SQUELCHED A MARQUIS

General Ludlow's Stinging Rebuke to Former Spanish Official.

SPAIN'S RECORD IN CUBA

LEFT NOTHING BUT THE FILTH OF GENERATIONS.

Ludlow Sets Forth the Horrible Results of Spanish Misrule and Shows What the Americans Are Doing For the Island—Spanish Etiquette Goes By the Board.

Havana, Jan. 17.—Some idea of the conditions here in Havana, and of the real magnitude of the work before the military administration, can be gathered from a letter sent recently by Major General Ludlow, military governor of the department of Havana, to the late mayor, Marquis d'Estaban, in reply to a letter complaining that certain United States staff officers had been operating in the mayoralty sphere without consulting him.

After an expression of regret that the marquis had been inconvenienced in any way, and an assurance that, whatever had been done, no discourtesy was intended, General Ludlow says:

"You must admit, however, that the city of Havana is in a deplorable condition. The Spaniards have left it bankrupt, unable to pay its employees, who have lacked their salaries for many months. The prisons, asylums and homes for the destitute are without supplies, food or medicine. The sanitary condition is frightful. Almost inconceivable abuses exist, which are a continuing menace to the health of the city.

"The Spaniards have left Havana with scarcely an attribute of modern civilization, and practically in the sanitary condition of a city two centuries ago. For the time being, Havana, as well as the island, is in a helpless and destitute condition. The United States is provisionally in charge of the administration of affairs, military and civil. The American government has expended large sums of money for the regeneration of the island, and is ready to spend more. The money which at this very moment is being used to maintain the charitable institutions of the city is money allotted by the United States as a free gift for this purpose. We have given food rations by the million and employment to thousands who needed it.

"The retiring Spanish authorities have pillaged almost every public building destined for us, stripping all of everything of value, with a few exceptions, and leaving behind only the accumulated filth of generations. Within three months will come the wet season, with deplorable possibilities as to the outbreak of epidemics, particularly yellow fever, by which Havana suffers the year round, owing to the gross neglect of all sanitary precautions.

"In these circumstances, faced by the gravest emergency, with immediate measures of relief necessary in every direction, with all public institutions to be reorganized and re-equipped, with the streets to clean and pave, the sewers to be built, untold abominations by the thousand to be obliterated, and the common people to be educated in the elementary principles of modern civilized life, it is simply impossible at this moment for the United States military authorities in every step they take to go through the tedious processes imposed by Spanish methods upon local administration."

In concluding his letter, General Ludlow invited the Marquis to join in measures tending to ameliorate the deplorable conditions under which Havana suffers.

Governor General Brooke in a day or two will create a supreme court for the island of Cuba. It will consist of a chief justice and six associate justices. It will be a court of last appeal for the consideration of cases which formerly went to Madrid for decision.

The American government is now building and equipping a railroad in Cuba, 1,700 men being at work. At least 1,300 more will be given employment as soon as possible. The road runs from Triscornia, around Guanabacoa, giving connection with all railroads entering Havana. It will be about six miles in length, and is being constructed by the American Indies company, in connection with the contracting firm of Drake, Stratten & Co. of New York and Pittsburg. The road is being built on an elastic contract—so much per cubic yard of dirt handled.

The original plans contemplated the construction of seven warehouses at the Triscornia. The Van Aiken Construction company has been given a contract for the buildings.

PANAMA CANAL HEARING.

French Company's Representatives Before House Committee.

Washington, Jan. 17.—The new Panama Canal company was given a hearing today before the house committee on commerce. The hearing was in accordance with a recent determination of the committee to hear all persons concerned in an isthmian canal. The delegation included General Henry L. Abbott, United States corps of engineers, retired; Louis Choron, chief engineer of the company; Mr. Hayard, commercial representative and Messrs. Cromwell, Curtis and Brown, as well as a number of technical experts of the company. Professor Haupt of the Nicaragua Canal commission, was also present.

In the opening statement, Mr. Cromwell summed up the Panama project as follows:

"Nearly one-half of the work of excavation is actually completed, the harbors at the termini are natural, open and free to entry by vessels of the largest draught; there is an existing railroad parallel to the canal and vastly expediting the work of construction; the concessions, titles and solvency of the company are unquestionable. Over 2,000 men, with a force of over 120 engineers, have been for four years and are now actually engaged on the canal work; the United States had, by treaty with Columbia, entered into special guaranties respecting a canal across the Isthmus of Panama, and as all this work has been done and will be completed without the cost of a penny to the people of this United States, we have a right to assume that the Panama canal is a necessary, if not the controlling factor in the solution of the isthmian canal problem."

