

THE BOGAN SQUABBLE.

Minority Stockholders Want a Receiver Appointed.

VERY STRONG ALLEGATIONS

FRAUD AND CONSPIRACY CHARGED IN THE COMPLAINT.

Crescent vs. Silver King Injunction Will Be Decided This Morning—The Indiana Depredation Claims—The Lee Divorce Commented On—Judgments Against Salt Lake County—New Suits Filed, Court Orders and General Legal News.

The complaint, the filing of which has been foreshadowed in The Herald, in the matter of the squabble among the stockholders of the Bogan Silver Mining company was yesterday planted in the Third district court.

The complaint sets forth that the Bogan Silver Mining company was organized on November 15, 1892, with a capital stock of \$25,000 shares, of the par value of \$10 a share; that the capital stock of the company consisted of the Cumberland, Electric Light and the Utah mining claims near Park City.

It is then alleged that on June 13, 1895, and while there were 9,338 shares of the working capital stock still undisposed of, John Bogan, W. J. Bogan and J. E. Quinn for the majority of the directors, held a meeting and resolved to levy an assessment of 10 cents per share and proceeded to collect same.

That the Bogans have so manipulated the affairs of the corporation that their holdings of stock will escape assessments, and that the assessments will fall entirely on the minority stockholders.

It is alleged that these remunerations are at least double the value of the services rendered.

It is also alleged that most of the defendants are related to each other, the brothers-in-law, brothers-in-law, and that the Bogans and that on June 13, 1895, in pursuance of the fraudulent conspiracy the board of directors transferred the remaining working stock, to wit, 9,333 shares, to John Bogan, as secretary, and John Scully, as president, issued to Annie Scully, wife of M. C. Scully, 3,100 shares of the capital stock in excess of the 125,000 shares for which the company was incorporated, and on one of the minority stockholders discovering the fraudulent transfer of the stock in the hands of the secretary, 2,500 shares of his own to offset any claim that might be made on account of said fraudulent stock against the company.

Many other irregularities are alleged and the plaintiff prays that defendants be restrained from collecting the assessment levied; that a receiver be appointed to take charge of the property and for an accounting.

A temporary restraining order was issued and also an order to show cause why same should not be made permanent and the hearing set for August 21 before Chief Justice Merrill.

There is no baking powder which produces such sweet and tasteful food as the Royal Baking Powder.

Crescent-Silver King.

Judge Barch will pass on the Injunction This Morning.

The hearing of the motion of the defendants to dissolve the restraining order in the suit of the Crescent Silver Mining company against the Silver King was resumed yesterday morning before Judge Barch.

A restraining order was issued on Friday preventing the Silver King from taking water from Shadow Lake and the defendants at once moved to have the order dissolved, as fully reported in The Herald.

The arguments were concluded about 4 p. m. and his honor took it under advisement stating that he would render judgment at 10 o'clock this morning.

Special Government Agent Gudgeon Here Taking Testimony.

H. A. Gudgeon, assistant attorney in the department of justice at Washington, D. C., is in Salt Lake, sent here to take testimony in the case of the many cases of claims against the United States made by settlers on accounts of depredations committed by Indians in years gone by.

Mr. Gudgeon commenced yesterday, when the claim made by William H. Streeper of Centerville, this territory, was taken up. He came into the office of LeGrand Young, the attorney for the claimant.

Mr. Streeper claims \$7,700 for depredations committed by Indians on July 11, 1862, at Big Springs, Deuel county, Neb., by which the claimant

alleges he was damaged in the sum claimed.

Mr. Gudgeon will remain in this city a few days and by the latter part of the week expects to go to the southern part of the territory where numerous claims are pending.

THE NEW WOMAN.

Chicago Herald Comments on a Recent Utah Divorce.

On July 13, a divorce was granted by default, to Mrs. Maria Lee, of Bountiful, in the Third district court on the grounds of cruelty and desertion. The peculiarity in the case was that Mrs. Lee refused to allow her husband to kiss her, which led to quarrels between the pair, ultimately resulting in the wife suing for a divorce.

The Chicago Herald gave the matter the following notice: Mrs. Maria Lee, of Bountiful, Utah, is the latest development of the "new woman." Mrs. Lee is very pretty and her husband is very much in love with her, much to her disgust.

For the past three months Mrs. Lee has refused to allow her husband to kiss her. A few days ago he asked her to kiss him, and when all his pleadings proved to be unavailing, he threatened to extort the osculatory embrace from her by force.

