

ANKNEY MUST PAY

Bank Stock Assessment Upheld by Supreme Court.

"CASH VALUE" IS DEFINED

Ex-Governor Lord's Brief Is Filed—Action to Recover Impounded Animal Cannot Be Brought Against a Municipality.

Value refers to exchange. The cash value of an article is the amount for which it will exchange.

The Supreme Court affirms an assessment of national bank stock at its actual market value, less a percentage which was deducted from the actual value of all similar classes of property.

The admission of oral testimony to prove the contents of a written instrument where no excuse is given for the failure to produce the writing is error, but the error is harmless where the testimony was substantial.

An action to recover possession of an animal impounded by a city marshal should be brought against the marshal and not against the municipality.

SALISBURY, Or., Dec. 7.—(Special.)—The Supreme Court today handed down decisions in three appealed cases and passed upon several petitions and motions. Ex-Governor Lord made formal application for permission to file his brief in the referendum case and the petition was granted. The brief is now a part of the record in the case. The decisions were:

Ankeny Versus Umatilla County. Levi Ankeny vs. William Blackley, Sheriff of Umatilla County, and Umatilla County, respondents, from Umatilla County, W. R. Ellis, Judge, affirmed; opinion by Justice Wolverson.

The County Board of Equalization of Umatilla County assessed to plaintiff 290 shares of stock of the First National Bank of Pendleton, and placed thereon a valuation of \$46,817, or \$160.74 per share. Ankeny brought this suit, alleging that the board acted arbitrarily and willfully assessed his property at an excessive amount as compared with the assessment of other moneyed investments in that county. He asked that the county be enjoined from collecting taxes on the stock and that which would be done upon a valuation of \$75.94 per share. The Circuit Court tried the case and dismissed plaintiff's suit.

The Supreme Court cites a Massachusetts case in which it is held that the cash value of an article is the amount of cash for which it will exchange. It is shown that Ankeny paid \$220 a share for the stock, and the court remarks that "considering his recognized business sagacity it is not at all probable that he paid more than its real worth, in fact, we must assume that the purchase was a good business investment or he would not have made it." The testimony of Judge Hartman was that the shares of stock were worth from \$200 to \$250 each.

The opinion of the Supreme Court indicates that the real property of the bank was assessed at \$24,935 and the shares of stock at a rate of \$160.74 per share for 790 shares would be \$127,182.60, making a total of \$152,117.55 for both stock and the real estate. At \$200 per share the valuation of the stock would be \$158,000. It was shown that all property was assessed at 40 cents on the dollar, its actual value, and diminishing this sum 40 percent would give \$124,400, which is \$2058 less than the assessed value. At Judge Hartman's lowest estimate, \$235 per share, and making the proper deduction, the value would be \$234,000 more than the assessed value. From this showing, the Supreme Court concludes that plaintiff has no reasonable cause to complain of the rate at which his shares of stock were assessed.

Galloway Versus Bartholomew. J. J. Galloway, respondent, vs. A. G. Bartholomew and J. T. Hoskins, appellants, from Morrow County, W. R. Ellis, Judge, affirmed; opinion by Justice Beahm.

This was a suit to recover \$231.14, alleged to be due on a promissory note. The defense was that Hoskins signed the note as surety, writing the word "surety" after his signature, which word was alleged to have been erased by Galloway, by reason of which the note became void. The facts stated in the defense were denied. Upon trial the plaintiff testified regarding the execution and delivery of the note, and the jury found that the word "surety" was not contained in the note. He also testified that the money had not been paid, but was then due. He did not offer the note in evidence nor give any excuse for not doing so. Going to the jury on the oral testimony, but this was overruled. The defense moved for judgment, but this being denied they rested and judgment was entered for plaintiff as prayed, whereupon defendant appealed.

