

# ARIZONA SENTINEL

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ARIZONA SENTINEL FOUNDED 1870

## Judge Baxter Overrules a Motion to Set Aside Indictment

When the Board is fully satisfied that any one who may be able to claim an exemption under the statute, will claim it if summoned, they have a perfect right to leave that party off the list.

There has been considerable in the record, from argument of counsel for the defense and by questions which have asked witnesses which would indicate that the Board and the County Attorney were certainly guilty of grave offense, but the evidence before the Court doesn't show it.

"It will be the duty of the Board of Supervisors to revise the list at once, so that the condition at present before the Court will not occur in November."

qualified and liable to serve, that have not been put on the list, but there is nothing to show, in the evidence, that there was fraud on their part or collusion on the part of the County Attorney in such selection. It will be the duty of the Board of Supervisors to revise that list at once, so that the condition at present before the Court will not occur in November.

I am not prepared to state that the 384 men selected by the Board of Supervisors are all personal friends of the Board and the County Attorney, and will find convictions for the county attorney in all cases that are brought up in Court or that will protect the Board of Supervisors in any crime that they or either one of them may commit. The motion to set aside the indictments in case No. 514 and in case No. 515, is overruled.

Done in open Court this 24th day of June, 1914.

FRANK BAXTER,  
Judge.

### SOME TRICKS OF THE PATENT OFFICE

Yuma citizens who have been following the proceedings in the Superior Court for the past several days will be greatly interested in the opinion handed down by Judge Frank Baxter this morning. Following is the opinion:

IN THE SUPERIOR COURT OF YUMA COUNTY, STATE OF ARIZONA

The State of Arizona, vs. Onofre Daniel, defendant—Opinion of court, overruling motion to set aside indictment.

In cases No. 514 and 515, the State against Onofre Daniel and A. Flores, the motion to set aside the indictments is based on the failure of the Board of Supervisors to place upon the list of jurors from which grand and petit jurors shall be selected for the year 1914, all of the qualified male citizens of the county who are liable for that service.

The County Attorney objected to the motion on the ground that it did not comply with the statute. This was resisted by the defense, and in the argument pro and con it was suggested to the Court that they would be able to show fraud and corruption on the part of the Board of Supervisors in the selection of such list, and collusion on the part of the County Attorney in the matter. Evidence was then attempted to be introduced by the defense, when the County Attorney again objected, on the ground that fraud was not shown in the pleadings.

It is a well known rule of law that unless the pleader alleges fraud, evidence cannot be introduced to prove it, but when the suggestion was made to the Court as it was in this case of fraud and collusion, it was the duty of the Court to hear the matter and the objection of the County Attorney was again overruled.

If I thought that the Board of Supervisors and the County Attorney were guilty of fraud, corruption and collusion that has been charged by the defense, I would certainly set aside the board's action of Jan. 12, 1914, when they selected the jurors, discharge the jury now in session and appoint one of counsel for the defense as the prosecutor and issue a special venire for a grand jury, and charge them to investigate. But the evidence is not sufficient to justify the Court in setting aside these indictments.

There has been considerable in the record, from argument of counsel for the defense and by suggestions which they have asked witnesses which would indicate that the Board and the County Attorney were certainly guilty of grave offense, but the evidence before the Court does not show it.

It is the opinion of the Court that our statute is broad enough to give the Board of Supervisors the discretion in the matter of selecting the jury list. Courts have construed the word "liable" to mean "compelled" or "obliged," and when the Board is fully satisfied that anyone who may be able to claim an exemption under the statute, will claim it if summoned, they have a perfect right to leave that party off the list.

The Board of Supervisors no doubt made errors and made mistakes in the selection of jurors. The evidence before the Court shows that there are citizens of the County, who are both

Applications for patent medicines are received in Washington at the rate of about 7,000 a year, and according to a recent statement of the Commissioner there were 119,930 applications pending in his office, so it will be seen that the work is from eighteen to twenty months behind. There are over 4,000 cases between five and ten years old, and sixty-nine cases have been in the office for as long as fifteen years, and 780 more than eight years old. The delay in old cases is charged by the commissioner to the practice of many attorneys whose object is to obtain additional fees. Which is simply one of the tricks of the trade—there are more tricks in this line of business than anything else connected with any practice of government departments.

It has long been established that most patents are worthless and the reason is due to the fact that any kind of a trivial patent on any portion of an invention, which will secure for many of the attorneys their fees, is all the average attorney desires.

Receipts of the patent office for the first five months of the present year were \$968,376. Most of this money is spent by poor deluded inventors whose so-called patents are valueless.

**FIREWORKS NOTICE**

Notice is hereby given that ordinance No. 22, prohibiting the firing of explosives within the corporate limits of the town of Yuma and the shooting of firecrackers or fireworks of any kind, except by special permit, during the coming Independence Day celebration, will be strictly enforced.

HENRY LEVY,  
City Marshal.

