

ROAD BOND ISSUE LEGAL SAYS CALKINS

PRINCETON'S LUCK HOLDS GOOD; BEATS YALE 6 TO 3

ELECTION ONLY WAY TO SECURE EXPRESSION

County Has Full Power Over Roads Rules Calkins—Approval Under Constitutional Amendment Must Be Obtained by an Election.

CASE WILL BE SENT TO SUPREME COURT SOON

Size of Bond Issue Has Absolutely Nothing to Do With Question Involved.

The road bond issue of \$1,500,000 passed by an overwhelming majority by the voters of Jackson county on September 30, is legal, according to a decision rendered by Judge Calkins in the circuit court last night.

A county is a body politic and corporate with powers to make contracts and do necessary acts concerning property and concerns.

I think there is no question that the county has the right to create indebtedness for the improvement of its roads as long as it does not exceed any constitutional limits in that regard.

The clause, "but debts for permanent roads shall be incurred only on approval of a majority of those voting on the question is a limitation meaning, "stop, unless you have the approval of the voters."

The next question is, how shall that approval be had? It certainly must be by an election, for it provides that it shall be of those voting on the measure, and there is no provision for securing the voice of the people in any other way.

It seems to me the method of obtaining the approval is immaterial as long as the approval is obtained as a matter of fact.

And the answer shows that every legal voter of the county was given an opportunity to express his approval or disapproval; that 4,283 votes were cast on the question, and that 2,815, a large majority, approved the creation of the indebtedness.

The next question is, can the county issue bonds for such indebtedness? If the county were to issue its bonds and place the money in the treasury before creating the indebtedness there might be some question; but the order of the court states that the "bonds could be so drawn and disposed of as not to be issued or to draw interest until the money should be actually received therefor and so expended for such permanent roads.

The proposed indebtedness is so large as to make some of the conservative citizens gasp, but the legal principles are the same as would be involved in creating the expenditure of \$1,500 or \$1.50, for, under the present constitutional amendment, the county could not legally create an indebtedness of \$1.50 without the

CAMPAIGN OPENS



ROBERT M. LA FOLLETTE PHOTO BY COURTESY

FIRES OPENING GUN CAMPAIGN FOR LA FOLLETTE

Medill McCormick, One of Little Giants' Managers, Issues Statement Severely Criticising the President.

WASHINGTON, D. C., Nov. 18.—Firing the opening gun of the La Follette campaign for the republican nomination in 1912, Medill McCormick, one of Senator Robert M. La Follette's political managers, opened the direct attack of Taft's policies in a statement issued today, in which he severely criticized the president.

"I imagine that it is not forgotten that President Taft's most active supporters in the 1908 convention were the very republicans who are now actively opposing his re-nomination," says the statement. "They believed, by reason of his association with Roosevelt, and for other reasons, that Taft was best fitted to carry out the unfinished policies of his predecessor.

The Tariff. "During the first special session of congress many were bitterly disappointed when Taft signed the tariff bill. Later they were startled by his praise of Senator Aldrich, whom they held responsible for the tariff law violating party pledges. They were shocked by his Winona speech.

"When the Ballinger-Pinchot controversy resulted in the dismissal of Gleivis and Pinchot, culminating in the discovery that the so-called Wickersham had been antedated by direction of the president, like many other progressives, I began to doubt Mr. Taft's qualifications for the presidency.

White House Visitors. "Senator Cummins was called to Washington to attend the executive caucuses in regard to the railroad bill, but after his first visit, was never asked to return. Railroad presidents called at the white house. The purpose of the bill as finally drafted was to permit the elimination of competition in the railroad business. The administration railroad bill went to congress with a notice that it must not be touched. In congress the progressives amended the bill. The president proceeded to punish them. He was not ashamed to use his patronage to coerce the republicans from daring to differ from him in regard to a single bill.

"In this matter of patronage the president's course can be commended neither for its morals, its logic, nor its political wisdom. As Senator Cummins pointed out in every problem confronting the administration the president sided with those opposing the legitimate demands of the people.

"It is not that he is not well meaning but he is unable to understand the needs of the times and the appreciations of the American people and is not even able to appreciate his own inconsistency."

JAPAN WOULD ACT FOR POWERS

American Legation Orders All American Citizens to Leave Interior for Treaty Ports, Fearing a Great Massacre Soon.

DESPERATE FIGHTING UNDER WAY AT NANKING

Gunboats Manned by Rebels Continue to Seize Shipping on River.

LONDON, Nov. 18.—Japan has asked the powers to allow the mikado's government to act for them in China, according to semi-official information given out here today.

In its request Japan is alleged to have pointed out that it has two full divisions in Korea and that it can make any desired movement at a moment's notice. The Japanese government said if authorized to take charge of the situation it would do so in the interest of all the powers concerned.

PEKIN, Nov. 18.—The American legation here has ordered all American citizens in China to leave the interior for the treaty ports. The outlook for an anti-foreign outbreak is more threatening today than it has been at any time during the rebellion.

