

Chinese Throne Accepts Draft Of New Constitution

Perpetuates Manchu Dynasty But Closely Restricts Em- peror's Power—Rebels Oc- cupy Shanghai Without Re- sistance.

Delayed Dispatches From Han- chow Tell of Appalling Con- flagration And Situation on Night of November First— City Between Cross Fire.

By Associated Press.
Peking, Nov. 3.—The national assembly today completed a draft of the basis upon which it proposes to construct the new constitution of China. It was submitted to the throne and accepted immediately.

The tentative plan provides for the perpetuity of the Manchu dynasty, but the restricted by the constitution, which is to be written by the national assembly and subject to amendment by parliament.

The imperial princesses are made ineligible to the offices of premier, members of the cabinet and administrators of the provinces.

Rebels hold Shanghai
Shanghai, Nov. 3.—The arsenal and native city of Shanghai were taken over by the revolutionists late this afternoon. No resistance was offered by the authorities or such of the public as remains loyal.

It is expected that Wu Chang, an anti-minister of the Manchu dynasty, will be the first to be executed. It is also expected that the revolutionists will capture the foreign warships landed in this city before the rebels take possession. Foreign volunteers were called out and have taken every precaution to protect the concessions.

It is reported that the rebels at Kiang have seized the British tugboat Sampson.

It became evident early in the afternoon that the revolutionists proposed to assume control of affairs here within a short time though it was not thought that they would occupy the arsenal before night.

The day progressed with the revolutionary flag hoisted over all the buildings in the vicinity of the arsenal and thousands wearing on their arms the white band insignia of the constitutionists gathered in the street.

The police and native soldiers made no attempt to interfere and on the contrary, fraternized with the insurgents.

The Tao Tai, realizing the inevitable, caused notices to be posted stating that the native city might be taken over by the revolutionists tonight and expressing the hope that the public would not be thrown into a panic and that the shops selling food should not be closed except at the usual hour.

At 5:30 o'clock all telephone and telegraph communication with the arsenal was cut off. The rioting grew to greater proportions and in the natural excitement a number of shots were fired by the government forces in the direction, but these were without effect and it was plain the Chinese soldiers, police and native volunteers were all in sympathy with the revolutionists.

At the point the revolutionists here have telegraphed General Li Yuan Heng, the head of the rebel movement, advising him to cease hostilities pending developments at Peking.

Foreign Concessions Safe.
Latest advices from Hankow give assurances that the foreign concessions are safe and have not been seriously disturbed by the rioting in the native city.

The province of Yuan Nan, on the southwestern frontier of China, has declared its independence, according to reports received here today.

Switzerland of China.
Yu Nan, which fronts on Tibet and Burma, is known as the Switzerland of China. It has an area of nearly 150,000 square miles and a population estimated at 12,000,000. It contains China's richest mineral deposits and boundless stores of anthracite coal. Agriculture and stock raising are extensively carried on and the province produces some of the best grades of tea. It was the principal scene of the great Mohammedan rebellion, which lasted for sixteen years and was suppressed in 1872.

Native Police Mutined.
London, Nov. 3.—A news dispatch from Shanghai says the native constabulary of Chapei, a suburb of Shanghai, which forms part of the Chinese quarter, mutinied today and burned the police station and the residence of the chief of police. Foreign volunteers were mobilized to maintain order.

For several days the natives at Chapei had been demonstrating notably in sympathy with the revolutionists.

After burning the police station and the chief's residence, the constabulary formally declared their adherence to the rebel cause and took control of the native quarter in the name of the revolutionists.

Appalling Conflagration.
Hong Kong, China, Nov. 3.—Delayed dispatches from Hankow, sent via Wu Hu, describe the situation

there on the night of November 1 as appalling.

An enormous conflagration was sweeping over the city and fighting was in progress in some quarters between considerable bodies of rebels and royalists.

The imperial batteries were lifting explosive shells into the native quarter while the rebels on the other side of the river had brought long range guns into play from the Wu Chang fortifications and were firing with fair effect on the loyalist positions.

