

SALT LAKE HERALD
SALT LAKE CITY, UTAH.
BY THE HERALD PUBLISHING CO.
Forecast for today: Fair weather, stationary temperature.

BRIEF AND BREEZY.

D. E. Carpenter was taken in by the police late last night charged with beating and abusing his wife.

The members of the county court will hold a meeting this morning previous to the sitting of the equalizing board.

Mrs. Henry Wilson, of Colorado, is in the city visiting her sister, Mrs. A. M. Wilson at 614 South Fourth East street.

Elders Herman E. Campbell, of this city, Ephraim Johnson, of Brigham city, and returned from missions to Indian territory.

The police made a raid on the prostitutes and gambling houses last night, which resulted in the city streets being enriched to the extent of \$27.

Miss Sadie Crighton, who has a wide reputation as an artist in the military style of Leadville, Colorado, is in the city visiting her friend Mrs. C. M. Hall.

"Searcher Jan," who a few nights ago participated in an exchange of ammunition with his william bonon friend, "Dusty Dan," was arrested last night on a charge of assault and battery, and gave bonds for his appearance today.

The Utah commission has completed the appointment of deputy registrars in all the counties but Weber, Salt Lake, Summit and Juab and there will be attending to the meeting of the commission on Friday morning.

Hugh C. Wallace, receiver of the land office in this city under President Cleveland's first administration and now national representative, commutator from the state of Washington, arrived in the city yesterday en route to Washington.

Mr. C. Mr. Wallace is located at Tacoma and was being entertained at the Alta hotel by old Salt Lake friends, and was called upon by Governor West, Chairman Fletcher, of the Utah commission, George R. Parker and others.

Abstracts furnished, titles insured and 5 per cent paid on deposits by Utah Title Insurance and Trust company, 150 Main street.

Utah Commercial and Savings Bank general banking business; pays 5 per cent on deposits. F. Armstrong, president; P. W. Madsen, vice-president; J. E. Jennings, cashier.

CONCENTRATE YOUR THOUGHTS
And attention on F. Auerbach & Bro's stock reducing sale then call and see them and you will never have been made so happy. One dollar this week will have the purchasing power of \$2.

SHOES.
Big cut in shoes at F. Auerbach & Bro's shoe department. Nine hundred pairs of shoes in all grades to be slaughtered at one-half their value during this sale.

WEBER COAL COMPANY
Have opened an up-town office in the basement of Utah Title Insurance and Trust company, 160 South Main street, and are now prepared to take orders for coal. Our prices are lump coal, \$2.00; stove coal, \$1.75; chestnut coal, \$1.75. Full weight and clean coal guaranteed. We sell carload lots or any quantity desired. Telephone No. 411, near 32d South Third West.

Free with every pound of Spanish clothing a briar pipe. Sam Levy, 21-23 Main street.

"Money Saving Opportunity."
Think of it! Boys' fine knee and long pants suits at one-half price, during this great sixteen day sale.

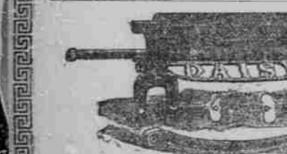
F. AUERBACH & BRO.
Miss Ruth Eldredge, elocution and physical culture. Studio for summer at 58 East First North street. Reception day, Thursdays.

Come again. Nothing like the St. Louis A. B. C. Bohemian Bottled Beer, brewed by the American Brewing company, Shields Bros., sole dealers.

READY-MADE DRESSES.
To close our season's stock we offer all our cutting and street suits at less than the cost of making. This great clearing sale includes all stock shown in our manumoth store.

F. AUERBACH & BRO.

WE WANT YOUR TRADE!
WE WANT YOUR MONEY!
AND WE ARE SURE TO GET BOTH ON THIS WEEK'S SPECIALTIES.



FRUIT PRESS.
Price, \$1.50.
No rolling required.



GRANITE IRON FRUIT FUNNEL.
Price, 27c.



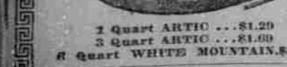
HEAVY GALVANIZED WASH TUBS.
Small... \$1.00.
Medium... \$1.25.
Large... \$1.50.



NO. 1 TIN WASH BOILER.
Extra Heavy Copper Bottom.
Price, \$1.00.



