

# THE YAKIMA HERALD.

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NO. 42.

## TO FIGHT THE SCALE PESTS

**Fruit Inspectors Plan to Wage a Fall Campaign Against the Infected Sections**

**TREES IN THE CITY MUST BE MADE CLEAN**

**Nurseries Are Now Taking Up Their Young Stock and Vigorous Efforts Will Be Made to Eradicate Crown Gall**

A strenuous fall campaign against the scale insects on the trees of North Yakima and Yakima county in most likely to be waged. State Horticultural Commissioner Huntley and his deputy, T. O. Morrison, now have the matter under consideration. They may require the campaign to start this fall and they may not inaugurate it until spring, however, the spring brings its own troubles to the inspectors and as the spraying can be readily done in the fall it is altogether likely that the fight against the pests will be inaugurated this year.

**Trees Are in Bad Shape**  
Some of the trees in this city are in pretty bad shape. They have been reported two or three times and their owners warned but no notice has been taken of the warning as a general thing. One or two people, among them a professional man, whose trees are said to be in a very bad condition, have declined to observe the law. It is just possible that the campaign will start against the professional man's trees which will either be sprayed by the owner or the authorities or else destroyed as being incurable. The law, it is understood, is specific and destruction of a few of the worst trees will lead to better treatment of those remaining, at least by that element which values shade about and near its home.

In North Yakima where trees are near homes or other buildings it is admittedly a problem in some instances to know what to do with them but it is held by the authorities that the fruit interests must of necessity be protected.

**Active Work in Nurseries**  
The active season in the nurseries for the fall has arrived. Digging is already in progress and this means increased activity on the part of the inspectors who propose to make as careful an examination of the trees as possible while the digging is under way. Crown Gall is the difficulty looked for at this time and all infected trees will be condemned and destroyed. It is not expected that much infection will be discovered but the reputation of the county as a nursery district rests upon the care with which the inspection is made and therefore it will be thorough. Similarly every precaution will be taken for the making of an examination of the trees which are brought in from outside. The bulk of the planting here is in the spring, however, and therefore the new stock from outside usually comes in at that time of the year.

R. Jonjeward of the Moxee was a visitor in the city yesterday prior to leaving for a trip east among his relatives. He will visit in Iowa, Minnesota and Dakota before returning.

## PETITION DRAINAGE DISTRICT NO. ELEVEN

**Matter of \$70,000 Improvement Comes Up in the Superior Court for Hearing**

Floyd Hatfield and Luffman and Clark, as attorneys for the plaintiffs, filed a lengthy petition in the superior court Monday, on behalf of Commissioners N. G. Dixon, R. J. Longevin and H. J. Postma, of Drainage District No. 11, stating that it is desired to prosecute the construction of a system of ditches and drains, to cost \$79,851.50. It is stated that the construction of the said proposed improvement will be conducive to the public health and welfare and increase the value of lands.

The petition declares that it is necessary, and asks that a day for hearing the petition be set; that a jury be impaneled to assess damages to be paid the respective owners of lands taken for a right of way and to determine and assess benefits derived by the respective owners of the lands described. The names of defendants fill two closely written pages.

**Wilson Case Goes to Jury**  
OLYMPIA, Oct. 16.—The case of George H. Wilson, accused murderer of Mrs. Nettie Colbie and husband at Rainier July 10 was given to the jury late today. Under the instructions of the court the jury may return a verdict of murder in the first or second degree or acquittal.

## JUROR NELSON WAS EXCUSED

**First Talesman Man of Too Decided Opinions to Make a Fair Juror**

**FIRST BIG SNAG IS NOW OUT OF THE WAY**

**With Nelson Out of the Way the Case Made More Progress and Two Juror Were Examined and Accepted Yesterday**

LOS ANGELES, Oct. 16.—When seemingly caught in its first big snag the McNamara murder trial in an instant today twisted itself out of a situation which had worried the opposing counsel since last Wednesday and for the remainder of the day went ahead joyously.

