

## FIRST DISTRICT COURT.

E. H. Orth vs. F. A. Brown and Lulu Wadley vs. G. R. Belnap.

WEDNESDAY MORNING

At ten o'clock this morning the court was opened and the journal read.

In the case of E. H. Orth vs. F. A. Brown, a jury having been empanelled the defendant through Messrs. Sheeks & Rawlins made an affidavit asking that the case be continued for the term, in consequence of the absence of two material witnesses, one of whom is at present in Chicago and the other in the Southern States. The continuance was opposed by Judge Williams, counsel for the plaintiff on the ground that due diligence had not been exercised to obtain said witnesses. The court stated that when the case was called yesterday he was not aware the defendant was Mr. F. A. Brown and the court would hardly be fair in punishing a man and then while undergoing such punishment to force any cases in which he may be interested and while the affidavit might be inadmissible under some circumstances he would certainly grant a continuance for the present. The court stated he would not allow any costs against the defendant as His Honor thought Mr. F. A. Brown has had trouble enough during this term of the court. The jury was accordingly discharged.

Peder Nilson, a native of Norway and a resident of Cache County, was made a citizen of the United States.

The case of Wadley vs. Belnap was called and a jury empanelled. Judge R. K. Williams represented the defendant and Kimball & Heywood appeared for the plaintiff.

This action is brought to recover possession of certain property held by defendant which he claims to hold under an attachment issued from the Justice's Court in this precinct.

The testimony of the defendant given in a previous cross-examination was introduced as evidence.

Witnesses for the defence were called this afternoon, among them were Justice T. D. Dee and W. G. Child, and at the time of our going to press the case was still in progress.