The Supreme Court holds that it was error to admit oral testimony regarding the note without a legal excuse first being given for the failure to produce the writing. It is held that the note was harmless, however, for the defendants admitted liability, one as principal and the other as surety, and the plaintiff's testimony was unnecessary. The alleged alteration of the note was a matter of defense, and the burden of proof was upon the defendants.

Jenkins Versus Ontario.

W. G. Jenkins, appellant, vs. City of Ontario, respondent, from Malheur County, M. D. Clifford, Judge, affirmed; opinion by Justice Beahm. This action was brought against the municipality to recover possession of an animal which had been impounded by the City Marshal. The lower court held on demurrer to the complaint that the action should have been brought against the Marshal and not against the city. The Supreme Court affirms this ruling, saying that it is the universal principle of the law of replevin that the action will lie only against the party in possession of the property at the time the action was instituted.

Other Superior Court Orders.

J. E. Ferguson and Charles L. Houston, respondents, vs. George Kaboth, appellant, petition for rehearing denied; opinion by Justice Wolverson.

James Pugh and C. W. Pugh, respondents, vs. Elizabeth Spickman, appellant, petition for rehearing denied; opinion by Chief Justice Moore.

A. McFarlane, respondent vs. G. B. Cornwell, appellant, on motion to tax costs; denied.

A. Kaderly, appellant, vs. City of Portland, respondent; application of Hon. W. P. Lord for permission to file a brief amicably curiae granted.

W. H. Miller, appellant, vs. George Schaub, respondent; motion to dismiss appeal denied.

R. S. Keira, appellant, vs. J. P. Lee, respondent; motion of respondent for rule upon County Clerk to certify the complete record in this case.

B. S. Kelsay, respondent, vs. Alexander Eaton, appellant; ordered that appellant

be not required to furnish an abstract in this cause.

Caroline Schroeder, appellant, vs. Multnomah County, respondent; ordered that appellee have 30 days' additional time to file brief.

Ray J. Baker was permanently admitted to the bar on motion of Huntington & Wilson.

Clayton H. Tyler was permanently admitted to the bar on motion of John H. Smith, of Astoria.

WANTS OUTDOOR WORK.

Eugene G. Kreider Resigns as Washington Supreme Court Reporter.

OLYMPIA, Dec. 7.—Eugene G. Kreider has tendered to the Supreme Court his resignation as Supreme Court Reporter, to take effect January 1. The position has been tendered by the court to Arthur Remington of Tacoma, who has accepted it. Mr. Kreider has been reporter of the Supreme Court since the admission of the state to the Union 14 years ago. He is now at work completing his thirty-second volume of reports.

Mr. Remington is a member of the law firm of Remington & Reynolds of Tacoma. He is said to be especially adapted for the position tendered him, having attracted considerable attention by a recent work known as "Remington's Notes," being a digest of Washington reports.

Mr. Kreider's resignation is due to a desire for a change of climate and need of more outdoor work. He will leave in January for Southern Mexico, where he expects to go into business. The position of Supreme Court Reporter pays \$3000 per year in this state.

INTERSTATE MEETING ENDS.

Final Session of the Y. M. C. A. Convention at Pacific University.

PACIFIC UNIVERSITY, Forest Grove, Dec. 7.—(Special.)—The last meeting of the Young Men's Christian Association convention held last night, was the most enthusiastic and best attended of the session.

The Pacific University male quartette sang several selections in opening, and Miss Willis led a rousing song service. After a duet by Mr. Willis and Mr. Fletcher, the address of the evening was made by Secretary Colton upon the subject of "The Christian's Responsibility."

A short testimony meeting was held, in which over 100 delegates told what they had got from the convention. The men then joined hands in a chain, which extended around the entire auditorium, and sang the association hymn, "Blest Be the Tie," and President Virgins announced that the Interstate Young Men's Christian Association stood adjourned sine die.

JACOB BRUGGER'S BEQUESTS.

Court Makes an Order Authorizing Their Payment.