He particularly denied that the new company was under the control of the French government or was influenced by any American railway interests. This company was not applying to any government for money, and in particular was not seeking any financial assistance from the United States, although being conducted under an American treaty.

DECLINE OF PARNELLISM.

Labor Party's Remarkable Success In the Irish Elections.

Dublin, Jan. 17.—Judging from the results already known at midnight, the Irish elections today have been remarkable for the success of the laborers and the waning power of Parnellism. The new feature is that women were allowed to vote for the first time.

In Dublin the representation of labor has been quadrupled, while the Parnellites have secured little more than half their former strength, although, owing to internal dissensions in John Redmond's party, it is rather difficult to give an accurate estimate. Mr. Redmond himself has been elected for one ward, but he did not head the poll, and therefore misses the aldermanship. Timothy Harrigan, member of parliament for the Harbor division of Dublin, is in the same boat, having been topped by a new laborite.

In Cork the Parnellites have done better, but they have failed to retain their former ascendancy, having only a majority of one over the Dillonites, while the laborites have secured nine members.

However, wherever the issue was between a Parnellite and an anti-Parnellite and the question was squarely fought, the Parnellites were victorious. Speaking generally, this is an increase of nationalist power, but nothing like an exclusion of unionists.

DIXON STILL THE CHAMPION

PUT THE SOUTH AFRICAN SLUGGER TO SLEEP.

Young Pluto Was Hammered and Knocked About the Ring and Knocked Out In the Tenth Round.

New York, Jan. 17.—Once more George Dixon proved his cleverness and hard-hitting ability today at the Lenox Athletic club, where he met and defeated Young Pluto of South Africa, in the tenth round of what was to have been a twenty-round bout.

The knockout came in the shape of a left swing in the stomach, which crushed the wind out of the latest arrival among the short-haired fraternity in this country.

Pluto was heralded as a world-beater by his friends, but, although he is very clever in defensive work, and undoubtedly game, he was never dangerous. Dixon soon battered down the African's guard and early in the fight demonstrated that he was Pluto's master. As the rounds passed, Pluto's strength was fast ebbing, while Dixon showed no signs of distress. It on the contrary, seemed to gain ... fresh energy, and forced his opponent all over the ring. He rained lefts and rights on head and body, receiving only an occasional blow in return. In the ninth round he should have knocked his man out, as the opportunity presented itself for a right swing on the jaw. Dixon did not try to take advantage of this chance, as he plainly saw that Pluto could not go much further, and he was right in so judging.

Pluto looked weary when he came up for the tenth round. Dixon sent four lefts to face and a right to the head. Then, with a left on the stomach and a right on the jaw, Dixon floored his opponent. Pluto got up inside of three seconds, when Dixon began to push him all over the ring, landing lefts and rights at will on the body. Pluto was unable to guard himself and after Dixon had pummeled him into his corner, he let Pluto out, only to go after him with a finishing blow, a left swing on the pit of the stomach, which put Pluto down and out. Pluto lay on his back for nearly twenty seconds, and then his handlers jumped into the ring and carried him to his corner.

Although Dixon cannot hit as hard as formerly, his wonderful cleverness still stands by him, and it looks now as if he would be able to hold his own against all comers for a long time to come.

Choynski-Hall Match Off.

Galveston, Tex., Jan. 17.—Sheriff Thomas this evening notified the officers of the Galveston Athletic club that the proposed fight between Joe Choynski and Jim Hall could not take place. The twenty-five round contest was booked for Thursday night at the opera house. Captain McDonald of the state rangers is in the city, presumably in the interest of the state, and to see that the law is respected.

Miners Elect Officers.

Pittsburg, Pa., Jan. 17.—When the United Mine Workers of America reconvened today, the tellers appointed to hold the annual election of officers announced the following result:

President, John Mitchell of Indianapolis; vice president, T. L. Lewis of Indianapolis; secretary-treasurer, W. W. Pearce, Indianapolis; executive board—Fred Richer, Nelsonville, O.; H. Stephenson, East Bank, W. Va.; Edward McKay, Buena Vista, Pa.; W. R. Fairley, Pratt, Ala.; James Roston, Duquoin, Ill.; George W. Purcell, Terre Haute, Ind.

TELEGRAPHIC BRIEFS.

Janowski has challenged Pillsbury, the chess champion, for a match for $1,500 a side.

Major J. Edward Hotchkiss, Stonewall Jackson's celebrated engineer, died at his home in Staunton, Va., of grip.

Edward Holst, musical composer, is dead at New York of Bright's disease, aged 59 years. He was a native of Denmark.

Yesterday's statement of the condition of the treasury shows: Available cash balance, $202,047,888. Gold reserve, $226,211,462.

The Rev. Stopford Brooke of Boston has accepted a call to the church in San Francisco, of which the Rev. Dr. Stebbins was the former pastor.

