

COURT IS ASKED FOR SQUARE DEAL

Attorneys for Ettore and Giovannitti Think Justice Should Change Attitude Regarding Passing Prospective Jurors—Mill Workers Resume

SALEM, Mass., Oct. 1.—Dissatisfaction with the court's method of choosing jurors were voiced by their attorneys here today by Joseph J. Ettore, Arturo Giovannitti and Antonio Caruso, organizers for the Industrial Workers on trial here for the death of Anna Loppizzo, a woman striker, who met death during the big textile strike at Lawrence last winter. The defendants are charged with being accessories before the fact to the murder. Both Ettore and Giovannitti are urging their attorneys to fight every step of the way, believing that the court is selecting jurors who favor the prosecution.

Attorney Fred S. Moore of Los Angeles, representing Caruso, today gave the following statement to the United Press: "All three of the defendants feel that this trial is between capital and labor and that the takersmen ought to be asked their attitude on economic questions. They want their counsel to fight for a square deal and force justice John B. Quinn to change his attitude regarding the passing of prospective jurors."

In opening court this morning Justice Quinn said: "I fear many talesmen have refused to serve because they had formed impressions rather than prejudices. Unless a man's opinions and objections have so intertwined his conscience that he would disregard the evidence and the law he is fit to serve."

Work was resumed in the Essex County mills today, all the strikers participating in the twenty-four-hour demonstration against the imprisonment of Ettore, Giovannitti and Caruso, returning to the looms.

FIND MADERO NEAR BANKRUPTCY

LOS ANGELES, Oct. 1.—Senator William Allen Smith of Michigan, chairman of the senate committee probing the Mexican situation, continues the taking of evidence here today.

Testimony adduced yesterday points to the near bankruptcy of the Madero administration. Ribley Lujan, Pascual Orozco's accredited agent, threw light upon the financial affairs of the administration.

"At the time Madero took charge of the government," he said, "there was \$67,000,000 (Mexican money) in the treasury."

Part of this \$10,000,000, the committee established was contributed by two American corporations with an eye on concessions in Mexico.

Lujan established that at the present time there is less than \$25,000,000 in the hands of the Madero government and at the present rate of expenditure, this will be exhausted in nine months.

DOWNWARD TENDENCY ON STOCK MARKET

NEW YORK, Oct. 1.—Prices took a downward drop on war rumors when the stock market opened here today, losses including practically all of the active list. Canadian Pacific declined 1 5/8. Northern Pacific one point and Harriman issues fractions. Coalers and coppers were weak.

Soon after the opening however, prices made some recovery. Several specialties were exceptionally active and strong.

The decision of the treasury department to not facilitate the movement of crops by deposits in national banks as well as increased depression in London, impelled further liquidation. Heaviness was greatest in Canadian Pacific and Northern Pacific and steel.

The market closed weak. Bonds were steady.

SEEKS RECOVERY \$53,562 TIMBER

Uncle Sam Brings Suit in Federal Court at Medford Against Lakeview Parties to Recover Value of Timber Taken From U. S. Property

United States district court convened in the Moose Hall in this city at two o'clock this afternoon, with Judges Charles E. Wolverton, of Portland, presiding, A. N. Canon, clerk of the Federal court is also in attendance as is also U. S. Marshal L. M. Scott, who has subpoenaed and brought to Medford twenty or more witnesses for the government whose testimony will be taken in the cases pending before this court.

There are four cases to be tried all originating in the Lakeview land districts and are for trespass upon the removal of valuable timber from government land. All are cases wherein the government seeks to recover pay for this timber and the aggregate value of the timber thus alleged to have been removed and appropriated is \$53,562.

Sykes Hamaker and Elsie McClellan are jointly sued for \$19,435.

Sykes Hamaker and Earl Brooks for \$6,131.

J. D. Hamaker and John Stindt for \$17,089.

J. D. Hamaker, individually, for \$19,910.

A waiver of jury trial has been filed by attorneys for the government and the defendants and no jury will be impaneled notwithstanding the fact that a jury list was drawn for this term of court.

The government will be represented by assistant U. S. district attorney R. F. McGuire. Lionel R. Webster of Portland is attorney for all the defendants.

