

HOME-COMING OF THE VOLUNTEERS.

It is Deferred Till Congress Makes Provision for Regular Troops.

9,000 ARE ON THE WAY.

Not Enough of the Others Will be Held in the Philippines to Keep the Force There Up to 60,000 Men.

Washington, Dec. 24.—As a result of a conference between the secretary of war and Quartermaster General Ludington, it has been decided that no further action can be taken with regard to the return of the volunteers from the Philippines until Congress shall make provision for their replacement. The war department is considerably embarrassed by the failure of Congress to make provision, before the recess for the relief of the military situation in the Philippines. Acting upon representations made by Gen. Arthur, the department has concluded that it is absolutely necessary to maintain an army of 60,000 men in the Philippines until the current policy of establishing municipal governments throughout the archipelago has been executed.

It is stated at the department that with any reduction of the military strength below that figure existing conditions would doubtless prove most disastrous to the interests of the United States.

There are now about 63,000 troops, regulars and volunteers, in the Philippines, and arrangements have been made already for bringing home 3,000 of this number. No further reduction will be made until the war department is advised fully of the purpose of Congress with regard to army legislation. When the necessary authority has been given, it is the purpose of the department to bring home as rapidly as possible all the volunteers and regulars whose terms of enlistment expire on the 30th of June next, but not before it is possible to replace them, man for man, with new recruits enlisted under the terms of the new army bill.

It is expected that Congress will act promptly on the army bill soon after the re-assembling of Congress in January. However, it will not be possible to get the fresh troops, so it is said that the war department, to the Philippines inside of two months' time. The general home-coming movement of the mass of volunteers therefore, will have to be postponed until about Feb. 15. That will give the quartermaster's department but five months' time to bring home the remainder of the volunteers and the regular troops whose terms will expire at the same time, aggregating about 40,000 men, before July 1. This undertaking is believed to be beyond the capacity of the transport system as present organized and may necessitate the chartering of additional steamships.

Recent cable advices from Gen. MacArthur indicate a strong desire on the part of the volunteers generally to return to the United States and that comparatively few of them are likely to re-enlist. It was a magnificent spectacle. There was great gathering of the princes of the church, who participated in the ceremony, which was witnessed by enormous crowds.

DESPERADOES SENTENCED. One Gets Off With Six Years, the Other With Eight.

Spokane, Wash., Dec. 24.—Tom Murphy, the desperado who held up six men and robbed the Warwick gambling hall in the heart of the city last Tuesday morning, pleaded guilty to the charge of robbery today and was sentenced by Judge Richardson to six years in the Walla Walla penitentiary. J. J. Adams, the last of the gang of safe blowers recently captured was sentenced to eight years in the penitentiary.

KIDNAPPED A COLORADO GIRL.

Maggie Hoel, 18 Years Old, is Carried Off—Was Abducted Sunday Afternoon—Fears that She Has Been Murdered—Evidences of a Struggle.

Pueblo, Colo., Dec. 24.—Maggie Hoel has been missing since 3 o'clock Sunday afternoon, and it is feared that she has been murdered. The girl, who was about 18 years old, lived with her sister, Mrs. Charles Beatty, in a lonely spot about three miles west of the city. Sunday, Mrs. Beatty left Maggie in charge of her little child at her home. Upon her return, two hours later, her sister was gone and the baby was alone in the house.

Indications about the premises led to the immediate suspicion that the girl had been taken from home by force. There were evidences of a struggle and

ANOTHER BOY IS KIDNAPPED.

Hobart Clayberg, a Rich Montanan's Son, is Carried Off by Two Abductors—Storm Compelled the Kidnappers to Turn Their Victim Loose.

Kalamazoo, Mich., Dec. 24.—Hobart Clayberg, a 17-year-old boy, whose father, John B. Clayberg, is a prominent citizen of Helena, Mont., was kidnapped in this city last night by two men. The boy was blindfolded and com-

day morning, pleaded guilty to the charge of robbery today and was sentenced by Judge Richardson to six years in the Walla Walla penitentiary. J. J. Adams, the last of the gang of safe blowers recently captured was sentenced to eight years in the penitentiary.

Supreme Court Adjourns. Washington, Dec. 24.—The United States Supreme court today advanced two more cases involving the question of the relationship between the United States and their insular possessions to be heard on the 7th of January. There are now eight of these cases set for that date. One of the cases advanced today involves the collection of duties on goods imported from Hawaii. After handing down a number of opinions today, the United States Supreme court adjourned until Jan. 7.

