

NASTY GAME OF SLEUTHS

Chief of Detectives and Lieutenant Shannon Accused of Dirty Conspiracy.

TRYING TO GET DIAMONDS

Browbeat Woman and Little Boy And Advise Prosecution of Lad.

Friends Say They Will Force Entire Truth of the Deal in Court Proceedings.

Another scandal similar to the infamous McWhirter poker swindle has broken over the Salt Lake police, and involves Lieut. Richard L. Shannon and Chief of Detectives George Sheets in charges of conspiring with J. H. Exander of 150 east Sixth South street, to compel Mrs. Anna Whattott, of 574 north First West street, to give up a valuable diamond ring and a diamond stick-pin, which were found by her little boy, Lon Whattott, two days ago near Second South and Main streets.

Exander claims that the stones belong to him, but has been unable to give a satisfactory description of them, and Mrs. Whattott charges him with being an impostor, in league with the police.

Mrs. Whattott says that she was called down to the police station, and that the officers bullied and threatened her unless she would "come through" with the diamonds. The poor woman was terribly frightened, and is confined to her bed with illness as a direct result of the outrageous treatment which she received at the hands of the police.

George F. Lloyd, a prominent and well known business man and one of the heads of the Cache Knitting Works company, at 41 south Main street, was called by the police to the station, and told him the circumstances, and he answered her appeal for help by dropping his business affairs immediately and engaging Attorney Moses Davis.

Lloyd and Davis called at the police station Tuesday night and offered to furnish any amount of bail for the boy, who was being held in detention on a charge of grand larceny, and who had been found by him against him. Lieut. Shannon attempted to browbeat him, but when they refused to kneel under at his bluff, he insulted them, and threw them out of the police station with the aid of his blue coat minions.

BOY UNDER THIRD DEGREE. Little Lon Whattott says that Chief Sheets tried to intimidate him by telling him that "his people didn't care anything for him, and would let him go to the penitentiary, or they would have called to see him. All this time the boy was kept incommunicado, and he constantly put through a terrible series of the third degree to make him confess that he had stolen the diamonds. The boy was steadfast, however, and held to his innocence. He vowed that he had found the diamonds, and that he could not be shaken from his original position by unmerciful sweating. Nor was he intimidated with stooping to the lowest depths of a cowardly and bullying child, the police capped the climax by using on Mrs. Whattott the harshest methods, usually reserved for the most hardened criminals.

CANNOT DESCRIBE DIAMONDS. Mrs. Whattott's friends are incensed by the actions of Lieut. Shannon and Chief of Detectives George Sheets, and are determined to back her up and compel the police to face a final "show down" in open court. The police, attacked by Exander, have been utterly unable to give a description of the diamonds that fits the stones in any detail. The police and Exander can not even tell where Exander got the stones, which he claims are his, nor can they tell where the jewelry was sold, or where they came from, or what the settings are, or in what style the facets have been cut. The only thing that the police know is that Lon Whattott found a diamond ring and a diamond stick pin.

MISS WHATCOTT'S VERSION. Miss Ermina Whattott, sister of the accused boy, gave the following version of the case this morning: "My brother came down town from home on Monday last, about noon, and brought me a box. He seemed to be greatly excited, and told me that he had found some diamonds. He said that early that morning, when he was selling his newspapers, he and another little newsboy saw a box lying across the street, and that they both raced for it; that Lon got there first and secured possession of the box. Lon said that when he placed it up, he thought it was a harmonica, as it was a similar kind of box. He opened it when he got back on the corner, and to his surprise saw that it contained diamonds. Another newsboy, an older youth, who sells papers to him, came up just then and saw the stones. He grabbed the box out of my brother's hands and looked at the diamonds. He almost went wild with excitement, and showing his hands into his pockets he pulled out a large amount of silver money, saying, 'Here's \$50. I'll give it to you for these.' But Lon refused to take the money. They then offered to give him \$75 if he would go to the bank with him. Lon still refused and he got on a street car and rode out home and showed the diamonds to his mother and told her how he had found them.

