

The Weather

TULSA, Oct. 2.—The temperature: Maximum 85, minimum 59. Northeast winds; clear.

TULSA MORNING WORLD



THE WEATHER

The Weather

WASHINGTON, Oct. 2.—The forecast: Oklahoma: Fair Friday and Saturday.

FULL LEASED WIRE ASSOCIATED PRESS REPORT.

FULL LEASED WIRE ASSOCIATED PRESS REPORT.

VOL. IX, NO. 15

TULSA, OKLAHOMA, FRIDAY, OCTOBER 3, 1913

PRICE FIVE CENTS

JURY FAILED TO REACH A VERDICT AND WERE LOCKED UP AT MIDNIGHT

WILL RESUME THEIR DELIBERATIONS AT 9 O'CLOCK THIS MORNING.

WENT TO JURY AT 10:30

MRS. REUTER BECAME HYSTERICAL AND COLLAPSED IN COURT.

MALLOY'S GREATEST EFFORT

"Greatest Speech I Ever Heard," Said Judge and Moman Pruett, After Malloy Ended His Argument.

(BY GLENN CONDON.) (Staff Correspondent.)

BARTLESVILLE, Okla., Oct. 2.—At midnight the jury in the Laura M. Reuter murder case reported to Judge Hudson that there was no hope of reaching a verdict tonight. They were immediately taken to their hotel and they deliberated for a little over an hour. The jury will resume its deliberations at 9 o'clock Friday morning.

Mrs. Reuter Collapsed.

As Prosecutor Malloy finished his closing argument to the jury at 10:20 p. m., Mrs. Reuter, who had been weeping bitterly during the last of his speech, became hysterical and many women spectators rushed to her assistance, but it was twenty minutes before she became sufficiently composed to even talk.

"I have got no witness but my dead husband," she kept muttering, as though the words of Mr. Malloy were ringing in her ears. At the conclusion of the address Judge Hudson brought two bailiffs forward and their catheters administered.

Greatest Speech Ever.

"It was the greatest court room speech I ever heard in my life," said Judge Henry Hudson to Mr. Malloy, as he leaned over the bench to grasp his hand. Scores of people surged around the young county attorney and showered congratulations upon him.

Moman Pruett, of counsel for defense, walked over to the press table and with great feeling, said: "Quote me as saying that Mr. Malloy's argument tonight was the greatest I ever heard in any court room during all the years I have practiced law."

Roses for the Jury.

Just after the jury had retired, an express package came for Attorney Pruett. It was a box of roses from Tulsa and a card in the box contained the information that the two dozen roses represented as many women in Tulsa who wanted to see Mrs. Reuter acquitted.

No names were given. The card requested that the flowers be given to the jurors, but Judge Hudson refused to countenance this. The crowd loth to leave the scene while the jury was deliberating, remained on the sidewalk and street outside. Over 1,000 people were gathered there, talking in little excited groups and waiting for a verdict. Mrs. Reuter, accompanied by her lawyers, Pruett and Charlton, remained in the court room.

The day was marked by three arguments that will go down in history as among the greatest ever delivered in an Oklahoma courtroom. J. R. Charlton of Bartlesville and Moman Pruett of Oklahoma City spoke in behalf of the defendant, while Pat Malloy, county attorney of Tulsa county, closed for the state.

Mr. Charlton made a wonderful plea, full of pathos and legal sense. He spoke from 9 o'clock until noon, and when he finished many of the jurors were wiping tears from their eyes while the defendant, her little daughter Marcella and every woman in the courtroom were crying. He closed with a telling sermon that went straight to the hearts of all who heard it.

Moman Pruett's argument this afternoon was sensational to say the least. Never has this great criminal lawyer made a more telling address before a jury than the one he gave today. First crying and in the next moment laughing, it was hard to preserve order among the spectators. His argument consisted mainly of a bitter arraignment of Bud Bellow and Ben Burgess.

Attorney C. L. Filides of Tulsa, who was a state witness, came in for a scathing denunciation also. Mr. Pruett even going so far as to say that he would be glad to meet Filides on the street and fight it out with him. Pruett concluded at 4 o'clock and

(Continued on page 10.)