Nearly a Million Dollars. Sydney, N. S. W., Dec. 24.—The steamer Mariposa, which sailed from this port for San Francisco today, has 200,000 sovereigns on board.

May be Another Victim. Hallidaysburg, Pa., Dec. 24.—Miss Juniatia Roherbach, an employee of the auditor's office of the war department, has been brought to her home in this city in an acute stage of nervous collapse that is likely to prove fatal. Miss Roherbach was near the desk of Auditor Frank H. Morris when MacDonald entered his office and shot him. The shock of the tragedy was too much for the young woman's nerves.

Fatal Kentucky Feud. London, Ky., Dec. 24.—Two men were killed and two wounded at Paris' distillery, twelve miles from here, yesterday. Four members of the Sizmore family on one side, and Henry Harrett and W. H. Young, on the other, engaged in a desperate fight. Young and one of the Sizmores were killed instantly and two of the Sizmores were probably fatally wounded. An old feud was the cause of the trouble. All are from Clay county.

Revolt in Venezuela. Curacao, Dutch Guiana, via Haytien Cable, Dec. 24.—Gestino Perza, formerly by the private secretary of President Castro of Venezuela, has revolted against the Venezuela government in the Guayra district. A force of 2,500 Venezuelan troops under General Arístides Fando has been sent against Perza.

Washington, Dec. 24.—Captain Hawley cabled the navy department last evening that he had sailed with the Hartford from Laguayara to Curacao. It is said at the navy department that this does not affect the instructions sent to Captain Hawley a few days ago to look after American interests in Venezuela. He is to co-operate with Minister Loomis. Curacao, only a short distance from Laguayara, directly across the channel, is a cable end and the Hartford is consequently still in good position to execute her trust. Admiral Remey cabled the navy department this morning from Manila that he had sent the cruiser Albany from Cavite to Hongkong to be docked, for the purpose of ascertaining the extent of the injuries, if any, received by the ship through touching bottom in Subig Bay last week.

The MacDonough Launched. East Braintree, Mass., Dec. 24.—The torpedo boat destroyer MacDonough was launched at the works of the Fort River Iron company today, amid the ringing of bells and the blowing of whistles. Mrs. Lucy Charlotte Reade, of Philadelphia, christened the vessel with champagne. The new boat was taken down the river to the Quincy works of the company.

There were very few of the long list of invited guests who remained over from Saturday to witness the launching today.

Leut. Gustave Kaemmerling, engineer of the Olympia during Dewey's great battle of Manila bay, was present.

OPEN NIGHT AND SUNDAY.

Great Scheme of Saloon Keepers for Pan-American Show.

Buffalo, N. Y., Dec. 24.—Counsel for the saloonkeepers' union of this city have drawn up a bill for introduction during the next session of the State legislature, providing that saloons in this city may keep open all night during the Pan-American exposition. The bill also provides for closing saloons at midnight Saturday and keeping them closed until 1 o'clock Sunday afternoon.

In the yard were found the footprints of men evidently of large size. The footprints led to the direction of the Arkansas river and at some places along the trail appeared the footprints of smaller shoes, such as Maggie wore. At other places the trail indicated that the girl was dragged or carried along by her captor.

Near the river bank, where the ground is harder, all traces were lost. A large number of men have been searching but the girl has not been found.

At Mrs. Beatty's home Maggie's hat and the wraps which she ordinarily wore out of doors, were found undisturbed.

In the immediate vicinity a large force of men has been working on reservoirs now under construction.

INDIAN SCOUT SHOOT HIMSELF.

F. P. Bennett Was the Cause of Clara Schneider's Death.

A TRAGEDY IN HONOLULU.

Relations of the Victims—British Warship Investigating—Land Legislation for Hawaii.

Honolulu, Dec. 17, via San Francisco, Dec. 24.—Frank P. Bennett, the well known American Indian scout, committed suicide here by shooting himself in the head, last Thursday evening, Dec. 15. His suicide followed the death by poisoning of Miss Clara Schneider, a young woman with whom he had been much associated, and in tracing the connection between the two deaths, the police stumbled upon many circumstances in support of the theory that the death of the woman should be laid at Bennett's door. Bennett was an Indian fighter of national reputation, being one of the three survivors of the famous company of which Buffalo Bill is best known, and having taken a prominent part in running the Apache Geronimo to earth.

