

BY TELEGRAPH

FOREIGN.

LONDON, 7.—The ministerial crisis, at Constantinople, which was expected to ensue in consequence of the interpellations in the chambers has been averted. All the ministers retain their portfolios.

Mahmond Damad Pasha will shortly proceed to inspect the fortifications of the Dardanelles.

Reouff Pasha, although remaining in charge of the ministry of war at Constantinople, has also been entrusted with supreme command of the army of Roumelia.

Suleiman Pasha retains command of an army corps, and Baker Pasha of a division under Reouff Pasha's order.

An official telegram, dated Shipka, January 6, received at Constantinople, states that the weather is mild, and that a two hours' cannonade had been exchanged with the Russians. This contradicts the Russian report that General Radetzky had crossed the Balkans through Schipka Pass.

The *Post* publishes the following in an official form: "Another Cabinet council will be held on Wednesday. Meanwhile, important *pourparlers* are being held telegraphically with St. Petersburg. The probabilities of an armistice lessen rather than increase, but it is impossible to foresee what any moment may bring forth."

The ammunition embargoed at Cardiff consisted of empty cartridge cases. It was stopped merely for customs irregularity. The embargo has now been raised.

ST. PETERSBURG, 7.—The *Journal de St. Petersburg* says: Russia, after her immense sacrifice, demands the right to discuss the conditions of peace with her enemies alone. Russia, however, recognizes the right of Europe to make known its appreciation of the peace conditions settled between the belligerents. It is nevertheless important not to admit any pretensions which might mislead the vanquished concerning their position and public opinion concerning the relations between the powers.

ROME, 7.—The king's general condition is improved. The declared reports as to the gravity of his illness have been exaggerated.

LONDON, 8.—A Bucharest dispatch says the ice has ceased moving in the Danube. The river is already frozen over near Galatz, and is expected to freeze as far as Simnizta immediately.

An Athens correspondent states that the calling out of the second class reserve, which has just been ordered, will raise the Greek army to 35,000 men. The uncertainty as to the intention of Great Britain paralyzes the Greeks, but as long as the present ministry remain in office it may be regarded as certain that a warlike policy will not be definitely adopted.

A St. Petersburg dispatch says the hopes of an armistice are rapidly disappearing. The strictest secrecy is maintained as to the terms Russia would propose. It is said even the commander-in-chief has not been instructed on this point.

A Vienna correspondent telegraphs: It is announced from Constantinople that the Porte has informed England of its readiness to enter into negotiations with Russia, but intimated that it did not think negotiations between the military commanders, as proposed by Russia, suitable, a much preferable method being negotiations through special plenipotentiaries. There are, however, formal difficulties in the way of this proposal.

A special from Bazardjik says: Baker Pasha has been promoted to the rank of lieutenant-general.

In Constantinople the cry is being raised for the recall of Midhat Pasha.

The occupation of Sofia is of great advantage to the Russians, giving them a base for operations in Roumelia, opening up resources of the country, and making them to a certain extent independent of supplies from Roumania.

Despite the pressure from the palace and threats of dissolution the Turkish House of Representatives have been assailing the government with great freedom. They probably have the population of Stamboul on their side, and it is doubtful whether they would obey the decree of a dissolution, even if the government ventured to take such a step.

It is said the Russians found 8,000 Turkish wounded at Sofia.

A telegram received in Paris from Constantinople reports that Mah-

moud Damad Pasha's resignation has been refused. He attended the council of ministers on Sunday last.

A Vienna special says: England has informed the government at St. Petersburg that she has no objection in principle to the conclusion of an armistice in the mode proposed by Russia, but as regards the terms of peace no new European programme must be drawn up without the sanction of Her Majesty's government.

The *Standard* says the correspondence between London and St. Petersburg respecting the point raised by the British Government, has not yet terminated, and we shall probably have to wait until the opening of Parliament before a full explanation is given of the subjects under discussion between the two governments.

