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JUDGE OF COURT AND PROSECUTOR ARE COMMENDED

Attorney for the Anti-Saloon League Says Fox and Jessup Are Worthy of Praise For Their Efforts.

"THICK SKULLED" JURY RIDICULED FOR ACTION

Rally Held at Friends' Church To Boost Interest in Proposed County Local Option Election.

"I have learned that the people in Wayne county have just completed a blind tiger prosecution and that the jury failed to convict the man, and as a result Judge Fox has been severely censured. Judge Fox issued clean instructions as could have been given a jury and it is no fault of his that the man was not convicted."

The words are those of those E. W. Mintern, attorney for the Indiana Anti-Saloon league, who spoke at the temperance rally, held at the East Main Street Friends' church yesterday afternoon. Despite the inclement weather conditions there was a large audience. The best known temperance workers of the city and county were present. The rally was the climax to the local observance of temperance Sunday as a world event. Mr. Mintern is a well known legal practitioner, and is thoroughly acquainted with the "blind tiger" statutes, and other phases of the law that deal with temperance.

Mr. Mintern read the instructions to the jury that were given by Judge Fox in the case of the State vs. Jones, and made comments: "In the second count it was not necessary to prove that the man had the liquor for sale," said the speaker. "It is the fault of the thick-skinned scatter-brained jury for accepting such absurd pleas that were made at the trial, as the sixty-eight bottles of beer for medicinal purposes."

Continuing, he said:

"The officers are doing their duty. The mere possession of the liquor, the law says, shall be evidence that it was for unlawful purposes. The attorney is doing his duty and should be highly praised, and I am told by a reliable source that the reason the jury failed to convict was because they did not believe the defendant should have a jail sentence. These men are bigger than the government of the state. They hold themselves as greater than the recent legislature at Indianapolis, after the judge had instructed the jury by saying the court would enforce their decision. It was their duty to convict him. But they didn't because they thought the sentence too severe."

"Should not the man who prepares a place to run a blind tiger, and at the time knows that he is preparing to violate the law, receive a punishment more severe than the man who has a license and sells one glass on Sunday? But those jurymen said 'no' that the jail sentence was to severe and the trial ended in a disagreement."

"The people of Wayne county should congratulate themselves on having a man like Judge Fox at the head of the law of this county, and a man like Wilfred Jessup who is willing and anxious to prosecute all men who violate the 'blind tiger' law."

Mr. Mintern explained the remonstrance law and the different phases of the county local option. This proved very interesting to those who were present.

Other Men Gave Views.

Dr. Goeben, an ex-president of DePauw University, was the next speaker, and in part said: "As a citizen, teacher and father, I am interested in the county local option question, and I feel that I have gained everything by coming to Richmond and listening to Mr. Mintern. At Greencastle there are nine saloons in the first ward. The new court house is near, the college of DePauw is near and we consider the saloons there a disgrace."

"The saloonists advance the argument of personal liberty. But it is not so. Good is good and it can't be otherwise, and it is the duty to promote the welfare of God and adopt all those enterprises that will close these cesspools of iniquity. County local option will be a very great advance in the state of Indiana for the protection of our boys and girls and the well-being of society."

The Rev. E. S. Shumaker, the foremost of the Anti-Saloon workers of Indiana gave a very interesting talk on the economic side of the temperance question. Mr. Shumaker said that all the liquor used in the United States for the year of 1906 would make a river 80 feet wide, 10 feet deep and 83 miles long. This means that the amount of money spent would amount to \$1,800,000,000.

"In Indiana alone there is something over \$444,000 spent for this infamous traffic. We have the better argument on the saloon men, both from the moral and the economic standpoint and it will be with these two things that we

OPERATION WILL PROVE SUCCESS

Lewis King Believed to Be on Way to Recovery.

Lewis King, one of the best known printers of the city, was operated on at the Reid Memorial Hospital, Saturday, for an abscess. His physicians report that he is better, although not out of danger. Mr. King has been suffering from the trouble for some time although it has only been during the past few weeks that he has been unable to attend to his duties.

MARSHALL BOUND TO REPEAL LAW

Metropolitan Police Measure Against Idea of Home Rule.

CONN OUT FOR THE SENATE

CANDIDACY ANNOUNCED AND SLACK'S FRIENDS BELIEVE THE ELKHART MAN WILL HELP IN STRUGGLE AGAINST TAGGART.

By Ellis Scarles.

Indianapolis, Nov. 30.—Governor-elect Thomas R. Marshall has come out with a positive statement that he will endeavor to have the legislature repeal the Metropolitan police law, and that he fails to succeed in this effort he will make appointments of members of the Metropolitan police board in each city solely on the recommendation of the mayor and common council of that city. He says this is home rule and that he believes in home rule.