"Could you set aside your opinions sufficiently to enable you to give a fair trial and impartial verdict?" was the question put to Talesman R. E. Nelson by Clarence S. G. Darrow, chief of counsel for James McNamara who is on trial for the murder of Charles J. Haggerty, machinist killed in the Los Angeles Times explosion a year ago. Nelson had been asked many hundreds of questions to elicit his views and had gone around all of them without clearing the situation.

"I don't just know," he replied and at this one instant District Attorney John D. Frederick for state withdrew his opposition to the challenge previously made by the defense on account of bias.

**Nelson Had Decided Opinions**  
In the course of Nelson's lengthy examination he had said he believed the Times blown up by dynamite; that he had an opinion concerning the guilt and innocence of McNamara. As the defense contends both that the Times was blown up by gas, that McNamara has an alibi these opinions were extremely distasteful to it. The state resisted the challenge on the ground that under the California criminal code Nelson could hold such views without being disqualified.

When the court closed today Nelson was on his way home and two other talesman had been examined by defense, one of them John W. Roberts, real estate dealer who found satisfactory and Robert D. Bain, a carpenter, was also examined without raising any contest. Roberts and Bain are both passed middle age and have white hair.

**FOUR EJECTED FROM COURT**

Men Whose Sympathies Were So Manifest Asked to Leave Room  
Four men were ejected from the courtroom today. They left so quietly the spectators generally thought they were departing on their own accord. The men became agitated when Joseph Scott, attorney for the defense denounced Nelson as unfair to sit on the jury, declaring it would be better to lynch James McNamara than to try him before a jury composed of men of Nelson's type. Noting their excitement the bailiffs suggested to them that they leave and they did so. A report that they were affiliated with the international association of structural ironworkers was found in circulation tonight without confirmation, even their names being unknown.

## PROGRESSIVES NAME LA FOLLETTE

**First National Conference Endorsed Wisconsin Senator for Presidential Nomination**

CHICAGO, Oct. 16.—Two hundred progressive republicans in their first national conference endorsed the candidacy of Senator La Follette for president and declared for the direct primary as a means of expression on presidential choice. The endorsements came in the shape of resolutions framed in part by Former Secretary of Interior Garfield who is held by the delegates appeared as expressing the views of Theodore Roosevelt and who it was feared would not consent to a declaration in favor of any individual.

The resolution followed a day of La Follette enthusiasm in which his name was cheered repeatedly as it was mentioned by a dozen speakers. While the avowed purpose of the conference was the endorsement of La Follette the arrival of Garfield in a non-committal attitude put the La Follette supporters on the defensive. His visit here was announced a week ago after a visit in New York with Roosevelt and Senator Bourne, president of the National Progressive Republican league and it was expected some other plan might be insisted on. Garfield took no part in opening the program of the day, however, and the endorsement went through without a hitch.

**Slain as They Slept**  
ELLSWORTH, Kan., Oct. 16.—Slain as they slept Sunday night, the bodies of William Showman, a chauffeur, his wife and three small children were discovered today at the Showman home by a neighbor, who chanced to call and entered the house when no one responded to his knock.

## A PROCLAMATION FROM YOUNG CHINA

**All Debts Contracted, All Treaties Made and All Foreigners Will Be Protected**

SAN FRANCISCO, Oct. 16.—Proclamation announcing that the new republic of Chung Hwa would assume all debts contracted by the Manchu dynasty, that all treaties remain effective, that foreign concessions will be respected and all foreigners protected during the period of hostilities was made public here today. The proclamation was signed by Li Yuen Hung, commander of the citizens' army of central China.

The document further stated that foreigners who assisted the Manchu dynasty would be treated as enemies and that any loans negotiated by the Manchu government after issuance of the proclamation would neither be considered nor acknowledged. From the members of the Young China association of this city comes the news today that the new republic favors government ownership of common carriers, and government control of banks and other public facilities.

**BIG ENGAGEMENT EXPECTED**

**Imperial and Revolutionary Troops Are Expected to Clash**

SAN FRANCISCO, Oct. 16.—Sixty-five thousand revolutionary troops have been ordered from Wu Chang and Kai Fong to intercept the imperial soldiers en route from Pekin to Eho Non province, according to a cablegram received here tonight by the Free Press, a local Chinese newspaper. Twenty thousand Manchu troops have been sent against the revolutionists from Pekin and an engagement is expected within two days. The engagement is regarded as of great importance for if the revolutionists are successful, it is expected Canton will shortly fall.

**American Consul Asks for Aid**

PTKIN, Oct. 16.—Even in the face of a depleted treasury, the imperial government is showing remarkable activity to establish its authority and an army is being hastily dispatched to the scene of the rebellion. But few details of the situation are filtering in. It is believed, however, that order is being maintained at Wu Chang and Hankow.

The American consul at Hankow has sent a message to Pekin asking to be kept informed as to the progress of the army southward. Reinforcements of the American legation by one hundred men who are proceeding from Manila are indicative of the seriousness of the situation. It is not believed, however, that the legation will be subjected to more than inconvenience.

## WEEKLY SESSION OF CITY COMMISSION

**City Fathers Hold an All Day Session and Transact Considerable Business**

After an all day session Monday the city commission adjourned to meet at 10 a. m. Tuesday. The usual resolutions and ordinances required for the grading of Race street, from Sixth street to the west line of Fair avenue, was adopted.

On the motion of Splawn, seconded by Crooker, the application was granted for a transfer of the saloon license of the Stag saloon, from James Jefferson to E. J. Good, and the city clerk was instructed to notify Good that his license would not be renewed when it expires May 16.

The payroll of the street department for the first two weeks in October, amounting to \$327, was approved. Under the new order of things payments in this department are made every two weeks.

A resolution was adopted calling for bids on a 75-foot aerial ladder and auto truck and one 2 1/2 ton motor truck chassis, on which to place the present horse apparatus on the west side, the same to be paid for in four equal payments.

Arenz & Son, who bid 1 1/4 cents per square foot for a cement walk along the east side of Pleasant avenue from Maple street to the south line of the city limits, were awarded the contract, being the lowest of four.

## SCHOOL CONGESTION A SERIOUS PROBLEM

**Principal of McKinley Building and City Superintendent Are Working Out a Solution**

Miss Rose, principal of the McKinley school building, and City Superintendent of Schools, are working to arrive at a solution of the problem of the crowded condition of the first and second grades at the McKinley school building. It is probable that as a result of their efforts some pupils from outside the school district will be required to leave and attend their district schools. It is also probable that other pupils who live within the district but who attend the McKinley school in preference to the Summit View, though that is nearer to their respective homes, will be required to go to Summit View. These changes, however, it is not thought will be sufficient to reduce the attendance in the first and second grades to normal, particularly as the Bonnie Brae section of the city is growing rapidly and other provision will of necessity be required for the growth expected.

**Solution Suggested**

It was suggested to Superintendent Sterling by one of the ladies who called upon him last week and asked for a change of conditions, that the eighth grade of the McKinley building, having fewer and larger pupils, be removed to another part of the city and that the lower grades, where there are a greater number of children, be increased in number. For example, there are two first grade classes each at Central and Columbia schools but a not much greater aggregate of pupils in either building than in one class for the first at McKinley. Two first and two second grade classes at McKinley will, it is felt, take care of the situation for the present and this may of necessity be restored to.

**May Return to Portable**

It is possible that the school district will resume the use, as school grounds, of its property on South Eighth avenue, where portable buildings were located last year. The district has several lots there and may find itself under the necessity of erecting some sort of a structure thereon at once to accommodate the growing needs of the pupils of that section of North Yakima.

**Sunday School Convention**

B. F. Kummer has returned to the city from a trip to Sunnyside and Zillah to meet various Sunday school officers of those districts with reference to the district conventions to be held in this county in November. The present arrangement is for a convention in this city November 5 and 6, at Sunnyside November 7 and at Zillah November 8. Mr. Kummer says there is great interest in the work and that excellent gatherings are anticipated.

## John J. McNamara, Who e Trial Will Follow that of His Brother



## RECKLESS DRIVING ENDANGERS LIFE

**Automobile Wrecked on Naches Avenue Monday Night While Driven at High Speed**

A slippery pavement and a reckless driver smashed an automobile on Naches avenue and C street Monday evening and endangered the lives of the occupants who fortunately escaped without serious injury. The machine was that owned by the Sydney hotel and driven by the regular chauffeur named Smith, who had two girls with him.

The accident occurred about 5:30 o'clock, just after the pavement had been sprinkled. The machine was coming along at a high rate of speed, said bystanders to be not far from forty miles an hour as nearly as they could estimate. When near the corner mentioned, the driver attempted to go around some obstacle and the wheels began to skid, making him lose control of the car.

**DAY OF JUDGMENT IN COURT**

**Superior Judges Enter Decrees in Six Cases**

In the superior court Monday, the following judgments were entered in districts number one and two: State, ex rel, Kate Brown, judgment creditor, versus Oscar Nelson, judgment debtor, versus M. G. Naylor, et ux, judgment debtor, satisfied; Sherman Clay Company, judgment creditor, versus Romeo Trotter, judgment debtor, versus R. L. Reese, judgment debtor, judgment in sum of \$214.34; J. J. Schlotfeldt, judgment creditor, versus Cooper and Rogers, judgment debtors, \$1319.15; Cascade Lumber Company, judgment creditor, versus F. H. Russell, judgment debtor, \$123.53.

## WOULD WRECK TAFT'S TRAIN

**Dynamite Placed on Bridge Near Santa Barbara But Fortunately Discovered by Watchman**

**MEN EXCHANGE SHOTS WITH BRIDGE TENDER**

**After Pistol Duel Men Escape and Are Being Hunted by Poses of Men From Railroad and County Officials From Santa Barbara**

SAN FRANCISCO, Oct. 16.—A report received here today by the official of the Southern Pacific from C. E. Brown, section foreman for the railroad at Naples, Calif., gave the details of the discovery of 36 sticks of dynamite under Captain viaduct, 29 miles north of Santa Barbara, several hours before Taft's special train passed over the bridge en route to Los Angeles this morning.

The dynamite was found after the watchman had engaged in a revolver battle with two men who escaped. The night watchman whose name was not given in the report to the San Francisco officials, discovered two men on the bridge shortly before two o'clock. They were at opposite ends of the 1000-foot span and ran when ordered to halt. The watchman ran across the bridge firing several shots which were returned by the fugitives. After the pair had escaped in the darkness the watchman returned to the bridge and began an investigation.

**Find Dynamite on Bridge**

Near the center of the span, lodged in one of the supports he found 36 sticks of dynamite with a ten-foot fuse attached to one of the sticks. He left the find untouched, going immediately to Santa Barbara, notifying the officials. Sheriff Wines and several deputies went to the spot and removed the dynamite. Brown reported having seen the two men get off a late train at Naples, Sunday night and walk toward the Captain viaduct. No other trace of the two men has been found.

Special police employed by the railroad and sheriff and deputies from Santa Barbara and adjoining counties are leading a search for the men suspected. The police in all the coast cities have been notified and messenger descriptions of the men are obtainable only from unsatisfactory descriptions furnished by Brown, the night watchman, are being telegraphed broadcast.

**THWARTED BY WATCHMAN**

**Road Has Out Posses to Run Down Men Suspected of Plot**

SANTA BARBARA, Oct. 16.—Sheriff Stewart of this county and W. E. Wines of San Francisco, special agent for the Southern Pacific state the plot to blow up the bridge over which Taft's special was to pass was frustrated, but was frustrated by the vigilance of the Mexican bridge watchman at 1:30 o'clock this morning. Although suspects have completely disappeared the officers say they have certain clues and already have several men on the case. It is believed certain that the men have not left the mountains and close watch is being kept on all passes.

## TAFT'S RECEPTION AT LOS ANGELES

**Southern California Has a Warm Welcome for Nation's Chief Executive**

LOS ANGELES, Oct. 16.—Taft spent today in insouciant southern California and received a hearty welcome. The streets of Los Angeles and Pasadena were thronged and there were cheers and generous handclapping all along the line. It was an entirely non-partisan reception, Senator Works and Governor Hiram Johnson of the insurgent republican wing of the party accompanying Taft on all his travels. The principal address of today was on votes and the tariff board. Tonight Taft at a banquet at the chamber of commerce made a further appeal for support for the arbitration treaties.