The viceroy of Kwan Tung province has dispatched a gunboat to this city to transport an immense supply of ammunition, firearms and Maxims which he has contracted for with foreign firms here.

KILLED IN JUMP FROM BURNING TENEMENT HOUSE

By Associated Press.
New York, Nov. 3.—Two members of the Shapiro family were killed, father and mother, and three of their four children were badly hurt today when they jumped from windows on the second floor to escape the flames that destroyed a Brooklyn tenement house.

When flames trapped the Shapiros a policeman climbed on the cornice over the first story and told Julius Shapiro, the father, to hand down his four children, aged from 15 months to 16 years. The baby went first and the policeman caught it.

Then Shapiro tried to hand out nine year old Aaron. The boys weight proved more than he could manage and he fell from the window with his son in his arms. The father's brains were dashed out on the pavement, while the boy escaped with a broken ankle.

This calamity seemed to unnerve other members of the family and although they could have been rescued had they waited, one by one they leaped from the windows.

GOVERNMENT TROOPS WON DE- CISIVE VICTORY

By Associated Press.
Poroto Cortez, Nov. 1.—(Delayed in transmission)—Government troops won a decisive victory Sunday at Cemayagua in a pitched battle with 200 revolutionists under the leadership of Ocho Velasquez, a member of the cabinet of Honduras. The reports, which reached here today, did not give the number of killed and wounded but the rebel losses are said to be heavy. Velasquez escaped into Salvador.

General Carrias is said to have invaded Honduras from Salvador on October 21, with several hundred former Zelaya adherents who have been exiled for the past year.

In connection with this uprising trouble is threatened between Honduras and Guatemala, on the one hand, and the government of Salvador on the other. Guatemala and Honduras have made a demand upon Salvador to either deport or put in prison a large number of exiles of the two former countries who are charged with fomenting revolutions. Guatemala is said to have massed 25,000 troops along the Salvadoran border and Honduras has placed along the border several thousand well armed troops. Nicaragua, it is said, has given the Honduras and Guatemalan governments assurances that she will assist in enforcing their demands against Salvador.

Another slight engagement took place Sunday at San Pedro Sula, where a number of rebels were wounded and 33 captured while planning an attack upon military headquarters in that city.

Still more serious trouble is reported on the Salvadoran frontier, where General Carrias is reported to be at the head of a large body of revolutionists. Reports travel slowly across the country and no details of this uprising have reached here.

General Manuel Bonilla was chosen president of Honduras for the second time in the elections which were held throughout the country Sunday, Monday and Tuesday. Out of a total of 88,000 votes cast he received 82,000.

Dr. Francisco Broganda, a prominent member of the Manuelista party, was chosen vice president.

General Bonilla will take the reins of government next February at the expiration of the term of provisional President Bertrand, who is holding office under the terms of the Puerto Cortez peace conference.

THORNLESS BLACKBERRY BUSH

By Associated Press.
Santa Rosa, Cal., Nov. 3.—Arthur Burbank, the naturalist, announced yesterday that he has produced a blackberry bush that has no thorns.

Burbank said he had worked ten years on the blackberry bush in the endeavor to remove its thorns.

Found Arsenic.
Chicago, Nov. 3.—Professor Walter Haynes, of Rush Medical College, reported to Coroner Hoffman today that he had found sufficient arsenic in Policeman Arthur Bissonette's liver to cause death.



MRS. McREE AND HUSBAND.

Mrs. Zee Runge McRee (upper) and her husband J. P. McRee (lower). Mrs. McRee was on trial at Opelousas, La., this week charged with murdering Allan Garland, a student, and a member of a prominent family. Mrs. McRee in her defense after her arrest stated that she killed the youth in defense of her honor. The case was bitterly fought by both sides, the prosecuting attorney contending that the murder of the youth was done deliberately and in cold blood. The case has been declared a mistrial.

EIGHTEEN PERSONS INJURED IN S. A. L. WRECK

By Associated Press.
Raleigh, Nov. 3.—Eighteen persons were injured, not seriously, it is believed yesterday when Seaboard Air Line passenger train No. 43, from New York to Jacksonville, was derailed at Merry Oaks, 20 miles west of this city, early last night. The injured included persons from widely separated parts of the country. The cause of the wreck is not known.

