from which he was promoted to the board of foreign affairs. Now he is director general of rail-Now he is director general of rali-ways of the Chinese empire, high com-missioner of customs, and a member of the grand council which governs the nation.

JJHN T. WHITE

**Against Directors of** 

Koala Fuel Co.

PROMINENT MEN INVOLVED

Plaintiff Claims the Company Was **Organized on False Representations** 

And Asks \$2,500 Judgment.

Serious allegations, comprising the

lements of conspiracy to defraud, are

made in a complaint filed in the dis-

trict court today by John T. White

The defendants named in the action

are the Koala Fuel Manufacturing-

ompany, N. W. Clayton, I. A. Clay-

ton, George W. Holmberg, James W.

Wilson, Joseph H. Tracy, Henry Sad-

ler and W. S. McCornick. The five first named persons, it is averred, were

duly elected and qualified directors of

Manufacturing company in this city. The character of the corporation is al-leged to be "fictitious" and "colorable," , and the following direct charge of traud on the part of promoters is con-tained in paragraph 2 of the com-plaint:

FRAUD CHARGED.

plaint:

2

MISS ANNA S. PECK CUTS AN ARTERY

Lima, Peru, Nov. 27.—Miss Annie S. Peck of Providence, R. I., is suffering from a painful accident, having per-forated an artery in her foot by tread-ing upon a sharp nail. Dr. Merkel, who is attending Miss Peck, has suc-ceeded in restraining a profuse hemceeded in restraining a profuse hem-

ceeded in restraining a profuse item-orrhage. Miss Pack, who is well known as a mountain climber and lecturer, last September scaled the summit of Moun-Huascaran, about 26,000 feet above the level of the sea. She was given an au-dience last Tuesday by Presiden suit of Peru, who congratulated her upon her achievement.

## RESPECT TO A DEAD PRIEST.

Shenandoah, Pa., Nov. 27.—A n.ost re-markable tribute to a priest was paid today at the funeral of the Rev. H. F. today at the funeral of the Rev. H. F. O'Reilly, rector of the Roman-Catholic church of the annunciation in this place for 40 years. Twenty-five col-lieries employing more than 16,000 men and boys in the Shenandoah and Mahoney valleys were shut down to en-able the workers to pay their respects to the dead priest. The public schools here, at Mahanoy City and other sur-rounding communities were closed and all business in Shenandoah was sus-pended. pended.

More than 200 priests attended the funeral services. Following the ser-phia, accompanied by 1,500 mourners on special-train.

a special train. Father O'R illy, during the Molly Mc-Guire crusade and in numerous coal strikes, wielded a great influence in behalf of pearce and law and order.

#### LAMPHERE'S MOTHER VISITS HIM

La Porte, Ind., Nov. 27-Before La Porte, Ind., Nov, 27-Before Ray Lamphere, under sentence from two to 21 years, was taken to the state prison in Michigan City this afternoon he was, visited by his mother. The aged women wept as she clasped her son in her arms, but the prisoner bore up well. Attorney Worden announced today that he would move on Monday for a new trial and upon the same be-ing denied he expected to perfect an gpp cal.

motion for a new trial will be upon the claim that Judge r erred in giving the jury instructions that it could render a verof arson.

## HUGH MCMAHON MURDERED.

Seattle, Wash, Nov. 27.—Hugh Mc-Mahon, manager of the American Cafe and a well known business man was murdered in the front yard of a resi-dence next door to his own home early today. His face had been battered to a pulp, his skull fractured and a finger nearly torn off from which a \$400 dia-mond had been wrenched. The police nearly torn off from which a \$400 dia-mond had been wrenched. The police believe the murder was the work of

## MINING ENGINEER ROBBED.

'Kansag City, Nov. 27 .- Martin Halloran, a mining engineer who came to Kansas City from Pittsburg two months ago, was attacked by two men last night and robbed of \$3,800.

Halloran had brought the money with him to invest here and it is supposed his assailants saw him display the roll of bills. He was struck on the head by the robbers but only slightly hurt.



Food Inspector Walter J. Frazier is making preparations to visit and investigate conditions at and surround-



**NEW AND SNAPPY** 

HATS AND FURS

The season's choicest lines of

these pretty creati ns will be

seen tomorrow at BANKS', and

See our window display. If you

appreciate both qu dity a d new-ness of design, you'll be here

**BANKS' MILLINERY,** 

116 MAIN.

PIOCHE THE MAGNET.

Are Being Drawn,

for Salt Lake mining men and is the

you can purchase

tomorrow.

We hav'nt said much about Prescription's lately but we've been filling a **CHARGES FRAUD** great many. ¶ They are filled just as your doctor prescribes, ask him about it. I Moreover they are Files Suit in the District Court filled promptly and deliv-ered quickly at your residence. Charges always reasonable.



