

COMMENDS THE
AMERICANS.Their Management of the District
Assigned Them in Pekin

BRINGS WORDS OF PRAISE.

American and Japanese Quarters the
Best Managed in the City—Ger-
mans Cause Irritation.

London, Dec. 26.—In the course of a review published in the Morning Post today of the conditions existing at Pekin, H. J. Whigham, the well known newspaper correspondent, says there are now a quarter of a million of inhabitants pursuing their ordinary avocations in the American quarter. The markets are all in full blast. He adds that the American and Japanese quarters are in all respects the best managed, "showing ability on the part of the Americans to handle a subject people whom they have not developed elsewhere to proper advantage."

Continuing, Mr. Whigham says: "This enormous portion of the city is policed by exactly one company of infantry, and a few mounted men under a provost marshal. If only these hard-headed soldiers of the provost marshal type had been given a free hand in the Philippines the task of subjugating the unfortunate islands would have been much more simple. If the Japanese have come out of the middle with flying colors they at least have the Americans close behind. It was worth sending an expedition to China for only a few hints on the transport from the Americans. Their scheme of municipal government could not be bettered by the British, who have learned the business experience in every quarter of the globe. For the point of contrast it is only necessary to walk down the avenue of the Chinese city dividing the United States and Germany. The American side of the street is simply Pekin in the ordinary garb of peace, minus its variegated smells. The opposite side is almost deserted. The Germans have come to the American side for meat and vegetables, and it is whispered that the country people are sometimes robbed as they bring in the produce, except where the gates are British, American or Japanese. That is why the markets in the quarter controlled by these nations are the best."

A dispatch to the Pall Mall Gazette from Pekin, dated Dec. 24, says: "Much irritation has been caused by the activity of the German troops in the districts under British protection. So acute has been the feeling that there has been a question of the British seceding from the allied command."

Air Tight Stove Explosion.
St. Joseph, Mo., Dec. 26.—As the result of the fire caused by the explosion of an air-tight stove, the Providence Methodist Episcopal church (colored) was partially burned this morning and the pastor, Rev. J. L. Leonard, was fatally burned.

Caused Three Deaths.
Bryan, O., Dec. 26.—While Wayne Crowell, aged 24, and Charles Canan, aged 21, were crossing the Washburn railroad tracks near Blakeslee last night on their way to a Christmas dance, they were struck by a passenger train and instantly killed. Mrs. Canan was knocked off the accident and the shock caused her death.

Crowe Keeps Quiet.
St. Joseph, Mo., Dec. 26.—The local police have been unable to locate Pat Crowe, wanted for kidnapping young Cuddey in Omaha. Two officers declared they saw Crowe here a day or two after the kidnapping, but he cannot be located now. Some believe Crowe is being secreted by persons here who are known to be friendly to him.

Race War Danger Over.
Cementville, Ind., Dec. 26.—The warring groups are under control at Cementville today, and no further outbreaks are expected. Samuel Kendall, in whose saloon a number of shots were fired, secured warrants for the arrest of Lee Ranger, who was wounded, and John Redmond, his companion, but neither was found.

Alford Trial Deferred.
New York, Dec. 26.—The trial of Cornelius L. Alford, Jr., the defaulting note taker of the First National Bank, which was set down for today in the United States circuit court, was postponed until the January term, which begins January 9.

Skaters Drowned.
South Norwalk, Conn., Dec. 26.—John Kelley, aged 13, and Willie Hill, aged 16, were drowned last night while skating on the Union Mills pond at Norwalk. Kelley broke through the ice and Hill, in trying to save him, also perished.

Up Goes Oil.
Lima, O., Dec. 26.—Crude oil jumped up two cents per barrel today. North Lima oil is now quoted at 82 cents, and South Lima and Indiana at 75 cents.

How Cleveland Voted.
Atlanta, Ga., Dec. 26.—A controversy having arisen between the two Atlanta newspapers over the charge by one of them that former President Cleveland had voted for Mr. McKinley at the last election, the Atlanta Journal today received in reply to a telegram from Cleveland a letter from Mr. Cleveland in which he says he did not vote for President McKinley.

