

The Old Telegraph Mine.

Mining Suits Great and Numerous—An Injunction Granted and a Receiver Asked for—Two Million Dollars Involved—Who Owns the Mine?

One of the most important mining suits, or rather bundle of suits, ever had in this Territory, and almost rivaling in magnitude those connected with the famous Emma mine, is now in process in the Third District Court, before His Honor Chief Justice Schaeffer. The claim of the plaintiffs, so far as we have learned, may be stated as follows—

On Saturday last, December 8th, a large number of suits were instituted in the Third District Court in this city, against Liberty E. Holden, who has held himself out as the owner of all the stock, except a few shares, in what is known as the Old Telegraph Mining Company. The attorneys for the plaintiffs, being Judge Hiram A. Johnson of New York; Hon. L. R. Critchfield and Judge J. W. Tyler of Cleveland, Ohio, and Messrs. Marshal & Royce of this city, have been engaged for some weeks in the preparation of these cases, which has been a very laborious work in consequence of the formation of new companies and individual purchases of property by Holden, as claimed, into which the proceeds of the Old Telegraph Mine, amounting to \$1,000,000, as estimated, have been partially diverted.

It seems from the pleadings and affidavits on file that Holden claimed in January, 1875, to own about one-fourth of the stock of the original company, organized under the laws of Michigan, though it is alleged that prior to that time he had not paid for his stock, and has never settled with the various companies of which he was managing director or agent, nor with the stockholders. To procure a settlement and ascertain whether Holden ever owned any stock is one object of the suits.

At the date last named, certain persons living in Cleveland and Toledo, Ohio, and Detroit and Kalamazoo, Mich., claimed to own stock, amounting to three-fourths of the whole. These persons and the Michigan companies, sometime in November, 1874, had placed these mines in the hands of Holden, to manage and work the same, and it is claimed that during the following year he received as contributions and otherwise from the stockholders and companies about \$40,000, and in addition took from the mines about \$30,000, but that during the same period he did not expend over \$25,000 for the mines, and has never settled his accounts; that in December, 1875, having directed his tunnel towards the ledge then being worked by the Montreal company, which it is claimed Holden then knew all about, and which has since been adjudicated in the District Court as the property of the old Michigan companies, Holden left the mines and returned to Cleveland, and while there received information, as is claimed, during the month of January, 1876, of the progress of his said tunnel, and that the lode which has since become famous was reached about the 22nd of said month; that subsequently, on the 24th and 29th days of said month, and on the 3rd and 7th days of February, he purchased all the stock owned in Cleveland, being over one-fourth of the whole.

It is also claimed, that the certain knowledge he had of the great value of the mines he concealed from the Cleveland parties, and made certain representations to them which, it is claimed, were deceptive, among others that the mines were not worth over \$25,000, had not paid expenses, and were not likely to be of much value, and that large assessments would be necessary; that shortly thereafter he returned to Utah, stopping at Kalamazoo on the way, and offering the six stockholders there, owning over two-fifths of the stock, to buy their stock at forty cents on the dollar, and likewise, as is claimed, concealing his knowledge which he had received from the mines from those parties. This offer was declined, and Holden proceeded to the mines as managing director, and between about the 7th of February and the 1st of May took ore, from the immense lode which had been discovered, of the value of over \$50,000.

A few days prior to the 1st of May, the six Kalamazoo stockholders, being moved thereto by rumor or otherwise, met and agreed

to send three of the officers to Utah to see about the mines. It is claimed that they knew nothing of mines or mining, but relied on Holden for truthful knowledge, and so informed him, and, he being their guide, they went into a tunnel and stayed about an hour, and that Holden represented to them that there was not more than \$5,000 worth of ore that he could count on, that the pay roll for April was short and that an assessment must be levied to pay it. They requested to see the books and accounts and were informed the book-keeper was away and he could not furnish a statement, and it is claimed that he did not make known to them the amount of ore taken out before that time. At the same time he offered the Kalamazoo parties sixty-six cents for their stock.

