

DESERET EVENING NEWS.

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SATURDAY, DECEMBER 9, 1905. SALT LAKE CITY, UTAH.

TRUTH AND LIBERTY.

COURT SUSTAINS THE DEMURRER.

Judge Morse Hands Down Decision in Case Brought Against Church.

PLAINTIFFS GIVEN 20 DAYS.

Have This Length of Time in Which to File an Amended Complaint.

Buling Discusses Question in Detail and Covers Every Point of Objections Raised.

The demurrer of defendants to the complaint in the case of Don Carlos W. Musser and Charles A. Smurthwaite against President Joseph F. Smith of the Church of Jesus Christ of Latterday Saints, et al. was sustained by Judge Charles W. Morse this morning in a very exhaustive decision which covers the points raised on demurrer in every detail. The complaint was filed by the plaintiffs to compel President Smith to render an accounting of the tithing fund received by him and for an injunction to enjoin defendants from further investing said fund in the stocks of corporations. After sustaining the demurrer Judge Morse made an order giving the plaintiffs 20 days in which to amend their complaint. The decision of the court follows in full;

DECISION IN FULL.

It is well settled by an almost unbroken line of decisions that the civil courts will take jurisdiction of suits to prevent misappropriation of church funds, or property, or of any attempted application of the same, not warranted by the terms upon which the fund was created, or the property acquired, or of the rules and regulations of the society. But, before the court will interfere to exercise a visitorial control over the management, disposal, or investment of such property, or funds, it must clearly appear from the averments of the bill, that the acts complained of are unwarranted or unauthorized, and that the trust reposes in those to whom the management and control of such is being or is about to be violated. The cases in which such relief has been sought may be divided into two general classes. (1) Where the society is a corporation, having been incorporated un-der the laws for the incorporation for religious societies, and (2) where the a voluntary association. "In the first class the objects of the society and the limits of its powers are defined by its charter, or articles of in-corporation, and these it may not depart from, nor exceed. With the second class, such objects, powers and limita-tions must be determined by reference to the organic law of the society, and rules and regulations as it may have regularly adopted.

regulation promulgated by some persons or hody, having authority to act in such matters. The complaint, owerer, is silent as to the character or terms of any such rule or regulation, with reference to the object of such exaction, or how the funds created thereby shall be managed and applied. and with whom, if any one, rests the discretion of determining or directing such management or expenditure. COMPLAINT IS VAGUE.

"It is alleged 'that such contributions are paid to said Church and said trus-tees for appropriation and expenditure by it exclusively for Church purposes," etc. But whether such deduction is to be drawn from the fact that the per-sons contributing are presumed to have done so with regard to the terms of the regulations exacting such contributions, or by reason of express directions and limitations made by the donors at the time of making the contributions, does not appear. If the former then the substance of the terms and the condisubstance of the terms and the condi-tions of stich regulations should be pleaded, and if the latter, the directions and limitations as expressed by the contributors should be set forth. "With reference to the eighth para-graph, which refers to the devisers and bequests, the special demurrer to this paragraph, upon the ground that it is ambiguous and uncertain, is sustained, and the general de currer to the cause of action attempted to be stated in the remainder of the complaint is sustain-ed; and the plaintiffs are given 20 days to amend, if they so desire.

SALT LAKE CAPITAL FOR GLASS FACTORY.

With the growing faith in Salt Lake, an objection is being raised among lo-cal business men to having outsiders pick up the commercial plums that are located. Today an objection was registered by a prominent business mar whose name has not been given out, t whose name has not been given out, to having an outside glass company es-tablish the Salt Lake factory. He has offered to the Merchants and Manufac-turers' association the sum of \$4,000 as an investment in a glass factory, pro-vided the total sum of \$10,000 is raised. He believes that this amount will be sufficient to start a plant