How the Turks Pay.
Washington, Dec. 26.—Details are not obtainable here of the placing of an order by the sultan with the Cramps for a warship, but it is understood that the statement is correct. From the character and size of the ship ordered, it is believed that the contract will involve the payment by the Turkish government to the Cramps of about \$2,500,000, which should afford an ample margin for the settlement of any proper claims against the Turkish government.

Killed 1,000 Chinese, Maybe.
Paris, Dec. 26.—A dispatch to the Havas agency from Pekin, dated December 26, says the detachment of French troops, commanded by General Baillois, were recently attacked by Chinese soldiers and Boxers at Tientsin, south of Pao Ting Fu. The

punitive expedition took the village after a lively combat. Many cannon and a quantity of provisions and ammunition were secured. On account of the hostile attitude of the population, Gen. Baillois burned the village and also those villages in the neighborhood. The Chinese loss was 1,000(?) men. Gen. Baillois' force sustained no loss. Christian Chinese families have been maltreated by the Chinese regulars.

Fatal Kentucky Feud.
Hopkinsville, Ky., Dec. 26.—At Carl, Christmas evening, Robert Morris shot and killed Marion Henderson, who was advancing on him with two pistols. Morris escaped. The tragedy was the result of a feud between leading families and further bloodshed is expected. Ten years ago Lem Morris wounded Cuth Henderson and a year later Jack Henderson killed Lem Morris.

Boers Took Them In.
Capetown, Dec. 26.—A squadron of yeomanry which had been following the Boers from Bristown, is reported to have been entrapped. There were several casualties, it is said, and the remainder of the force is being hunted. Gen. Kitchener has left Naauwpoort and has gone northwards. The rapid concentration of troops in the disturbed districts through the personal energy of Gen. Kitchener has allayed the local uneasiness.

Deaths in the Philippines.
Washington, Dec. 26.—General MacArthur's latest casualty list is as follows:

"Manila, Dec. 26.—Adjutant General Washington—Following deaths have occurred since last report:
"Dresser—Dec. 11, Company E, Thirty-eighth volunteer infantry, Edward A. Senny; Dec. 13, Company D, Fifteenth infantry, Corporal George D. Hoak; Dec. 14, Company A, Thirtieth infantry, John Pettry; Dec. 13, Troop G, Eleventh cavalry, Wm. L. Stone, Jr.; Dec. 16, Company B, Forty-ninth infantry, Edward L. Van Buren; Dec. 14, Company K, Thirtieth infantry, David J. Parcell; Dec. 20, Company M, Thirtieth infantry, George J. Rehm; Company H, Forty-ninth infantry, Stephen Deita.

"Variola—Dec. 19, Company E, Forty-eighth infantry, Thomas Love; Company G, Forty-eighth volunteer infantry, Edward Clarke.
"Malaria Fever—Dec. 13, Company C, Thirtieth infantry, Major Patterson; Dec. 16, Bolton; Dec. 16, Company C, Thirtieth infantry, William J. Holmes.
"Killed by Accident—Target practice, Dec. 18, Company K, Thirtieth infantry, John Begley.

"Surgical Shock—August 26, Company F, Forty-third infantry, Wm. E. Dennis.
"Died From Wounds Received in Action—Dec. 10, Company G, Thirtieth infantry, Martin L. Patherman; Dec. 17, Company H, signal corps, U. S. A., Corporal Charles A. Wilson.

"All Other Causes—Dec. 15, Company F, Twenty-fourth infantry, Pomp Dunkerson; Dec. 18, Company H, Forty-fourth volunteer infantry, Wm. E. Bell; Dec. 15, Troop A, Eleventh cavalry, Sergeant Charles C. Crane; Company E, Forty-ninth volunteer infantry, Ishai Bruxton; Dec. 20, Troop B, Third cavalry, Henry A. Hall; Dec. 19, Forty-eighth infantry, Sergeant Major Wooten R. Bernathy; Dec. 26, Company B, Twenty-first infantry, Michael R. Dineen.
"MACARTHUR."

