WEATHER FORECAST
Nebraska—Sunday fair and warmer.
CITY EDITION

THE OMAHA SUNDAY BEE

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THOUGHT FOR THE DAY

All lost things are in the Angels' keeping, Love,
No past is dead for us, but only sleeping, Love.
—Helen Hunt Jackson.

NEBR STATE HISTORICAL SOCIETY
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COOLIDGE DEFIES SENATE POWER

"Lie" Flung in Senate Tax Probe

Chamber Thrown Into Turmoil by Clash Between Ernst and Couzens; Glass Enters Fray.

Fist Fight Threatened

By International News Service.

Washington, March 14.—As a sensational climax to a fight over the collection of income taxes by the Treasury department, the senate this afternoon deprived Senator Richard E. Ernst, republican, of Kentucky, of the right to debate for having publicly insulted a fellow senator.

The vote was taken on a motion to restore Ernst's floor privileges after he was "called to order" for asking permission to call a fellow senator "a wilful, wicked and malicious liar." Ernst did not indicate who the term would be applied to, but the drift of debate pointed his remarks to Senator James A. Couzens, republican, of Michigan.

The vote was 32 to 48, and the result forced Ernst to remain in his seat without the privilege of entering debate.

Denounces Couzens.

The clash came after Ernst denounced Senator Couzens for alleged persecution of Secretary of the Treasury Mellon in his investigation of income taxes. Couzens retaliated by charging Ernst with "tipping off" the treasury to cases under investigation so that important records could be destroyed. Senator Carter Glass, democrat, of Virginia, former secretary of the treasury, criticized both Ernst and Mellon.

Glass said Mellon's arbitrary assessment of $11,000,000 against Couzens on the old Ford motor stock case was "tyranny."

A moment later Ernst sprang to his feet and asked the presiding officer whether it was in order to "call a fellow senator a willful, wicked and malicious liar?"

This produced an uproar in the chamber, a dozen senators shouting for recognition. Above the roar of voices Senator Glass was heard shouting:

"Do you mean me?"

Points of order were raised against Ernst from all sides of the chamber and finall Senator Robinson of Arkansas, minority leader, formally made the objection.

Point Sustained.

The point of order was sustained by Senator Fess, republican of Ohio, who was presiding, and Ernst ordered to resume his seat.

"I want the senator to be specific," Glass persisted. "Does he mean me?"

"I can't reply," Ernst shouted back.

Order was finall restored when Senator Moses, republican, of New Hampshire, made a formal motion to restore his floor privileges to Ernst. This immediately provoked another outburst, with democrats shouting "No, no," and Glass still insisting on learning whether he was the object of Ernst's attack.

"The senator (Ernst) invited this situation himself," Senator Borah, republican, of Idaho, finally declared. "He violated the rules of the senate four or five times by charging another senator (Couzens) with sinister purposes in the conduct of public affairs. I demand that his remarks against that senator be eliminated from the record."

Vote Demanded.

Ernst refused and the vote to restore his privileges followed. On the balloting, democrats and independent republicans voted solidly against the Kentucky senator, and he was forced to remain in his seat, deprived of the right of debate.

After the vote, Robinson obtained the floor and yielded to Ernst, who declared that Couzens' attack upon him was "unfounded."

Ernst denied he had "tipped off" the treasury to embarrass the senatorial investigation.

RETIRED FARMER DIES IN OMAHA

Charles A. McGee, 47, retired farmer of Albion, Neb., died Saturday at the home of his mother, Mrs. Mary McGee, 416 Lincoln boulevard. He had been ill for two years.

He is survived by his mother, his wife, Alta, and one sister, Mrs. Maude Norton of Douglas, Ariz. His father, W. L. McGee of the United States Supply company, died in April, 1924.

The body is at the Brailey & Dorrance mortuary pending the arrival of Mrs. Norton.