He believes that this amount will be sufficient to start a plant. The list of members in the new-asso-ciation is growing rapidly. It will be circulated during the coming week, and by the end of that time it is thought that most of the larger business con-cerns will have become members. Hewlett Bros, were the first to become members, after the blanks were re-ceived from the printers yesterday afternoon, Z. C. M. I. was next, while the Sweet Candy company, the Union Paper Box company, and the Faust Creamery company were among those who first attached their names. Sixty gollars per year is the membership fee

who first entropy of the membership fee for large corporations, while those whose capitalization is under \$10,000 are admitted for \$36 per annum. The executive committee of the new association will meet tonight at 11 west Second South street to discuss plans for the future. ----

AN AFFLICTED FAMILY. Alfred Soderberg Loses Wife and Two

Tribune from Washington, D. C., says: A case of sad affliction visiting one family and remaining there to take Congress will not enact any legislamember after member away, comes to odifying the Chinese local notice in the recent funeral of Irvin Alfred Soderberg at East Jordan. Irvin was the 8-year-old son of Alfred Soderberg and he died Dec. 2 from spinal meningitis. On Nov. 25, just a week before the sulld's both diet. act. As a result the boycott of Amerfean goods will be re-imposed shortly and there will be a greater development of tes anti-foreign feeling throughout week before the child's death, his moth-CLUDA. er, Augusta Soderberg died from the The prediction as to the attisame disease, and it was only a few tude of Congress was made yesdays after her funeral that the child was called to follow its mother. Mrs. terday by leaders of both house and senate. The policy of the Soderberg was 41 years of age, and vas well loved by the people who knew Chinese people is based entirely upon this attitude. In edicts issued by the On Nov. 1 the disease took the first victim in the family, May Elizabeth Soderberg expiring on that date. She was only 1 year and 6 months old, and Chinese emperor, they are urged to refrain from boycotting American goods pending action by Congress. The vicepending action by Congress. The vice-roys of various provinces proclaimed President Roosevelt had given assur-ances that Congress would pass re-mediary measures and that the Chinese her death nearly districted the mother who was so soon to follow her daugh-ter to the grave. Alfred Soderberg, the father, has the sympathy of the entire should continue to purchase American goods as heretofore until the purposes community in his continued bereavement. of the legislative branch of the Ameri-

CONTRIBUTORS TO THE CHRISTMAS NEWS.

- Among other distinguished contributors to the Christmas news, which will be issued on Saturday next are the following:
 - President, Jos. F. Smith, John R. Winder, and A. H. Lund, who will issue a Christmas greeting. SENATOR GEORGE SUTHERLAND.
 - of Utah on "Forest Reserve Law as Applied to Utah."
 - CONGRESSMAN JOSEPH HOWELL. on "The Arizona Strip and Grand Canyon."
 - GOVERNOR JOHN C. CUTLER. On "The Next Five Years in Utah."
 - SENATOR W. B. HEYBURN. of Idaho on "The Needs of Utah, Idaho and Nevada."
 - GOVERNOR F. R. GOODING, of Idaho on "Idaho's Coming Greatness."
 - SENATOR FRANCIS G. NEWLANDS. of Nevada on "Cure for the Railroad Rate Evils."
 - GOVERNOR JOHN SPARKS. of Nevada on "The Live Stock Industry of Nevada."
 - MAYOR-ELECT EZRA THOMPSON. "The Policy of the New Administration."
 - MAYOR JAMES A. PINNEY, of Boise on "The Past, Present and Future of Idaho."
 - PRESIDENT THOS. R. BANNERMAN, of the Tonopah Board of Trade, on "Tonopah, the City of Destiny."
 - HON. SAM P. DAVIS, STATE CONTROLLER, Editor of the Nevada Magazine on "OLD COMSTOCK DAYS."
 - HON, FISHER S. HARRIS, On "The See America First" Movement
 - JUDGE E. F. COLBORN, on "Utah as a Western Wonderland."







Not Knowing Where to Buy to Best Advantage is One of the Varieties of Ignorance on Which There is a Heavy Tax. You can Escape This Tax by

FIFTY-SIXTH YEAR.

Reading the ads.

