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HARVESTER IS TO BE REOPENED AT FALL TERM

Neither Government Nor Company Had Asked for Rehearing and Action of U. S. Supreme Court Is Complete Surprise.

REARGUMENT FOR BENEFIT OF COURT

Is Belief That in View of Importance of Case to Interpretation of Sherman Law Is Hope of Unanimous Verdict.

[ASSOCIATED PRESS DISPATCH]

WASHINGTON, June 21.—The International Harvester case, the foremost of all the government's anti-trust prosecutions, now in the supreme court will be re-opened for a new argument at the fall term beginning in October. Neither the government nor the company has asked for a rehearing, the court's action was a complete surprise to the attorneys of both sides and was announced without explanation.

From precedent and practice, it is inferred in some quarters the court stands very close on the case and desires a reargument for its own benefit; or that in view of the prime importance of the case to the interpretation of the Sherman law in new lights, a reargument was ordered in the hope of getting a unanimous decision. That was the situation in the Standard Oil litigation. Although it was assumed the court stood very close on that case, there was only one dissent.

Close observers of the court's procedure and the government's anti-trust proceedings point out too, that a reargument of the Harvester suit may have been ordered because of the many questions involved which were not raised in trust cases heretofore, because many of them came within the purview of the recently enacted trade commission and Clayton trust laws.

The case, which is regarded of first importance, particularly in view of its similarity to the steel case, which the government recently lost in the lower courts, cannot now be decided before fall, or probably the winter months. The decision has anxiously been awaited by business and financial circles for months.

Attorney General Gregory is known to have expressed the view recently that the usefulness of the Sherman law in the future regulation of business depends largely upon the attitude of the supreme court in the Harvester case.

Pending the decision, it was said tonight, the department of justice probably will not institute any important anti-trust cases.

The government's policy in the steel "trust" case has been announced and Gregory, in conformity with his announcement, will make the customary appeal from the decision of the lower courts.

SULLIVAN IS "UNFIT"

[ASSOCIATED PRESS DISPATCH]

WASHINGTON, June 21.—James M. Sullivan, American minister to the Dominican republic, was held to be temperamentally unfit for his office by the report of Senator James D. Phelan, who conducted an investigation of the charges. It is understood the report finds the minister not guilty of any illegal or dishonest acts.

WEATHER TODAY

[ASSOCIATED PRESS DISPATCH]

WASHINGTON, D. C., June 21.—For Arizona: Fair.

CONFEREES OF HOUSE SURRENDER TO SENATE ON PUBLIC LAND BILL

Report Adopted by Senate Late in Afternoon and Will Be Taken Up in the House of Representatives This Morning.

PROBABILITY OF ADOPTION

Indication in House Yesterday That Anti-Capital Punishment Bill Will Not Emerge—Prohibition Bill Recommended.

Without opposition the senate late yesterday afternoon adopted the conference report on the public land bill. Before the report had been completed the house had adjourned for the day so that the matter will not be taken up there until this morning where the report may not have quite such smooth sailing, for it records a surrender of the house conferees. It is believed however that it will ultimately be adopted.

Chairman Winsor of the land commission against whom it is suspected but only suspected, that the senate amendment to the section providing for the creation of the land department was aimed was seen by some of his friends after the report had been agreed upon and he advised against opposition to it. He said that it was more important that the state should have a land code than that he should have an office and he requested his friends to do nothing that would jeopardize the bill.

The other developments of the day took place in the house committee of the whole. The Edwards prohibition bill was recommended to the house for passage and a similar recommendation was made as to the Pinkley anti-capital punishment bill but its defeat in the house was foreshadowed later in the defeat of a motion to send it to the committee on enrolled and engrossed bills.

The Land Bill

The conference on the land bill was begun in the morning soon after the legislature convened, between Chairman Claypool of the house lands committee and Representatives Flanagan and Goodwin on the part of the house and Messrs. Goldwater, Martin and Campbell on the part of the senate. The report was agreed upon a little after noon as to everything except the personnel of the land department. An agreement was reached on that at 5 o'clock.

The first senate amendment to which the house had objected was that providing that the land department should consist of the governor, the secretary of state, the attorney general, the state treasurer, and the state auditor, instead of the governor, the attorney general and the state engineer as was provided for in the house bill. Another senate amendment to this section was the provision that the land commissioner should hold office at the pleasure of the department. The conferees agreed that he should hold office until his successor shall have been appointed and qualified.

