

M'GREGOR AND THE SILVER KING

Dispute Between Former and Managers of Famous Mine Being Settled.

END OF BATTLE IS NEAR.

Suit by Magnolia-St. Louis Sent Its Stocks Down the Toboggan Slide Many Months Ago.

Senator Kearns When Seen Today Admitted That Case Was Being Settled Out of Court.

(Special to the "News.")

Park City, Utah, Jan. 7.—There is a well founded report in circulation here to the effect that the litigation between the Magnolia-St. Louis Mining company and the Silver King Mining company has been settled. At least that an understanding had been reached which means an immediate ending of the controversy.

The Magnolia-St. Louis company, which is controlled by James McGregor of Salt Lake and his St. Louis associates, entered suit against the Silver King several months ago, alleging in the complaint filed in the federal court that the latter had extracted unlawfully from the Magnolia mining claim ore to the value of \$900,000 or more. The institution of the suit created a profound sensation in Utah mining circles at the time and resulted in such a decline in Silver King stock that it has never recovered. To prove its contention, the Magnolia-St. Louis company installed machinery and started sinking a shaft and which, it is claimed, is nearing one of the points in controversy. It is said here that it is planned to increase the stock of the Silver King company, the new stock to go to the Magnolia-St. Louis company in addition to a cash consideration.

Neither former Senator Kearns or James McGregor were seen during the day would discuss the case; but both admitted that negotiations were pending. Senator Kearns, who was preparing to leave for the east added, however, that "it is better to settle controversies of this kind out of court if possible" and that an effort was being made towards that end in this instance. That a proposition from the Magnolia-St. Louis company was being considered by the directors of the Silver King company.

FRANK HUNT ELECTED.

Speaker of the House of Representatives for the Third Term.

Boise, Ida., Jan. 7.—The Ninth session of the legislature opened today, when all of the state officials took the oath of office. Frank Hunt of Bannock county was elected for the third time as speaker of the house.

JIM DONALDSON CASE.

Set for Hearing on Jan. 17.—Criminal Cases Coming Up.

Judge Armstrong today made a setting of criminal cases for trial in his court during the January term. The trials of the cases set today begin on Jan. 14 and end on Jan. 28. The famous Jim Donaldson case will be tried during the month, it being set for Jan. 17. Donaldson is charged with fleeing the McWhirter brothers out of \$10,000 in a game of poker in this city on Sept. 19 last. He is charged with grand larceny. There is one murder case on the calendar, that of A. T. Day, the colored man who is charged with the murder of H. H. Voss, also colored. The Day case is set for Jan. 28. Other cases set are as follows:

Jan. 14—State vs. A. L. Olsen, burglary in the first degree.

Jan. 15—State vs. L. P. Martin, assault with a deadly weapon.

Jan. 16—State vs. Alfred Bell, forgery.

PROMOTIONS EFFECTIVE.

Changes Made in Rio Grande's Local Freight Offices in Force Today.

R. W. Mando, recently promoted to the position of contracting agent of the Rio Grande from that of chief clerk in the local freight office, began his duties this morning. He was at his desk in the Dooley building headquarters early. A number of changes were necessitated by Mr. Mando's promotion. J. D. Perry, formerly chief clerk in the local freight office, succeeded Mr. Mando. H. B. Crandall, formerly baggage master, succeeds Mr. Perry, and F. T. Cundy, a freighthouse attaché, is now baggage master. These appointments, promotions and changes were effective Jan. 4 and the boys assume their new duties today.

WOULD ENJOIN SPANISH FORK

City Officials Defendants in Action by Owners of Amusement Hall.

DON'T LIKE COMPETITION.

New Mining Company Formed to Operate Nevada Claims in Seven Townships District.

(Special to the "News.")

Provo, Jan. 7.—To restrain the City of Spanish Fork from engaging in the amusement business is the object of a suit filed in the courts of Provo today. The plaintiffs own an amusement hall and claim that the city is injuring their business by running a competition hall, while at the same time charging them a heavy license fee.

The plaintiffs are W. R. Pack, J. R. Pack and G. W. Guld, and they name as defendants, the city corporation, Mayor J. M. Creer personally, and members of the city council, personally. The complaint sets forth that these men have appropriated city money to build and operate an amusement hall in opposition to one which cost the plaintiffs \$10,000. The hall was recently built by the city as an improvement to the town. It is rumored that if the plaintiffs win their case, they will begin action against the officials for misappropriating public funds.