He is spending tonight with his sister, Mrs. W. A. Edwards. Taft heard nothing of the alleged attempt to dynamite the bridge on the Southern Pacific last night above Santa Barbara until late tonight. During an automobile parade through the city today Taft was twice driven past the court house where the McNamara trial is in progress.

**Another Negro Lunched**

FOREST CITY, Ark., Oct. 16.—Nathan Lacy, a negro who it is charged attacked Mrs. Thomas Cox at her home near here yesterday was taken from the local jail tonight by a mob and lynched.

## HIGH SCHOOL GIRL IS HURT

**Miss Martha Townsend Is Struck by a Stone Thrown at an Automobile Party**

**SUSTAINS A SEVERE CUT ON SIDE OF HER MOUTH**

**Was Member of Group of Football Enthusiasts Which Was Attacked Near Sunnyside While Returning From Grandview**

Miss Marie Townsend, a student of the high school here, sustained a very painful injury Saturday while returning from Grandview in an automobile with a party of friends. She was struck in the mouth by a stone thrown by a boy who stood by the roadside just a little distance out from the town of Sunnyside. Her lip was cut open and several teeth were loosened. Her face swelled a great deal and Saturday and Sunday she was considerable of a sufferer and Monday was out of school in consequence of the injury she sustained.

**Failed to Make Capture**

Young men members of the automobile party of which Miss Townsend was a member, made an effort to capture the youth who threw the stone but as it was quite dark at the time, the microscop had an opportunity to escape before they could apprehend him. All the members of the party were indignant because of the attack upon them and the fact that it had resulted so severely to Miss Townsend and her father, upon her return to this city was naturally greatly aroused and prepared for harsh treatment of the assailant. It is not probable, however, that the offender will ever be discovered though though Mr. Townsend believes discovery would be easy if the authorities of the county and of Sunnyside would take the matter up.

**Stoning of Automobiles**

That the stoning of automobiles has taken place before at or near the spot where Miss Townsend was injured is indicated by reports which have reached the press from time to time from parties which have been in the lower valley and unfortunately there are other districts which also offend. Sooner or later such conduct will lead to a disaster. Had Miss Townsend been struck on the temple her injury would have been more severe. Some chauffeur will some day be struck, leaving his machine to run wild with its passengers. The automobile club contemplates offering a standing reward for information which will lead to convictions in such instances.

Miss Townsend and friends had been at Grandview to see the high school football game there.

## LYMAN HELD FOR CONSPIRACY

PORTLAND, Ore., Oct. 16.—Dr. John Grant Lyman was returned to California to answer to the charge of conspiracy in connection with his escape from jail, according to the decision of United States District Judge Bean today. The primary charge upon which he was arrested was for defrauding the public by the use of the United States mail, was not pressed. His bond was fixed at \$10,000. Further proceeding was intimated by Lyman's counsel.

## BAKER'S HOME RUN WON FOR ATHLETICS

**Philadelphia's Third Baseman Bats Over Right Field Fence Scoring Two Runs in Sixth**

PHILADELPHIA, Oct. 16.—When John Franklin Baker, third baseman, poled a home run over the right field fence, scoring Eddie Collins ahead of him today he put the Philadelphia Athletics on an even footing with the New York Giants for the pennant and the two teams now go to New York for the third game tomorrow. The paid attendance was 26,286.

The big hit came in the sixth with two men out and when the fighting Athletics had touched up Pitcher Marquard of the Giants for only three hits, Baker's smash was the last in the frame for the American leaguers but it was enough and Plank—well he never pitched a better game in his life.

Marquard, who was relied upon by Manager McGraw to annex the second game of the series for New York was not far behind Plank in the matter of exceptionally good pitching though he was palpably nervous during the first inning and it looked as if he might "blow up," but he steadied down after that but was relieved by Crandall in the eighth.

Following is the score:

New York 0 1 0 0 0 0 0 0 1-5-3.  
Philadelphia 1 0 0 0 2 0 0 x 3-0-0.  
Batteries—Marquard, Crandall, Meyers; Plank, Thomas.