HILLSBORO, Dec. 7.—(Special.)—Probate Judge Hon. L. A. Root has made an order granting the executor of the will of the late Jacob Brugger authority to pay the following bequests at once: Orphans' Home, South Portland, \$1000; St. Mary's Home, Beaverton, \$200; St. Vincent's Hospital, Portland, \$300; and Good Samaritan Hospital, Portland, \$300. Checks for the various amounts have been drawn and forwarded. Brugger was a thirty German pioneer, who settled in the Cedar Mill section of this county. His estate amounted to about \$30,000.

Anti-Trust Party in Montana.

HELENA, Mont., Dec. 7.—The mass convention which met here today, designed under the call "to prevent corporation domination of Montana," adjourned this evening after adopting a platform declaration for the state, and the endorsement of a direct primary law, a state railroad commission and for an enlargement of the powers of the State Board of Equalization. Men of all political parties are invited to join, voting according to party affiliations on national issues but in accordance with the platform adopted on state questions. The resolutions declare for the organization of an anti-trust party to deal wholly with state affairs.

Passed by Montana Senate.

HELENA, Mont., Dec. 7.—Only the upper house of the Legislature was in session today. The body disposed of two bills, the first being the Hoffman bill relative to the powers and duties of the Supreme court on appeals, the other the bill providing for the submission to the people of a constitutional amendment prohibiting the employment of children under 16 years in mines and making eight hours a day's labor in mines, mills and smelters and on public works. The judicial committee will tomorrow report back the Hoffman bill, providing for change of venue and relating to the disqualification of judges.

Union County Delinquent Taxes.

LA GRANDE, Or., Dec. 7.—(Special.)—There was but little except the usual routine business transacted at the December term of the Union County Court, which closed Saturday. The delinquent tax list from 1928 to 1932, which had not heretofore been received by the Sheriff, was placed in that officer's hands for collection. The contract for publishing the delinquent list for 1932 was awarded to the Oregon Scout. The tax list, a small one, this year, had less than \$900 remaining unpaid. Nothing will be done by the County Court in regard to the 1932 taxes until after the special session of the Legislature.

Office Without Official Head.

BOISE, Idaho, Dec. 7.—(Special.)—A Government office without an official head is the situation at present in the United States assay office in this city. The appointment of H. Smith Woolley as assayer in charge to succeed J. W. Cunningham was made during the recess of the Senate and lapsed upon the convening of that body in regular session. In line with a strict construction of the statute the office should be closed. However, it is still open, and the business is in charge of Chief Clerk J. W. Robinson. Until he hears definitely from the department the business will proceed as usual.

Lovejoy Bound Over.

WEISER, Idaho, Dec. 7.—(Special.)—The preliminary trial of ex-County Attorney W. D. Lovejoy, charged with embezzlement, which began last Friday, was received by the Sheriff, W. Cunningham, after hearing the evidence and the arguments of the attorneys. Judge Jeffries took the case under advisement until today, when he bound him over to the District Court in the sum of \$500, which was given.

Jessie Carr Dying.

SAN FRANCISCO, Dec. 7.—Jessie D. Carr, one of the best-known citizens of California, who celebrated his eightieth birthday last night, suddenly collapsed last evening and is reported as sinking rapidly, with no hopes of recovery. He is semi-conscious and is aroused with difficulty. Mr. Carr was one of the pioneer stock route contractors west of the Mississippi. He has large land interests in California and Oregon.

Could Not Quit Drinking.

NORTH YAKIMA, Dec. 7.—(Special.)—James A. Dougherty, a blacksmith of this city, committed suicide in Shadlow's saloon Sunday night by drinking an ounce of acetone. He left a letter to his wife instructing her to burn his body in a way that would make a better man of him than he was. He also said he was "going" because he could not quit drinking. The body was found in the saloon, and he was taken to the hospital, but he could not resist it.

THE OVERWORKED EYE.

The faded eye, the red and inflamed eye, the eye that has been overworked by the use of the eye, is relieved by Murine Eye Remedy Co., Chicago.