Mrs. Lee refused, whereupon Mr. Lee drew a revolver and threatened to shoot her. Mrs. Lee refused to give him the kiss which he believed that he was entitled to, and she declared that she would shoot her husband.

It is a pity that Mr. Lee should have behaved in this manner and jeopardized his case. It would have been better for him to have consulted a lawyer as to whether the law would have sustained the new woman in her suit for a divorce on the ground that her husband had extorted from her the osculatory embrace.

The cook should examine carefully the label of the baking powder and see that she is not imposed upon. If the grocer sends anything but the Royal, send it back, as one cook did five times until she got the Royal. The only safe way to get a cook to use the Royal is to pay her to work with the Royal and not for the finest, but the most economical to use, because it goes so much further.

AGAINST THE COUNTY.

May Have to Pay One Claim Twice Over.

United States Commissioner Jennings yesterday handed down his decision in the case of M. C. Moon vs. Salt Lake County. His honor found for the plaintiff for the amount claimed, \$3,333.

The facts appeared to be that one F. A. Simonds had a claim against the county. He assigned the same to Barnes, Hardy & Co. and afterwards Simonds transferred the claim to Moon, the plaintiff in this suit.

The court held with Moon on that point, and also held that the notice of the claim given Selectman Geddes by Barnes, Hardy & Co. was sufficient.

It now looks as if the county would have to pay the bill twice unless Simonds can make the matter good. The county attorney is looking for Simonds and talks of bringing criminal proceedings against him for fraudulently making two assignments of the same claim.

Mrs. Dobbs Alleges Desertion.

Emma C. Dobbs is suing for a divorce from John James Dobbs, alleging that he deserted her. The transfer of the claim to him with the county clerk on May 4 and Barnes, Hardy & Co. registered their claim with the county clerk on May 7. Moon claimed that as his was first registered with the county clerk he was entitled to recover.

The court held with Moon on that point, and also held that the notice of the claim given Selectman Geddes by Barnes, Hardy & Co. was sufficient. It now looks as if the county would have to pay the bill twice unless Simonds can make the matter good.

Mrs. Ward Wants a Divorce.

Mary T. Ward has begun suit for divorce from Patrick J. Ward. She alleges that she was married to the defendant September 2, 1887, and that he deserted her in 1891 and failed to provide for her and their 3-year-old boy, for the custody of whom she prays.

Suit Against Heesch-Davis Co.

The Utah Plumbing Society company has begun attachment suit in Third district court against L. C. Karrick and the Heesch-Davis Sanitary company to recover \$1,000 on a promissory note. The note was executed by Karrick in favor of the Heesch-Davis company and transferred by it to the plaintiff.

Guilty of Disturbing the Peace.

Frank Rose, charged with disturbing the peace of F. M. Olsen by throwing stones, apples, etc., and calling Olsen bad names, was tried before United States Commissioner Sommer, adjudged guilty and fined \$1 and costs, amounting to \$11 in all.

Magnet's Case Go Over.

The hearing of the case against Prof. W. F. Magnet, Hall for practicing medicine without a license, which was set for 10 o'clock yesterday morning before United States Commissioner Pratt, went over until the same hour this morning.

eral interest to the profession will be discussed.

Short Orders by Judge Barch.

George Olson vs. Nat. M. Brigham; alternative writ of mandate denied; stay of proceedings granted and fifteen days allowed to prepare and serve statement on other party sustained and ten days allowed to amend.

Deseret National bank vs. Burton, Gardner & Co. et al.; demurrer to third amended complaint sustained and ten days allowed to amend.

Utah Plumbing Supply company vs. Heesch-Davis Sanitary company; judgment entered for plaintiff.

National Library association vs. Charles J. Straub; judgment entered for defendant.

Deseret National bank vs. N. Christensen; judgment entered for plaintiff.

Harriet Bayard vs. Isaac Hartig et al.; judgment entered for plaintiff.

People vs. Daniel Kessler; 11 November allowed to file and serve bill of exceptions.

WALTER S. HAINES, M.D., Chemist to the Chicago Board of Health.

ANOTHER MINER INJURED.

James Carter is the Victim—Death of Pat Foster.

James Carter is another miner injured in the workings of the Magpie, one of the Golden Gate group at Mercur. He was brought up to St. Mary's hospital yesterday afternoon. Carter was caught under a mass of rocks and earth that fell some 150 feet. It is possible he may recover.

The coroner's jury made an investigation into the cause of the death of Pat Foster, who died in the workings of the Golden Gate group and yesterday permitted the burial of the body. The widow threatens to sue for damages.