CANAL NOT DAMAGED BY THE EARTHQUAKE

WITHSTOOD AN UNEXPECTED TEST FROM NATURE'S FORCES.

During the Past Week the "Big Ditch" Has Responded to Two Supreme Tests.

PANAMA, Oct. 2.—"Absolutely no damage was done by last night's earthquake to any part of the canal." This signed statement was issued this evening by Col. George W. Goethals, chief engineer of the canal commission.

The canal officials are greatly pleased tonight over the fact that within the space of one week the Gatun locks have been called upon in response to two supreme tests, and in each case proved equal to the demand.

On Friday last it was demonstrated that the lock-operating mechanism works perfectly and that vessels can be locked through at will. While the earthquake test was not figured on, still, in one sense of the word, it has given satisfactory proof that the canal is constructed in a manner to withstand the unlooked for. Colonel Goethals was fully assured that the canal works had suffered no injury and before noon on the isthmus practically every one knew the fact.

CORONER MAY CALL SCHMIDT

Want Him to Identify Body of Murdered Girl.

NEW YORK, Oct. 2.—Unless, after other witnesses have given evidence to identify the torso of the young woman taken from the Hudson river as that of Anna Tamulier, it is found necessary to call Hans Schmidt to establish positively this fact, it was stated tonight that the confessed murderer of the girl would not be called to testify at the inquest.

District Attorney DeLoachy is opposed to Schmidt being summoned by the coroner, fearing that the strain might unnerve him for a final examination tomorrow afternoon by the four alienists, who are to pass on his sanity.

ARREST AFTER CONFERENCE

Do Not Expect Any More Arrests At This Time.

WASHINGTON, Oct. 2.—The arrest today of George E. Davis at New York and Harry Jones at Indianapolis on charges of conspiracy in connection with the McNamara dynamiting case followed a conference here yesterday between Attorney General McInerney and Charles Miller, United States attorney at Indianapolis, in which the developments in the famous case were explained to the attorney-general. While officials were reticent today regarding possible further moves, the impression was gained that there would be no more arrests at this time.

Women Entitled to Vote.

OKLAHOMA CITY, Okla., Oct. 2.—(Special.)—In answer to a request of County Attorney H. P. McGuire of Frederick, Attorney General West Wednesday gave an opinion that women voters are entitled to cast their ballots at school bond elections. The Frederick attorney asked for the opinion, saying that the Harris-Day code failed to cover the question. However, he was mistaken, as the attorney general quotes to him a section in the code relating to the matter.

Cruce Feted a Bootlegger.

OKLAHOMA CITY, Okla., Oct. 2.—(Special.)—Governor Cruce today, on recommendation of the board of prison control, pardoned Frank McLain, who pleaded guilty in the Hughes county court to violating the liquor law, and was fined \$250 and sentenced to ninety days in jail. McLain served the time in jail but did not pay the fine because he was not able to do so.

Complain About Freight Rates.

TOLEDO, Ohio, Oct. 2.—Claiming that it costs northern vegetable growers 42 per cent more a ton mile to get their products to northern markets than it does southern truck farmers, the Vegetable Growers' Association of America, in convention here, received liberal contributions today to a fund of \$2,000 to employ counsel to present the growers' case to the interstate commerce commission.

REBELS WELCOME ANY KIND OF FIGHTING MEN

SOLDIERS OF FORTUNE FIND PLACES IN FIGHTING LINE.

Constitutionalists Seek Delay in Order to Augment Their Forces Before the Big Battle.

PIEDRAS NEGRAS, Mex., Oct. 2.—Foreign soldiers of fortune, equipped with a rifle and a disposition to aid the constitutionalists, are being welcomed by the army concentrating at Coyotes, in the path of the federals, according to advices from the front today. This is a departure from the policy in various campaigns, and is said to have been taken after due deliberation as to the possible effect on the Mexican people. The army is using tactics of delay in the hope of gaining reinforcements before another engagement with general Ma's command.

A considerable body of cavalry from Matamoros, under Colonel Caserio Castro, is reported enroute to augment the constitutional forces. The capture of Monclova, which was claimed today, would put the federals between two fires.

