# LOWER COURT IS **REVERSED IN PART**

2

Supreme Court Finds That Lower Tribunal Did Not Allow Sufficient Rights.

BRIXEN VERSUS JORGENSEN.

Cause Remanded With Instructions to Permit Defendant to Make Further Showing.

An opinion in part feversing the decision in the case of Johanna Brixen, plaintiff and respondent; against Soren X. Jorgensen und Elsa Jorgensen, defendants and appellants, was handed down by the supreme much this morning. The opinion is written by Justice Frick and has the concurrence of Justice. Straup and Chief Justice McCarty, In part it says:

"The questions involved have been before the court in another form (28 Utah 250), the action being on eject-ment by the plaintiff as against the defendants and is based upon the theory that the contract upon which the nuit was based was violated by the de-fendant so that the plaintiff might rescind it und be reposessed of the land and water right, the subject matter of the contract. This right is denied the plaintiff by the trial court and she how suce to recover the unpaid pur-chase price and in default to subject the land to sale as upon a foreclosure or vendor's lies

Judgment was ontered for the plain-"Judgment was chered for the plant lift for \$2.995.07, an the land ordered sold in default of payment. To this judgment the defendants appeal. In its consideration of the assignments of error, the supreme court holds that the trial court erred in not awarding the defendant quite all of the rights which the supreme court finds thum entitled under the contract. CASE REMANDED.

"The case is remanded to the district court with directions to set aside the

decree and to modify its findings, to permit the defendant to show what damages he has sustained and to allow the plaintiff to rebut this claim, to require the plaintiff to tender the defendant a proper certificate entiting him to 6.86 shares of water, an ab-struct of title and deed of conveyance and to enter a decrees that the defend-ant pay the plaintiff all money due and if it be paid within the time set oy the court the judgment cancelled and satisfied; otherwise the premises to be sold as upon execution and the pro-ceeds applied to the amount found due the plaintiff with the right of a deficiency judgment. The costs of the appeal are taxed to the defendant. The court does not reverse the whole case, but directs the trial court to modify its judgment with respect to costs and The short with respect to costs that require each to pay his costs, but if a sale is ordered, the defendant shall be ordered to pay all costs of the sale. Ju all other respects the findings and decree are approved.

#### KOOYMAN FAMILY AGAIN.

#### Seven-Year-Old Daughter Before Juvenile Court as Delinquent.

nile Court as Delinquent. The juvenile court had its initiation into the mysteries of the family trou-bles of the celebrated Kooyman fami-ly, when Mary Kooyman, aged 7 years, appeared before Judge Gowans yes-terday as a delinquent. She was charged with having stolen a pair of rubbers worth 60 cents. Her case was continued for one week. John Kooyman, who has been named "Old Man" Kooyman, because of his bald head and to distinguish him from the other John Kooymans, ap-peared in court and protested against wonding his children to the reform school eaving that it would make

Caused by the wet and changeable weather, are especially dangerous this year, because of the debilitating effects year, because of the debilitating effects of an uncommonly trying summer. In their grip, the whole system suffers— **Catarrh** is produced or aggra-and liver are deranged, indigestion and constipation occur, there are the chills of malaria, twinges of neuralgia and rheumatism, and liability to blood diseases like the grip, diphtheria, typhoid, scarlet fever, etc. It is important to take a reliable blood medicine now to nourish and enrich the

medicine now to nourish and enrich the blood, cure or prevent antumn diseases and protect general health. The best is

Hood's Sarsaparilla which makes rich, red, warm blood, benefiting the whole system.

In usual liquid form or chocolated tablets known as Sarsatabs. 100 doses \$1.

been probated. In the first will the brother is made the beneficiary.

#### SUES FOR \$10,000.

The case of Moroni Wagstaff again the Utah Light & Hallway company being heard before a jury in Judge Lewis' court. The plaintiff is wing for personal duranges in the sum o \$10,000, for hyperba alleged to have been received while in the company's em-ploy as a conductor, two years ago.