It is also urged that soon after the said parties returned home, Holden made known to them that an assessment of \$1,500 had been levied on them and a draft drawn on them for that amount, and the result was that on the 17th day of May, Holden obtained all the stock of said parties, he at that date having, as is claimed, taken from the mines ore to the value of almost \$100,000, of which they had no knowledge; through the said Kalamazoo parties and in consequence of the same reports they brought from the mines, a stockholder at Detroit and another stockholder at Grand Rapids, Michigan, were bought out in June, and that through the same reports and other discouraging news from the mines, and a thirty per cent. assessment which Holden claimed had been levied by the directors of the Michigan company, and payment of which was demanded, three other parties at Detroit were bought out in October, Holden then, as is claimed, having taken ore from said mines of the value of \$500,000.

It is further claimed that, in May, Holden got possession of the books, papers, and seals of the old company, transported them to Utah, and in some way held a meeting on the 30th of August, in Salt Lake City, and levied this 30 per cent. assessment, although, as is claimed, the laws of Michigan do not operate here, and the company had no office at Salt Lake City.

By the foregoing process, it is claimed, Holden obtained about three-fourths of the whole stock, while manager of the companies and while in a fiduciary relation with the stockholders. But four shares of stock held by a stockholder at Toledo, Ohio, were not obtained, although, as is claimed, the thirty per cent. assessment and other appliances were brought to bear, this stockholder not being, as is claimed, acquainted with Holden, as were the others, who had great confidence in him. It is also claimed that after Holden had failed to buy these four shares and the alleged illegal meeting of the Michigan company had been held here by Holden, these four shares were declared forfeited upon several grounds, the principal alleged ground being irregularity in issuing the stock. Prior to this the owner of the four shares had been notified of and paid assessments, as is claimed. By a similar alleged illegal meeting, it is claimed, Holden attempted to convey all the property of the old companies to the Old Telegraph Mining and Smelting Company here.

In view of the above representations, the court allowed a temporary injunction and fixed the 27th inst. to hear the motion for a receiver. Mr. Charles E. Bolton, O. D. Ford, and L. B. Kendall accompanied the attorneys to this city, and their vigilance and industry have greatly aided in the preparation of the evidence. A large number of telegrams and letters of Doane and Brown (a relative) to Holden, and from Holden to his clerk in Cleveland are on file, and the evidences are exceedingly curious and instructive.

Frauds, or alleged frauds, to an enormous extent, connected with the manipulation of various mines in this Territory, have been numerous and have operated to a very great degree to destroy the confidence of moneyed and business men, and frighten capital away from this region. If the case is as above represented in the suits, especially dwelt upon above, then frauds great and glaring have been committed upon the stockholders. Whatever shall be found to be the truth in these cases, it is to be

hoped that just decisions will be reached by the court, or courts, and carried into execution, that fair dealing may prevail and confidence be restored, and the resources of the Territory be developed to the furtherance of the public weal.

LIST OF LETTERS

REMAINING in the Post Office at Salt Lake City, Nov. 26, 1877, which, if not called for within one month, will be sent to the Dead Letter Office.

LADIES' LIST.

| | | |
|----------------|--------------|--------------|
| A | Hawley M | Prethero R |
| Allen J | Helverson T | Paul L |
| B | Hocking J | Proctor L |
| Burr W W | Holley A | Pratt H |
| Boock T | Hughes M | |
| Barnes R A | J | Renstron B |
| Brown S | Jones M | Riley C |
| Bucket M | Sackson H | Robson Irene |
| Barbar O J | Jeremy D | Hawkins J E |
| Brown L C | Jessup M A | Rock T |
| Beterson C | K | |
| | Kilpatrick J | Stevens S |
| Castle A | P | Smith P |
| Carlsson A W 3 | L | Sorenson M |
| Cox C | Lawsketza A | Scott M |
| Curtis E | Lewellyn A | Schwartz N |
| Clark S | Ledyham A | Swansen M |
| Cline M A | Lambourn F | Small N |
| D | Larson M L | Smith J |
| Dawson B | Long S A | Skidmore G |
| Doris E N | LeGuepoun L | Spiers E |
| J D | M | |
| Derrick E | Meerene E 2 | Whitaker H |
| E | Mason L | Woolsey C |
| Ekwan E | Malen M 2 | Williams J |
| Everett E | Meler M | Williamson L |
| Eckman G | Miller V | Williams M |
| G | N | Wickenson W |
| Grany E H | Needham J | H |
| Gunn H | Noall R | Wime M A |
| H | O | |
| Hocking V | Olson C | Young A D |
| Houghton M | Oydn M | H O |
| M | P | L |