CITY AND COUNTY.

BUT LITTLE STIRRING AT THE JOINT BUILDING TODAY.

A Session of the County Court Held—Shovel's Singular Claim—The Bay Window Ordinance.

Yesterday was almost a blank day at the joint building, so far as news is concerned, although the forces in all departments were kept hustling on routine work.

Probate business is, of course, at a standstill during the absence of Judge Merrill. The judge was at Cape May yesterday and will doubtless be home before the week is out. A great deal of business has accumulated and the record for some days after the return of the court will be a big one.

On the city's side of the building, the only news given out was that Mayor Baskin has allowed the bay window ordinance to become law without his signature. The ordinance prohibits the erection of any building higher than ten feet above the sidewalk grade.

The county court met in the morning but transacted no business of importance. One amusing incident arose during the session, however. It will be remembered that recently A. E. Shovel-off sent in a communication setting forth that in driving over a broken bridge, his wagon had been damaged to the extent he claimed. It was found that the accident was due to negligence on the part of the county and wanted to be reimbursed.

A petition from the school trustees of the city of Bountiful was filed. It asks for a payment by the county of an amount due the district on account of redeemed tax sales of 1893.

A notice was sent recently by the county court to persons who were fouling the waters of Big Cottonwood streams. A reply has been received that they immediately complied with the request of the court. A visit will be made soon by Dr. Wright and Sheriff Hardy to see whether they have thoroughly abated the nuisance.

The claims of H. Francis Taylor, road supervisor of district 24, for \$16 from the city and county was rejected. A communication was received from the city recorder of Sandy city asking for \$5.50, expenses incurred in the burial of E. O. Sullivan. Referred to attorney.

A claim of Proudfoot & Bird, architects, for \$12 was referred to attorney.

A claim of Harvey Hardy for \$75.65 mostly due for services in cases of insanity was referred to attorney.

A claim of Ben Heath for \$27.25 and one of John F. Heath for \$37 were referred to the attorney.

A claim of the Salt Lake & Ogden Gas and Electric Light company for \$150 for lighting the county jail was referred to the jail committee.

A sale by the clerk of lots 21, 22 and 23, block 1, Blair & Curtis' subdivision of block 7, to S. B. Milner for \$18.60 was confirmed.

A request of Justice Holt for a new docket for his court in South Jordan precinct was granted.

Assistant County Attorney Harrington yesterday received a notification to deliver an address on Pioneer Day at Heber, the people of that town and Wanship joining in a celebration. The invitation was accepted and Mr. Harrington leaves for Heber today.

For Debilitated Men, Horsford's Acid Phosphate.

Dr. J. B. Alexander, Charlotte, N. C., says: "It is pleasant to the taste, and ranks among the best of nerve tonics for debilitated men."

EXCURSION SOUTH THIS EVENING.

Special train will leave via Union Pacific at 6 this evening for Nephi, Juab and intermediate points, for which round trip tickets will be sold at one fare to points south of Santa Fe. On July 24th tickets will be sold to all points in Utah at one fare. All tickets will be good returning until July 26th.

A CHICKEN CASE.

POLICE JUSTICE SMITH HAD TO CALL IT A DRAW.

Mrs. Whytock Declined to Prosecute and the Doctor Was Discharged—Everitt Compelled to Leave Town—Jerry Griffin Pleads Not Guilty.

Police Justice Smith had a chicken case on yesterday. It furnishes the most amusing incident that has happened in the court for some time. Joseph Winkless was arrested on complaint of James Nutt for allowing his chickens to roam in the latter's garden and scratch up his early vegetables.

When Winkless was arraigned he pleaded guilty to the charge and, in accordance with the custom of the court, the complaining witness was put on the stand in order to explain matters as to the amount of fine that should be imposed. After hearing the statement the judge leaned over and said:

"Mr. Winkless will be fined \$2."

At that Winkless said he had been unfairly treated and that he wanted to put on some witnesses. The court then reopened the case and Mrs. Sable Whytock, who decided to appear as the complaining witness, took issue with her father, saying that he put breadcrumbs near the fence, she presumed "for the purpose of enticing the chickens over."

In his former testimony Nutt had admitted killing one of the trespassing chickens and Winkless to that the occasion for impeaching his testimony, notwithstanding this had been a mitigating circumstance.

"He didn't kill it," he said emphatically. "He just knocked the feathers off its back and let it go." "I've got the chicken home now."

By the time all the testimony was in the judge decided to make a warm draw and the defendant was discharged.