NEW JERSEY BANK ROBBERS CAUGHT

Tuckahoe, N. J., March 13.—Three men who today robbed the Tuckahoe National bank, shot a bank director and blackjacked the cashier and his wife, were captured late this afternoon by North Wildwood police in the woods some distance from here.

Maj. Mason in Iowa City.

Maj. C. W. Mason of the Seventh Corps area will return Sunday from Iowa City, Ia., where he went to deliver a lecture on chemical warfare.

Driver-Mate of Heiress Jailed

MR. & MRS. JACK SALDO & MRS. A. B. WOODSON

For two years Mrs. A. B. Woodson, wealthy society leader of Washington, D. C., sought her daughter, Mary, who had mysteriously disappeared. When she finally found her daughter, she found she was Mrs. Mary Seldo, wife of John Seldo, bakery wagon driver, living in a modest little flat in Brooklyn, N. Y. Hardly had the society dowager granted paternal forgiveness than Seldo was arrested on a charge of violating a parole in failing to report regularly after his release from the Elmira (N. Y.) reformatory, to which he had been sentenced on a burglary charge.

Alienists Battle at Griffith Trial

Hearing Adjourned Until Monday After State Refutes Defense Insanity Evidence.

Kimball, Neb., March 14.—The trial of E. L. Griffith on a charge of first degree murder in connection with the death here February 2 of Jerry Mandrell, was adjourned until Monday morning after one rebuttal witness had been placed on the stand by the prosecution.

The rebuttal testimony offered this afternoon was intended to refute that of defense alienist Dr. Mayhew, who testified that the defendant was the victim of hallucinations, and that his rearing and temperament showed that he probably was temporarily insane at the time of the shooting. Dr. Johnson of Cheyenne will be placed on the stand Monday in rebuttal of Griffith's testimony.

The defense is battling stubbornly to save the alleged slayer from the electric chair, frequently raising objections to the state's line of questioning, and verbal clashes are becoming more numerous as the nerves of opposing counsel wear down.

Griffith, facing fate gamely, has neves denied killing Mandrell, but insists that he did so in defense of his home, alleging that it was the culmination of a period of improper relations between his wife and the slain man.

MAN SLAYS THREE CHILDREN WITH AX

By International News Service.

Kansas City, Mo., March 14.—Three children were slain with an ax, a fourth is in a hospital and is expected to die, and Mrs. M. T. Gibson is in a serious condition from shock as the result of an attack this morning by M. T. Gibson, 35-year-old garage man.

Gibson was found later at the foot of the stairs in the cellar of his home, suffering from an ax wound. It is believed he received the wound when he fell on the ax.

At General hospital it was said he was in a serious condition.

Gibson, believed insane, was chasing his wife around their home in North Kansas City with an ax, according to neighbors. As she eluded him, he crashed the ax against the skull's of the children.

DOCTOR RETAINS EQUIPMENT; SUED

Dr. R. Allyn Mosher, 5413 Florence boulevard, is made defendant in a suit for $847.21 brought by the state, through the attorney general, alleging that since refiring as major in the Nebraska National guard medical corps on June 28, 1921, the doctor has refused to return national guard equipment worth that amount.

Married in Council Bluffs.

The following persons obtained marriage licenses in Council Bluffs yesterday:

Granville Hill, Omaha, Ia.	25
Josephine Hill, Omaha, Ia.	26
Isadoro Chacon, Lincoln, Neb.	45
Lugarda Ledesma, Lincoln, Neb.	40
Lester B. Space, Minden, Neb.	24
Alma E. Larson, Minden, Neb.	22
Harold A. Ballenger, Council Bluffs	25
Bertha A. Flanagan, Council Bluffs	23
Leo C. Martin, Sioux City, Ia.	29
Dora Baker, Sioux City, Ia.	38
Edward Ahlberg, Overton, Neb.	33
Marcia Holmes, Overton, Neb.	34

Good Roads Head Raps Fee System

Governor Hears Protest Against Amendment Giving Money to Counties.

By The Associated Press.