D. Holliday & Co., wholesalers of dry goods at Baltimore, went into the hands of receivers today. Their liabilities are $377,000, with assets valued at $432,000.

Captain W. H. Beck, inspector general of the department of the Missouri, has been ordered to Washington at once for consultation with the secretary of war.

C. G. Foster, federal judge for Kansas, has resigned, the resignation to take effect March 1. This is in accordance with the bill raising him recently passed by congress, which has been signed by the president.

Colonel William A. Stone was inaugurated governor of Pennsylvania. General J. P. S. Gobin, at the same time, was inducted in the office of lieutenant governor. The inaugural procession was one of the most imposing ever seen in Harrisburg.

The Buda Pest correspondent of the London Daily Mail says that an agrarian revolt is in full swing in the Arad district, Hungary. Fierce conflicts have taken place, in which sixteen rebels and ten soldiers have been killed and the rebellion is rapidly spreading.

While seeking safety from the flames which were destroying their home at Cleveland, Mrs. Fred W. Tisdel was instantly killed and her husband sustained severe injuries from which he may die. Mr. Tisdel is chief clerk in the auditing department of the Lake Shore railroad.

The Nebraska legislature has passed a resolution calling on the war department to investigate the charges of improper conduct and cruelty made against Colonel Siebenberg of the First Nebraska and for his transfer from the regiment to his station in the regular army, pending investigation.

Under the new Irish local government act John Daly, the former political prisoner and his supporters have captured twenty-four out of the forty seats comprised in the new Limerick corporation, and Daly is almost certain to be elected mayor of that city unless he should be declared to be disqualified.

The Democratic opponents of the peace treaty were in conference several hours devising ways and means for conducting their contest. They resolved to insist upon an amendment placing the Philippines on the same footing in relation to the United States as Cuba, and to make a persistent fight if this concession was not granted.

Conjugal Agreement.

(New York Weekly.)

Mr. Winkle—There, I've forgotten to post your letters again. I am very absentminded.

Mrs. Winkle—Yes, your mind has been absent a good many years.

The M. & M. tea has stood the test for fifty years. Hewlett Bros. Co., sole agents.

VOTING FOR A SENATOR

(Continued from page 1.)

lution was adopted without division, but not one of the representatives had occasion to avail himself of the privilege of explaining his vote.

Promptly at 2:30 the voting commenced. There were no nominating speeches and nothing in the way of interesting preliminaries.

"The clerk will call the roll," ordered Speaker Roylance, and immediately Chief Clerk Cohen called out "Bennion."

"I vote for A. W. McCune," was Representative Bennion's clear response.

"Hon. W. H. King," responded Representative Betts.

As Bramwell arose to his feet he spoke the name of Frank J. Cannon.

In stentorian tones Bywater said, "I cast my vote for A. W. McCune."

Callister and Christensen spoke the name of George Sutherland.

Representative Clyde announced his choice of A. W. McCune.

COOK IS SANGUINE.

The first mention of Judge O. W. Powers' name was by Representative Cook, who said: "I cast my vote for Hon. O. W. Powers the next senator of the United States from Utah."

From the Republican side of the house, Crosby spoke the name of Sutherland.

Cummings and Farr declared for McCune.

"I have pleasure and satisfaction in voting for W. H. King," came from the lips of Representative Fisher.

Forman voted for Powers.

In quick succession the name of King came from Fullmer, Greenwood and Hansen.

N. J. Harris of Weber gave Cannon his second vote.

C. Z. Harris of Cache and Holmgren of Box Elder swelled Sutherland's vote to five.

THE LADY MEMBER'S VOTE.

Mrs. Horne varied the monotony by saying, "William Henry King."

Cannon's third vote came from Ivers, and a half minute later Johnson also announced his allegiance to the retiring senator.

"O. W. Powers," was all that Jackson said, and Lapish followed with another vote for the judge.

Larsen merely announced the name of W. H. King.

Law of Cache announced the sixth vote for Sutherland.

To the names of Lloyd and Miller there was no response. They were excused from attendance until today.

Murdock wished his vote recorded for George "H." Sutherland.

One after another, Representatives Mansfield, McQuarrie, O'Neil, Parry and Redd spoke the name of King.

Representative Richards of Tooele was another absentee.

Robinson's vote went to where Richards' would have gone—to Sutherland.

The next four votes were scattered. Robertson spoke the name of King; Shepard declared for McCune; Smith for Cannon and Sorenson for Sutherland.

Just as many others had said, Stewart answered the roll call by: "I vote for W. H. King."

Taylor and Welch, the last of the Republicans, expressed their preference for Sutherland.