The offenses alleged were committed in 1908 and only civil suit to recover is brought. The government has over twenty witnesses in attendance at court while the defense has six or eight.

A. W. Orton, register of the U. S. land office at Lakeview, is one of the witnesses for the government who is in attendance at court, he having been subpoenaed more especially that he might bring with him the official records of the land office for use in the trial.

BUBONIC PLAGUE IN AUSTRALIA

NEWCASTLE, N. S. W., Oct. 1.—The much dreaded disease, bubonic plague, has broken out on the ship Bellaisle, which trades between Newcastle and Hamburg, and which is lying at a wharf here. One apprentice is dead, and two others of the crew are afflicted.

The health authorities, remembering the ravages of the disease on the seaport towns of Australia several years ago, have quarantined the ship and the wharf, and have instituted inquiries to ascertain whether any of the crew have been ashore.

Every precaution is being taken to see that the plague does not spread.

CHICAGO CARMEN STRIKE TOMORROW

CHICAGO, Oct. 1.—Unless the traction companies of Chicago recognize the demands of the employes a gigantic strike will be called tomorrow.

The arbitration negotiations failed miserably. The surface and elevated employes have a secret agreement.

RAWLINS POSSE PREPARED TO LYNCH NEGRO FIEND

RAWLINS, Wyo., Oct. 1.—Posse today are prepared to lynch Frank Wigfall, a negro who is alleged to have assaulted Mrs. Esther Higgins, aged 71 years, when captured.

Wigfall is alleged to have chopped down the door of the Higgins home and overcame the woman after a fierce struggle. He then took to the hills and is reported to be located near Cherokee.

SEPARATE TRIALS FOR LABOR CHIEFS

Defense Scores Point When Court Sets Aside Order for Consolidation of Trials of Bridge Workers Accused of Dynamiting Structures.

INDIANAPOLIS, Ind., Oct. 1.—First blood for the defense was secured by the attorneys here today in the trial of the fifty-one members of the bridgeworkers' union, when Judge Anderson sustained a motion presented by Attorney Hovey to set aside the order for consolidation of the trials made last March. United States District Attorney Miller expects to move for re-consolidation soon on grounds other than those offered in fighting the motion today.

The defendants and their attorneys are jubilant over Judge Anderson's ruling. Attorney Hovey requested ten days time in which to prepare separate demurrers to the fifty-one indictments, the court holding the request in abeyance.

McManigal Arraigned

Ortie E. McManigal was arraigned today on charges of illegally transporting explosives, the charge against him being the same as those contained in the indictments against the union men. He pleaded guilty to each of the indictments. Sentence in McManigal's case was temporarily suspended and he left the courtroom under a heavy guard. He will be held at the federal building until the taking of testimony starts when he is expected to prove the state's star witness against the accused men. There was no demonstration either when McManigal entered or left the courtroom.

Later Judge Anderson denied Attorney Hovey's request for filing separate demurrers to the indictments and advised Prosecutor Miller that it was up to him to elect the counts whereupon the government proposed to try accused. Then he said Miller could again move for re-consolidation of the cases.

Forty-eight Defendants

Upon recommendations of Miller, the court discharged the indictments against Patrick Ryan, business agent for the Chicago Ironworkers' local; J. W. Irwin, former secretary of the Ironworkers' local at Peoria, Ill.; and A. J. Kavanaugh, business agent for the Springfield, Ill. local in 1911.

Prosecutor Miller then elected to try the remaining forty-eight defendants on fifty-five counts as follows: Five counts charging conspiracy, thirty-four charging illegal transportation of dynamite, six-tens involving shipments of nitro-glycerine. Forty-five counts, without specific data, were eliminated. Judge Anderson then sustained Miller's motion to re-consolidate the case on the remaining charges and the selection of a jury began.

JOHNSON STUMPS NEW YORK STATE

UTICA, N. Y., Oct. 1.—Governor Johnson of California, progressive candidate for vice president began a four-day tour of New York with a speech here today at noon. From here Governor Johnson will go to Schenectady where he will speak tonight.

At Newark, N. J., Johnson attacked Governor Wilson for his attitude toward the New York democratic situation and characterized the democratic candidate's tariff argument as "indefinite and ambiguous."

PORTLAND, Oct. 1.—Max G. Cohen, Portland attorney, today is under indictment by the federal grand jury on a charge of subornation of testimony in a white slave case. It is alleged that Cohen induced Esther Wood, a woman the government alleges was brought here from Cleveland, Ohio for immoral purposes, to swear falsely at the hearing of Jake Gronich, charged with "white slavery" for having brought the woman here. Cohen defied Gronich.

STACEY IDENTIFIED AS ASSAILANT OF BURNS

ST. LOUIS, Oct. 1.—Lieutenant Burns of the Chicago police department identified Walter Stacey as the man who beat him up in Chicago. Stacey was being arrested in connection with the New Westminster robbery.

Stacey upon being confronted by Burns declared he had never before seen the lieutenant.

Taft Cans Speech For Use During Campaign

BEVERLY, Mass., Oct. 1.—President Taft today delivered a speech into a recording phonograph to be used for campaign purposes. Records of the speech, it was said, would be spread broadcast.

ROOSEVELT LEADER WHO SOLD HIS CITY



WILLIAM FLINN

BRUCE BROWN IS KILLED RACING FOR VANDERBILT CUP

MILWAUKEE, Wis., Oct. 1.—After being operated for a fractured skull sustained when his Fiat car crashed through a fence during the speed trials for the Vanderbilt cup races, David Bruce-Brown died here this afternoon. After opening the skulls of Bruce-Brown and his mechanic, the surgeons who performed the operations declared that both had a fighting chance for life. The mechanic is still unconscious.

Driving a Fiat car at the rate of 85 miles an hour, Bruce-Brown crashed into a fence on the third lap. Brown and his mechanic were both picked up unconscious. Bruce-Brown's skull was found to be fractured.

CONVENTION CONGRESS WELCOMED BY FAIRBANKS

INDIANAPOLIS, Ind., Oct. 1.—The national conservation congress was opened here today with an address of welcome by Charles W. Fairbanks, former vice president of the United States.

Scores of conservationists were present from all parts of the country.

In his address of welcome Fairbanks directed what many believed was a salp at the conservation policy of the new progressive party.

"Do not surrender," he said. "Your present well tried guarantees of justice and the rights of man for theories which neither upon good reason nor experience are commended to our best judgment."

President Taft was represented at today's session by Secretary of War Stimson who addressed the delegates.

ROOSEVELT PLEASD WITH SOUTHERN TRIP

ASHVILLE, N. C., Oct. 1.—Theodore Roosevelt, progressive candidate for president is here today greatly pleased with his reception in the south. His voice is so hoarse he can hardly speak on this, his final day of campaigning.

Roosevelt expects a big vote for the progressives in the south.

MAX COHEN ON TRIAL FOR SUBORNATION OF PERJURY

PORTLAND, Oct. 1.—Max G. Cohen, Portland attorney, today is under indictment by the federal grand jury on a charge of subornation of testimony in a white slave case. It is alleged that Cohen induced Esther Wood, a woman the government alleges was brought here from Cleveland, Ohio for immoral purposes, to swear falsely at the hearing of Jake Gronich, charged with "white slavery" for having brought the woman here. Cohen defied Gronich.

CALLS ULSTER COVENANT BLASPHEMOUS MUMMERY

BELFAST, Ireland, Oct. 1.—Following the signing of the Ulster covenant, the district council of Carrick-on-Suir, Tipperary, has passed a resolution denouncing the signing as a blasphemous mummery.

SERVIA READY TO FIGHT TURKEY

Military Trains Loaded With Troops Leave Belgrade for Border—Ultimatum Sent Sultan—Montenegro Preparing to Join in Attack.

BELGRADE, Servia, Oct. 1.—Last night and this morning military trains loaded with troops started for the Turkish border. All automobiles in Belgrade have been commandeered by the military authorities for war purposes.

LONDON, Oct. 1.—Foreign Minister Sazonoff of Russia is here today in conference with the Turkish, Greek, Servian and Bulgarian ministers in an effort to prevent war in the Balkans. The powers fear the result of the conflict would be the partitioning of Turkey.

Montenegro to Join

CETTINJE, Oct. 1.—King Nicholas of Montenegro is engaged in a general council of war with his advisers here today. Mobilization of the Montenegrin forces and a descent on Albania are expected to be the outcome.

BERLIN, Oct. 1.—Rumors of imminent war in the Balkans with the possibility that Germany may be involved caused a panic on the Bourse today. Stocks slumped badly and the banks are refusing all loans.

PARIS, Oct. 1.—Private despatches from Constantinople received today say that Nenadovitch the Servian minister has given Turkey two days to release a trainload of munitions of war en route to Servia which are being held by the Porte. Unless Turkey complies the note says, Servia will at once declare war.

France Tightens Purse

PARIS, Oct. 1.—Planning to stop the imminent Balkan war by the method of tightening its purse strings the government this evening requested all French banks not to advance any money to the Balkan states. Other European chancelleries probably will act similarly thus tying up financial supplies and disorganizing the war plans of the confederacy which plans to defeat and dismember Turkey.

VIENNA, Oct. 1.—It was authoritatively stated here this evening that Austria has asked Russia to explain a Russian mobilization now proceeding in Poland. It is suspected that the Czar while pretending to seek peace in the Balkans secretly wants war. Austrian troops left tonight for the Balkan frontier.

AUGUSTA CARMEN AWAITING DECISION

AUGUSTA, Ga., Oct. 1.—Pending a reply from United States Commissioner of Labor Charles F. Nell as to whether the difficulty might be taken up under the Erdman mediation law, Augusta street car men out on strike today marked time. The company is making no attempts to operate its cars.

The court martial of seventeen members of the state militia, including Captain Jowitz and Captain Henderson, for shooting and killing three citizens last week started today.

PATTERN DEMONSTRATOR AT MEEKERS' STORE FRIDAY

Miss Frisbie of the New York office of the McCall Pattern company will be at the M. M. department store on Friday, Oct. 4, to demonstrate patterns to the ladies of Medford. Miss Frisbie will show how to use the McCall patterns to the best advantage and why they are the simplest and easiest patterns to put together and will explain anything aldies may wish to know about patterns or styles.

PACIFIC MAIL SALE DENIED AT NEW YORK

NEW YORK, Oct. 1.—Secretary Miller of the Harriman lines today denied all knowledge today of a reported sale of the Pacific Mail company. He said the rumor was probably due to an advance in the line's stock.

DIX BELIEVED OUT OF RUNNING

Murphy Announces He Will Not Interfere With Democratic Convention But Will Permit Delegates to Have Free Hand—Sulzer in Lead.

SYRACUSE, N. Y., Oct. 1.—When the democratic state convention opened here today it was announced that Charles F. Murphy would not interfere but would permit the individual delegates to act of their own accord.

Murphy's refusal to enforce the unit rule is believed to mean that Governor Dix is out of the running. Congressman William Sulzer of New York appears to be the strongest candidate, although he is opposed in some quarters.

After effecting temporary organization the convention adjourned while the leaders will fight out the question of whether Dix is to be re-nominated.

CRAZED BY TYPHOID MURDERS BROTHER

HOLLISTER, Cal., Oct. 1.—Crazed for four years as a result of typhoid fever, but kept at home because she was believed to be harmless, May Thomas, aged 24, is today the slayer of her only brother, Grover Thomas, aged 27.

The shooting occurred in the kitchen of the Thomas farm house about twelve miles from here on the Benito river. Thomas was shot through the heart and died instantly.

There were no witnesses to the tragedy. The girl was found later in the brush by a sheriff's deputy and taken to the jail here. No words passed her lips. She probably will be sent to an asylum.

BLACK RESIGNS FROM PALO ALTO BANK

PALO ALTO, Cal., Oct. 1.—State Senator Marshall Black, accused of embezzling more than \$100,000 from the Palo Alto building and loan association is today officially ousted of the secretary of the concern.

At a meeting of the board of directors, the resignation of Black was demanded, and B. G. Allen, president of the Palo Alto chamber of commerce, and head of the Palo Alto Hardware company, chosen to succeed him.

The directors have shown no indications of prosecuting Black, at least until they have realized to the full on the assets of the association.

ACTOR ON HONEYMOON WITH ELEVENTH WIFE

NEW YORK, Oct. 1.—Probably no man since King Solomon has a greater matrimonial record than Lionel E. Lawrence, graduate of the United States naval academy, actor and stage producer, who is today on his honeymoon with his eleventh wife.