ADVERTISEMENTS APPEARS. "That afternoon, Lon discovered an advertisement in one of the papers, saying that a diamond stickpin and a diamond ring had been lost, and that the finder should return them to a certain address. The same afternoon, the paper-seller came out to our house with another man, who, we have reason to believe, was J. H. Exander. They did not come to the house at first, but stood across the street and sent my little brother in for the diamonds. My mother refused to send the diamonds out to them, and when they came into the house, the paper seller told us that he had found the owner of the diamonds, and that we must give them up to him. The other

man was unable to describe the diamonds, and he couldn't give the right answers to my mother's questions concerning the jeweler's name and where the diamonds came from, and how he got them. My mother refused to give him the diamonds unless he could furnish a good description.

POLICE BULLY WOMAN. "That night, the police came out to our home and demanded that my mother give up the stones. She refused to do so unless a good description could be given of them. The police bullied her and called her awful names and accused us all of being a gang of thieves. They said that they would send all of us to the penitentiary. My mother telephoned to the police station and asked the man in charge there if the men in our house were really policemen, and he said they were and that the best thing she could do would be to go down to the police station and give up the jewels, or he would 'fix her.' My mother became terribly frightened, and telephoned to Mr. Lloyd for help. Tuesday, the police bullied my mother some more and threatened to send Lon to the penitentiary for grand larceny unless she would give up the diamonds."

THINKS POLICE IN CONSPIRACY. George F. Lloyd said that he feared the police were conspiring with Exander and the paper seller to seize Mrs. Whattott out of the diamonds. "They have used the most contemptible methods to intimidate the defenseless women," he said. "and they frightened her until she is sick. They even went so low as to scare a little boy by threatening to send him to the penitentiary unless he confessed to stealing stones which he had really found, and they knew it. It is one of the dirtiest things I ever heard of, and I mean to stand by the victims of this crime. We will see whether the police can openly commit such awful abuses of their power. I don't believe the decent people of Salt Lake City will stand for it."

POLICE ABUSE POWER. "I told Chief of Police Barlow Tuesday night that if the man who claimed to own the diamonds could prove rightful ownership by a good description, he could have the stones. Since the man could not do, and Chief Barlow knew it, he said, 'and you know that Lon Whattott had found the diamonds, and yet had him arrested on a charge of grand larceny, and then showed him the diamonds, and then put up bail for his release, and then the police refused to let him go, though no complaint had been filed against him, and then charged him with grand larceny, and then the police knew it.'"

INSULTED BY SHANNON. "Lieut. Shannon insulted us and treated us like dogs. Attorney Davis was told by Shannon that the Whattotts had retained another lawyer, and that he would go to court to give up the stones. Attorney Davis knew that this was false. Shannon then asked in a jeering manner: 'It's a shame that you would let your honest attorney keep the diamonds for them. I don't see why they should turn them over to you.' Attorney Davis then said that from watching the actions of the police in this case, it was his opinion that there were just as honest people on the outside of the police station as there were inside. Shannon then threw us out bodily."

County Atty Job Lyon this noon issued a complaint charging Lon Whattott of grand larceny, and alleging that he had stolen the diamonds from Exander, who swore to the complaint. The boy's friends say that they are going to fight the case to a finish, and that they will compel Exander to prove to the court where he got the stones, how he got them, and will make him pay to good satisfaction. This, they claim, Exander can not do. Mrs. Whattott will bring suits for heavy damages against the police officers and Exander for false imprisonment and for the loss of her diamonds. The complaint against Lon Whattott is still in the hands of the court.

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COMPELLED TO GIVE BOND. In spite of the fact that no complaint had been filed against Lon Whattott, E. T. Lloyd and George F. Lloyd were compelled by the police to give \$1,000 bond before the boy was released Tuesday night from the city prison. Judge Whitaker signed the bonds and ordered the police to release the youth.

