OUR STATE DEPARTMENT WILL PLEASE ALL AMERICANS BY MAKING ITS INQUIRY ON ENGLAND'S BLACK LIST VERY DEFINITE

NO Distinguished visitor is big or busy enough to get by Albuquerque's Rotary club.

The Evening Herald

LE Noir, our latest live proposition from Las Vegas, is on the job with his coat off.

TRIBUNE-CITIZEN.
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THE EVENING HERALD
VOL. 7, NO. 95.

DISBARMENT CASE AGAINST MARRON AND WOOD REACHES THIRD OF CHARGES

District Judge Raynolds on Stand Late in This Afternoon's Session on Johnson Case Phase of Hearing.

MOTIONS TO DISMISS ON TWO OF CHARGES DENIED

Tears of Woman Witness in Libel Suit Charge and Sharp Statements by District Clerk Maddison Feature Morning Session.

Sharp comment by one attorney on the actions of another, as testified to by the first, and a woman's tears marked the opening of the disbarment proceedings against Owen N. Marron and Francis E. Wood in the federal building court room this morning. The attorney who did the commentating was Thomas K. D. Maddison, acting clerk of the district court for Bernalillo county, who said he considered certain actions of Mr. Wood which he described, as "very peculiar for any attorney at law."

The woman who cried was Mrs. Agnes Averyt, who broke out with a bitter protest when counsel for the respondents mentioned the name of a woman friend with whom she had gone to the office of Marron & Wood, her attorneys in litigation, figuring in the proceeding in connection with a fee settlement.

Mr. Maddison made his comment when called upon to testify as to the alleged concealment of a contract which figured in what is known as the charges in the Chadwick-Emerson civil action. His testimony tended to show that he thought Mr. Wood had attempted to conceal this contract and when questioned as to whether "that was not a pretty poor place to hide anything" asserted "It was probably the only place he had to dispose of it in the short time he had."

Mrs. Averyt's testimony was devoted to a review of circumstances surrounding a libel suit brought by her against the local morning newspaper. Her testimony was such that when she had completed it the court asked whether the attorney general, who is conducting the case against the attorneys, considered it substantiated the accusations filed. It was while after a brief argument that the court ruled cross examination need go on.

The hearing is being held in the court room in the federal building, Justice E. H. Hanna of the supreme court presiding, while Justice Frank W. Parker and District Judge Colin Neidell of Silver City are sitting with him. Attorney General Frank W. Clancy is conducting the case for disbarment, while Judge E. H. Wright and A. H. Rehearn of Santa Fe are conducting the case for the respondents.

The case attracted much attention from the public, a large number of spectators attending, including many ladies. The seats reserved for members of the bar and the witnesses' benches were filled throughout the session.

The first few minutes of the session were devoted to determining methods of procedure. The attorney general and counsel for the respondents agreed that each phase of the action should be taken up separately and concluded before passing on to the next. Justice Hanna requested that each accusation against the attorneys and their answer thereto should be read before evidence was offered concerning them. The attorneys for both sides agreed on certain technicalities of submitting exhibits in evidence.

The attorney general stated that it was his understanding that the record showed the court had requested members of the committee named to formulate accusations against the respondents to appear in court against them, but Judge Hanna said he understood otherwise. Mr. Clancy then asked that the court make such a request saying the committee members did not wish to be placed in the position of volunteering to prosecute the accusations.

The court declared that this was a matter for Mr. Clancy to decide in his official capacity, and the two members of the committee now in the city, John F. Simms and Judge H. P. Hames, continued to sit at the attorney general's back, though they took no active part in the conduct of proceedings this morning.

Both respondents were present, but took no part in conducting the proceedings.

The attorney general gave notice of application to amend the accusations by incorporating a paragraph or two reviewing the disbarment proceedings against the respondents in the federal court a short time ago, and Judge E. H. Wright of counsel for the respondents, accepted notice saying he would reserve objection, if any, to the application until it actually was offered.