STRIKERS AGAIN APPEALED TO

Told Not to Yield Until Demands Are Satisfied-"Be Firm and

Delegation From the Tula Zemstvo Presents Address to Czar, Who Re-

St. Petersburg, Friday, Dec. 8, Morning, Via Eydtkuhnen, East Prussia, Dec. 9. The local leaders of the post and telegraph strike having received more encouraging news from Moscow are making a desperate effort to rally their followers to continue the strike to the bliter end. They promise that hose without funds will be provided for and threatened with violence. The leaders have succeeded in destroying telegraph communication with Kieff, Warsaw and Moscow, which was opened for a time last night. The executive committee has issued another appeal to the strikers to stand firm until all their demands are satisfied. It concludes:

The strikers claim that the delegates who have returned here from Finland report that the Flans will stand out to the last. From Vladikykaz, North

graphers have selected a man to come o St. Petersburg and kill Interior Minister Durnvo and M. Sevastianoff, su-

A delegation from the Tula zemstvo

barant of so,000,000 roubles from the peasants and you have promised relief in the matter of land. The Tula peas-ants expect help, but not from the senseless promises of the wicked. Your majesty will hear the truth not from

For a full realization of the liber

FOR A LONG, LONG VOYAGE.

Yacht Anaemone to Go Round the

Horn to San Diego.

New York, Dec. 9 .- Under the direc-

tion of Capt. Harry Lindeberg and

Chief Mate Ernest Sassy, sallormen

were at work yesterday on board the ketch rigged auxiliary yacht Anaemone, lying in the McIntosh basin, South

Brooklyn, They were completing the fitting out of the yacht for her long

passage around Cape Horn to San Die-

This is one of the longest trips ever

attempted by a yacht of this size, for she is only 91 feet on the water line

and 112 feet over all; but there is every reason to believe that the Aneo-mone will make both a safe and fast passage, but her first owner sailed in her to Australia and then back to Eng-

and, where she was built in 1899. The late Congressman John Murray

Michell purchased the yacht in 1902, and she was sailed to New York the following spring. Mr. Mitchell used her that season in cruising along the coast of the United States. Her pres-

nt, owner, Mr. Tode, of San Diego, 'al., bought her from the Mitchell es-

tate a short time ago, and engaged Capt. Lindeburg and a crew of 10 men

California

NO UNLAWFUL ACTS.

"As appears from the averments of the bill in this case, the Church of Jesus Christ of Latter-day Saints be-longs to the second class. It is not alleged and was not contended in the argument upon the demurrer, that the acts of the defendants complained of. were unlawful in the sense that they are in any violation of any laws of this state. Neither was it alleged, nor was it contended, that any of the trust property was being, or had been, ap-propriated by the defendants, or either of them to their own use, or that either of the defendants had been guilty of any fraud with relation to such property; but the contention was that the investment and use of the funds in the manner complained of were unauthored and unwarranted, and con-itute a violation on the part of the ized and fendants of their duties as trustees. What those duties are and what the powers and limitations of authority, the part of such trustees are, can ily be determined by a reference to the laws, rules and regulations of the society and the terms of the trust.

A CASE IN POINT.

As was aptly said by the learned As was apply said by the learned Chancellor in the case of Penfield vs Skinner, 11 Ct. 2\$7. If jurisdiction is intertained over them (voluntary asso-clations for charitable purposes) by a court of chancery, it appears to me that it will become necessary to examhe their coastitutions or by-laws, or articles of association, in order to dis-cover the object for which they were formed, and every member contributig and every one receiving donations. whether they are styled as officers, or ot, must be considered as having reto the articles of association, whether they are called constitution, o "s, and must proceed accordingand as was said by Judge Strong delivering the opinion of the court, the African M. E. church case (48 St. 209) 'Of course, whether the ts either of omission, or commission. mplained of, were transgressions of trust, depends upon the nature of trust, as defined by the deed crealing it.' The rule is stated in Enc. P. and P. Vol. 22, p. 126 as follows: All the facts, or circumstances relied upon to show the creation, or existence. of a trust in favor of the plaintif, must be distinctly alleged.' And this must of necessity be so, for it cannot be de-ermined whether a breach of duty, or the failure to perform an obligation has occurred unless the duty, or obligation be clearly set forth and defined.

NO CAUSE OF ACTION.

