892, she had a conversation with Engestretsen, who said he would like to see an officer and give himself up.

She said that he and Willis Rudy had had a fight with another boy up in the canyon, and that the young man was alive when they left the canyon, and he (Engestretsen) would speak the truth before he died.

To Attorney Rud, witness said it had been told her in the neighborhood of North Point that Barnard had been killed; that was the rumor, Engestretsen told her that he was not going to do any more work, but that the fair as to the quarrel preyed upon his mind, he feeling that he was wrongfully accused, and seemed to court an investigation.

On account of the convention of the Ancient Order of Foresters, at Ogden, May 7th and 8th, the Rio Grande Western will make a rate of a fare and a fifth for the round trip, and a rate will be made from all points on its lines in Utah.

Teeth filled without pain by Dr. E. M. Keyser, 1, 2, 3, Scott-Auerbach building.

Everything of the best quality. Prescriptions filled promptly. Prices reasonable. Try us; we want your trade. F. J. Hill & Co., druggists, 30 West Second street.

Five old whiskies at Block's. Twenty-five different brands to select from.

SILVER CONFERENCE.

MEETING OF THE COMMITTEE HELD YESTERDAY.

Active Preparations Being Made For the Inauguration of the Great Campaign of Education—Proceedings of the Conference.

The committee on arrangement and finance for the silver conference held their first meeting yesterday afternoon at the rooms of Mr. Richard MacIntosh in the Scott-Auerbach block.

Most of the talk was centered upon questions of expediency, the ways and means of getting funds for the event and the selection of suitable apartments as a gathering place for the distinguished assemblage.

Members of both committees voiced the belief that the conference would be far-reaching in its benefits to Utah and her people. It will give to Salt Lake the greatest advantage ground which will be of no mean importance in the financial field.

A BIG MINING SUIT.

Eureka Hill Against the Bullion-Beck and Champion.

NINETY THOUSAND DOLLARS

THAT IS THE SUM CLAIMED FOR ORE FROM THE CAROLINE.

National Bank of the Republic Against the Groesbecks Being Heard Before a Referee—Mrs. Scott Granted a Decree of Divorce—Short Orders, Judgments Entered, New Suits Filed and Other Court Matters.

The big mining suit of the Eureka Hill Mining company vs. the Bullion-Beck and Champion Mining company, A. E. Hyde, John Beck and Dennis Sullivan, was commenced yesterday morning before Chief Justice Merritt and a jury.

The suit was brought on April 5, 1893, and the complaint sets up that for more than three years prior to the commencement of the action the plaintiff owned and is in possession of a certain mine and mining claim, situated in the Tintic mining district, known in the United States mineral surveys as lot 128; that the United States granted a patent for said claim on January 5, 1889, and plaintiff's title is by right of the patent; that there is in said mining claim a lode of rock in place, bearing silver, lead and other valuable minerals, having its course and apex therein, and running through it in a northerly and southerly course, and which in its strike and course enters the said claim at the north end and crosses the northerly end of the center thereof, and thence runs southerly in the claim for the whole length of the 865 feet thereof, owned and possessed by the plaintiff.

It is then alleged that the defendant, by its parties or agents, and adjoining that of the plaintiff at said northerly end line of said mining claim, and on divers days and times during the years 1891 and 1892, and the date of commencement of this suit, secretly and intentionally by means of levels, stopes and other underground openings run and made across the rock in place, carrying and conveying claim, entered into and upon said part of the claim owned by plaintiff and mined and extruded and removed therefrom and converted to their own use, large quantities of ore carrying gold, silver and lead amounting, as plaintiff believes, to 1,500 tons of the value of \$60 per ton, for which sum, aggregating \$90,000, judgment is prayed.

The defendants in their answer made a general denial of all the allegations of the complaint and deny specifically that the quantities of ore carried from the plaintiff's claim the quantities of ore named or that they or any of them extracted or removed from said part of the claim any ore of greater value than \$29 a ton, whereas defendants pray that plaintiff take judgment for no other or greater sum than \$29 a ton.

It took a long time to impale a jury and after that was accomplished three witnesses, O. A. Palmer, John B. Harlow and George Harlow, were examined for the plaintiff and it being then 5:30 o'clock, a continuance was taken till this morning at the usual hour.