American authorities on the border are alert to quell filibustering expeditions. Arrests are expected following the invasion of unsuccessful attackers on Piedras Negras this morning from the American side.

This city remains quiet, and all incipient disorder has quickly been discouraged by the natural government in control.

PRAYS FOR RESCUERS

MINER STILL ENTOMBED IN UNDERGROUND PRISON.

Will Be Unable to Cut Through the 15 Feet of Coal Before Noon Today.

CENTRALIA, Pa., Oct. 2.—Separated from freedom by fifteen feet of hard, solid coal, Thomas Tushesky, the miner who has been entombed in the Continental colliery of the Lehigh Valley Coal company since last Friday morning, must spend at least eighteen hours more in his dismal cell 100 feet below the surface. He was so informed tonight by rescuers who are working desperately to penetrate the walls of coal surrounding him. Meanwhile his wife and children remain at their home, hoping that something unforeseen by the rescuers will aid in liberating the husband and father in time for him to join the family circle at breakfast.

Notwithstanding that a powerful air compressor capable of doing the work of six men was installed in the heading today, mine officials directing the work declared tonight that it would be impossible to break the coal barrier until noon tomorrow, "and perhaps not then." When Tushesky was told the compressor was in action he said he felt much relieved, as he knew it would have taken days to release him with only one man at a time—all that could stand in the narrow passage way—digging into the hardest kind of coal.

The instructions of P. J. Heffner, superintendent of the mine, to refrain from exerting himself too much by picking away at the coal in the direction of his rescuers, were followed by the imprisoned man who did little work today. He conversed with his rescuers several times through the fifty foot pipe that has been inserted from an adjoining chamber and through which his food is sent to him.

Tushesky told the doctor who directs his diet tonight that he was becoming weakened because he has had no solid food for nearly a week and said that he was very anxious to "sit down to a good substantial beef dinner." He said that he had slept some during the day and felt as well as could be expected under the circumstances. But as the time drew nearer for him to be liberated he said he grew more and more restless. He frequently asks the time and passes much of the time singing, and praying that none of the rescuers will meet with an accident in the attempt to free him.

BROKEN ARROW JOINS IN

Perfect Organization for Road Work On Two Days, October 16 and 17.

BROKEN ARROW, Oct. 2.—(Special.)—The wave of good roads enthusiasm that is sweeping over eastern Oklahoma has struck Broken Arrow and at a well attended mass meeting tonight a good roads organization was perfected. Officers were elected and plans laid to work on the Omack trail passing through this city, on the two good roads days, October 16-17.

P. S. Hurd was elected president of the association, W. T. Praker vice-president, and S. C. Hurd secretary-treasurer.

LEGISLATURE MAY PROHIBIT A STRIKE

GOVERNOR FOSS WILL USE EXTREME MEANS IF NEW HAVEN MEN STRIKE.

TO MAKE A STRIKE ILLEGAL

Will Call Special Session and Ask For a Law Prohibiting Strikes in the State.

BOSTON, Mass., Oct. 2.—Should a strike of engineers and firemen on the New York, New Haven & Hartford railroad be ordered Governor Foss will ask for a special session of the Massachusetts legislature to enact laws to prohibit all strikes of railway employes within the commonwealth. Such is the declaration contained in a letter which the governor sent tonight to officers of the Brotherhood of Locomotive Engineers and the Brotherhood of Locomotive Firemen and Enginemen at New Haven.

The letter says that the governor has been informed that the members of the two brotherhoods are voting on the question of calling a strike. A strike, it adds, would be of grave concern to the people of Massachusetts, as it would mean the stoppage of the wheels of machinery, loss of employment to hundreds of thousands of laborers, interference with the regular supply of food and fuel and a consequent high death rate among invalids and infants.

"I am informed that the principal question at issue between the organizations and the New Haven railroad," the governor continues, "is whether the promotion of employes and the assignment of duties shall be governed by the rule of seniority or whether fitness shall be taken into consideration. Looking at the matter from the standpoint of the railroad or employes, I desire to remind you that this question is one which vitally affects the people of Massachusetts, and indeed, of all New England. Promotion and the assignment of duties according to seniority without regard to fitness, lower the efficiency of the labor force, make it impossible for the railroad to maintain discipline and impairs the ability of the railroad to serve the public.

