

CARROLL LAWSUITS QUIETED FOR TIME

TWO ARE DISMISSED

EQUITY PROCEEDING BY CARROLL ORDERED TERMINATED AND O'NEILL REFUSES TO GO AHEAD IN LAW CASE

In circuit court within the past 48 hours a decided quietus, for the time being, has been put on litigation in which John D. Carroll was a party.

On Monday evening the issue in which he was plaintiff against George Noland and the Altamont investment company was decided against him.

Yesterday Judge Percy R. Kelly dismissed the equity case in which Carroll had asked for \$55,000 from Cordella L. Ankeny and R. N. Cantrall for alleged conspiracy against him in a land deal.

This morning the court, after Carroll failed to proceed as defendant in the case of Cantrall against him, allowed the plaintiff, Cantrall, to take an order for judgment.

When O'Neill asked for a continuance of Carroll vs. Cantrall and Ankeny, he was told by the court that on paying the reasonable expenses of the defendants in preparing and coming here for trial, the continuance would be granted.

The court decided to allow Mrs. Ankeny \$160 and Cantrall \$50, a total of \$210. O'Neill was not satisfied with the \$425 worth of printing accomplished by the court in favor of his client, and pled to be allowed to settle at \$10, the sum named by the Oregon law to be paid for continuance under certain circumstances.

The Carroll-Cantrall-Ankeny issues grew out of a law action brought in 1908 by Cantrall to secure \$5,000 worth of personal property covered by a chattel mortgage given by Carroll to Cantrall, on personal property consisting of horses, cattle, wagons and a general farming equipment.

The court then ordered the law case of Cantrall vs. Carroll to proceed in trial, to which O'Neill objected, saying that it was not proper, considering the appeal pending to the supreme court on the cross bill, which meant the Carroll vs. Cantrall and Ankeny issue.

New Livermore Hotel Opens For Reception Of People After Rooms

Guests are now being received in the new Livermore hotel in the Melrose property at the corner of Fourth and Main streets.

and for a time it looked as though the "untamed child of nature" would die. While he had roamed, half-clad, through the forests of Northern California in all kinds of weather...

But two months of city life undermined the savage's health, and but for the efforts of the physicians at the affiliated colleges, Ishi probably would have journeyed to the happy hunting ground.

At 9 o'clock and argued against going ahead with the law case, but the court said that the case should be proceeded with or dismissed.

The following jurors were ordered into the jury box: D. B. Nichols, John Forbes, Thomas E. Stanley, F. P. Van Meter, Alexander McDonald, G. H. Carleton, H. S. Parish, Floyd Brandenburg, H. R. Dunlap, Jacob Rouch, C. H. Underwood, R. J. Sheets.

"I will hear you after the jury has been called," said the court.

"Very well," said the court. "It has been ordered that the trial proceed, and the counsel declines to proceed. Have you anything to say, Mr. Stone?"

"We ask that the answer be dismissed," was the response.

Attorney O'Neill then rose to his feet to object and except.

Since you have announced in open court that you will no longer appear in the case, I cannot hear you, Mr. O'Neill, said the court.

O'Neill asked to have this done, and the court then said that the exception would be disallowed for the reason that counsel had announced he would no longer appear in the case.

"We would ask the court to give us an order of judgment," said Stone.

"You may prepare your order, and it will be made," said the court.

Attorney Stone had drawn up an order of judgment for \$5,000 and costs, which was presented to the court and approved by Judge Percy R. Kelly.

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Attorney Stone indicated to the court that the offer of \$100 would not be acceptable. The court decided its order for payment of \$210 to defendants for expenses in order to secure continuance, not being accepted by plaintiff, to dismiss the case.

San Francisco, Dec. 13.—Steam-heated sleeping apartments, modern menus and civilized wearing apparel came near bringing about the undoing of Ishi, the aborigine from Tohama, who has been in captivity for several months past.

Ishi recently contracted pneumonia, and for a time it looked as though the "untamed child of nature" would die.

BROWER OUT, MAY GO TO OAKLAND

MANAGER OF WHITE PELICAN SUDDENLY RESIGNS, AND IS UNDERSTOOD TO HAVE OFFER ELSEWHERE

J. E. Brower has resigned as manager of the White Pelican hotel and W. Paul Johnson is acting in the capacity of head of the hostelry for the present.

At the Briceville mine three corpses were recovered this afternoon, making the total forty-one.

JOSLEN TRIAL SUDDENLY STOPPED BY DISCOVERY

That One of the Witnesses for Defendant Is Son of Juror—Result Is That Jury Is Dismissed and a New Panel Ordered

United Press Service SAN FRANCISCO, Dec. 13.—The trial of Dr. Joslen for seducing Ethel Williams was stopped by the discovery that Harold Levy, a witness for the defense, is a son of Jacob Levy, a juror.

