

# WEEKLY JOURNAL-MINER

PIONEER PAPER OF ARIZONA

PRESCOTT JOURNAL-MINER, WEDNESDAY MORNING, SEPTEMBER 28, 1921

FIFTY-EIGHTH YEAR

METAL MARKETS	
Bar silver:	
Foreign	68 5/8c
Domestic	99 3/4c
Copper—Steady.	
Electrolytic spot	12 3/4 to 12 1/2c

ARIZONA WEATHER	
(Furnished by the United States Weather Bureau and the Associated Press.)	
Tuesday and Wednesday — Fair; somewhat cooler central portion.	

## DIVISION OF ALL COURT WORK IS NOW COMPLETE

Filing of the first civil action using the official designation "Division 2" of the superior court.

Division of the calendar between Judges Sweeney and Lamson, and

Discussion of a preliminary draft of rules of the court.

Those were developments in Yavapai county's double superior judge system and will culminate in action by the County Bar association at a forthcoming meeting at which the proposed rules of the court will be debated by the attorneys.

Here is the division of labor effected formally yesterday morning by John J. Sweeney and Richard Lamson:

- JUDGE SWEENEY**
1. All criminal work.
  2. All odd-numbered civil cases.
  3. One-half the juvenile work.
- JUDGE LAMSON**
1. All probate work.
  2. All even-numbered civil cases.
  3. One-half the juvenile work.

The two judges spent considerable time the past few days going over published court rules of other counties and formulating a code for the governance of practice here. It is intimated that there are some drastic changes involved in the tentative draft made by Judges Sweeney and Lamson. Final decision will be made on the rules after the lawyers practicing before the local bar have had an opportunity to discuss the rules in detail. The next regular meeting of the bar association will probably make this matter the chief order of business.

When agreed upon by all interested parties, the rules will be published by the court in the form of a convenient pamphlet.

Division of cases is usually agreed upon where more than one judge is presiding in one court. In Maricopa, Cochise and Yavapai counties, this state, there is more than one judge, and in each county, the court work is divided according to some prearranged plan.

Judge Lamson is regarded as specially qualified for probate work, as much of his practice prior to his appointment to the bench was with this sort of law. Judge Sweeney has achieved an enviable record in criminal work and has handled some notable civil cases since his first appointment to the superior bench.

The juvenile work of Yavapai county has started this county throughout the southwest. Yavapai is the leading county in the state in this respect. No less an authority than Mrs. H. A. Guild, now visiting here in her capacity as director of the state welfare work, has words of the highest praise for the principles upon which the youngsters are guided here.

## POISON MENTIONED IN SOUTHARD TRIAL BY DEFENSE LAWYER

(Associated Press Night Wire)

TWIN FALLS, Idaho, Sept. 26.—Mention of poison was injected for the first time into the case of the state against Lyda Meyer Southard, charged with the murder of her fourth husband, Edward F. Meyer, which opened in district court here today in the examination of a prospective juror by William P. Guthrie, chief counsel for the defense.

Guthrie asked "would you require the state to prove beyond a reasonable doubt that poison was found in the body of Edward F. Meyer and that such poison was administered by the defendant with intent to cause death?" There was a noticeable silence as the talesman answered that he would.

The entire day's session was taken up with the examination of prospective jurors and at the conclusion of the hearing about half of the panel of 75 remained for examination.

## LOUISE PEETE DENIED TRIAL

(Associated Press Night Wire)

LOS ANGELES, Sept. 26.—Motion for a new trial for Mrs. Louise L. Peete, convicted of the murder of Jacob Charles Denton, wealthy mining man, here June 2, 1920, was denied in a decision handed down here today by the appellate court. Judgment of the lower court was affirmed.

The decision declared the conduct of District Attorney Thomas Lee Woolwine toward Mrs. Peete during the trial was reprehensible and inexcusable, although it did not constitute grounds for a retrial of the case.

Attorneys for Mrs. Peete announced a motion for rehearing would be made before the state supreme court. Mrs. Peete was sentenced to life imprisonment.

## BIG TIME BALL

**National League**

Pittsburg, 1; Philadelphia, 2.  
St. Louis, 1; New York, 4.  
No others.

**American League**

New York, 8; Cleveland, 7.  
Philadelphia, 3; Chicago, 0.  
No others.

**Coast League**

No games played.

**COTTON MARKET**

(Associated Press Night Wire)

NEW YORK, Sept. 26.—Cotton closed steady at a net advance of 10 to 25 points.