The claim referred to is known as the Caroline and was owned by John Beck. When it was being worked the Bullion-Beck and Champion allowed it to drop through the shaft; hence they are made party defendants in the suit.

Another suit of the Eureka Hill vs. the Bullion-Beck and Champion mine was commenced yesterday morning after the trial of the present case. In the second suit \$5,440 is claimed for ore alleged to have been taken from the Blue Line claim.

Judicious mothers, looking out for their children's good, list at Dr. Price's Baking Powder being used in biscuit, doughnuts and cookies.

BEFORE A REFEREE.

National Bank of the Republic vs. Groesbeck Company.

The suit of the National Bank of the Republic against Hyrum Groesbeck, George J. Marsh and the Groesbeck company was commenced yesterday before Attorney C. W. Morse sitting as referee. The plaintiff to have so aside an alleged fraudulent transfer of 311 shares of capital stock of the Groesbeck company and also to set aside a transfer of property to the wife of Hyrum Groesbeck, and that same be applied on a judgment for \$12,500 in favor of the National Bank of the Republic. W. S. McCormick and F. E. Gregg claim in this intervention, the former claiming \$1,934 and the latter \$1,927.

The plaintiffs are represented by Booth, Lee & Gray and Dey & Street; for the Groesbeck company, Brown & Henderson appear, and for Messrs. Marsh and Hyrum Groesbeck, Attorney Allen Miller, Attorney Frank B. Stephens and Benner N. Smith are counsel for McCormick & Co., and F. E. Gregg.

The hearing was in progress all day and will be resumed this morning.

Mrs. Scott Gets a Divorce.

Sarah M. Scott was granted a decree of divorce yesterday from John W. Scott by Chief Justice Merritt on the grounds of failure to support. The parties were married on November 9, 1891, and it was proved that the defendant ever since then entirely failed to provide with the necessities of life, and on that showing his honor granted the decree and awarded Mrs. Scott the custody of the minor child.

In Default.

In the \$10,000 libel suit brought on April 13 by F. Solomon against The Herald Publishing company, by an error the defendants failed to put in an answer until the statutory time allowed to do so had expired, and yesterday the plaintiff's attorney caused default to be entered. Application will be made to the court to set the default aside as it is evident that the failure to answer was a pure oversight.

Short Orders.

Henry Dinwoodey Furniture company vs. the Ibeix Mining company, leave granted to file amended complaint.

Edward Jeffrey et al. vs. D. Alexander et al. it appearing that order of April 15, as set aside April 23, had been appealed from prior to setting aside. It is now ordered that order made April 23 setting aside same be vacated.

Judgments Entered.

W. G. M. Stewart vs. the National Building and Loan association and the Western Loan and Savings company; for the plaintiff for \$24.70 and costs.

Tom Ferguson vs. National Building and Loan association et al.; for the plaintiff for \$24.50 and costs.

Lois Pettit vs. S. W. Clarke, administrator; for the plaintiff for \$1,514.25.

Highest of all in Leavening Power.—Latest U. S. Gov't Report

ing and Loan association et al.; for the plaintiff for \$24.50 and costs.

Thomas F. Mulloy, assignee, vs. Dick Campbell; for the plaintiff for \$147.75.

H. E. Bassford vs. Peter A. H. Franklin; for the plaintiff for \$1,184.70 and costs.

Thomas F. Mulloy, assignee, vs. Tomad Cotter; for the plaintiff for \$131.60.

Thomas F. Mulloy, assignee, vs. A. J. Peterson; for the plaintiff for \$95.90.

Charles Gillmore vs. Bergen DeMott, Jr.; for the plaintiff for \$53.75 and costs.

Zion's Savings Bank and Trust company vs. Isaac Hunter; for the plaintiff for \$24.20 by confession.

For Refouling the Water.

Seymour Neff, Caroline Klestrom and Daniel Hussey were arrested yesterday on a warrant charging them with defouling the waters of East Mill creek by maintaining cattle corrals and other objectionable things in close proximity to the stream.

Unlawfully Diverting Water.