The house conferees concurred in the senate amendment merging the duties of the chief clerk with those of the deputy commissioner and the senate conferees receded from the amendment providing that the deputy should be appointed by and with the consent of the land department. Both

(Continued on Page Eight)

ASKS FOR RECOUNT OF LOS ANGELES VOTE

LOS ANGELES, June 21.—Alleging irregularities in various precincts sufficient to change the result, Ralph Wyley filed a tax payer's suit in superior court for a recount of the vote cast on June 1, when Charles E. Sebastian was elected mayor over F. J. Whiffen by 4,500.

RAILROAD MUST NOT SELL MORE OF LAND GRANT

Supreme Court Enjoins the Oregon and California Railroad Company from Selling Undisposed Portions of Land Grant.

[ASSOCIATED PRESS DISPATCH]

WASHINGTON, June 21.—The supreme court enjoined the Oregon and California railroad company from selling undisposed portions of its congressional land grant. Sales to actual settlers in 160 acre tracts at $2.50 an acre is permitted under the decision after congress has six months in which to enact further legislation on the subject. The lands involved are valued at more than thirty millions.

The court refused to forfeit lands to the government for the company's failure to comply with provisions as to the price and settlement, also denied the application of actual settlers who have gone on the lands without the permission of the railroad and of applicants for entry, to have the property declared a trust in their behalf.

The suit was instituted by the government in conformity with a resolution by congress. It dealt only with lands unsold. It appeared in the evidence that some of the land sold in 40,000 acre tracts for as much as $7.50 an acre. Today's decision preserved any right the government may have to bring a suit touching the land already sold.

The court found that congress in making the grant made no positive provisions as to settlement. Consideration is also given the argument of the railroad that large portions of the property could not be sold to actual settlers, because the land was not capable of settlement. It was pointed out further that much of the land is more valuable for timber than for settlement and would thus be a source of speculation.

EVIDENCE OF RECRUITING

[ASSOCIATED PRESS DISPATCH]

SAN FRANCISCO, June 21.—Some evidence that recruits for the allies have been enlisted here was obtained by John W. Preston, United States district attorney. He termed the progressing federal investigation as "satisfactory."

SLATON IN PERIL CALLS ON TROOPS

With Several Hundred Men and Boys Clamoring to Get In Executive Mansion, Governor of Georgia Orders Troops to Protest

FOUR COMPANIES ON THE SCENE

When Soldiers Line Up with Fixed Bayonets, Stones, Bricks and Bottles Are Thrown by the Clamoring Mob.

[ASSOCIATED PRESS DISPATCH]

ATLANTA, June 21.—With several hundred men and boys clamoring to get in the front gates of his country home, which had been barricaded with barbed wire entanglements and threatening to overpower twenty country policemen, armed with riot guns, Governor Slaton called out the militia late tonight for protection. Upon the arrival of four companies, which had been held under arms and rushed in state automobiles, the governor proclaimed martial law in a district extending half a mile in front, half a mile back, and about a qurter of a mile on either side.

When the soldiers lined up with fixed bayonets to dispose of the crowd, stones, bricks and bottles were thrown at them. Several soldiers were injured. It is also reported from Milledgeville, where the state prison is located and where Frank was taken that trouble is feared there, but no request has been made for troops.

In the melee in front of the governor's home a brick struck Lieut. Parker in the stomach and rendered him unconscious for a short time. A bottle struck the gun of Private Foope, and cut his hand. The commanding officer, Major Catron, was struck by a stone as were several men.

The governor proclaimed martial law at eleven o'clock tonight, and by midnight the crowd had virtually dispersed. There was no firing.

The governor said no troops would be sent to Middledgeville until requested by the sheriff. The governor was surrounded at his home by about a dozen friends, nearly all armed with a rifle or a pistol. The unexpected arrival of a member of his family in a dark corner of the front porch caused the governor himself to hastily pick up a large pistol.

ATLANTA, June 21.—Leo Frank, whose death sentence for the murder of Mary Phagan was commuted to life imprisonment by Gov. Slaton, began serving his term at the state prison at Milledgeville, a few hours later. He will be known as "convict 965." Officials secretly took Frank by train and automobile from Atlanta to the jail at Milledgeville and soon afterward the governor issued a long statement giving his reasons for commuting the sentence, which was to have been executed tomorrow.