### CARRANZA YIELDED TO VILLA BY CHANGES

EL PASO, Tex., June 24.—The removal of General Trevino, as Carranza's chief of staff, and of Ysidro Fabela, as acting minister of foreign relations in the Constitutional provisional cabinet, is taken by revolutionists today as a victory for the Villa faction.

Both men opposed Villa's plans for a campaign on Mexico City. The prospective appointment of Eduardo Hays as chief of staff is agreeable to both factions. Luis Cabrera, now in Washington, will probably succeed Fabela.

### A BELGIAN VESSEL GOES ON THE ROCKS

LANDS END, June 24.—The Belgian steamer Gethland, en route from Montreal to Rotterdam, went on the rocks of Sicilly Islands.

### LIBERAL PARTY MAN ON WAY TO CAPITAL

NEW YORK, June 24.—Coming direct from a visit with Carranza, Fernando Iglesias Calderon is enroute to Washington to confer with President Wilson and Secretary Bryan but not as the representative of Carranza, but as the leader of the liberal party of Mexico.

### THE LUMBER TRUST DECLARED ILLEGAL

WASHINGTON, June 24.—The supreme court affirmed the decree of the New York federal court holding that organizations of eastern states retail lumber dealers had violated the Sherman anti-trust law by circulating among their members blacklists of wholesale dealers who sold lumber to big consumers.

Charges of blacklisting and unfair competitive methods figured largely in the so-called lumber trust suit which the government brought against ten retail dealers' associations and 137 of their officers.

### MEETING OF MEXICANS WANTED BY MEDIATORS

NIAGARA FALLS, June 24.—The mediators and the American and Huerta delegates occupied today arranging for an informal conference between the Huerta commissioners and representatives of the revolutionists. On them will rest the hopes of peace in Mexico, for they will have to choose a man to take over the government pending an election.

### POOR NO LONGER A MAT FOR THE RICH

PHILADELPHIA, Pa., June 24.—"It is insane not to recognize organizations of labor," declared John Wanamaker testifying before the federal board of industrial relations. He also asserted that Rockefeller made a mistake when he placed the president in the position of being compelled to send troops to Colorado.

Wanamaker declared himself for an eight-hour day or less. He said he believed that the government should own public utilities as a means of reducing industrial strife.

"Men and women are in a rising market," he said, "and are no longer a mat for the rich to wipe their feet on."

### RAILROADS MUST PAY BIG SUMS TO SHIPPERS

WASHINGTON, D. C., June 24.—The decision supporting the Interstate Commerce Commission in the intermountain rate case opens the way for shippers to recover sums estimated at \$10,000,000. The commission will decide the amount of reparation.

### FEDERALS TO LEAVE BIG WEST COAST PORT

EL PASO, June 24.—The federal garrison is preparing to evacuate Guaymas, according to an official telegram received by Ygnacio Bontillas.

LENOX, Mass., June 24.—Mrs. Geo. Westinghouse, widow of the inventor, died Tuesday. She was stricken with paralysis Friday.

### BRAVE AMERICAN WOMAN DEFY'S HUERTA SPYS TO HONOR MADERO

(y William G. Shepard.)

Mrs. Mary Reyes is back again under the American flag, after having given a certain Mexican named Huerta the sassing of his life. With her she brings four pretty daughters, about whom the young lieutenants of the army and navy are flocking like birds. But to get headlong into the story:

Mrs. Reyes went to Mexico 25 years ago and is the American widow of a Mexican who was once wealthy. Her four daughters have delightful little hips, calculated to drive a white-suited young navy man half mad. The girls learned stenography, after the family fortunes waned and in good American style they jumped in after their father's death, and made for themselves and their mother a home that was one of the brightest and most interesting in Mexico City. When President Madero was assassinated Mrs. Reyes agreed with President Wilson that Huerta, the assassin, ought not to be recognized. It was an easy matter for President Wilson not to recognize Huerta, but for Mrs. Reyes it was an affair of great difficulty, owing to the fact that the Reyes and Huerta families were in the same social set in the capital. Mrs. Reyes began to speak her mind wherever she went. The Carranzaists, who were working secretly in the city, at the risk of their lives, sought her out and told her to be careful.

"I'm going to talk and think as I please," said Mrs. Reyes, in American style. The Carranzaists in the capital began to depend more and more on the American woman and her daughters for aid in accomplishing secret and difficult tasks. For instance, it's Mrs. Reyes' own secret how she did it, but it is known that fourteen deputies who had been marked for death by Huerta were spirited away from her home, at various times, to safety. And every time a deputy went to safety the wardrobe of one of the girls was minus a gown or street dress. If you could just get the Reyes family to tell the details of some of these things you'd have a play or a book that would thrill the world. Maybe they'll tell, sometime, they say but—the Carranzaists aren't in power yet. The crisis for the Reyes family came on Feb. 22, not because that is Washington's birthday, but because it's the anniversary of the assassination of Francisco Madero, who was almost an idol with the Reyes girls and their mother. On that Sunday afternoon Mrs. Reyes, taking her liberty and it might have been her life into her hands, went to the French cemetery, where Madero lies buried and, carrying a great bouquet of roses, she stalked her way thru the lines of Mexican soldiers and rurales to the door of the Madero family tomb and placed the roses there. Carmen, her daughter, who was standing beside her, suddenly felt the touch of a hand on her shoulder. The girl turned and found herself facing George Huerta, the son of Madero's assassin.