Representative Wheeler voted for King, and Speaker Roylance closed the absorbing incident of the day by announcing the name of O. W. Powers.

The house immediately after adjourned until 11:30 this morning.

FIRST BILL KILLED.

Holmgren's Bill Relating to Agricultural Bulletins Unnecessary.

Because of the all-absorbing interest in the senatorial balloting, a woefully small amount of routine business was transacted in the house of representatives yesterday afternoon. The most important proceeding under the regular order of business, as far as reached, was the killing of house bill No. 22, introduced by Representative Holmgren, and providing for the distribution of annual bulletins from the agricultural college through the state superintendent of public instruction to school trustees for free circulation in district school libraries.

The committee on education recommended that the bill be rejected, for the reason that the object sought could be readily accomplished without legislation. Mr. Holmgren made a plea for favorable consideration of his bill, but the committee's report was adopted by an almost unanimous vote.

The enrollment committee reported the engrossing of H. B. No. 17, Jackson's railroad measure, which passed both houses on Monday, and the bill was handed to the speaker and the chief clerk for their signatures.

The house took the same course as did the senate with reference to sending regrets to the executive committee of the National Live Stock association on the legislature's inability to accept the invitation to attend the association's annual meeting in Denver two weeks hence.

HOTEL ARRIVALS.

At the Kenyon.—Erharth White, New York; C. S. Brooks, Boston; L. W. Foster, Wabash; H. H. Grenlee, Mamoth; F. X. Pellier, Mercur; C. D. Heling, Kansas City; M. M. Well, Chicago; Dr. L. Joseph, Cincinnati; Thomas Kearns and wife, Park City; Philix Rhisbolt, I. N. Fulton, G. V. Schramm, F. J. Schramm, T. Beardsley, F. G. Parker, W. J. Shealy, Abbott R. Heywood, Ogden; W. H. Phelbrick, American Falls; C. C. Sloan, Milwaukee.

At the Knutsford.—Beverly Barnes, Chicago; E. P. Barton and wife, Philadelphia; I. H. Greer and wife, Indianapolis; Frank Keim, A. R. Brizwald and wife, New York; William B. Trowbridge, New York; P. C. James and wife, Graham Jones, Saginaw, Mich.

At the Cullen.—H. H. Bowles, Eureka; Mrs. A. O. Smoot, Provo; Dr. C. W. Clark, Eureka; J. P. Sweeney, Park City; Lewis Anderson, Manti; A. A. Evans, Ophir; P. Greaves, Ephraim; O. G. Earl, Mercur; G. B. Becker, Newton Farr, Ogden; Brig Smith, Bingham; B. H. Roberts, Centerville.

At the Walker.—Ed T. Lofgreen, St. David; Herman Lofgreen, Ogden; J. E. Ryan, Montevello, Minn.; John Jones, Mercur; C. M. Brough, Ogden; George M. Olson, Celia Hampshire, Eliza Hampshire, W. L. Taylor, Mt. Pleasant; C. L. Preble, H. P. Oliver, Mercur; J. F. Sehrath, Bingham; Rupert Brown, West Jordan.

An Astonishing Disclosure.

(Leslie's Weekly.)

The astonishing disclosure is made by the official black book of the Spanish government, which contains the documents and letters that passed between the United States and Spain just before the outbreak of the war, that the Spanish secretary of state, on Feb. 8 of this year, sent a note to the powers, stating that the ostentatious concentration of the American naval forces in Cuban waters, and the persistence with which the Maine and the Montgomery continued to remain in such close proximity to Cuba, was causing excitement, and the Spanish secretary expressed the fear that "by some accident a conflict might be precipitated." Just one week later the explosion of the Maine occurred, and the "accident" which the Spanish secretary of state alluded to brought about a state of war. The statement of the Spanish secretary in reference to the possibility of an accident precipitating a conflict may have been simply a coincidence, but it is certainly remarkable that the explosion of the Maine occurred so soon after it was made. The mystery of the Maine has never been fully investigated. Probably the real truth will be disclosed in due time.

U. S. Baking Powder is pure and strong and only costs 25c per pound.

Proposed Cable Line.

The proposed trans-Pacific cable looks well on the map and reads: From San Francisco to Honolulu, 2,093 miles; from Honolulu to Guam, one of the Strong islands, 2,518 miles; from Guam to Guam island, 1,200 miles; from Guam to Manila 1,200 miles; total, 7,009 miles.

If you desire the best, use Hewlett Bros'. Three Crown Spices.

MUNYON'S

A cold is dangerous. Don't let it get the start of you. A few doses of my Cold Cure will break up any form of cold in a few hours and prevent grippe, diphtheria and pneumonia. It should be in every home and every vest pocket. It is better than a life insurance policy.