Lincoln, Merch 14.—B. A. George, chairman of the legislative committee of the Nebraska Good Roads association, called on Governor McMullen today, protesting against the Keck amendment to house roll 114, adopted by the house Friday, which provides that all automobile license money shall remain in the county where collected, half to be used on the state highways within that county and the other half upon the county's own roads.

Spokesmen for the association will join hands, it was indicated by the conference in the governor's office today, with members of the legislature to defeat the amendment.

The association has expressed its desire that the bill be changed back to its original form, providing that 50 per cent allotted for the state highways need not be spent in the same county where it is paid but may be used where it is most needed for maintenance of state highways.

Mr. George told newspaper men that his organization is backing Governor McMullen's highway program and is anxious that the state public works department be given full latitude to apportion the state's share of auto license revenue among the counties without regard to how much was collected by each.

"Some counties would lose by this method, but this is immaterial when we are trying to develop a highway system for the whole state," Mr. George said.

BETTER BUSINESS BUREAU PLANNED

Omaha may secure a Better Business bureau in the near future, according to Omahans interested in securing a future convention of the Associated Advertising Clubs of the World. The convention, if brought to Omaha, would bring thousands of advertising men throughout the world to Omaha.

The bureau would be added to the Omaha Advertising-Selling league.

At the meeting Thursday noon at the chamber discussing the proposed convention were Harley Conant and Montague A. Tancock of the bureau of publicity of the Chamber of Commerce, Dr. Stuart MacDairmid and Frank O. Malm of the Omaha Advertising-Selling league, and representatives of the advertising departments of Omaha's newspapers.

The Weather

For 24 hours ended at 7 p. m. March 14:
Temperature—7 a. m., dry bulb, 11; wet bulb, 10; noon, dry bulb, 16; wet bulb, 14; 7 p. m., dry bulb, 18; wet bulb, 16; highest, 21; lowest, 11; mean, 16; normal, 36; total excess since January 1, 218.
Relative Humidity, Percentage—7 a. m., 63; noon, 68; 7 p. m., 65.
Precipitation, Inches and Hundredths—Total, .17; total since January 1, 2.09; excess, .14.

Hourly Temperatures.

5 a. m.	12	1 p. m.	17
6 a. m.	12	2 p. m.	17
7 a. m.	11	3 p. m.	20
8 a. m.	11	4 p. m.	20
9 a. m.	13	5 p. m.	20
10 a. m.	13	6 p. m.	20
11 a. m.	14	7 p. m.	18
12 noon	16		

McClintock Indictment Looked for

State Adds to Pile of Evidence to Be Given to the Grand Jury on Wednesday.

Young Widow Sought

By Universal Service.

Chicago, March 14.—William D. Shepherd is held in custody by the state's attorney tonight pending presentation to a grand jury Monday of evidence tending to incriminate him in the death of William Nelson McClintock, millionaire orphan, who died in December after making Shepherd sole heir to his fortune.

Taken from his home last night and confronted by a witness who identified him as having made many inquiries about typhoid germs and how to administer them without detection afterwards, Shepherd made efforts today to obtain his release on a writ of habeas corpus.

Threatened with having a charge of murder placed against him, Shepherd through attorneys agreed to have hearing on the writ postponed until next Wednesday, by which time it is believed an indictment will have been returned against him.

Following that action in criminal court events in the investigation into McClintock's death piled up rapidly.

Fifty Students Called.

Fifty forthwith subpoenas were issued for witnesses and Robert E. Crowe, state's attorney, and his assistants prepared for an unceasing week-end gathering of evidence to be laid before the grand jury.

Among the witnesses called were former students of the National University of Science who will be asked to identify Shepherd as having briefly attended a biological course there a few days before the loss of three test tubes of typhoid cultures disappeared.

Louis Kles, former houseman for Shepherd, also was requestioned and repeated a story of seeing Shepherd in a small laboratory in the basement with bottles in his hands, while McClintock was on what proved his deathbed. Shepherd alone had keys to the laboratory, Kles said, and when surprised there by him fled into a closet with the bottles.

Investigation was being made also into a story to the effect that a crate of guinea pigs had been delivered to the Shepherd home about the same time.

School Head to Testify.

Dr. C. C. Faiman, president of the university, will be the first witness before the grand jury. It was he who confronted Shepherd in a stormy scene in which he told the man he accused to his face that he had attended bacteriology classes for three weeks, had made many inquiries about typhoid germs and studied them under the microscope, and later paid Faiman $50 for the return of a letter in which he applied for enrollment in the school.

Meanwhile another "woman in the case" was being sought in a pretty and charming widow, who is said to have been friendly with Shepherd after his breakup with a nurse to whom he wrote ardent letters.

"Perjury," "crucifixion," "third degree," "persecution" and similar terms were used in statements issued by Shepherd's attorneys, in which, while asserting the innocence of their client, they admitted his indictment on a murder charge was expected.

Shepherd is held in custody at a hotel, where he is guarded by detectives from the state's attorney's office. Permission for him to see his attorneys and his wife at reasonable hours has been granted. Mrs. Shepherd, who followed her husband to the prosecutor's office when he was taken in charge and herself was questioned at length, was reported in a state of collapse tonight.

CARDINAL SCORES MODERN FASHIONS

Berlin, March 14.—Complying with recent instructions issued by the vatican, the cardinal archbishop of Breslau has issued a pastoral letter to his flocks strongly denouncing the abbreviated skirt, exposed backs, bare arms and similar fashions.

He warns women that they must have their styles radically altered, because local priests will be forbidden even to marry women who are scantily clad.

The archbishop lays down rules for their guidance. He says the body must be completely covered and rendered completely invisible from below the knee to the neck. Arms must not be revealed above the elbow and no transparent material of any kind must be used.

He further warns the women to appear modestly clothed outside the church.

Hoffman Philip Chosen as Minister to Uruguay

Washington, March 14.—Hoffman Philip of New York, new American minister to Uruguay, was selected today by President Coolidge as minister to Persia.

Omaha Has Great Future, Says Denver Multimillionaire Visiting in City

"You have plenty of oil in Nebraska and it will be gushing before long," said Charles Boettcher, 73, Denver multimillionaire, who was in Omaha Friday. "It has already been found in Colorado and Kansas, and will soon be discovered in Nebraska."

Mr. Boettcher is said to be "worth" $30,000,000. He is head of Denver's street railways, head of the Moffat railroad, which is now tunneling the Rocky mountains between Denver and Salt Lake City, and president or director in 19 other corporations.

Future for Omaha.

"Omaha has a great future," he declared. "You may have had several disappointing ventures lately, but things will iron themselves out."

He is vice president of the Great Western Sugar company, with plants in Nebraska, Colorado, Wyoming and Montana.

"Scottsbluff district, in Nebraska, has the best soil in the country for raising sugar beets," he said. "I don't see why more of the sugar raised and made there is not used by Nebraskans. I'm a great believer in using home products. That saves freight."

Pleased at Report.

He was pleased when informed by the manager of the Nebraska Portland Cement company, which he owns, that all the street improvement departments of the city use cement made in that Nebraska plant, which employs 300 men, and, he said, is running 24 hours a day, and every day in the month.

Mr. Boettcher believes in work, and plenty of it.

"It is better to work 16 hours a day than not at all."

"Buy products made and grown in Omaha and Nebraska," was the parting advice of the millionaire.

Fall to Take Stand on Monday at Dome Inquiry

Defense to Launch Fight to Prevent Exposure of Ex-Secretary's Bank Records.

By The Associated Press.

Cheyenne, Wyo., March 14.—The battle of Teapot Dome will reach its climax in United States district court here Monday.

Albert B. Fall, former secretary of the interior, who is accused by the government of conspiracy and fraud in connection with the lease he gave Harry F. Sinclair's Mammoth Oil company, is scheduled to be in court Monday to await the call of government counsel for an explanation of his now famous act of April 7, 1922, when the lease was delivered to Sinclair.

Federal Judge T. Blake Kennedy also will rule Monday on the question of admitting into the evidence of the government's civil suit to cancel the Teapot lease the bank account records of Fall in El Paso, Tex., and Pueblo, Colo. By these the governments expects to trace a movement of Liberty bonds from the now defunct Continental Trading company of Toronto, alleged intermediate agent for Sinclair, to Fall.

Evidence Called "Hearsay."

The defense has fought this angle of the government's case with all the legal machinery at its command, declaring the bank records to be incompetent evidence because the government has not yet established any connection between Fall and Sinclair financially and because the government has not subpoenaed bank clerks who actually made the bank account entries, but rather bank officials. Because these officials have no personal knowledge of the entries made and because the government has introduced no previous testimony to show a financial liaison between Sinclair and Fall, defense attorneys contended in argument that the proposed testimony of the government is "double hearsay."

Whether the bank records and testimony constitute hearsay testimony or whether they are competent evidence, Judge Kennedy will decide Monday and because of the impending decision an admittedly large part of the government's case hangs in the balance. If Judge Kennedy bars the records and testimony regarding them, much of the government's attempt to prove a financial connection will be wined out of the trial; if not, the plaintiff will be allowed to make the most of the material it has for its case.

Fall May Keep Silence.

Mr. Fall, who has been staying in Denver, is due to arrive in Cheyenne tomorrow, along with his son-in-law, C. C. Chase, former collector of customs at El Paso, who also has been subpoenaed by the government. Whether or not he will testify or whether he will exercise his constitutional right to refuse to answer questions on the ground that to do so might incriminate him, is not known, but is a matter of widespread speculation here. Fall now is under indictment in Washington in connection with the lease and his alleged dealings with Sinclair and has the privilege of refusing to testify if doing so would incriminate him, attorneys here say. The opinion of many of the attorneys is that Fall will keep silent when called to the stand.

There was an appreciable lull in both government and defense circles today. There was a conference of defense attorneys, headed by Martin W. Littleton of New York and J. W. Lacey in the latter's Cheyenne office, but only technicalities of the case were discussed, Mr. Littleton told newspapermen. Mr. Sinclair appeared outside of his quarters in the hotel only for food.

CLAUDE BOSSIE TRIAL TUESDAY

Claude Bossie, former city clerk, is to go on trial Tuesday in District Judge Goss' court on the charge of embezzlement, it was announced Saturday by Deputy County Attorney Irvin Stalmaster, who is to prosecute the case.

Delays in Senate Lengthen Session of Legislature

Work of House Nearly Ended as Last of Important Measures Goes to Upper Body.

By The Associated Press.

Lincoln, March 14.—Whether the Nebraska legislature can adjourn sine die in two weeks or so, as hoped for by some of its more prominent leaders, now depends on the senate. In the coming week, with passage by the lower house of the motor license bills, the upper branch will be generally conceded the importance it attaches to itself, for it will then hold all the "must" bills not yet passed.

The bill reducing auto license fees $2 is due to be passed when the house reconvenes Monday afternoon and sent to the senate. The companion measure regarding distribution of funds from licenses should be ready for passage Tuesday, unless opponents of the 50-50 provision succeed in sending it back to committee of the whole for amendment.

With these two bills out of the way the house will proceed with "chicken-feed" measures and a few bills of some importance but which are not regarded as major ones. Outside of acquiescing to senate amendments on house bills and acting on the Cooper "sheik" bill, the representatives have little on the program to entitle them to the limelight.

These important house bills are awaiting disposal in the upper branch.

General appropriations for biennium; repealer of 10-day marriage notice law; bill repealing intangible tax law; repealer of blue sky act; gasoline tax; claims and deficiencies bill; university and Normal school building levies.

The appropriations still are in the senate finance committee and until the and the gas tax are finally approved by the senate, the legislature cannot quit. Most of the solons are doubtful as to these bills getting through in two weeks and they think adjournment will not be taken until April 1 at least. April 10, they say is a more probable date.

The marriage bill will be up for passage in the senate probably Tuesday.

The gas tax will be put out on the floor, early in the week by the senate revenue committee and it may be passed Friday.

KANSAS MAN TO BE NEW PENSION HEAD

By Universal Service.

Washington, March 14.—President Coolidge today sent to the senate the nomination of Wilder S. Metcalf of Lawrence, Kan., to be commissioner of pensions.

Metcalf is a veteran of the Spanish and world wars. He rose to the grade of brigadier general. He received the congressional medal for his services during the Philippine insurrection.

The new commissioner will succeed Gen. Washington Gardner of Michigan, a G. A. R. veterans, who resigned.

HASTINGS CHURCH PLANS BIG DRIVE

Hastings, Neb., March 14.—The First Presbyterians church of this city will attempt at the morning services tomorrow to raise its entire burget of $18,445 for the new church year beginning April 1 by voluntary subscription. The church has one of the larges memberships in the state and a finance committee is attempting to raise the budget entirely without personal solicitation.

BROTHERS DENY MURPHY CHARGE

Joseph F. and John A. Murphy of Omaha filed an answer in county court Saturday to charges of a third brother, Matthew J. Murphy of Pasadena, Cal., that they had misled him into resigning his share in the estate of their late brother, James W. Murphy, for $50,000, when in reality, he says, his share is $150,000. The Omaha brothers deny they misled Matthew.

Man, 107, Has Been Out of County Only Once

JACOB CABLE.

Jacob Cable recently celebrated his 107th birthday at his Butler, Pa., home. He prides himself on being out of his native Butler county but once, when he went to Pittsburgh to enlist for civil war service. He was rejected because of his height. Cable was born at Whitestown, Butler county, on October 15, 1817.

Second Raid Is Made on Alleged Narcotic Resort

Two Persons Arrested in Fruitless Effort to Bag Den's Wealthier Patrons; Inmates Are Held.

A second raid was made Saturday on 1119 North Nineteenth street, where police believe they uncovered a popular drug den when they visited the address Friday, in an effort to snare some of the resort's patrons, said to be well-to-do persons.

Floyd Carter and Etta Stewart, colored, were arrested and held for violation of the Harrison drug act.

Officers were told that since the raid Friday the establishment has not been visited by its apparently wealthy white patrons who rolled up to its door in expensive cars driven by liveried chauffeurs.

Fred Sayles, arrested Friday as the keeper of the establishment at 1119 North Nineteenth street, is held for federal court. Six inmates arrested are serving 20 days each in the county jail.

$54,000 PLEDGED FOR UNI STADIUM

More than $54,000 had been pledged in the Creighton drive for a stadium Saturday night, it was announced at the campaign headquarters, 804 First National bank building.

Saturday was the first day of the drive. The total pledged includes more than $40,000 pledged prior to the opening of the campaign.

Creighton university students have raised $5,000 since Thursday by their "Buy a Sack of Cement for the Creighton Stadium" campaign.

An out-state man donated $7,000 Saturday, while a local merchant subscribed $200. They were the largest donors.

GAS TANK BLAST FIRES BUILDING

A gasoline tank of a Ford car on the third floor of the McCaffrey Motor company building, Eighteenth and Howard streets, exploded at 8:30 Saturday morning, blowing out three large windows and starting a fire which was put out by the fire department before much damage had been done.

Six men, working on the other side of the room, escaped injury.

The cause of the explosion is undetermined.

37 BUY LICENSES WITH BAD CHECKS

Thirty-seven motorists paid for their 1925 licenses with bad checks.

"The checks are still here in the office," said County Treasurer Otto Bauman. "Warnings have been sent the writers and I have allowed them till Monday to make good the checks, all of which are marked by the banks "insufficient funds." Those that are not made good by Monday will be turned over to the county attorney for criminal action."

