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# THE ARIZONA REPUBLICAN

FOR SALE—New 4-room brick, modern, \$2250, near school and car line, \$250 cash, balance \$25.00 per month. E. E. Pascoe, owner, 110 North Center street.

TWENTY-SECOND YEAR

14 PAGES

PHOENIX, ARIZONA, SATURDAY MORNING, OCTOBER 14, 1911.

14 PAGES

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## TWO DAYS AND NOTHING DONE

### And at Least Part of Another Session of Court Will be Used in Wrangling Over One Juror's Qualification.

#### ATTORNEYS ARGUE ABSTRUSE POINT

### Question is Whether Constitution Guarantees to One or Both Sides to the Proceeding an Impartial Trial.

LOS ANGELES, Oct. 12.—After two days of court sessions in the trial of James H. McNamara for the murder of Charles J. Haggerty, a victim of the Los Angeles Times explosion, no juror had been selected tentatively, and no decision reached as to the eligibility of the first talemans examined. Though the session moved forward with no delay, the magnitude of the issues involved in the examination of Z. T. Nelson, the first talemans, made the proceedings somewhat intricate. At night when arguments on Nelson's status were unfinished, court adjourned until tomorrow. Attorneys informed the court that two hours should suffice to finish the arguments tomorrow morning.

At the close of court Sheriff Hammet escorted the prisoner to the county jail, unaccompanied. A provision in the constitution of the state of California, which differs somewhat from that of the United States and sections of the state penal code regarding the qualifications of jurors started a contest over the meaning which will affect, not alone the talemans under examination, but every prospective juror, and for this reason, is stubbornly contested.

Attorney G. Ray Horton, for the prosecution, occupied most of the afternoon, making an argument for the state. By chance, one of the cases cited by Horton to show the law regarding the eligibility of talemans was that of Juror Arthur, in the trial of Abraham Ruef, now serving a term of fourteen years in San Quentin prison on a charge of bribery in connection with the San Francisco graft cases.

Another case cited was that of "Red Shirt" Gordon who, with a band of fellow convicts fought his way out of the Folsom penitentiary to freedom in one of the most sensational breaks the west has ever seen. The constitution of California guarantees a fair trial to "all persons in litigation," whereas the United States constitution guarantees a fair trial to the "defendant." Horton contended that the law of the state intended that any man may serve on the jury under the usual restrictions, who is not of a "state of mind which prevents his acting with entire impartiality and without prejudice to the substantial rights of either party." He contended the rights of the state must be preserved, the same as those of the defendant and further that the criminal code made an express provision for jury service in a man's mind, Nelson's frame of mind. Attorney Joseph Scott, for the defense, quoted Nelson as saying he had an opinion concerning the McNamara's guilt, that he had such an opinion for four months and it would take strong evidence to dislodge it. Judge Bordwell announced that he would go over the record on this point.

Attorney Clarence Darrow, chief counsel for the defense, made the argument against accepting Nelson as a juror after he had been challenged on the record of bias earlier in the day.

"No section of the criminal code can change a man's constitutional rights," was his opening sentence. "The defendant must be tried by a jury and not by a ratification meeting. Never before have I seen an officer asking the defense to take a juror who has sworn that he held an opinion as to the guilt or innocence of the defendant, and that it would take evidence to remove that opinion. The legislature, in enacting the penal code, perhaps thought to take away some safeguards that surround life. I presume we could convince the district attorney here of the defendant's innocence if we had evidence enough."

### HE IS CAUTIOUS

By John J. McGraw.  
I never make predictions on the outcome of a battle of this sort, but we will go into the world's series with our full strength, unless something unforeseen occurs, and we will be prepared to give a good account of ourselves. We have an excellent chance to win.  
My pitchers are all in good shape and the balance of the club is all that could be desired. We have had a long, hard campaign, and the strain upon my men could not be relaxed until a few days ago, but I hope that they will be fully rested by the time we take the field against Philadelphia.  
It should be a great series, but baseball is something that can not be forecasted.