#### SAYS WIFE HAS COMPANION.

Charging his wife with ansavory con-duct, Frank F. Boyd brought action for divorce against her yesterday in the Third district court. They were mar-ried in San Francisco Jan. 15, 1955. The name of Arthur C. Campboll is linked with Mrs. Boyd's.

#### ANOTHER WIFE AGGRIEVED.

ANOTHER WIFE ACOMPLEVED. Mrs. Theodore Mauss began suit in the Third district court yesterday against Theodore Mauss, seeking di-vorce on the ground of failure to pro-vide. She charges that her husband has neglected to furnish her with the necessaries of life and in addition to that desorted her. They were mar-ried in St. Louis in 1896. She tasks custody of Roland Mauss, \$50 in all-mony and costs and fees,

#### AUTO CO. SUED FOR RENT.

Kenneth R. Smoot and C. B. Eyer appeared in the district court today as uplaintants in an action against the Wasatch Auto company, a corpora-llon, Alonzo Hyde, Jr., and Brigham T. Cannon, The complaint sets forth that the defendants are terants of the that the derendants are counted of the plaintiff's building known as 57 Mar-ket street, at an agreed rental of \$130 per month, and that the defendants have failed to pay the rent as agreed for September, October, November and December, amounting to \$520, for which judgment is sought together with costs of sult and court fees. plainting further pray for a writ of attachment to issue against the defendants.

#### MAN HUNT CONTINUES.

Joe Molaners, murderer of John Massa and who seriously stabled Dominic. Azaola in a saloon fight at Mercur. Saturday night is believed to be

Saturday night is believed to be hiding in the hills near Mercur, Teocele county. A posse of ten men were out on the hunt yesterday and un-less new clutes are discovered will con-tinue their search. Officers are of the opinion that the missing Italian may be befriended by countrymen. John Massa Molarer's victim, was buried yesterday. Azaola is getting along in good shape at St. Mark's hospital.

reached Sali Lake last night, accom-

panled by relatives in a special train and, being worn out by his trip, asked would-be interviewers to spare him until today. Today he went into conference with local railroad men

F, and the Church of Jesus Christ of Intiter-day Sainits. The Odd Fellows formed at the residence at 12 o'clock and marched to their hall. After a ritual service there the correse went to the Twenty-first ward meeting-house, where services were held under the direction of Hishep Miller. The pullbearers were selected from among members of the lodge and city council and were as follows: 1, O, O, F,-Jsaac Hadley, James Drinkwater and Rey-nold Cahoon, council-Mayor Charles Brown, A. E. Lees and Arthur Tewn-seted. Every speakee had something cod and different to say of the de-ceased and the services were impres-**Autumn Chills** 

### COLORED WOMEN DENY CHARGE

Yesterday afternoon Police Officers Jurran and Griffith arrested Mamie Curran and triting arrened many Judd and Jennie Lewis, colored wo-men, on the charge of robbing a Jap named G. Harada of \$190. It is al-leged that the robbery was committed at 1813 Commercial street. The Jap chains ne went into the place and was devidence with one of the generation claims he went into the place and was drinking with one of the women for some time. When he left he was shy \$196. Both women denied the charge and asserted that the Jap was robbed by somebody clic.

#### TEACHERS MUST HURRY.

The school board at its meeting last night received from the treasurer of the board a statement to the effect that the overdraft amounts to \$82;-

amouning to \$13,160,87 and bills amouning to \$13,160,87 and bills A complaint was received by the board from janitars who say that teachers are in the habit of staying so jate after school hours that they so late after school hours that they cannot complete their work until after dark. A new rule was adopted by the board requiring teachers to leave by \$:45 each school day. The committee on buildings and grounds was authorized to place \$10.

000 insurance on the new annex to the Summer school.



