

CURIOSITY DISAPPOINTED.

JUDGE PATTERSON SENDS THE FOLSOM CASE TO A REFEREE.

The habeas corpus proceeding against Dr. William M. Cate to compel him to produce in court Agnes Folsom, the singer, came up before the Supreme Court, in Chambers, yesterday morning, upon a motion to refer the issues in the petition, return, and traverse to a Referee. Dr. Cate and his attorney, William Allen, and Mr. Folsom, the father of the interesting chose in action over whom these principals are contending, and his attorney, Mr. Mundy, were the only parties to the proceeding who were present.

Judge Patterson was not in humor to gratify the taste of the crowd of curiosity seekers who had flocked into court. He quietly took up the papers and ran his eyes over them. "There seems to be an issue," he said, "raised over the question whether the affidavit of Agnes Folsom, which forms part of the return, was made under duress or of her own free will."

"Of course, if the affidavit was made of her own free will," said Mr. Mundy, "that would put an end to these proceedings."

Judge Patterson summoned the lawyers to his desk and passed a few words with them in privacy—evidently making a proposition which the attorneys assumed to accept without hesitation—then aloud he asked Mr. Allen if he had anything to say.

"In accordance with the suggestion of the court," replied the lawyer, "I will consent to a reference of the issues."

Judge Patterson then named ex-Judge Samuel Jones as the Referee before whom the issues should be tried. The attorneys will present their orders of reference for settlement before Judge Patterson this morning, and then the Referee will set a date for the trial and issue his subpoenas for the witnesses. The prosecution will endeavor to investigate all the matters alleged in the petition, but in this they will be opposed by counsel for Dr. Cate, who will endeavor to confine the testimony to the question of duress alone.