The *Daily News* says: The Earl of Carnarvon has not resigned the colonial secretaryship.

ROME, 8.—King Victor Emanuel passed a less satisfactory night than was hoped. His fever is slightly increased.

LONDON, 8.—The *Post* publishes the following in an official form: "We believe the English government, with a view of ascertaining Russia's terms, has suggested to the Porte the desirability of complying with Russia's request for direct communication between the commanders of the forces."

The usual official circulars have been issued requesting the presence of the supporters of government at the opening of parliament. That of the Earl of Beaconsfield to the Lords says that matters of moment will be brought under consideration. Sir Stafford Northcote's circular to the members of the House of Commons says attention will immediately be called to matters of great importance.

An official dispatch is published, announcing that after two days of sanguinary fighting, Hafiz Pasha, commanding the Noul Bazar division, has recaptured Kurochumeje. The Servian loss was considerable.

Eyoub Pasha, commanding the civic guard at Noul Bazar, also defeated the Servians, pursuing them to the frontier, burning six of their military stations and destroying their entrenchments.

Chakir Pasha telegraphs to Constantinople that after checking the Russian advance with great loss at Petrichevo, he retired to strongly entrenched positions at Polbrine and Otlukko.

A Bucharest special says: The railway from Fratehti to Simnizta will be opened for traffic on Friday. This will enable the Russians to transport the new iron bridge which they have had ready and only awaited the completion of the railway to the Danube. Ten small steamers have also been brought from Russia for use in connection with the bridge.

THE "OLD TELEGRAPH" CASE.

CLOSE OF THE PLAINTIFFS' EVIDENCE.

AN AFFIDAVIT FOR THE OTHER SIDE.

The evidence for the plaintiffs in this case was closed in the Third District Court yesterday afternoon. Mr. W. S. McCornick, testified that he bought of Mr. Holden four shares for \$100 in the Old Telegraph Mining Company, and only nominally held his stock in the Telegraph Mining and Smelting Company, paying nothing for it and receiving no dividends.

Mr. T. R. Jones said he was only a nominal stockholder in the Old Telegraph Mining and Smelting Company, holding two shares, but had neither received his stock or voted.

Mr. B. F. Raybould, expert appointed to examine the books, gave a detailed statement of the expenses of working the mine and the amount of ore taken out of the mine from January 10, 1876 to Oct. 31, 1877. The latter amounted to \$935,442.22. The expenses were \$493,275.84 and personal services, most of which was drawn by and charged to Holden, was \$465,620.21. The books were then turned over to the defense.

Mr. Bennett, for the defense, read the answer containing a general denial of the allegations charging the defendant with fraud and presented the following affidavits:

Harvey D. Winsor, being first duly sworn, deposes and says that he is 31 years of age, a resident of the city of New

