OMAHA, FRIDAY, NOVEMBER 18, 1921. *

INFR.

Rhin Tiend, 1 ving

Assessment to Be

Made at Once for

Decision to Make Extra Lavy

Reached at Meeting With

Omaha Bankers-Is

Below Requirements.

Lincoln, Neb., Nov. 17 .- (Special.)

-Extra assessments on state banks

operating under the state guaranty

fund probably will be made imm

cision followed a conference in Om-

The guaranty law requires this

action when the fund falls below

1 per cent of total deposits in state

banks. The fund at present holds \$830,000 and the special assessment

will add more than \$1,000,000 which,

Heavy drains on the fund, due to

assessment comes in January.

Mail Plane Falls

son Crashes as Motor

Stops.

An air mail plane, piloted by W

C. Hopson, from Chicago to Omaha.

was badly damaged about 6:30

Thursday night when it crashed to

the ground in a pasture in East Om-

The pilot was flying quite high

in approaching Omaha and it was

this fact that prevented a more seri-

ous accident. While traveling at a

high rate of speed his motor stopped

In swerving his machine sharply,

to avoid striking a tree, the plane

crashed into a tree tearing off one

The central police station was call-

ed and delivered the mail from the

scene of the accident to the post-

Marion Davies, Movie Star,

Critically Ill at Gotham

New York, Nov. 17.-Marion

Davies, motion picture actress, is

critically ill of pneumonia at her

come on Riverside drive. Five

Charles at Gilbrahar.

physicians were in attendance

day. She was stricken with

and ex-Empress Zita on board,

disease four days ago.

tination Sunday

office, in the patrol.

wing and crashing to the ground.

aha. Hopson escaped uninjured.

Hart stated.

Is Passed House

Express Wish of President Disregarded in Action on 50 Per Cent Amendment To Bill.

dent Harding, the house voted today, 201 to 173, to accept the senate
amendment to the tax revision bill
fixing the maximum income surtax
rate at 50 per cent on incomes of
\$200,000 or more.

ning and left word that he did not wish to be disturbed. A little later by naval officials, and almost everybody had left out President Harding, until today's "inside story" began to circulate.

The great secret, to which A. J.
Balfour referred to in his address
which he had written with lead penwith corrections and inter-

Ninety-four republicans, most of them from the middle and far west, joined with the practically solid democratic minority in supporting of the support of th the amendment. Announcement of the result brought applause from both sides with some democrats

Harding Suggests Compromise. Three hours before the vote was ken the house listened to the reading of a letter from President Hard-ing to Chairman Fordney of the ways and means committee, suggest-

ing that the house and senate co The executive said he still be-lieved the original house rate of 32 per cent was "nearer to a just levy," but that, in view of the legislative situation, he thought it "wholly de-sirable" that there be a compromise

who Attacked Her

Immediately after it became known that the president had written Mr. Fordney, spokesmen for the "insurgent" republicans said that the letter would not affect the result. They had claimed 93 republican votes, or one less than was cast for the amendment.

Settles Big Levie

Who Attacked Her

Washington Orders Gardner
Held for Indictment at Phoenix — Hays Congratulates Captor.

Who Attacked Her

Miners Working

Work in Huerfano Strike
District Today, Declare

C. F. & I. Officials.

Settles Big Issue.

This vote settled the biggest issue between the house and senate on the tax revision bill and the managers from the two houses will re-sume their sessions tomorrow with

the hope of reaching an agreement on the bill by Saturday night. Intervention of the president in the tax revision fight—the second since ways and means committee began drafting the measure three and a half months ago—followed a visit to the White House today by Repre-sentative Mondell, republican leader. The president then summoured Chair-man Fordney and Representative Longworth of Ohio of the ways and Longworth of Ohio of the ways and means committee and expressed his views on the surtax. These were supplemented by a letter to Mr. Fordney,

President Attacked.

During the three hours' debate in the house, which was conducted under a special rule, the president was attacked for writing Mr. Fordney. Representative Frear, republican, Wisconsin, said the president's intervention "at the last minute" was "unfair and unjust."

Representative Garner, democrat, Texas, declared that if the president had views to submit he should have done so in person or in a message, rather than in a letter. Representative Sinnott, republican, Oregon, declared he "grieved because the president had been given bad advice on

this subject." Supporting the president's stand, Representative Mondell and other epublican spokesmen said that the republican party had promised to re-duce taxes and that the 50 per cent rate should not be approved by the

Text of Harding's Letter. The letter written by President Harding to Chairman Fordney fol-

'My Dear Mr. Fordney: "In response to your inquiry as to the wisest course in dealing with the differences between the congress in higher surtax on incomes, I can say only in view of our earlier conference on tax matters and the ultimate adoption of the higher surtax rate of 32 per cent, I still believe the rate approved by the house to

ore promising one in returns to public treasury. The administration is anxious, first of all, to lay necessary taxes to meet demands of the treasury. There is a moral obligation, however, on the party in power to do everything possible to keep faith with

be the nearer to a just levy and the

rwo have been collecting the highest surtax on incomes levied at this at "We have been collecting the high-est surtax on incomes levied at this time in the world. The effect has been the restriction of the casy flow of capital in the channels most es-sential to our normal and very nec-machine shop in the prison three essary activities. No one challenges stress of war, but now we are struggling for the readjustments of

Urges Compromise.