The hearing then settled down to business, with every indication of lasting at least until tomorrow noon.

FOURTH CHARGE—AVERYT LIBEL CASE—TAKEN UP FIRST

Mrs. Agnes S. Averyt, the first witness called for by the attorney general, was not in the court room and a messenger was sent for her. The fourth charge, against the respondents, growing out of litigation in which she was involved, was read by Mr. Clancy while awaiting her arrival. This alleged that the firm obtained the sum of $1,100 out of a compromise settlement of $1,750 obtained in a libel suit against the Morning Journal of this city, on the ground that if she had allowed the case to go to trial they would have received a large fee, under an agreement that they should receive one-half of the proceeds of the case.

A. H. Rehearn, of counsel for the defense, read the answer to this charge made by Mr. Marron. This alleged the settlement was made after Mrs. Averyt had refused practically to appear in court, and had agreed the attorneys might settle the suit as they pleased agreeing to their retention of $1,100 as compensation. The answer recites that the case would have been easy to win and that a judgment at least three times as large as the settlement could have been obtained.

Mrs. Averyt on the Stand.

Mrs. Averyt then was sworn. The usual formal questions were asked by Mr. Clancy. Mrs. Averyt told of the employment of Marron & Wood in Mr. John W. Colbert, after consultation with her parents. She was asked what cause as to facts of the employment of the attorneys, saying that at that time she had been served.

Judge Wright suggested that the facts of employment were admitted in the answer.

Mrs. Averyt told of declining to go into court with the case in April 1912, when Mr. Wood said he would do what could be done toward a settlement. She told of seeing Mr. Marron several days later, when he told her what had been done, what he had received and that she could have had a full settlement by going into court. He asked her what she thought she ought to pay him. Her attorney of an even division. Twice she was declined, it was one of a fee. After some talk, in which she said "it was an unlucky number," they agreed on a payment to her of $450.

Mr. Marron said, she accepting that sum would be a disappointment, but for her. She received the $1,100 she said, her part of Marron's office having less than an hour.

Settlement Letter Produced.

Later she said, she went to see Mr. Wood, who said he "had heard from home, she was dissatisfied with the settlement. He asked her to write a letter expressing satisfaction with the settlement. A further persuasion from outside such a letter, dictated by Mr. Wood, she said. The letter was produced and offered in evidence by its exhibit. There was no objection.

Mr. Marron told her of the settlement only after he had the money, she said.

Judge Wright asked Mr. Clancy for the letter. It was as follows:

July 15, 1912.

Messrs. Marron & Wood,
Coulters-at-Law,
Albuquerque, N. M.

Gentlemen:

With reference to the stories which your Mr. Wood today informs me have been circulated concerning the settlement of the libel suit which you brought for me against The Albuquerque Morning Journal and of which your Mr. Wood tells me that it is being circulated that you made a settlement of the case with the Journal and conceded from me the amount at which you had settled it and told me that you had made a settlement for a much smaller sum which you turned over to me in full I wish to say that the entire story as so circulated is false and without any foundation. That it never has emanated from me in any manner whatsoever, that your firm told me the amount at which you had agreed to settle the case.

(Continued on Page Two.)

SAN FRANCISCO LONGSHOREMEN GIVE UP FIGHT

Four Thousand Return to Work Without Either Higher Wages or Closed Shop Demands; Other Ports Still Tied Up.

[By Evening Herald Leased Wire]

San Francisco, July 20.—Four thousand San Francisco union longshoremen, who struck June 1 for higher wages and a closed shop returned to work today under the old wage scale and without a closed shop agreement, pending future negotiations with their employers.

Longshoremen in Seattle, San Pedro and other Pacific coast ports, respecting San Diego and Portland, who struck at the same time, are still holding out for their original demands. The locals in San Diego and Portland voted to follow the lead taken by the San Francisco workers.

