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# THE ARIZONA REPUBLICAN

FOR SALE—5-room brick on North side, Gas, electric lights, bath, toilet, fine shade. Corner lot, \$1900 down, balance easy payments, \$2750. E. E. Pascoe, Real Estate, Loans and Insurance, 110 North Center Street.

EIGHTEENTH YEAR.

PHOENIX, ARIZONA, TUESDAY MORNING, JUNE 11 1907

VOL. XVIII. NO. 24

## GOVERNMENT GETS IN IN ROLE OF DEFENDANT

### Permitted to Take the Place of the North Side Canal Companies in Priority Suit

Motion to Interplead Granted Without Objection by Any of the Parties to the Action—Further Trial of the Case Continued to September 23.

The change in the form of the priority suit of Hurley against Abbott and others, of which there had been more of less intimation since the beginning of the trial ten days ago, came about yesterday by the substitution of the government for the defendant north side canal companies. There had been more or less objection to the suit in its original form and the objection grew with the progress of the trial. The court himself, at the beginning, intimated that the suit perhaps could have better been commenced in another form. The main matter was to involve the government in it. At one time it was suggested that the government be brought in, in behalf of the Indians on the south side of the river.

There has been no expressed objection, though in one instance the presentation of entering a formal objection was taken. On the part of some of the defendants it has met with the heartiest approval while on the part of others counsel said that if any objections should be disclosed they could be urged later.

When court opened yesterday morning United States Attorney Alexander presented a motion to substitute the government of the United States for the defendant north side canal companies which had come into the possession of the government since the institution of the suit. The motion set forth that the government had no rights in the water of the Salt and Verde rivers adverse to those of the plaintiff and the defendants, but it had the business of the distribution of the water among all the parties interested

and had already found itself embarrassed by the confusion which existed with reference to prior rights. There was an intimation throughout that this embarrassment would have to be removed. The motion contained a request for an order allowing the government to interplead.

On the reading of the motion, Judge Kent inquired if there was any objection on the part of any of the counsel to the application of the government. Governor Kibbey for the Water Users' Association, and attorney for the plaintiff Hurley, replied that there was none on the part of the plaintiff. Mr. Chalmers, representing certain of the defendants, said that his clients had no objection to offer. Ernest W. Lewis made the same statement on the part of the defendants represented by him, by the firm of Armstrong & Lewis, the firm of Christy and Lewis and by Thomas Armstrong Jr.

Chas. Woolf for the water users under the Tempe canal said: "As far as the substitution is concerned, I see no objection at the present time. Of course, as to the matter of intervention or interpleading here, I presume there will be an opportunity to take that up later and discuss it."

The court replied: "What the government seems to be asking for is an order to allow the government to interplead or interpose. It asks to be substituted and allowed to interplead as I understand. Mr. Woolf reserved the right to except to the interpleading when it should be filed."

Judge Street expressed his approval

Continued on Page 5.

## THE INNINGS OF SCHMITZ

### The Premature Close of Prosecution's Case

The Result of an Adverse Ruling Surprising to the Defense.

San Francisco, June 10.—An important ruling by Judge Dunne against the prosecution early this afternoon brought to a sudden and premature close the case of the prosecution against Mayor Schmitz for extortion. The defense, taken by surprise, was not ready to begin the introduction of evidence, so Mr. Campbell, after a fifteen minutes conference with his assistants and their client, made the opening address to the jury and an adjournment was ordered until tomorrow.

Ruef, indicted jointly with Schmitz, and who has pleaded guilty, will not be called by the state to testify against his former partner. When the prosecution so unexpectedly closed its case without having called Ruef, the general idea was that he was being saved by Heney for the rebuttal. But Heney denied that. "We shall not call Ruef at all," he said. "That opportunity now passes to the defense."

The ruling that resulted in cutting short the state's case was the sustaining of an objection to the introduction of a mass of testimony tending to show that the mayor had made a common practice of playing fast and loose with restaurant and saloon licenses and had ordered a number of them held up with ulterior motives. This testimony the state proposed to offer under that provision of the law permitting the people to prove the commission by the defendant of offenses similar to the one charged in order to show criminal intent in perpetrating the latter. This would have been allowed by Judge Dunne had the state been able to answer affirmatively the question from the bench, "But do you intend to show that money was passed in these other alleged hold-ups of licenses?"

Mr. Heney was compelled to reply, "No, but we can show that the motives actuating the mayor were ulterior and were not motives of duty or in the interest of public morals." Heney made no effort to hide the disappointment he felt and hinted that in rebuttal he would put on witnesses to show Schmitz and Ruef gave police protection to low dives in Jackson and Pacific streets in exchange for a share in their profits.