DEATH OF MRS. BROWN.

The many friends of Mrs. Salena C. Brown wife of J. J. Brown of the University, were joined this morning to learn of her demise. Death followed an operation on Dec. 29, for an internal disorder from which Mrs. Brown had been suffering for some time. Deceased left a husband and five children as her immediate family. She is a daughter of Mr. and Mrs. Geo. Curtis of Payson, and was much beloved among a large circle of friends. The funeral services will be held Wednesday afternoon at the Provo tabernacle, and the remains may be viewed at the family residence from 10 to 12 o'clock Wednesday. Following the funeral the remains will be taken to Pleasant Grove for burial.

The coal problem continues to vex the community. Farmers from surrounding counties have been coming here for coal, and the companies have now decided not to sell any more coal to them. It is understood that the railroads have threatened to shut down on the supply of coal, and it is feared exclusively for local consumption.

The Seven Troughs Kindergarten Mining company was organized here today, with a capital stock of \$1,000,000 in shares of \$1 each in par value. One hundred thousand shares go into the market at 50 cents, as trustee shares, while 500,000 go into the treasury for future disposition. The claims of the company are located in Nevada, and consist of the Idras, Lucian, Idal, Ivon, Tommy, and the Cymor fraction claim in the Seven Troughs district. The first shipment of ore is expected in a few days, and it is said to run over \$400 to the ton. The officers are L. A. Friedman of Dubuque, Iowa, president; J. Wm. Knight, vice president; W. Lester Mangum, secretary, and L. Holbrook, general manager. These, with Jacob Evans, form the board of directors.

The Seven Troughs company, which was organized several weeks ago, has no connection with the Kindergarten Mining company. The Seven Troughs company has disposed of the 25,000 shares of treasury stock it wished to, and the pool among the stockholders to dispose of this stock was today dissolved. The stock will be listed tomorrow, and as the pooled stock went at \$1 a share, some income can be gained as to the probable value on exchange.

Considerable excitement prevails here among those interested in the Mountain Lake mine. Today a six-foot vein was encountered running parallel to the tunnel. The first shot into it brought down three carloads of likely looking rock. No assays have yet been made, however.

INCORPORATION ARTICLES.

The Pelican Point Mining & Development company of Provo filed a copy of its articles of incorporation with the secretary of state today. The capital stock of the company is \$250,000 divided into shares of the par value of 5 cents each. W. N. Dusenberry is president; Walter Perkins, vice president; H. F. Thomas, secretary; Eugene Marcus, treasurer. The company owns a large number of claims at Pelican Point, Utah county.

GOV. BROOKS INAUGURATED.

Cheyenne, Wyo., Jan. 7.—Gov. Bryant Brooks was inaugurated for his second term at noon today. The inaugural ceremony, which were held on the capitol grounds, were presided by a military and civic parade led by Gen. George M. Randall, U. S. A., retired.

NO WORD FROM THE PONCE.

New York, Jan. 7.—There was no direct word today from the missing steamer Ponce, now a week overdue from San Juan, Porto Rico.

SUIT AGAINST GEORGE SHEETS

Chief of Police Made Defendant in an Action Brought in City Court.

FRED WOOD WANTS DIAMOND.

Found Valuable Stud and Turned It Over to Police Who Decline To Return It.

Suit to recover a diamond stud which was found and turned over to Chief of Police Sheets has been filed in the city court. Fred Wood found the diamond on Dec. 20 and turned it over to the police department to be delivered to the owner, should he call for it. It has never been claimed as yet, but when Wood demanded it from the chief on Dec. 26, the latter refused to give it to him. He therefore asks judgment against the chief for the return of the diamond, or \$100, its value.

ALL RAILROADS PUBLIC HIGHWAYS

New York, Jan. 7.—Taking as his subject "Are Our Railroads Public Highways or Private Roads," Judge William J. Gaynor addressed the Forum at New Rochelle last night.

Judge Gaynor took the position that all railroads are public highways, controlled in fact by the national government and by the people of the states through which they run. At considerable length he discussed the legal aspect of the case between the people and the railroads. He said that while personally he objected to the government ownership of the railroads, he was convinced that as a last resort the people of this country would compel the government to own the railroads unless by other means the abuses which, in the opinion of Judge Gaynor, now existing could be prevented.

As a remedy Judge Gaynor proposed that the government appoint the general freight agent of each railroad.