## DOZEN SENATORS JOIN ANTIS IN TREATY FIGHT; TAX BILL MAY BE HELD PENDING PACTS

(Associated Press Night Wire)

WASHINGTON, D. C., Sept. 26.—Senate warfare over the German peace treaty was resumed today and informal canvasses of republican and democratic leaders were said to show about a dozen senators in opposition—three of them republicans.

A notable accession today to the opposition ranks was Senator Williams of Mississippi, veteran democratic member of the foreign relations committee.

Though he previously had declared in favor of ratification, he announced he had decided finally to vote against it because "desertion of the allies was involved."

Democratic senators will meet tomorrow to discuss their positions. Senator Underwood of Alabama, democratic leader, issued the conference call after consulting Senator Hitchcock of Nebraska, ranking member of the foreign relations committee. It was said there was no intention to caucus or bind senators.

**Democrats Won't Delay**

WASHINGTON, D. C., Sept. 26.—The tax revision bill was read today in the senate but formal consideration was deferred until tomorrow.

Whether the measure will be pressed may depend upon the action of the democratic caucus tomorrow on the peace treaties with Germany, Austria and Hungary.

Chairman Penrose of the senate finance committee in charge of the measure, said that should it develop that the treaties could be ratified with only a few days' consideration, the tax measure probably would be laid aside temporarily. This, in the

## VOTE OF RAILROAD MEN TO CALL STRIKE ASSURED AS UNEMPLOYMENT BOARD IS ORGANIZED TO GET JOBS FOR IDLE MEN

### RAIL STRIKE SEEMS SURE UNLESS CHIEFS OF CONSERVATIVES CAN DISSUADE MEN

(Associated Press Night Wire)

CHICAGO, Sept. 26.—Leaders of the big four brotherhoods and affiliated railroad unions tonight declared they had little doubt that the railway employes had voted for a general strike rather than accept a wage reduction but announced that the conservative counsel of the leaders might prevail against a walkout.

General chairman of the Brotherhood of Railroad Trainmen began counting the 186,000 strike ballots of their men but admitted at the start that, judging from the known temper of the men, the result would be overwhelmingly for a strike. Pressed for an estimate as to what the majority might be, Vice-President Jas. Murdock said "Our past experience has been that 98 per cent of the men will always vote to strike."

Next Monday, officials of the Brotherhood of Locomotive Engineers, Order of Railway Conductors, Brotherhood of Locomotive Firemen and Enginemen and Switchmen's Union of North America will meet to count the vote of their 259,000 members.

### TRUCK WHIRLS LOSES PEOPLE ROLLS 400 FEET

Breathless amazement, but no serious hurts, was the portion of a score of Prescott merry-makers when the truck in which they were riding, dumped them out on the Senator highway and then rolled 400 feet down the mountain late Saturday evening.

Reports of the case, reaching the city were that the sides of the truck had saved the occupants from terrible mauling when the big machine rolled over the first time. The subsequent times it revolved, it could not injure any passengers because it didn't contain any.

According to Lester Thomas, driver for the Lightning Delivery, who was at the wheel, the rear wheel on the outside caved in a soft bank as he was turned out to pass another vehicle, and before he could apply the power and bring the load back on the hard part of the road, the car was sliding down the bank. The first little obstruction caused it to turn over, spilling its load.

After the car got going well, it took 40-foot leaps interspersed with 40-foot bounds, until it came to rest. It was estimated Monday that it would require about \$200 to get the machine back on the right-of-way.

Beyond bruises and scratches, none was hurt. The party was bound for a dance at Groom Creek.

### UNEMPLOYMENT WILL BE STUDIED WITH A VIEW TO REMEDY BY HARDING'S INQUIRY

(Associated Press Night Wire)

INDIANAPOLIS, Ind., Sept. 26.—John G. Emery, national commander of the American Legion, has called a legion employment conference to meet here Friday.

**HARDING BOARD MEETS**

WASHINGTON, D. C., Sept. 26.—The national conference on unemployment called by President Harding organized today and adjourned until October 5, when the ten sub-committees will present suggestions for emergency relief.

Opening the session, President Harding declared the industrial depression "was a war inheritance," adding that the results hoped for from the conference might extend beyond the United States. Asserting that there ought to be work for every one, the president described the United States as "fundamentally sound, financially strong, industrially unimpaired, commercially consistent and politically unafraid."

Both the president and Secretary Hoover, chairman, emphasized the need for an employment program which would not contemplate a drain on the national treasury.