Heney called the only witness of the day, Camille Mailhebeau, formerly proprietor of one of the lesser French restaurants. Mailhebeau's examination and cross-examination consumed little more than half an hour, when Heney made the announcement "That is our case. The people rest."

The prosecution feels that under the California law, which recognizes no

## THE SILENCE OF MR. AOKI

### Japan and America the Ambassador Believes Will be Able to Reach a Friendly Settlement Without the Aid of Publicity.

Washington, June 10.—Continuing his policy of adding nothing in the way of comment or facts to the discussion of the Japanese-American incident, Viscount Aoki, the Japanese ambassador, today as usual, denied himself to newspaper men and no statement was issued from the embassy relative to the reported development of strength in the opposition party in Japan. Aoki is understood to take the view that there are no matters of difference between the United States and Japan which are not capable of adjustment and it is to be considered on their merits. It is said to be his view that leads him to depreciate the publication in this country of the propaganda which is being used in Japan to influence votes in the fall for members of the lower house in the Japanese legislative body.

## THE COAST JAPANESE NOT IN POLITICS

They Deny the Tokio Report That They Are in an Alliance for the Overthrow of the Ministry.

San Francisco, June 10.—The Japanese Association of America, emphatically denies the reports cabled from Tokio which indicate that the Japanese of the Pacific coast have entered into an alliance with the progressives to overthrow the present ministry of Japan.

A representative of the association said today: "The Japanese of Pacific coast are more interested in the immigration question and are opposed to any law or treaty that will tend to discriminate against them. The purpose of Mr. O. Noda's visit to Washington was to see the Japanese ambassador, Viscount Aoki, with regard to the recent attempted anti-Japanese movement here and to put the real situation and condition of affairs before him and to further plans for the best ways and means for removing the anti-Japanese sentiment here."

"The performance of this mission by Mr. Noda was eminently satisfactory to the Japanese of the coast and the ambassador expressed the intention of soon visiting San Francisco and the coast with the desire of creating and establishing a better pro-Japanese feeling here. It is understood that he will arrive shortly."

## THE PRESIDENT AGAIN VISITS THE EXPOSITION

He Addresses the Georgians and a Convention of National Newspapers.

Norfolk, June 10.—This was Georgia day at the Jamestown exposition and the opening of Bullock Hall, a replica of the early home of the president's mother, at Roswell, Georgia, erected as the Georgia state building, and the feast with the desire of creating and establishing a better pro-Japanese feeling here. It is understood that he will arrive shortly."

From the time the president and Mrs. Roosevelt and their distinguished guests landed at the government pier at 10:50 this morning, every minute was occupied. The president spoke in the Georgia state building, from the reviewing stand and in the afternoon he addressed a convention of the National Editorial Association in the exposition auditorium. On both occasions he was given an enthusiastic welcome. He visited the Georgia building, the New York building, the negro exhibit, and in his drives over the grounds thousands of people lined the streets and gave him a continuous ovation.

## THE INTERNATIONAL PLOT.

Washington, June 10.—Thousands of dollars are being raised by the Japanese of the Pacific coast to carry out a compact they have entered into with the progressive party of Japan for the overthrow of the Saloni ministry and the annulment of the exclusion clause of the immigration bill and a guarantee of the naturalization rights of Japanese residing in this country. These additional facts of an international plot are vouchered for in semi-official circles tonight. An enormous fund is being collected to be used to arouse feeling in the Japanese empire antagonistic to the American government. Notwithstanding the sweeping denial of the existence of an alliance between the Japanese of the Pacific coast and the progressives, the anti-administration party of Japan given out by Charles Takahashi, the Associated Press today secured the text of certain reports which he forwarded to Yamaoka in Seattle, and the Japanese society of Seattle. In one of the reports which it was authoritatively stated today was afterward read by Takahashi at a secret meeting of the Japanese in Seattle, on the evening of May 28th he quoted Aoki's statement in regard to the relations between the United States and Japan.

## CHINAMEN SENT BACK.

El Paso, Tex. June 10.—Chinamen who smuggled themselves across the border were today ordered deported via San Francisco, for which port they leave tonight under heavy guard.

## WELCOME AIR for your tires.

You are WELCOME to our compressed AIR for your tires.

Phoenix Cycle Co. Phone Red 524, 22 W. Adams St.

## THE ARIZONA LAND COMPANY

Mesa, Arizona.

## Farmers & Merchants' Bank

TEMPE, ARIZ. Will attend to your financial business on the "South Side."

## Orange Grove

for sale at a VERY LOW FIGURE. Is the best buy in Orange land in the valley today.

