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MAINTENANCE OF PRISON IS ALSO AFFECTED

State Auditor Callaghan Decides Upon Examination of Governor's Veto That No Claims Can Be Honored for Maintenance

MISPLACED ITEM IS RESPONSIBLE

Intent of Repealing Clause Not Clear and Matter Will Have to Go into the Courts for Interpretation, Says Auditor

That the appropriation for the maintenance of the state prison is among those affected by the governor's veto of the repealing clauses of the appropriation bill was the decision reached yesterday by State Auditor J. C. Callaghan after a careful examination as to the scope of one of the sections vetoed by the governor. Immediately upon his decision, the auditor advised Superintendent Sims of the prison that no claims under the new appropriation bill would be honored until the matter had been passed upon by the courts, and advised him to assign a claim to Jesse Boyce, secretary of the tax commission, that the question might be settled without the necessity of separate litigation.

The discovery that the prison appropriation is likely to be affected by the governor's veto was made while the various sections disappeared were being checked over. Section 17, which is the one relating to the construction of a power line to Florence, contains five sub-sections. At the end of the third sub-section there is inserted a clause, which after prescribing how the money shall be paid, provides that "The above appropriations are made in lieu of the appropriations made in Part III, Title I, Revised Statutes of Arizona 1913, second code." This clause was originally at the close of section 17, which consisted of but three sub-sections. Later these were stricken out by the committee, and five sub-sections substituted.

The clause repealing the statutory appropriations did not appear in the copy of the bill furnished the state auditor by the committee, and it was only in checking over the provisions vetoed that the discrepancy was noted. A certified copy was then procured from the office of the secretary of state, and the repealing clause, which the auditor holds affects both sections 16 and 17 was discovered after sub-section 4 where it had evidently been placed by mistake by the enrolling and engrossing committee.

The appropriation for the maintenance of the state prison amounts to approximately \$85,000 per year, and was one of the most important items carried by the appropriation bill. Among the provisions of Part III, Title I, which the legislature sought to repeal are those relating to the salaries of the superintendent of the prison, the assistant superintendent, the chaplains, secretary and physician. Part III also defines and provides for the administration of the prison fund.

Secretary Jesse Boyce of the tax commission, in whose name the application is to be made for a writ of mandamus against State Auditor Callaghan looked even more like J. Rufus Wallingford last night. He had received during the day some \$3,500, making almost \$29,000 in assigned claims. One of those turned in yesterday was for \$3000, for the investigation of water supply. The complete list of state departments and state institutions affected by the governor's veto of various items in

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WEATHER TODAY



WASHINGTON, D. C., July 14.—For Arizona: Generally fair.

Arizona Entertains Old And New Grand Lodge Heads

LOS ANGELES, July 14.—The Arizona lodges tonight entertained at an elaborate banquet the new and retiring officers of the grand lodge of Elks, holding a reunion here this week. E. M. Dickerson of Tucson, grand esteemed local knight, acted as toastmaster. Joe Prochaska of Globe, district deputy, was the master of ceremonies.

HARRY THAW DECLARED SANE BY THE JURY OUT FORTY-EIGHT MINUTES

Slayer of Stanford White, After Nine Years' Fight for Freedom, Wins Signal Victory and Commitment May Be Vacated

JUDGE IS TO DECIDE TOMORROW

Thaw Thanks Jurors, Kisses His Mother and Then Poses With Jurymen While Photograph is Taken of the Group

NEW YORK, July 14.—Harry Kendall Thaw was declared sane by the jury which for nearly three weeks has listened to testimony in the supreme court before Justice Peter Hendrick. Forty-eight minutes were consumed and two ballots taken. Justice Hendrick on Friday morning will announce whether the commitment upon which Thaw was incarcerated in the state hospital for the criminal insane at Matteawan will be vacated, thereby giving to the slayer of Stanford White the liberty for which he has fought in the courts for nine years.

When the verdict was returned Thaw grasped the hands of his attorneys, then threw his arms about the neck of his mother, kissed her twice and thanked the jury. He later had his picture taken with them. When he appeared on the street on the way to the sheriff's office the throng cheered and clapped their hands.

It was at the end of a day of addresses by counsel and the charge of the justice that the jury retired. While the twelve men were deliberating the crowd in the court room and about the court house was augmented by scores of persons who believed a verdict would quickly be found.

Shortly after four o'clock a bailiff came from the jury room and informed Justice Hendrick that a verdict had been reached. The doors were locked and the justice ascending the bench warned the spectators that any demonstration would be met with severe punishment. Then the jury came in.