The injured are:
G. R. Cashwell, of Washington, D. C., express messenger.
H. L. Roswell, of Washington, D. C., mail clerk.
Miss N. Doyle, of Quincy, Mass.
L. R. Tindall, of Washington, D. C.
Frank Strouder, of Brockton, N. Y.
W. H. Post, Camden, S. C.
Mrs. G. W. Murray, of St. Petersburg, Fla.
W. G. Thwait, Richmond, Va.
Dr. F. C. Hoke and wife, address unknown.

Mrs. H. L. Bruster, of Rochester, N. Y.
Miss Sarah Long, of Syracuse, N. Y.
M. H. King, mail clerk, of Washington, D. C.
Mrs. R. W. Thompson, St. Petersburg, Fla.
Nathan St. Kaughman, Baltimore, Md.
R. G. Simpson, Pittston, Pa.
Miss Marie Cochran and H. B. White address unknown.
H. H. Ryan, Richmond, Va.

ESCAPE OF PASSENGERS WAS MARVELOUS.

By Associated Press.
Raleigh, N. C., Nov. 3.—That passengers on the Seaboard Air Line Florida Limited, which was wrecked at Merry Oaks, N. C., last night and 18 persons injured, escaped more serious casualties was pronounced miraculous. Steel cars, it is said, prevented the loss of life. The entire train, except the engine was derailed, the express car being overturned. Express Messenger Lindal escaped with a slight scalp wound. Thirteen were seriously injured. Chief Surgeon Burke, of the railroad, was on the train and gave aid to the injured. The engine passed over a switch but the second express car split the switch, causing the accident. The wreckage was cleared away today.

An Apartment House For Dead

By Associated Press.
Ridgeway, Pa., Nov. 3.—Ridgeway is to have an apartment house for the dead. An Altoona, Pa. company will erect a huge community mausoleum, which is to contain crypts for the accommodation of 720 bodies and also a chapel. The right to use the apartments will be sold and an endowment fund, set aside by the builders, will insure perpetual maintenance.

Confessed to Theft.
Kansas City, Nov. 3.—Rene Canton, under arrest in New Orleans, accused of killing Edward H. Farrar, in New Orleans on Wednesday, confessed to the theft of three diamond rings here last winter, according to police information.

The man from whom the diamonds were stolen, the police say, has refused to prosecute. No attempt will be made to extradite Canton to Missouri.

PRESIDENT TAFT SWINGS BACK TO HOT SPRINGS

By Associated Press.
Hot Springs, Va., Nov. 3.—President Taft has determined to do some work here on his annual message to congress. Secretary Hilles did not come to Hot Springs with the president, but dropped off at Washington. Mr. Hilles will collect data from various government departments for the statement issued on the president's message. It is expected that this information will be brought to Hot Springs tomorrow by Mr. Hilles and that the president will look it over as soon as possible.

Mr. Taft will devote much attention in the message to a discussion of tariff reform with reference to the forthcoming report of the tariff board on the wool and cotton schedule. He will discuss the "trust question" and recommend that the federal incorporation bill drawn up and presented to congress two years ago be enacted into law.

The reports of both the Hughes commission, which investigating second class postage rates and the railroad securities commission, which is looking into the question of stock watering, will be in Mr. Taft's hands in a few days and they will enable him to treat these matters in his message. Conservation, with some discussion of Alaska, naval re-organization as suggested in the president's yacht Mayflower after the naval review at New York yesterday, and currency reform are among the matters which will be brought to the attention of congress.

Hot Springs, Va., Nov. 3.—President Taft brought his second long halt here today. Mr. Taft expects to enjoy a rest in Hot Springs until Monday with nothing to do but play golf, motor and take everything easy.