"Where there is so wide a difference in the judgment of the two houses. I have thought it might be possible and wholly desirable, to reach an equitable compromise, say a maximum surtax levy of 40 per cent. This would put the higher federal tax on income at 48 per cent. which would measurably meet the expectations of those who are, above all else, concerned with the return of hopeful investment of capital and the application of our capital resources to profitable productivity. I am wholly confident that the helpful results spreading therefrom to every active participant in our industrial ad economic life, from management every wage earner, would be vast-more advantageous to our people an the maintenance of warting levies as peace time penalties on ca ital, which are certain to hamper the restoration of our activities for which

we all so much hope.
"One experience will afford a confrom to Page Three, tolumn One.)

High Surtax Harding 'Master Mind' Back of United States Disarmament Plan

President Author of "Big Idea" Upon Which American Proposals Are Based-Invitations Written While on Week-End Cruise on Potomac.

Washington, Nov. 17.—Who formulated and executed the call for the
armament conference? Who evolved
the American proposals for naval
limitation?

the text of the formal invitation was
substantially the same as President
Harding had conceived it that night
on the Mayflower.

The evolution of the concrete

The country has been asking these questions and has been hearing tion—Secretary Hughes' bombshell many answers. The best "inside —is still another story. Final Vote, 201 to 173 questions and has been hearing many answers. The best "inside many answers. The best "inside story" here today has all the earmarks of being the correct answer. Some admirers have ascribed them to Secretary Hughes alone, while

By The Associated Press.

Washington, Nov. 18.—Disregarding the expressed wish of President Harding, the house voted to dent Harding, the house voted to cil and with corrections and interlineations something which they all kept, because between seven and 10 read with amazement. kept, because between seven and 10 men knew it. That number included

It was invitation to the arms con-the four American delegates and President Harding. The others ference. After some conference, it was de- worked on various phases of the procided to forward the text to Secre- posal. It is known that it was based tary Hughes, and the yacht Mayflower buzzed off from her wireless
that night the words which later were
to ring around the world.

on memoranda culled from the Navy
department and it was carried into
execution by the American "big
four," which Secretary Hughes heads,

Of course, the preliminary diplomatic feeler was transmitted to the nations concerned, but it is said that from President Harding.

gratulates Captor.

enworth for safe keeping. Under the law Gardner's convic-

tion will be necessary before the re-ward of \$5,000 for his capture can

be paid to Herman F. Inderlied, the

mail clerk, who, unarmed and single-

handed, took the robber in charge

when he attempted the Pheonix

Postmaster General Hays today

sent a telegram of congratulations

"Have just heard of your splen

did conduct in connection with the

capture of alleged mail robber,

Gardner. This is magnificent. You

are a man's man and worthy of your

Salt Lake City, Nov. 17 .- Oscar

Blaney, who escaped from the Utah

state prison, September 14, was re-

day, according to a message re-ceived by Sheriff C. Frank Emery

from B. E. Trowbaugh, special

Blaney was serving an indeter-

culminated in a duel with an accom-

plice, Tom Burns, and the police.

Burns, who was shot by Chief of

Police Burbidge, shot and killed

with Ed Harris, bank robber, who

two guards. Guards at the tower

the wall to freedom. The three con-

victs were found in an abandoned

AS FATHER of the

girls, Mr. Farnham

felt sorry for his three

sons-in-law.

Santa Fe railroad.

days later.

captured at Albuquerque, N. M., to-

congratulate the department."