#### Two Benefit Concerts Will be Given in Salt Lake Thursday.

On Thursday two concerts will be given in Sait Lake by the Boys" band, an organization which created much favorable comment in the east last summer. The concerts will be a matinee and an evening affair, and business men are buying blocks of fickets to both, as the desire is strong to keep the organization from going to pieces.

to pieces. The afterneon concert beginning at 4 p. m. is especially for school chil-dren, and the price of admission to this offering has been made nominal. The theater for both afterneon and when the the the school and The theater for both afternoon and evening performances has been donat-ed to E. G. Holding, one of the promoi-ers of the concerts, by the Salt Lake Dramatic association, and Mr. Holding says that this act is much appreciated by himself and all the friends of the band. A feature of the program will be the initial appearance of Master Willle Stafford, a youngster who is said to have remarkable talent as a mandolin player.

mandolin player.

### PLAINTIFF NON-SUITED.

Utah Sugar Company in Damage Suit Wins Decisive Victory.

Ashiby Snow of the law firm of Ashby Snow of the law firm of Young & Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has returned from Brigham City, where he went to represent the Chih Snow has out and the company.

## GRADUATION APPLICATIONS.

The University of Utah graduating

SHOOTING AT NEWHOUSE.

Kills Matt Lang.

### DEATH OF H. O. HAVEMEYER.

Announcement Comes as Great Shock Was Heavily Interested in West.

**OLIVER GRAND** 

Four Hundred and Forty-

One Indictments,

Coffey this evening, and was discharg-

od from further service by the court.

In all, 597 witnesses were brought

the time between its first assembling,

on Nov. 9, 1906, and its final adjourn-

ment today. Most of its work has been

concerned with indictments for "graft"

and bribery connected with municipal affairs, and the public utility corpora-

tions of San Francisco. The final re-

port is a volumious document, and

"To summarize completely the work undertaken and the matters investigat-

swell this report out of all reasonable proportions. We cannot even outline

he vast amount of evidence received

by us showing corruption and vice of the lowest kind involving the greatest

moral turpitude, such as the partici-pation of the former mayor of our city

concelvable sin, shame and violation

of contradictory evidence submitted, much of it undoubtedly perjured, but

in a way purjury could not be legally proven, indictments would have been

'crib houses' have no equal in the world for vileness. They could no

quence. The United Railroads company is se-

verely scored for the negligence and criminal carelessness of its men in charge of the cars, and the many accl-

Our

says in part:

DESERET EVENING NEWS WEDNESDAY DECEMBER 4 1907

The news of Mr. Havemeyer's death, which occurred at 3 p. m. today at his home near Commack, Long Island. will come as a great shock to the west, as he was heavily interested in the sugar factories in Utah, Idaho and Colorado. It was to his breadth of view and farsightedness more than any other man's, that the great de-velopment of the beet sugar industry in the west is due. He interested other moneyed men in the east who had for years devoted their attention to cane sugar, and showed them the possibilitics of beet sugar enfure- It was the money of Mr. Havemeyer and his associates which has rendered the extension of the industry of late years possible. He owns a large heet farm in the Snake River valley near the factories of the Utah-Idaho Sugar



Eank clearings amounted to \$523,-495,89 ns against \$1,524,320,88 for the same day last year,

Leaves for Chicago-General Man-ger Odell of the Canaolidated Wagon & Machine company, has gone to Chi-cago en a two weeks buziness trip. State Rejects Bids-The state board

Since Repeats Bins - the state both of examiners was in session yesterday to consider three bids submitted for the erection of a cottage at the Fish Lake hatchery to be used by the superio-tendent. All three bids were reject d or, in the opinion of the board, they

Plenty of Gasoline-Local gasoline dealers report plenty of the fluid in town at present. The consumption has increased threefold within the last two or three years; but a shortage is predicted later in the winter ow-ing to the reported shortening up of production.

Mayor Bransford Leaves-Mayor John S. Bransford has gone to Sab Francisco and Los Angelos, to be in east city one day. He will make a flying trip home over the Salt Lake Route and will be gone for four or five days. During his absence, as voted upon by the council at Monday's session, the council at Monday's session, Prost, A. J. Davis of the council will be acting mayor.