Terms reasonable. Center and Adams

## DWIGHT B. HEARD

Center and Adams Streets.

## W. J. Kingsbury

PRESIDENT.

## CONFESSOR OF CRIMES HE NEVER COMMITTED

### The Haywood Defense's Estimate of the Assassin Orchard

The Chief Reliance to be Placed On Proof of a Counter Conspiracy Against the Western Federation Officials.

Boise, June 10.—Into the further cross examination of Harry Orchard today, counsel for Haywood repeatedly threw the suggestion of a great counter conspiracy formulated and carried out by the enemies of the Western Federation of Miners and indicated a determination to construct their main line of defense on that field.

They carried Orchard by slow steps through the minute details of the dynamiting of the Independence depot, down to the attempt on the life of Fred Bradley and his family and in addition to a series of particular attacks upon the credibility of the witnesses and the general probability of his story, and preparing the way for their own testimony in rebuttal, they sought to show that Orchard has a mania for boasting of the commission of crimes non-existent, except in his own mind, and that he is testifying under the control and suggestion of Detective McPartland.

They began today by making it clear that as far as Orchard knows, of his own knowledge, Haywood and Moyer had nothing to do with the inspiration, planning and execution of the Vindicator explosion and that Haywood and Moyer had nothing to do with the planning of the murder of Gregory.

It is pointed out also, to correct what officials regard as an impression to the effect that the Japanese have made much more of the San Francisco trouble than was warranted by the facts, but that the actual conduct of the Japanese government in the matter has been extremely modest.

It is true that what is regarded as the opposition press in Japan has indulged in some rather extreme language and has clamored without reason for action by its own government that would surely lead to grave consequences. But as for the Japanese government itself, and in this it is believed to represent a majority of the Japanese people, it is said at the state department that it has pursued practically such a course as is followed by every self-respecting civilized nation in dealing with cases of attacks upon its citizens in a foreign country.

These cases occur frequently and it is said to be the rule, where they exceed the ability of the police powers, for the diplomatic representative of the nation, whose subjects are affected to courteously draw the attention of the general government to the situation in order to guard against any extension of the disorder. One result of the extreme newspaper agitation of the affair in San Francisco, it is believed will be the postponement of the plan to initiate negotiations this summer looking to the conclusion of a treaty between America and Japan that should definitely regulate the immigration of Japanese into the United States, and is suggested by one of the officials that probably this result is exactly what is sought to be accomplished by the opposition agitators in Japan and on the Pacific coast.

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## NEW PERFECTION Wick Blue Flame Oil Cook-Stove

is always under immediate control. If you use a New Perfection your kitchen will be cooler this summer than ever before. Every stove warranted. Made in three sizes. If not at your dealer's, write to our nearest agency for descriptive circular.

The Rayo Lamp is the best lamp checked tonight. An enormous fund is being collected to be used to arouse feeling in the Japanese empire antagonistic to the American government. Notwithstanding the sweeping denial of the existence of an alliance between the Japanese of the Pacific coast and the progressives, the anti-administration party of Japan given out by Charles Takahashi, the Associated Press today secured the text of certain reports which he forwarded to Yamaoka in Seattle, and the Japanese society of Seattle. In one of the reports which it was authoritatively stated today was afterward read by Takahashi at a secret meeting of the Japanese in Seattle, on the evening of May 28th he quoted Aoki's statement in regard to the relations between the United States and Japan.

Made of brass throughout and beautifully nickelled. Perfectly constructed; absolutely safe; unexcelled in light-giving power; an ornament to any room. Every lamp warranted. If not at your dealer's, write to our nearest agency.

STANDARD OIL COMPANY (INCORPORATED)

crime, which was followed by the flight of Orchard into Wyoming and then by his unexpected return to Denver, the defense sought to discredit the story that Haywood directed Orchard to kill Andy Mayberry by showing that Haywood and Mayberry are old and intimate friends.

Getting down to the Bradley crime, they devoted themselves largely to the revolting story of Orchard's attempt to poison the entire Bradley household including the infant child, which he had seen in a baby crib, and Mrs. Groves the cook, with whom he had made friends, and whom he had escorted to a theatre.

Into strong relief they brought out the utter depravity of the witness and gave the waiting crowd the one deep noted hint of an otherwise scaring day. Orchard swore that while in San Francisco he repeatedly received money from Pettibone under the name of "Pat Bone." The defense gave evidence of a plan to show that this money was sent under Pettibone's name thinly disguised by persons plotting against the leaders of the Western Federation. Orchard denied that the mine owners or the railway men had anything to do with the Independence station outrage and denied that he had a mania for confessing uncommitted crimes and denied that he has been under the influence of McPartland.