Consolidated Mining company at Pioche, has returned from the south. Cashier Rodney Badger of the Utah National bank has returned from a 10 days' vacation trip to San Francisco He believes that the way the city is being robuilt is unequalled in all his-SATURDAY'S SPECIAL!

Mrs. Lorin N. Morrison and family will leave tomorrow for San Diego, to spend the winter.

duly elected and qualified directors of the Koala Manufacturing company, while it is stated on belief that whils the others, W. S. McCornick and Henry Sadler, were elected they never duly qualified, yet acted as directors and were held out and advertised to the public as such directors. The complaint is a long one, cover-ing more than 25 closely typewritten pages, and sets forth in detail the his-tory of the organization of the Koala Manufacturing company in this city. Miss Lulu A. Ehorb and Raymond J. Springall were married vesterday attennon, by Rev. P. A. Simpkin at the home of the bride's mother, 323 Eighth East street. The young couple left to-day for their future home in Nevada.

## LATE LOCALS.

# Local Bank Clearings-Today's lo-cal bank clearings amounted to \$1,-654,031.28 as against \$807,425,37 for

the same day last year.

Clark Drug Co, Files—Articles of incorporation of the Clark drug com-pany were filed yesterday in the office of the county clerk. The capital stock is \$5,000, divided into shares of par value of \$1 each. W. R. Clark is president, J. A. Ekman, vice pre-sident, Claude T, Barnes, secretary. magnet towards which many have been drawn during the past few weeks.

FRAUD CHARGED. Plaintiff alleges: "Upon information and belief, that on and prior to the 11th days of August, 1908, said defend-ants, James W. Wilson, N. W. Clayton, I. A. Clayton, George W. Holmberg and Joseph H. Tracy con-ceived the idea and confederated and conspired and agreed between them-selves to promote the organization of the defendant corporation for the ostensible purpose of producing and marketing a fuel, designated as "Ko-ala," but in reality for the purpose of Recs Is Overjoyed- At the home of Accs is Overjoyed— At the home of A. C. Rees today, a new advertising manager is being entertained in royal style. The guest is a son whose lusty lungs serve to remind everyone in the home of his advent there. Mr. Rees, who is advertising manager of the "News," has been the recipient of con-gratulations during the day, which he has received with becoming modesty. ala," but in reality for the purpose of defrauding such persons as might be-come members of such corporation, or has received with becoming modesty.

defrauding such persons as might be-come members of such corporation, or subscribe for stock of said corporation or deal with said corporation and par-ticularly the plaintiff herein," etc. It is then alleged that plaintiff was induced to purchase stock of the said organization, relying upon the standing in the community of defendants N. W. Clayton, I. A. Clayton, W. S. McCor-nick, Henry Sadler, Joseph H. Tracy and George W. Holmberg, and being led by the representations made to him that large blocks of said stock had been purchased by said defendants and that machinery, etc., had been ordered for the manufacture of a certain fuel known as "koala," of which the cor noration had the exclusive right to manufacture by a secret patented formula known in the briquetting busi-ness as a "binder." Upon these repre-sentations, plaintiff alleges that he was induced to purchase stock in the con-cern to the amount of \$2,500, of which amount \$500 was paid down, and for the remainder notes were given in the sums of \$500 and \$1,500, respectively. ASKS \$2,500 JUDGMENT has received with becoming modesty. Scc. Ensign Going East—Secretary Horace Ensign of the State Fair as-sociation will leave Monday morning, on a 10 days trip to Chicago. During his five days stay there, Mr. Ensign will make the official connection for the State Fair association with the American Association of Fairs and Expositions, as well as attend the International live stock show, <sup>a</sup> the meeting of the American Short Horn association, the Western Vaudeville Managers' association, and other con-ventions and gatherings bearing dir-ectly on the work of the Utah State ectly on the work of the Utah State Fair association. He expects to be kept fairly busy.

R. E. Evans, Florist, 36 S. Main St., Floral designs a specialty. Phone 961.

THE RIGHT MOVE! A commission of the most prominent English and German prominent English and German physicians have declared that the germs in Milk may contract Consumption, Typhoid Fever. Diphtheria and Scarlet Fever. The Elgin Dairy Creamery & Supply Co., have just installed in their plant one of the latest up-to-date pasteurizers. All their milk and cream is now pasteur-ized, heated to 180 degrees, and immediately cooled to 50 degrees, making all their products abso-itely pure.