To Entertain Prest, Judson-At the To Entertain Prest, Judson—At the banquet to be given Friday evening by the Chicago University Alumni as-sociation plans will be discussed for the entertainment of Prest, Judson, who is expected to be in Salt Lake on Jan. 3, on his rour of the west. Dr. Sundwall, who is in charge of the affair, expects an attendance of at lease 30 on Friday evening.

Government Makes Remittance-Government Makes Remittance-Gov, John C. Cutler has received from the treasury department of the United States a statement to the effect that the state of Etah is entitled to \$13,557.38, proceeds of the forest re-serves within the state in which the state participates. This amount is contrasted with the amount received hast year from the same source, which was \$9,000 in round numbers, or an increase of approximately \$4,000 for this year. found for extition and conspiracy forming a Lause of ill-forme trust. C have continued without the protection of the mayor and the chief of police. "There was not a property owner in San Francisco, after the fire, on whose property there remained any sulvage, who was not robbed by constrance of the police officials with the junk thief." this year.

#### RACING AT THE PRINCESS.

thief." The report scores the police courts for not imposing more and heavier penalties in the cases of strikers ar-rested for mirdemeanors during the street car strike. It also says that the police were criminally negligent dur-ing the early part of the strike, and that many lives were lost in conse-rmence. The second round of the roller skating race for couples at the Princess ing rate ior compass at the rinesh rink at the fair grounds Tuesday night resulted in a big victory for Mr. Emery and Lify Horos, both of Salt Lake City. The third round will be held tonight, with five couples entered. The contest was marved somewhat by a fall of one of the lady skatters, but she quickly recovered herself and finished the race. The management has arranged to give out the prizes at the conclusion of the final race Saturday night.

#### FIRE AGAIN BREAKS OUT IN FREMONT MINE.

Drytown, Cal., Dec. 4 .- The fire at he Fremont mine, in which 11 men



## Goodness Alive, but a Mighty lot of McDonald's Dutch Choc. olates Are Being Sold for the Holidays !

#### Quality-that's the reason !

20c. half, and 50c. pound. McDonald. Salt Lake, exclusive in anufacturer of fine chocolates.

TO USE HORSES TO COM-PLETE ELECTRICAL CIRCUIT

Washington, Dec. 4 .- An ingenious device by which the horse is made a before the Oliver grand jury during part of an electrical circuit, has been reported to the war department by Lieut. A. C. Knowles, Thirteenth inlantry, at Fort Leavenworth, who has tantry, at Fort Lenvenworth, who has been making tests intended to permit telegraphic and telephonic communica-tion between mounted operators. This will permit the mounted operator to transmit messages to his base when-ever necessary without stopping his horse, and is accomplished by placing a small place of copper (properly con-nected to the telegraph or phone in-strument), against the animal's body. strument), against the animal's body, thus completing a ground connection through the horse's hours. The tests were made over all kinds of ground and communication was carried on without difficulty between two opera-tors separated by five miles of wire, the horses standing in the grass.

#### NO PETTIBONE JURY YET.

In the profits earned by the prostitu-tion of the lowest of fallen women, which constitute a pecital of seemingly Bolse, Ida., Dec. 4.—When the trial of Geo. A. Pettibone was resumed this morning the second peremptory chal-lange was exercised excusing William Howell, A. G. Miller a union barber and Edward Miller, a union teamster failed to qualify, Each having formed a fixed opinion as to the guilt or inno-cence of defendant. James R. Lusk. Bolse Hardware merchant, was accept-ed by the state, Judge Perry conducted "The unlawful and corrupt protec-tion given by the police to vice, for the benefit pecuniarily and politically of the heads of the administration and many of the rank and file of the departments, is unbelievable, if it were not for the low character of the wit-nesses examined and the tangled mass ed by the state, Judge Perry conducted the examination for the defense and for half an hour endeavored to force the talesman to admit that he had a fixed opinion to which he had given expres-don. Lusk said he could give the de-endant fair trial, but finally admitted he would have to hear evidence before to sould change opinion and was ex-

### REAL ESTATE TRANSFERS.

TODAY'S.

YESTERDAY'S.

