

Suits to be Brought Against the Parties Alleged to be Responsible For Wrecking the Institution.

Special Dispatch to the Journal-Miner.

New York, Sept. 24.—It was learned here today that the sale of the property of the Consolidated Arizona Smelting Company will probably go through on Monday next and that the highest bid heretofore made for the property, \$150,000, will be accepted by the referee in bankruptcy. This offer has been made by a man whose identity has not been disclosed and is subject to two mortgages, aggregating with interest about \$250,000 and assessments and taxes aggregating \$10,000. The highest previous bid for the property was \$125,000, and it was said today on behalf of the receiver in bankruptcy that the present bid is probably the best that can be secured.

J. Kearny Rice, the trustee in bankruptcy, advertised the company's property today.

A lawyer who has been acting for the receiver said today that plans are under way to bring suits against all persons concerned in the failure of the company, and it is asserted that there is good prospect of realizing on these suits for the benefit of the creditors. This authority said there was no way of knowing just now what the creditors will eventually get, but declared that it will be far above expectations, as the result of the suits.

He said that the total claims against the company in Arizona do not exceed \$150,000 and that the claims in New York are in the neighborhood of this amount. There is \$300,000 for notes of the company held by the National Bank of North America, and secured by stock of the company.

"The manner in which the company has been conducted by the former officers constitutes the most outrageous bit of frenzied finance that has ever come to my knowledge," said the lawyer.

"It seemed that every time they turned around they issued a few more millions of stock and grabbed most of it themselves. Imagine a \$17,500,000 corporation with nothing left with a plant that will not bring over \$400,000, including the payment of liens and mortgages upon it."

It was learned today that Charles W. Morse held a big block of the stock, that Charles C. Gates had \$150,000 worth and Thomas W. Lawson was also a heavy holder.

FRANKLIN UNION IS DEDICATED AT BOSTON

BOSTON, Mass., Sept. 24.—One hundred and eighteen years after the death of Benjamin Franklin, the city of Boston will tomorrow come into possession of a handsome monument left by that farsighted statesman-philanthropist in loving remembrance of the city of his birth. After the lapse of more than a century, during which time the modest bequest of Franklin has grown to large proportions, the Franklin Union has become an accomplished fact. The handsome building erected at the corner of Berkeley and Applegate streets, and which will stand for years to come as a permanent memorial to the practical wisdom of the donor, was dedicated this afternoon with interesting but brief exercises.

The clause in Benjamin Franklin's will which resulted in the creation of the Franklin Union was as follows:

"I was born in Boston, New England, and owe my first instructions in literature to the Free Grammar Schools established there. I have therefore already considered these schools in my will. But I am also under obligations to the state of Massachusetts for having appointed me formerly their Agent in England with a handsome salary, which continued some years. I have considered that among Americans good Apprentices are most likely to make good citizens, and having myself been bred to a manual Art Printing, in my native Town, and afterward assisted to set up my business in Philadelphia by kind loans of Money from two Friends there, which was the foundation of my Fortune, and of all the utility in life that may be ascribed to me, I wish to be useful even after my death, if possible, in forming and advancing other young men that may be serviceable to their Country in both these Towns. To this End I devote Two Thousand Pounds Sterling, which I give, one thousand thereof to the Inhabitants of the Town of Boston, in Massachusetts, and the other thousand to the inhabitants of the City of Philadelphia, in Trust to and for the Uses, Interest and Purposes hereinafter mentioned and declared."

The one thousand pounds left to the city of Boston was to be let out in small sums to apprentices in the trades during the period of one hundred years and at the end of that time 100,000 of it was to be used for public improvement of the city, the remainder to remain at interest for another century and then to be divided between the city and state. The first hundred years passed, and twenty five more were consumed in debate as to details of management and expenditure. At the end of that time the 100,000, amounting to about \$400,000, was used to build the handsome structure dedicated today, and to the amount has been added by Andrew Carnegie an equal sum as endowment.

The building is a handsome fireproof structure of five stories. Class rooms are distributed throughout the building on every floor, and there are large draughting rooms, studios, laboratories and special lecture rooms for chemistry and physics. On the first floor are grouped the lobby or exhibition room—the latter for the display of industrial material of various kinds—the offices of administration, the library and the large lecture hall, seating nearly 1,000 persons, and designed carefully and scientifically to meet every requirement of proportion, ventilation, acoustics, light and convenience.

The lobby or exhibition hall is about fifty feet square and is finished in wrought iron and rare marbles. The frieze consists of a series of panels, each containing a painting to illustrate a trait of Franklin's many-sided character. Each group is flanked by smaller panels bearing inscriptions from "Poor Richard's Almanac." The paintings are arranged chronologically and thus afford a graphic biography of the "great man" by whose philanthropy the building was established.