Miss Schneider was a domestic in the family of Hon. Paul Neumann. A post mortem examination showed that her death had been due to morphine poisoning.

Documents indicated that Bennett had borrowed \$400 from her. She wanted to go to her home in Seattle and spoke of getting the money from him to do so.

On the night before Miss Schneider's death she left her home, it is said, for the purpose of meeting Bennett. She did not come home till early the next morning and was not seen alive again, except for a few unconscious moments at the last. The post mortem indicated that the morphine had been taken with some food. It is not known whether she met Bennett this night or not, but she had said that she was going to see him and get her money.

Bennett shot himself the day after the girl's death, though his body was not found until three days later, when the police were looking for him to ask him about Miss Schneider's death. The British ship of war Icarus, Commander Knowling, has arrived at Hilo. She left Esquimaux some time ago, under orders to proceed to Panama to inquire into the seizure of a British steamer by the Colombian government. She is expected to call at Honolulu in a few days. The U. S. training ship, Adams also arrived at Hilo last week and came to Honolulu today.

Commissioned by the Hawaiian government, J. K. Brown, left on the steamship Alameda enroute for Washington, to consult with the departments regarding the public lands questions of the islands. It is expected there will be some legislation by the session on Hawaiian land questions.

Christmas Goods Burned.

New Ulm, Minn., Dec. 24.—An express car attached to a Minneapolis & St. Louis train was burned last night near Seaford, seven miles from here. The car was heavily loaded with Christmas goods and most of its contents were destroyed. The origin of the fire is not known.

IT IS GREATLY EXAGGERATED.

Suffering in Porto Rico Not So Bad as Stated.

Washington, Dec. 24.—General Davis, when seen at the war department concerning the report made public today by Dr. Williams, a contract surgeon in the department of Porto Rico, setting forth an appalling state of affairs among the coffee planters of the island, said that from his knowledge of affairs in the island, he believed the statement characterized Dr. Williams' statement as greatly exaggerated. That there was suffering in the coffee planting section of the country, the general said he had no doubt. The heavy losses in the coffee harvest, he said, had not resulted in any serious economic distress, but the means of the planters, who had \$12,000,000 worth of coffee swept away by the big storm. When Gen. Davis was military governor of the island, he was department issued ration to the people of Porto Rico, in order to help them to weather over the evil effects of the hurricane. When the government passed under civil administration, however, the issuance of the ration was discontinued, as it was believed the islanders had sufficiently recovered.

The general said that Dr. Williams was an acting assistant surgeon in the department, and accompanied a small expedition under command of Maj. Walt, Fifth cavalry, which on a march across the island, traversed the coffee planting region. The doctor reported a bad state of affairs in this section in the way of the coffee harvest, and was asked for a fuller report by Gen. Davis. This was turned over to Gov. Allen.

Gen. Davis leaves Washington this afternoon for San Francisco, where he will take passage for Manila on the transport Hancock, sailing Jan. 1. He has been ordered to act as inspector general, division of the Philippines.

ATTORNEY KEE'S FUNERAL.

Hon. C. S. Varian, president of the Bar association, announces that the funeral of the late C. Ira Krebs will be held at the First Presbyterian church on Wednesday morning at 10:30 o'clock. Seats will be reserved for the members of the bar and undoubtedly the legal fraternity of this city will be heavily represented on the occasion, on which they will pay their last respects to the bright young lawyer who was so suddenly called away.

INDIA FAMINE FUND.

The "News" is pleased to acknowledge receipt of the following amounts on behalf of the India Famine fund. All friends who desire to contribute to this noble cause are reminded that our list will close December 31st.

Willow Creek ward, of Bingham Stake of Idaho \$1.00 John Cheffert, Park Valley \$1.50 Previously acknowledged \$762.65 Total \$765.15



CHRISTMAS FOR THE POOR.

The Bishops of Salt Lake City Providing for the Needy.

A SYSTEMATIC CHARITY.

Wagons Are Going About the City Gathering Up Food and Clothing—None Will be Deprived.

The bishoprics of the several wards in Salt Lake City are preparing to shed a little cheer into the homes of the needy people of their respective wards, by giving them as merry a Christmas as possible. This benevolent work, while taken by the Church officials, Church people are not alone the beneficiaries. Every Christmas the "Mormon" Church dispenses its gifts liberally to the poor and the needy, irrespective of creed.