"What are you doing here?" he asked insolently. He's a loafing young blood of the capital and perhaps some of his father's cognac made him particularly overbearing in his demeanor. "Are you a relative of the Maderos?" he continued. "What are you crying around here for?" I was in the cemetery myself that Sunday, and I know what a sinister crowd of soldiers and secret service men it was that surrounded Madero's grave. It would have taken a brave man to stand at that graveside and speak his mind, and he probably would have paid for his words with his life. "We're here to mourn for the good man your father murdered."

The words came like so many shots; spoken right into the face of the assassin's son; delivered in the presence of grim soldiers; heard by scores of bystanders who were secretly mourning; thrilling me, as they did every other bystander, until it hurt us not to be able to cheer. Mrs. Reyes told George Huerta some more things, too; she told him that he was as bad a

### GERMAN STEAMERS COLLIDE AT SEA

HAMBURG, June 24.—The North German-Lloyd steamer Koenigen Louise collided with the steamer Cebar. Both were damaged but the passengers were safely landed.

### CAPTAIN'S SERVANT IS RETURNED TO SHIP

MEXICO CITY, June 24.—Gregoria Alcaraz, the Filipino servant of Capt. Rush of the battleship Florida, captured by Mexicans, was returned to Vera Cruz.

### UPHOLDS WORKMEN'S COMPENSATION ACT

DES MOINES, June 23.—Judge J. Smith McPherson, in the United States court, upheld the constitutionality of the Iowa workmen's compensation act.

### WILSON FAVORS THE DISPOSING OF SHIPS

WASHINGTON, D. C., June 23.—President Wilson told caller today that he supported a proposition to sell the battleships Mississippi and Idaho to Greece. He said that he was assured by the Grecian minister that the battleship would not be used in any immediate war.

### LOST AVIATOR AND BRIDE WERE FOUND

TOLEDO, O., June 23.—Aviator Atwood and his bride, believed to have been lost in a storm while sailing over Lake Erie, are safe twelve miles from here. They were beaten down by a storm but the airboat safely navigated the lake.

### WILSON FIGHTS TO CONFIRM THE RESERVE

WASHINGTON, D. C., June 23.—President Wilson said that he expected a fight on the confirmation of the members of the reserve board by the senate, but made it plain that he will stand behind his appointees.

The senate banking committee began searching the records of the men, principally that of Thomas Jones of Chicago.

The president wrote the committee that Jones came into possession of one share of the Harvester Trust stock in order to qualify him as a director of the trust so that he could fight conditions on which the government anti-trust prosecutions are based.

### CARRANZA SCRIP IS REFUSED AT TAMPICO

WASHINGTON, D. C., June 23.—Local authorities at Tampico refused the payment of taxes in Constitutional currency. The consul reports that payments hereafter must be in gold.

### WILSON IGNORES THE PROTEST OF TURKEY

WASHINGTON, D. C., June 24.—Secretary Daniels said when the cabinet assembled the protest of Turkey against the sale of the battleships Mississippi and Idaho to Greece had not altered the views of the administration in favor of the sale.

### NEW WARRANT IS ISSUED FOR L. SHORT

PHOENIX, June 24.—As the outcome of the killing of Eduardo Soto Jr., aged 24 years, last month, for which he was exonerated by the coroner's jury on the ground of self-defense, Luke Short, mounted customs inspector, will be placed under arrest again as soon as he is well enough. The warrant was issued here at the behest of W. G. Gilmore, county attorney, and is now said to be in the hands of the sheriff's office for service.

### SCOTCH VERDICT IS RENDERED IN BIG CASE

WASHINGTON, D. C., June 24.—"The sub-committee regrets its inability to either recommend a complete acquittal of Judge Speer or his impeachment."

This is the conclusion submitted to the judiciary committee by a sub-committee which for months has been investigating charges against Judge Emory Speer of the federal court of Georgia. The report severely condemns Speer's actions as tending to a "condition of tyranny and oppression."

A minority report attacked the committee for criticizing Judge Speer and declared him not guilty.

TOMBSTONE, Ariz., June 24.—The Tombstone Consolidated Mines company's property at Tombstone was sold today by A. L. Grow, trustee in bankruptcy to Walter Douglas for \$500,000. National Bunting, Flags, Garlands, Festoons, Fans and Ribbon for the Fourth of July at Sangunetti's. 86-87