2 QUART ARTO... \$1.20
3 QUART ARTO... \$1.50
4 QUART WHITE MOUNTAIN... \$2.20



PRICE, \$2.10.
Holds 50 lbs. Flour.



THE SALT LAKE HARDWARE CO.
SIGN OF THE BIG GUN, 42 and 44 WEST SECOND SOUTH STREET.

M'MULLAN ON TRIAL.

Prosecution Makes a Poor Showing in His Case.

DEVINE'S STARTLING TALK.

WOULD REGRET TO SEE THE ACCUSED DISMISSED THE SERVICE.

All of Which Creates a Profound Sensation—Witnesses For the Prosecution Testify They Never Saw the Accused Unaccompanied—Dr. Meacham Proves a Refractory Witness—Noble Votes No in the Case of Amos Moreton—Judge Chief Donovan.

Chief Devine made an assertion last evening at the meeting of the fire and police board which made all present, including the members, open their mouths in wonder.

It was to the effect that he had no ill-feeling against McMillan, one of the men on trial, and would be sorry to see him leave the department.

Of course, what a man says under oath must be considered as true as the gospel itself, but some truths come with such force and effect as to stun. Such was the case in this instance. McMillan nearly fell off his chair and Van Horne, the city attorney, had a narrow escape from fainting away.

The trial last night was confined to hearing in the case of McMillan, who is charged with having been drunk on or about the 15th of May of last year. It would be unfair to the readers of this article to compel them to read to the bottom in order to get the result, so right here it will be stated that the prosecution made a poor case and there is every likelihood that McMillan will be acquitted.

All the members of the board were present at the hearing and showed signs of being bored ere the time for closing was reached. The proceedings opened with a question by the chairman asking if the defense was ready to proceed.

Mr. Straup replied that before the trial of the four men, Gilbert, Mowers, Clarke and McMillan began, he wished to call the attention of the board to the cases of Donovan and Sullivan. Judge McKay and McCallum & Hoppage had been retained in the case and with the firm of Powers, Straup & Lipman, wished a time set for the hearing. After some squabbling, the matter was fixed for the evening of July 29.

Mr. Straup, then as a part of the defense in the case of McMillan, who was the first victim selected for trial, offered the decree of the Supreme Court in evidence and as a plea in bar to the trial.

This matter was entered on the records and business proceeded with. Mr. Straup objected to the introduction of any testimony under the bill of particulars on the ground that no charges can be entertained under rule 2, which says: "No charges will be entered against any member of the fire department, unless they be made within thirty days after the violation of the offense shall have been committed."

Mr. Jennings started to say the objections would be overruled, when Mr. Stevens said: "Let us hear from Mr. Noble and Mr. Empy."

Mr. Noble said he did not think it wise to break any rule of the board and pending a settlement, Mr. Straup objected to the trial on the grounds that the men had been once tried and reinstated.

All objections were overruled and the McMillan case was called.

Dr. Meacham called. He was formerly city physician and examined McMillan May 29, 1894. Questioned as to his, McMillan's, habits, Dr. Meacham declined to answer, saying what passed between he and McMillan was privileged matter.

The doctor admitted having made a report and identified one presented as being the same.

Mr. Straup objected to the document being introduced and the board finally sustained it.

Mr. Van Horne then asked Dr. Meacham if he knew the habits of McMillan.

The witness refused to answer on the grounds of its being privileged.

The attorneys wrangled over the point, but the board finally decided that the doctor must answer the question.

The doctor replied that he did, but refused to answer the question as to what they were, on the ground that it was privileged and positively adhered to this position.

"Compel Him to Answer."
Mr. Van Horne then asked the board to compel the physician to answer, on the ground that he was acting in an official capacity at the time, and the general rule of privilege did not apply.

WORK OF THE COURTS.

DESMURRER IN THE SPRAYING CASE OVERRULED.

Forstlund Found Guilty, But Appeals—Henry Owen Charged With Stealing a Bicycle—Deseret Woolen Mills Brings Suit For an Accounting.

Justice Harvey yesterday handed down his decision in the matter of the demurrer raised by the defendant in the case of the people against Territorial Treasurer Whitehead.

Mr. Whitehead, by his attorney, demurred to the complaint on the ground that the law was unconstitutional and invalid for the reason that it delegated to the private judge the power to determine what season should be used for spraying and also at what seasons of the year spraying shall be done.

This delegation of power, it is claimed, is unconstitutional and therefore did not affect the validity of the law.