With the system that is being used by the Bishops, the wards will be thoroughly canvassed and the citizens of Salt Lake may spend a merry Christmas indeed in the consciousness that so far as is known, there will not be an individual in the city in lack of a good dinner or deprived of enough clothing to permit them to eat their dinners with comfort.

CHRISTMAS BANQUET.

Employees of Z. C. M. I. Shoe Factory Make Merry.

Festivities Are Enjoyed by the Operatives and the Directors of the Great Institution.

The employees of the Z. C. M. I. shoe factory indulged in their annual Christmas banquet and reunion this afternoon. The affair was under the direction of the factory's amusement association, and nothing was spared in making it an affair which was extremely enjoyable by every person present. One of the features which seemed to conduce most to the happiness of the company was the giving of ten dollars to each of the four families of employees who have been out of employment on account of sickness.

The festivities began with a magnificent spread in the large room on the third floor. Two long tables were literally loaded down with choice viands, but the 150 healthy banqueters soon made them look like they were the remnants of a cyclone.

Rodney Hillman, manager of the factory, was the master of ceremonies. His speeches were made by Supt. Thos. G. Webber, Bishop George Romney, John R. Barnes and Henry Dinwoodey, directors of the institution.

They congratulated the employees upon the happy turn of another cycle, and expressed great pleasure at the spirit of unity and brotherhood that existed among the operatives, and wished them a happy Christmas and a New Year as happy as their hearts could desire. Supt. Webber explained that the business of the shoe department this year was much in excess of that of last year, and complimented those present by saying that their honest and painstaking work was largely responsible for the increase in the demand for their shoes.

That the employees of the shoe factory do not possess the sole talent of making shoes was clearly indicated by the following excellent program which was rendered at the conclusion of the feast:

Selections..... Royal Mandolin and Guitar Club (B)..... Harry Phillips Humorous selection..... Geo. Collett Duet..... Misses Schoenfeldt and Jenkins Violin solo, organ accompaniment..... Thomas M. Kiddle and Daughter Song..... James Poulton Recitation..... Willard Lyman

It is the benevolent custom of the Z. C. M. I. to give \$2 to the adult employees and \$1.50 to the minors for Christmas, and when the program was over those present were given their presents.

The day's good time terminated with a dance which was highly enjoyed by all.

THE "NEWS" HOLIDAY.

There will be no issue of the Deseret Evening News on Tuesday. The public will approve the sentiment that Christmas day should be observed as a general holiday. Good by till Wednesday evening, and a merry Xmas to you all!

DEDICATION AND COMMEMORATION

Interesting Exercises in the Sixteenth Ward Last Night.

MEETING HOUSE DEDICATED

The Prayer Offered by Pres. Joseph E. Smith—A Most Interesting Program Carried Out.

Last night the new Sixteenth ward meeting house was the scene of a most pleasant and brilliant affair. The occasion was a dual one, namely, the dedication of the meeting house and the celebration of the 55th anniversary of the birth of the Prophet Joseph Smith. The interior of the building was tastefully decorated for the occasion with flags, portraits, flowers and evergreens, and among the many leading and representative men and women present were President Joseph E. Smith, Apostle Anthony H. Lund, President Seymour Taylor, Charles W. Penrose, Bishop A. Milton Musser, Lucy W. Kimball, Bathsheba W. Smith, etc.

The exercises were commenced at 6:30 p. m., by the ward choir singing. "This house we dedicate to thee, and pray for us, O Lord, for the more substantial way in 1827 for the more substantial ward from its first organization in 1849 to the present time. The late Shadrach Roundy was the first Bishop; he was succeeded in that office by Frederick Kessler, who presided over the ward from 1849 to 1866 till his demise in June, 1899, a period of 42 years. The speaker succeeded Bishop Kessler, and hence was the third Bishop of the ward. The first house used for meeting and school purposes in the Sixteenth ward was a log cabin situated on Third West street and built in 1849. Bishop Roundy donated a building used for all public ward gatherings was erected in 1854; this gave way in 1872 for the more substantial brick edifice, which is still standing on that corner. Part of the means used in the construction of that building being raised by taxation, the deed to that property was finally given to the school trustees who, later on, found it necessary to sell it for \$1,500 to the ecclesiastical authorities for their share in the building. This was used as a nest egg for the present building, for which the corner stone was laid July 22, 1891, the ground being purchased by the ward in 1886. The Saints were liberally in their donations, and the work of construction progressed so rapidly that the first meeting could be held in the north upper room of the building May 1, 1892.