Frank was delivered at the state prison at four thirty in the morning. When it became known in Atlanta crowds began to gather on downtown street corners. Within three

(Continued on Page Two)

TEUTONS CLAIM TO HAVE MADE MORE SUCCESSES IN GALICIAN CONFLICT

Rawa Ruska, According to Berlin Official Statement, Is Latest Russian Position to Fall into German Allies' Hands.

STILL APPROACHING GALICIAN CAPITAL

Investment of Lemberg Is Said to Be So Complete Russians Must Withdraw or Leave Forces to Be Besieged.

[ASSOCIATED PRESS DISPATCH]

LONDON, June 21.—Rawa Ruska, according to the Berlin official statement is the latest Russian position in Galicia to fall into the hands of the Teutons, as they have also reported fighting east of this town, the investment of Lemberg must be so nearly complete that the Russians either must withdraw from the Galician capital or leave a portion of their forces there to be besieged. The German General Von Mackensen is reported to have seized the railway connecting Rawa Ruska with Lemberg thus cutting off the retreat of the Russians northward.

According to the latest news from Austrian headquarters the Teuton allies are now within nine miles of the limits of Lemberg. An official Turkish report indicates considerable activity in the Dardanelles, with the allied battleships again battering away at the forts of Seddul-Bahr. In the west Paris continues to report French advances, especially in the region of Arras.

Here it is asserted progress was made in the direction of Souchez and the capture of several trenches brought the attackers near the northwest of the village. Further progress is also reported in the Lorraine districts and in Vosges. In the latter region the French claim to have made an advance beyond the cemetery at Metzeral, the loss of which town is now officially admitted in Berlin. Wonder is expressed by the German military critics over the Austro-German advance toward Lemberg the last few days. They had expected that the Russians would make a final stand along the Grodek line. Instead, Grand Duke Nicholas, commander in chief of the Russians, not only retired quickly from this position but evidently recognizing his dangerous predicament, also ordered the withdrawal of the Russian forces from south of the Dneister river.

England today turned its interest from actual warfare to the povisions of sinews of war the house of commons having povided the government with a blank check, the size of which is to be limited only by the patriotism and resources of the British citizens. The trial in Africa of General Delwet, one of the rebel leaders, ended in a verdict proclaiming him guilty of treason. It is not expected, however that the death sentence will be imposed.

FLOOD DANGER PASSES

[ASSOCIATED PRESS DISPATCH]

KANSAS CITY, June 21.—With both the Kansas and Missouri rivers stationary all day and a slight fall of both expected late tonight, all flood danger has passed for the present, according to an announcement of the weather bureau.

WARNS AGAINST VISITING MEXICO

LONDON, June 21.—The official press bureau issued the following: "In view of the existing state of affairs in Mexico, Secretary of foreign affairs Sir Edward Grey, desires to warn British subjects against visiting that country unless absolutely obliged to do so by imperative necessity."

GERMAN NOTE IN COURSE OF PREPARATION

Foreign Office Experts Have Commenced Consideration of German Answer to American Note—Kaiser to First See It.

[ASSOCIATED PRESS DISPATCH]

BERLIN, June 21.—Foreign office experts have commenced consideration of the German answer to the American government's note concerning Germany's submarine warfare and the first draft of the document presumably will be finished at the end of this week. As the reply at this time must be submitted to Emperor William at headquarters after it is threshed out between the departments concerned, it probably will not be ready for transmission before the middle or end of next week.

There is no clear indication of the probable nature of the note yet obtainable. From the emphasis naval writers continue to lay on the alleged British practice of flying neutral flags, the encouraging of merchantmen to attack submarines and the impossibility of submarines to observe the regulations concerning visitation and search under these conditions, it might be anticipated that this argument will be the kernel of the reply.

But at the foreign office there seems to be the impression that this point will appear only as a submarine part of the reply, if at all, and that an attempt will be made to give a definite answer to Wilson's requests, one way or another. It is alleged the armament of the Lusitania will probably not figure prominently in the next note. Considerable testimony has been assembled regarding the presence of guns aboard the Lusitania. It all refers to voyages prior to one on which the Lusitania was sunk although some of it touches trips made since the war began.