"The real issue is not between the railroad and its employes, but between the employes and the people of this state, and the question is whether the lives of the people should be placed in jeopardy by the seniority rule, and whether in order to enforce this rule, our people must submit to the evils incident to a railroad strike. "If this strike is declared it will become my duty to take such measures as are within my power to protect the people of this commonwealth. To that end, if the strike is called, I shall ask the council to join me in summoning a special session of the legislature for the purpose of enacting laws which, after providing effective remedies for all grievances of employes, shall absolutely prohibit strikes of railroad operatives employed within the commonwealth. For such action the laws of other countries supply us frequent precedents, and I shall demand the enactment of such legislation."

Would Not Discuss It.

NEW HAVEN, Oct. 2.—Officials of the Brotherhood of Locomotive Engineers said tonight that they had not yet received Governor Foss' letter and therefore decline to discuss it. Assistant Grand Chief L. L. Griffing, arrived here last night and tomorrow will count the strike ballots that have been taken on the New Haven system during the past few days. It was said unofficially that the men will vote to strike by an overwhelming majority.

"This means," said Chairman C. H. Evans, "that the men favor strike if the contentions cannot be gained in any other way."

Complete All Evidence.

NEW YORK, Oct. 2.—The eastern railroads today concluded the direct presentation of their evidence offered to repudiate that already given on behalf of the 80,000 trainmen and conductors whose demand for increased wages is being arbitrated by the federal board appointed under the law lately passed.

Senator Lodge Fully Recovered.

NAHANT, Mass., Oct. 2.—Senator Henry Cabot Lodge continued today on the road to recovery, from his operation of last Friday. Physicians said tonight that the senator was nearly in a normal condition.

17 DAYS

have elapsed since the date on which the city administration, a month previously, definitely promised that it would furnish an ample supply of pure drinking water through the city water mains and the promise has not yet been fulfilled.

FLOOD CONDITION IN TEXAS IS IMPROVED

RIVERS ON A RAMPAGE BEGIN TO GO DOWN.

Heavy Damage Has Been Caused and Eight Lives Lost in the High Water.

DALLAS, Oct. 2.—Flood conditions in southeast and southwest Texas and western Louisiana showed improvement with the cessation of rain in some sections today. Little rise has been seen in most of the streams which have been out of bounds and at San Antonio the river began to fall as unexpectedly as it rose.

From the interior came encouraging reports that streams were falling, and several days of fair weather will relieve conditions greatly.

It is in the rice fields of eastern Texas and western Louisiana that the heaviest loss will be felt. Near Lake Charles it is estimated that 75,000 acres have been flooded, causing serious damage which may be lessened by fair weather. Railroads have been hard hit, many steel bridges having been washed away and thousands of yards of track destroyed. Connection with the east is still interrupted. Improvement was made today in telegraph and telephone communication, but normal conditions have not been restored. The lumber industry has suffered heavy damage in the loss in production and damage to plants.

IS NOW UP TO WILSON

TARIFF BILL WILL GO TO THE PRESIDENT TODAY.

Senate Accepting Conference Committee Report; Will Be Law of the Land by Saturday.

WASHINGTON, Oct. 2.—The democratic tariff revision bill probably will be in the hands of President Wilson for his signature by tomorrow night. The senate at the end of a 10-hour debate passed the conference report at 8:20 o'clock tonight by a vote of 56 to 47, only four more than the necessary quorum of the senate.

Senators La Follette and Pendergast, progressive, voted for the conference report, as they did for the bill, and Senators Randall and Thornton, democrats, voted against it, as they did against the bill. Otherwise, it was a strict party vote.

Immediately after the passage of the conference report, acting on motions made by Chairman Simmons of the finance committee the senate rejected the Smith-Lever compromised cotton futures tax amendment passed by the house Tuesday, and then rejected from its own amendment on the Clark Connors futures tax.

The bill will be returned to the house early tomorrow. At a conference of house leaders today, the question was taken up as to whether the bill might go directly from the senate to the president. While many parliamentarians held that this course would be legal, Chairman Underwood and speaker Clark decided that in house should take formal action tomorrow to recede from its cotton futures tax amendment, such action will eliminate the subject from the bill, and the completed bill can go to President Wilson at once.