Marshall made the same promise during his campaign, when in his speeches he said that this would be his policy, but there were not many of his party friends who believed that he would do it. To do so, they said he would have to throw away the best chance he will have to build up a political machine for himself, and they did not think he was averse to having a machine of his own. They said there was little likelihood that any governor, no matter of what party, would deliberately cast aside such an opportunity to intron himself in power, but Marshall has already upset a few traditions of the governor's office and there is no telling what else he may do before his term ends.

His statement was contained in a letter that he wrote to a political friend at Muncie. There are fourteen cities in Indiana that are under the provisions of the Metropolitan police law and Muncie is one of them. The Muncie man wrote Marshall with reference to an appointment on the police board of that city. Here is what Marshall told him in his answer:

"In accordance with my pre-election promises I propose to request the legislature to repeal the Metropolitan police law, and, failing therein, I propose to keep my pledge to appoint and remove exclusively upon the recommendation of the mayor's and common councils of the several cities governed by the act."

The majority of the cities governed by the Metropolitan police law have republican city administrations, and Marshall's policy means that these cities will be permitted to remain republican as far as the police department is concerned, if the legislature refuses to repeal the law. Marshall could, of course, appoint democratic police boards in these republican cities, thus taking the police department out of the hands of the republicans, but he says he believes in home rule.

There is every reason to believe, however, that the legislature will not be long in repealing the Metropolitan police law. Already several members of the coming session are preparing repeal bills that will be introduced early in the session. It will be remembered that the last legislature passed a bill repealing the law but Governor Hanly vetoed it and Speaker Branch forced an adjournment of the house before the bill could be passed over the veto. This year the democrats will have control of the house and will have a democratic speaker. This will make easy sailing for the repeal bill.

Conn Out for Senator.

There are indications that C. G. Conn, of Elkhart, is about to break into the race for United States senator. It is known that on Saturday afternoon an Elkhart man, who is close to Conn in a political way, called a well known Indianapolis politician by long distance telephone and asked him all about the senatorial situation. The Elkhart man said several Elkhart democrats left town Saturday morning on a secret mission of some kind and he believed they came to Indianapolis to do a little rooting for B. F. Shively. He wanted to know whether they had been seen here. But as far as is known they did not come to Indianapolis. The man said something about Mr. Conn wishing to know about the matter and this has given rise to the belief that he is about to get into the running.

Conn was a candidate for the demo-

MONTHLY PAYMENTS

To Railroads Carrying Mails For the Government In the Future.

INCREASED CIRCULATION

Washington, Nov. 30.—A ruling of vast importance to the railroads of the country carrying United States mails has been made by the Second Assistant Postmaster-General. Heretofore it has been the practice of the Postoffice Department to make quarterly payments for such service, but the railroads contend that as a matter of right and justice, settlements should be made monthly, as is the case with other contracts.

For some time past the Rock Island system, through Guy Adams, its Superintendent of Mails, has negotiated with the department to this end, with the result that commencing January 1, next, monthly payments will be made. The aggregate amount involved each year is over \$48,000,000, and the new ruling will have the effect of putting in circulation a considerable sum each month.

DEFENSELESS TOWN SAVED BY MARVELL

American Lieutenant Remonstrated With Admiral Of Haytian Ship.

AQUIN NOT BOMBARDED.

MARVELL CITED INTERNATIONAL LAW AND BATTLESHIP PASSED BY WITHOUT FIRING—CITY TAKEN BY REBEL LEADER.

Port Au Prince, Haiti, Nov. 30. (By overland messenger from Aquin, Nov. 24.)—After the town of Aquin joined the revolution the Haytian gunboat Nord Elexis took up a position to bombard the port, having given 30 hours notice to the inhabitants.

Accidentally Lieutenant Commander George R. Marvell, of the United States gunboat Eagle, on her way to Jacmel, passed before the town and communicated. Lieutenant Commander Marvell remonstrated with the Haytian admiral on the proposed bombing an unfortified city was contrary to international law and could not be permitted.

The admiral was easily convinced and left immediately without burning his powder. The action of Lieutenant Commander Marvell is praised by every one. The city was taken by Gen. Simon, the rebel leader, personally, on November 22, without firing a single shot.

The German consulate there sheltered 10 government generals, who took refuge there when the revolution broke out and in the Spanish consulate are nine generals.

The coffee crop in the entire South is totally lost in consequence of the revolution.

General Antoine Simon, the insurgent leader, declares the standard of revolution was not raised with the presidency as his aim. All the South is with him. This morning he operated a junction with the troops in Jerome District on their way to attack the government.

RAIN COLUMN WAS USED ONCE MORE

Observer Vossler Made Two Marks Last Week.