Says Mayor is a Gambler.
St. Paul, Minn., Dec. 26.—A Bismarck, N. D., special says:

Judge Winchester, of the district court, has issued warrants for the arrest of G. E. Patterson, mayor of this city, on a charge of operating a gambling house. Mayor Patterson was out of the city when the warrants were issued, but a seizure was made by Sheriff Bogue of a roulette table and its outfit. It is stated that the gambling apparatus in question is not the property of the mayor.

Roosevelt After Lions.
Denver, Colo., Dec. 26.—J. B. Goff of Meeker, Colo., the famous White River hunter, who has been engaged to escort Vice President-elect Roosevelt on a hunt for mountain lions next month, passed through Denver today en route home from Colorado Springs, where he has been making arrangements for the proposed hunting trip.

"I have about completed arrangements for Gov. Roosevelt's hunt, and it's going to be an interesting one," said Mr. Goff. "Our primary purpose will be to hunt the mountain lion, but we will run across and engage a few bears on the way. We will hunt in Coyote Basin, which has been absolutely free from men with guns this year, and there ought to be plenty of fierce game in that section. We will remain in the mountains about three weeks, and will take a dozen game horses, loaded with provisions and supplies for that length of time."

Devery Will Go Out.
New York, Dec. 26.—The Evening Telegram says:

Report has it at police headquarters today that the application of Chief of Police Wm. Devery for retirement from the force of Police Commissioner John B. Sexton. Whether this is true or not, there is a belief amounting almost to certainty that Devery will retire this week, and that the new year and the new century will see another at the head of the uniformed police force of the city. If retired, Chief Devery would have \$3,000 a year for life.

Liberian President Resigns.
Sierra Leone, West Coast of Africa, Dec. 26.—The president of Liberia, W. D. Coleman, resigned Dec. 11, owing to the disapproval of the legislature of the interior police. G. W. Gibson, the secretary of state, was elected president by the legislature.

Glass Marbles Trouble.
Stevensville, O., Dec. 26.—J. O. Naylor has been appointed receiver for the American Marbles company which has been running about two months. It is the only factory of the kind in the United States, the product being glass marbles. It is alleged that the firm is insolvent. There is also said to be a mix-up in regard to the issuance of the capital stock, which was presumably based on the value of the patent used by the concern.

WE ARE OUT OF CHINA.
No More Military Occupation for the United States.

Washington, Dec. 26.—A cablegram received at the state department from U. S. Minister to China, dated at Pekin, Dec. 26 (inst.), states that the formal meeting between the diplomatic representatives and Prince Ching, took place on the 24th. Ching presented the credentials of himself and Li Hung Chang, who was unable to attend, owing to illness, to the diplomatic representatives, who handed to him the international note. The officials of the state department are unwilling to venture a guess as to the length of time that will be

consumed by the Chinese government in consideration of the note. The last article of the note notified the Chinese government that the occupation of Chi Li and Pekin may be continued until the Chinese government has complied with the terms of the note. It may be stated, however, that the United States is not bound or affected by the condition. Our occupancy from a military point of view has terminated, and there is no disposition to renew it. As for the other parts, it is expected that the main obstacle they will encounter in withdrawing under this condition will be found in the difficulty in obtaining satisfactory guarantees from the Chinese promise to pay indemnities.

\$100,000 Fire.
Calgary, N. W. T., Dec. 26.—The most destructive fire in the history of Calgary raged today and wrought damage estimated at \$100,000. Several of the finest business structures were destroyed, among them being the Clarence, Bau Claire and New Norman block.

Pleasing Promises.
Khartoum, Egyptian Sudan, Dec. 26.—Lord Cromer, the British diplomatic agent, reviewed the Egyptian troops of the Sudan under the sirdar, Major General Sir Francis H. Wingate, today. He assured a deputy sirdar, the Dinka tribe, which formerly suffered severely from slave raids, that the British and Egyptian flags guaranteed them against such raids, and insured respect for their ancient customs. The chiefs departed, expressing gratitude.