York; that in the year 1874 he was living in the city of Detroit; that in January of that year he visited Kalamazoo, in the State of Michigan, for the purpose of selling stock or interests in the Detroit Utah group of mines; that previous to this time he had been acquainted with Dr. Joseph Sill, and went to Kalamazoo with Mr. A. B. Hinman who was my partner in the business. At that time I became acquainted with Curtenius, Woodberry and Kendall, and presented the mining enterprise to them at that time. Not having been able to get all the subscriptions which we desired at Kalamazoo, an arrangement was made with Dr. Sill to go with us to Cleveland and introduce us to parties there, among whom was the defendant, Holden. We went to Cleveland about the middle of January, and there made the acquaintance of said defendant and the plaintiffs Ford, Cowley, Hickox & Co., D. K. Taylor, George N. Chase and others. We called a meeting at the Weddle House in said city, at which all or nearly all of the aforesaid gentlemen were present with others. That after a description of the property was made by said deponent, a subscription list was started and signed; that a committee was appointed to visit Utah and examine said mines; that said committee consisted of O. D. Ford and Mr. Pearson, who were to act with a committee from Kalamazoo consisting of F. W. Curtenius, L. B. Kendall and J. P. Woodberry; that in the early part of July said committee, with J. G. W. Cowles and others, went to Utah and examined said mines, and decided not to report favorably on them; that at this time said deponent, W. E. Winsor and F. W. Randall, Dr. Sill and others were the owners of what is now known as the Nez Perces group of mines; that at that time said mine was partially opened; that said deponent, with A. B. Hinman, who was present, then proposed to sell said Nez Perces mines instead of the Detroit Utah group, and for that purpose took said committee and others to Bingham to examine them; that after such examination negotiations were begun immediately; that during these negotiations, O. D. Ford agreed to take thirty thousand dollars par value of the stock in a company to be formed, and he agreed also to report favorably on the property and use his influence in selling stock, and for such report and influence we agreed to give to him ten thousand dollars of stock when issued. Said Ford's thirty thousand dollars was to be paid as follows: \$20,000 in real estate, and \$10,000 in notes. He deeded the real estate, gave his notes, and received his \$30,000 of stock therefor, and reported favorably on the property, assisted us in selling stock to L. E. Holden and others, and for such influence received the \$10,000 of stock. J. G. W. Cowles also agreed to take \$20,000 of the stock and pay for the same in real estate; he also agreed to use his influence in Cleveland to help us sell the stock, and for such influence we agreed to give him \$10,000 of the stock. He deeded certain mortgaged property in payment for the \$20,000 of stock which we delivered, and he assisted us in selling to G. G. Hickox & Co. and to L. E. Holden and others, and for such service we delivered to him \$10,000 of stock.

Said deponent further says: that negotiations were also opened with the Kalamazoo parties for a transfer of their subscriptions to the new company. It was agreed that the general office of the company should be at Kalamazoo, and a branch office at Cleveland, and it was agreed that L. B. Kendall should be secretary, and J. P. Woodbury president, and F. W. Curtenius and Joseph Sill should be directors, and that a majority of the directors should be at Kalamazoo, and it was agreed before we left Utah, that the capital stock should be \$500,000. The arrangement made with the parties in Kalamazoo was as follows: Dr. Joseph Sill had one original share before transfer to the Nez Perces company, for which he paid \$1,000 and received therefor \$2,500 of stock. He made a subscription for \$5,000 of stock and paid for this \$3,000 cash. In consideration of a loan of \$4,000 to Winsor & Randall on the mine, which was paid back to him, he received \$15,000 of stock. In consideration of an endorsement of a note, we gave to him \$1,625. We paid the note without loss to him. In consideration of \$300 cash we gave to him \$3,550 of stock. In consideration of one horse, \$125 of stock. In consideration of his influence at Kalamazoo we gave to him \$5,000 of stock, and in consideration of his influence at Cleveland and in selling stock to L. E. Holden we gave him \$2,500 of stock.

Said deponent further says that he gave to J. P. Woodbury \$10,000 of stock for his services as president of the company, and that said \$10,000 of stock was given by said Woodbury to F. W. Curtenius without consideration, as said deponent on information believes. That said Curtenius subscribed for \$20,000 of stock and paid for the same \$866 cash and 400 acres of land in Alligan, in the State of Michigan, which land was not worth at the time it was received over \$2,000.

Said deponent further says that L. B. Kendall, one of the plaintiffs in this action, subscribed for \$5,000 of stock, which he received, and for which he paid \$3,000 of chair factory stock, which is not worth now over \$300. In consideration of an endorsement we gave to him \$875 of the stock, and also for the same work we gave him \$3,000 of the stock. On account of such endorsement said Kendall incurred no loss or payment of money. In consideration of his influence we gave to him \$12,500 of stock, and for such stock he helped us sell stock to H. E. Hoyt, T. P. Sheldon and L. H. Trask. We sold to L. E. Holden about \$75,000 of stock, for all of which he paid in money or real estate, as by agreement, no part of which was given for work or influence, nor did

he at any time receive any stock or anything else for assistance or influence in helping to place said stock.