It was thought at the capital tonight that the bill will become a law Saturday.

Senator Simmons, in presenting estimates of the revenues to be derived from the new tariff rates, declared that from the new tariff rates declared on the character of the tariff bill that finally had been brought out of the conference committee.

"This is the first tariff bill ever passed in this country," he said, "that was framed by the whole body of the party responsible for the legislation."

CAPITOL PETITIONS FILED

Had Five Thousand More Names Than Necessary to Refer the Bill to a Vote.

OKLAHOMA CITY, Okla., Oct. 2.—(Special.)—The petitions which were filed in the office of secretary of state today. There are 18,061 names, which is a few thousand more than necessary. They were filed in the names of H. T. Swearingen of Guthrie and J. E. Wrand of Muskogee. It is expected that petitions will be promptly filed against the bill. The state capital appropriations would have become effective Friday night immediately after 12 o'clock.

DYNAMITER'S CONFESSION RIVALS THE STORY OF ORTIE M'NANIGAL

WILL RENEW SULZER CASE NEXT MONDAY

ATTORNEYS GRANTED TIME TO PREPARE SULZER'S DEFENSE.

Despite Objections of Counsel, the Impoverished Governor Will Take Appeal.

ALBANY, N. Y., Oct. 2.—Only a brief session of the important trial of Governor Sulzer was held today, and then an adjournment until Monday afternoon was granted by Presiding Judge Cullen. This was done in order that the attorneys for the governor might have time to perfect their plans for opening the case.

Of the plans of the defense little is known except that senator Harvey D. Hinman will outline the defense, if he is able, and that Louis A. Surocky, formerly the governor's campaign secretary, will be the first witness for the impeached executive. That the governor will testify there is no doubt, despite the fact that some members of his counsel are opposed to his taking the stand. A long conference was held between the governor and his attorneys today at the "Peoples House."

"I shall hold," Judge Cullen said, "that all motions involving the production of force of competent evidence must be left until the final submission of the case."

This ruling resulted in Austin G. Fox, one of Mr. Sulzer's attorneys, making a motion to strike out articles 3, 4, 5, 7 and 8, as he had planned. The motion will be made later, however. These articles deal with all of the governor's alleged impeachable acts, except those involving his financial transactions. A motion to strike out "the money articles" already is before the court. It, too, will be decided when all the testimony is in.

ONE SUSPECT IS ARRESTED.

May Be "Tango" Friend Who Killed Mrs. Rexroat.

CHICAGO, Ill., Oct. 2.—A. J. Smith, a prisoner in the county jail is the latest who the police suspect may prove to be "Mr. Spenser" sought as the murderer of Mrs. Allison Rexroat. Smith, it is said, resembles the description given of the man in whose company Mrs. Rexroat is believed to have left Chicago the night of her death. Smith was arrested Monday night with C. F. Nebon, after they are alleged to have attempted a highway robbery. Smith, after his arrest, threw away a commutation ticket between Chicago and Aurora, Ill. He formerly was a picture salesman, according to Nebon. An effort will be made tomorrow to identify him.

FOUR DEAD IN COLLISION

Two Engines Met Head-On and Two Entire Trains Were Demolished.

STEVENS, Ark., Oct. 2.—Four persons were killed when an engine drawing a pile driver and Cotton Belt freight train No. 15 southbound, collided head-on half a mile from this place tonight. Of the injured one is expected to die.

The dead: ENGINEER LUTHER SMITH, Gillette, Mo.

Bridge-man Charles Cheek, both of the northbound work train.

FIREMAN WILLIAM YOUNG.

FIREMAN SEELER supernumerary, both on the freight engine.

Engineer William McCabe, of the freight, received internal injuries and is expected to die.

The injured were brought here. The wreck occurred at a curve and practically demolished both trains. Those killed were crushed under the runs of the engines. No cause is known.

Yale Crew Captain Resigns.