Omaha Elk Dies in Marion Sanitarium

J. V. Cochran, 36, member of Elks lodge No. 39, Omaha, died Saturday morning at Marion, Ind., according to a telegram received by Otto Nielsen of the local lodge.

Cochran has been an inmate of the Marion sanitarium for the last year. His health is said to have been failing since his return from service overseas.

He is survived by his parents, who live at Riverton, Ia., where funeral services will be held.

Recess Term Appointment Threatened

President Angered by Reports He Has Abandoned Fight for Warren's Confirmation.

Solons Amazed at Turn

By WILLIAM K. HUTCHINSON,
International News Service Staff Correspondent.

Washington, March 14.—President Coolidge defied the senate tonight to prevent Charles B. Warren from sitting in his cabinet as attorney general.

While the senate was engaged late this afternoon in further acrimonious debate over Warren's fitness, and threatening for a second time to reject his nomination, the White House issued a formal statement to the effect that if the senate persists in disapproving Warren, Mr. Coolidge will wait until the senate has adjourned and then give Warren recess appointment.

The White House announcement said:

"Notwithstanding various reports and rumors, the president is making every possible effort to secure the confirmation of Mr. Warren.

"As the time is very short and to accommodate the senate, he has consulted certain men and certain senators as to what course should be pursued in case Mr. Warren is not confirmed.

Hopes for Confirmation.

"He has decided on no other appointment. He will offer him (Warren) a recess appointment. He hopes however that the unbroken practice of three generations of permitting the president to choose his own cabinet will not now be changed, and that the opposition to Mr. Warren, upon further consideration, will be withdrawn in order that the country may have the benefit of his excellent qualities and the president may be unhampered in choosing his own method of executing the laws."

The White House announcement created amazement and confusion at the capitol—all the more so because only a few hours earlier republican leaders had been to the White House and returned to inform their colleagues that the president desired the senate held in session to receive a new appointment should Warren again be rejected.

Explodes Like Bomb.

Shortly after the White House announcement fell like a bombshell in the chamber a gentleman's agreement was reached to recess tonight and vote on Warren again at 2:30 o'clock on Monday.

The net result of the day's developments was to create a situation tonight that is without parallel in history.

Should Warren accept a recess appointment he would have to serve in the cabinet without pay throughout the summer—and ahead of him would always be another vote next December when the senate convenes again.

While the White House announcement did not state whether Warren would accept the recess appointment the plain inference was that he had been consulted about it and that he would.

The reaction at the capitol to the president's surprising pronouncement was instant and unfavorable. While administration senators generally reserved comment, the democrats and independent republicans commented adversely. That of Senator Carter Glass, democrat, of Virginia, was typical.

"Mr. Warren will have the pleasure of serving without compensation until he is again rejected next December," said Glass.

The threat of a recess appointment for Warren was ascribed to President Coolidge's anger over reports that he was prepared to abandon the Warren fight. It was issued at the White House only after the afternoon newspapers had been put on his desk, carrying headlines to that effect.

What actually happened, according to those in a position to know, was this:

Republican leaders of the senate went to the White House at noon to again report to Mr. Coolidge that in their opinion there was no chance of a favorable vote on Warren. They urged him to send up a new nomination.

On the president's desk at the time, according to reports, was a list of available candidates who have been under consideration. Heading the list was the name of John G. Sargent, former attorney general of Vermont and a long-time friend of Mr. Coolidge's.

The administration senators returned to the senate and allowed the word to go out that if the senate again rejected Warren the president would submit another nomination. At that time an informal agreement had been reached between the opposing forces to recess until Monday and then vote on Warren.

Meanwhile, White House attaches had put afternoon papers on the president's desk. They carried stories that the fight for Warren was to be abandoned after the second rejection, and this "leak" is reported to have so angered Mr. Coolidge that he promptly caused the formal statement of his position to be issued.