Desperate fighting between the rebels and imperialists at Nanking continues, according to reports received here. The imperial troops there are outnumbered, and indications point to a rebel victory. The city may fall into the hands of the revolutionists before night. If Nanking is captured another massacre, with the Manchus as victims, seems inevitable.

Reports that Admiral Sah has been captured have been received here and while they are yet unconfirmed from official sources, the reports are generally credited.

Gunboats manned by rebel crews continue the embargo of shipping on the Yangtze river.

Reports cabled here from London say that the rebels plan to secure the services of Homer Lea, an American, to maintain a military government in the New China, following the fall of the empire, while administrative reforms are being instituted. Foreigners are intensely interested in the plan.

SHANGHAI, Nov. 18.—Reports from up the Yangtze Kiang indicate that the battle is proceeding at Nanking with the Chinese rebels slowly advancing against a desperate defense of the imperialists. The fighting began with sharp skirmishes from a dozen different quarters, with the ultimate attack by the main rebel force.

SNOW STORM IS ON ITS WAY

Heavy Southwesterly Gale Due to Hit Oregon Tonight or Tomorrow—Wind Accompanied by Snow and Rain.

PORTLAND, Ore., Nov. 18.—A heavy southwesterly gale now sweeping over Alaska is traveling inland and is expected to strike the coasts of Oregon and Washington tonight or tomorrow, according to the weather bureau here today.

The wind is accompanied by rain, snow and low temperature, according to a wireless message received from Valdez, Alaska, where the thermometer is steadily standing below zero.

HARVARD BEATS DARTMOUTH 5-3

Kicking Battle Proves Too Much for Dartmouth, Which Suffers Second Consecutive Defeat in the "Big Four" Games.

BLOCKED KICK GIVES HARVARD TOUCH-DOWN

Field Goal is Best Dartmouth Could Do, Though Her Players Fought Hard.

CAMBRIDGE, Mass., Nov. 18.—Dartmouth suffered her second consecutive defeat in the "big four" games when Harvard won a kicking battle here this afternoon by a 5 to 3 score. Harvard's touchdown came as the result of a blocked kick near the Dartmouth goal, when Huntington fell on the ball behind the posts. A field goal in the third period represented Dartmouth's only score.

The teams seemed evenly matched in the bootleg department, and there was little attempt at running or line smashing.

The first period of the Harvard-Dartmouth football game here this afternoon was characterized largely by punting, which ended in a touch-down for Harvard after blocking an attempted kick.

Dartmouth secured the ball near their own goal at a long punting exchange and attempted to kick out of danger. Harvard broke through and blocked the punt, the ball rebounding behind the Dartmouth goal, where Huntington, the Crimson full-back, fell upon it for a touch-down. Harvard failed to kick the goal, and the score stood: Harvard 5, Dartmouth 0.

The second period was devoted almost entirely to punting. In the third period Dartmouth kicked a field goal, making the score: Harvard 5, Dartmouth 3. Neither side could score again.

WESTERN ROADS FORESTALL U.S.

Lovett Fears Possible Anti-Trust Action and So Harriman Lines Will Dissolve Agreements—Fear Prosecution.

SAN FRANCISCO, Cal., Nov. 18.—Forestalling of possible anti-trust action by the government is believed to be the reason for the proposed action of Judge Robert S. Lovett, chairman of the executive committee of the Harriman lines, whose intention to dissolve the agreements between four western roads was announced today.

The Southern Pacific, Union Pacific, Oregon Short Line and the Oregon Railway and Navigation companies are the corporations to sever their ties, to prevent any attempt by the government to declare them a combination in restraint of trade.

BURNS WILL BE TRIAL ON KIDNAPPING CHARGE

INDIANAPOLIS, Ind., Nov. 18.—County Prosecutor Baker declared today that Detective William J. Burns, whose men took the McNamara brothers to Los Angeles for trial there, on the charge of dynamiting the Times, will be tried here on a charge of kidnaping next spring.

TACOMA, Wash.—Sentenced under the law that makes attempted suicide a misdemeanor, Samuel Strong, 19, will spend the next two years at the reformatory.

PRINCETON'S MAINSTAY IS THERE WITH THE KICK.



DEWITT OF PRINCETON 1911. CATCHING A PUNT

TIGERS SCORED TOUCHDOWN ON A FUMBLE

Young Camp for Yale Plays a Spectacular and Hard Game, Smashing Through the Princeton Line Time After Time.

CAPTAIN HOWE FALLS DOWN ON HIS KICKS

Costly Fumble is Made by Yale Team DeWitt Punts Exceedingly Well.

NEW HAVEN, Conn., Nov. 18.—With three straight "fluke" victories, the Princeton Tigers today won the "big four" championship, the classic of the eastern university football circuit, by defeating Yale, 6 to 3. The contest was won by White, the fast Tiger left end, to whom may also be credited the victory over Harvard. White beat Yale, as he did Harvard two weeks ago, by obtaining the ball on a miscue, and running almost the entire length of the field to a touch-down.