NEW HAVEN, Conn., Oct. 2.—Charles S. Snowden of Pittsburgh, has resigned as captain of the Yale Varsity crew. Thomas B. Demore of New Orleans has been chosen to succeed him. This announcement was made tonight. Snowden devoted his attention to the oarsmen and did not put in sufficient time at his studies to graduate. He will complete his course about mid-year and this will render him ineligible for the race in June with the Crimson crew.

San Antonio River Is Falling.

SAN ANTONIO, Texas, Oct. 2.—The San Antonio river began falling rapidly tonight, and the disastrous flood conditions which prevailed earlier in the day showed considerable amelioration. Estimates of the loss average \$200,000 in the city and in southwest Texas \$1,000,000. Train service is still crippled and wire communications interrupted. No further loss of life has been reported.

LAST NUMBER OF DYNAMITERS BAND CONFESSES FOLLOWING HIS ARREST.

IMPLICATED ALL OTHERS

CONFESSION CAUSED ARREST OF UNION SECRETARY AT INDIANAPOLIS OFFICE.

FURNISHES MISSING LINKS

Refused to Blow up Oklahoma Buildings Because it was too Near His Home in Coffeyville.

NEW YORK, Oct. 2.—Dynamite outrages that rivaled the exploits of the McNamara brothers and Ortie E. McManigal were confessed today by George E. Davis, a union iron worker. Davis, who was arrested here today, as the George O'Donnell who figured in the trial at Indianapolis of Frank M. Ryan, president of the International Association of Bridge and Structural Iron Workers and 37 of his associates. His arrest and confession rounded out the work the federal government started more than two years ago when the dynamiting of bridges and steel frame buildings all over the country became a national scandal.

All the explosions that Davis says he named were touched on and testified to at the dynamiters trial at Indianapolis, but the fact that Davis caused them remained unexplained until he himself told it today.

Results in an Arrest.

Davis' confession resulted today in the arrest at Indianapolis of Harry Jones, secretary-treasurer of the Iron Workers Union. His confession supplements the evidence presented at the Indianapolis trial and makes fresh charges against some of the men then convicted and now in prison. Some of his revelations concerned President Ryan, who is now out on bond pending appeal from a prison sentence of seven years.

Davis says he was the man chosen to kill Walter Drew, attorney for the National Erectors Association in December 1911, after Drew was charged with kidnaping John J. McNamara. It was suggested also that he try to "get" William J. Burns, the detective employed by Drew and his associates to unearth the dynamite conspiracy. The price on Drew's head at that time, Davis said, was \$5,000. "I told them," his confession continues, "that I did not want to mix up in such business."

Davis consented to return to Indianapolis without extradition. His bail was fixed at \$10,000.

The conspiracy, thought to have broken up by the conviction of Ryan and others, still exists according to Davis' confession. With the exception of Harry Jones, the men he mentions in connection with his various dynamite jobs, already has been arrested, although his confession indicated that the government had not obtained all the incriminating evidence against these defendants when they were tried at Indianapolis.

Shadowed for Weeks.

The apprehension of this "McManigal of the east" was due to Robert Foster, a Louisville detective who shadowed the iron worker through eastern cities. Finally, several weeks ago, when Davis was discovered with his treatment by the union, Foster persuaded him to make a full confession.

This was on September 16. For a week Davis had been working in Pittsburgh for the Thomas-Starratt company. Then the local delegate of the Iron Workers Union told him he must pay a \$25 initiation fee to the local union or quit work. Davis quit. The detective told him he knew all about his deeds any way, and Davis, feeling that the union had deserted him, accompanied Foster to New York. Here in the presence of representatives of the federal district attorney and the National Erectors association, he dictated and swore to the long detailed confession which was given out by the district attorney's office. Davis said he had been an iron worker since 1909 and had been employed at Birmingham, Denver, Pueblo, St. Louis, New York, Washington, Cleveland and Pittsburgh. In the early days of the troubles between the union and the bridge builders he was a member of the "entertainment committee" whose duty he said was to assist non-union workers. He began his career as a dynamiter at Trenton, N. J.

Told Every Detail.

In careful detail the confession described how Davis blew up, or tried to blow up, buildings and bridges in various cities and towns of the east. It was during his preparation of plans to destroy a building at Fall River, that Davis first came into communication with Harry Jones. He says

(Continued on page 10.)