Said deponent further says, that he was in Cleveland about the middle of January 1876, and met O. D. Ford and J. G. W. Cowles and had conversations in regard to the Nez Perces mines; said Cowles expressed a desire to get rid of his stock, and said he would not put any more money into it; that he wished he had never gone into it and offered then if I would deed him back the Collimer land, one of the pieces which he gave us for his stock, that he would give me all his bonds and stock.

Said deponent further says that he had conversations with said Ford at that time, who said he was hard up and wished he could sell his mining interests and get out of the matter.

Said deponent further says that in the latter part of February, 1876, he received information from Winsor & Randall that a strike had been made in the Nez Perces mine; that the stock was likely to become valuable, and they wanted to know what prospects there were for getting a controlling interest in the old stock; that he saw Dr. Sill in Detroit the latter part of February, and he then told me that there had been a strike in the Nez Perces mine, but that they were likely to have trouble with the Montreal and that he was sick of the business and wanted to sell out, and would sell a part of his stock at cost, as he did not want to pay any more assessments. I wrote the substance of my interview with Dr. Sill and the information given me by him to Winsor & Randall. That after such interview with Dr. Sill said deponent went to Kalamazoo and Grand Rapids to secure options on stock; that he secured options for the purchase of all old stock in Detroit, Grand Rapids and Kalamazoo; that the parties in Kalamazoo consisting of Dr. Sill, F. W. Curtenius, L. H. Trask, L. B. Kendall, F. A. Woodard, holding in all \$125,000, old Nez Perces stock and \$39,615, of the new stock or old Telegraph stock. These parties offered to sell all said old and new stock for the sum of \$35,000, the sale to be made at once and without the knowledge of Holden. They said that Holden held an option with power of attorney to sell their stock; and they agreed that as soon as said proposition was accepted they would telegraph and cancel said option. A meeting of the old company was held at which were present Directors Hinman, Kendall, Sill, Trask and Curtenius, and A. K. Spencer was dropped from the treasuryship, and on motion of Kendall Mr. Trask was elected as treasurer. It was agreed by said parties that on the payment of the money they would resign and were to elect such a board of directors as we saw fit. They refused to show us the records or give us a certified copy, but agreed to go to Omaha, deliver the books and receive the money, all of which was to be done unknown to Mr. Holden.

Said deponent further says that he understood at the time that the owners of the Montreal were to furnish the money and were working with Randall & Winsor for purchasing said stock.

Said deponent further says that it was understood by said parties in Kalamazoo that in case they sold out their stock, a majority of the old stock would be consolidated and used for the purpose of ousting Mr. Holden and for breaking down the proceedings by which title had been made to the new company. All such negotiations, understandings, plans and agreements were communicated by said deponent in letters and telegrams to Randall & Winsor.

Said deponent further says that during these negotiations, which lasted till about the 23rd of March, and during all that time said parties in Kalamazoo were well informed as to the productive-ness of the mine; that they expressed the opinion that probably Holden had already taken out ore enough to pay for their stock at the price of their option; and they expressed fears that Holden might sell them out, or that he might get beaten in the lawsuits, and they lose thereby. From the 1st of October, 1874, up to the time the mine was turned over to Woodbury, president of the company, and at that time, from information which I had from Winsor & Randall, the mine was running behind as the ore was so low grade it did not pay for shipment.

(Signed) HARVEY D. WINSOR.
Subscribed and sworn to before me,
December 31, 1877.

E. G. MATTHEWS,
Notary Public.

F. W. Randall and Wm. E. Winsor being first duly sworn, each for himself, deposed and says, That he has read the foregoing affidavit made by Harvey D. Winsor; that so far as the statements made in regard to the Nez Perces stock is concerned they are true, and so far as said affidavit relates to the negotiations by said Hinman and Winsor with the parties in Kalamazoo for the sale of stock and transfer of books to said Hinman and Winsor and to the owners of the Montreal, is also true, and so as to all other statements he believes they are true.