He will be rearrested on another charge of grand larceny, on the issuance of the complaint by the city attorney. Exander was advised by the police to swear out the complaint, and it appears that the persecution of the little fellow by the police will continue until a full description of the diamonds has been made in this case.

SHORT WEIGHT BUTTER. State Food Commissioner Confiscates Supply of "Gold Nugget" Brand.

Willard Hansen, state food and dairy commissioner, and his chief deputy, Heber C. Smith, are busy engaged in locating and confiscating short weight butter being sold in Salt Lake City. Tuesday afternoon, they discovered some butter marked "Gold Nugget" with the name of the "Nelson and Ricks." The butter purported to be a pound and the pat was marked 15 1/2 ounces but when weighed it tipped the scales at 14 1/2 ounces, short 1 1/2 ounces. All the stores are being visited and every "pound" found short will be taken up.

MURRAY LINE COMPLETE. Street Car Company Now Operating Through to Terminus.

The Utah Light & Railway company is now operating its new Murray line clear through to the terminus. While the roadbed for the Sandy extension is plowed up in preparation for two miles beyond, no track can be laid until the independent telephone company, who police occupy the right of way, and the Murray city council can harmonize as to the relocation of the poles. The new Murray track and scales at 14 1/2 ounces, short 1 1/2 ounces. All the stores are being visited and every "pound" found short will be taken up.

STAINS MAKES "PINCH." Harry Keats was arrested on a warrant by Patrolman Charles E. Stains, charged with running and keeping a gambling house upstairs over the old Cliff House, at Main street and Post-office Place, this morning. Thomas Butterworth swore to the complaint.

SWITCHMEN MAKE NO MATERIAL GAINS

At St. Paul the Railroad Officials Assert That the Strike Has Been Broken.

VERY SERIOUS SITUATION

In Ohio, West Virginia and Pennsylvania Over Strike of Amalgamated Association of Iron Workers.

St. Paul, Dec. 8.—After one week the striking switchmen have gained no material ground and the railroad officials assert that the strike has been broken. A trip through the terminals was made yesterday afternoon by a party of St. Paul business men and their signed report on the condition as they found it indicates at least, that whatever hold the switchmen have on the situation is outside the Twin Cities.

St. Paul, Minneapolis, Duluth, Minneapolis Junction and Minnesota Transfer are working about normally. At Great Falls, Butte, Spokane, Seattle, Superior and a few other places the switchmen are said to have the upper hand.

At Great Falls, for instance, the normal equipment of the Great Northern is nine engines and 32 men, while there are working only two engines and three men. At Butte the normal is six engines and 18 men and there are working one engine and two men. The normal at Great Falls is five engines and 20 men and they are working two engines and six men. At Seattle the normal is nine engines and 20 men and there are working three engines and six men.

President Frank T. Hawley of the Switchmen's union, declared that the railroads were making up trains of empty, sealed to convey the impression that freight was moving. The railroad officials say they can move freight as easily as they can handle empties.

SERIOUS SITUATION IN OHIO, W. VA. AND PENN.

Pittsburg, Dec. 8.—The strike of the Amalgamated Association of Iron, Steel and Tin Workers against the American Sheet & Tin Plate company, a subsidiary of the United States Steel corporation, which has been in progress during the last five months in the states of Ohio, West Virginia and Pennsylvania, is assuming serious proportions. Developments in the labor dispute today demonstrated the temper of the participants. A house occupied by non-union men at Struthers, O., was dynamited and seven persons injured. A soldier opened fire on a striker at Bridgeport, without effect, however; non-union men were severely beaten at New Castle, Pa., and the authorities at Wheeling, W. Va., and Martins Ferry, O., are preparing for trouble.

The officials of the United States Steel corporation and the American Sheet & Tin Plate company are said to be holding secret conferences here and in New York. The strike followed the "open shop" order of the company. If successful, this means, it is said, the exclusion of the Amalgamated association from the plants of the steel corporation. In this connection a conference of national labor leaders, under the auspices of the American Federation of Labor, will be held here next Monday when the attitude of the United States Steel corporation towards organized labor will receive thorough consideration.