In conclusion Judge Gaynor spoke of low rates being given to freight coming from foreign countries to offset the protective tariff duties and enable such goods to come here at all, and said: "What a humiliating sight it is to see these national highways being used to beat the government itself, under the favor of which they exist. The government established a tariff on imports, scaled not merely for a revenue, but for protection of American industries. Such goods have been carried at one-sixth of the rate on corresponding domestic goods. Goods are in that way carried from England and Germany, to Denver, for example, for a less rate than from Chicago to Denver. No wonder a growing number of people want the government to take the railroads."

ACCIDENTS AND CRIME IN NEW YORK

HEBER SANDERS DEAD.

Passing of a Well Known Business Man at Bingham Junction.

Word reached Salt Lake today of the death at Bingham Junction of Heber Sanders, a widely known and much respected resident of that place. The demise occurred at 4 o'clock this morning, and resulted from pneumonia, from which he had suffered two weeks.

Mr. Sanders was born in Salt Lake county, and was about 40 years of age. For many years he was a resident of South Cottonwood, later lived at Murray, and then went to engage in business at the place where he died. He followed the profession of a school teacher during the greater part of his life, and was a man of much ability. For a number of years he had been growing extremely fleshy, and this condition doubtless contributed to the deadly hold which the disease gained upon his system. He is survived by a wife and four children, and has many relatives in various parts of this country.

A brother, Sandra Sanders, is a merchant on west First South street, this city. Arrangements for the funeral have not yet been completed.

FALK & BRO. LOSE.

Washington, Jan. 7.—The case of G. Falk and Brother of New York, importers of tobacco, vs. the United States, was decided by the supreme court of the United States today favorably to the government. The case was one in which the question whether tobacco should pay duty when received at the bonded warehouses or when sent from them, the weight being less at the latter than at the former period with a corresponding reduction of the amount required to meet the demands of the revenue officials. First South street, this city. Arrangements for the funeral have not yet been completed.

The opinion was by Justice McKenna.

COURT NOTES.

The supreme court has handed down an opinion reversing the judgment of the lower court in the case of John McLean vs. John W. B. Voth, filed in the district court. The case was tried in Weber county and the court below failed to peremptorily instruct the jury to return a verdict in favor of defendant. The supreme court held that the court should have so instructed the jury and hence its judgment against defendant is reversed.

Suit for divorce has been filed in the district court by Estella May Eddy against Clarence E. Eddy, poet, newspaper writer and mining promoter of Utah and Idaho, on the ground of failure to support. They were married in Portland, Or., on Aug. 15, 1903, and it is alleged that for more than a year past the defendant has failed to support plaintiff. She asks for divorce and for the restoration of her maiden name, Estella May Van Ethen.

Desertion is the ground upon which John Hall asks for a divorce from Anna Carlson Hall in a court, filed in the district court on Saturday afternoon. They were married in this city on Aug. 30, 1903, and it is alleged that defendant deserted her husband on Dec. 15, 1904.

A NEW COUNTY ADMINISTRATION

Chairman John C. Mackay Will Be Chairman of the Board of Commissioners.

COSGRIFF WAS NOT PRESENT.

Willard Hanson Is Now County Attorney—Other Changes Made in Various Offices.

The county officials who were elected to office in this county on Nov. 6, last today formally took charge of their respective offices and started upon a new administration. The retiring board of county commissioners held its final meeting at 12 o'clock noon and adjourned sine die. The new board then met and organized by electing Commissioner John C. Mackay as chairman for the ensuing two years. Mr. Mackay is the holdover commissioner, his selection as chairman is a good one in view of the fact that he has had two years' experience in handling the business of the county while the new commissioners are entire strangers to the work.

COSGRIFF NOT PRESENT.

Commissioner John B. Cosgriff was unable to attend the first meeting of the new board on account of illness which confined him to his room today, so the organization was perfected by Commissioners Mackay and J. B. Clinton. The latter stated that Mr. Mackay had been chosen as chairman and the motion was carried unanimously. Mr. Mackay himself not objecting in the least to such action. Mr. Cosgriff had already expressed himself in favor of Mr. Mackay being chosen as chairman so there was no contrary vote to record.

MR. MACKAY SPEAKS.

