

# FOLEY IS BOUND OVER FOR ALLEGED ASSAULT

W. J. Foley, a railroad switchman who is charged with assaulting Max Wiener, a peddler, was held for trial in the superior court after being given a preliminary hearing before Judge Parker in the municipal court yesterday. Foley was unable to furnish \$1,000 bail and was remanded to the county jail where he has been confined since the alleged assault occurred three weeks ago.

Save the evidence of the complainant, other testimony given on the part of the prosecution was favorable to the defendant. Through the advice of his attorney, Judge W. E. Hally, the defendant did not offer any testimony. Wiener said Foley dragged him from his wagon without cause and claimed that after he lay on the ground the defendant struck him in the back with a knife, inflicting a serious wound. Mrs. Emma Miller and Edna Conlin who were subpoenaed by the state testified that Wiener struck Foley in the face with a whip and that the latter then grabbed hold of the complainant. The women inferred that Wiener provoked the trouble.