GENTLEMEN'S LIST

| | | |
|---------------|--------------|--------------------|
| A | Gardiner T B | Priestly J |
| Ashton F J H | H | Puuer N |
| Alley G H | Hilton A | Palco L J |
| B | Hedburg C | Patten T R |
| Brown R | Hodder F | Priestly W H |
| Brown S J | Heindge J | |
| Bradley H E | Heil J | Quayle J C |
| Brousweller | Hollow J | K |
| Jr | Harris M | Ridge O J |
| Berlosch J | Hudson R | Rober son G R |
| Buck and J | I | Reese C R |
| Brown A H | Ibzzatt A | Ruckman H |
| Beaton J | J | Rogers J |
| Badeneau J | Jensen R | Roxbury J |
| Bird J | Jacobsen A | Rogers J |
| Beeve S R | K | Kichey J B |
| Bergstrom C | Kay F L | Keggle W |
| W | Kelley J A | S |
| Coombs A W | Kendall J | Squires C R 4 |
| Cave F | Kilpack W | Simmons H |
| Cadman E 2 | L | Shell G D 2 |
| Collum J | Lees C | Stanley G |
| Camp L L | Lung & Co C | G Shurcliffe H C 2 |
| Chris enen M | Lovesey E | Snider J |
| Campbell R | Luff G | Snape J |
| Chapman W 2 | Laird J | Swain R |
| Low J W | Sadler S 2 | |
| Conrad W K | Lyon J | Stanford S |
| D | Lowry M | Stephens T L |
| Douglass A | Lawson S | Strong W |
| Darcher C | Lake W | Speed W |
| Deming G | M | Smith R T |
| Davis E D | McKenney J | " A |
| Dover J | McDonald H | " W |
| Druce J | Miles O | " J G |
| Dawkins J F | Moyens N H | " G |
| Despain O A | Martin F W B | T |
| Duncan W | Morey H | Tomkins S |
| E | Mayfield O | Tay-um N |
| Erecson & Mc | Mowby T | Thompson M |
| Mullen | Moor S W | H |
| Eigar F | McDonald H | Tud N |
| Evensen J | N | Taylor S |
| F | North C H | V |
| Fox J H | Nickerson E | J V on Buhle C |
| Flisshaw D W | Nells J N | A |
| Fordham E | Nuttall L J | W |
| Fox H | Nichols P | Williams B H |
| G | O | Wood + 2 |
| Gaden B G | Ormond T 2 | Waring G |
| Grant D W | P | Whitcomb J |
| Grunstein F 2 | Page J | Winegar J 2 |
| Gerstnelt J | Pace J J | Waters T |
| Grunband L | | |

Persons inquiring for the above letters are requested to state when advertised.

J. M. MOORE,

POSTMASTER.

BOOKS!! BOOKS!!

To Sunday School Superintendents and Mutual Improvement Societies throughout the country:

JAMES DWYER HAS RETURNED from the East with a large stock of Good BOOKS, PRIZES and REWARDS, suitable for Sabbath schools. Also a splendid stock of Good Books, suitable for Mutual Improvement Societies. A liberal discount allowed. Send for Catalogue.

JAMES DWYER, Bookseller, Salt Lake City.

SPLENDID ASSORTMENT OF FANCY GOODS, PERFUMERIES, DRUGS, MEDICINES, PAINTS, OILS, ALCOHOL AND COLOGNE SPIRITS, CHOICE WINES AND LIQUORS. LARGE STOCK OF TRUSSES, COST FROM \$3.00 to \$4.00, WILL SELL FROM 50 cts. to \$1.50. GRAIN AND PRODUCE TAKEN AT HIGHEST MARKET RATES.

Codbe, Pitts & Co., SALT LAKE CITY.

Lenzi's Helvetian Salve.

A cure for old sores, boils, felons, cancers, ulcers, broken breasts, burns, bruises, chilblains, etc. This salve will cure in every instance when used according to directions.

G. W. CROCHERON, Sole Agent, Salt Lake City, Utah, opposite Kimball Block. Post office box 419.

N. B.—Special inducements offered to those purchasing at wholesale. w41

DR. PRICE'S SPECIAL FLAVORINGS



VANILLA, LEMON, ETC.,

For Flavoring Ice Cream, Cakes and Pastry

With great care, by a new process, we extract from the true, select *Fruits* and Aromatics, each characteristic flavor, and produce Flavorings of rare excellence. Of great strength and perfect purity. No poisonous oils. Every flavor as represented. No deceit—each bottle full measure, holding one-half more than others purporting to hold same quantity. Use them once, will use no other. The most delicate, delicious flavors ever made. Superior to the cheap extracts. Ask for Dr. Price's Special Flavorings. Many actured only by

STEELE & PRICE, Agents, CHICAGO and ST. LOUIS.

Manufacturers of J. J. Price's Cream

NOTICE.

THERE WILL BE A MEETING OF THE Taxpayers of the School District No. 21, at the West Jordan Ward House, on Wednesday, November 28, 1877, at 7 p.m., for the purpose of electing Three Trustees to serve for the ensuing year, and determining the rate of tax to be assessed for school purposes.

SAMUEL BATEMAN, DUNCAN GARDNER, JAS. TURNER, Trustees.
West Jordan, Salt Lake County,
November 15, 1877. s84

ESTRAY NOTICE.

I HAVE in my possession the following: One light-colored HORSE, 5 or 6 years old, branded on left thigh F C, on left hind foot white, shod all round.

One yellow MARE, 6 or 7 years old, branded on left shoulder E T, star in forehead, left hind foot white, shod all round.

If said animals are not claimed before December 17, 1877, they will be sold at public auction to the highest responsible bidder. Sale at 10 o'clock a.m.

SAMUEL BATEMAN, District Pound Keeper.
Gardner's Mill, West Jordan,
Dec. 7, 1877. ds & w

ESTRAY NOTICE.

I have in my possession the following described animals: One red COW, five years old, some white on the belly, crop of left ear and under-slope of right ear, brand illegible on left ribs, she has a red HEIFER with her with the same marks and brand, brockle face, about two years old.

One white yearling STER, some red on face and neck, and underbit in left ear.

One red STEER, about 3 years old, illegible brand on right shoulder.

One red COW, about eight years old, branded P D on left hip.

If the above animals are not claimed within ten days they will be sold to the highest bidder on Monday, December 17, 1877, at 10 a.m. at the estray pound in this city.

JOSEPH FORNE, District Poundkeeper.
Salt Lake City, Dec. 8, 1877. ds w

ESTRAY NOTICE.

I Have in my possession: One red COW, three or four years old, star in forehead, white under belly, branded something like inverted A on left hip, crop of right ear, three ribs and hole and underbit in left ear. She has a calf with her, point broke off from right horn.

Which, if not claimed, will be sold, Dec. 17th, 1877, at one o'clock, at the estray pound, at Mantz, Sanpete County.

JENS HANSEN, District Estray Poundkeeper.
December 6, 1877. ds & w

CRACKERS! CRACKERS! CRACKERS!

THE UTAH Steam Cracker Co., OF SALT LAKE CITY,

ARE DAILY manufacturing a superior article of all kinds of CRACKERS: Soda, Butter, Oyster, Pearl, Pic-nic, Boston, Boston Butter, Santa Clara, Sacon, Pilot, Hard Bread, La Grande, Ginger Snap, Lemon Snap, Jenny Lind, Abernethy, sugar, Wine Biscuit, Ginger Nuts.

The above varieties are now being shipped and sold throughout this and adjoining Territories at prices lower than Eastern or Western.

Add all orders to the UTAH STEAM CRACKER FACTORY, Box 246, Salt Lake City. H. S. REEDALL, Proprietor.

NEW DRUG STORE.

H. J. RICHARDS & CO., AT

No. 13 East Temple St.

s88

Z. C. Rio Virgen Manufacturing COMPANY

WILL PAY A DIVIDEND OF 10 PER CENT. in Good at their Factory in Washington, from and after December 1st, 1877.

By order of the Board of Directors. FRANK R. NOW, secretary. St. George, Nov. 27th, 1877. & w 1t

TO PURCHASERS OF ARCTICS.