He showed some spirit in answering many of Attorney Richardson's questions, but he firmly held to all his first stories and was calm and certain throughout the long and trying examination.

More crimes were brought home to Orchard today. He confessed that he burned a cheese factory in Ontario to get \$500 insurance and he confessed that he began his life of crime by

Continued on Page 5.

## Dandelion removes the cause of kidney trouble

(Guaranteed under the Pure Food and Drugs Act, June 30, 1905, Serial number 3577.)

A healthy kidney is a filter. The blood goes in one end of the kidney full of poisonous and waste materials. It comes out from the other end perfectly pure. Like all filters the kidneys get out of order. The trouble is only slight at first, but rapidly becomes dangerous if neglected, because the kidneys become choked with refuse, and the result is a leaking filter, full of holes and pieces, with the natural consequence that the whole system becomes poisonous and the blood contaminated with uric acid. Dr. Edward's Compound Dandelion Tablets act directly upon the kidneys and remove the cause of the trouble. In other words, they repair the leaking filter and make it clean and healthy. Get a box today.

Sold by all Druggists, 25c; Schenck Chemical Co., Manufacturers, 54-56 Franklin St., New York, and

(Look for this signature)

E. S. Wakelin Phoenix, Ariz.

Dr. Edward's

## For Lovers of Beautiful Hat Gear

The Ostrich Feather is the rage this summer for Ladies' Hats. See our big display—rich beauties in every shade and style. We are sole agents of the Arizona Ostrich Co., the largest producers in the world. Save money by buying direct from us.

A LOT OF FINE SMALL NAVAJO BLANKETS—GENUINE—SWELL. WHILE THEY LAST \$3.25 APIECE.

## OLD MISSION MUSEUM

Back of Court House. Cor. Second Ave. and Jefferson St.

## Secure Positive Protection for Your Valuables

One of the most important acts of prudence is to place your valuables beyond the reach of fire and theft. This protection can be obtained by renting a Safe Deposit Box in our Fire and Burglar-Proof Vaults. We have the only fully equipped Safety Deposit Vaults in this city. Special rooms for customers.

## PHOENIX NATIONAL BANK

PHOENIX, ARIZONA

DIAMONDS, WATCHES, JEWELRY OUR PRICES ALWAYS THE LOWEST. SPECIAL REDUCED PRICES ON WATCH AND JEWELRY REPAIRING. ALL WORK GUARANTEED.

N. FRIEDMAN Manufacturing Jeweler East Washington St., Phoenix, Ariz.

The Prescott National Bank, Prescott, Ariz.

UNITED STATES DEPOSITORY. Capital Paid in \$100,000.00 Surplus and Undivided Profits \$100,000.00 Depository for Territory of Arizona, County of Yavapai and City of Prescott funds.

F. M. MURPHY, President. MORRIS GOLDWATER, Vice President. R. N. FREDERICKS, Cashier. A. W. McCASH, Assistant Cashier. SAFE DEPOSIT VAULTS. WE SOLICIT YOUR BUSINESS.

## SALOME.

The Board of Supervisors after making a personal investigation, selected Salome as the location for the branch county building and make the following statement:

"Salome is the natural center of the county at this time and will remain so, as all roads—stage and rail—lead to Salome."

If you want to visit or inspect the northern end of Yuma county, make your headquarters at SALOME, THE COMING COPPER CAMP.

Racyles and Bicycles, Tires of all kinds. You ought to see our two-speed Hudsons—they are a revelation.

## GRISWOLD

The Bicycle Man. 34-36 W. Adams St.

## Orange Grove

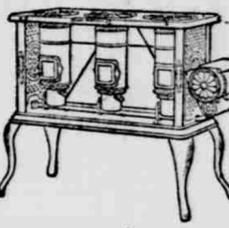
for sale at a VERY LOW FIGURE. Is the best buy in Orange land in the valley today. Terms reasonable. Center and Adams

DWIGHT B. HEARD

Center and Adams Streets.

## W. J. Kingsbury

PRESIDENT.



**For Every Cooking Purpose**

This is the stove you should have in your kitchen. It's new. It's up-to-date. It's different from other oil stoves. It will give you best and quickest results on baking-day and other days. The flame of the

**NEW PERFECTION Wick Blue Flame Oil Cook-Stove**

is always under immediate control. If you use a New Perfection your kitchen will be cooler this summer than ever before. Every stove warranted. Made in three sizes. If not at your dealer's, write to our nearest agency for descriptive circular.

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**Moqui Sacred Baskets and Placques at cost until further notice.**



**R. L. BALKE, U.S. Indian Trader**

Proprietor the Big Curio Store on West Adams Street