Whytock Discharged.

Dr. Whytock, charged with assault with a deadly weapon by his wife, who alleged that he threw a knife at her and drove her from the house yesterday morning, was discharged by Justice Smith yesterday. Prosecuting Attorney Harrington being on vacation in the county and made the statement that Mrs. Whytock, the complaining witness, refused to prosecute. Further, he said that the affair seemed to have been a family difficulty, in the midst of which Dr. Whytock had thrown a chicken at his wife. As the blade was not open at the time this could hardly be called a deadly weapon and in this statement the case was dismissed.

Belligerent Frenchman.

The French colony was well represented in the afternoon. H. Cere, a dapper Frenchman being on trial for violation of the bicycle ordinance and resisting an officer, and a number of his countrymen being on trial for violating the same ordinance. Further, he was riding without a light and was taken in by Officer Everitt. When arrested his displeasure such a desire to make a warm draw for the officer that the latter was compelled to use the nippers. He was fined \$5.

It Was Outlawed.

C. F. Eddy, the young fellow accused of having escaped from custody on 1281, was up in police court yesterday, but the charge was dismissed, as the statute of limitation had expired. The charges against Eddy, however, were directed upon Eddy said he was willing to plead guilty and get out of town, and he was allowed to do so.

C. Clark, arrested for crawling under the tent at the circus and as a road case generally, was charged with a warm draw and was allowed to go on his promise to leave the city.

The band of young fellows who indulged in fighting on the circus grounds on Saturday were brought up. John Roy, one of the circus boys, was charged with business was fined \$15. The cases against R. Rogers, John Sutherland, C. W. Poulton, Harris and W. Smith were dismissed.

Assault and Battery.

Jerry Griffin, colored, arrested by Sergeant Ford for assault and battery, entered a plea of not guilty. He is charged by H. H. Knux with having indulged in a little display of manhood in a contract to clean some wall paper, and when he went to the place about a week ago he was assaulted by a white man named Jerry Griffin, who was charged with assault and battery.

Only Chambermaids.

Fred Brooks was well 24 for drunkenness and using abusive language. He met some females on the street and accosted them offensively. When told he should not use such language before ladies, he said sneeringly: "Ladies? Why, they're only kitchenmaids."

The vagrancy case against John McNamee was dismissed at the request of the prosecuting attorney, as the expected evidence could not be brought to bear. F. Tuttle, the alleged pickpocket, entered a plea of not guilty and will be tried today.

The case against ex-Fireman Charles Stinson, using language, was continued until Thursday afternoon on account of the illness of the prosecuting attorney, who has been absent for several days with an affection of the stomach.

H. Donald forfeited \$10 for drunkenness and exposing his person. C. Fitzgerald, Joe Soda and T. Merrill, plain drunks, were fined \$5 each.

FROM OGDEN AND INTERMEDIATE POINTS.

Special Excursions, July 24th.

Will be run by the Union Pacific as follows to Salt Lake, Garfield and Saltair: To Salt Lake field 7:00 a. m. From Salt Lake to Ogden 7:30 a. m. From Ogden to Salt Lake 10:00 a. m. From Salt Lake to Ogden 10:30 a. m. From Ogden to Salt Lake 1:00 p. m. From Salt Lake to Ogden 1:30 p. m. From Ogden to Salt Lake 4:00 p. m. From Salt Lake to Ogden 4:30 p. m. From Ogden to Salt Lake 7:00 p. m. From Salt Lake to Ogden 7:30 p. m.

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Is the Foundation of the Wonderful Cures by Hood's Sarsaparilla

That is Why the Cures by Hood's Sarsaparilla

That is Why Hood's Sarsaparilla

That is Why it Overcomes That Tired Feeling, Strengthens the Nerves, Gives Energy in Place of Exhaustion.

That is Why the Testimonials for Hood's Sarsaparilla are so Solid Facts, and will Stand the Closest Investigation.

That is Why the Sales of Hood's Sarsaparilla have Increased Year after Year, while other preparations of less merit have come, held a little temporary favor, and are heard of no more.

That is Why Hood's Sarsaparilla requires the Largest Laboratory in the World.

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Is the Only True Blood Purifier

Prominently in the Public Eye Today. Be Sure to Get Hood's and Only Hood's.

Hood's Pills, the after-dinner pill and family cathartic.

Burlington Route

New Service.

TAKE R. G. W. R. Y.