NO WAR BETWEEN CONSULAR AT TANGIER

Chicago, Dec. 8.—"There will be no war between the Independents and the Bell Telephone company and we'll have connection with Chicago within a year."

This was the declaration made yesterday at the convention of the International Independent Telephone association, by the secretary, J. B. Ware, who said that the company was making a remarkable growth in the independent field. "There will be no trouble regarding the future of the independent telephone association nor the operations of the independent telephone throughout the country," said Secy. Ware.

"Our chances for getting into the larger cities are brighter than ever, and if signs and word do not fail, we will have connection with Chicago within the coming year."

NINETEEN LIVES LOST IN EXPLOSION

Hamburg, Dec. 8.—Search for the bodies of those killed when two gas tanks in the "Klein Grubbrook" exploded yesterday continued today. Nineteen lives are known to have been lost, while 14 other workmen are missing.

GEORGE P. SHELDON HOUSE OCCUPIED BY STRIKE BREAKERS DYNAMITED

Struthers, Ohio, Dec. 8.—A large house, occupied by tin workers who came to bridge here to break the strike at the plant of the American sheet and tin plate company, was dynamited early today.

The house was occupied by the families of Harry Birney and Louis Smith, who were recently injured. William Birney, father of Harry Birney, was almost suffocated by being buried under the debris, and six other members of the two families sustained slight injuries. The house was practically demolished.

The sheriff is of the opinion that the dynamite was discharged by the same men who three months ago attempted to wreck the residence of C. I. Gibson, superintendent of the plant. At that time a reward of \$6,000 was offered for the apprehension of the dynamiters.

KING LEOPOLD NOT SERIOUSLY ILL

Brussels, Dec. 8.—Official denial was made today of the report that King Leopold was seriously ill and it was also stated that he was suffering neither from an apoplexy nor from kidney troubles. The official announcement concludes: "The king is afflicted with muscular rheumatism, which is exceedingly painful but he is able to walk about his apartments."

SAMOAN VOLCANO ONE OF WORLD'S WONDERS

San Francisco, Dec. 8.—The volcano on the island of Savaii, of the Samoan group, which burst into activity in 1905, is now one of the wonders of the world, according to Prof. Henry E. Campion of the University of Columbia, who arrived here yesterday on the liner Albatross.

Prof. Campion, who is a biologist and anthropologist of note, associated with the American museum of na-

tural history and the Carnegie institute, left here May 20 and has been engaged ever since in research work among the islands of the South sea.

It was in the course of his travels that he visited Savaii, of which little has been heard of late. The lava from the volcano has flowed to the sea, into which it has built a solid wall, which extends for five miles along the shore and projects about half a mile into the sea.

Prof. Campion spent a night at the rim of the crater. The lake of fire, formerly level with the crater mouth, now lies 400 feet below the rim. It is half a mile in length and a third of that in width. Half a mile away it was possible to read by the glare reflected from the sky. As a spectacle, the professor said, it was tremendous.

MRS. HARRIMAN OPENS HER BUSINESS OFFICE

New York, Dec. 8.—Mrs. Edward H. Harriman has taken on the active management of the Harriman estate and yesterday spent her first day in her five business offices as a New York business woman. She will hereafter observe regular office hours on three or four days of each week.

DAUGHTER OF GUNMAKER KRUPP IN CHICAGO

Chicago, Dec. 8.—With their presence in Chicago known only to a few intimate friends, Baron Thilo von Wilmowski and the baroness, daughter of Alfred Krupp, the gunmaker of Essen, Germany, have been in Chicago since Dec. 1. The baroness von Wilmowski was Frauella Barbara von Krupp, second daughter of the great Krupp family, and her sister, Bertha Krupp, who is now married to Herr Gustave von Bohlen und Halbach, were known as the "two richest women in the world."