'It is not sufficient to allege that cerain acts are unlawful, or that they annot lawfully, or legally be done, but he facts from which such deductions ind conclusions may be reached must set forth.

"Applying these rules to the com-sint in this case. I am of the opinion hat it does not state a cause of action. "It is alleged that the defendant, loseph F. Smith, as president and trusee-in-trust 'transacts the busines he nature or character of the business n which said Church, under the folicy or plan of its organization may ngage in, through its trustee, is not

"It is alleged that said Church excts annually from its members one-enth of their gains, or income, as titu-ig. Such exactions must necessarily UC18 e made through some law, rule, or fore continued indefinitely.

CAMPBELL HOPEFUL.

Believes Outlook for Dam in Ogden Canyon is Promising.

Manager R. S. Campbell of the Utah Light and Railway company believes amicable arrangements can be made with Weber county people so that the proposed Ogden canyon dam may be built. As to the relocation of the can-yon road, Mr. Campbell thinks the Huntsville and Eden interests can be satisfied so that the road can be built higher up, and thus avoid any further opposition from the county attorney; while the settlement for the 2,000 acres

to be submerged can be arranged with-out difficulty. It is better to have that amount of land submerged, than to the opportunity to bring 20.000 teres below the dam into cultivation. to say nothing of the saving of on lands which last season failed to produce.

CHARGED WITH THEFT.

Bell Boy Suspected of Stealing Pair of Diamond Cuff Buttons,

Clarence Beuge, a Wilson hotel bell boy, aged 21, is in the city jull be-ing subjected to the several degrees of pressure necessary to bring out certain desired information, in connection with an alleged appropriation of a pair of \$75 diamond cuff buttons, from a hotel guest. It is alleged that the accused disposed of the same for \$2.50. Officers Hemphill and Corless arrested Beuge Wednesday, but no charge was entered against him on the books, and he was held in durance vile pending the elabortion of the sweating process customry on such occasion.

It was alleged at pollce headquarters today, that the prisoner is responsible for the disappearance of other articles of jewers which, however, have been recovered through the watchfulness and shrewdness of the hotel manage-ment. It is believed that while Beuge is claimed to have taken serveral bur is claimed to have taken several hundred dollars' worth of jeweiry, every article will be recovered and restored to its rightful owner. The police say the bell boy displayed acute cuming in recovering the store of the store accalment of the stolen property.

that he hid articles of jewelry inside of bedroom furniture where ordinarily no me would think to look for plunder However, it did not do him much good, NOT FOR JOHN.

Yesterday was the date set for the examination of John S. Anderson as to dislocated and 1 his sanity, but when the matter was severely injured.

called by Judge Armstrong the man was not present and it was learned that Anderson had been told what the object of the examination was and had left the state. The hearing was there-

can government developed. It is understood the Chinese tion here has been making inquiries as to the prospect of action by Congress, and is satisfied there is no chance whatever of the enactment of satisfac

tory legislation. A deadlock has occurred in the treaty negotiations between Minister Rock-hill and Na Tung of the Chinese for-eign office as a result of the refusal or the former to allow the admission of Chinese laborers into the American pos-sessions in the Pacific. In exchange for this privilege Na Tung was willing to define the classes of Chinese which should be granted entrance into the United States, thus authorizing this government to exclude everyone who ailed to come directly within those

With Congress unyielding and treaty negotiations impossible of successful conduct, the President is confronted by the probability of a serious blow to American commerce in the orient. During the last year increase of export was chiefly to China, Japan and four other

in copper and \$3,500,000 in min-

first named empire to \$41,000,000. Of this sum \$23,500,000 was in cotton cloth, \$10,-

MRS. ROOSEVELT SENDS PHOTO. New York. Dec. 9.-Mrs. Theodore Roosevelt has sent a beautiful photo-grapheur to the Bazar for the benefit of the Little Mothers in whom she is great-ly interested. This picture will be exhib-ited at the Little Mothers own table today at the Waldorf-Astoria. SMASH-UP ON SANTA FE. Mail Car, Express, Baggage and Seven

eral olls.