According to the official figures of the "swing around the circle" kept under the direction of Secretary Hilles, the trip has been the longest ever taken by a president in going from Beverly, Mass., to Hot Springs by way of Seattle, San Francisco, Los Angeles, Washington and a few hundred other cities. Mr. Taft has traveled 13,436 miles, beating his own previous record by just about 500 miles. Before he returns to Washington for the winter the president will visit Ohio, Kentucky and Tennessee and will add 1334 miles to the record. Mr. Hilles' "swing" figures show that Mr. Taft passed through 28 states and made speeches in twenty of them.

The governor of each state he entered gave him a welcome and Governor Colquhoun of Texas, a state which was not visited, met him in Kansas. United States senators to then number of 27 met the president at various times. Six of these senators were democrats and seven were acknowledged "insurgents." About a dozen senators pleaded their support to the arbitration treaties on the trip. Seventy-seven members of the house were on reception committees or welcomed Mr. Taft on his car.

The president has been "on the road" 48 days since he left Beverly and started West. In that time his train stopped at 205 cities, towns and villages. He made 306 speeches of all sorts and lengths and according to Mr. Hilles' record he spoke to more than one and a half million persons. The greatest number of stops in any state was made in Kansas where Mr. Taft delivered 33 addresses, four more than he made in Washington, the nearest competitor. Chicago heard him speak 11 times, Los Angeles ten times and St. Louis six times but many cities got but one address and at scores of stopping places it was only "good morning and good bye" from the rear platform.

In the seven weeks the president was away from Washington he was never out of touch with the white house and government affairs. More than 4,800 letters and telegrams were received by Secretary Hilles on the trip and the mails and telegraph wires were kept busy every day. Although nearly thirty railroads handled the special train the president was late only once and that was at Omaha after the train had been held up in Missouri by a washout.

WRECK OF TRAIN CAUSED BY BROKEN RAIL

By Associated Press.
Atlanta, Ga., Nov. 3.—Southern Railway officials stated this morning that the wreck of train No. 14, from Cincinnati to Jacksonville, at Chattahoochee, six miles north of Atlanta, last night, in which two persons were killed and several more or less seriously injured, was caused by a broken rail. The breaking of the rail is said to have been due to a "rip" or concealed defect. The colored coach, baggage and express cars left the track.

List of the Dead and Injured as announced by the railroad follows:
Dead:
E. O. Pyron, baggagemaster, Atlanta.
Ben Briggs, negro passenger, Cleveland, Tenn.
Injured:
B. W. Keith, Chattanooga, left arm hurt.
M. G. Day, wife and two children, slightly hurt, address not given.
James Carson, Atlanta, arm and shoulder bruised.
Mrs. Harris Huhart, Dayton, O., slightly injured, address not given, hurt internally.
Mrs. Walter Dyer, Johnson City, Tenn., foot mashed.
Ellis Williams, colored, Greenville, S. C., internally injured.
Charles, Ada and Mamie Williams, colored, address not given, all received injuries about the body and limbs.

S. P. Whitaker, of Knoxville, Tenn., lost his purse containing \$600 in the wreck.
The most seriously injured were removed to hospitals after their arrival in the city.

AFRAID TO LET HUBBY HUNT ALONE

By Associated Press.
Cadillac, Mich., Nov. 3.—Fearing that her husband may be shot while pursuing deer, and determined to be at his side in case an accident does occur, Mrs. Claude Whitney procured a deer hunting license yesterday. Incidentally she intends to do a little hunting herself.

MISSISSIPPI STATE TREASURER WILL BOW ONLY TO SUPREME COURT

By Associated Press.
Jackson, Miss., Nov. 3.—State Treasurer Edwards will not be bound by the action of the Mississippi legislature with regard to the payment of interest on state bonds which he holds as irregular. He will recognize only a preeminent order of the state supreme court. Mr. Edwards made this statement in a speech in a tarty statement in which he criticizes Governor Noel and asserts:
"It is perfectly plain about the matter, there is not going to be any grafting out of the Mississippi treasury while I am on the job."

TWO PERSONS BURNED TO DEATH.