Friends of the German visitors assert that the trip to this country is purely for pleasure, a visit to the United States steel works at Gary, planned for today, aroused a belief that the couple were here to inspect the works, which still take in the new Krupp works of the great cannon factory, are specially interested in extending their knowledge of the great American plants.

NO NEED FOR AMERICAN CONSULAR TAGIER

New York, Dec. 8.—William H. Robertson, American consul at Tangier, Morocco, who is here on a vacation, advocates the abolition of his office as unnecessary. Although he is not anxious to return to his post, Mr. Robertson says that Morocco has splendid resources and some of the best commercial opportunities for American business men.

GOV. HUGHES INTERESTED IN AIRSHIP LEGISLATION

New York, Dec. 8.—Gov. Hughes has taken up the consideration of prospective legislation for the control of airships. He believes, it is announced, that such legislation will soon become necessary in many states. Cortland Field House, president of the Aero Club of America, with whom Gov. Hughes recently took up the question, has reported to his organization that the governor favors the adoption of laws defining the right of an aeronaut to fly over another's property and establishing restrictions of carrying of passengers in balloons and aeroplanes.

HISTORIC WASHINGTON OAK TREE CUT DOWN

Bloomfield, N. J., Dec. 8.—The historic Washington oak tree here, under which Washington and his staff held a council of war on their way to Morristown, has been felled and is being cut up into fire wood. The local authorities found it impossible to save the tree after it had been repeatedly struck by lightning.

TUBERCULOSIS HOSPITAL

New York, Dec. 8.—A \$2,500,000 hospital for the treatment of New York sufferers from tuberculosis will be completed during the coming year. The hospital, which provides for more than a thousand patients, was begun some time ago on a Staten Island site with a city appropriation of \$1,000,000. An additional appropriation of \$1,500,000 was voted yesterday by the city board of the buildings will now be rushed.

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DR. COOK'S RECORDS REACH COPENHAGEN

Extraordinary Precautions Taken To Insure Their Delivery To The University.

ALL FORMALLY TURNED OVER

Peary's Supporters Said to be Trying To Enlist Greenland Explorers In Anti-Cook Press Campaign.

Copenhagen, Dec. 8.—The north polar observations of Dr. Frederick A. Cook, reached here today on board the steamship United States. Extraordinary precautions were taken to make sure that the long heralded data were delivered safely to the university's authorities.

As soon as the United States was tied up at her pier, an iron box containing Dr. Cook's report and the diaries in which the original entries were made was brought ashore.

The box was closely followed by Walter Lonsdale, Dr. Cook's secretary, who had guarded the box. On the pier Lonsdale and two detectives bundled the iron box into a motor car and were driven hastily to the University of Copenhagen.

Their car was followed by a second automobile. At the university the papers were formally turned over to the authorities and placed in a strong room, where they will remain until the committee appointed to examine them is ready to begin its labors.

The examination will be made probably at Copenhagen observatory. None but the duly chosen commission representing the University of Copenhagen will be permitted to be present. United States Minister Egan was to have attended the committee meetings, but will not be able to do so because of the delay in the arrival of the records. Mr. Egan leaves tomorrow for the United States.

The coming of Dr. Cook's papers is accompanied by signs of a revival of the Cook-Peary controversy. The Politiken asserts this morning that the supporters of Commander Peary are trying to enlist the services of Greenland explorers in organizing an anti-Cook press campaign.

MARTIAL LAW IN HONDURAS PROCLAIMED

Porte Cortes, Honduras, Dec. 8.—Martial law in Honduras was proclaimed yesterday. A state of expectancy exists.

The proclamation of martial law in Honduras is the result probably of a suspicion at the capital that Gen. Manuel Bonilla will take advantage of the situation in Nicaragua to invade Honduras with a rebel band and regain the presidency from which he was deposed in 1907 by President Davila, with the aid of President Zelaya.