Following the visit of David Keith, Thomas Kearns, Col, Edward F Holmes, Mayor John S. Bransford, Jas. Farrel, John A. Kirby, John T. Hodson, were W. C. Thomas, formerly head smelting man for the Newhouse com-panies; former Mayor Ezra Thompson, and others. Tonight, another party of mining magnates leaves for the south and in the party will be Frank Cook, manager of the Metals Exploration company, and J. B. Thompson, one of the directors of that corporation. It

of the directors of that corporation. It is understood, also, that John A. Kirby and Joseph S. Free expect to go along with them, and that Mr. Kirby will se-lect the spot where the new permanent working shaft is to go down on the Miller property, located adjacent to the Prince Consolidated, which Mr. Kirby and associates recently became the possessors.

the possessors. It was learned today that the Prince Consolidated had secured a large in-terest in the Davidson group south and east of the Prince mine which will pro-tect the company from any encroach-ments from that side. The initial car of ore from the rich silver-lead veins of the Prince was shipped from Ploche on Wednesday, the bill of lading having been received today and while officials of the com-

the bill of lading having been received today and while officials of the com-pany have not given out any figures, it will, in all probability, bring the com-pany anywhere from \$1,500 to \$2,000. An idea of the richness of the Prince Consolidated fissures may be gained from a message from camp today con-veying the information that an average sampling of 215 feet of the No. 1, or Prince Royal vein gave returns of 650 ounces in silver, 35 per cent lead and \$13 in gold. There is a good deal of signifi-cance attached to these assays for they only go to demonstrate that as depth is being attained the values have been getting better. AT ONE-THIRD OFF! getting better.

## DIED.

DUKE.-In this city, Nov. 26, 1968, Han-nah W. Duke, aged 67 years. Func-al services will be held from the family resid-nee, 1667 Windsor avenue, on Sunday afternoon. Time to be given later. Interment in Mt. Olivet ceme-tery.

HAYWOOD.-At Sil west South Temple street, Nov. 26, 1908, of cancer, George Haywood; born March 21, 1840, in Eng-

land. Funeral services Saturday at 2 p. m. from the residence of John S. Gilles-pie, 819 west North Temple street, Friends are invited to attend. Inter-ment in city centery. Towards Which Salt Lake Mining Men Pioche has become a great attraction

SHEFAKD,-Of preumonia, Nov. 25, 1998, E. B. Shepard 21 cast Eighth South, member George R. Maxwell post, G.

A. R.; born Dec. 13, 1834 Body at Eber M. Hall's undertaking parlors. Funeral Sunday, Nov. 29, at 2 p. m. All G. 4. R members invited EDGINTON.-Of the Eleventh ward, Nov. 26, 1908, Ruth Emma Edginton, wife of the Inte William Edginton, in her sixty-ninth year. Native of England, Sister of Mr. Dan Clift, Funeral notice later.

TRUSTEE'S SALE.

Whereas, Charles Fastabend, a single man, by a deed of frust, dated A, rh bst, 1998, and duly recorded in the rec-ords of the County Recorder of Salt Lake County, State of Utah, in Book "6-N" of Mortgages, page 234, conveyed to Glen Miller, trustee, the following described real estate, situate in the County of Salt Lake, State of Utah, to-wit:

"6-N" of Mortgages, page 23, convecture to Gien Miller, trustee, the following described real estate, situate in the County of Salt Lake, State of Utah. to-wit: All of lots fifty-three (53), and fitty-four (54), of block nine (9), of City Park subdivision of blocks twenty (20), twenty-one (21), twenty-elight (2), and twenty-nine (20), in plat "C," Salt Lake Survey, In trust, However, to secure the pay-ment of a certain promissory note for four hundred (\$400) dollars, payable live (5) years after date, with seven (7) per cent interest from date until matur-ity, payable quarter-annually; and a promissory note aggregating sixty (\$60) dollars, payable according to the terms stated in said note, and in installments as follows: Three (\$1) dollars on the first of each August, November, Febru-ary and May, until said note is paid in full, both stid notes being of even date with said trust decd and bearing inter-est at the rate of one (1) per cent por month from maturity until paid; and Whereas, Default has been made in the payment of the interest due on said note of four hundred (\$400) dollars, on the first day of August and the first day of November, 1905, amounting to fourteen (\$1) dollars; and curteen of skyt (\$60) dol-lars, due on the first day of August, and the first day of August, of the Installments of principal due on said installment so for four hundred (\$400) dollars and the instal'ment n t-of sity (\$60) dollars and each aggregating six (\$5) dollars; by reason of which defaults the said note of four hundred (\$400) dollars and the instal'ment n t-of sixty (\$60) dollars have by thef express terms become wholly due, a d the legal holder of said notes, has de-clared the same wholly due; and Whereas, It was provided in said deed of trust that, should default be made in the payment of said notes, be declared due and payable, and that the said devide default schemade in such case, the whole of said principal sums and interest thereon might, at the option of the legal holder of said notes, be declared due an