Other Cars Reducted to Splinters. Topeka, Kas., Dec. 9 .- The general

manager's office of the Atchison, Topeka & Santa Fe railroad here reterrific smash-up between No. 6, the California passenger train east-bound and an extra freight at Caddoa, Colo., 40 miles east of Lajunta at an early hour today.

Both trains were moving at about 25 miles an hour at the time and met head-on. The engines were firmly in-terlocked and badly smalled. The mail car, the express car a dead head haggage car and the Wells, Fargo re-frigerator car on No. 6 were smashed into kindling wood. Seven box cars on the freight are in the same con-

. None of the passengers were fatal ly injured but several were severely bruised and shaken up by the collision. Express Messenger Strong had his hips dislocated and Mail Clerk Woods is

The exact cause of the wreck is unknown, but it is reported that Engineer McQuiddy, of the extra freight had no orders against No. 6 and was sup-posed to remain on the siding at Caddoa, rather than to pull out on the state.

New York, Dec. 9 .- More than miles behind the record established by Miller and Waller six years ago, the nine teams of bicyclists who have been whirling around the saucer-shape track at Madison Square Garden sinc the saucer-shaped last Sunday at midnight, today were plugging along on the last stage of their long journey. Even at this late time when more than 2,000 miles have been covered only 3-10 of a mile separated the leaders from Logan and Downey, the seventh team, Galvin and McDonald in eighth position, followed one-fifth of a mile behind Logan and Downey, Doreflinger and Dussel, the French riders, were trailing along 10 miles in the rear. Score at 8 a. m.: Beddell-Bedell, Root-Folger, 2.038 miles, four laps: Vanderstuyft-Stol, MacLean-Moran, 2,038.3; Hopper-Hollister, Downing-Bowler, 2,038.2; Logan-Downey, 2,038 miles, 1 lap; Galvin-Mc-Donald, 2,037 miles, 9 laps; Doreflinger-Dussol, 2,028 miles, five laps

HEAVY RUN ON A WARSAW SAVINGS BANK.

lega-

Warsaw, Russian Poland, Dec. 9 .-There is a heavy run today on the gov-

ernment savings bank as a result of a ernment savings bank as a result of a campaign against them inaugurated by the radical papers. The depositors de-mand their money in gold. A battalion of military engineers has

mutined at Gora Kalwarya, government of Warsaw, complaining of bad food and unsuitable quarters. The mutiners have destroyed the barracks kitchens and have otherwise demaged the buildings. The military authorities have refrained from making arrests, fearing that it would provoke greater disturb-

ances The militay telegraphers at Kieff have refused to take the places of strikng civilians. The German government has asked

government of Russia to protect Warsaw Gas works, which are the the countries, amounting in the case of the property of a German company.

CAPTURED THE POLICE.

Then Masked Robbers Loot the Mechanic's Bank at Reading, Mass.

Reading, Mass., Dec. 9 .- Eight masked men entered Reading early today, captured and locked up the two policemen who were patrolling the main street and then forced entrance to the Mechanics' bank, where they wrecked works. They secured \$400. A. P. Brooks, a citizen, exchanged shots with the men left on guard outside the bank but no one was injured. bank, but no one was injured.

TURNED OVER AS A DESERTER.

In New York German and American Laws Clashed Over Matter.

New York, Dec. 2 .-- A case in which he German and American law clashed over the arresting of a boy as a desert-er from the Hamburg-American steamship Pennsylvania, was heard in Ho-boken yesterday before United States commissioner Stanton.

The prisoner was Louis Brahm, who has charged by the captain of the Pennsylvania with desertion. Brahm was arraigned before the recorder charged with disorderly conduct and sentenced to 10 days in jail. Mean-while the steamer sailed. Application was made to the German consul to arwas made to the German consult Secy. rest Brahm as a deserter, and Secy. Warner of the German consulate, appeared against him yesterday. After a strenuous argument by the defense the commissioner ordered the boy to be turned over to the German consul as a deserter. An appeal on behalf of Brahm was made to the secretary of tate. "A squadron of life

the William Cramp Ship & Engin Building company.