DEUTSCHLAND IN TRIM TO START ON RETURN JOURNEY AT ANY MOMENT

Captain Paul Kroenig Dons Uniform Today for First Time Since His Arrival Eleven Days Ago.

SUBMARINE MAY GO BACK AS A TREASURE SHIP

Financial District of Baltimore Hears That U-boat will Carry $4,000,000 Gold as Part of Her Cargo.

[By Evening Herald Leased Wire]

Baltimore, Md., July 20.—Prepared to leave port at any moment, Captain Paul Koenig, commander of the German merchant submarine Deutschland, put on his uniform today for the first time since he landed here eleven days ago and for several hours this morning aboard the shipping of the Baltimore and Ohio docks he met with Captain Frederick Hanset, commander of the North German Lloyd liner Neckar. When Captain Koenig went back aboard the underseas liner he took with him a dozen pairs of the ships orders. Afterwards word was sent to the customs house.

Captain Koenig said he would not leave his ship again and indicated his early departure but said nothing that would give an idea just when the submersible would leave.

SUBMARINE SAID TO CARRY $4,000,000 IN GOLD

New York, July 20.—The financial community heard report today that $4,000,000 in gold was in the cargo of the German submarine Deutschland. Marine insurance on it was paid in New York, it was reported.

SOURCE OF NICKEL BOUND FOR GERMANY IMPORTANT

Ottawa, Ont., July 20.—The news leak as to what appeared the present which will be sent to a specially built of the submarine Deutschland's cargo on her return to Germany, consist of added thinking here today with the suggestion current that all official statements will be issued within a few days on the whole policy of the British and Canadian governments in respect to the sale of the metal.

Officials discussed the statement of George P. Graham, former minister of railways in the Borden cabinet, that Canada's alleged sale to America was on condition that it shall not reach Germany, nickel can be obtained without difficulty in the open market in the United States. It is claimed the United States purchases Canadian nickel exclusively and that all Canadian nickel exported to the United States has been purchased by the International Nickel company, the purchaser of virtually all of it. No change in policy is here anticipated.

AUSTRALIA'S EMBARGO ON WOOL WILL NOT HURT MANUFACTURERS

[By Evening Herald Leased Wire]

Washington, July 20.—Australia's embargo on wool exports to countries other than the allies will not injure American manufacturers, unless it is extended into September, when the season's principal sales are held, in the opinion of the department of commerce officials. So far the embargo has opposed only to off season sales of recent date, while in the past year the United States has taken 50 per cent of the Islands total wool output.

Hibernians Protest Casement's Execution

[By Evening Herald Leased Wire]

Boston, July 20.—Resolutions protesting against the execution of Sir Roger Casement were adopted at yesterday's session of the national convention of the Ancient Order of Hibernians. The resolutions were ordered sent to Canada to the members of the British cabinet.

Canada Furnishes Over 350,000 Men to Allies

[By Evening Herald Leased Wire]

Ottawa, Ont., July 20.—Total enlistments in Canada up to date are approximately 350,000, according to Sir Robert Borden, leading with 150,000. Quebec has given 18,000 men, the remaining provinces 35,000 and the balance from Manitoba to the coast 150,000.

Augustus Count Guilty.

Mechanical surgeons in the city of Lucio Augusto are found guilty of manslaughter by a jury in the district court today in connection with the shooting of Fred Todd in Morenci Creek, July 4. The case was given to the jury late yesterday.

STATE DEPARTMENT ASKS ENGLAND FOR BLACK LISTS FACTS

[By Evening Herald Leased Wire]

Washington, July 20.—At an formal request has been made to the state department for information concerning the operation of great Britain's "blacklist" with the object of getting at the facts as to American firms and corporations.

Facts also are being sought from the concerns in the United States which have been placed on the so-called blacklist under the act. It was stated officially at the department that the government was preparing to act in behalf of American interests as soon as the first step would be to instruct Ambassador Page to secure further information from the British foreign office.