MUNYON.

At all druggists, 25c. a vial. Guide to Health and Medical advice free. 1505 Arch st., Phila.

COLD CURE

CITY FINANCES FOR THE YEAR

AUDITOR SWAN'S FINANCIAL REPORT FOR 1898.

Disbursements Shown to Aggregate $470,000 During the Year—The Showing a Fine One.

City Auditor Swan submitted his annual report to the council last night, showing the total receipts and disbursements for the year. The statement in detail is as follows:

Receipts—	
Balance Jan. 1, 1898	$ 32,108 78
City tax, 1897	69,173 15
City tax, 1898	159,000 00
Liquor licenses	86,305 43
Miscellaneous licenses	28,084 75
Merchants' licenses	20,627 80
Water rates, 1898-99	46,868 42
Water rates, 1897-98	14,651 15
Water rates, 1896-97	168 90
Water main extensions	4,882 12
Waterworks	1,053 05
Water rates, supplementary	160 00
Fines and forfeitures	14,237 95
Salt Lake City Railway Co.	10,000 00
Cemetery	7,106 13
Mayor's contingent fund	3,374 21
Poll tax	2,889 53
Engineering	2,024 66
Premium on bonds	2,000 00
Interest on railway notes	1,784 12
Sundry expense funds	1,729 78
Salt Lake county tax sales	1,639 27
Dog tax	1,537 65
Rent	1,348 50
Oil inspector	1,252 60
Tax sales	873 84
Interest	689 12
Claims and damages	630 00
Liberty park	219 70
Land	209 09
Street and irrigation	263 72
Health	82 50
Fire department	71 25
Fire insurance	56 25
Legal expense	52 99
Street repairs	31 15
Salary refund	25 50
Joint building expense	15 62
Recorder's office	3 20
Municipal election	50
Sewer taxes	1,595 74
Paving State street	1,224 79
Sewer extension No. 38	825 58
Sewer extension No. 41	825 50
Sewer extension No. 42	591 50
Sewer extension No. 43	170 30
Sewer extension, First West	390 00
Paving Commercial street	166 74
Curbing and guttering	141 24
Total	$515,394 70
Disbursements—	
Interest on bonds	$127,400 00
Waterworks	35,109 41
Police	24,839 55
Street lighting	24,681 17
Street and irrigation	24,181 72
Fire	21,391 99
Salaries	28,826 84
Street sprinkling	22,029 30
Claims and damages	14,061 11
Engineering	12,387 10
Health	11,847 79
Cemetery	7,000 20
Joint building expense	6,921 88
Prison	4,702 24
Crematory	4,518 10
Legal expense	4,402 42
Liberty park	4,295 23
Interest	3,413 95
Sundry expense fund	3,148 92
Refund sprinkling tax	1,677 14
Constructing weirs, Parley's canyon	1,410 72
Retaining walls, Parley's canyon	1,879 97
Printing and advertising	1,222 64
Sewer materials	1,208 37
Construction pipe for sump in Emigration canyon	1,200 13
Collecting city taxes	1,149 04
Recorder's office	898 40
Fire insurance	831 25
Treasurer's office	835 65
Cleaning sump, Emigration canyon	897 97
Pensions	690 00
General expense	640 26
Donations	600 00
Hospital	521 63
Board of public works	507 83
Cleaning pipe for sump in Emigration canyon	400 52
Turning water from Parley's conduit	303 05
Police justice	265 75
Valve, pipe, Emigration canyon	263 10
Fines and forfeitures	261 00
Indigent account	226 50
Dog tax	188 15
Street repairs	186 64
Bridges and repairs	185 70
Municipal elections	184 00
Flush tank, First South	149 35
Public grounds	126 42
Auditor's office	123 28
Board of control, Parley's canyon	121 00
Exchange	100 54
Miscellaneous license refund	49 65
Attorney's office	42 00
Sealer of weights and measures	24 25
Merchants' license refund	21 10
Oil inspector	20 50
Special interest	19 30
Building inspector	18 65
Liquor license refund	10 00
Water rates, refund 1897-98	7 25
Sewer extensions	2,731 20
State street paving	10,046 52
West Temple street paving	8,630 34
Sidewalks	29 52
Sidewalks, refund	7 50
Water main extensions	871 10
Land	3,029 15
Balance	44,589 97
Total	$515,394 70

A common expression is: "The human race is growing weaker and wiser." That we are growing weaker is proved by the large number of pale, thin and emaciated people.

That we are growing wiser may be proved by overcoming these disorders with the timely use of Scott's Emulsion of Cod-liver Oil with Hypophosphites which gives strength, enriches the blood, invigorates the nerves and forms fat.

50c. and $1.00, all druggists.
SCOTT & BOWNE, Chemists, New York.