The Franklin Union will be opened to students next Monday. Classes will be offered especially for foremen, mechanics and other engaged in manufacturing or building industries. There will also be courses in shop formulae, steam, industrial chemistry, mathematics for builders, mechanics, machine drawing and industrial electricity.

LEGLESS STOVE CAUSE A SMALL HOUSE FIRE

From Thursday's Daily.
Prompt answer to a fire alarm from the home of Mrs. W. H. Lloyd in North Mount Vernon street prevented what threatened to be a disastrous fire at five o'clock last evening. Assistant Chief Kearney made one of his record runs with the fire apparatus. The loss is estimated at \$25, covered by insurance.

The fire caught underneath a gas stove in the kitchen because the stove was set without legs on the bare floor. Mrs. Lloyd will have the damage repaired and the stove put on legs to avoid the danger of another conflagration.

COPPER AND SILVER DISCOVERIES IN GLOBE

GLOBE, Ariz., Sept. 24.—Strikes are of more frequent occurrence in the Globe district than in any other mining district in the southwest. Yesterday's news from the mines was of the same favorable character as have been the developments for some time past. It was recently reported that the 10th and 12th level shafts of the Old Dominion mine, one of the United Globe group, were maintaining the remarkably high grade of ore for which they have been noted. In the 12th level drifts in south, the ore, which comprises an average of 35 per cent copper, was considerably larger than the face of the drift.

The ore in the Globe district is reported to be of the same favorable character as in the Globe district, and the ore is reported to be of the same favorable character as in the Globe district, and the ore is reported to be of the same favorable character as in the Globe district.

Probably the most interesting development made recently was that the shaft drills had struck sulphides in the Keystone property at a depth of 210 or 220 feet. The shafts were broken and the hole lost in the drift holes. One of them having been recovered, it was found to have to be repaired. While the discovery that the extensive sulphide deposit projects into and across the Keystone was not a great surprise to many, yet its importance is fully recognized. As a result the known ledge of the ore body are greatly extended, and there is now a strong probability that the sulphate ore extends into the Lake Oak ground immediately south of the Keystone. At any rate, should the drill tests on the Keystone be successful, estimates of the probable amount of sulphide ore in the deposit will have to be revised. The ore in sight in the Mine is now about 7,000,000 tons.

At the Arizona and Colorado the drift went through the ore in the 50th shaft east last Monday, the width of the ledge at that point being thirty feet. A drift was started Monday on the best part of the vein, and up to yesterday afternoon two rounds of holes had been fired, revealing high grade ore that will probably assay 15 per cent copper to the ton. The whole face of the drift is said to be in this rich ore. The flow of water on the level has increased slightly.

Superintendent S. C. Phillips will enlarge the force of miners and work another shaft in the mine. Mine Foreman G. E. Wilson, of the Warrior Copper Company, says that the west cross at on the 250-foot level of the Montgomery mine is forty-five feet in the ore, which averages 15 per cent or larger in copper. The ore in the east cross is thirty feet wide and averages 10 per cent. The ore body is also reached by a drift on the 250-foot level. Mr. Wilson says it is the largest high grade ore body in the district, of which he has any knowledge.

OLD GRUBBING LEDGE IS SCHEDULED FOR DEVELOPMENT

From Friday's Daily.
Arrangements were made yesterday by the management of the Climax Mining Company to develop the Quartz Mountain vein, the best ledge location ever made north of the Gila river, at a depth of 200 feet. Assistant L. Duran was awarded a contract to run Number 3 tunnel a distance of 400 feet which according to the engineer's estimates, the ledge will be tapped. The tunnel is now in 100 feet. It is on a level with the top of the ore stamp mill owned by the company on the Haasayampa river.

It is the intention to set the product of the mine through the tunnel to the mill for treatment as soon as the mine is opened. The tunnel will tap the vein, now known as the Old No. 1, immediately beneath where Charles Geunung discovered the rich outcrop of the ledge in the early '80's, when the right of the white man was strongly disputed by the Apaches. The Indians were ousted from possession only by many bloody battles.

The news of Geunung's rich strike in the early days attracted hundreds of prospectors and miners to the Haasayampa district. Other strikes followed until the fame of the locality as a great gold producer spread over all the country.

Geunung extracted the gold from the rich surface ore many years by the arrastra process, retorting the product in the barrel of a shotgun. Subsequently he abandoned the ground, which was later taken up by Dan O'Boyle. The latter sold it to the

Quartz Mountain Mining Company. This organization developed the ledge to a depth of 200 feet.