Justice Harvey overruled the demurrer holding that the law was constitutional and the hearing of the case was set for Thursday next at 10 o'clock.

It is likely that if the case goes against the defendant an appeal will be taken.

Forstlund Found Guilty.
John Forstlund was tried before United States Commissioner Sommer and a jury yesterday on a charge of embezzlement. The complaining witness was Henry Buhning, who alleged that the defendant obtained from him \$25 worth of gold dust and Montana diamonds on the pretense that he wanted to show them to a person at the Knutsford hotel, who was likely to be a buyer of the mine from which they came.

Buhning alleged that the defendant failed to return them although repeatedly asked to do so.

Forstlund said he gave the diamonds and gold dust to a boy to leave at the Cullen hotel for Buhning, but that by mistake the lad left them at the Knutsford.

After a protracted hearing the jury returned a verdict of guilty with a recommendation to mercy, and his honor imposed a fine of \$1 and costs, the defendant to stand committed until fine and costs are paid.

Charged With Stealing a Bicycle.
Henry Owen was arrested at Brigham City on a warrant issued from United States Commissioner Pratt's court, charging him with stealing a bicycle on June 27, the property of Elyrum L. Nelson, of this city.

The bicycle is a Stevens, model A, valued at \$100, and Nelson, the complaining witness, alleges that on the evening of the day named he was returning to the city from the warm springs on the wheel and called on the defendant at a friend's house on the way.

Owen will be brought back to Salt Lake and will probably be arraigned.

Wants an Accountant.
The Deseret Woolen Mills company is suing Frederick Roberts to collect \$1,604.71, balance alleged to be due for goods delivered to the defendant, and for an accounting. Plaintiff alleges it delivered on February 23, 1893, \$1,081.22 worth of goods to be sent to Boston for sale, the proceeds to be paid to them, and that defendant has only paid over \$476.61, leaving the amount sued for still due.

On a Promissory Note.
F. H. Druell has begun suit in the Third district court against Charles F. Dalberg to recover \$5,000 on a promissory note secured by a mortgage.

Judgments Entered.
Thomas F. Mullay, assignee of Kidder Bros., vs. Jerry M. Richardson; for the plaintiff for \$299.60 by default.

The San Francisco Board of Health gives valuable advice as to the most wholesome baking powder. The following report is published under the signatures of all the physicians of the board:

"We, the members of the board of health of the city and county of San Francisco, cordially approve and recommend the Royal Baking Powder. It is absolutely pure and healthful, composed of the best ingredients, of the highest strength and character.

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THEY WANT A RECEIVER.
MINORITY STOCKHOLDERS OF THE BOGAN SILVER MINING CO.
Came in From Park City to Consult With Their Attorneys About Bringing a Suit Which Will Be Filed, It is Said, in a Few Days.

Several of the minority stockholders of the Bogan Silver Mining company, of Park City, came to Salt Lake last evening and held a consultation with Attorneys Williams, Sutherland and Van Coot with regard to bringing a suit in the Third district court for an injunction restraining the company from collecting the 10c per share assessment recently levied and paid by a receiver to be appointed to take charge of the properties. It was stated an good authority that the suit will be filed just as soon as the complaint can be drawn up, as the minority stockholders are very much dissatisfied with the present management of the company and they don't propose to pay up the assessment as long as the spending of the money remains with the parties now in control. The minority people claim that there has been gross mismanagement and even go so far as to allege fraud and dishonesty, and on these grounds a receiver to take charge of the property in the interests of all the stockholders is demanded.

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



ELLERBECK ESTATE.

Appraisers File an Inventory of the Deceased.

James T. Little, S. W. Stewart and P. W. Madsen, the appraisers of the estate of the late T. W. Ellerbeck, made their report yesterday, showing the value of the personal property of the deceased. The deceased had no real property, having disposed of the same before his death.

With every pound of Spanish clothing a Briar pipe free at Sam Levy's, 171-173 Main street.

Call for Pabst's Bohemian Beer; on draught at all the principal bars.

YESTERDAY

A man came into our store and said: "A few days ago I bought a gasoline stove for \$22. It is perfectly new, but I will trade it to you for an \$8."

MAJESTIC Oil Cooking Stove.

We haven't traded yet for gasoline stoves are "out of date," and we and other dealers are selling them "at cost" to get rid of them. With this new stove you can do better cooking at less cost, and in perfect safety. Local references on application. Price, \$5.00 up.