The winning of the championship this year was decided entirely on three plays—the two sensational touch-downs made by White, which lost for Harvard and Yale, and the freak field goal by DeWitt, when the ball took a lucky bounce over the goal posts after having struck the ground, and defeated Dartmouth last Saturday after she had consistently outplayed the Tigers.

Today Yale outplayed Princeton with one exception—Captain Howe, who fell down repeatedly, missing seven comparatively easy field goals—to the one that he kicked.

Princeton's Toss. Princeton won the toss and chose the offense, Francis of Yale kicking off. The expected kicking game was apparent at the outset, both elevens punting several times. Princeton's much-touted ends showed their speed to good advantage, consistently smothering the Yale runners on punts. Camp of Yale, however, evened up matters by long gains around the end after the line-ups, which occasionally broke into the kicking exchanges. The Yale attack seemed to be built on the fleet-footed left half, who was worked by his teammates at every opportunity.

Captain Howe of Yale finally made a fair catch at Princeton's fifty-yard line, but the distance was too great for Yale's star booter, and he failed in an attempt at a placement goal.

Punting Follows. More punting followed, Yale finally getting the ball on Princeton's forty-yard line. Then followed a repetition of the play which defeated Harvard when the Crimson met the Orange and Black two weeks ago, and by the same player, White, the Princeton left end After Camp had been hammered through center, crumpling the Princeton for a three-yard gain, Ketchum, passed high to Quarterback Howe, who missed the ball. White, the human bullet, broke through, scooped the ball on the dead run and fled toward the far-away Yale goal with the entire Yale eleven at his heels. He flashed across the line amid the thunders of the crowd, and a moment later Baker kicked an easy goal. Score: Princeton 6, Yale 0.

An exchange of punts resulted in the hotly aroused bulldog team having all the best of it, and with the ball on Princeton's twenty-yard line. A possible tie score was prevented here, however, when Captain Howe failed to kick an easy field goal, the ball passing under the bar. The period ended shortly afterward with the ball in Princeton's possession on her own twenty-five-yard line. The players were liberally plastered with mud as they left the field.

In the second period Princeton punted to midfield. Camp, fighting

MANY ARE CALLED BUT FEW CHOSEN

To Date 305 Men Have Been Summoned in McNamara Case, But to Date Only Six Seats in Jury Box Are Filled.

LOS ANGELES, Cal., Nov. 18.—When Judge Bordwell qualified the eighth veniremen's panel in the McNamara murder trial today a total of 305 men had been drawn for service in this famous case and only six of the twelve seats in the jury box were occupied. One of these, William Nicholson, a local grocer, is still subject to preemptory challenge, but the others are permanently sworn to "well and truly try" the case.

Every effort is being made to complete the 12 men who will pass on the issues involved not later than December 15, and if possible by the first of the month. It is certain that great progress can be made during the next fortnight, as owing to the rulings laid down by the court as to how far each side may go in its examination of veniremen, the limits are well known and incompetent questions may be easily dodged.

The rumor that the state will demand that 14 men be qualified to serve, two to act as reserve jurors in case of the illness or death of any of the regular 12, was revived today. Those behind the rumor declared that the court would grant the motion when it is made.

ATLANTA, Ga.—President Samuel Gompers of the American Federation of Labor was the target for an attack by the Western Federation of Miners, which was made today at the convention of the labor federation here, when the miners introduced a resolution demanding that all members of the American Federation of Labor resign from the National Civic Federation.

BEEF BARONS NEARER JAIL

Judge Kohlsaat Quashes Writ of Habeas Corpus Obtained by the Beef Barons as an Expedient to Delay Hearing of Their Cases.

CHICAGO, Ill., Nov. 18.—Jail sentences for J. Ogden Armour and nine of his associates at the head of the beef trust came perceptibly nearer here today when United States Circuit Judge Kohlsaat, in whose court the packers are on trial for violation of the Sherman anti-trust law, quashed a writ of habeas corpus obtained by the beef barons as an expedient to delay the hearing of their cases.

Judge Kohlsaat's decision came as a result of the stand taken by Special State's Prosecutor Sheehan, who maintained in his argument that the packers never had been in custody of the United States authorities, and that therefore no habeas corpus proceeding possibly could issue. It is probable that the case of the packers will now go to trial on its merits.

CHICAGO, Ill., Nov. 18.—The trial of J. Ogden Armour and nine other beef barons indicted for violation of the criminal section of the Sherman act, will begin here next Monday in the United States district court before Judge Carpenter.

This was decided today when United States Circuit Court Judge Kohlsaat granted the packers permission to appeal from his decision quashing a writ of habeas corpus, but at the same time refused to take the defendants out of the custody of the United States district court, and required their surrender back to their sureties, who are pledged to the district court to produce them for trial Monday.