FITZGERALD VS. M'AFEE

Suit to Recover Fifteen Hundred Dollars On a Check.

A QUESTION OF VERACITY

SEEMS TO BE THE FEATURE OF THE CASE.

Suit For Possession of 23,200 Shares of Stock of the Star Mining Company—State Supreme Court—Short Orders and Notes—Petition In Bankruptcy Filed.

The trial of the suit of Mike Fitzgerald against Patrick McAfee was begun yesterday before Judge Cherry and a jury, with Mr. H. J. Dininny representing the plaintiff and Mr. H. P. Henderson for the defendant.

In the complaint it is alleged that on Jan. 27, 1898, the defendant made and delivered to the plaintiff his check for $1,500, drawn on Walker Bros. bank. The plaintiff presented the check at the bank and payment was refused, and the plaintiff now asks for judgment for the amount and interest.

McAfee denied that he ever gave Fitzgerald the check or any check, and denied that he owed Fitzgerald anything.

The testimony went to show that the parties had dealings in mining claims, and Fitzgerald averred that he had advanced money to McAfee at various times for the purpose of doing assessment and other work on mining claims owned by them.

He also claimed that he had lent McAfee money at various times, and that it was in repayment of these amounts that McAfee gave him the check. Fitzgerald drew the check, he said, by the directions of McAfee, and the latter, not being able to write, put his mark to the signature.

McAfee denied borrowing any money from Fitzgerald and denied that he owed him anything. The testimony was all in, and the arguments were proceeding when court adjourned until this morning.

McAfee is the man who a year or two ago sold some mining properties for $10,000, came to town and proceeded to have a good time in his way. He threw his money around lavishly, and one day took it into his head to get married, and did so, the woman being a chambermaid at the St. Elmo hotel. Three days after the marriage, the bride commenced proceedings for divorce, alleging cruelty as the grounds, and praying for a substantial sum as alimony. The marriage was afterwards declared void for the reason that it appeared that the woman already had a husband, from whom she was undivorced, and it also appeared that McAfee was so drunk when the marriage ceremony was performed that he didn't know what he was doing.

PETITION IN BANKRUPTCY.

It Is Filed By Stewart H. Moyes of Ogden.

Stewart H. Moyes of Ogden, nightwitchman for the Southern Pacific, filed an involuntary bankruptcy petition in the federal court yesterday and was adjudged a bankrupt by Judge Marshall in chambers. The debts aggregate $1,471.35, of which only $168.75 are secured. The assets amount to practically nothing, consisting of 5,000 shares of stock in the North Star Mining company with no market value. Personal property exempted is placed at $162.50.

Creditors holding securities:

E. Tracy, three notes, amounting to $168.75, secured by an omnibus valued at $125.

Creditors whose claims are unsecured:

A. D. F. Reynolds, note	$ 95 00
Sarah J. Fuller, Brigham City, note	555 00
Heber Wright, note	19 00
Thomas Doxey, sr., note	25 00
Browning Bros., book account	12 00
A. M. Hotelling, book account	48 00
George Craig, note	17 00
Thomas Carr, book account	5 20
D. K. Allen, book account	9 00
Lewis Zitzman, book account	15 00
Reese, Howell & Son, book ac't	62 00
C. L. Stone, book account	7 00
Charles Nelson, note	12 00
James Wilson, note	21 00
Charles Sullivan, note	15 00
M. Hall, book account	2 00
S. L. Brick, book account	6 00
Edwin Payne, book account	4 00
J. S. Kranch, book account	8 00
W. Farr & Co., note	54 00
Total debts	$1,671 95

All the creditors reside in Ogden except Sarah J. Fuller of Brigham City.

GOLD STAR MINING COMPANY.

Suit For Possession of 23,200 Shares of the Stock.

William H. Bramel has entered suit against the Gold Star company, J. R. Middlemiss, James Moffat, John B. Dailey, C. B. Durst, F. W. Brokmeyer, S. L. Ensign, A. T. Lawrence and Thomas Kane, officers of the corporation, praying that the plaintiff be adjudged the owner of 23,200 shares of stock of the company, and that the officers of the company be compelled to issue to the plaintiff a certificate of stock for the same, that pending the trial an injunction issue preventing disposal of the stock, and if it has been already disposed of, that the parties who hold it be declared and made parties defendant to the suit.

The stock in question was sold for a delinquent assessment and bought in by the company, and the plaintiff now alleges that the assessment was illegal and void. The stock when it was sold stood in the name of J. R. Middlemiss, who transferred it to this plaintiff, but the transfer was not made on the books of the company.

SUPREME COURT.

Three Cases Argued and Taken Under Advisement.