After many weeks of idleness the rain column in the weekly report by Weather Observer Walter Vossler, was used last week. The fall of the rain was .27 of an inch. Old Sol never got a chance to come out very strong and the highest the mercury registered was 69 degrees on Wednesday.

The temperature for the week is as follows:

	High.	Low.
Sunday	66	35
Monday	66	45
Tuesday	67	54
Wednesday	69	49
Thursday	66	47
Friday	49	29
Saturday	44	27

NO RULING MADE.

Court is Considering Special Findings in Case.

Judge Fox has made no ruling on the Campbell case. He said that attorneys on both sides of the case had submitted special findings to him and that it would be a week yet before he could submit a ruling based on these findings.

OVERTURES MADE

BY JAPAN FOR A TREATY IN 1905

No Formal Alliance Was Proposed Because of American Tradition Against Such Entanglements.

TAFT HEARD PROPOSAL FROM ROYAL MINISTER

President-Elect Was Told that Japanese Situation in Asia And Agreement With the U. S. Was Suggested.

New York, Nov. 30.—The World publishes the following from a staff correspondent at Hot Springs, Va.:

It can be stated upon authority that as early as 1905 Japan made overtures to the United States for an understanding for the maintenance of the status quo in Asia, an understanding the original idea of which contemplated a concert of action by the United States, Japan and Great Britain. At that time the defensive alliance between Japan and Great Britain had already been formed.

The Japanese did not propose a formal alliance, knowing the American tradition against any such entanglement; it was suggested, however, that the understanding should take the form of a well-understood agreement, which should have the binding power, morally, of a formal treaty.

That such a triple alliance or understanding was proposed is a secret that has been carefully guarded up to the present time. The proposal by Japan was made through William H. Taft. When Mr. Taft, as secretary of war, was returning to the Philippine Islands he stopped in Japan and was received with almost dramatic hospitality by the Japanese government. The emperor showed an interest in the secretary that attracted general attention, for the common theory was that Mutuhihi and his statesmen were eager to relieve the United States of the burden of sovereignty in the Philippines.

After Mr. Taft had been received at the Palace one of the imperial ministers, Count Katsura, sought a private interview with him. Speaking for the emperor this minister announced to the American secretary of war that Japan desired to enter into an understanding which should include both the United States and Great Britain.

Explained the Situation.

He explained the Japanese view of the situation in Asia and pointed out that only through a combination of great naval powers could the integrity of China and Korea, equality of trade conditions and other objects dear to Japan and also desired by the British and Americans, be made secure.

Japan was anxious to promote an arrangement that would prevent the weakness of China, for instance, from encouraging European intrigues and encroachments that might turn Asia into one vast battlefield. Believing in the honesty and intelligence of American and British policy and recognizing the growing interests of both nations in the Far East, Japan had come to the deliberate conclusion that future peace could only be secured by means of such a triple understanding.

Mr. Taft answered that as Secretary of War such a matter did not come within his jurisdiction, that it was a subject which could be considered only by the President and Secretary of State, and that if a treaty were contemplated, nothing could be done without the consent of the Senate.

The Emperor's spokesman said that that was well understood, by Japan, but that in view of Mr. Taft's close relationship to President Roosevelt and his intimate knowledge of the temperament and disposition of the Washington Administration, particularly as Mr. Taft had guided and administered American policy in the Far East, the Japanese Government justified in approaching him in a matter of such overwhelming international importance in order to test the ground before proposing the matter to the President.

It was impossible to say at present whether Great Britain was consulted by Japan before she attempted to secure the United States as an ally. It will amaze the people of Japan to know that it was their own Government and not that of Russia which took the first steps to secure the mediation of President Roosevelt, which ended the mighty armed struggle in Manchuria.

Judge Fox assured Japan's envoy that he would gladly do anything in his power to bring peace to the world. But he warned his visitor in the most solemn and emphatic language that it would be useless to attempt to secure a treaty of peace if Japan should insist upon a money indemnity or a cession of Russian territory.

MURDERER TO HANG

New Castle Friends of Dead Man Invited to Attend Ceremony.

LIKE STATE OCCASION.

New Castle, Ind., Nov. 30.—The colored assassin of William Davis, a former New Castle man, is to be hanged in Tennessee Dec. 12, and the relatives of the dead man in this city have received invitations to go to Tennessee and see that the sentence is carried out.

Davis had been in the South for a number of years engaged in construction work. Among his employees was the colored man, who, when work became slack, was dropped from the pay roll temporarily. The discharged man then became intoxicated and going to Davis' home, knocked at the door. When Davis answered the man killed him in the doorway with a shotgun. The jury returned a verdict of guilty of murder in the first degree and the application for a new trial has been refused. Davis, the man assassinated, was a son of Vincent Davis, a resident of South Fourteenth street.

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