Gardiner Out, Philbin In.
New York, Dec. 26.—Eugene Philbin, who last week was appointed district attorney of New York county, assumed the duties of the office today.

Mr. Gardiner surrendered his office under protest. He said to his successor: "I would like to be clearly understood that I do not voluntarily surrender this office and that I protest against the action of the governor as being without authority in law. I am anxious, whilst serving all my legal rights, that the public business shall not be injured nor retarded, and to that end I will be pleased to co-operate with you in any way that you may think best in the public interest."

Mr. Philbin replied: "I thank you cordially for your kind words and your offer. It is hardly necessary, because I feel that you are ready to give me every assistance in your power, and I shall not hesitate to call on you. I thank you."

Then Col. Gardiner began the work of formal introduction of Mr. Philbin to all of his former staff.

REWARD IS RESCINDED.
The reward of \$200 offered by the Governor of Utah for the apprehension of John Malmgren, wanted for grand larceny in Sanpete county, and who escaped from the court bailiff at Manti, Pa., was rescinded by proclamation by the State's chief executive.

JUDGE TIMMONY'S COURT.
The usual throng of spectators that invade the police court each afternoon were somewhat surprised today by the scarcity of backsliders.

James Donnelly, James Murphy and Willie Wilson were charged with vagrancy. They were arrested by Detective Sheets and a good case was made against them but Judge Timmony gave the men an hour to leave town. They were glad of the chance to go, and are now on their way to Mercer.

LATE LOCALS.
The biennial report of the board of regents of the State University was filed with Gov. Wolfe today.

County Commissioner-elect Harker received an urgent telegram today to go to Wyoming. He will, accordingly, leave on this evening's train. He expects to return in a couple of days.

Many of the Mutual Improvement associations throughout the city will hold their regular weekly meetings tonight and on Wednesday next as Christmas and New Year's occur on Tuesday.

Miss Mollie Henderson of Willard City is spending the holidays with her relatives in this city; she will also attend the State school convention in this city.

Prof. John J. McClellan returned from Payson today where he spent Christmas. He says the idea that smallpox is prevalent at Payson is a grave mistake. The fact is there are but four cases of the disease in the town according to the city physician's report.

COAL DEALERS ARRESTED.
A complaint was filed in Justice Pardee's court today by Assistant County Attorney Ray Van Cot, charging George Crismon and Hyrum Jensen, coal dealers, doing business on Ninth East and Ninth South, with selling adulterated coal. The complaint was filed by Lorenzo S. Clark, a resident of Sugar ward, who claims that he ordered of the defendant on the 22nd inst., two tons of coal and received 365 pounds less than the amount ordered and paid for.

SMALLPOX CASES.
Ten of Them Reported to the Board of Health Today.

Ten new cases of smallpox were reported at the city board of health today. None of the victims, according to the physician in attendance, were vaccinated.

The following new cases of smallpox were reported to the local health authorities Monday afternoon: Sylvester D. Bradford, aged 25, Camps Lane Center ward; Moroni Gillespie, aged 16, 64 north Seventh West; Lizzie Gillespie, aged 15, same address; Retic Gillespie, same address; Sallie Gillespie, same address; Edwin Fletcher, aged 25, 325 west Second South; Eddie Lenn, aged 13, rear 227 west Fourth South; Walter Pierce, aged 19, 229 west Second South; Len Hill, aged 8, 367 north Fifth West; Rowland R. Wallace, aged 25, 422 south First West; Thomas E. Taylor, aged 51, 49 south First West; Mrs. James, aged not given, 434 west Fifth North.

Eight cases were released from quarantine today, making about 100 cases still existing in the city.

Eighty-five school children were vaccinated today by Drs. King and Fisher, making 465 since the 13th inst.

Another case of smallpox was also reported, the victim being Samuel Evans, aged 6, 453 west Fifth South. "Never vaccinated."

BOND INTEREST PAID.
City Treasurer Morris today remitted to New York on behalf of the municipality of Salt Lake, \$31,200, being the interest on the \$1,248,000 issue of 5 per cent bonds. The interest is due in New York next Tuesday.