Bonilla is suspected of intriguing with Guatemala and Salvador for the purpose of bringing about a revolution in Honduras, overthrowing the Davila government and then forming a union between Honduras, Guatemala, and Salvador for an attack on President Zelaya's government in Nicaragua.

BEET SUGAR FACTORY FOR RENO, NEVADA

Reno, Nev., Dec. 8.—Dr. C. A. Haskell of Fallon returned to Reno last night after a week spent in southern California in the interest of a proposed sugar beet factory for this section and reports that capitalists interested in the movement will arrive in Reno this morning and will immediately begin work on the project.

A factory having a capacity of 600 tons of sugar beet a day is contemplated and will involve an expenditure of \$500,000. Dr. Haskell stated that Hinz brothers who have interests in southern California and who have successfully managed similar enterprises in Michigan and other places of the country will organize a corporation for the work.

MURDERER GRIMES COMMITS SUICIDE

Columbus, O., Dec. 8.—Frank Grimes, who killed Blanche Knight his sweetheart, hanged himself in his cell in the county jail last night and his body was found today. He was sentenced yesterday to die in the electric chair March 27.

STEEL FIRMS NOT GUILTY OF COLLUSIVE BIDDING

Boston, Dec. 8.—Thirty-three American steel firms and agents for the steel companies were found not guilty of collusive bidding for city steel contracts in the superior court today.

The case was the outcome of a report of the finance commission two years ago. The committee declared many steel companies had combined to maintain prices by permitting one of the firms in the combination to submit bids for steel work for the city of Boston.

The report created a sensation and was quoted by President Roosevelt in a message to Congress in April, 1908. The court today found the firms not guilty and also that the defendants had the right to combine to advance their own interests.

WESTERN UNION TEL. CO. Large Part of Gould Interests in It Retired Today.

New York, Dec. 8.—A large part of the Gould interests in the Western Union Telegraph company retired today at a meeting of the board of directors, and they and others affiliated with the Goulds were succeeded by men representing the American Telegraph & Telephone company, the Harriman and the Moore interests.

A quarterly dividend of 3/4 of 1 cent was declared. Those who resigned were Frank J. Gould, John T. Terry, W. F. Sydney Shepard, G. W. E. Atkins, Thomas F. Clarke, John B. Van Every, William L. Bull and Allyn W. Keach.

They were succeeded by Theodore N. Vall, president of the American Telephone & Telegraph company; Henry S.

Howe, John I. Waterbury, Robert S. Lovett, representing the Harriman interests; Edw. J. Hall, William B. Benthall and Henry B. Thayer.

Many notable millionaires attended the meeting, among them being John Jacob Astor, George J. Gould and Senator Depeew.

Few of the retiring directors were present and when their resignations were read and accepted the new directors were elected and introduced at the meeting.

George J. Gould, chairman of the board and until recently accredited the largest individual stockholder, did not retire. Neither did Robert C. Clow, the president and general manager, who also is a member of the board.

KILLING OF F. A. ASH. Thousand Dollars Reward for Arrest Of Parties Responsible for Death.

Cody, Wyo., Dec. 8.—Big Horn county and business men today offered a reward of \$1,000 for the apprehension of those persons responsible for the death of F. A. Ash, manager of the Western Drug company. Mr. Ash was killed Monday night by a spring gun set in his bedroom so that it exploded as he opened the door.

GOOD GOVERNMENT WON IN LOS ANGELES

Los Angeles, Dec. 8.—Returns from yesterday's municipal election with three city precincts missing, show that the Good Government League forces swept the city, electing their entire ticket with the possible exception of one councilman.

Mayor George Alexander's majority over George A. Smith, who was elected for the mayoralty by the Republican organization is 3,043, and this, it is said will be increased by the returns still to come in.

BICYCLISTS KEEPING AHEAD OF RECORD

New York, Dec. 8.—Still ahead of all records the leaders in the six-day bicycle race today set a pace which lowered existing speed marks still further.

Fourteen teams still remain in the race, nine of them being tied for first place, four others are one lap away and the reconstructed team, Germaine and Carpezz, 49 miles behind.