POISON IN THE FOOD

Rumor That Convicts Tried to Kill Prison Guards.

DENIED BY SUPERINTENDENT

Men Suffered Slightly, but Even Their Death Would Not Have Availled the Inmates of the Penitentiary.

SALISBURY, Or., Dec. 7.—(Special.)—A story was circulated here today that an attempt was made recently by prison convicts to poison two of the prison guards. Inquiry at the prison failed to disclose any material foundation for the story. The facts, as stated by Superintendent James and by Prison Physician Shaw, are that the night of November 23 Night Guard W. H. Fisher was taken ill after eating his midnight lunch, and complained of having a sore mouth. His companion, Taylor Smith, also felt slightly ill. Neither of them was sufficiently affected to be incapacitated for duty. Thinking that poison might have been placed in their food by the convicts who prepared it, they called about the matter and a search was made by Dr. Shaw, who prescribed a mouth-wash.

Superintendent James says that in the story circulated the facts have been very much overdrawn. He thinks there may be a possibility that the food was poisoned, but he does not consider it at all probable that such a thing was done. In order to take the utmost precautions, he has made an investigation, but has not discovered anything yet to lead him to believe that the convicts attempted to kill the guards.

In speaking further of the matter, Superintendent James said that, if the guards had been killed by poison at that time, no prisoner could have escaped, for they were locked in their cells and the keys were locked in the hands of the guards. Even the guards could not get them. All the prisoners and cells were searched, but no tool was found with which a prisoner might have made an effort to dig his way out. Had the two inmates been killed, an attempt to dig out would have been discovered by the outside guards.

Superintendent James says the prisoners would have had nothing to gain by poisoning the guards, as the guards are present to believe that such an attempt was made.

As all the food provided for the guards that night was eaten, there was no way of ascertaining definitely what may have caused their illness. As concentrated yeast is used freely about the building, Superintendent James thinks it quite likely the guards got it on the dinner table, and took it into their mouths, with the result that they were ill.

IN FAVOR OF ASSAY OFFICE.

But Sumpter Miners Want It Located There, Not at Portland.

BAKER CITY, Or., Dec. 7.—(Special.)—The officers and members of the Sumpter Miners' Association have repudiated the resolution which they passed at a recent meeting, in which they voted to locate an assay office at Portland. The text of the resolution was wired to the Oregon delegation in Congress, but the Sumpter men insist that it was not carried. They stated they claim that they are in favor of an assay office, but it must be located in Sumpter, and that they have taken no action which can be construed to mean anything else. The officers of the Sumpter association have kept the wires warm between here and Washington since they learned that their recent action has been carried to mean that they want the assay office located at Portland.

Proposed Chautauqua Attractions.

OREGON CITY, Dec. 7.—(Special.)—Harvey E. Cross, of this city, manager of the Pacific Coast Chautauqua Association, will go to San Francisco tomorrow night to attend the meeting of the board of directors of the association. The board of directors of the Willamette Valley Chautauqua Association, at a meeting this afternoon, informally discussed the matter of the proposed Chautauqua. The board of directors of the Willamette Valley Chautauqua Association, at a meeting this afternoon, informally discussed the matter of the proposed Chautauqua. The board of directors of the Willamette Valley Chautauqua Association, at a meeting this afternoon, informally discussed the matter of the proposed Chautauqua.

Restaurants Close Their Doors.

SAN FRANCISCO, Dec. 7.—About 50 restaurants, including the best patronized places in the city, closed their doors today, and it is announced that they will not reopen until a satisfactory adjustment of the trouble between the city and the restaurant keepers is effected. Their proprietors are members of the Restaurant Keepers' Association, which yesterday voted to suspend business rather than employ non-union labor, which they say will not discriminate against members of the union. Some members of the association, whose places of business are in outside districts, failed to close, and several downtown eating houses remain open, their proprietors explaining that they were not prepared to shut down immediately. Between 1500 and 2000 men were locked out today.