Organization was completed with the formation of ten sub-committees to originate, study and recommend practical measures for meeting the emergency.

### RUTH'S HOMERS; YANKEES IN LEAD

(Associated Press Night Wire)

NEW YORK, Sept. 26.—New York took a firm grip on the first place in the American League and went a long way toward clinching their first championship by defeating Cleveland in a thrilling struggle today. The win gave New York three out of four games from the present world's champions and gave New York a lead of two full games with Cleveland having only four more to play and New York five.

Babe Ruth was the hero of the New York victory for he hit two home runs, a two-bagger and walked once in four times up. He either scored or drove in five of the eight New York runs. Each manager used three pitchers in an effort to win.

### CALIFORNIA EARTH SHOCK SAN BERNARDINO, CALIF., SEPT. 26.—A slight earthquake was felt here at 2:45 o'clock this afternoon.

### Heres a Record For Speedy Work By Classified Ad

Service is often implied, like the malice the judge tells about in instructing a homicide jury. An example of such service was furnished by the JOURNAL-MINER yesterday.

Barney Smith lost a tire Sunday afternoon while driving north of the city.

L. L. Bates found it and it was in the office with a 'LOST' advertisement on file for this morning's MARKET PLACE.

At noon, Mr. Smith, knowing that the JOURNAL-MINER was the clearing house for "Wants," called at the office and inquired about tires, if any, found on the road. He got his tire.

That was a case where the want ad got results before it was printed. WHY? Because it represented not an actual advertisement but a potential one. The prestige of JOURNAL-MINER classified advertising, did the business.

What that prestige did for Barney Smith, it will do for you!

## SUE HALL TO CALL ELECTION FOR BILL ON WATER DISTRICTS

(Associated Press Night Wire)

PHOENIX, Sept. 26.—Application for a writ of mandamus to compel Secretary of State Ernest R. Hall to call a special election on November 8 on house bill 83, was filed in the state supreme court today by attorneys for the Paradise Verde Irrigation district.

House bill 83, which would authorize the state to issue and sell state bonds in return for bonds of approved irrigation districts, was passed by the last legislature. One of its paragraphs provided that it should be referred to the voters at a special election on November 8.

A petition requesting Secretary Hall not to call the special election was filed in the office of the secretary of state some time ago, and Mr. Hall then announced that he would not call the election.

## DOMINGUEZ IS TO BE SUED AS DEFAMER, SAID

(Associated Press Night Wire)

SAN FRANCISCO, Sept. 26.—Alfred Sennacher, witness for the prosecution in the case of Roscoe Arbuckle, charged with the murder of Virginia Rappe, denied tonight before the San Francisco grand jury that he had conspired in any way to extort money from the defendant.

The charge was made in court today by Frank Dominguez, one of Arbuckle's attorneys, and was brought before the grand jury by District Attorney Matthew Brady. The grand jury adjourned, it was said, without taking any action.

After reappearing from the jury room, Sennacher declared to a group of newspapermen that he would at once telegraph his attorney in Los Angeles to prepare a suit against Dominguez alleging defamation of character.

Sennacher was accused by Dominguez of having conspired with Mrs. Bamba Delmont, the complaining witness against Arbuckle, to take torn parts of the clothing of Miss Rappe to Los Angeles for the purpose of extorting money from the defendant.

Dominguez made his assertion after long questioning of Sennacher regarding his previous testimony in the case. Dominguez declared that previous conduct of Mrs. Delmont in Los Angeles, where, he said, she made claims against a man named Earl Lynn, lent color to his accusation.

Police Judge Lazarus, before whom the hearing is being held, refused, however, to allow Dominguez to question Sennacher along this line, saying it had no part in the present proceedings.

Sennacher's testimony took up most of the afternoon session. In the morning Dr. Arthur Beardslee, house physician at the Hotel St. Francis, who treated Miss Rappe after the revel in Arbuckle's suite, out of which the murder charge grew, testified he discovered evidence of a ruptured bladder early the morning after the party and that he advised her removal to a hospital. The defendant was unable to make him admit that she could have been suffering from anything else.

### REFELD LOSES PHOENIX BOUT

(Associated Press Night Wire)

PHOENIX, Sept. 26.—Billy McFann of Cleveland won the referee's decision over Johnny Webber of San Francisco in a 10-round bout here tonight. Both men are lightweights.

In the semi-final Young Arnold of Phoenix won the decision over Tiny Refeld of Prescott. Announcement of this patch said it was for the fly-weight championship of the state.