Between 11 and 12 o'clock last night one of the best sprints ever seen in the Garden took place. All the teams were on the track at a terrific pace while thousands of onlookers cheered frantically.

The sprint lasted 12 minutes and when the riders stopped speeding the score board showed that Galvin and Keegan had lost a lap in the wild scramble. This team elected a protest. The score at 11 o'clock:

Rutti-Stol, MacFarland-Clark, Lawson-Demara, Walthour-Collins, Root-Fogler, Mitten-West, Cameron-Krebs, Halstead-Lawrence, Fye-Hehr, 1,184 miles; Anderson-Vanoni, Hill-Stein, Galvin-Keegan, Georget-Georget, 1,181 miles; Germaine-Carpezz, 1,104 miles. Record by MacFarland and Morgan last year 1,171 1/2 miles.

MacFarland-Clark, Rutti-Stol, Root-Fogler, Lawson-Demara, Walthour-Collins, Mitten-West, Cameron-Krebs, Halstead-Lawrence, Fye-Hehr, 1,239 miles; Anderson-Vanoni, Hill-Stein, Galvin-Keegan, Georget-Georget, 1,233 miles; Germaine-Carpezz, 1,161 1/2 miles.

Former record made in 1908 by MacFarland and Moran, 1,227 miles and 3 laps.

WIFE COMMITS SUICIDE.

Rosewell, N. M., Dec. 8.—Despondent because of the continual drinking of her husband, Mrs. J. D. Deering of this city, drank a large quantity of carbolic acid last night. She lived for nearly two hours after drinking the poison.

BUTTE SCHOOLHOUSE BURNED.

Butte, Mont., Dec. 8.—A public school early today in Boarderville, a suburb without fire protection. The loss is about \$50,000, partially insured. The fire is believed to have been incendiary.

SCHUMACKER FOUND GUILTY.

Assault of F. J. Foulger to be Sentenced Thursday.

Michael Schumacker, a newsboy, was found guilty of having assaulted F. J. Foulger, a window dresser at Walker Bros' store, on Nov. 1, in front of the Portland Coffee house, on Second South between Commercial and State streets, by a jury in Judge Bowman's court, this morning. He will be sentenced Thursday afternoon at 2 o'clock. The jury, in returning its verdict, recommended mercy.

Foulger testified that the attack was unprovoked. Dr. W. F. Beer testified that he had been called to attend Foulger, that the young man's jaw had been fractured in two places, and that he had to stay in hospital for five days after the assault.

BOTH DUELISTS MAY DIE.

Dr. Steel Says Glaser and Macarilli Cannot Survive.

Emil Glaser, nightwatchman on South Temple street, and Pietra Macarilli, an Italian, who shot each other in front of the Olympia saloon, at 2:35 o'clock Tuesday morning, are not expected to live, according to a report made by Dr. Frank B. Steele, the attending physician at St. Mark's hospital this afternoon.

It has been learned that Glaser has a brother, Dr. Glaser, living in San Antonio, Tex., and the latter has been informed of the tragedy.

MAY INCREASE MEMBERSHIP.

Commercial Club Needs 175 More to Make Up Total of 1,000.

The membership committee of the Commercial club at a meeting this afternoon is considering the prospects of increasing the membership of the club to 1,000 before the first of the year. There are but 175 more needed to attain this number and Secy. Joseph E. Caine has a list of 500 names of business and professional men who are eligible. From these will be selected those who are needed to round out the number.

There is a strong undercurrent of feeling among the members that the club membership should be limited to this 1,000 and after this number is reached to establish a permanent limit. It is a matter of discussion as to whether to increase the initiation fee after the first of the year from \$50 to \$100.

DR. DOXEY WAS NOT HELD TO THE GRAND JURY

St. Louis, Dec. 8.—The St. Louis grand jury was scheduled to take up the case of Mrs. Dora E. Doxey, accused of poisoning J. J. Erder, late today.