John Maston of Granite, was arrested yesterday by Deputy Sheriff Thomas on a warrant sworn to before United States Commissioner Pratt charging him with unlawfully diverting the waters of Little Cottonwood creek to the damage of the parties owning the water.

New Actions Filed.

George H. Raybould is suing Theresa Hoffenbeck et al. to collect \$1,734.75 on a promissory note secured by a mortgage.

The Deseret Savings bank has filed a suit against W. J. Kelly et al. to recover \$400 on a promissory note.

Malloy & Paul are suing J. H. Van Horn to renew a judgment for \$675.50.

It is combined from the most approved and healthful ingredients Price's Cream Baking Powder.

WARD WILL FIGHT.

Proprietor of Cottage Cafe Pleads Not Guilty.

Says He Is Not Maintaining a Disorderly House—Four Sports Get Heavy Doses—Mug Warrants Issued—Yesterday's Cases in Police Court.

Joseph Ward, the proprietor of the Cottage cafe, who was arrested on Sunday evening charged with keeping a house of prostitution, pleaded not guilty in police court and secured a continuance until today at 2 o'clock.

William Walker, charged with disturbing the peace, Edmondson's case went over until today.

Thomas Murphy, one of the trio who are charged with burglarizing the Utah Optical company's place of business, pleaded not guilty. His case was fixed for today at 10 o'clock.

George Harlow pleaded guilty to riding his wheel on the sidewalk and was fined \$5. Oscar Johnson pleaded not guilty to riding faster than four miles per hour, but the testimony of A. B. Richardson was of too positive a character and he was fined \$5.

William Walker, charged with assault, secured another continuance and will be heard today.

Thomas Owens, Jennie Moore, Pat McGuire, George King and John Steiner, who were arrested on a charge of disturbing the peace, were fined \$10 each.

CARRIAGE PARASOLS.

This week in gloria silk at 70c. At F. AUERBACH & BRO.

Have you tried J. G. chocolate mint wafers, they are delicious.

TAXES OF LAST YEAR.

COLLECTOR LEONARD'S REPORT READY TO PRESENT.

Good Record Made in 1894—Where the Money Went—Cash Turned Over Yesterday to the Territory, City and County and the Schools.

At the next meeting of the county court, which will be held on Wednesday next, the report of the county collector for the year 1894, will be submitted.

The figures in the report were completed yesterday and the document is all ready to be presented to the court.

HERE AND THERE.

Deputy Treasurer May is engaged in sending out applications to delinquents and all those who are in arrears by the 10th will be arrested.

Miss Elizabeth Jones died at her home in Sugar House ward yesterday. The deceased was 83 years of age, and came to Utah in 1840. She was a native of Wales and while living in that country was quite wealthy, and spent her means liberally in aiding the Welsh Saints to emigrate to Utah.

In the early days she was noted for her beauty, and was widely known as "The Welsh Queen." She leaves two children, one being J. D. Jones, probate judge of Utah county, and the other the wife of Colonel Squires, delegate to the constitutional convention. The funeral will take place from the Sugar House ward home tomorrow at 2 p. m.

Ask your grocer for McCord & Co.'s M M Tea.

Dr. Tillman fills teeth without pain.

IF YOU LIVE "to the allotted age of man," you will spend just 204.50 hours in bed. Buy a BRASS BED and a perfectly clean, home-made white hair MATTRASS and make your sleeping hours comfortable and preserve your health.

H. Dinwoodey Furniture Company.

BORN. FOR RENT.

STALEN—Sunday, May 6th, 1895, to the wife of A. C. Stalen, a girl, Mother and child doing well and father happy.

DIED.

JONES—in the Sugar House Ward, Salt Lake county, Utah, May 6, 1895, of cancer of the stomach, Elizabeth Jones, widow of the late Capt. Dan Jones, born April 6, 1812, in Cleddy, South Wales, Europe.

Funeral services will be held Wednesday, May 8, at 2 p. m., from the Sugar House ward meeting house. Friends of the family are respectfully invited to attend. Interment in the city cemetery. Undertaker, Jos. Wm. Taylor has charge of the remains.

WANTED.

Girl for general housework. Apply 235 Fifth East.

A first-class laundress at the Gardo house. Apply between 11 and 1 o'clock.