Sale of Chehalis Water Plant.

CHEHALIS, Dec. 7.—(Special.)—Mayor Francis Donahoe and John DeLong have closed a deal for the purchase of the plant of the Chehalis Water Company. The concern is owned by Morris & Whitehead, Portland bankers. As the company is well known, the time before the final title can pass. It is the intention of the new owners to give Chehalis a gravity water system and improve the source of supply. The City Council tonight took action looking toward a compromise settlement with the Chehalis Water Company of the pending suit against the city for water furnished during the past three years.

Nominations at New Westminster.

NEW WESTMINSTER, B. C., Dec. 7.—(Special.)—Civic nominations closed here today with Mayor Kearney elected for third term by acclamation. Seven school trustees were elected, and two aldermen were wanted. Eleven Aldermen were named, where only seven are required.

Teachers' Papers Granted.

SALISBURY, Dec. 7.—(Special.)—The State Board of Education today granted a state diploma in favor of Joseph A. Bish of Phoenix. The board also granted a state certificate in favor of Sheba Childs, of Park Place, and a state certificate in favor of W. W. Dixon of Albany.

Good Fishing at Bandon.

ASTORIA, Or., Dec. 7.—(Special.)—Crosman Thompson has returned from Bandon, where he has been operating a salmon cannery. He reports that Fall fishing there was good, and he put up 9000 cases. The quality of the fish, he says, is much better than those taken for several years.

Dunsmuir's Alleged Drunkenness.

VICTORIA, B. C., Dec. 7.—Evidence in the Hopper will show this morning dealt

with the habits of the late Alexander Dunsmuir at San Francisco in 1893-94, and the statements of several bell boys, bartenders and trained nurses to a commission held at San Francisco was read telling of Dunsmuir's alleged drunkenness and incapacity as a result of over-indulgence in liquor. Justice Drake held this evidence to be unimportant in dealing with a period too long antedating the period of the making of the will.

John G. Wright Injured.

SALISBURY, Dec. 7.—(Special.)—John G. Wright, steward at the State Insane Asylum, was injured this afternoon in a runaway accident, but the injuries are not considered dangerous. He was driving near the penitentiary his horse became frightened at a passing street-car and swerved to one side, striking the buggy against a tree, overturning the vehicle and throwing Mr. Wright heavily to the ground. He sustained severe bruises about the face and one or two ribs were fractured, but it is thought there were no internal injuries.

Opium Joint Raided.

HOQUIAM, Wash., Dec. 7.—(Special.)—The local police department made a successful raid on a Chinese opium joint and captured two Celestials smoking and a large quantity of opium. The place has been suspected for some time. The Chinese were given a hearing before Judge Warren today and were fined \$30 each and costs. The police claim they have another surprise in store for the public, which would doubt the other joint in town will be raided at the first opportunity.

Boys Hold Up Old Man.

WHATCOMB, Wash., Dec. 7.—Two boys, aged 15 and 13 years, held up G. W. Blake, a 75-year-old restaurateur, at Geneva, this county, last night. When the elder of the boys thrust a pistol in the old man's face he grappled with the younger one and the two mixed in the fray and together they overpowered the old man and took all of his money, \$14.

Fire Caused by Lamp Explosion.

NORTH YAKIMA, Wash., Dec. 7.—(Special.)—The tenement house of M. L. Larson, on the east end of Yakima avenue, was almost totally destroyed early this morning. The loss on the building was about \$700, with \$400 insurance, and the explosion of a lamp caused the fire.

Elderly Woman Robbed.

OREGON CITY, Or., Dec. 7.—Mrs. Cochran, an elderly lady of this place, was this evening held up on Main street and a purse was snatched from her hand. Several suspects were arrested.

CONTROL OF CITY.

(Continued from First Page.)

Inly light. The total vote cast for leading candidates was: Dimick, 33; Meyer, 40. The offices of City Recorder, Chief of Police and Night Watchman, which are appointed by the Mayor or elector by the Council, will probably be continued without any changes.