BIG INCREASE
IN BUSINESS.Holiday Trade Greater in Salt Lake
Than Ever Before.

THE CLEARINGS COMPARED.

Statements of Actual Business Transactions—Post Office and Express Companies Nearly Swamped.

Today's clearings \$462,362.95
Same day last year \$50,139.07.

While the bank clearings are only an approximation, a suggestion as to the actual business done in any community, these figures can be taken as indicating pretty clearly the difference between the holiday trade of 1900 and that of 1899.

It is altogether likely that the amount of money expended on Christmas this year breaks the record of any previous year in the history of Salt Lake City. Peering into some of the big stores on Monday night it looked as though the money were literally being gathered up in shovelfuls, while the scenes on the street from early in the afternoon till near midnight, have never been approached for bustle, crush, brilliancy or holiday enthusiasm. The sidewalks on East Temple street from the new Deseret News building and Zion's bank down to Third South street were almost impassable. At Second South the congestion was greatest, and the crowding was almost insupportable.

Everyone seemed good natured, there was but little or no disorder and the spirit of Christmas cheer was everywhere.

The amount of money the people had to spend told eloquently that the year has been a prosperous one in Salt Lake. While there was some complaint among dealers who had loaded up with skates and sleds and probably some among dealers in heavy lines of clothing, whom the high stretch of mild weather rendered somewhat blue, it can be said that generally everyone prospered by the holiday boom, and even clothing dealers had to smile when they saw the throngs of shoppers and the crowds of goods were cleared out.

Probably the biggest harvest was gathered by the jewelers, and nothing could better illustrate the plenty of money in the community than the big stores paid for diamonds and other precious stones. Probably, too, more pianos were sold than ever before, another fact that indicates that people handled their check books with greater freedom than for many a Christmas past.

GREAT POSTOFFICE CRUSH.
The man, or maid, who feels that he or she has been neglected by absent friends who reside outside of the State need not despair. All the Christmas packages have not been delivered yet, in fact those which came to town yesterday morning may be all delivered this afternoon. Then again they may not.

How is the Christmas rush this year? mildly queried the reporter, he gazed thoughtfully at the troubled face of G. S. Chambers as he wrestled with a stack of registered mail calculated to give a husky stevedore nervous prostration. Chambers did not say much, but what he said was to the point. Then he walked over to the line vault and with a comprehensive wave of his hand indicated that there were several parcels on cold storage awaiting delivery.

"It is nothing to what it was last night," he said, "for we could not get the registered mail into the vault."

"The chamber is a good sized one; plenty big enough in which to swing the proverbial cat. The floor was stacked up in all directions with all kinds of packages which contained, apparently, all kinds of merchandise from watches to boxes of cigars, babies shoes, candy and hundreds of articles which are usually sent by mail at Yuletide.

"I have seen anything like it," he continued, "but I am sure that the advance has been 20 per cent over that of last year, and it still keeps coming. It is impossible to deliver the packages on time, but we have lived through the worst of it and the rush is beginning to slow down."

Round on the other side of the delivery department the same story was to be encountered—"only more so." Under each locker wherein the individual carrier sorts his mail, was piled a huge heap of parcels that betokened that it would be some time before some parcels reached their destination. The carriers have been working hard but there is a limit to all things—even the carrying capacity of the welcome mail man.

It is not perhaps generally known but according to act of Congress a mail carrier is not allowed to work more than forty-eight hours each week; accordingly if he works overtime during a rush that time has to be allowed at the end of the week. The way things look at the present time there will have to be a delivery knocked out on Saturday, so citizens may govern themselves accordingly. It will not do any good to raise a disturbance at the office of Postmaster Thomas regarding the matter either for he is perfectly helpless as under the law a public holiday counts eight hours. However, there are hopes held out that everyone will get their mail by the end of the week. C. C. Slade, superintendent of the delivery department, is figuring out to that end and accordingly there is some hope. Needless to remark this has been one of Mr. Slade's busy weeks and he is still busy and will be so for some days.