## LOYAL FANS ARE ON EDGE

### Sixty Thousand Baseball Bugs Are Expected to Assemble at Polo Grounds to See First Clash of World's Series.

### BLEACHERITES ARE CAMPED AT GATE

NEW YORK, Oct. 12.—With the stage set and the curtain about to be raised on the final act of the season's baseball, the night before news of the world's series between the Philadelphia Americans and the New York Nationals may be epitomized as follows:

Forty-eight eligible players are reported to be in fine shape with the exception of first baseman Melvin of Philadelphia, whose injured wrist may keep him out of the game. Tickets to the series, though still to be had, are mainly in the hands of speculators, who are charging exorbitant prices. All is ready at the Polo grounds for a crowd of nearly sixty thousand. Some fans formed a line this afternoon, intending to eat and sleep at the gate until tomorrow. Police expect trouble as they have been ordered to arrest scalpers. Betting continues even although a few bets are recorded to be in favor of Philadelphia. The probable line-up: New York—Devore, cf.; Doyle, 2b.; Snodgrass, cf.; Murray, rf.; Merkle, 1b.; Herzog, 3b.; Fletcher, ss.; Myers, c.; Marquand or Mathewson, pitcher. Philadelphia—Lord, lf.; Oldring, cf.; Murphy, rf.; Collins, 2b.; Baker, 3b.; Melnis or Davis, 1b.; Barry, ss.; Thomas, c.; Bender or Coombs, pitcher.

Empires—Choice of two from Brennan and Klein of the Nationals and Connolly and Dimsen of the Americans. The Philadelphia arrived in New York tonight.

Before midnight a crowd of more than 5,000 persons had gathered about the Polo grounds but a majority of these are merely sight seekers. It is estimated that about 500 ticket seekers are lined up and the number is rapidly increasing. Late trains brought great crowds—greater crowds, many said, than for the Vanderbilt cup races, the Davery parade or the Hudson-Fulton celebration. Two dollar seats are selling for \$5, and more at regular ticket counters at the hotels. Secretary Bruce, of the National Commission said the commission is going to meet here tomorrow and possibly the question of how many seats go into the hands of speculators will be investigated.

## MAYOR FAVORS A TEST OF THE LAW

### Approves the Suggestion of The Republican Respecting the Power Situation.

Commenting on the editorial in yesterday's Republican, on the subject of the electric lighting situation in this city, Mayor Christy yesterday expressed his satisfaction with the sentiment of it.

The mayor said that he was heartily in favor of testing in the courts the right of the city to purchase power of the government for lighting purposes. It appears to the mayor that there can be no good reason why the city cannot secure power for its own street lighting purposes, even if it is not furnished for retail to others.

### JUSTICE IS ILL.

WASHINGTON, D. C., Oct. 12.—Justice John M. Harlan of the supreme court of the United States is suffering from an acute attack of bronchitis at his home here. Harlan is 78, and his condition is regarded as grave. A severe cold contracted last Monday brought his illness to a crisis and the following day he was unable to occupy his position on the bench.

**GOTCH WON AGAIN.**  
KANSAS CITY, Oct. 12.—Frank Gotch, the world's champion wrestler, easily threw George Padonobny of Russia tonight in two straight falls. The first was in 14 minutes, 16 seconds and the second in 7 minutes.

## These Men are Accused of Most Fiendish Crime of the Century



The McNamaras—A character study. J. J. McNamara (on left) accused with his brother, J. B. McNamara (on right), of the disaster of October 1, 1910. J. J., strong, vital—J. B., a weakling. The trial of J. B. McNamara began October 11.

### CUTTER UPSET BY GASOLINE LAUNCH

#### Unfortunate Musician, Thrown Into Waters of San Francisco Bay, Was Never Seen Again.

SAN FRANCISCO, Cal., Oct. 12.—Run down by a gasoline launch a cutter from the fleetship California of the Pacific fleet, which was returning to the ship with thirty-five members of a band aboard was upset in the bay tonight, and J. A. Charlie, one of the bandmen was drowned. Launches from the fleet rescued the others but the instruments, valued at several thousand dollars, were lost. The band took part in today's election to President Taft at Oakland. When the ship's boat in which they were being towed to the California by a launch was within a few hundred yards of the vessel the gasoline launch crashed into the side, turning it completely over, and throwing the musicians into the water. About forty men struggled to retain their hold on the overturned craft. The men were taken aboard, and the roll called, when Charlie was found missing. No one saw him after the boat capsized.