Glenn R. Bohtwell to Eliza Mun-

dents in which people have been killed, crippled and maimed are cited. The report recommends many changes in the conduct of the affairs of the city, better enforcement of the ordinances by the members of the po-lice force, more careful collection of licenses by the tax collector, proper en-forcement of the building ordinances forcement of the building ordinances. Some of the theaters are spoken of as fire-traps, and the recommendation is made that they be closed. The city and county hospital should be torn down, the report says, as it is a nest of deadly gorms.

 bote 17 and 18, block 2, Libery park plat B
 Edward W: Hunter to Brain Durtschi, part of block 2, Ham-er's subdivision
 M. & M. Investment sumpany to Henry C. Hoffman et al., part of block 9, plat C, visco R. E. Evans, Florist, 35 S. Main & Floral Designs a Specialty, 'Phon 541 ASSESSMENT NOTICE. Pescock Copper Consolidated Minis principal place of business. Sait Like

Elligh

Han. Se is hereby given that at a me the directors hald on the 25d & ember, 1967, an assessment of thy of one cont per share was be outstanding remits) states Block, treasurer, at the office of the any, Salt hich this a n the 27th ha 15th day January, 1968, at 16 o'clock, a. m. way the dellaquent assessment taget with the cost of advartising and ene Bourstary

dy, lots 5, etc., block 1, Alta

place . Alta A. France to Andrew J. Ecknedt, land in section a township 7 south, range 1 west fohn M. Leffler to Martha An-derson, part of int 2, block 2, plat B.

plat B David Newman and wife to Jemi-ma C. Hanson, lot I block &

Ashton et al., lot 31, block 17, 5-nere plat A. Joseph H. Newton et al. to Ed. word M. Ashton et al. 16, 18, block 2, Walter's subjection.

Jand in section 28, transfer 1 south, range 3 west. I. A. Fritsch to John 8, Russel lots 17 and 18, block 2, Librig

Edward M. Ashton ward Laird, lot in Walker's subdivis Joseph Dollmer to land in section 2

south, range 1 east,

Thompson to Edward M on et al. lot 11 block H

oli 2, ste.

Gregory, waship 3

te Danieja

UNION DENTAL CO

HONEST WORK HONEST PRICES. Painless Extraction of Pay All We Phones: Bel ork Positively Guarant L 1126 N; Ind. 1126.



peared in court and protested against sending his children to the reform school, saying that it would make them worse instead of better. He was willing that they should be placed in an orphan's home and this will prob-ably be arranged for. It is believed that every court in the city has now had its whirl with this instorious family. Police court has been the scone of many legal tangles in which the family has been involved.

been the scene of many legal tangles in which the family has been involved. Justice Dana T. Smith has had all be wants of the family, so has the di-vores courts and all the judges, perso-epting attorneys, buildfs, peace efficars and others connected with the mach-inery of the city county and state will welcome with open arms someone who will invent some remedy for the trou-blesome family. blesome family.

#### HEARING POSTPONED.

Because Annie E. Beynolds, who is haing sued by Jesse Menderson over personal property, failed to appear, the hearing was postponed until Satur-day, when Judge Morse will hear both adder

#### PETITION TO ADMIT WILL.

A petition has been filed in the district court by Andrew Sargeant, asking that a will of his brother, Eli-jah Sargeant, made Dec. 13, 1905, at Denver, he admitted to probate Eli-jah Sargeant died in the city Nov. 12, 1807, and a will executed two days before his death, becauching his propbefore his death, bequeathing his prop- rees were of a double enabling, being erty to Elizabeth Oyler, has already held under the auspices of the I. O. O.

Your Winter Overcoat.

The selection of your coat for this winter is past the "tomorrow" stage. It is demanding attention and you must listen. We are showing the very best things that Hart Schaffner & Marx have ever made, and that is saying we are showing the best that have ever been made. They come in a wide variety of pattern and range in price from \$20 to \$50.



