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# The Tacoma Times

THE ONLY INDEPENDENT NEWSPAPER IN TACOMA

HOME EDITION

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## NEW PARTY ISSUES A CALL FOR PRIMARIES

### DARROW ENDS DRAMATIC ADDRESS TO THE JURY

#### LARGE CROWD LISTENS TO LAST WORD

DEFENDANT BITTERLY ARRAYS BERT FRANKLIN AND SCORES STATE PROSECUTORS.

(By United Press Leased Wire.) LOS ANGELES, Cal., Aug. 15.—Continuing the argument he began yesterday, Clarence S. Darrow, charged with bribing jurors in the McNamara trial, resumed today his plea in defense of his own good name when court reopened. Darrow's arguments are proving to be the supreme effort of his long career as a criminal lawyer. During the hours he discoursed to the jury he evoked invective and denunciation in turn. He ran the gamut of logic of the well trained legal mind to studied emotionalism. The jurors listened with evident interest to his plea. Curious crowds besieged the court room and it became necessary to summon officers to preserve order. Throughout the session hundreds remained jammed in the corridors on the slender chance of hearing a word of the argument behind partly opened doors. Darrow resumed today when court convened at 8:30 o'clock. Advancing toward the jury box, carrying a huge sheaf of notes, Darrow at once plunged into the Lackwood bribery charge, the specific indictment in the present trial.

"This morning, gentlemen," Darrow began, "I will confine myself solely to this case, not to the outside issues; they have nothing to do with me. All you have to decide is: Did I give Bert H. Franklin \$4,000 on the morning of November 28? Did Franklin tell the truth or did he lie? The evidence shows he lied."

"There is no evidence in this case that should be considered by any fair-minded jury except the evidence on our side. Take November 25. The evidence says I gave Franklin a jury list at 6 o'clock that night. There were certain markings on that list opposite the names of men who were approached with bribes. They asked me if I made the markings. I denied it. Franklin knows I did not make the markings. Gentlemen, you cannot send me to the penitentiary on guesswork or suspicion. If I am convicted in this case, it must be on the story of Bert H. Franklin. His story is that Job Harriman came to me on November 28 and gave me \$4,000 for bribery. Job Harriman says he didn't do it. Do you believe he committed perjury?"

"Now, gentlemen, if you convict me when you go to the jury room, you must say that I, Harriman, Fremont, Older, Lecompte Davis, all lied. But the saintly Franklin spoke the truth. With their two grand juries their Burns outfit and their Erectors' association they rake and scrape the whole country and find only two honest men—Franklin and Harrigan. All the rest are liars. Darrow's speech was rapid and emphatic. He seemed more sure of himself, more bold and confident than yesterday. He con-

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#### CLARENCE DARROW



tinued: "When do you trust Franklin's statements—when he was first arrested or when they had him by the throat and said to him: 'Here is the penitentiary on one side and liberty on the other?' "He told many people he never would go to jail, that he would slip his crime off on somebody else." Darrow then plunged into a denunciation of the informer-detective. Judge George H. Hutton announced today that he would have the charge to the jury prepared tomorrow morning, ready for delivery immediately after District Attorney John D. Fredericks finished his address, late in the afternoon. This insures the case being in the hands of the jury Friday night. "Franklin said in January that if he made a statement against me he would be a damned liar. What is he? He had characterized himself. Hope the district attorney's office got its money's worth by bribing Franklin."

Darrow wiped his hands on a handkerchief and shot an angry glance at District Attorney Fredericks. "Ford says I corrupted Lecompte Davis. Davis is a full grown man. He's a lawyer of experience. He can take care of himself. And, gentlemen, all these people lied. "Franklin is the only pure and innocent man in the case. Franklin, a self-confessed liar, and a man who bribed jurors for \$1,000 a shot. A man who is testifying for immunity, a man who suddenly began telling the truth when he took the stand against me. Before that he told nothing but lies."