The vessel was christened by Miss Louise May Gooding, the 13-year-old daughter of Gov. Frank R. Gooding c Idaho. In addition to Gov. and Mrs. Gooding. Col. W. C. Hunter of the governor's staff, and Chief Justice and Mrs. C. O. Stockslager, who comprise the governor's party, Idaho, was represented by a delegation of citizens who ar rived here from Washington roday. This

MISTORIAN'S OFFICE.

Church of Jesus Christ of Latter-day Saints.

sent to the neighborhood of Galchina.

party was in charge of Gen. C. B Williams, the Cramps representative at Washington, and was headed by Sen ators Frederick T. Dubois and W. R. Heyburn and Congressman Burton Lee French. Besides these there was present distinguished gathering of naval officer from the League Island navyyard and

state and city officials. After the launching luncheon was served in the mold loft.

The battleship Idaho, which was launched today at the yard of the Wil-llaun Cramp Ship & Engine Building company is a sister ship to the Mis-sissippi, which was launched on Sept. 30, and will be a battleship of the firstclass. When finished she will be a conspicuous illustration of the impor-tant factor electricity has become in the operating of a modern warship, Ex-cept for windlass and steering gear practically all her other auxiliary ma-chinery will be run by electricity, and her two military masts will be fitted with apparatus for wireless telegraphy. The keel plates of the Idaho were laid in May of last year. Her specifications

over all, 382 fest; extreme beam, 77 feet; trial displacement on a draft of 24.8, 13.000 tons.

ontract provides for a speed of 17 knots,

cylinders by eight water bollers set in cylinders by eight water bollers set in four water-tight compartments. The main battery of the Idaho will consist of four 12-inch- breech-loading rifles mounted in two turrets; eight 8-inch breach-loading rifles, mounted in four turrets; eight 7-inch breech-load-ing, placed behind ensement armor, and two 12-inch submerger torneds tubes Secondary battery: Twelve 3-inch 6-pounders, two 1-pounder automatics; two 1-pounder rapid fire guns; two 3-inch field pieces, two machine and six automatic guns.

The main belt, side armored, will be a strip nine feet, three inches in width, a strip nine feet, three inches in width, running the entire length, niae inches in thickness amidships, gradually ta-pering to a thickness of four inches fore and aft. The upper and lower case mate armor amidships over the main belt will be seven inches in thick-

main belt will be seven inches in thick-ness, while the buighead terminals. In the immediate vicinity of the 12-inch turret barbettes, will have an armor of the same thickness. The mechanism of the 12-inch turrets will be protected with armor ranging from 10 to 745 inches in thickness, the armor for the turrets themselves graduating from 12 to 8 inches. The armor for the 8-inch turrets will range from 6½ to 6 inches, and for the barbettes from six to four inches.

Ample quarters will be provided for the crew of 750 officers and men, with special attention to sanitation.

PEASANT DISORDERS

Berlin, Dec. 9.-A dispatch to the Lokal Anzeiger from St. Petersburg

dated Friday night says: "Peasant disorders have broken out in the government of St. Petersburg. Prince Troubetskoy's estate near Elisa-vetino station on the Baltic railroad

Length on water-line, 375 feel; length

Motive power will be furnished by twin screw triple expension engines of a collective indicated horse power of 10,000, steam burning supplied to the collective by click motion bulkes not in-

mavy.

HAVE BROKEN OUT.

house Jebb, regius professor of Greek and member of parliament (Conserva-tive) for Cambridge university, is dead, "A squadron of life guards has been aged 64 years.

INTEREST ON GOV'T BONDS.

Secretary Shaw Announces that that Due Jan. 1 Will be Paid Dec. 15.

ties accorded it is necessary primarily to restore order. This is only possible by the hearty co-operation of all the citizens of Russia. I know that the Calizens of Russia. I know that the needs of the peasants are great and to relieve them is my constant care. What could be done at present has been done, but there is still much to be ac-complished, and therefore it is neces-Washington, Dec. 9 .- The secretary of the treasurer today announced that he has authorized the payment of the in-terest on U. S. government bonds due Jan. 1, 1906, Dec. 15, 1905. Coupons due sary to return to peaceful pursuits and to direct all your efforts to the further-ance of the objects in view. If others Jan. 1 will be paid on presentation on and after Dec. 15. Checks for the interest on registered bonds will be malled on the same date. The total interest payment anticipated will agfollow your good example, the work of mproving the peasants' condition and the realization of the reforms will be greatly simplified." gregate about \$4,200,000.