Escaped Utah Convict

. I congratulate you and I

to Inderlied, saving:

Colorado Mine **Bandit Identified** By Girl as Man **Operators Say** Miners Working Who Attacked Her

C. F. & I. Officials.

Tuesday, must indeed have been well

Phoenix, Ariz., Nov. 17 .- Sheriff John Montgomery of Maricopa Fuel and Iron company here today showed that many miners reported for work in Las Animas and Huer-fano counties, where a strike was county today read a warrant to Roy Gardner, escaped convicted mail robber, charging him with criminally assaulting Maria Munoz here on October 24. Gardner's only comment called this morning in protest against was "fair enough."
Gardner is being held here on a a 30 per cent wage reduction. Un-ion officials disputed the statements

charge of attempting to rob a United States mail car at the Atchiand declared there had been a genson, Topeka & Santa Fe railway station here Tuesday night. He was captured by Herman F. Inderlied of Phoenix, mail clerk in charge of In Las Animas county, the company reported a 50 per cent force was working. In Huerfano county, the number of men reporting at the mines was 25 per cent of normal, according to the company, while there was a full force in the Canon City district, which was not affected by the wage reduction. At Crested Butte, a sympathetic strike was in effect and company officials eral response to the strike order. Washington, Nov. 17.—Orders were sent to Phoenix today to hold Gardner there for indictment if he admitted only a few men were working. There was no wage rehad not already been sent to Leav-

duction effective at Crested Butte. Martial Law In Effect. Martial law is in effect in Huer-

ano county today. State rangers, acting under in-structions from Col. Patrick J. lamrock, adjutant general, have aken charge of law enforcement just a few hours prior to the time set by union leaders for a strike in 13 of the Colorado Fuel & Iron Co. mines, employing 3,500 men. Reduction of 30 per cent in wages, announced yesterday, and effective today, was to be the signal for closing of the mines by a walkout, John P. McLennan, president of District 15, United Mine Workers of America, announced yesterday.

The strike order was to be effective in 13 of the 26 mines owned by the Taken at Albuquerque company. McLennan, in a statement declared that the other 13 mines would be closed by a sympathetic strike within a few days. declared that the mines are 90 per cent union.

Issued by Governor.

The martial law proclamation was issued by Governor Shoup after an appeal had been received from Sheriff agent of the Atchison, Topeka and Harry Capps at Walsenburg saying the situation was beyond his control and after a tour of the district by minate sentence for a robbery which | Colonel Hamrock.

No disturbance was reported as a result of yesterday's action, although it was pay day for the miners. Prohibition of the sale of arms Detective Greenhamby, before he and ammunition at Walsenburg yesdied. He escaped from the prison terday revealed according to dispatches that Walsenburg merchants still at large. The couple, with already had sold out their entire three other convicts, overpowered stocks of arms and ammunition.

Arguments on Obenchain

Petition to Be Heard Monday San Francisco, Nov. 17.-Arguments will be heard November 21 before the second district court of appeals in Los Angeles on a petition for a writ of habeas corpus to secure the release of Mrs. Madalynne Obengeles broker, the state supreme court decided today.

Attorneys for Mrs. Obenchain filed the petition for the writ in Sacramento Monday when the supreme court was in session at the capital. Today the higher court made the writ returnable before the Los An-

Tornado Wrecks Houses

Fort Worth, Tex., Nov. 17.—A tornado that did considerable damage to property but caused no deaths was reported to have struck gun found in Neal's hand was the about five miles east of Marshall "Wright" pistol, it might have her early last night in a telegram re- finger marks on it as she had ceived at 10:30 o'clock by the Fort handled the weapon a few weeks be-Worth Record.

Several houses and two stores were damaged and many trees, telephone and telegraph lines were blown tensive search, but could not find the

be made last night,

Scores at Neal Trial

Scene of Alleged Murder Vividly Re-Enacted for Jury's Benefit With Sheriff as Star Witness for State.

Defendant Is Unmoved

Auburn, Neb., Nov. 17 .- (Special.) -Dramatic scenes, enacted in the court room this afternoon at the trial of Mrs. Lucy Neal for the alleged murder of her husband, Billington Neal, August 11, revived freshly, in the minds of those present the discovery of Neal on that fatal night

fatal night.

Mrs. Neal maintained the same composure and almost indifferent attitude she has kept throughout the

trial during the dramatic portrayal. This afternoon, with her head turned and her eyes closed, she shut from her vision a reconstruction of the scene of the finding of the body of her dead husband, Ben Neal, in the bedroom of their home on the night of August 11.

Carpet Is Presented.

It was a dramatic prologue to the verbal test that was to be given by Sheriff Charles Davis of Nemaha county, whom the attorneys for the defense describe as one who is en-acting the role of her persecutor. Davis, when called to the stand, was asked by Judge Jessen, assisting in the prosecution, to bring with him a number of grewsome relics of the tragedy, which were to be identified and entered as exhibits of

evidence for the state.

He spread the bloody carpets that covered the floor of the death room, in a curved space in front of the jury box, immediately opposite the judge's bench.

Sheriff Enacts Scene.

He then arranged a table so that it would stimulate the bed and placed over this the blood-stained sheet that had been taken from the Denver, Colo., Nov. 17.—(By The Associated Press.)—Statements issued at the offices of the Colorado bed at the conclusion of the coro-

in approximately the same position

he found Neal.