Darrow took up the settlement of the McNamara case. He said: "Another fact is, the McNamara case was disposed of several days before November 28 as far as I am concerned. "All of you may not agree with the philosophy of Lincoln Steffens. When you are in your jury room you may be talking about different things, and you can't agree on all of them. Be careful about scorn the idealist. He may be right. The world is moving. Things we accept today were scoffed at 200 years ago. But I don't care about his philosophy. I care about his facts."

Stretching out his arms, Darrow, slowly, solemnly declared: "There is in every man both good and evil. It's not his fault. God Almighty made him. If you'd hang the McNamaras it would conceive more hatred, more wrong, more crime than could come in any other way. "Good and bad come from the heart. You can't change a man unless you change his heart. "Let me tell you something about these labor men. They laid the rails, they made the loco-

tives so you and I may ride in ease in Pullman cars. They take their lives in their hands; they walk on frames of buildings ten and twelve stories above the ground and often their mangled remains are found on the earth beneath."

Darrow closed his argument in a burst of oratory. "My name is a by-word, a reproach in some places, but back in my home town there are others who still stand by me. "I know that deep down in the mines, in the stores, in the shops, on the railroads are thousands on thousands who are looking to this jury to save me—to vindicate my name. "Thousands of them, gentlemen—men, women and little children, gentlemen; they look to you. I place my fate in your hands." Darrow, as he closed, was surrounded by a crowd of tearful friends, who shook his hands and patted him on the shoulders. His face was stained with the mark of tears and everybody in the courtroom wept.

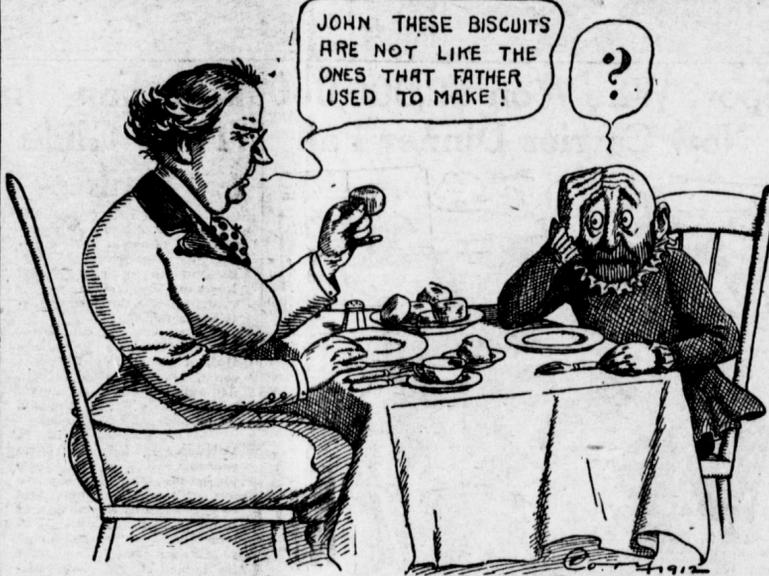
### LABORER TAKES CARBOLIC ACID

Emptying a two-ounce bottle of carboric acid, Thomas Thompson, a laborer, 35 years old, ended his life early this morning in a cheap room at the Imperial lodging house, 1311 1-2 Pacific avenue. His body was found shortly after 1 o'clock this afternoon. The empty bottle lay on the floor. In one of his pockets was found a laundry bill bearing the name of Mrs. Anna Thompson, 5631 Montgomery. No such address could be found in the directory. Detective Reeb, who was first on the scene, sent immediately was removed to the C. O. Lynn mortuary.

### 11 BRIDES HAVE THE HOOKWORM

Hookworm is the cause of 11 Japanese steerage passengers from the Oriental liner Tacoma Maru being held here by United States health officers. This is the largest number ever detained for investigation for hookworm from any single ship. The Tacoma Maru has just dropped anchor here after a voyage across the Pacific. The holding of the 11 passengers swells the number of hookworm patients being detained by the authorities to 16, five of whom will be released tomorrow.

### When Women Get Their Rights



WILL HAVE TO WORRY THROUGH LIFE ON \$3,000,000. (By United Press Leased Wire.) NEW YORK, Aug. 15.—That little John Jacob Astor, the two-days' old son of Mrs. Madeline Force Astor, widow of Colonel John Jacob Astor, a Titanic victim, will have to worry through life on the \$3,000,000 provided for him in his father's will, was indicated here today in a statement by Henry Gilderleeve, Mrs. Astor's attorney. A bulletin issued from the Astor mansion here today said that both Mrs. Astor and the infant were doing nicely.

### NINETEEN MINERS DIE IN A BIG GAS EXPLOSION

ABERNANT, Ala., Aug. 15.—Nineteen miners are dead here today as the result of a gas explosion in the Abernant mines. Seventeen of the bodies have been recovered. The explosion occurred 1,200 feet below the surface, and 46 miners working at a higher level escaped.

Manager Timmons of Pantages is a lover of youth. He has looked over the Times newsie force and declared it the best, most businesslike appearing bunch ever. He has bid them all, happy, smiling, youngsters, full of the joy of being alive, to the last show on Friday night. Are they going? Well, very much. It is the one great big event of importance with them. They think of it, talk of it, dream of it. After all, being just a kid is worth while.

### REBELS ATTACK CAPITAL; FALL EXPECTED

MANAGUA, via Porto Bortes, Costa Rica (by wireless), Aug. 15.—Led by General Mena, the ousted Nicaraguan minister of war, the insurgents are again bombarding Managua today. The attack was resumed at midnight and dawn the indications were that the capital would fall. The rebels are divided into six bands, all of which kept up intermittent fighting throughout the night. The casualties are estimated at 300 killed on both sides, but the federal defenders are believed to be the heaviest losers.

### 119 FISHERMEN DROWN IN STORM

MADRID, Aug. 15.—Battling for their lives in a terrific storm off the north coast of Spain many fishermen were drowned, according to advices here today. It is reported that 119 perished at Bilbao alone.

Jesse Garrett, of Bennington, Kan., has a rooster. The rooster's name is Riley, of Plymouth rock ancestry. Like other roosters, Riley can crow to beat the band. They do say, however, out in Bennington, that every time one mentions Roosevelt's name in Riley's hearing he stops crowing for his harem of hens and crows for T. R. But there is one drawback to Riley's crowing for T. R., and that is this: Unless there's a chair near by he won't crow for the colonel. If there's a chair handy Riley will mount the back of it and crow as often as any one says "Roosevelt." Mr. Garrett is now trying to teach Riley to give the regular bull moose call.

### BUNCO ARTIST CAUGHT WITH THE GOODS

By assuming the name and taking up the life of Albert Ahlberg, 701 St. Helens avenue, a Seattle bunco artist would have secured the money which Ahlberg had on deposit in Omaha had it not been for the intervention of the police just as the bogus Ahlberg was receiving the money through the cashier's window at the National City bank of Seattle yesterday afternoon. This morning Captain of Detectives J. Fitzgerald received word from Chief of Police Banick of Seattle stating that Ahlberg's understudy was in custody there.

Told His Story. A month ago the real Ahlberg met two men on a boat between Tacoma and Seattle. Being a stranger he unburdened much of his affairs to them, including the fact that he had \$140 on deposit in the United States' National bank of Omaha. He showed them the certificate of deposit and several letters.

When they parted one of the two men assumed Ahlberg's name and wrote to the Omaha bank requesting that the \$140 be not paid on presentation of the certificate, that it had been lost. Another letter followed asking that the whole amount be made payable to him in Seattle. Shortly afterward the certificate came in which an order from the real Ahlberg to withdraw the deposit. This led to an investigation of both Ahlbergs by the Tacoma and Seattle police.

Being reassured that the Seattle Ahlberg was bogus, the police notified the bank to comply with his wish and to send the Seattle bank all the correspondence relating to the transaction. When the Seattle Ahlberg presented himself at the window last night to get the \$140 he was immediately taken in charge by a detective and lodged in jail. He will, if possible, be turned over to the federal authorities, according to Captain Fitzgerald.