### MRS. BERGDOLL DEMANDS TITLE

(Associated Press Night Wire)

PHILADELPHIA, Sept. 26.—Mrs. Emma C. Bergdoll, mother of the convicted army draft dodger, today filed suit in federal court to have Thomas W. Miller, alien property custodian, return to her certain property seized by him some months ago as belonging to Grover. She contends her son has no interest in any of the property.

### NOT GUILTY IS LYNCH VERDICT

C. P. Lynch, charged with "unlawfully and feloniously operating a motor vehicle on the Senator highway," yesterday was acquitted of the charge following a "hot" session in the justice court. Justice C. H. McLane presided.

In the course of the hearing it developed that Lynch and Charles Ross, local taxi operator, held different opinions regarding the distance between Ross' car and the edge of the Senator highway. It further developed that Defense Attorney P. W. O'Sullivan and R. B. Westervelt held different opinions regarding the proper financial conduct of the county attorney's office. O'Sullivan, in the course of his argument, maintained that trying of the charges against Lynch was unnecessary and a financial error. Westervelt pointed out the necessity for securing justice, and opined that a past administration of the office might not have been a model of economy.

The big fifth act came shortly after 4 o'clock, when the 12 men returned a verdict to the effect that C. P. Lynch was not guilty.

It was charged that Lynch, while motoring over the Senator highway with Mrs. Lynch, Louis Larsen and C. B. Wylie on September 16, allowed his car to collide with that of Ross, with the result that the fender of Ross' car was damaged and the

### STUNT AVIATOR KILLED

(Associated Press Night Wire)

OKLAHOMA CITY, Sept. 24.—Lieutenant Arthur Emerson, aviator, was killed today while attempting to change from one airplane to another at the state fair grounds.

end, would expedite final action on the tax legislation, he said.

The senate was informed today by both Senator Underwood of Alabama, democratic leader, and Senator Simmons of North Carolina, ranking minority member of the finance committee, that there was no disposition by democrats to delay tax legislation. Senator Penrose wanted to take up the revenue bill for amendment today but Senator Simmons objected, insisting procedure be limited to the reading of the bill.

## FOUR CHILDREN ELECTROCUTED

(Associated Press Night Wire)

KINGSTON, Mass., Sept. 26.—Four school children were killed today when a trolley pole came off a car which was carrying them to their homes, broke the feed wire and caused their electrocution when they jumped out of the car. The car was set on fire but other children escaped serious injury.

Nine other children were held in the car by the motorman. He caught a fifth youngster as he tried to leap out.

The accident occurred late in the afternoon as the car approached a bridge. The trolley pole slipped off the wire and broke the feed line carrying

thousands of volts. One end of the wire fell on the roof of the car, setting it afire. The other end fell to the bridge charging the rails.

The children screamed and rushed for the door. The motorman tried to hold them back but four jumped out. They came in contact with the rails and were electrocuted.

## ACTUAL FIGURES SHOW FALLACY OF CRY AGAINST ROAD LEVIES

Amount to Be Raised for 1921-23 Is \$867,000 Less Than That Which Was Raised for 1919-21, Shown by Comparison

1919-1921		1921-1923	
State levy	\$1,739,667	\$ 800,268	
Prison	120,000	120,000	
Federal aid	200,000		
Gov. emergency	130,000		
Bridge Loans to counties	120,000	200,000	
Superior-Miami	100,000		
San Carlos bridge	65,000		
Arrowhead trail	90,000		
Parker bridge		30,000	
Wms.-Clarkdale	37,871		
Lee's Ferry	10,000		
Oak Creek	10,000		
Holbr'k-W'slow		25,000	
Wms.-Ash Fork		25,000	
A. Fork-Nelson		50,000	
Prescott-Jerome		25,000	
Phoenix-Yuma		200,000	
Tucson-Nogales		75,000	
Geronimo			50,000
Sommerville			40,000
Douglas-Rodeo			40,000
Fairbks-Nogales			40,000
Apache trail			75,000
Totals	\$2,622,539	\$1,755,268	

(Journal-Miner Capital Bureau)

PHOENIX, Sept. 26.—Propaganda against high taxes is the thing these days; counter-attacking with facts, the state government shows how futile is the declaration that road projects have boosted the levies above all reason.

Figures for state road levies, using the biennials from July 1, 1919-July 1, 1921 as compared with the similar period 1921-1923, prove the fallacy of the anti-administration's cry that Tom Maddock's road policy is peeling the hide off the already burdened taxpayer.

Here they are: