

DAILY PROCEEDINGS IN FAMOUS DEPORTATION CASES IN COCHISE SUPERIOR COURT

(Continued from Page 2) Rex Rice of Douglas was excused since he knew of the alleged act and had formed his opinion. J. B. Hand, a cattleman of Turner also followed Rice, having his opinion which could not be changed. R. M. Bradley, resident of Bisbee for 14 years, works for the Denn company was excused. Floyd Smith, an engineer of the E. P. & S. W. was in Bisbee the day of the deportation; saw the proceedings and having been, as he expressed it, "put into line" decidedly had his opinion, and was excused. F. N. Sherman, working in the Copper Queen Smelter at Douglas was challenged and excused. Fred Strache, lived in Bisbee 22 years, saw the alleged deportation in the early morning, a miner not working in the district at present, but has a fixed opinion, was excused. Frank DeMoy, a carpenter living in Bisbee for the past two years, not there in July 1917, had read and heard so much about the deportation "that he was sick of it" and had formed an opinion, which excused him. C. S. Griffith a government contractor at Naco, read of the deportation while living in Kingman, and having expressed his opinion, was challenged by the state, later examined by the defense and passed but the challenge allowed by the court and the juror excused. B. K. Riggs, a cattleman at the foothills of the Chiricahuas had read and heard of the deportations, but but had no fixed opinion, and was passed by both sides. He is a brother of Wm. Riggs, who also passed yesterday. Jas. R. Powers, of Douglas, who had gained an opinion from what he heard was challenged and excused. Floyd B. Anspach, working for the C. Q. Smelter at Douglas, excused. Clyde McDaniels, storekeeper at Courtland had heard of the deportation and had a fixed opinion and was excused. M. J. Kiernan of Buena was next and was excused on the same ground. Geo. Amberson of South Bisbee in the employ of the C. Q. at Bisbee and having a fixed opinion was excused. Albert Shultz, bookkeeper for the Phelps Dodge at Bisbee, excused for the same reason. Mark H. Sperry, manager of the hardware department of the Phelps Dodge, excused. W. H. Marrs, cattleman of Tombstone, had heard and read of it and had a fixed opinion and was excused. J. B. Kimbrough, miner for the C. & A. was excused. Here the panel which reported Monday morning was exhausted and the new panel having reported this morning, the jurors were sworn in and the examination resumed with Harold Coombs of Warren, who had a fixed opinion and was excused. E. W. Raines, miner for the C. & A. excused. Dennis Driscoll, of Forest Station, who saw the men go by on box cars had an opinion and was excused. H. C. Tuttle, of the P. D. Store at Bisbee, excused. Ben Wharton, colored, of Wilcox, read it in the papers and had an opinion and was excused. J. L. Heath of Lowell, worked for the C. & A. had opinion and was excused, being the last man heard when the court adjourned until 2 o'clock, when the examination will be resumed. Following convening of court at 2 o'clock, the following jurors were called up and dismissed: Thos. Barton, retired cattleman of Douglas for having "absolute unwavering" opinion; Jerry Jones, cattleman of Eldorado for having opinion which cannot be changed; J. C. Wertz, clerk in the Bank of Bisbee of which M. J. Brophy is officer and one of the defendants; H. C. Colvin, cattleman of Benson for having own opinion; Chas. Watson, employee of the C. & A. at Bisbee; O. F. Dodds of Lowell, grocery clerk, knew about the alleged deportation and has his own opinion; Mark Brulish, works for the C. & A. Following are the jurors who were

located by the sheriff, of the panel drawn last evening, and who reported in court this morning ready for duty: O. F. Dodds, G. W. Anderson, J. S. Bishop, J. B. Scott, Raymond Nichols, of Lowell; Marko Bulach of Warren; Thos. Saunderson, J. H. McPherson, Dominic Cima, H. F. Clancey, of Tombstone; Barnes Tustin, Thos. B. Tretheway, John Detloff, John V. Mitchell, John M. Smith, of Bisbee; S. B. Moss of Benson. THOSE QUALIFIED E. E. Lee, of Paradise; A. M. Millon, contractor; J. H. Calhoun, Douglas, Andrew Mortenson, a farmer, Whitewater; Amos Gretton, Douglas, who said he was a "man who could fix most anything;" Frank J. Brown, a bank janitor of Wilcox; William M. Riggs, cattleman, Eldorado; George R. Dillman, rancher, Whitewater; C. W. Bush, cattleman, Portal; J. Curtis, cattleman, Bowie; R. K. Lewis, cattleman, McNeal; B. K. Riggs, cattleman, Eldorado. At the ratio which the jurors are qualifying to sit on the panel it has been estimated that not over 15 jury panels can be secured out of the available 7500 jurors in the county, while it is expected that it will take at least a week to secure a jury in the Wooten case, and the opinion of those who are in close touch with the proceedings, is that it will take from three to four weeks to try the case. Friday being a legal holiday, Judge Pattee will not hold court, while Saturday has also been set aside for hearing of other matters before Judge Lockwood. It is also expected that there will be no court Monday since Judge Pattee is scheduled to sit in a case in Yuma, which means that the cases will not be resumed before Tuesday morning, following tomorrow's session. AFTERNOON SESSION Outside of one of the jurymen who had disqualified at yesterday's session, being thrown out of the panel, the afternoon session of court was not productive of results, since out of seven talesmen who reported this morning, not one qualified. Following the panel of possible jurymen having been exhausted Attorney F. E. Curley for the defense announced that he wished to recall Frank Berg, a cattleman of Light who had previously qualified. Mr. Curley charged the jurymen with having made a statement that "it was a shame the way the good men had been deported from Bisbee, breaking up their families." The juror replied that he might have said it but did not remember about it. Thos. Egan, one of the defendants was then put on the stand and testified to having heard Berg make the statement while sitting in the courtroom Monday morning. The court sustained Mr. Curley's challenge and Berg was dismissed from duty. Judge Pattee in a brief statement then admonished the jury now in the box that under no circumstances must they talk of the case, nor allow themselves to be addressed, in which the court pointed out that it was the intention of all concerned that only jurors of absolute fairness be allowed to sit on the trial. The court impressed strongly this fact before dismissing court until tomorrow morning at 10 o'clock, when more jurors drawn yesterday will report for duty. THURSDAY The following jurors were examined this morning and disqualified. John Detloff, Bisbee, father of A. Detloff, who is one of the defendants; G. W. Anderson, Lowell, miner for the Denn & Arizona Co.; T. B. Scott,

(Colored) Lowell, janitor in the P. D. Store; Barnes Tustin, Bisbee, miner for the C. Q.; J. F. Bishop, Lowell, hoisting engineer for the C. & A.; Dominic Cima, Tombstone leasing from the Phelps Dodge; Thos. Saunderson, Tombstone for the same reason; Frank Valenzuela, Courtland, on account of not having thorough understanding of English language; H. G. Crawford, mechanic Bisbee, for having fixed opinion; John R. Mitchell, Warren, miner for the C. Q.; Thos. B. Tetheway, passed by the state after he had been questioned at length, and challenged by the defense which proved he had an opinion; Raymond Nichols, machine driver, Warren, had a fixed opinion; C. J. Kimbrough, rancher in the Sulphur Springs Valley, expressed an opinion; J. W. Smith, lumber man of Bisbee, having opinion; Joe M. Wo, merchant, excused for lack of knowledge of English language. Wo is a citizen born in Cochise county and as far as known is the first Chinaman to ever be empanelled on a jury; Geo. W. Stain, chemist for Cole & Co. at Douglas, had opinion. Here the panel was exhausted and following a conference of the court and attorneys it was decided to call the panel of 500 to report Tuesday, the drawing to be held this afternoon and the jury after being admonished by the court, was excused to report at 1 o'clock for further instructions. Following is the jury which reported this morning: Daniel Travis, Al Goldthrop, Walter Epley, Geo. Hoel, Geo. Strain, Joe D. Andrews, J. W. Bullard, Tom Strange and T. O. Woodham of Douglas; P. H. Hannigan, of Pirtleville, T. W. Smith, Jas. Lockett and H. E. Osborn of Bisbee; Joe M. Wo and C. J. Kimbrough, of Benson; Grant Morris and F. C. Goodman, of Lowell; F. M. Rhyme, of Pearce. The afternoon session, which started at 1 o'clock was productive of one more juror, which increased the panel to 12 out of the required 29 from which the twelve men will be drawn to sit on the case. Jim Wolfe, cattleman, of Lewis Springs was excused on account of being over the age limit. Wolfe is the man whom Alfred Henry Lewis used as the center figure in the famous "Wolfville Tales," and the newspaper writers here to cover the trials chuckled with glee at the possibility of a big story, when they were tipped off. Grant Morris was challenged for having a fixed opinion. F. M. Ryan, of Pearce was the next man, and he was passed as a juror after he had been quizzed by both sides and had proved himself to be the most ignorant man with regard to the deportations that has been yet call as a juror. The following jurors were also excused in their order: Geo. Horn of Douglas, iron worker for the C. Q. Walter Epley, working at the C. Q. Smelter at Douglas. After they had been examined and there were no more jurors on the panel to be called the following men were excused by consent of counsel being in the employ of either of the companies who are indicted: H. H. Carlyle, H. E. Klingensmith, Chas. Kleswetter, H. E. Osborne, Albert Goldthorp, J. W. Bullard, F. O. Woodhouse, Tom Strange, Jas. Lockett, J. D. Andrews, F. C. Goodman. The court then announced that the panel being exhausted the jury would be excused until 2 o'clock Tuesday afternoon when the new panel of 500 would report, and ordered the drawing of the new panel to proceed. This afternoon County Attorney R. N. French, following the recessing of court issued the following statement, which is taken to mean that probably all defendants not under indictment under the blanket warrant will be dismissed, although Mr. French did not state positively the reason for such dismissal: "Following the trial of the Wooten case, which is not in the blanket warrant and as there are approximately 171 parties indicted in the blanket warrant, and the fact that we have been at ready a week getting only

twelve jurors out of a panel of 200, making it necessary for the court to draw 500 jurors in this case, it is more than likely that the other cases under separate indictment may be dismissed, but everyone arrested under the blanket warrant will be tried, provided that enough jurors can be secured in the county to try the cases." Should the county attorney follow out his announced plan of dismissing all under the separate indictments and proceed with the blanket warrants it means that cases against the following defendants will be dismissed: Harry Walters; Phil Tovrea, Fred Sandner, James Boyd, Arthur Houle, Bassett Watkins, Henry Benton, Sam Frankenberg, Cass Benton, William White, Henry Anderson, J. P. Hodgson, Bert Polley, Allie Howe, Frank Salmon, George Scott, Jess Toland, N. C. Navarette, Oscar Wager, B. C. Williams, Biddy Doyle, Ned White, Joe Colford, Henry Bohmfalk, William Toland, John Angus, J. P. Henderson, John Rainey, Gerald Sherman, L. C. Jackson, M. Cunningham, James Glasson, George Medigovich, J. R. McAleer, Joe Hambrick, John Hambrick, James Manson, Oscar Gilman, W. P. Sims, Alec Nichols, Durrell Slaughter, Al Cromer, N. C. Bledsoe (who is also named in the blanket information) John Southerland, Ernest Hughes, John Scott, Chris Marshall and George Gilman. Another one of the most important developments in the deportation trials in the Superior Court this morning was the agreement of counsel for both sides with the court to draw 500 jurymen to report on Tuesday the 10th at 2 p. m., even though the statutes provide that not over 200 jurymen can be drawn at one time. It was pointed out, however, that there was nothing to prevent the agreement of the counsel and the court to increase that number, should the occasion arise that would warrant it, and Judge Pattee entered the order, the drawing to take place this afternoon. The examination of jurors who reported on the panel was resumed when court convened at 10 o'clock this morning and out of 18 not one juror qualified. Another important phase of the case, also was when B. K. Riggs, a cattleman of Eldorado, who qualified yesterday asked the court to allow him to make himself clear on one point, which he did not understand yesterday. Mr. Riggs asked the county attorney whether on examination yesterday when he asked the question as to whether he (the juror) was in favor of labor organizations, whether that included the I. W. W. or their sympathizers, or whether this would enter into the trials of the case. The juror added that if this was the case he would feel prejudiced and not be qualified to sit on the case. Mr. French replied that as far as he was concerned that, as he had previously stated there would be no I. W. W. issue arise in the case, no I. W. W. witnesses appear against any defendant, nor would any defendant be prosecuted for deporting an I. W. W. from the district on July 12, 1917. After further questioning the county attorney challenged the juror, which was denied by Judge Pattee, stating that if there was nothing in the case which would relate to the I. W. W. or their sympathizers, he knew no reason why the juror should not serve. The court commended the juror for making his views known, which he believed was the duty of all jurors. Wm. Riggs, brother of B. K. Riggs, also in a brief statement to the court stated that his views coincided exactly with his brother along the line of the I. W. W. Ride the Rockhill Stage to Bisbee. Fare \$2.00. Adv.11

SPECIAL SESSION SET FOR FEB. 12; CALL OUT TODAY PHOENIX, Ariz., February 3.—Governor Thomas E. Campbell will issue his call today for the long expected special session of the legislature to convene on Lincoln's birthday, February 12, according to announcement by the governor late last night. The call will be limited to a vote on the proposed ratification of the Susan B. Anthony amendment. Dozens of proposed measures for the special session have been submitted for his consideration during last month or two and interest in the session program has been the paramount topic in the state. It was known that the governor desired to limit the program to consideration of the suffrage amendment, but the pressure for other measures came from every part of the state and with such force that even some of the governor's staunchest friends feared that he would have to weaken in his determination to save the money of the taxpayers in accordance with his own ideas. The Arizona Good Roads association brought particularly strong influence to bear upon the governor, especially as the association maintained that the taxpayers would save enough money on road building expenses to more than offset the expense bill of the legislature for added time. The governor would not agree with the arguments put forth by the association, however, and stuck to his "one issue" policy. Another proposal that many expected would carry was that of legislation for the benefit of ex-service men. The governor stated that he was inclined to give that proposal the fullest consideration, but that ex-service men came forth on their own account to have the proposed legislation omitted from the call. Many petitions from all over the state, asking for salary raises for school teachers and county officials, also were expected to sway the governor from his single issue policy, but alleged signs of political moves behind the petitions made it easy for him to refuse, though the signers of the petitions, in most instances were admittedly sincere and admittedly in need of salary increases. Dozens of other proposals, many of them well meant, were laid upon the governor's desk and every one was turned down after the fullest consideration. The governor gave all of last week to conferences with representatives of the interests in the various bills, during which time he announced that he would make his decisions when the week was up and that he would allow a period of ten days before the session date. The date of February 12 allows just 10 days after the date of the call. CAMPBELL WILL LIMIT SESSION PHOENIX, Feb. 2.—Copies of the Susan B. Anthony amendment and of the bill to be presented for its proposed ratification here at the coming special session of the legislature are in the office of Governor Thomas E. Campbell today following their submittal to him by Attorney General Wiley E. Jones. The special session date is expected to be announced Monday, according to capitol reports, along with the program which the governor contemplates for the session, all indications now pointing to a call limited to the consideration of the Anthony amendment. Governor Campbell stated recently that he proposed to wait until next week before setting the session date and announcing the program and it is known that he is anxious to get the date for the earliest time compatible with the convenience of all concerned. He stated he intended to allow a short period between the date of the call and the date of convening to give time for all preliminary considerations. The date of February 9 and 16 were considered probable dates for the session, both dates representing Mondays. CAN MAKE LAW IN THREE DAYS PHOENIX, Feb. 2.—Three days constitute the minimum time in which the legislature can make a bill into a

law, even under emergency conditions with the rules set aside according to State Librarian Con P. Cronin, regarded at the capitol as an authority on legislative procedure. The statement was apropos of the special session of the legislature that is to be called soon for ratification of the Susan B. Anthony amendment. Cronin said that the special session could finish its business in three days if it desired, and if its business were limited to the single issue. Cronin said that a constitutional limitation requires an interval of one day between the introduction and final disposition of a bill, and that the legislature cannot suspend the rules beyond the limits of the constitutional provisions. SPECIAL SESSION CAN BE VERY SHORT ONE SAYS GOV. CAMPBELL PHOENIX, Feb. 4.—Ample time is provided the coming special session of the legislature, that convenes on February 12, to dispose of the Susan B. Anthony amendment and close up shop again before the end of the week in which the convening date occurs, according to Governor Thomas E. Campbell, the governor holding that there will be no necessity of any sort for carrying the session into the succeeding week and making the bill for the taxpayer that much more. According to the governor, the business of disposing of the amendment can be accomplished in one day thereby leaving a day and a half for details before Saturday noon. Con P. Cronin, state librarian, and rated authority on legislative procedure, recently figured that because of constitutional limitations a three-day period was necessary for disposing of a bill, but the governor does not admit the librarian's contention. Some authorities at the capitol hold that the legislature will not get down to business until the Monday following the opening of the session, those authorities figuring that Thursday will be devoted to "preliminary" and that adjournment will be taken until the following Monday on the ground that Friday, the thirteenth is unucky and that nothing could be done on Saturday morning, which is a legal holiday. The governor takes the stand that the business of the session can be completed during the week and that if the session runs over into another week the legislators must answer to their constituents. WOMAN LEGISLATOR ASKS TO INTRODUCE SUFFRAGE MEASURE PHOENIX, Feb. 6.—Mrs. Nellie Hayward, Cochise county representative and Arizona president of the National Woman's party, today addressed to Governor Thomas E. Campbell a request for the honor of introducing the resolution, at the coming special legislative session, ratifying

ARREST WOMAN AND VETERAN OF WORLD WAR PHOENIX, Feb. 5.—Federal authorities who made the investigation which resulted in the arrest last night at Wickenburg, Ariz., of Henry O'Brien, former British soldier and Miss Vera Mort, former war worker on a charge of violation of the Mann act, will call the matter to the attention of the immigration bureau with a view to the deportation of the couple. It was stated officially tonight. Possibility of deportation greatly agitated Miss Mort in her cell here tonight. She and O'Brien were brought to the county seat today from Wickenburg. "If they try to send me back to England, I will jump overboard," she was quoted as having said to a newspaper woman who interviewed her. "I am not afraid to die, I have pluck." HOLD HINDUS ON MURDER CHARGE PHOENIX, Feb. 5.—Mahr Singh and Harnam Singh, Hindus, were today held to the superior court in the sum of \$25,000, charged with the murder of Ruben Cervantes, near Chandler, Ariz., last April. Their preliminary examination in justice of the peace court, begun yesterday, was completed today. In seeking to complete a chain of circumstantial evidence against the Hindus, on whose ranch bones and fragments of clothing were found by deputy sheriffs, according to testimony yesterday, it was today necessary for the state to show that the remains were those of Cervantes. Witnesses accordingly were placed on the stand to prove that the rinz, bearing the Mexican eagle, found with the bones was such a one as Cervantes wore, and that one of the pieces of cloth had been part of a pair of trousers worn by Cervantes. One witness testified that Mahr Singh was the beneficiary named in a life insurance policy carried by Cervantes, by the terms of which Singh was to receive \$100 if Cervantes died in less than six months, and larger sums if he died in a longer period of time. No witnesses for the defense were placed on the stand at any stage of the preliminary examination, nor did the Hindus testify. Efforts of the defense were confined entirely to cross-examination. In reply, the governor wrote Mrs. Hayward that it was beyond his power to signify who of the legislators should have the privilege. "It would be, in my opinion, a graceful tribute, however, to the women of Arizona who have so nobly carried on the work for equal suffrage if the four women members of the legislature, yourself, Mrs. Rosa McKay, Mrs. Pauline O'Neill and Mrs. J. H. Westover, were accorded that honor," he wrote.

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