(Signed) FRANK W. RANDALL,
WM. E. WINSOR.
Subscribed and sworn to before me,
Dec. 31, 1877.

E. G. MATTHEWS,
Notary Public.

Some letters showing the valuation which the Kalamazoo parties placed upon the property in 1856 were presented, objected to and objection sustained.

Court adjourned till 9.30 this morning.

The jury list for 1878 is selected. Read it; your name may be in it.

Correspondence.

New Year's Reception at the White House—*Præx et Conjux, Legati, Literati, Patres Conscripti, Judices, Mulieres, Milites, et Nautæ—Plebs, "Profanum Vulgus," et cetera.*

WASHINGTON, Jan. 2, 1878.

Editors Deseret News:

The first to arrive at the Presidential New Year's reception are the correspondents of different papers and the Marine band. These are all stationed in the large ante-room, the band to furnish music and the correspondents to tell who were there, what they had on, and how they bowed and shook, and smirked and smiled. Yesterday some lady correspondents were present in full dress, and a few male pen drivers had on swallow tails, white neck-ties, white kid gloves, with bouquets in their button holes. The ladies in full dress had special privileges accorded them. They were allowed to penetrate the *sanctum sanctorum* of the Blue Room, and to make accurate notes of the dresses of Mrs. Hayes and the ladies receiving with her. This made the rest of us jealous. Were not our papers as respectable and well connected as theirs? And had not our readers also a right to know about the coiffeures, and laces, and trains, and demi-trains, and demi-monde-trains—as well as the readers of the papers of Jennie June or Mrs. Grundy? "If this be true, I make the most of it." The next to arrive was the Diplomatic corps; (corps) for, let it not be forgotten that diplomacy is the dried mummy of past ages and of a fete systems of polity, and that it has no legitimate place in our day of printing presses, telegraphs and ocean cables, when kings, and cabinets, and presidents, learn what were formerly state or court secrets from the newspapers a week or a month before they are made in their own councils. It is true advancing civilization should shake itself clear of this time-worn antique useless and expensive heritage. Some members of the Diplomatic corps are rich and gaudy. They came to the White House in coroneted carriages, bedighted with swords and sashes and gold lace, while their manly padded chests (their stomachs need no padding) are covered with stars and crosses, and other insignia of rank or office. Among the more notable for elaborate decoration were the English, French, Spanish, Russian and Japanese ministers. Others were poor in purse and salary, and democratic in their attire; among these were some of the representatives of the South American republics, who appeared in the customary dress of gentlemen at an evening party, or waiters at a swell restaurant or first-class hotel. They came on foot. This made it a little awkward for them; for when France or England entered the ante-room he had only to turn his back to his accompanying servant, who took the cloak from his shoulders and displayed him in all his splendor. But some impecunious ambassadors, who had walked to the scene, were seen vainly searching for a place to hang their hats and overcoats. After the gilded foreigners had disposed of their outer covering, they waited for a few minutes jabbering animatedly in several languages, mostly French, in a second smaller gaslighted ante-room, until the band commenced to play, when they moved into the Blue Room, headed by Secretary Evarts, and presented their distinguished compliments to the President and Mrs. Hayes, then, to use a military term, they debouched into the grand East Room, where they had a more open field for the display of their ineffable brightness. The reception of our military and naval officers, the Supreme Court, the senators, and members of the lower House, followed close upon, and the diplomatic corps, remaining in the east room, were soon reinforced by these, and the scene was exceedingly gay, animated, variegated, brilliant, picturesque, statue-que, grotesque, etc., etc. For once the gentlemen out-dazzled the ladies in splendor of attire. The most richly dressed woman was Senora Mantilla (in English Mrs. Cloak I suppose) wife of the Spanish minister. She wore a rich dress of green velvet, trimmed with blue satin and wrought round the phylacteries with designs of heavy silk pink roses in re-