In reply to a question by the clerk as to whether a verdict had been reached, the foreman handed over a sheet of legal paper which was passed to the justice on the bench. The justice read it and handed it back to the clerk who read the verdict. Despite the warning, several persons stood up in the front seats. The court room hummed like a dynamo. The justice and a dozen court attendants rapped for order. In explaining why two ballots were taken, one juror said that on the first ballot the vote was eleven to one that Thaw was sane. The dissenting juror said he had cast his ballot that way more as a matter of form than anything else so the verdict would be rendered without formal discussion. The vote was unanimous on the second ballot.

When the verdict was recorded, John Stanchfield, chief counsel for Thaw, made a motion that the commitment signed by Justice Dowling, following the verdict of not guilty on the ground of insanity which was returned by the jury, Thaw's second trial for the murder of White be vacated. Hendrick asked Deputy Attorney General Becker what he had to say to such a motion.

Becker, in reply, requested time in which the state might prepare an appeal. The justice reminded the lawyer he had not given his decision, and that consequently it was not finally decided which side might desire to appeal. He then set 11 o'clock tomorrow morning as the time when he would receive briefs and hear arguments in chambers upon the motion to dismiss the commitment.

MEAT PACKERS APPEAL FOR NONINTERFERENCE WITH CARGOES

WASHINGTON, July 14.—American meat packers appealed to the state department to demand that Great Britain stop interfering with their cargoes consigned to neutral ports and settle for \$14,000,000 worth of their products now held up in price

commitments. They charge the British government with the destruction of commerce in food products between the United States and other neutral nations. After two conferences between the packers and Chandler Anderson, special counselor for the state department, it was announced the department would make representations to Great Britain. It is understood this will be done immediately, the communication leading specifically with the complaint of the packers and not going into the general subject of interference with neutral trade under the order-in-council against commerce with Germany which is soon to be made the subject of another note. In a statement tonight outlining their case as laid before the department, the packers declare the British government purposely delays settlements of their claims for seized cargoes, and that they are not inclined to reopen trade with neutral countries unless they can be assured of

ment. The jury was discharged and then the court adjourned. As soon as the jury was dismissed, Thaw crossed to the box and shook hands warmly with each man. The other also shook hands with the jurymen, saying to each: "Thank you so much for all you have done." One juror asked her whether she ever had any doubt as to the result of these proceedings, and Mrs. Thaw, it is said, replied in the negative. The jury and Thaw then filed into the room adjoining the court, where photographers were waiting. Thaw himself moved the benches and chairs around in the room so that he and all the jurymen might get into the picture.

It was with great difficulty that the court attendants and deputy sheriffs prevented scores of men and women dashing up to Thaw in the courtroom and into rooms and shaking his hand in congratulation over the jury verdict. It was with much more difficulty that the crowd was cleared from the courtroom.

When Thaw, leaving the building, flanked by deputy sheriffs, appeared in the doorway, a great cheer went up and those who did not cheer, applauded with their hands. Still in the center of a cordon of deputy sheriffs, Thaw crossed the street and went to the sheriff's office. There he removed his coat, sat down, lighted a cigar and, crossing his legs, looked out of the window at the great crowd being dispersed by the police in the street below.

Tonight Thaw was taken to the office of an uptown physician to have a wound in his hand dressed. It is said he received the injury while playing with a medicine ball in the Ladies street last night.

FRANCE CELEBRATES QUIETLY

National Holiday Is Observed Without Rejoicing of Any Kind

PARIS, July 14.—France celebrated the national holiday quietly but impressively. There was less of parade and less frolic than since the origin of the third republic. There was no open air dancing, no fireworks and no rejoicing of any kind. It was a poor day for the wine shops but a great day for the patriots. Packed tri-color flags that have been flying since the outbreak of the war were placed with fresh banners. Everywhere it was distinctly a day of the nation and the battle hymn "Marseillaise" day in Paris for thousands of patriots who honored Captain Claude Rouget Delisle, composer of the hymn.

L. EDMUND STIVER DIES

News Editor of Associated Press, Passes Away in Colfax

COLFAX, Calif., July 14.—L. Edmund Stiver, news editor of the Western division of the Associated Press and former president of the Press Club of San Francisco, died here today after an illness of six months. He was also a short story writer. Stiver was forty and unmarried. He was connected with the Associated Press in different executive and news capacities for more than seven years. The body will be shipped to San Francisco for interment under the auspices of the San Francisco lodge of Elks.