You perhaps can get some idea of how things are, he stated in answer to a query this morning, "when I say that this has been the busiest Christmas I have seen here by fully 20 per cent. We have had on four additional carriers and then we are unable to keep up with the rush. There have been some extra special delivery boys on for the past three days. Yesterday those boys worked from 7:30 a. m. until 11:30 p. m. and are still going it today."

Indicative of the number of packages and letters that have been sent through the special delivery department Mr. Slade turned to his books and found that up till noon today there had been exactly 2,112 specials delivered during the month of December. This total he says is a record breaker for the Salt Lake postoffice.

In course of further conversation it transpired that Salt Lake has grown considerably during the past year, so much so that three additional carriers will be put on permanently soon after January 1. With this addition there will have been seven carriers added to the force within a period of time extending over less than twelve months. When this is done the force will consist of thirty-seven men. At the present time there are sixty-five men employed in the postoffice, all of whom have been working up to their limit during the holidays. The rush has not been confined to one department alone but has been felt throughout the institution of public service. The receipts at the money order and stamp windows have been away ahead of anything heretofore at Christmas time. During last week the money order department was issuing orders to all parts of the country and raking in the money. Today the employees were busy in paying out cash to the numbers of Salt Lake citizens who have been substantially remembered by their absent friends and relatives. Taking all in all everybody from Postmaster Thomas down to the humblest employee around the postoffice is thankful that the holiday nearly over.

AT THE EXP.
At the various express establishments the office Express, the press companies have eclipsed all years.

WITH THE
The 25 blank \$1,000 bonds were released Monday by W. P. O'Meara from the City of New York, and today they were signed by Mayor Thompson, Auditor Reiser and City Recorder from, and shipped back to New York. The money, it is thought, will aid over to the city within the next week or ten days.

DR. ORMSBY RESIGNS.
Number of State Board of Medical Examiners Will Locate in Idaho.

Dr. O. C. Ormsby, formerly of Logan, the county, but now of Oakley, who has tendered his resignation as member of the State board of medical examiners to Governor Wells. In a communication addressed to Governor Wells, dated Oakley, December 23, 1900, Dr. Ormsby says he resigned because he had concluded to locate in Idaho altogether. He will move his family to Oakley next spring. The resignation was accepted, but Governor Wells will not name a successor to Dr. Ormsby until the meeting of the next Legislature.

The case of Ephraim P. Ellison, contestant and appellant, vs. J. G. M. Barnes, contestee and respondent, involving the right to a seat in the Senate of the next State Legislature, from the Third senatorial district, which embraces the counties of Davis, Morgan and Rich, came for argument before the Supreme court this afternoon. Attorneys Critchlow, P. L. Williams and D. H. Wenger appeared for the appellant, while the other side was represented by Judge Powers, J. H. Hurd and James H. Moyle.

The action is a statutory one brought under the provisions of chap. 9 of the Revised Statutes. The grounds of the contest are: Malconduct on the part of certain judges of election; the reception of illegal votes; errors of the judges of election in counting the votes, and errors of one of the boards of canvassers in declaring the result.

The relief asked for involves the hearing of testimony as to the various matters alleged, including the investigation of the returns made by various judges of election, and the counting of ballots for the purpose of comparison with the returns upon which the final result is based. It was shown that the election certificate issued by Mr. Barnes (Democrat) was issued to him, but by virtue of a declared majority of one vote only. Mr. Ellison (Rep.) claims that errors were committed sufficient in each instance to change the result and in the aggregate, if sustained by the court, to elect Mr. Ellison by a majority of about twenty votes.

A citation was issued on December 12th, by Judge Rolapp, at Farmington, Mr. Barnes, by his attorneys, demurred upon several grounds. The only ground urged, however, was that involving the jurisdiction of the court, and upon this contention Judge Rolapp passed in ruling upon the demurrer and dismissed the case solely upon that ground.