### BATHTUB TRUST IS THE LATEST VICTIM

#### Court Decides Patentee Cannot Violate Anti-Trust Act Under Color of Protecting Invention.

BALTIMORE, Md., Oct. 12.—Judge Rose of the United States circuit court here today rendered a decision in favor of the government in its dissolution suit against the Standard Sanitary Manufacturing company and others in the so-called "bathtub trust." Judge Richard concurred with Judge Rose, and Judge Goss dissented.

The action was brought under the Sherman anti-trust law. While this decision is in a separate case from the action against the trust at Detroit, the proceeding concerns the same subject matter. Under the court's ruling, Edwin L. Wayman, patentee of an enamel dredger, who issued a license of the patent to the defendant concern, is as much subject to the law governing monopoly as any other man. He has no right to sell indulgences in the patent in violation of the anti-trust act. It was on Wayman's patent that the defendants in the case upheld the right of their action, but the government maintains that this is but a subterfuge.

### STRIKE IS SETTLED.

CANALE, Mexico, Oct. 12.—Dr. L. D. Rivett, general manager of the Canadian Coal-mining Company, came today in a private car from Hermosillo, after learning of the strike now on at two mines. As a result of the visit the men at one of the mines returned to work and those at the other are expected to return tomorrow. The men quit because an American foreman discharged a native miner who refused to work in a stoppage said to be dangerous.

### RAILROAD MAN DIES.

TUCSON, Ariz., Oct. 12.—J. H. Sayle, general agent for the Chicago and Great Western railroad, died on the train yesterday while en route here for his health. The body will be sent to Chicago tonight for interment. He was a brother of Thomas Sayle, general agent for the Missouri Pacific.

## HATS OFF TO HER MAJESTY

### The American Woman, Once Known as a Domestic Sovereign, Has Acquired Title to All Other Kinds as Well.

SAN FRANCISCO, Oct. 12.—When the last of the missing precincts have been heard from and the final votes counted, it will be found that woman's suffrage passed last Tuesday's election in California by a majority of approximately 2,000. Behold returns struggled in today, among them being Modoc county's vote complete, and the suffrage majority crept up slowly but steadily. Tonight's tabulation showed it had reached 2,721 votes with 156 precincts still unreported.

There was a rush of the newly created electors to register today and during the early forenoon hours nearly a score of counties reported the "First woman voter in California" as having answered the county clerk's questions as to age, nativity and other qualifications. According to the opinion of Secretary of State Jordan, affirmed by Attorney General Webb, women who are qualified may register immediately and be eligible to vote at any election after thirty days. Keen disappointment is expressed by many communities where "wet and dry" elections are to be held too early to allow the women to qualify because of the thirty day limit. Local suffragette headquarters are swamped with congratulatory messages upon the victory. Among these were many congratulations from Europe and several from Hawaii, the Philippines and other points in the orient.

### NEW HEARING ORDERED.

WASHINGTON, Oct. 12. (Special)—Secretary of the Interior Walter L. Fisher has revised the decision of the commissioner of the land office in the matter of the appeal of Alfred S. Donah, involving a Jesuit mining claim in the Phoenix land district which was held for cancellation because at the time set for hearing he failed to appear. The secretary ordered another hearing.

### NEW POSTMASTER.

WASHINGTON, Oct. 12. (Special)—Albert E. Baldwin has been appointed postmaster at Sonnerston in the place of George W. Schertz whose resignation was recently received by the department.

### FAR REACHING WANTS.

Wants are far reaching in their influence—they form an important part in both business and the domestic economy.  
As an example, household workers always look to the Wants when a change in their positions is imminent.  
Hundreds of domestic servants—cooks, waitresses, second girls, governesses, maids and others—read the Want Columns each day.  
It's an easy matter to select from the most competent domestic helpers if you will summon them to your home through a Want Ad.  
Want Ads cost but a minimum and often accomplish the desired results within a few hours.