### THE PRIZE

For the best two kodak or camera pictures of vacation pleasures submitted each week the Tacoma Times will give a box at either the Empress or Pantages theater. For the best series of pictures submitted up to September 15, an "Eastman Hawk-eye four-by-five folding camera will be awarded by the Sibow Supply Co., Inc., 619 Pacific ave. This has a rapid rectilinear lens and automatic shutter and is as good or better than any camera on the market. It uses Eastman's noncurdling film and can be "loaded" in daylight.

### DATE SET FOR HOLDING PRIMARY ELECTIONS IN STATE AND COUNTIES

CANDIDATES CONTINUE TO WITHDRAW FROM G. O. P.—FALCONER, BALLAINE AND DOW OUT OF OLD PARTY. SEATTLE, Wn., Aug. 15.—A formal call was issued here this afternoon by representatives of the progressive party in Washington for preferential primaries on Saturday, September 7, and state and county conventions on Tuesday, September 10.

The call fixes the apportionment of delegates to the state convention which will be held in Seattle at double the number of the delegates to the Aberdeen convention.

Resolutions Adopted. The committee which prepared the call also adopted a series of resolutions of an advisory character in order to make easier the amount of work that will devolve upon each county in preparing for primaries and county conventions. It was also determined to call a meeting on Saturday afternoon of the full state committee appointed at the Roosevelt convention in Aberdeen. At that time there was designated the persons with whom and the places where progressive candidates can file their candidacies. The time for filing was fixed for the week of August 19 to 24, inclusive. Candidates who had filed with any of the old parties will be required to pay only half the fees required by the state while new candidates will be required to pay the full fees.

Headquarters for the progressive party will be established at the Hotel Butler tomorrow. Progressive candidates are continuing to withdraw their candidacies from the republican primaries. Two of the most prominent candidates for congressmen at large, State Senator J. A. Falconer of Everett and John Ballaine of Seattle withdrew today. Pierce county candidates who have filed on the republican ticket are playing a waiting game and not stampeding to get off the ticket to go into the fight for nomination on the bull moose ticket. "I haven't withdrawn yet nor said what I would do, but I think I can win either way," said A. V. Fawcett this morning when asked what he intended to do, in his candidacy for lieutenant governor. "I think it is a question of men rather than party labels this year," continued Fawcett. A. N. Sayre and Carlos Jacobs, candidates for representative in the 39th district, moth declared they would stick on the ticket where they had filed. Up to noon today Lorenzo Dow was the only candidate reported at the county auditor's office as withdrawing from the republican ticket. Most of them are waiting to see what sort of a lineup will develop in the bull moose party and whether it will look any easier for congressmen at large, State Senator J. A. Falconer of Everett

### UNQUALIFIED APPOINTEES MAY LOSE THEIR JOBS

The civil service board will at an early date take action to eliminate all the recent appointees of Mills and Lawson who have not qualified under civil service.

Secretary Dudley Eshelman this morning examined the record of the case brought by the old board which cut short the career of Scott Snyder as a city inspector and discovered that the court upheld the civil service and enjoined the payment of the men. He will report his findings and will recommend that a letter be sent to all city employees recently appointed who are not eligible. Mills picked several men and put them in the police department without taking them from the eligible list and they will be notified their pay will be stopped, if they do not quit the board will then start suit to enjoin the controller from drawing the warrants.

### TAFT VETO STILL WORKING HARD

(By United Press Leased Wire.) WASHINGTON, D. C., Aug. 15.—President Taft has sent congress his veto of the legislative, executive and judicial appropriation bill. He disapproved the bill because it abolished the commerce court and provided for a seven year rule for all clerks in the government service.



### John Dough Boosts

John Dough felt the business should grow, And wanted some progress to show; So to give it a start He ran, for his part, A TIMES WANT AD or so.