SOME FRUIT FIGURES

SACRAMENTO, July 14.—Sixteen of the fifty-eight counties of the state raise practically all the almonds, apricots, cherries, figs, lemons, olives, oranges, peaches, pears, plums, prunes and walnuts in California, according to statistics compiled by George Weldon, chief deputy state horticultural commissioner. Fresno leads in peaches and figs, Los Angeles in lemons and San Bernardino in oranges.

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help was sent out from Rosendale, Mo., a village of several hundred inhabitants, twenty-five miles north of here. The sudden rise of four feet of the river put the entire town under water and it is reported a further rise is coming as a result of the heavy rains. The flood situation at Corning, Mo., where the dikes protecting the town from the Tarkio River, broke late yesterday forcing the inhabitants to seek high places, was more serious today. The Dyke, a mile long, has been washed away. The town is cut off from railroad communication and less several miles from the highlands between the Missouri and Tarkio Rivers.

WALES MINERS GO OUT DESPITE MUNITIONS ACT

Notwithstanding Government Says Will Apply Severe Fines, Practically Certain Large Numbers Will Strike Today

MEN DIVIDED AND LACK FUNDS

Labor Leaders Urge Men to Remain at Work Until an Agreement is Reached, But the Majority Votes for Strike

LONDON, July 14.—Thursday.—Latest developments seem to indicate a way out of the coal difficulty. A Cardiff dispatch reports that Walter Runciman, president of the board of trade had acceded to the request of the miners' executive council to resume negotiations with the miners at the point at which they were broken off, and that this fortified the executive council will be able to meet in conference today with the hope of arriving at a settlement.

LONDON, July 14.—Despite the action of the government in applying the munitions of war act to the local mining industry which makes the miners subject to severe fines if they strike, it is practically certain a large number of men will stop work in South Wales tomorrow, thus curtailing the supply of coal for the naval vessels. The strike is expected to be short as the men are divided and lack funds.

Except for a sharp conflict in Argentine where the Germans claim they took nearly three thousand prisoners, there was little beyond artillery duels. The French claim the line in Argentine momentarily gave way, but in counter-attacks they drove the Germans back. There is no change at either the eastern or Italian fronts.

The Federation of Miners of the United Kingdom, labor leaders, and the general public upon whose support the South Wales miners would depend to make their strike a success, are all urging them to continue work until an agreement can be reached, but the executive of the South Wales union, by a majority vote, refused to support this recommendation, and a large proportion of the men are preparing to lay down their tools. There is a possibility the government will utilize the miners who enlisted in the army, and who have not yet left the country, to work in the mines. This dispute which jeopardizes the work of the navy, occupied the public mind of England as have all other matters and official reports of fighting in the east and west take second place.

Turks Repulse Allies

CONSTANTINOPLE, July 14.—An official report issued here says the allies on Monday made determined attacks against the left and right wings of the Turkish lines, supported by the warships but were repulsed with heavy losses.

SHRINERS ON PARADE

SEATTLE, July 14.—Thirty thousand Nobles of the Mystic Shrine, some in uniform, others in dress suit and fez marched through the downtown streets tonight to the music of fifty two bands. Eighty-two patrols were in line, and various drill teams performed military evolutions. The Imperial council will tomorrow choose the convention city for 1916.

STEAMERS IN COLLISION

SAN FRANCISCO, July 14.—The steam schooner Hardy and Shasta collided in the north channel off Point Bonita. Hardy was outward bound for Coos Bay, and returned to the harbor in a sinking condition, and was beached on the sand. The Shasta inbound from Portland, proceeded to her dock. No one was injured.

Rosendale Sends An Appeal When Town Is Flooded

ST. JOSEPH, July 14.—An appeal for help was sent out from Rosendale, Mo., a village of several hundred inhabitants, twenty-five miles north of here. The sudden rise of four feet of the river put the entire town under water and it is reported a further rise is coming as a result of the heavy rains. The flood situation at Corning, Mo., where the dikes protecting the town from the Tarkio River, broke late yesterday forcing the inhabitants to seek high places, was more serious today. The Dyke, a mile long, has been washed away. The town is cut off from railroad communication and less several miles from the highlands between the Missouri and Tarkio Rivers.