### AUTHOR IS DEAD.

WINNEMUCCA, Oct. 12.—Phillip Verrell Mighels, author and playwright, died today as the result of an accidental gunshot wound, self-inflicted. The accident occurred Friday, while Mighels was hunting quail near Goconda. Mighels was 42 years old and was born in Carson City.

### WHOLE REGIMENTS ARE SLAIN IN BIG BATTLE

#### That's What German Paper Says but Story is Without Confirmation of any Sort.

FRANKFURT, Oct. 12.—The Frankfurter Zeitung in a Constantinople dispatch says: "In a fierce engagement between the Turks and the Italians, in the hill neighborhood of Tripoli, the Italians lost 1,500 killed and wounded. The Turks casualties were slight."

### TURKS GET ANGRY.

CONSTANTINOPLE, Oct. 12.—The government today ordered the expulsion of all Italian correspondents. A society has been organized to wage economic war against all Italians and the young are to be inoculated with hatred of the Italians and anything Italian.

### WILL TRY AEROPLANES.

ROME, Oct. 12.—Four aeroplanes are to be sent to Tripoli for actual use in war. They will be operated by Italian officers, who will sail over the Turkish army and drop bombs into their camp.

### HUGE CROWD CAMPS OUT ON THE BEACH

#### It is Estimated That Fully 100,000 People Will View the Santa Monica Race.

LOS ANGELES, Oct. 12.—Thousands of persons and hundreds of automobiles are spending the night on the beaches tonight in preparation for the big Santa Monica road race, which starts on the Santa Monica course tomorrow morning at 8:30. Nearly all the available parking places in the vicinity of the finish line are taken up tonight by autos and boys are reaping a harvest watching the machines at \$5 each. It is estimated over a hundred thousand persons will witness the race. There is much betting that American records will be smashed and some predicting that the world's fastest time will be eclipsed. Four events are carded, two of which will be started together. Thirteen cars will go in the free-for-all. The distance is 202 miles. The heavy cars and medium cars will race together 154 miles. The light cars which will be the first event will start for 191 miles. There are cash prizes of \$10,000 and many cups.

### MEXICAN TROOPS WILL CROSS BORDER LINE.

SACRAMENTO, Cal., Oct. 12.—President Taft while here today telegraphed the state department at Washington, directing the department to grant permission to the Mexican government to transport troops across American territory from Juarez to a point opposite Nogales, Ariz. The president replied in the affirmative immediately after receiving the request from Mexico City.  
Later it was learned the troops will be used as a permanent garrison at Sinaloa. Pascual Orozco will be the commander.

### MAKES NO CLAIM

By Connie Mack.  
So far as pulling off inside ball, I will take my chances. You do not see anything new on the ball field these days. All teams play about the same baseball, when you come down to it.  
I believe that we will be able to do our best in the series. We have been taking things slowly for some time, and have not taken any chances, and expect to toe the scratch ready to put up a great game.

## THEY WERE VERY CORDIAL

### One of the Most Flattering Receptions the President Has Yet Received Occurred in Insurgent California.

### TAFT WILL USE A SPADE TODAY

SAN FRANCISCO, Cal., Oct. 12.—President Taft found what may prove to be the heartiest welcome of his trip awaiting him here on his arrival tonight. He spent the entire day traveling down from the northern border where Governor Johnson and a party of friends welcomed him. Much interest was manifested in what Johnson would say in introducing Taft because Johnson is notoriously insubordinate. The governor used but few words and invariably referred to Taft as "the president of the United States." Johnson first appeared on the platform with the president at Marysville.

"Ladies and gentlemen," he said, "welcome to the president of the United States."

At the conclusion of the president's remarks the governor called for three cheers and they were given lustily. At the state capitol at Sacramento the president spent two busy hours. He spoke on the capitol steps, introducing him Johnson pleaded for quiet among the crowd, owing to inability of the president to speak clearly because of hoarseness. The president's voice is beginning to show the effect of the long strain he has undergone. Governor Johnson did not attend the banquet in honor of the president tonight. However, he will speak with him tomorrow at the ground breaking exposition site ceremonies. The governor probably will accompany the president to Los Angeles. Taft's acceptance of the invitation to turn the first shovel of earth as one of the prime motives that led him to take his 15,000 mile swing around the circle. Today President Taft frequently referred to the exposition and each time he was vociferously cheered. The president will remain here until Sunday night.

### THE DUKE ARRIVES.

QUEBEC, Oct. 12.—The Duke and Duchess of Connaught arrived today, and were greeted with a salute of twenty-one guns. They were driven to the parliament building, where the duke took the oath of office as governor general.

## SPECULATORS BUY BASEBALL TICKETS

#### World's Series Pastboards Are Now Selling On Broadway at Modest Price of \$10.

NEW YORK, Oct. 12.—That speculators have a corner on baseball tickets for the world's series became evident today. Signs at cigar stands and drug stores on Broadway state that tickets can be had for \$10, which is an advance of \$7 over the regular price. Vice President Sherman, one of those disappointed at not securing tickets, had his money returned to him. The crowd besieging the ticket offices for field tickets was so dense that the police guard was doubled today.

### IT'S STILL SOARING.

NEW YORK, Oct. 12.—There was another big advance in coffee today, the price jumping more than a cent a pound. Business was active. The day's sales were \$14,000,000.

### ROUNDHOUSE BURNED.

SIDNEY, Neb., Oct. 12.—The Union Pacific roundhouse burned today. The loss is \$200,000. Eight passenger engines were burned.

## TIDE OF WAR RISES HIGHER

### Vast Empire, With Four Thousand Years of History Behind it, is in the Throes of a Mighty Revolution.

### AMERICA FEELS THE SPIRIT OF STRIFE

### In All Parts of This Country the Chinese Are Preparing to Lend Aid to the Cause of Progress at Home.

LONDON, Oct. 13.—Special dispatches received from Shanghai tonight said:

"The republic has been proclaimed in Wu Chang. A strong force of rebels left Hankow to engage the imperial troops coming from the north. A big battle is expected within two days. It is reported that a conflagration has wiped out the principal buildings including the banks and government buildings in the native city of Hankow."

### TROOPS ARE MOVING.

PEKING, Oct. 13.—Eight train loads of troops started today from Pao Ting Fu, province of Chi Li, for the district affected by the revolution. The revolutionists have informed consuls at Hankow that they will respect all treaties, loans and indemnities contracted by the Chinese government. A well informed revolutionary sympathizer told the Associated Press today the rebels will probably leave the attempt to capture Peking and Shanghai until the last because of danger of foreign complications. It is said the utmost confidence seems to prevail among the rebels. Railways are carrying south troops which will be used to guard the lines thereafter if there is an attempt to recapture towns taken by the revolutionists.

### MONEY IS RAISED.

SAN FRANCISCO, Oct. 13.—Fearing that present anti-Manchu uprising in China may develop into an anti-foreign movement, the Young China association of the United States is preparing to petition Washington to instruct all American officials in China to see that missionaries and all other Americans in China maintain absolute neutrality.  
The petition will be forwarded from all the big cities in this country simultaneously, from the Young China association and the Gee Kong Tong. (Chinese Free Society) which is affiliated with the revolutionary party. It is stated that ninety per cent of the Chinese in this country are Chinese Free Masons. A donation of \$20,000 to aid the revolution was forwarded from this city last night to Hankow. This is only a small part of the sum which will be sent shortly, and which agents of the revolution have been collecting. Most of the subscriptions were made anonymously because of fear even in this country of official vengeance on the contributors.  
The uprising in China has filled the Chinese quarter here with great excitement. All the Chinese papers are receiving occasional bulletins from Hankow and other points. These are posted in the windows and draw large crowds. Sun Yat Sen, leader of the Chinese revolutionists, who is slated to become president if the empire is overthrown, is highly educated and thoroughly Americanized although born in Canton province. At present he is touring this country on a lecture tour. When about 13 years old he was taken to Honolulu where he attended school and later college. He practiced medicine five years. Twenty years ago he began a plot to overthrow the dynasty and every recent uprising has been blamed on him by the Chinese government. There is said to be a price of \$100,000 on his head.

Nearly fifteen years ago Dr. Sun was kidnaped in London and held a prisoner at the Chinese embassy. He was finally released when the British government took a hand. Afterward he escaped death in Canton province by proving his British citizenship.

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