A German sailor named Emil Grabe, for instance, deposes in an affidavit published here that he sailed four years on British ships, including the Lusitania and that Mauretania. He avers he made three trips on the Lusitania and that she, like the Mauretania, carried five or six 12-centimeter guns—two on the aft deck, two amidships and one or two forward. Grabe testified he had personally watched the naval reser-

(Continued on Page Four)

MAY MEAN THAT PEACE PLAN IS TO BE STARTED

Unexpected Arrival in the United States of General Felipe Angeles, Villa's Military Expert, Gives Rise to New Rumor.

CARRANZA ACCEPTS RESIGNATIONS

Although Disclaiming Official Knowledge, Villa's Agent Intimates Angeles Is Commissioned to Discuss Plans for Peace.

[ASSOCIATED PRESS DISPATCH]

WASHINGTON, June 21.—The unexpected arrival in the United States of General Filipe Angeles, Villa's principal military expert since his split with the constitutionalist movement and the persistent reports despite denials of friction between Carranza and his field leader Obregon, have given rise to speculation in official circles here as to whether certain elements of the contending factions are about to inaugurate a definite movement to bring about peace in Mexico as urged by the president in his recent statement. Angeles passed through Chicago enroute to Boston where he will visit his family. He denied there was any break between himself and Villa.

Although disclaiming official knowledge, Villa's agent here intimated that Angeles is commissioned to discuss peace plans with the Washington government, and some leading supporters of Carranza including Obregon and members of Carranza's cabinet, whose resignations were accepted in cognizance of the efforts to be made for a solution of the Mexican difficulties.

Carranza, who has thus far declined to accept Villa's offer for a conference to devise a plan for the re-establishment of a constitutional government, formally notified his Washington representative that, reports of a break between himself and Obregon were without foundation. Notwithstanding this, however, officials here are inclined to the belief that Obregon and other constitutionalist leaders who have thus far stood with Carranza in his uncompromising attitude, are now ready to talk peace.

The resignations from the Carranza cabinet of Rafael Zubaran, Jesus Urete and Escudero Verdugo, friends of Obregon are regarded in official quarters as particularly significant, in view of Carranza's refusal to consider Villa's appeal for a conference.

Consul Silliman at Vera Cruz reported to the state department that Carranza had accepted these resignations, together with that of Luis Cabrera, minister of finance. Carranza's agents here, however, insisted the general had not accepted Cabrera's resignation and that he had assured them that Cabrera would remain in his cabinet.

Of particular interest to Washington officials was the announcement from London of a warning issued by Sir Edward Grey, secretary of foreign affairs, to British subjects against visiting Mexico unless absolutely obliged to do so. Such warnings have repeatedly been given by the United States to American citizens.

A few hours before the news of the British warning reached the United States, advices reached the state department from Mazatlan on the western coast of Mexico that Yaqui Indians had raided the town of Mochis and killed John Jamiston, a British subject.

American Consul Simpich, at Nogales, reporting the loss of the Maytorena expedition said the troops left Empalme yesterday for Jori to distribute forces to head off the Yaquis, protect the colonists and to obviate the necessity landing American forces by Admiral Howard at Tobari bay. After the battle, he said, the Maytorena troops returned to Empalme whence came the consul's information. The expedition attacked, however, is be-

(Continued on Page Eight)

COMPANY GRANTED PERMIT TO BUILD FOURTH STREET LOOP

Permission to build a double-tracked line down Fourth street from Roosevelt to Washington and to extend the Monroe street loop to Fourth street was granted the Phoenix Railway company yesterday by the corporation commission on condition that the work be commenced within ten days, and completed by September 1. The commission's order leaves the ultimate decision in the loop case up to the street railway company.

The commission's order permits the company to operate its Glendale and Indian School cars down Fourth street to Washington, thence around the extendded loop to Fourth street and Monroe. The Brill car line is to be maintained as at present, with a transfer point at Pierce and Fourth streets. The only track to be abandoned is on First street between

(Continued on Page Four)

Attorney General Jones Sends Wire To Gov. Slaton

Upon receipt of information here yesterday of the action of Governor John M. Slayton, of Georgia, in commuting the death sentence of Leo M. Frank, charged with the murder of Mary Phagan, to life imprisonment, Attorney General Wiley E. Jones, sent a message to Governor Slaton, commending him for doing his duty as he saw it.

The telegram of Attorney General Jones was as follows:

Board of Pardons and Paroles
For the State of Arizona
Florence, Arizona

Phoenix, June 21, 1915.