After the selection of a chairman, Mr. Mackay made a few remarks in which he thanked the new board for the honor of being elected its chairman and he then reviewed the good work done by the outgoing board and stated that its actions had always been harmonious and to the best interest of the citizens. He complimented the outgoing board and stated that during his term as chairman during the past two years Mr. Wilson had never missed a meeting of the commissioners. Mr. Mackay stated that he was afraid he could not equal Mr. Wilson's record in that matter.

MR. WILSON RETIRES.

Mr. Wilson then made a few remarks in which he spoke of the pleasant association with the county's affairs and outlined a number of improvements which the old board had commenced, such as the new building and extending the lighting system throughout the county, and expressed the wish that the new board would see fit to continue these improvements.

Owing to the absence of Mr. Cosgriff, no action was taken on the appointments sent in by the various county officials at all. The retiring board, however, accepted the new commissioners to lunch. It is probable that another meeting of the board will be held this afternoon.

OTHER CHANGES.

The other county officials formally took charge of their offices at noon. There are only three new officials, the others having been re-elected and are therefore familiar with their duties. The new ones are County Atty. Willard Hanson, County Treasurer J. A. Groesbeck, Jr., and County Auditor Frank Heginbotham. The officers who succeeded such good ones have been elected Eldridge, Jr., County Recorder P. O. Perkins, Sheriff C. Frank Emery, County Assessor Campbell Brown and County Surveyor J. B. Swenson.

County Treasurer J. A. Groesbeck has decided to appoint J. A. Mahon as chief deputy in his office and has sent in his appointment to the commissioners for their approval.

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NO "SHEARING" AT BIG CONVENTION

All Delegates to Gathering of the Flockmasters Will Be Welcomed Royally.

COMMITTEE OF LADIES NAMED

Which Will Prepare Social Entertainment for the National Woolgrowers Ten Days From Date.

In just 10 days from today Salt Lake will have an opportunity to show what her citizens can do in the way of handling a big convention. On Jan. 17 the National Wool Growers will go into session for three days, and between now and that time the local organization which is to make or break Utah's future prospects as a convention center, must be perfected.

"We have an endless amount of work to do," said Fisher Harris this morning in talking of the plans for the convention. "Our people are not yet alive to the situation, and there are a number of committees, especially a finance committee, yet to appoint. The Commercial club went out after this convention and succeeded in getting it away from Denver, principally because we want our city to become known as a great convention city. It is well known that Los Angeles has much to offer her people because of her conventions. They bring in new money, and are always composed of spenders. Denver likewise has prospered, and Salt Lake is just entering a period where she can prosper if she makes good with the convention now headed this way."

"We should remember that every good convention makes a that much easier to get the next one, and that is the spirit in which the Commercial club is starting out these final 10 days of preparation."

CONVENTION HALL.

Mr. Harris has secured for the meetings, the State Armory hall, but he doubts if it will be big enough. In case it is not another hall will be secured. National Secy. George S. Walker is expected to arrive here within a few days to conduct the preliminary business of getting the convention together. Senator Francis E. Warren, the president, is expected to attend in person, as he takes a great personal interest in the association's affairs.

One definite action was taken today in the line of preparing social entertainment, and the committee of ladies, to the guests expected next week. A reception is planned for the delegates including their wives and daughters, to be held Thursday evening, Jan. 17, and a large list of committees has been selected to take charge. The chairman, Mrs. E. Bonnemort, today sent notifications to each member of the committee, outlining plans and calling a preliminary meeting for Jan. 9 at 8 o'clock. At this meeting plans will be perfected for the reception, and the general work of the committee during the convention.

MEMBERS OF COMMITTEE.

The members of the committee are as follows:

Mrs. E. Bonnemort, Chairman; Mrs. John C. Cutler, Mrs. Extra Thompson, Mrs. Thos. Kearns, Mrs. A. J. Davis, Mrs. David Keith, Mrs. W. V. Armstrong, Mrs. Thos. Weir, Mrs. J. D. Wood, Mrs. Kenneth Reid, Miss J. B. Young, Mrs. Wm. Reid, Mrs. J. B. Cosgriff, Mrs. H. S. Walker, Miss S. L. H. Farnsworth, Mrs. E. H. Callister, Mrs. William Spry, Mrs. B. B. Jaywood, Mrs. R. P. Morris, Mrs. Jesse M. Smith, Layton; Mrs. James M. Noyle, Mrs. Beatrice O'Connor, Mrs. Josephine Spencer, Mrs. Simon Hamberger, Mrs. W. W. Rivers, Mrs. W. R. Ritter, Mrs. John E. Dooley, Mrs. Robert S. Smith, Mrs. Fred J. Hill, Mrs. C. A. Walker, Mrs. Frank K. K. Mrs. F. H. Leib, Mrs. C. C. Daily, Mrs. R. E. Miller, Mrs. Seth Rigby, Mrs. G. F. Putnam, Mrs. V. P. Taggart, Mrs. G. W. Shores, Miss Kayle Winner, Mrs. T. G. Winner, Mrs. Wm. Mosson, Mrs. H. LaForge, Mrs. Ganbun, Madame Swenson, Mrs. Geo. T. Brice, Mrs. Fred Stauffer.