Therefore, the only question raised in the court below and presented to the Supreme Court is the question of jurisdiction. Mr. Barnes, by his attorneys, demurred upon several grounds. The only ground urged, however, was that involving the jurisdiction of the court, and upon this contention Judge Rolapp passed in ruling upon the demurrer and dismissed the case solely upon that ground.

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ADDITIONAL WOOD GIVES BONDS.
County Auditor and Auditor-elect George H. Wood, filed his official bond in the sum of \$15,000 with the county clerk today. His sureties are H. P. Henderson, Charles Head, W. S. McCormick and P. W. Madden.

DEATH OF MRS. TAYLOR.
Estimable Lady Passes Away at the Ripe Age of 87.

Mrs. Jane Ballantyne Taylor, wife of the late President Taylor, passed quietly away this morning at the home of her daughter, Mrs. A. E. Hyde, 40 west North Temple street, at the ripe age of 87 years and nine months; the cause of death being old age and general debility. The deceased was well and favorably known in this community as being an estimable lady, whose sterling qualities for years past have endeared her to all those who have had

the privilege of her acquaintance. Mrs. Taylor is the mother of Richard J. Taylor of Ogden, Annie F. Hyde of this city and David John Taylor, now deceased. Deceased was born April 11, 1813, at the village of Shieldfield, near Edinburgh, Scotland, and at an early age joined the Church and emigrated to the country, with the result that for the past half century she has been identified prominently with the development of this State. Funeral services will be held at the residence of A. E. Hyde, at 11 o'clock on Sunday morning, on which occasion friends will have the privilege of viewing the remains between the hours of 10 and 11 a. m.

BLANK BONDS SHIPPED.
Signed by the City Officials and Forwarded to Shepard & Co.

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Dr. O. C. Ormsby, formerly of Logan, the county, but now of Oakley, who has tendered his resignation as member of the State board of medical examiners to Governor Wells. In a communication addressed to Governor Wells, dated Oakley, December 23, 1900, Dr. Ormsby says he resigned because he had concluded to locate in Idaho altogether. He will move his family to Oakley next spring. The resignation was accepted, but Governor Wells will not name a successor to Dr. Ormsby until the meeting of the next Legislature.

The case of Ephraim P. Ellison, contestant and appellant, vs. J. G. M. Barnes, contestee and respondent, involving the right to a seat in the Senate of the next State Legislature, from the Third senatorial district, which embraces the counties of Davis, Morgan and Rich, came for argument before the Supreme court this afternoon. Attorneys Critchlow, P. L. Williams and D. H. Wenger appeared for the appellant, while the other side was represented by Judge Powers, J. H. Hurd and James H. Moyle.

The action is a statutory one brought under the provisions of chap. 9 of the Revised Statutes. The grounds of the contest are: Malconduct on the part of certain judges of election; the reception of illegal votes; errors of the judges of election in counting the votes, and errors of one of the boards of canvassers in declaring the result.

The relief asked for involves the hearing of testimony as to the various matters alleged, including the investigation of the returns made by various judges of election, and the counting of ballots for the purpose of comparison with the returns upon which the final result is based. It was shown that the election certificate issued by Mr. Barnes (Democrat) was issued to him, but by virtue of a declared majority of one vote only. Mr. Ellison (Rep.) claims that errors were committed sufficient in each instance to change the result and in the aggregate, if sustained by the court, to elect Mr. Ellison by a majority of about twenty votes.

A citation was issued on December 12th, by Judge Rolapp, at Farmington, Mr. Barnes, by his attorneys, demurred upon several grounds. The only ground urged, however, was that involving the jurisdiction of the court, and upon this contention Judge Rolapp passed in ruling upon the demurrer and dismissed the case solely upon that ground.

Therefore, the only question raised in the court below and presented to the Supreme Court is the question of jurisdiction. Mr. Barnes, by his attorneys, demurred upon several grounds. The only ground urged, however, was that involving the jurisdiction of the court, and upon this contention Judge Rolapp passed in ruling upon the demurrer and dismissed the case solely upon that ground.

Arguments were in progress at press time. It is expected that the matter will be taken under advisement, and an early decision rendered.

ADDITIONAL