In the supreme court yesterday, Chief Justice Bartch, Justice Baskin and District Judge McCarty sat on the bench, heard arguments in the following three cases and took them under advisement:

The Utah Optical company vs. David Keith and James Ivers, appellants; argued by Mr. A. C. Ellis for the appellants and by Mr. John M. Zane for the respondent.

Rachel M. Mills, administratrix, appellant, vs. Alfred Johnson; argued by Mr. W. I. Snyder for the appellant and by Mr. S. W. Darke for the respondent.

Margaret Linden, administratrix, appellant, vs. the Anchor Mining company; argued by Mr. D. N. Straup for the appellant and by Mr. Arthur Brown for the respondent.

Short Orders.

Louisa Smith vs. Salt Lake City Railway company; continued by consent.

Frank E. McGurrin vs. Jennie B. Tennant et al.; continued until Monday, Feb. 6.

James Metcalf vs. Christina Merritt et al.; judgment and decree for plaintiff.

Standard Steam Laundry et al. vs. C. A. Dole; continued.

Miscellaneous Notes.

In the case of John C. Gage vs. the Bingham Gold Mines company, Deputy Sheriff John Montgomery yesterday levied attachments on the company's property, consisting of mining claims, mill site and machinery at Bingham. The suit is brought to recover $27,400.

Thirteen persons against whom criminal charges are pending will be arraigned before Judge Norrell this morning.

Thomas Lawrence and William H. Price, natives of England, now residents of Salt Lake, were admitted citizens of the United States.

The National Bank of the Republic yesterday filed an attachment suit against Walter Moore, to recover $625.37 on two promissory notes.

Sent On to Washington.

The quarterly reports of the United States courts were forwarded to Washington yesterday.

THE MANNING RAPE CASE

DEFENDANT TAKES UNTIL THIS AFTERNOON TO PLEAD.

Jack Richards Found Guilty of Petit Larceny—Judge Timmony Gives Arthur Wilson a Chance.

W. A. Manning, who is under arrest charged with committing rape upon his 5-year-old step-daughter, Anna Bell Lowe, was brought into police court yesterday afternoon for arraignment. Judge Timmony, after reading the charge and explaining the heinous character of the offense, instructed Manning as to his rights to take time to plead and consult counsel. He availed himself of the time allowed, and was granted until this afternoon at 2 o'clock.

Richards Guilty.

Jack Richards, who, with the Curtis boys, was arrested for stealing sheep and other property from John Mackay of Granger, Jan. 8, was tried before Justice McMaster yesterday on the charge of petit larceny. Jack, through his attorney, A. O. Woolley, concluded to take a change of venue from Judge Timmony to Justice McMaster, who, after hearing the evidence, pronounced him guilty and fixed the time for passing sentence at 10 a. m. today. W. T. Gunter conducted the prosecution, the witnesses for the state being John C. Mackay, Detective Gillespie and Sergeant Tom Hilton.

Gives Him a Chance.

Arthur Wilson, a colored man, was tried yesterday for vagrancy. He acquired notoriety last week by the appearance of his clothing on a drunken woman, Hattie Shafer, who shows Indian, colored and white blood in her veins. It was shown that he has not been engaged in any employment for several weeks, except as a pianist in a house of ill-fame. Judge Timmony, however, concluded to discharge him, provided he would find honorable employment or quit the town.

Police Notes.

A Chinaman was sent to jail for thirty days for vagrancy, which will prevent him from interfering in the Chinese New Year's festivities.

Lester Hanson, a young man, was arrested yesterday for throwing a snowball at a small boy, Clyde Squires, striking him in the eye. He was fined $5, but as he had no money to liquidate, it was thought best not to imprison him, and after a short sweat at police station he was allowed to go.

George F. Kelting, who shot Lewis Shannod, a colored man, in the leg a few weeks ago, will probably have a hearing before Judge Timmony this afternoon. Shannon is recovering from the wound, and will be able to appear against Kelting.

Joe Shannon appeared at police station last night and pleaded for help, declaring he had not had a meal to eat since Christmas. He wanted $4 in cash, but Johnny Armstrong hunted a plate of cold baked beans, which he pourred so contemptuously that Detective Gillespie decided to lock him up for vagrancy. When searched a whole sackful of food was found on him.

The payroll of $16,000 or $17,000 distributed at Fort Douglas yesterday caused some discord in favorite colored haunts on Commercial street last night. About 11 o'clock a crowd of dusky faces poured into police station, the central figure being G. Sanders of company G, who was "half shot," and claimed to have been robbed of his money in a saloon. Policeman Hemple had the fellow he claimed did the job, but James Bradley and M. B. Shetton, both colored, stood out for his innocence, and said they knew who the guilty colored man was, having seen him go through Sanders' pockets, but were unable to furnish his name. They will be used as witnesses for the apprehension of the man. Corporal Jones took Sanders to Fort Douglas.