WARM FIGHT AT HILLSBORO.

Ticket Named at Mass Meeting Successful, With One Exception.

HILLSBORO, Or., Dec. 7.—(Special.)—The city election here today was the most warmly contested fight that has been witnessed for years. Two full tickets were in the field, a mass meeting ticket and a union ticket, but only one was successful. The mass meeting ticket was the one that was successful. The union ticket was defeated by a narrow margin.

A total of 295 votes were cast. The mass meeting ticket was elected by a majority of 145 votes. The union ticket was defeated by a narrow margin. The mass meeting ticket was elected by a majority of 145 votes. The union ticket was defeated by a narrow margin.

QUICK ELECTION AT PENDLETON.

Only One Candidate in the Field for Mayor.

PENDLETON, Or., Dec. 7.—(Special.)—The city election which was held here today was the quietest ever known in Pendleton. A registration of only 307, only about two thirds of the voters voted. F. F. Mallock was elected Mayor, as he was the only candidate in the field. He received a total of 270 votes. The other candidates were: City Treasurer—Charles Hamilton, 20; G. A. Robbins, 115.

Trial of Alleged Conspirators Set.

DENVER, Dec. 7.—A special to the Republic from Georgetown says the cases against 23 union miners charged with conspiring to destroy the buildings of the Sun and Moon Mining Company at Idaho Springs, which were blown up July 23 last, were set for trial December 15, and those of 138 citizens of Idaho Springs who are charged with having taken 11 men suspected of complicity in the crime from the city jail and driven them out of town were set for December 18.

Miners' Wives Attack Officers.

HASTINGS, Colo., Dec. 7.—Eleven wives of striking coal miners, who attacked Marshal Milt Hightower and George Waybright, when they were tearing down some shanties on the Victor Fuel Company's property in the Italian quarter of the town today, were arrested and taken to Trinidad for trial.

Utah Peace Conference Fruitless.

SALT LAKE, Dec. 7.—Another conference was held today between Governor Wells and representatives of the striking miners in an endeavor to reach a basis of agreement for a settlement of the strike but after several hours' discussion, the conference broke up, nothing having been accomplished.

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AMBUSHED ON TRAIL

Colorado Nonunion Miners in Rain of Bullets.

ONE ESCAPES TO GIVE ALARM

Sheriff With a Posse and Bloodhounds at Once Starts From Trinidad for Primerio-General Situation Is Unchanged.

TRINIDAD, Colo., Dec. 7.—The Sheriff, with a posse and bloodhounds, left tonight on a special engine for Primerio, in response to a message that a party of five nonunion miners going from Trinidad to Primerio were ambushed on the trail this evening. One of the nonunion party was shot in the foot, but made his way to Primerio and gave the alarm. He did not know whether the rest of the nonunion party had been killed or wounded, but the trail had not arrived at Primerio at 9 o'clock tonight.

The nonunion party was being escorted by Frank Jennings, brother of Superintendent of the Herndon mine. The Sheriff was joined by 20 deputies at Primerio.

Word reached here at midnight that a pitched battle occurred at Segundo, a Colorado fuel and iron camp, between 9 and 10 o'clock tonight, between about 30 striking Italian miners on one side and seven of the company's guards on the other. Three of the strikers were shot and two of the guards were killed. One was shot in the groin, one in the head and the other in the leg. None of the guards was hurt, though one had his hat shot off.

The fight occurred at the coke ovens at Segundo, where the strikers were working. The strikers were ordered to stop by the guards. Almost immediately the shooting began, each side claiming that the other fired first. After the attack a mass meeting of strikers was called, but dispersed shortly afterward. Sheriff Clark with a posse is now on the ground, and everything is quiet.

ROOSEVELT WILL TAKE NO HAND

Again Declines to Interfere in the Colorado Strife.

WASHINGTON, Dec. 7.—President Roosevelt again today declined to interfere in the strike conditions in the Teuladine district of Colorado. He will not go so far, even, at this time as to order an investigation into the conditions.