notice of the thne, terms, place of sale and description of the pre, criv to be

--- and they tell our home folks that McDonald's chocolates are the best made---so accepted east, west, north, south

plant







The Pure Druy Dispensary 11: -114 So. Main Street

ing the various streams and ponds adjacent to the city where the ice supply is obtained. His work in that direction comes much earlier this season than usual, the present weather being favorable for a beginning of ice harvest in the near future. Samples of water and of the ice are taken by the official, and these are subjected to chemical tests, with a view to thoroughly protecting the public in the matter of ice stored for summer use. The earlier the streams and ponds are frozen, the better the quality of the ice. The inspector's work in the way of

looking after the city's milk supply will be more than usually arduous from now on until the first of the year. Jan. 1, all licenses have to be renewed, and are payable in advance. The last named phase of the situation has ob-tained for some time, but the licenses lapsed at different periods during the year. Now, however, this is changed, and Dec. 31 will see the expiration of city licenses in general. Milk sold by licensed venders in Salt Lake amounts to \$4,000 gallons daily. Several hundred gallons more are supplied to consumers by individ-uals who keep a cow, and have more than is necessary for family use. Of the amount furnished by the tailk men, perhaps no more than 1,500 gallons are furnished by the dairies and farmers be more than usually arduous from now

perhaps no more than 1,500 gallons are furnished by the dairies and farmers of Salt Lake county, leaving 2,500 gal-lons to be shipped in from other places in the state. The largest contributors in this regard are Utah and Davis coun-ties. Inspector Frazler is endeavoring to secure authority to visit and inspect the dairies outside the county from whence comes part of the city's supply, just as he does the dairies and farms coming immediately under his jurisdic-tion. tion.



ed the state of affairs he asked for a return of his money and notes, which request was denied. It is alleged that the said notes had passed into the hands of defendant W. S. McCornick, and in conclusion plaintiff asks for a resolution of his said subcornictor for rescission of his said subscription, for the recovery of the said \$500, and in case that a rescission cannot be had, then a judgment is asked against each of the said defendants for damages in the sum of \$2,500, and a restraining or-der is asked for to prevent suit being instituted for recovery of the amounts represented by the said notes.

ASKS \$2,500 JUDGMENT

It is alleged that the company had to secret formula; that nothing what-

soever was paid on the capital stock; that the defendants did not own a "binder;" and that when plaintiff learn-

SUIT ON NOTE.

Joseph R. Lewis and Annie Lewis are made joint defendants in a suit field in the district court by Zion's Savings Eank & Trust company. Plaintiff seeks to recover the sum of \$1,100 on a certain promissory note, ex-ecuted by defendants April 10, 1908, and due two years from date. The and due two years from date. The said note contains a clause that in-terest is to be paid quarterly, and that default of payment of interest shall render the principal collectable at any time.

## NEVADA DOUGLAS COPPER. Wonderful Resources Being Developed

In This Mine. General Manager Walter C. Orem and Treasurer Windsor V. Rice, of the Nevada Douglas Copper company returned from Yerington, Nevada, just in time to eat Thanksgiving dinner at home

From Mr. Orem it was learned today that everything is moving along at a very satisfactory pace in the Yering-ton district and at the Nevada Douglas

a very situatory pace in the vering-toa district and at the Nevada Douglas mine in particular. "We have been sinking a winze," sold he "In the south part of the south 550 level in a porphyry dike and in it has been exposed between 25 and 30 feet of sulphide ore assaying from 3 to 10 per cent.copper. While this work is going ahead, drifting is in progress both to the north and south. "The exploration of the 550," con-tinaced Mr. Orem, "shows the rich chalcocite ore body on that level to be at least 50 feet in width and 90 feet long and from it have been obtained assays showing all the way from 5 to 50 per cent copper, while the exploita-tion of the 509 is proving the same width and values to the ore bodies. The mine is nicely blocked and it is ex-cellent shape to make copper cheaply with proper smalting faulties at ellent shape to make copper cheaply with proper smelting facilities at

The question of a smelter is now being considered by officials of the Ne-vada Do glas Copper and there is like-ly to be some important news to im-part on that subject in the near fu-ture. Work on the 650 level of the mine, Mr. Correction are been of the mine,

three. Work on the 650 level of the mine, Mr. Orem states, has been temporarily hung up pending the installation of new p mps. Mr. Rice expressed himself today as being highly pleased with conditions at the Nevada Douglas and had to admit that he had met with some surprises. While he had received reports reg-ularly from Manager Orem, he said the showing in the Lodwig end of the property, where work has been con-centrated largely during the present year, was very much better than he ex-pected.

SOCIAL AND PERSONAL.

William Gross, a prominent merchant of Brigham is at the Konyon.

Engineer C. P. Brooks, who has been going some work for the Prince







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