Chilly Cheers for Sulzer in the Prohibition Meeting Today

Hanly Men Sit in Frozen Silence as About Half the Delegates Cheer Mildly for a Sparse Half Minute.

STEAM ROLLER METHODS START A ROUGH HOUSE

Effort to Put Over Resolutions Without Printing Causes Delegates to Rise Up in Mighty Protest.

[By Evening Herald Leased Wire]

St. Paul, Minn., July 20.—Chilly cheers greeted introduction of William Sulzer at the opening of the Democratic convention's afternoon session and started a mild demonstration that lasted less than a minute. Hanly men remained silent.

No matter what this convention does, it will be authoritatively on record as a prohibition convention. Sulzer and the Dry Democrats made sure of that. It prevented Hanly amendments to the party platform and nominee.

Sulzer emphasized the statement that the religious and civil liberty plank in the proposed platform was treated with arguments which increased the coldness which he had aroused in delegates when he said he was actuated in favor of adopting Hanly's plank rather than the Sulzer plank because "there is no difference in principle between the two, and no argument opposed to the church has therefore been presented."

Henry Rustgard was named to the committee on E. C. A. A. A proposal of the delegation to add Hanly's name was defeated by a vote of 1,000 to 1,000.

The report of the committee on credentials was not ready before. This delay caused a row on the floor of the convention and the Dutch Treat Club of Minneapolis were represented.

STEAM ROLLER SCHEME STARTS A REAL ROW

St. Paul, Minn., July 20.—Effort to effect adoption of the resolutions of the committee on platform were met with protestations and interruptions which finally resulted in the convention refusing to adopt the resolutions and adjourning without adopting any platform. The convention was thrown into a state of confusion when the chairman, Senator Ollie Kiel, of Boston, who handed the chair to expedite consideration of the platform, with-drew his ruling. The convention then recessed until 8 p. m.

For ten minutes the convention was in an uproar, delegates standing on chairs and shouting while Chairman Parker was unable to restore order.

The delegates evidently desired to have delivered speeches on the various planks of the proposed platform before taking up the question of adoption. Former Governor Dix of New York, in arriving here said he did not come to St. Paul to make the presidential nomination but to make a speech in favor of his friends in the convention to come and speak "for the good of the cause."

The proposed platform has left out the planks declaring for nationwide prohibition and woman suffrage. There were four planks for preparedness and per-sonal rights, three for woman suffrage and a dozen for prohibition of intoxicants were introduced.

Taking up the prohibition plank, the platform committee had rejected the Republican plank which declared for a constitutional amendment, but a minority report favoring the Sulzer plank was submitted and the Republican plank was finally adopted by a unanimous vote, a cross section.

ANTI-CATHOLIC RESOLUTION STARTS OTHER DEBATE

St. Paul, Minn., July 20.—An effort to select an anti-Catholic plank in the Democratic platform opened the afternoon session of the convention here in an uproar and ended in a fiasco late today.

When the committee on resolutions reported a plank declaring against the Republican plan of appointing an ambassador to the Vatican, Representative Hull, of Iowa, offered an amendment to the plank to add a declaration against the Democratic plan of appointing a minister to the Vatican. Hull's amendment was defeated by a vote of 1,000 to 1,000.

The report of the committee on credentials was not ready before the convention today. This caused a row on the floor of the convention and the Dutch Treat Club of Minneapolis and the Democrats of Minnesota were represented.

RUSSIANS DEVELOP GREAT BATTLE AT JABLONITZA ON THE CARPATHIAN FRONT

Petrograd Advices Indicate Something in Nature of Decisive Battle Impends in the Eastern War Theater.

ALLIES MAKE FURTHER GAINS IN THE WEST

Captured Diary Gives Alleged Detailed Account of Wiping Out of Whole German Battalions in Recent Attacks.