Evening Train, Leaving Salt Lake City, 7:40 p. m. Connecting Daily with Burlington Route

Train No. 2 at Denver, for Omaha, Kansas City, St. Louis and Chicago.

Through Pullman Sleepers, Free Reclining Chair Cars, Dining Cars, a La Carte. Secure tickets at R. G. W. R. Y. Office, 16 West Second South Street.

I. A. BENTON, Ticket Agent Rio Grande Western Railway.

R. F. NESLEN, W. F. McMILLAN, Tr. Pass. Agt. General Agent, Room 11, over No. 10 West Second South Street, Salt Lake City, Utah.

FIVE FACTS, WELLS, FARGO AND BANK. CO'S

Great Rock Island Route

Established 1852.

Cheap Outing Excursions.

First of the National Excursion Meeting at Denver, opening July 5th, the rate will be one fare plus \$2.00 for round trip. Tickets good for return any time up to and including Sept. 1st.

SECOND. The regular Tourist Car to California via Kansas City runs every week, and leaves Chicago every Thursday at 6:30 p. m., Kansas City at 10:50 a. m. every Friday. Tickets based on second class rate, and car runs on fast trains, and known as the Phillips-Rock Island Tourist Excursion. Car arrives at Colorado Springs Saturday, 7:30 a. m.

THIRD. Home-Southern Excursions to Texas and New Mexico. Next one June 11th. Rate, one fare for round trip. Tickets good twenty days.

FOURTH. For Mexico City the Rock Island runs a Through Sleeper from Kansas City daily at 8:40 p. m., via Topeka, McFarland, Wichita and Fort Worth and Austin to San Antonio. Two routes from there are—International R. to Laredo, and Mexican National to the City of Mexico; Southern Pacific and Mexican International via Spofford and Eagle Pass to City of Mexico.

Connections are also made at Fort Worth via the Texas Pacific to El Paso, and over the Mexican Central to City of Mexico.

FIFTH. Send to address below for a copy of the Tourist Book, which contains that gives much information to tourists. Sent free.

JOHN SEBASTIAN, G. P. A., CHICAGO.

THE DENVER & RIO GRANDE RY.

THE SCENIC LINE OF THE WORLD.

The only line running two through Fast Trains daily to Leadville, Aspen, Pueblo, Colorado Springs and Denver.

EFFECTIVE APRIL 29, '94

Train No. 3 leaves Ogden 7:00 a. m. Salt Lake 8:30 a. m.; arrives at Pueblo 6:30 a. m. Colorado Springs 7:15 a. m. Denver 8:20 a. m. Tripas Creek 8:20 a. m. Train No. 4 leaves Ogden 6:30 p. m. Salt Lake 7:40 p. m.; arrives at Pueblo 3:27 p. m. at Denver 4:24 p. m. Denver 5:25 p. m.

Connections made at Pueblo, Colorado Springs and Denver with all lines east. Elegant day coaches, chair cars and Pullman sleepers on all trains. Take the D. & R. G. and have a comfortable trip and enjoy the finest scenery on the continent. Shortest line to Cripple Creek, Colorado's great gold camp.

A. S. HUGHES, Traffic Mgr., Denver, Col. E. K. HOOPER, P. & A., Denver, Col. R. F. NEVINS, General Agent, B. M. CUSHING, T. P. A., SALT LAKE CITY.

A Man

(to read not superficially, but between the lines.)

Is Foolish

who having something to sell neglects to advertise.

BANK OF SALT LAKE.

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Real Estate, Stocks and Bonds Bought and Sold. Notary Work.

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DIRECTORS: James T. Little, President. Moses Thatcher, Vice-President. Elias A. Smith, Cashier. Henry Dinwiddie, George Romney, James Sharp, John H. Winder, John C. Cutler, D. H. Peery, Frank W. Jennings, J. R. Eldridge.

Five per cent. interest paid on savings deposits—compounded semi-annually. Accounts collected from \$1 upward.

Scenic Line. Standard Gauge.

Current Time Table.

IN EFFECT MARCH 31, 1895.

LEAVE SALT LAKE CITY.

No. 2—For Brigham, Provo, Grand Junction and all points east. 7:30 a. m.

No. 3—For Provo, Grand Junction and all points east. 7:45 p. m.

No. 4—For Ogden and intermediate points. 5:30 p. m.

No. 5—For Ogden and intermediate points. 5:30 p. m.

No. 6—For Ogden and intermediate points. 5:30 p. m.

No. 7—For Ogden and intermediate points. 5:30 p. m.

No. 8—For Ogden and intermediate points. 5:30 p. m.