An appeal from the Western Federation of Miners was presented to the President today by Senators Teller and Hatcher, of Colorado, urging him to exercise Federal authority in bringing about an adjustment of the situation which has arisen between the miners and the authorities of the State of Colorado. Following is the text of the telegram laid before the President by the Senators:

"In behalf of the metalliferous miners of the State of Colorado, we will personally request President Roosevelt to immediately investigate conditions in the San Juan and Cripple Creek districts of Colorado."

The document was sent by Charles H. Meyer, president of the Western Federation of Miners.

At the conclusion of the conference between the President and the Colorado Senators, the following telegram was sent to President Roosevelt:

"The President states to us that under present conditions he has neither power nor the right to take such action as you request."

To Learn Status of Martial Law.

CRIPPLE CREEK, Colo., Dec. 7.—Attorney F. J. Hange, acting for the Western Federation of Miners, today made application before Judge W. P. Seeds, of the District Court for a writ of habeas corpus in the case of Victor Pole, a union miner, who is held a prisoner by the military authorities, no formal charge having been preferred against him. The hearing was set for December 10. It is understood that in the event the writ is granted and ignored by the military, as is expected, the case will be taken at once to the Supreme Court with the idea of having the status of martial law passed upon.

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last week, will return to work tomorrow. A compromise of the matters in dispute was agreed upon.

COLLECTS ALASKA CURIOS.

F. C. Bell, of Lewiston, Has Relics of Northern Natives.

Quite an interesting little collection of Alaska curios has been lent to the City Free Museum by F. C. Bell, of Lewiston, Idaho, who has traveled extensively in the Arctic regions. The collection comprises a show case full of bows and arrows, spears, toys, carved in ivory, ahoes, a curious tobacco box, cribbage board and many sicknacks peculiar to the natives of the frozen North. There are also two mounted specimens of the Arctic or snowy owl, and three of the Ptarmigan or Arctic grouse. The articles which Mr. Bell values most highly are an ancient jar of earthenware, found in the ruins of Chisimarek, an Indian settlement on Behring Strait. This jar is over a foot in height and about five inches in diameter, and would hold about a gallon and a half. It was made in prehistoric days, before the potter's wheel was known to the Indians, by lining the inside of a basket of willow boughs with clay and when this was baked the willow of course disappeared leaving its impression on the outside of the jar. This relic of a lost art is highly prized by Mr. Bell, who considers it highly and anywhere from 300 to 500 years old. It was found buried in the debris of an igloo or hut, and without doubt is a very rare specimen. With this are two saucer or platter-shaped articles of pottery, such as are used to contain oil and tundra moss, to be used as stoves for cooking and to some extent for warming the inside of the igloos, though the Indians depended more on growing closely together themselves warm. These vessels are thickly engraved with acot and look as if they might have been used in cooking a thousand years ago. Mr. Bell, however, though he probably knew nothing of Chisimarek, nor much of anything else.

Such articles are interesting as relics but do not amount to much in the way of scientific value, being in much the same class as Indian baskets. The latter, however, considered very ornamental, by those who have a fond for them. One woman, who has the walls and ceiling of her room literally covered with them, has this said to such a degree that she says she would sooner do without clothes than Indian baskets.

"BEN HUR" ESCAPED HOLD-UP. Attachment Levied Late at Night Is Released.

Only by a flying midnight ride were the properties of "Ben Hur" released from the clutches of the law, after the actor had to go on his way northward Sunday morning. Before midnight \$300 had to be deposited with Justice of the Peace Reid, or the show would have been held in Portland by the attachment which Nicholas Cogley had levied upon it.

Cogley wanted \$300 which he claimed was due him from Klaw, Erlanger & Brooks, the proprietors of the show. An attachment was levied upon the movables of the show at 11:20 Sunday night, after the close of the performance. Only a cash bond sufficient to satisfy