The Monkeys Had a Christmas Tree.

(New York World.)

Chicago—Keeper Cy De Vry of the Lincoln park zoo gave the monkeys a Christmas tree. He went out and bought the prettiest tree that could be found—one large enough for a whole family. He bought popcorn balls and strings of popcorn, broken candies, cornucopias, carrots, oranges, apples, bags of peanuts and everything to conduce to the pleasure of a Simian family. Then he hung a curtain in the corner of the cage, put all the little animals behind it and began the work of decorating. He braced the tree in the cage and hung festoons of candy and popcorn from it. He scattered presents on all sides of it. When it was all done he dropped the sheet and let the monkeys in. There was an enthusiastic and simultaneous rush for the tree. From top to bottom and from bottom to top the little animals flew about it, chattering, screaming and sampling the wares. Each selected what he wanted most and made for the top of the cage to eat in peace. The presents were renewed several times during the day, and each time the animals soon stripped the tree of its load, one aged monkey from Brazil superintending the distribution of the gifts.

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CRITCHLOW OR YOUNG.

Governor Wells Will Promote One of Them Today.

Governor Wells will today appoint a surgeon for the Utah batteries in the Philippines. The appointment will go either to Lieutenant Critchlow, one of the heroes of the battle of Malate, or to Commissary Sergeant Harry Young.

From friends of both men it was learned that Lieutenant Critchlow stands the best chance of being appointed, at least it is said he can have the promotion if he so desires.

The appointment will carry with it the rank of major, it is thought, and will therefore be a substantial advance for the gallant lieutenant.

ONLY IN RARE BOOKS HE DEALT.

The Death of Chicago's Learned Old Bibliophile.

(Chicago Chronicle.)

The little temple of amateur bibliophiles of Chicago was reopened Monday, but its priest, who was teacher, guide and counselor of the cult, is gone. He was Philip Naughten. More than two weeks ago a time came when the door of the dingy little place was not opened. Persons who passed that way peeped in through the dusty window as usual, but the customary figure of a venerable man with a long white beard sitting near the window and poring over a musty tome was not there. Day after day came and the door remained locked and the bearded face did not reappear.

Now and then some one tried the door and, failing to open it, would put up his hands and shade his eyes, while he peered into the place. Inquiries of the neighbors revealed nothing of the ancient bibliophile.

More than a week passed before it was learned that the wrinkled hands that gathered those precious books would never caress them again. Old Philip Naughten was dead. He died on Dec. 14, but it was not till Monday that his son John reopened the book store and began selling off the odd and rare collection. For nearly sixty years Philip Naughten had been engaged collecting and handling rare books. He came of a race of bibliophiles. His father was a dealer in rare books in Dublin and afterward in London, where Philip was born. At the age of 11 years the little Philip was apprenticed to the then ancient dealer, Joseph Lilly. He remained with Lilly for twenty-three years, at the end of which time Lilly died, and then young Naughten emigrated to Ottawa, Canada, where he began to deal in rare books on his own account. In 1879 he removed from the Canadian town to Chicago. It would have offended him to have called him a dealer in second-hand books. He was a dealer in and importer of rare books. No man in Chicago knew as much about rare editions as he. His knowledge of books was almost surpassing belief. One day last winter a wealthy North Sider asked him for a singularly rare copy of one of the Elzevir press. The old man was sitting in his chair reading. He never looked up from his book until his visitor had explained what he wanted.

"There are only three copies of that," he said, glancing up for the first time.

"You say you have three copies?"

"No," said the old man, smiling sadly. "I have no copy of that edition. One copy is in London, one in Paris and one in Leyden. None is for sale."

Another day an amateur bibliophile called for a particular book.

"I have never handled but three copies of that book," said Naughten. "The last copy I had I sold twenty-seven years ago to a member of parliament in Ottawa. He has since died and his library will be sold next month. That is the only opportunity I know to get a copy of it."

His place was a place of last resort in Chicago for rare books. If every other place were tried, Philip Naughten could either dig the book out of one of his own shelves or tell the prospective purchaser where it could be got if such a thing were possible. Ephemeral books got small countenance from him. He sometimes handled a few cheap novels, but he never sold one without making an apology for doing it. Once when he was asked for a modern and easily found book he said:

"Why do you come to me for a book like that? You can get that book in any store." Then he turned again to the open pages he had been reading, and the conversation was at an end so far as he was concerned.

He was taken ill with the grip a year ago, and when he recovered he began doing something he had never done before—that was to mark the selling price on his books. He felt that he might drop off some day and he wished to leave