Hon. John M. Slaton,
Governor of Georgia,
Atlanta, Georgia.

Dear Sir:—Please accept my expressions of sympathy for the nerve racking ordeal which you have just gone through. I can appreciate it all; and know that you have done your full duty in the premises under your oath of office. As Attorney General of Arizona, and one of the three members of the Board of Pardons and Paroles, having five condemned men before us to be executed July 30 you can appreciate my feeble expressions of sympathy. I know with God's help you did your duty under your oath as I hope to do mine.

Respectfully,
WILEY E. JONES.
Attorney General of Arizona.

SUPREME COURT NOW DECIDES TO REVIEW CAMINETTI CASE

[ASSOCIATED PRESS DISPATCH]

WASHINGTON, June 21.—Reversing its own action of a week ago, the supreme court decided to review the conviction of Drew Caminetti and Maury I. Diggs, charged with a violation of the white slave law, convicted in sensational cases which attracted country-wide attention two years ago.

The cases will be the first in which the supreme court has reviewed a white slave law prosecution, where it was contended the law did not apply to prosecutions which failed to show evidence of elements of commercialized vice. Caminetti, son of the commissioner general of immigration, faces a fine of $1,500 and 18 months' imprisonment at San Quentin. Diggs, formerly an architect of the state of California, faces a fine of $2000 and two years' imprisonment.

Britain Authorizes Blank Checks For War Purposes

[ASSOCIATED PRESS DISPATCH]

LONDON, June 21.—The house of commons adjourned tonight after unanimously giving first reading to the bill providing the new chancellor of the exchequer, Reginald McKenna, with a blank check which may amount to five billion dollars. The government is not only empowered to raise the two hundred and fifty million pounds deemed necessary to pay the cost of the war, but as much more as is needed.

The chancellor of the exchequer made a long explanation of the proposed loan, and in closing said that on the technical question as to the limit of the new loan it would be dangerous to disclose the necessity for not fixing any definite sum. He added that the only figure he could put on the bill was a maximum which would cover all the requirements of the new loan, including provisions enabling subscribers to previous war loans and holders of consols to participate. The new loan will be issued at par and bear interest at the rate of four and a half per cent., to be redeemed at the option of the government between 1925 and 1945.

The Grandfather Clause Is Practically Annulled

[ASSOCIATED PRESS DISPATCH]

WASHINGTON, June 21.—In a decision so broad as to probably annul the "Grandfather clause" enactment in every southern state which have adopted such laws the supreme court held invalid the Oklahoma and Maryland legislation aimed at restricting the negro vote. The decision was unanimous.

The decision in short was that it is in violation of the fifth amendment for a state to select arbitrarily a date such as 1866 and provide that persons unqualified to vote on that date or whose ancestors were so unqualified are barred from voting or must submit to voting tests not required of others.

The Chattanooga Sails In To San Francisco Bay

[ASSOCIATED PRESS DISPATCH]

SAN FRANCISCO, June 21.—The cruiser Chattanooga, which sailed from San Diego on Thursday, a few hours after the Colorado left, supposed to be following the flagship to Mexico, entered the bay on Saturday night. This was not reported at the marine agencies and her presence became known through advices to Mare Island navy yard where supplies are being sent to the cruiser.

Twenty tons of provisions were sent the Chattanooga, the Raleigh and the gunboat Yorktown, all in the bay. The two cruisers were to have been surveyed for repairs but it is believed will return south and join the Pacific fleet in Mexico as soon as the provisions are loaded.

Further Representations On Misuse Of Neutral Flags

[ASSOCIATED PRESS DISPATCH]

WASHINGTON, June 21.—Further representations are to be made by Great Britain to the United States on the misuse of the American flag by British merchant ships, and that these representations will be included in a new note to Great Britain now being prepared relating to interruptions of neutral commerce is indicated by state department officials.

The London foreign office, it is officially declared, has been advised from time to time of several complaints that British steamers displayed the American flag, but the subject will now be dealt with generally in a note that is expected to go forward in the near future.

Germany's recent claim that the submarine U-29 was rammed and sunk by a British steamer flying the Swedish flag, was not officially called to the attention of the United States, but there is no attempt to deny that misuse of neutral flags by enemies of Germany might tend to complicate the issue between Washington and the imperial government on the regulation of submarine activities.