The first Priesthood meeting, the first Sunday school session, and the first general meeting was held in the new meeting house June 21, 1892. The whole building as it now stands has cost about \$22,500, of which \$1,500, as already stated, was obtained from the sale of property in the ward which had been nearly \$4,000 were donated by the trustees-in-trust of the Church, and the rest, about \$17,000 by the people of the ward, and some few friends residing in other wards.

President Joseph E. Smith then offered the dedicatory prayer.

The next number on the program was a sacred solo, "On Wings of Living Light," by Besse Edmunds-Newman, with violin obligato by Prof. Geo. E. Skelton.

Pres. Angus M. Cannon related an incident in the life of Joseph the Prophet to which he was an eye witness. The occasion was the return of the Prophet to Nauvoo in June, 1845, when certain parties endeavored to kidnap Joseph and carry him to Missouri. The Prophet had been rescued by his friends and addressing the Saints in Nauvoo, who were unwilling to disperse until they had heard his voice, he said in a loud voice: "I am thankful to the God of Israel who has delivered me out of the hands of the Missourians once more." The speaker had loved Joseph most dearly, and it took him a long time before he could bestow the same degree of confidence and affection on President Brigham Young.

Counselor Joseph E. Taylor remarked that mere personal acquaintance with the Prophet Joseph was not sufficient for obtaining a testimony in regard to his divine mission. It required direct revelation to know who he was and that he was called of God. Peter and the other Apostles who had been with Jesus and who were intimately acquainted with Him, required something more than that to convince them that Jesus was the Christ. It was not flesh and blood, nor a mere personal acquaintance with the Savior that enabled Peter to say, "Thou art Christ, the Son of the

living of her acquaintance. Mrs. the mother of Richard J. Taylor, Annie F. Hyde of this city and John Taylor, now deceased, was born April 11, 1816, at age of Sheffield, near Edinburg, Scotland, and at an early age she emigrated to this country with the result that for the century she has been identified with the development of the state. Funeral services will be held at the residence of A. B. Hyde, at 10 o'clock Sunday morning, on which friends will have the privilege of the remains between the 10 and 11 a. m.

ANK BONDS SHIPPED.

by the City Officials and Forwarded to Shepard & Co.

Blank \$1,000 bonds were re-ordered by W. P. O'Meara from & Co., of New York, and today signed by Mayor Thompson, Auditor Reiser and City Recorder and shipped back to New York. It is thought, will reach the city within the next ten days.

ORMSBY RESIGNS.

of State Board of Medical examiners Will Locate in Idaho.

Dr. Ormsby, formerly of Logan, Utah, but now of Oakley, has tendered his resignation as a member of the State board of medical examiners. In a letter addressed to Governor Wells, December 23, 1900, Dr. Ormsby says he resigned because he privately intended to locate in Idaho about this time next spring. The resignation of his divided, but Governor Wells will look like a successor to Dr. Ormsby at the meeting of the next Legislature.

"Noble" was sung by the nation of the Apostle of the Salt Lake temple house, and was the two more to be celebrated through the ward of Ephraim P. Ellison, conductor and appellant, vs. J. G. M. well known. The speaker right to a seat in the Senate of the State Legislature, from the name of the district, which em- ployed the counties of Davis, Morgan and the name of the appellant, Almon, G. O. was the respondent.

Sister H. Moyle.

Council on a statutory one brought pressed provisions of chap. 9 of the arrangement. The grounds of the Malconduct on the part of the judges of election; the reception nevertheless; errors of the judges of God; and counting the votes, and er- he had had of the boards of canvassers power and asked for involves the a sensational testimony as to the various terest. Belieged, including the investi- grow and the returns made by various the principle of election, and the counting of the purpose of comparison returned upon which the law is based. It was shown that the great certificate of Mr. (Democrat) was issued that none, but by virtue of a descendant, the present sufficient in each instance to such in the result and in the aggregate, that the majority of about twenty revelations through the Judge Rolapp, at Farming- "Praise James, by his attorneys, de- with John several grounds. The only made, said this contention Judge Rolapp a testimony on the demurrer and Prophet J. the case solely upon that was through Spirit, who the only question raised in below and presented to the the court is the question of juris- same foot. When the office involved had known the constitutionality of the 3, title 18, of the Revised to the place far as the same purports to judicial contests in such were in progress at press expected that the matter will order advisement, and an ear- rendered.