The jury was dismissed, and a new panel called for tomorrow.

DEMOCRATS CROWING IN ARIZONA OVER VICTORY

Republican State Secretary Concedes Defeat of His Party With Exception of the Candidate for Office of State Treasurer

PHOENIX, Ariz., Dec. 13.—Republican State Secretary Hayes concedes the election of the entire democratic state ticket with the exception of Fred Cleveland, candidate for state treasurer, by majorities of about 500.

FREE TEXT BOOK DEBATE SPECIAL SENATE ORDER

No Member of California Upper House Will Be Excused, and One Delegate Will Be Dragged From a Sick Bed to Vote on Question

SACRAMENTO, Dec. 13.—The free text book bill argument is up for a special order in the senate at 2 p. m. tomorrow.

ACCUSED OF GIFT CONTRARY TO LAW

MAN IN JAIL CHARGED WITH GIVING INTOXICATING LIQUOR TO INDIAN—ONE BRAVE IS ALSO ARRESTED

Gus Redeker was arrested yesterday by Deputy Sheriff James Wheeler on a charge of furnishing liquor to an Indian known as "Hunchback."

Deputy Sheriff John Schallack arrested Jack Palmer, a Klamath Indian, on a charge of drunkenness, at the request of Edson Watson, superintendent of the Klamath reservation, and the officers are after another Indian known as Copperfield, who is alleged to be mixed up in transactions involving the handling of intoxicating beverages.

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McNAMARAS' BOSS DYNAMITER SOUGHT

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He says that when McNamara left the East neither he nor his brother knew the Times was to be dynamited. He says the man has been missing since he left New York for this coast after attending the Atlanta convention, but is being shadowed, and can not escape.

Ford says he will be arrested and convicted, asserting the suspect was in Los Angeles at the time of the dynamiting.

VALUABLE LOVE, THIS OF HUSBAND THAT WENT

First Wife Got a Divorce After Alienation, and Now Obtains \$35,000 of Second Wife's Money as a Balm to Wounded Feelings

SEATTLE, Dec. 13.—A jury here today fixed the value of a husband's love at \$35,000 when it awarded that sum as damages to Mrs. Eliza A. Phillips, who sued Mrs. Mattie A. Phillips for \$100,000 for alienation of her husband's affections.

John W. Phillips, the husband, had disappeared, leaving his two former wives to fight it out for themselves in court. The defendant is reputed to be worth \$2,000,000.

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ALLEGED BRIBER GIVEN LIBERTY WITHOUT BAIL

In Bain Case, as He is Already Under Bond in Other Charge—Prosecution May Want to Meet the Wishes of Business Men

LOS ANGELES, Dec. 13.—Judge Young today allowed Detective Franklin, accused of bribery, to have his liberty on his own recognizance in the Bain case, as he is already under \$10,000 bail in the Lockwood bribery issue.

No time for trial was set. It is believed the prosecution will peter out to meet the wishes of business men, who deplore the undesirable publicity.

ARIZONA A STATE, IS DESIGN OF DEMOCRATS

Great Activity Among Political Parties—Standpaters Anxious to Hold Office—Adherents of the Roostey Party Opposed

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When President Taft vetoed the Arizona constitution an amendment was framed for this election killing that provision. The democrats, eager for statehood, were anxious that the amendment pass. Their opponents, it is said, were throwing all their forces yesterday into an effort to defeat the amendment, and, consequent-

ly, to prevent the admission of the state, and thereby to hold their jobs.

John J. Birdso, chairman of the democratic state central committee, today claimed the election by a majority of 3,675 out of a total estimated vote of 21,000. The enabling act of congress disfranchising 7,000 eligible voters by allowing practically no one to vote not registered in 1907, received much condemnation, and this has been one of the issues of the campaign against Ralph H. Cameron, territorial delegate to Washington, who is running for the United States senate.

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The man is now under surveillance.

Government To Probe Bribery As Well As Dynamiting By Laborites

United Press Service LOS ANGELES, Dec. 13.—With resumption of the federal dynamiting inquiry it is learned that Attorney Lawlor is to enlarge its scope and probe into bribery allegations. The local inquiry is to conclude within ten days, and Lawlor will go to Indianapolis.

Contrary to expectations Fredericks has actively resumed prosecuting, and persons said to be implicated in the Times dynamiting may face charges. He plans to arrest a well known Californian who directly assisted James McNamara to place a bomb under the Times. The man is now under surveillance.