[By Evening Herald Leased Wire]

The French have resumed their driving offensive along the Somme in northern France. According to this afternoon's Paris bulletin, the German first line trenches from Barleux to Soyecourt, south of the Somme, a distance of five miles, fell into French hands.

North of the river the French attack pushed east from Hardecourt and entered trenches along the Combles-Clery railway. The operations here are close to the right bank of the British advance. Combles being little more than three miles southeast of Longueval. Hard fighting continues on the Austro-Italian front. Vienna reports artillery engagements at various points, increased activity extending even to the Isonzo front.

In last night's fighting in the Verdun region Paris reports progress west of the Thiaumont works north of the citadel, and the capture of a strongly fortified German post south of Fleury.

Today's official statements from London show that the British are continuing their attempts to regain the ground lost in the recent strong German counter attack in the Somme region. Progress in the Delville wood and in Longueval is reported and the British lines also have been moved forward north of the Longueval-Bazentin line.

Unofficial reports from Petrograd tell of the development of a great battle on the Carpathians at Jablonitza, where Muscovites are resisting the Russian advance into Hungary.

London, July 20.—A wireless dispatch from Rome says it is reported from Petrograd that a great battle is developing at Jablonitza (no reports of which have been sent in regular fashion to the Entente capitals). The battle is said to be in progress in the Carpathians. The Austrians are said to be bringing up reinforcements. The Austrians are said to be bringing up reinforcements. The Russian offensive has been in progress between Kolki and Chartorysk, north and the Dniester region.

Jablonitza is in the Carpathian range of Hungarian Silesia, the Austrian province of Austria-Hungary, and is about 100 miles southeast of Cracow.

CAPTURED DIARY SHOWS HEAVY GERMAN LOSSES

London, July 20.—Heavy losses are continuing on the Somme front. The way officers encouraged troops from the British lines around in Delville wood and Longueval. North of the Longueval-Bazentin position the British pushed forward their line.

The statement follows:

"At 11:45 o'clock in the afternoon a position south and Longueval we regained a little more of it. The struggle in those parts continues.

"North of our Longueval-Bazentin position we this morning pushed forward our line, capturing some prisoners and a gun.

"One of the Saxon officers we made a valuable capture that night.

"There were in the enemy's trenches there two officers and 150 men. The rest report they are unfortunate in the encounter.

"A German prisoner stated that a German officer, commanding officer, stated that a few days ago a company of Saxons, which was ordered to Montauban, suffered so heavily that it lost a hundred prisoners of a hundred men.

Another prisoner stated that the battalion to which he belonged had lost 250 men. P. 1 100 men, and that each company had lost half their effectives.

"Yesterday a young officer of a Saxon company was sentenced to death by a court martial for having ordered his company to retire from a position which Englishmen had taken. Another Saxon officer was degraded.

BERLIN CLAIMS ASSERTS GERMANS HOLD THEIR OWN

Berlin, July 20.—The German forces in the Somme region have held their own against the British attacks, the war office announced today. The statement follows:

"Near the Somme German Bavarian troops, with dash and determination, drove back the British from Bazentin-le-Petit. The British left behind great masses of dead.

"In the Somme region the British attacks were repulsed with heavy losses. Our counter attacks.

TREVINO DECLARES NO CHANCE NOW FOR ESCAPE OF THE PHANTOM BANDIT

Asserts Government Troops Have Villa and Band of 800 Surrounded at Amador, Just South of Durango Line.

4,000 SOLDIERS UNDER RAMOS JOIN IN CHASE

Washington Announces that Settlement of Differences With Mexico Through Joint Commission Will Begin Very Soon.

[By Evening Herald Leased Wire]

Chihuahua, July 20.—Villa and his men lead was in the vicinity of Amador, about thirty miles south of the Durango line, yesterday, according to reports received from General Marion Trevino at General Jacinto Trevino's headquarters here today. The dispatch, which was relayed from headquarters of General Ramos, later at Tejamanil, by General Lascaine, was vague because of the difficulty of telegraphic communication.