When you have occasion to buy your winter Arctics, buy the Improved Arctics, known as the

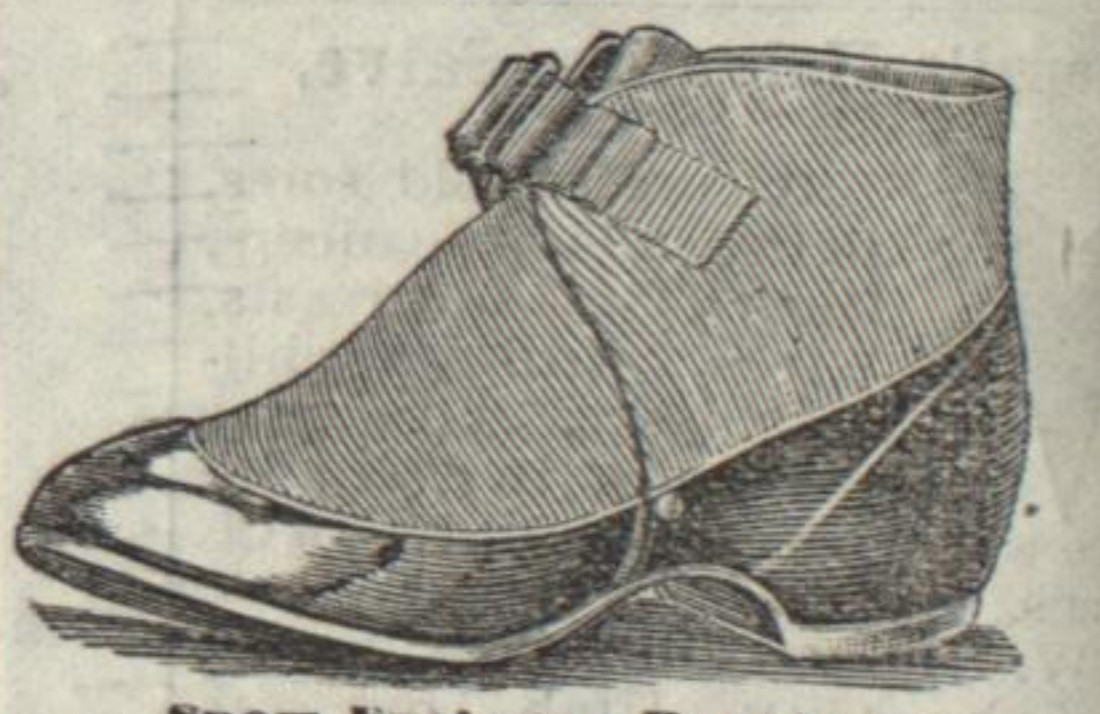
PATENT SNOW EXCLUDERS,

which are water-proof to their tops.



Snow Excluder Open.

Showing how the snow and water are excluded.



Snow Excluder Buckled.

Having precisely the appearance of an Arctic.

MANUFACTURED EXCLUSIVELY BY

National Rubber Co., Bristol, R. I.

Clapp & Balderston, Selling Agents, Boston, Mass.

FOR SALE BY THE TRADE GENERALLY. w43

GENEALOGICAL.

To Latter-day Saints who are interested in Genealogical Matters:

By and with the consent of the proper authorities, I have concluded to go to the Eastern States during the present winter, to obtain the genealogies of such Saints as come from there who might desire to employ me. During my recent mission to these parts I acquainted myself with facilities that will enable me to procure genealogies with a fair degree of completeness, and in procuring those of a number of families at the same time, the expense will be but a very small portion of what it would cost each family separately. This is a rare opportunity for the Saints from New England, New York, New Jersey, Pennsylvania or Delaware, or Saints whose ancestors were natives of these States, to procure genealogies at a small cost. A circular, stating terms, will be sent on application.

B. F. CUMMINGS, Jr., Salt Lake City, U.T.
December 3rd, 1877. ds & w

STRAYED OR STOLEN.

A large bay MARE, 4 years old, white face; one grey MULE, four years old; white MARE and COLT, all branded U on left shoulder, except the colt. All good stock. They were from the farm of O. F. Hunter, American Fork.

He will pay a liberal reward if returned or detained where he can get them.

EDWARD HUNTER, Nov. 21, 1877. ds w