DISMISS CHARGES AGAINST ARCHIBALD GORDON

Washington, Dec. 9.—Secy, Metcalfe of the department of commerce and la-bor today dismissed the charge made by

the World's Fair Navigation company of St. Louis against Archibuid Gordon, local inspector of hulls at that port. Seventeen charges were preferred in general alleging incompetency, miscon-duct and improper discrimination be-tween steamboat owners, as well as acts of oppression against particular owners. The report of the committee instructed to investigate the charges stated that they found nothing in in-spector Gordon's conduct which would merit even censure, much less removal. The charges were declared to be wholly declared without modt frivolous and without merit.



Suffolk Co. Grand Jury Returned No. True Bill Aagainst Him.

Boston, Dec. 9. The Cuffolk county rand jury falled today to return an dictment against Thomas W. Lawon, who had been held for that body by the municipal court on the charge of criminal libel. The charges were pre-ferred by Clarence W. Barron, proprie-tor of the Boston News bureau. A 'ho' bill was reported by the jurors. The grand jury returned no indictment against Mr. Barron, against whom it was understood Mr. Lawson had offered evidence before the grand jury in conection with a criminal libel com-The action of the jury puts an end to the controversy between Messrs, Lawson and Barron so far as the crimina courts are concerned. Mr. Barron's Mr. Barron's charges were based upon an article re-ferring to him published in a magazine and alleged to have been written my + Mr. Lawson. Mr. Lawson's complaint was founded upon statements in Mr. Barron's news-

DEWEY IN CHICAGO.

Chicago, Dec. 9 .- Admiral Geo, Dewy arrived in this city today to attend he banquet of the Merchants' club tonight, where he and Gen. Horace Porter will be the guests of honor. will be the guests of honor. Gen. Porter will deliver an address on "The Old and the New Navy," and Admiral Dewey will speak on some subject which has not yet been announced, but which will relate to the

OFFICERS AT TSARSKOE-SELO

Tell Editor of Russ that in Future They Will Hold Him Responsible.

St. Petersburg, Dec. 8 (Friday morning via Eydtkuhnen, East Prussia, Dec. 9.-Several officers of the Semionovsky regiment stationed at Tsarkoe-Selo, which on Monday was addressed by the empered, who commented on its tried lovally and expressed the hope that it by and expressed the nope that it is always show itself as firmly is as it was al present, have called the editor of the Russ and declared they will hold him personally ac-table hereafter for articles printed with the resimption against the regiment.

THE ITALIAN BUDGET.

Rome, Dec. 9.-Signor Palo Carcano, minister of the treasury, made his hudget statement before the chamber of deputies today showing the good condition of Italian finances. Notwithstanding the heavy expenses sustained the budget shows a surplus and there is no need of an increase in taxation.

PROF. JEBB DEAD. London, Dec. 9 .- Sir Richard Claver-

to take her around the cape. The yacht will go out today to adjust her compasses, and will sail on Bunday or Monday ENGINEERS ADJOURN.

New York, Dec. 0.-The fifty-second meeting of the American Society of Me-chanical Engineers, which has been in session here since last Thesday evening, came to an end yesterday. It was by far the largest and most successful the so-elety has had, headly 200 numbers and guests having been in attendance. The next meeting will be held in Chattanoo-ga, Teuu, next spring.

AN EXCITING HALF HOUR.

Plymouth, Eng., Dec. 9 .- Fortysteamer New York from New York Dec. 2 had an exciting half hour while A tender with thousand bags inding here loday. passengers and a f mail on board cell. al in a fog with Maggie Hough freight-step The bulwarks of the tender were smashed and several stanchions were carried away but no one was injured and the passengers were safely landed