The WONDER Ice Cream Freezer.

Will freeze the finest quality of ice cream in five minutes, in the four-quart size. All surface coming in contact with the cream is heavily tinned. Prices the lowest.

H. Dinwoodey Furniture Co.

ASSIGNEE'S SALE.

Of the Horton Gardner Lumber Yard and Planing Mill Plant.

The undersigned assignee will sell, on Tuesday, July 16, 1895, at 12 o'clock, noon, to the highest bidder for cash at the Burton-Gardner company's former office, on State street, between Eighth and Ninth South, Salt Lake city, Utah, the entire planing mill plant and lumber yard of said company, consisting of about one and one-quarter acres of land, with railway switch, lumber sheds, two two-story barn, one three-room frame residence, one large two-story frame planing mill, fully equipped with the latest improved machinery, including an electric dynamo of 30-horse power.

Also one large Mosler safe of 4,200 pounds weight, in good condition. Also a number of fence machines and other personal property formerly owned by said Burton-Gardner company.

Also all the interest of said Burton-Gardner company and said assignee in three certain frame residences, two of seven rooms and one of six, with water attachments, situated on lot 3, block 32, plat "B," Salt Lake city survey, Utah.

Said property will be sold in bulk or separate parcels, as may best suit the purchasers.

For further particulars and for description of property apply to the undersigned at his office in the Deseret National Bank building, Salt Lake city, Utah.

OSCAR W. MOYLE, Assignee Burton-Gardner Company.

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

SALT LAKE BEACH.

Time Table in Effect July 6th, 1895.

Leave Salt Lake. Arrive Salt Lake.
10:15 a.m. 12:30 p.m.
2:15 p.m. 4:50 p.m.
5:45 p.m. 8:45 p.m.
7:15 p.m. 10:45 p.m.

Fare for round trip, \$1.00.
Trains leave R. G. W. depot.

DIED.

SILVER—On July 14, Joseph Silver, aged 75, funeral from residence, 82 East Seventh South. Friends invited at 2 p. m. July 16.

WANTED.

A good boy or man to do some work around house and plants, \$35 East Third South.

Lady musician to learn music and teaching. Tutition one or two hours for services, 3 East First South, room 49.

Orders for "Funk & Wagnall's New Standard Dictionary" Address A. B. Bush, Box 37, city, who will take pleasure in calling upon you.

Highest cash prices paid for gentlemen's clothing. Send postal note to Singer & Cornish, 2 East Second South.

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

LOST, STRAYED OR STOLEN.

One black horse 2 years old, foretop cut off, two hind feet white, scar of barb wire fence on left front foot, star in forehead, branded on right thigh also one bay horse 7 years old, foretop cut off, low chunky built horse. Leave information or return to Sam Jones' Livery, State road, next to Bueler's Mill.

MONEY TO LOAN.

Loans, any amount on city property, or farms. Apply at once No. 217 McCormick Block.

On city property, no commission charged borrower. Apply at once No. 217 McCormick Block, No. 9 West and Second South street.

Six to 7 per cent money to lend, amounts \$50 to \$100,000 on improved city property. Permission to pay \$300 or more at interest payments after one year. No commission. James H. Bacon.

FDR RENT

Pleasant and airy front rooms, furnished with board at 624 South Main St.

Two or three rooms with summer kitchen; water in house, at 45 South Seventh West street.

Four-room brick, close in; car line; St. Waterman, room 5, Central block.

PAINTERS.

PETERSON & BROWN, 2 WEST First South. Signs.

PERSONAL.

W. F. Harlike, 11-15 Eagle block, real estate and mines.

Dr. J. E. Keyser, dentist, has opened elegant parlors in the new Lullin block, 29 Main street, first door north of Walker House.

Mons. and Madame Astle, specialists, late of New Bond street, London, England, will treat all kinds of hand and feet warts, corns, bunions, in-growing nails, etc. Removes moles, blackheads, and superfluous hairs from the face and neck without leaving scars. Gives special attention to all skin diseases, rheumatism and chronic ailments of ladies, having fifteen years experience in this line of work. Madame Astle is also a masseuse medium, seventh daughter, born with a veil, and wonderful gift of second sight. Teils past, present and future by the palm of the hand and the hair of the head. Married ladies, and those contemplating marriage, should call on her at once, 48 West Third South street.