CARRANZA IN CONTROL PERMITS FOOD TRAINS TO ENTER THE CAPITAL

State Department Advises from Mexico City Report Absolute Order and Trains Arriving With Food

IS ESTABLISHING NEW GOVERNMENT

Various Departments Are Reported to Be Under Process of Reorganization as Rapidly as Possible—Water Works Recaptured

WASHINGTON, July 14.—State department advices from Mexico City reported the capital quiet with absolute order prevailing and trains arriving from Vera Cruz with food supplies. The stores and banks have not reopened pending arrangements for currency circulation. General General Shunklin enabled that General Gonzales has given preference to the provision train over troop trains and that arrangements for troop kitchens to relieve the destitute are progressing.

Communication between the capital and Vera Cruz by rail and telegraph continued and the Carranza government departments are said to be under process of reorganization as rapidly as possible. Additional dispatches confirmed the report that Carranza forces in control of the city had recaptured the waterworks from the retreating Zapatista army and that the danger of a water famine has been averted.

Carranza in a message from Vera Cruz to his agents here gave assurances that he is extending every protection to the Mexicans and foreigners within the capital. Villa's Washington agents reported that Villa is still in control of Aguas Calientes. They announced further advices confirming the dispatches of last night that a second Villa force sweeping southward captured Queretaro, eighty miles from Mexico City, and cut off Obregon's army from its base of supplies.

Red Cross officials tonight received dispatches from Vera Cruz stating that the distribution of Red Cross supplies in that city through the American consulate was stopped by Governor Aguilar, who asserted the state government proposed to institute a public mess for the hungry and that the needy were few.

Trouble has arisen again in Yucatan over the dual situation, American purchasers, principally the International Harvester company, complaining to the state department that the Carranza forces have completely cut them off from exporting products at Progreso. Some time ago the Carranza authorities, who are said to control the large stock of sugar which they seek to sell to foreign purchasers, very denied access to American buyers.

Then the Americans got their share of the docks by means of teams and other conveyances but it is now asserted they have been refused the use of the docks for loading.

BRYAN TO LECTURE

LONG BEACH, July 14.—Former Secretary of State William J. Bryan in an address tonight announced his return to the lecture platform which he said was a legitimate and very necessary field, affording opportunity for a man with a message to deliver it. He declared that lecturing was his business for twenty years and office holding was merely incidental.

While on a trip to Catalina Island Mr. Bryan was attacked with seasickness and Mrs. Bryan also became ill.

MISSIONARY WILL REPRESENT JAP PEACE SOCIETIES HERE

TOLEDO, July 14.—Rev. Clay MacCauley, chief of the American Unitarian Mission in Japan and one of the most popular missionaries in the Far East, sailed today for the Japanese organizations in America. Primarily he will serve as the delegate of the Japanese Unitarian mission at the general Unitarian conference in San Francisco in August. In addition he will be the accredited delegate to various Asiatic Society of Japan, the American Peace Society of Japan, jointly with the Japan Peace Society, of which Premier Count Okuma is president, and the Association Concordia, the organization which is devoted to the promotion of friendly international relations. Dr. MacCauley will be the bearer of friendly greetings from the above bodies to similar organizations of the United States, and messengers of good will from the Japanese to the American people. Several farewell dinners were given in his honor.

BRITAIN BUILDING MANY AIRSHIPS

LONDON, July 14.—Annual accounts of the British dock yard expenditures for the last year revealed for the first time to the public that airship No. 14 was in the course of construction in 1914. It had been the impression that at the time Great Britain had confined its aerial activities almost exclusively to aeroplanes, and the fact that sixteen airships had been built was known only to the initiated. Since then other airships have been built.

VILLA FALLING BACK TO FIGHT NEAR TORREON

Abandons Aguas Calientes and Zacatecas on the Approach of Victorious Carranza Army — Carranza Line to Border

EL PASO, July 14.—Villa's next stand against Carranza's advancing northern army will probably be at Torreon in a message from his headquarters tonight it was stated that Aguas Calientes has been abandoned and the evacuation of Zacatecas is under way. The state government of Zacatecas has been moved to Sombrerete and the local government of the city turned over to a local resident who is not identified with either faction. It is not anticipated that Obregon will have great difficulty in gaining possession of either Aguas Calientes or Zacatecas.

Villa's abandonment of Aguas Calientes appears to give Carranza a distinct advantage in military problems north of Mexico City. From Chihuahua just north of Aguas Calientes, a railroad extends in an easterly direction to San Luis Potosi, on the main line from Mexico City to Laredo, Texas. San Luis Potosi, it is stated, is held by one of Villa's garrisons, as is Queretaro on the same line to the south.