172 MAIN 14 Bell & State

until today. Today he went into conference with local railroad men and it was explained he could not find time to meet with newspaper men or acquaintances until this afternoon. Senator Clark is on an inspection trip of his road and is accompanied by W. A. Clark, Jr., and wife; J. H. Ander-son, private secretary; former Senator Thomas Kearas; David Keith and R. E. Wells, general manager of the Salt Lake Route. The party has in-spected the line throughout, including branches and feoders. Semitor Clark belloves the present situation will work out in good shape if not aggravated by the country itself. He is of the opinion that the price of copper is sway too low. "We cannot sell it for 15 cents when it costs us that much to produce it," is the way he expresses himself. He is a firm be-liever in the theory that stringenzy is caused by hearding induced by fear and that when fear phases away don-ditions will again become normal. for certificates from the following numbers of students in the various defor partments: Arts and sciences, 27; mining engineering, 14; civil engineering, 5; electrical engineering 2; kindergarten, 4-year course, 4; 5-year course, 15; normal, 121; a grand total of 97. Prof. Coray reports that there is a slight increase in the collegiate depart-ment, and a corresponding decrease in the normal department. A. W. Kingsbury, Former Salt Laker, A story cominug from Newhouse in more or less incompleted shape tells of a shooting, in which A. W. Eingsbury, for years a resident of this sity, shot and killed Matt. Lang, formerly of Eureka. It appears the two men were in the saloon business and had centered their attention upon a woman named Blanch. They, it is reported, became jealous of each other, and when the trio met Sunday night in a saloon, words led to a fight and the woman left. The next development was the news that Kingsbury had shot Lang five times, any three shots being failal, Kingsbury gave himself up and is now being held. Eail has been fixed at A story cominug from Newhouse in

MR. POWELL IS BURIED.

#### Murray Pays Last Respect to Prominent Resident-Double Services.

The funeral of L. B. Fowell, late president of the Murray city council, being held. \$500. was held in that city today. The servlees were of a double character, being

### WEATHER REPORT

U. S. department of agriculture, wea-U. S. department of agree during, white they bureau mateorological report. Record at the local office U. S. weather bureau, for 34 hours ending at 

 6 a. m., today:

 7 mmperature at 6 a. m., 31 degrees;

 maximum, 46; minimum, 28; mean, 37,

 which is 1 degree above normal

 Accumulated excess precipitation

 since January 1, 24.1 inches.

 Belative humidity at 6 a. m., 90 per

 York Sub Treasury.

Ball has been fixed at

cent. FORECASTS TILL 6 P. M. THURS-DAY. Local forecasis for Sait Lake City and vicinity: Increasing cloudiness ionight and Thursday, warmer. Utab: Fair tonight and Thursday; warmet. B. J. HYATT. Santian Increases.

TODAY'S TEMPERATURE. di. 1957 I p. m

YESTERDAY'S RECORD.

#### WARD ENTERTAINMENTS

Farmers Ward-Thursday and Friday evenings, Dec. 5 and 6, the Formers Ward Dramatic clab / 1 present the force consely "Blundering billy," at the meetinghouse The personnel of the cast includes the names of Lester Cabbolt, A. W. Gal-lachet, Lester Pay, Lestic Jones, has McFarland, Lillis McFarland, Matie Mariger and Gladys Quayle,

ittee has received applications the Fremont must, in which it men-perished, has again broken out with renewed force. The shaft his been covered and steam and water are be-ing paured in. It being hoped to ex-tinguish the flames in this way. There now is no possibility of recovering the dead bodies for at least several days.

#### THREE PERSONS KILLED MANY INJURED IN WRECK

Baltimore, Dec. 4.—Three persons were killed and about 20 injured in a rear-end collision between local pas-senger trains Nos. 142 and 144 on the Baltimore & Oble railroad ait Hanover, Md., 12 miles west of hers this morning. Some of the injured are badly burt and may die. The three killed cutrisht were negro track hands. Bellef trains were made up and the injured were brought to Baltimore hospitals. The first train was 25 minutes late, having been delayed by a broken rail at Jessups where it was slde tracked to be an express pass. While standing at Hanover stallon, taking on passed-gers, the second train came around the curve at that point at a high raite of speed and crashed into the rear car of the stationary train, smashing this

cod and crashed into the rear car the stationary train, smashing this we and driving it into the next each tool. The last car of No. 142 was vided into a smeking compariment al section for negroes. It was in this r that the deaths occurred. The movement of trains on this and of the Baltimore & Ohio sys-m is controlled by an automatic ste-

the is controlled by an automatic elec-tric signal. When a train enters a block a red target is thrown out re-maining until the train leaves the block, when the target changes to green. Just west of Hanover station is such a sig-nal.