CITY OF PANAMA SAFE.

Mexico City, Jan. 6.—According to a telegram from Mazatlan, sent to the Associated Press, the City of Panama arrived at that port at 6 p. m. today. She experienced a rough trip, but sustained no slight damage. All on board were safe.

Every Confection Bearing This Name

Complies with the NATIONAL PURE FOOD LAW, and that without a change in any of our formulas, which were used before pure food laws were ever thought of. To be sure it's pure be sure it's Sweet's.

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LATE LOCALS.

Report Due Tonight.—Secy. Horace S. Engstrom of the State Fair association will file his report with the governor this evening.

Bank Clearings.—Today's local bank clearings amounted to \$1,387,232.23 as against \$1,672,723.33 for the same day last year.

New Home For J. M. Moore.—Architects Headlund & Wood have completed plans for a \$3,000 residence on Eleventh East street, between First and Second South streets, for J. M. Moore.

Medical Examiners Meet.—The state board of medical examiners is in session today in the City and County building. Eleven applicants are taking the examinations, 10 in medicine and surgery and one in obstetrics.

Work on Big Tunnel.—Senator Gardner of Spanish Fork, president of the Water Users' association, is in consultation this afternoon with Prof. Swendsen of the reclamation service relative to the work in progress at the tunnel.

M. and M. to Meet.—The directors of the Manufacturers and Merchants' association will meet this evening, at the Chamber of Commerce to discuss the railway commission proposition and anything else in the way of business that may be brought up.

Amended Articles.—An amendment to the articles of incorporation of the Northern Accident company of Detroit, Mich., was filed with the secretary of state today by which the name of the company is changed to the Imperial Casualty company.

Musical Union Meets.—The Musical union met yesterday, in its quarters, 204 Archibald building, which have been comfortably fitted up. It ordered two telephones for the residence of the secretary, W. H. Daniels, and decided on a fine of \$1 for non-attendance at meeting of the union.

Twenty-seventh Ward.—The Twenty-seventh ward meetinghouse was well filled last evening, on the occasion of the service of song given there under the direction of Charles Kent, the well known baritone. The program as printed in the "News" Saturday, was carried out with marked success and appreciation.

Wires Are Down.—There is no map from the weather bureau today, as high winds have blown down the telegraph wires west of this meridian. However, Section Director Hyatt has ascertained that it has been snowed heavily at Modena, and local indications point towards snow for tonight and tomorrow.

Home From New York.—George Romney, Jr., returned this morning, from a business trip to New York. He says there will be a 30 per cent drop in the price of cotton, and that cotton and cotton fabrics used in shoe manufactures, also, that dressed sheepskins have advanced 100 per cent in three months. In general, the leather market is very stiff.

Calm at Police Court.—This morning's session of Judge Ditch's court was the most quiet one experienced in many months, there being but one case up for consideration, and that for arraignment only. It was the matter of State vs. Henry L. Gibson, accused of obtaining, by false pretenses, the sum of \$10 from Max Florence. He pleaded not guilty and the case was set for the 10th. In default of \$100 bail the secretary of state took back to the county jail.

Blue Mountain Phone Co.—The Blue Mountain Telephone and Electric company of Moab, Grand county, filed a copy of its articles of incorporation with the secretary of state today. Its capital stock is \$10,000, divided into shares of the par value of \$1 each. D. L. Goudelock is president; J. M. Cunningham, vice president; V. F. Martin, treasurer; J. N. Corbin, secretary and manager. The company will operate a telephone and electric power line in Grand county.

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IT'S WORTH MONEY TO YOU

To know that you can get here in Salt Lake all the advantages of the large city haberdasheries and clothing stores.

Every whim of fashion and every conception of the best judges can be found in some department of this store.

Richard D. Adams

472 SOUTH MAIN STREET.

The Waldorf of Astoria</