Since the title passed to the Climax Mining Company, arrangements have been made to open it on a larger scale. The contract let yesterday will be pushed to completion.

Ignatius Governor Lewis Wolfley of Arizona, is the managing director of the concern.

The group is located 14 miles south of Globe city along the historic stream after which the Haasayampa district is named.

MAJOR DORAN IS NOT FOR SMITH

From Friday's Daily.
For several days past the civil and republican press in the territory has been searching for signs of delight over the supposed fact that Major A. J. Doran, of Prescott, had a republican of prominence would support Mark Smith. This would be a beautiful campaign material, it is true, but there is the rub! Mr. Doran does not propose to do anything of the kind. On the contrary he is only going to vote for Cameron last week for him.

Here is what a copper-colored sheet of Phoenix has been saying on the subject:

An indication of how the real thinking, earnest Arizona feels toward Mark Smith and Ralph Cameron in their race for congress is to be found in the open avowal of Major A. J. Doran, president of the last legislative council and former republican candidate for delegate, that he will in this campaign and in the polls support and vote for Delegate Smith.

Republican threats and Republican promises are too transparent to blind men of Doran's standing and ability. He has spent his life in Arizona; he knows the failures and successes of the territory, and with prophetic eye he can look into the future and foresee the danger of risking a Republican in congress to protect Arizona against the political vultures who would flay this territory to another and forever obliterate its identity.

Doran's honest statement cannot help but lead more of his party leaders to openly declare for Mark Smith. Now that the ice is broken no surprise need follow if hundreds of additions to the Smith camp come from the republican fighting lines.

What a contrast the above is with what Major Doran said yesterday when interviewed by a Journal-Miner representative:

"All this talk about my voting for Mark Smith is truth," he said. "I shall not only vote for Cameron but shall support him. He is one of the warmest friends I have in Arizona. I stood with him in the last session of the legislature in the vote to override the governor's veto on the Bright Angel trail bill. He is a splendid citizen and personally I have never had a thing against him, but politically I remember his joining the leaders in the Tucson convention, and when I heard he was nominated as delegate, I remembered that I would vote for Smith. Since that time, the advisory committee which was composed largely of the bolters at Tucson has been abolished, and the management of the campaign placed in the hands of the regularly executive committee. That satisfied me that Cameron was for justice and fair play and immediately I decided that I would stand by him. That was over two weeks ago and I have been a Cameron man ever since that time. While Mark Smith did good work in the fight against joint stock, yet there was one man there that was the peer of anyone that appeared before the house committee, who was the peer of any member of that committee—that man is our fellow-townman and fellow republican, Robert E. Morrison."

After the above emphatic statement of his position by Major Doran, there should be no further controversy on the subject.

MILLER RAILROAD RESTRAINED.

Bennell and Mocking Hold Up Carrier to Silica Mines.
From Friday's Daily.
Court Commissioner J. M. W. Moore granted a temporary injunction yesterday restraining C. C. Miller from building a railroad over the Marguerite and Stamba placer claims, near Dewey. The claims are owned by L. I. Bennell and Charles Mocking. Miller is building a railroad from Dewey station on the Bradshaw Mountain railroad to his silica mines a mile east of that place. The silica used in the United Verde smelters at Jerome is shipped from the Miller properties.

Mining location notices for sale at the Journal-Miner office.

PROBATE JUDGES MAY NOT GET COURT FEES

(From Friday's Daily)
Since the creation of the office of public examiner several contradictions and technicalities concerning the administration of county offices have been discovered unknown to exist heretofore.

The latest legal question raised according to the statement of W. C. Foster, public examiner, who stopped over here yesterday on his way west and for which he claims no credit, is whether the probate judges of second class counties are entitled to the fees collected in their courts, in addition to the \$1,200 annual salary allowed P. T. Robertson, district attorney of Yuma county, the only second class county in the territory, claims to be probate judge of his county and is entitled to any fees collected in his office. He maintains that the statute provide that the fees shall be turned into the county treasury.

Yuma county, October, 1907, passed from a third class county into the second class. While the court was in the third class Probate Judge Godfrey collected the \$600 allowed as probate judge, \$300 as second class probate judge and the fees collected in the probate court according to law. When the county passed into the second class he collected the \$1,200 salary allowed as probate judge and second class probate judge and also retained the fees collected in the probate court.

District Attorney Robertson notified the board of supervisors of his county recently that the law did not justify the probate judge in appropriating the fees. He also notified the public examiner of Probate Judge Godfrey's action and the public examiner stepped over here yesterday to confer with Attorney General Clark.