With the exception of these two towns all important stations on the line from the capital to the frontier are in the possession of Carranza.

That Villa has been having difficulty lately in getting money for his campaigns is the report current here. He levied heavy loans on many wealthy property owners in northern Mexico, including two members of the Madro family.

FREDERICK SHARON DIES

SAN FRANCISCO, July 14.—Frederick Sharon, millionaire president of the Palace Hotel company, died. He was 65 years old, a graduate of Harvard in 1881, and a son of the late F. S. Senator William Sharon of Nevada, who came to California in 1849 and founded the Sharon estate. Lady Fester Hesketh of England, is a sister and Senator Newlands of Nevada, a brother-in-law.

GOVERNMENT CASE COMPLETE

DENVER, July 14.—With the closing of the defense the case of the government against Tee Ne Gut, the Plate Indian charged with the murder of Juan Chacon, Mexican sheep herder in southwestern Colorado, was made ready late today for presentation to the jury.

INDICTMENTS STAND AGAINST DYNAMITERS

LOS ANGELES, July 14.—Judge Willis overruled the motion to reopen hearings on the motion to quash the indictments against Matthew A. Schmidt and David Caplan, charged with murder in connection with the dynamiting of the Times in October, 1910. The trial is set for October 4. Attorneys for men claimed a letter written by F. J. Zschandlaar, secretary of the Merchants and Manufacturers Association to a special prosecutor discussed the attitude of various men afterward chosen grand jurors who brought in the indictments.

Grant An Eight Hour Day But Labor Fuss Continues

BRIDGEPORT, Conn., July 14.—While some one thousand machinists employed by the Remington Arms company plant were made jubilant tonight by the announcement that the company had granted voluntarily an eight hour work day without a reduction in pay, it is thought this action will not alter the present labor trouble. It is semi-officially intimated tonight that other workmen will strike tomorrow in sympathy with the iron workers. Union officials declared the struggle will be fought out on the original demands—that millwrights become members of other the machinists or iron workers unions. The whole question will be placed before Major Penfield, head of the company, tomorrow morning when the committee of millwrights will seek a conference. While declining to issue a statement tonight Major Penfield reiterated his belief that strike influences are lack of the strike while on the other hand officials of various unions declared that such an assertion was a joke.

PREPARING FOR CONFERENCE ON DRAFTING NOTE

Officials Setting Down Views on German Situation for Presentation to President at Cabinet Meeting Next Week

VON BERNSTORFF TO EXPLAIN VIEWPOINT

Will Confer With Secretary Lansing Before President Returns from Cornish With Rough Draft of Reply to Germany

WASHINGTON, July 14.—While there was no outward development to indicate what progress was being made toward framing the answer to the last German note, it is known the officials are at work setting down their views on the situation in a definite form for presentation to the president on his return. The new note may be completed by the end of next week.

The general belief is that the president will be here for the regular cabinet meeting Tuesday and that he may bring with him from Cornish a memorandum or rough draft of the note to be sent to Germany. He will exchange views first with Secretary Lansing, who it is believed has also mapped out a draft of the note. Decision on the policy to be followed by the cabinet meeting.

Before the president returns, Count Von Bernstorff, the German ambassador, will call on Secretary Lansing to explain at length the viewpoint of his government. The ambassador recommended to his foreign office the inclusion in the last note of those paragraphs expressing the hope that the United States and Germany would work together for the adoption of the principle of the freedom of the seas, and he places much significance on the expressed willingness of Germany to follow the lead of the United States on this question, and thinks that the way will thereby be opened for the United States to mediate the entire controversy on the rules of maritime warfare as they affect neutral rights.

The ambassador, it is understood, believes his government would accept the tender of good offices that had for their object mediation as between German and Great Britain where the rights of neutrals are involved, either by carriage of contraband or the safety for passenger travel. Secretary Lansing has not set the date for the conference with the German ambassador.

Working on Policy

CORNISH, July 15.—The president spent practically the entire day working on the question of the policy to be pursued by the United States toward the submarine warfare of Germany. He wrote a long letter to Secretary Lansing, and received one from him. Following a game of golf early in the day with Dr. Cary Grayson, his naval aide, and physician, the president retired to his study at Harlakenden Inn, and remained at work steadily until lunch time.

HOWTH HEAD IS SAFE

NORFOLK, July 15.—The British steamer Howth Head, on board of which it was feared a bomb was placed before she cleared for New Orleans on July 8, arrived safe tonight.

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