By Associated Press.
Lake Charles, La., Nov. 3.—Mr. and Mrs. Salvatore Certopria, Italians, were burned to death early yesterday when their dwelling was destroyed by fire. There is strong suspicion. Officers suspect that the couple were slain and their house set afire to conceal a crime. They had been married one month.

QUIT'S MUTUAL LIFE.

By Associated Press.
New York, Nov. 3.—Emory McClintock today tendered his resignation as vice president and actuary of the Mutual Life Insurance Company, which he had served since 1888. His health was given as the cause. The board of directors elected to succeed him as vice president, W. H. Truesdale, president of the Delaware, Lackawanna & Western Railroad, and as actuary William A. Hatchison, formerly associate actuary.

A Mistrial Was Recorded In The McRee Murder Case

McNamara Trial Goes Slowly On

By Associated Press.
Los Angeles, Nov. 3.—Within striking distance of reaching a panel of 12 talesmen against whom both the defense and prosecution planned to direct a first broadside of peremptory challenges, the McNamara murder trial went listlessly forward today. It is hoped to obtain a jury about Yule tide. Reports from Indianapolis of the availability of certain evidence desired by the prosecution here, stimulated interest.

The state's attorney admitted that an important link to them in the chain of evidence which they hope to cast around the defendant was lodged in Indiana and that they considered the passage of the books and papers in question into Federal jurisdiction at Indianapolis a definite step forward toward getting them back here.

A typical scene in which James E. McNamara, the defendant figured was that of today when, standing just outside the court room, some local newspaper men strolled in and he greeted them pleasantly.

"By the way," remarked one of the visitors to the prisoner, "we need a printer at our shop and since you are out of a job, drop around tonight and see the boss."

"Certainly," replied McNamara, "light 'that's my trade, but I'm a bit busy with the trial at present. But it won't be long before I can take you up on a proposition like that."

McNamara declared firmly he will be a free man soon.

Circumstantial evidence will play a big part in the trial and on it the state will depend strongly. The state prefers the challenges against persons expressing non-belief in this evidence. Occasionally Counsel Darrow, for the defense, attempted to disqualify talesmen otherwise satisfactory by showing them how the theory of circumstantial evidence would work out.

"If you say in a road the tracks of a horse," said Attorney Darrow, "and the horse had three good shoes with one half of the fourth shoe missing and you went along further and came upon a horse whose three good shoes fitted the track perfectly, as did the half shoe, would you not feel justified in concluding beyond all doubt that the horse had been along the road where you observed the tracks?"

Louis Wilhelm shattered this theory when he answered that he would not believe it.

"I certainly would not," he explained, "because I have had experience in hunting my own horses almost identically as you have described the tracks of your horse. The plain fact is that I have two old stables."

NEW YORK BANK- ERS SKEPTICAL OF "VALORIZING" PLAN

By Associated Press.
New York, Nov. 3.—Bankers and cotton men here are skeptical as to the practicability of the plan presented at this week's conference of Southern governors for "valorizing the cotton crop with the assistance of an unnamed foreign syndicate. The plan is for the purchase of about two million bales of the cotton crop and its warehousing at central points for distribution when cotton prices have been put back to satisfactory levels.

It is declared by financial experts that if the scheme is to follow the lines more or less successfully established by Brazil in financing its surplus coffee crop it would be necessary for the foreign bankers to have credit of the cotton growing states behind their credit as well as the cotton itself as collateral.

The credit of some of the principal cotton growing states has been seriously damaged by the repudiation of loans on bonds issued after the civil war and many of which are still held by foreigners who make periodic efforts to collect. For this reason bankers are greatly difficult might be experienced in obtaining foreign capital on such security. A. R. March, former president of the cotton exchange, declares that the scheme, even if put through, would have an effect on cotton prices, opposite to that expected by its advocates. The accumulation of 2,000,000 bales of cotton, he thinks, would be a great loss to the market and as long as it was known to be hanging over the market spinners could not be induced to bid prices up. The large carrying charges would be another factor against the carrying of surplus cotton in warehouses long enough to tire out the consumers who have proved themselves better able to hold out than the planters.