Judge Godfrey does not deny that he has pocketed the fees of his office as alleged. He asserts they are his law and he will not pay any fees in the county treasury until a court of proper authority decides that he is entitled to the fees collected.

No question of criminality has arisen in the case. It is simply a misconstruction of the statutes that must be decided in the courts.

Probate judges of counties of the first class with an assessed valuation of \$11,000,000 or less are allowed fees collected in their courts in addition to an annual salary of \$1,200 payable quarterly. Probate judges of second class counties, who are also ex-officio school superintendents, are allowed an annual salary of \$1,200 full for their services, according to technical interpretation of the statute.

Probate judges of third, fourth, fifth and sixth class counties are allowed an annual salary of not more than \$600, probate judges, not more than \$300, school superintendent, and the fees collected in the probate court. The fees collected by all classes of counties in the territory are allowed the fees collected, with the exception of second class counties, rates a question in the minds of many of the framers of the statute in regard to whether the probate judges of second class counties should retain the fees collected by them as part compensation for their services.

Graham county is the only one in the territory that has been a second class since 1900, with the exception of Yuma.

It is probable that suit will be filed in the Yuma district court, the payment into the county treasury of the fees collected since last October by Probate Judge Godfrey.

Another discovery made last year that taxes are not delinquent until the third Monday in December. Tax collectors and supervisors all over the territory until last year interpreted the law to mean that taxes became delinquent the second Monday in December, since the creation by statute of the back tax book.

After the second Monday in December of last year the Southern Pacific Railroad Company offered to pay taxes in Yuma and Cochise counties. The tax collectors of those counties refused to accept the taxes without a four per cent delinquent fee allowed them by the law creating the back tax book. The company refused to pay the penalty and the district courts, both counties decided in the suits that taxes are not delinquent, according to the strict interpretation of the statute, until the third Monday in December.

The tax collectors of those counties were thus deprived of the fees allowed them by the back tax book statute. Public Examiner Foster called the attention of the board of supervisors to these decisions here yesterday.

INGRAM COMES TO ARIZONA

SAN FRANCISCO, Sept. 25.—R. Ingram, general superintendent of the Southern District of the S. P., has signed to accept services with the Rockwell lines in Arizona and Mexico headquarters at Tucson.

SCATTERS HIGH GRADE OVER MOUNTAIN SLOPE

Fritz Vierthaler Shoots Lifter in Outcropping and Strews Several Thousand Dollars in Ore Over a Half Mile Circle.

(From Saturday's Daily)
Shooting gold quartz entering thousands of dollars to the ton and scattering specimens half mile over a half mile radius up on a mountain side was the strange experience Monday of Fritz Vierthaler.

Vierthaler started to do the usual adjustment work on one claim of a group of five, owned by himself and H. A. Sweet, an eastern capitalist, on the headwaters of State Creek in the Haasayampa district. He began to sink a shaft. He then drilled a hole and shot it. On returning to work he set horses to work and he had discovered a pyritic vein in the thickness with gold speckling it as profusely as holes in a sprinkling can. The vein had carried away the outcrop of a rich streak to a depth of over two feet.

Several hundred pounds of the bonanza ore had been scattered over the hillside as the hole had been holed heavily with a view of blowing it out as clean as possible.

Amazed at the wonderful richness of the ore, Vierthaler commenced a search for the pieces shot away. He found several small specimens around the place. These he gathered and snipped to his partner, Sweet, now in the east.

The bonanza strike is on a vein a half mile east of and paralleling the Davis mine, one of the proven gold properties of the district.

Vierthaler was in the city yesterday and returned to camp to continue the

development of his new find. The story of the discovery has already spread through the district and prospectors and miners now in the locality are hoping to uncover other fancy ores. The strike seems to be the richest made in the Haasayampa district since Lexington and Harlan opened the Howard mine on the northerly slope of the same range, a half mile south of the Senator mine. The finding of the rich deposit in the Howard mine was similar to the Vierthaler strike. Lexington and Harlan were doing assessment work on a group of claims. They seriously considered abandoning the Howard, but having the work on the other claims of the group finished, concluded to sink a ten foot hole on the Howard ledge.

One of the partners came to Prescott for additional supplies and returning that night found the other locked in the cabin with several hundred dollars' worth of gold quartz. The shooting from the apex in the afternoon. In all, \$25,000 was taken from the rich pocket of the Howard by the discoverer. They subsequently sold the claim to a Chicago company.

GOTHAM REPUBLICANS RALLY.

NEW YORK, Sept. 25.—The Republican campaign of New York county was formally opened tonight with an enthusiastic mass meeting at Carnegie Hall addressed by Senator Beveridge and Seth Low.