Lawrence's latest bride was Miss Ernestine M. Doychert of Chicago, known on the stage as Elizabeth Bourne.

ELY MINERS THREATEN IMMEDIATE STRIKE

ELY, Nev., Oct. 1.—Unless the union is recognized and an increase in wages of fifty cents a day is granted, the miners here will call an immediate strike, according to Chas. H. Moyer, labor leader, here today.

Manager Lakenan of the Nevada Consolidated company, asserts that the miners are satisfied with the company's recent voluntary increase of twenty-five cents a day.

GOLD BRICK SOLD QUAY BY FLINN

Agreement Made Whereby Quay Was to Send Flinn to Washington in Exchange for Political Control of Pittsburg—Campaign Aired.

WASHINGTON, Oct. 1.—"If Boise Penrose says I offered him or anybody else \$2,000,000 to be elected senator from Pennsylvania he lied."

This was the denial made here today to the senate campaign contributions committee by William Flinn of Pittsburg, to charge by Senator Penrose that Flinn had attempted to buy a seat in the United States senate.

Flinn is leader of the progressive party in Western Pennsylvania and it was largely due to his efforts that delegates to the republican national convention at Chicago instructed for Theodore Roosevelt were elected. The Pittsburger choked with rage when mention of Penrose's charges was made. Senator Penrose sat well up in front and Flinn, in voicing his denial, turned until he faced his accuser.

Progressive Campaign

Only a few spectators were present when the committee met at 10:10 o'clock. Flinn was scheduled to open today's hearing with his testimony. Following his brief confession with Chairman Moses E. Clapp, however, Flinn was excused for the time being and Elton Hooker, treasurer of the progressive national committee was called to the stand.

Hooker submitted records of the New York county progressive committee which showed that contributions to the pre-convention campaign of Colonel Theodore Roosevelt from New York were \$59,157. The expenditures, he said were \$52,000. Amos Pinchot, a brother of Gifford Pinchot, Hooker said collected \$11,000 in addition to the above receipts.

Judge Lovett, chairman of the board of directors of the Southern Pacific railroad, it was announced, would testify later in the week regarding contributions to the late E. H. Harriman is alleged to have made and collected for Theodore Roosevelt's 1904 campaign.

Primaries a Farce

Hooker testified that Alexander Cochrane, a carpet manufacturer, contributed \$25,000 to the campaign fund. Hooker testified that the total expenditures of the progressive pre-convention were \$111,657. This amount he said included \$17,000 paid out in railroad fares by Colonel Roosevelt and former Senator Beveridge.

Hooker declared the progressives spent \$5,000 in Maryland; \$3,500 in Maine; \$5,200 in Massachusetts; \$13,500 in Illinois, and \$17,500 spent by Senator Joseph M. Dixon of Montana who had charge of Roosevelt headquarters in Washington. The above figure, Hooker said, did not cover California and Intermountain states. He did not believe that any independent state fund was raised.

Munsey Gave \$30,000

The progressive receipts were increased, Hooker said, by four contributions from Frank Munsey, magazine and newspaper publisher, which totaled \$30,000. Other contributions, he said, were from Emilen Roosevelt, W. Harbour, Douglas Robinson, G. E. Roosevelt and W. E. Roosevelt, each of whom gave \$5,000; H. L. Stoddard with \$4,000; Dan Tann, \$2,500. G. W. Perkins also said contributed \$2,500 besides earlier donations. Hooker declared that Roosevelt's primary campaigns were the most economical ever conducted, considering the number of votes polled.

Flinn on Stand

Flinn presented the statement of his pre-convention expenditures, asserting that he contributed from 85 to 90 per cent of all the Roosevelt money used in Pennsylvania.

Flinn said his contributions amounted to \$99,384 to the Pennsylvania campaign and that of this amount \$28,000 was spent in Alleghany county in which Pittsburg is located.

Flinn said that \$29,960 was spent on postal cards during the fight. He said: "The money was charged to the Roosevelt campaign but it covered a much larger range of interests. The Taft men spent \$60,000 in Alleghany county alone. I think these large expenditures should stop."

Senator Clapp then questioned Flinn regarding Penrose's charges

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