TURKS HOLD ALL BUT FORTS AT TRIPOLI

By Associated Press.
Berlin, Nov. 3.—The report that all the out forts at Tripoli are in the hands of the Turks is confirmed in well informed circles here.

The Italians hold the forts within the city proper.

At Opening of Court To-day Jury Report That They were Hopelessly Tied—Eight Stood For Conviction of Man- slaughter.

Fur Favored Absolute Ac- quittal—Mrs. McRee Disap- pointed at Outcome of Trial —Review of The Case From Outset.

By Associated Press.
Opelousas, La., Nov. 3.—A mistrial was recorded in the McRee murder case this morning after the jury, which had deliberated on the case since 12:10 p. m. yesterday reported to the court that there was no possibility of agreeing on a verdict.

According to foreman Hidalgo the jury stood eight to four for conviction of manslaughter. The four jurors who held out for acquittal were Hidalgo, Edgin, Dugas and Guldry. Mrs. McRee expressed disappointment at the result.

The prosecution wished to have the case set for rehearing next Monday, but Judge Pavy said this would be impossible as he would be otherwise engaged.

The result was not unexpected by the majority of the spectators who have crowded the court room since the day the trial opened twelve days ago and who knew that the bitter prejudices aroused in St. Landry parish by the killing of young Allan Garland by Mrs. Zee Runge McRee made it almost impossible to secure twelve men who could agree on a verdict.

Opposed to the natural sympathy that goes out to a woman, especially where the plea is set up that she shot in defense of her honor, there was the popularity of the deceased and the large political and social influence of the Garland family. Even religious prejudices entered largely into the trial because of Mrs. McRee's membership in the Masonic order and the overwhelming support of the St. Landry parish by the Garlands are a

The Slaver.
Mrs. Zee Runge McRee, aged 32, mother of four children, wife of a Texas & Pacific Railroad official, and member of an old and prominent Mississippi family.

Allan Thurman Garland, aged 23, unmarried, and member of the South Louisiana family prominent socially and politically.

The Time.
Allan Garland was shot three times in the back and almost instantly killed by Mrs. McRee in the bedroom of her home in Opelousas on the morning of Sept. 21, 1911. No eye witness; no evidence of a struggle.

Motive Presented by State.
Alleged intimacy between the deceased and the defendant and a desire by Mrs. McRee to prevent her husband gaining this knowledge.

The Defense.
Mrs. McRee testified that she killed Garland in defense of her honor, asserting that he had mistaken her friendly interest in him and had sought to harm her during the absence of her husband.

Opened Oct. 22.—Four days consumed in selection of a jury, four days in taking testimony, and one day and a half in argument. Jury deliberated from 12:10 p. m. yesterday until 9 a. m. today, when a mistrial was ordered.

It is expected that a motion by the defense to grant Mrs. McRee bail will be argued before the court tomorrow. At this time a formal motion by Acting District Attorney Dubuisson to fix a date for a rehearing will be heard.

Cole T. H. Lewis, counsel in chief for Mrs. McRee, said the defense would not oppose an early trial.

"We will only ask for a delay of a few days in order to allow non-resident counsel opportunity to arrange their affairs so that they may appear in the case," he said.

Foreman Hidalgo stated that the four members of the jury who held out for acquittal based their opinion on the failure of the state to prove motive or malice.

"Was there any harsh discussion when it was found that a verdict could not be reached?" he was asked. "No, why not," he responded. "We all know the other too well for that."

District Attorney Dubuisson and District Attorney R. Lee Garland, uncle of the deceased, were disappointed. Both had expected a conviction of either murder or manslaughter.

EMORY McCLINTOCK RESIGNS AS VICE PRESIDENT AND ACTUARY

By Associated Press.
New York, Nov. 3.—Emory McClintock today tendered his resignation as vice president and actuary of the Mutual Life Insurance Company, which he had served since 1888. His health was given as the cause. The board of directors elected to succeed him as vice president, W. H. Truesdale, president of the Delaware, Lackawanna & Western Railroad, and as actuary William A. Hatchison, formerly associate actuary.

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