Washing or cleaning. Address 1,127 East Fifth South.

Girl for general housework at 55 North West Temple.

A girl for general housework. Apply 235 East Brigham street.

A thoroughly competent girl to do house work in small family. Inquire room 4, St. James hotel.

A second-hand safe. Alex. I. Wyatt, 22 Main street.

Girl for general housework and cooking. 63 East Brigham.

Man Wanted—Salary. Experience unnecessary. Low prices. Brown Bros. Co., Nurserymen, Chicago.

Will pay cash for vacant lot 10x10 on north side of First street or East First South. E. O. box 192, City.

Salt Lake Steam Carpet Cleaning Works, corner Fifth West and South Temple. Telephone 472. E. Eyrion, proprietor, successor to Morris & Eyrion.

Girl for general housework. Mrs. Frank B. Stephens, corner Second South and Thirtieth East.

Steam carpet cleaning. White & Morris, 23 West Ninth Street. Telephone 491; P. O. box 154.

PERSONAL.

Chicago Dental Parlors. Teeth filled and extracted, painless. Plates \$3; 4; 5; 2K gold, 6; 7; 8; bridge work, 10; 12; 15; All work at eastern prices, 175 State street.

A book on Rheumatism, Gout and Lumbago sent free to those sending their address to E. M. Chesman Mfg. Co., Pittsburgh, Pa.

Houses for \$25 and upwards on easy terms; lots in principal additions; farms for exchange for city property. Dods & Dickson, 125 West Second South street, opposite postoffice.

A steel range, cheap. Apply at 343 West North Temple.

FOR SALE.

A bargain—\$1,200—Must be sold within a few days; 2x35 rods. A new brick store, 4 rooms; No. 1 rock cellar; with city water. Apply 513 Seventh street, between G and H.

Houses for \$25 and upwards on easy terms; lots in principal additions; farms for exchange for city property. Dods & Dickson, 125 West Second South street, opposite postoffice.

A steel range, cheap. Apply at 343 West North Temple.

Fresh milk cow, Jersey, 2nd South Fifth East.

Typewriter, Guitar, Violin, Banjo, Zither, Short-Hair-Machine, with or without lessons, cheap. Prof. Andre, 117 Main street.

A finely matched and perfect driving team of mares for sale cheap. Also ten head of first class horses (young) at \$2 to \$5 each. W. E. Hubbard, 43 West Second South.

Fifty lots on street car line. \$1,700. W. F. Harbke, 14-15 Eagle Block.

Own a home. Lots \$10 per month; no interest, no taxes until paid for. "Oakley," \$50 to \$100. W. E. Hubbard, 43 West Second South.

One hundred and twenty-five lots sold in Oakley since April 1. Prices for next thirty days \$9 to \$150 per lot, \$10 per month. W. E. Hubbard, 43 West Second South.

Bran new home-made guitar, cheap. Apply at this office.

"East Waterloo," at a sacrifice, to clean up for "Oakley." W. E. Hubbard, 43 West Second South.

"Oakley," \$90 to \$120 per lot—\$10 per month, no interest, no taxes until paid for. W. E. Hubbard, 43 West Second South.

Nothing else on the market selling so rapidly as Oakley lots, \$10 per month.

ACCOUNTANTS.

H. N. Winter, 237 Constitution building, auditing acc'ts, statements, adjustments.

STOCKHOLDERS' MEETING.

NOTICE—THE ANNUAL MEETING of the stockholders of the Salt Lake Amusement Association, a corporation, for the election of directors and officers, and the transaction of such other business as may be lawfully conducted, will be held at the office of said association, in the Grand Opera House, Salt Lake City, Utah, on Monday, June 3, 1895, at 2 o'clock p. m.

F. MALTESE, Vice-President, B. T. PYPER, E. S. YOUNG, Directors.

DISSOLUTION OF PARTNERSHIP.

Ye, the undersigned, doing business under the firm name of the Happy Hour Dental Company, a corporation, and the transaction of such other business as may be lawfully conducted, will be held at the office of said association, in the Grand Opera House, Salt Lake City, Utah, on Monday, June 3, 1895, at 2 o'clock p. m.

DR. E. N. ELLIS.

STOCKHOLDERS' MEETING.

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