Justice Blanchard will not render his decision until he has received briefs from counsel on both sides on the law of the case.

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QUARREL OVER RAILWAY STOCK.

Detroit Streetcar System Involved in the Suit.

PARTNERSHIP IS AN ISSUE.

Amount Involved Goes Into the Millions—Points in the Dispute.

New York, Dec. 26.—Decision was re- served by Justice Blanchard, in the Su- preme court today, in an action brought by Tom L. Johnson, against R. T. Wil- son & Co., bankers and brokers, for an injunction restraining the defendants from disposing of the stocks and securi- ties of the Detroit Street Railway sys- tem, pending the trial of a suit for the dissolution of an alleged partnership ex- isting between Johnson and R. T. Wil- son & Co. Mr. Johnson also asks that a receiver be appointed for the railway. The origin of the suit was the pur- chase in 1894 by the defendants of the Detroit Street Railway system, after which Mr. Johnson became associated with them in its management.

R. T. Wilson & Co., began the pur- chase of the concern in the fall of 1894, and after they had succeeded in so do- ing, they brought in Mr. Johnson as an associate partner, in 1895. He was to have a one-fifth interest in the company of all stocks purchased or to be pur- chased by R. T. Wilson & Co., in con- nection with the carrying out of the project for the consolidation of all the surface railroads in and about Detroit. Mr. Johnson was also to have charge of the working of the company at a salary of \$10,000 a year. R. T. Wilson & Co. were to have the management of the finances of the corporation and were to form such syndicates and outside ar- rangements with regard to the securi- ties, as they deemed fit. The contract between Johnson and R. T. Wilson & Co. was to terminate within three years if possible, but did not so terminate, and was extended from time to time until November last. The reason of the failure to close the agreement was the formation of a new company for the acquisition of the Detroit Street Rail- way system which was known as the Detroit Street Railway company, which was engineered by the firm of Pack & Everett, who secured a franchise on making a stipulation that they would carry passengers for a 3-cent fare, and who succeeded in acquiring between fifty and sixty miles of streets under that franchise.

The scheme of Pack & Everett seriously interfered with the plans laid down by R. T. Wilson & Co., and they made a settlement with Pack & Everett in 1896 whereby Pack & Everett agreed to deposit seventy per cent worth of stock in the three-cent fare company and were to receive in return certain stocks in a new company to be or- ganized under the laws of Michigan. Pack & Everett, however, did not deposit the full amount of seventy per cent of the stock in the three-cent fare company, and the question of a balance was made a basis of contention as was also the amount R. T. Wilson & Co. should pay for the stock already deposited. These negotiations continued until the middle of November last and on Novem- ber 24th an arrangement was made be- tween R. T. Wilson & Co., and Pack & Everett. Mr. Johnson claims that he, on November 17th, orally gave notice that he wanted his share of the securi- ties and that he would pay his one-fifth share of the balance by January 1st. In their purchase, the amount expended being over \$5,000,000.

R. T. Wilson & Co. deny that John- son gave any notice that he desired a dissolution of the alleged partnership prior to the making of the Pack & Ever- it agreement. They admit that, in the beginning of December, he did give a written notice demanding that the partnership be dissolved.

Wilson & Co. paid \$5,000,000 for the purchase of the roads acquired by them, but say that Johnson has not yet paid his one-fifth of that sum and cannot therefore claim one-fifth of the securi- ties. Johnson's reply to this is that he offered to pay it and was ready to do so at any time, and that he is therefore, entitled to receive the one-fifth of the stock contemplated in his agreement of 1895. The injunction asked for by him calls for the restraining of the carrying out of the Pack & Everett agreement settled on by R. T. Wilson & Co., as well as debarring the transfer of the securi- ties held by the defendants.

Justice Blanchard will not render his decision until he has received briefs from counsel on both sides on the law of the case.

FRICKEN FROM THE FILES.

Barton Says He Did Not Want to Contest the Election of Sheriff Abbott of Davis, and That Proceedings Were Begun Without His Knowledge.

Wherefore Plaintiff prays that said action be forthwith dismissed. Signed. OSCAR C. BARTON.

The above was certified to by R. W. Barnes notary public under date of the 24th inst. The plaintiff also sent a letter to the defendant in which he made substantial the same state- ment and in which he reiterated that the case had been brought without his knowledge or consent, and that he did not desire the contest to be made.

Wherefore Plaintiff prays that said action be forthwith dismissed. Signed. OSCAR C. BARTON.