York sub Treasury. Philadelubia, Dec. 4.—The first installment of new gold 226 pieces bus been shipped from the mini in this offs to various sub-treasuries. There were 113,000 of them, their monetary value being \$2,300,000. On one alls of the coin is an earle ather a figure of "Liberty." The oring war made comeave, the figures being in high relief, nine strokes of a hydraulic press being required to make them Hersafter only one stroke will be used, and thus the coins just disculated will be different from those to be in circulation later.

#### TODAY'S MONEY MARKET.

New York, Bee, 4.--Money on call steady: 3 at 7 per cent; ruling rate, 6 per cent; closing and offered at 4 ner cent;

6 per cent, chang and berry 10 to per cent, Time loans, nominal; 69 days 10 to 12 per cent, and 20 days 8 to 10 per cent: six months, 6 to 8 per cent. Close: Prime mercantile paper, 7 at

S per cent. Sterling exchange steady, with ac-tual business in bankers' hills at 186.10 at 186.15 for domand, and at 480 for 60 day bills; Commercial bills 480 480

# Bar silver 57%. Mexican dollars, 48. Government books steady: railroad bonds irregular.

### GOLDFIELD MINE OWNERS.

#### Their Association Takes Offensive in Industrial Troubles.

Goldfield, Nev., Dec. S .-- The Mine Owners' association of Goldfield dis-trict has taken the offensive in the local industrial troubles between op-erators and miners and today sent a communication to the union, declaring that by reason of the strike declared on account of payment of wages in scrip, all agreements heretofore made with the miners are abrogated.

scrip, all agreements heretofore made with the miners are abrogated. The communication referred particu-larly to the agreement of April 21 which terminated the worst strike in the camp's history. By that agree-ment the operators were to continue the wage scale of 45 per day for an eight-hour day and the miners agreed that no strike or boycoit would be of-ficially declared by the union unless by a two-thirds vote of the organiza-tion and the agreement abrogated, as the vote on the present strike was taken by a mere handful of minurs and the question was not aubmitted to a re-ferendum vote as the bylaws of the union require. This is taken as an evidence of the intention of the opera-tors to fight the miners' union to a finish and to resume work in time with an open camp and a \$4 day. It is in-tended that the mine owners all ever Nevada join with the Goldfield opera-tors in this movement, and a tenta-tive agreement to that effect has been made.

#### PACKING HOUSE SUITS.

Bonaparte Asks Supreme Court to Advance Them on Docket.

sance Them on Docket. Washington.Dec. 3.—Atty.-Gen. Bona-parte today asked the supreme court of the United States to advance on its docket the cases of the United States vs. the Armour, the Swift, the Morris and the Cudahy Packing companies, in each of which a fine of \$15,000 was im-posed by the United States district court for the Western district of Mis-sourd, on a charge of accepting re-bates from the Chicago. Burlington & Quincy Endroad company on beef ship-ments from Kansas City, Kan., to Eu-1926.

ments from Kansas (lity, Kan, to Eu-rope. The companies are making their fight on the ground that the Missouri court was without jurisdiction, and Mr. Honsparte says that if the supreme necessary for the government to in-stitute proceedings in the district of Kansas, where the properties described in the industments were received by the railroads for transportation." The tatute of limitations will run against the offenses charged in the indistments some time next August. Unless, there-tore, the cases be heard and detarmined at the prosent term of this court, the defendants probably will escape prose-vation altogether in the district in which these cases might be tried, pro-vided, of course, the government is in error with respon to the jurisdiction harden involved.





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