General Trevino announced, however, that the government troops and have the band surrounded and that Villa's capture seems probable. Reports from the garrison at Guanacevi indicated that should the bandits attempt to push on south the garrison at that point is prepared to reinforce General Ramos, who commands a force of about 4,000 men, largely cavalry.

Announcement also was made at the commander's in today that General Luis Caballero, civil governor of the state of Tamaulipas and more recently appointed at Mexico City, has arrived at Tampico to assume command of the Fifth division of the army of the northeast, relieving General Naranjo, ordered to the capital.

CAPTURE OF VILLA IN FEW HOURS

Chihuahua, Tex., July 20.—The capture of Francisco Villa by cavalry of the Pershing punitive expedition is momentarily expected, according to a radio message received today by Juan A. Mascareñas, consul here. This message, sent yesterday, says Villa was surrounded by Carranza troops. The messenger is said to have had seen Villa. Villa was located and a force was sent to capture him. The message reported that Villa was in poor condition and had a wound.

The name of the small town where Villa is said to be located is not given in the dispatch to Consul Mascareñas. It is understood to be in the state of Durango, and far from Chihuahua City.

CHIHUAHUA MERCHANTS FORCED TO CLOSE DOORS

Chihuahua, Mexico, July 20.—Practically all of the merchants here closed their doors today, asserting they could not longer continue to do business at a profit at the silver exchange rate fixed by the authorities of the de facto government for the 5 peso of Carranza currency.

Thousands "Vecinos" (local merchants in Chihuahua) immediately called a mass meeting at which the merchants received new guarantees and a committee was appointed to place their proposal before the national finance commission in Mexico City.

Printing a decree from the commission, however, the shops were not open when the meeting ended.

COMMISSION ANNOUNCEMENT EXPECTED IN NEAR FUTURE

Washington, July 20.—Announcement that the settlement of the differences between the United States and Mexico will be made through a joint commission is looked for in the near future. Only that agency, it is thought, Wilson and Carranza agreed, it was said today.

Plenary powers conferred upon a joint commission, it is agreed, on both sides, are of the chief points of the proposed preliminary negotiations between Secretary of State Lansing and Ambassador Arredondo, Mexican commissioner designate.

Daniel P. Davidson, American mining engineer, is to Mexico with an invitation to Mexico soon arrive, it is the situation continues to be, it was understood today.

BODY OF PRIVATE HAAG RECOVERED AT BOQUILLAS

Marathon, Tex., July 20.—Company F, Pennsylvania infantry, has been today ordered more troops to reinforce the border patrol at Quemado, twenty miles south. Word received by Troop Regular today said that the body of Private Thomas Haag, a company of the Tenth Pennsylvania, who was drowned in the Rio Grande, has been recovered and buried there.

THOUSAND BOXES OF DYNAMITE FOR CANANEA

Douglas, Ariz., July 20.—Permission has been obtained from Washington, it was announced here today, to ship

LAFOLLETTE MAKES AND RETRACTS UGLY CHARGE IN SENATE

Senator Declares Munitions Manufacturers Have Representatives in Membership of Both Bodies, but Backs Up.

[By Evening Herald Leased Wire]

Washington, July 20.—The Senate today was called to order by Vice President Marshall. Senator La Follette, who yesterday charged that munitions manufacturers had representatives in both houses of congress, was absent.

Discussion of the Hamlin case was resumed by Senator Lodge, who read a telegram from Governor Dunn of Oregon, stating that Senator Lane had not been in Oregon since the last session of congress.

Senator Lodge said he had been informed that Senator Lane was in Oregon last week and had left for Washington yesterday morning.

Senator Lane said he had left Oregon last Friday and had been in Washington since Monday morning