As he took the pistol, Nord Butterfield, a juror, exclaimed, "Don't point that gun this way, if you have

was in effect and company officials when he arrived at the little bungalow on that fateful night. Members of the jury crowded

around, while spectators stood on seats and craned their necks over the heads of others to see the bet ter, the dramatic spectacle. While the sheriff lay on the floor,

he answered the questions put to him by Judge Jessen as to the position of body as it related to the distances from the walls, the doorway and the bed of the death chamber. All the while Mrs. Neal kept her eyes closed and her face turned, but her countenance kept the same inscrutable calm which it has posessed all through the proceedings.

Defendant Shows Strain. It seemed as though the dramatization was merely a distasteful spectacle to her, so far as its effects on

her emotions were concerned. Her intimate women friends say she is showing the strain of the trial and is weak, but her outward appearance does not seem to show physical deterioration.

The members of the jury examined the bloodstained carpet as the sheriff lay upon it, and traced with his hand the trail of blood that ran from near the head of the bed to where the body was found.

They examined the blood-spotted sheet still creased and almost un-wrinkled, and noticed carefully, diagrams that were made on the sheet to indicate depressions on the left and right centers of the bed as though made by persons sitting thereon.

Repeats Same Story. The sheriff testified to the same

facts as regarded the bloody right hand of Neal and the almost bloodless left hand, the appearance of the wound in the neck without powder stains or burns, the bloody imprint of the human hand on Neal's chest and also the imprint of the bloody hand on the wallpaper and casing of the south partition wall, as he described at the coroner's inquest. He showed how impossible it would be for Mrs. Neal to run from and he attempted to make a forced the room in the darkness without stepping across or stumbling over chain, who is charged with the mur- the lifeless body of her husband as der of J. Belton Kennedy, Los An- she fled from the room, as she described in her conversation with him on the morning of the tragedy.

Gives New Testimony. New evidence introduced by him, to the effect that after he had sent for Hans Neilson, Lincoln, state Bertillion expert, Mrs. Neal called for him to ask him to go to her Brownville home and see if he could find a revolver which she claims was the property of her first husband, John Wright, and which she said she

the attic of her home.

fore. The sheriff obtained the keys to (Turn to Page Four, Column Two.)

Ulster Reply on Ireland Received at London

Cuaranty Fund

London, Nov. 17.—(By The Associated Press.)—Irish Ulster's reply to the latest British government communication on the question of an Irish sertlement was delivered at Downing street the afternoon. It indicates that Ulster stands from in the attitude it has taken and will not submit to anything considered a violation of its rights. a violation of its rights.

has failed to maintain secrecy regarding the negotiations, the Ulster representatives threaten to publish the correspondence.

Juror Withdrawn diately, it was announced tonight by J. E. Hart, secretary of the department trade and commerce. This deaha today between Hart and Omaha

Twelfth Man Chosen Changes Answers at Last Minute Had Formed Opinion.

with collections on slow but apparently good assets of failed banks will in a short time, swell the money in the state guaranty fund to \$2,000,000. ecent failures, forced this action. In neys back at picking out a 12th lene torches began cutting through juror late today. As a result, to-day's session ended with the jury McGuire directed the efforts of his the failure of the American State bank at Lincoln, recently, it was necessary to draw \$50,000 from this incomplete, and, as the court an- recuers. He was pinned under fund to pay depositors and prior failures caused even heavier withnounced it would direct that one or two alternate jurors be chosen, the taking of actual testimony seemed as far away tonight as it did last moved to a hospital. drawals. The regular semi-annua

who blocked the proceedings. He second crashed into it. informed the court he wished to Frank R. Doyle, 43, m Near East Omaha "on the weight of circumstantial evidence." He was excused. Ship Piloted by W. C. Hop-

The prosecution used its last peremptory challenge to excuse Edward Pauson, called in place of Gentral Railroad Sells Morgan. This also was the last peremptory challenge available for

the case apparently reached its low-est point since Arbuckle formally syndicate formerly identified with the he gave in his rooms at the Hotel St. Francis here. At times there were more persons inside the attorneys' bar than in the spectators' anthracite properties in the Pennsylsection of the courtroom.

Rail Union Sues Bondsmen For Indicted Secretary

Division No. 1, Railway Employes' department, American Federation of Labor, started suit Thurs-day in district court to recover \$20,000 share, this valuation being based on from the New Amsterdam Casualty company, bondsmen for Samuel H. Grace, indicted secretary and trasurer of the railway employes. According to the petition, the railway body alleges that Grace converted to his own use \$65,000 of the department's money. Only \$17,500 was returned, leaving a balance of \$47,500, it is alleged. The petition

states that the casualty company agreed to pay only \$20,000. High School Youth Dies

Gibraltar, Nov. 17.—The British cruiser Cardiff, with former Em-peror Charles of Austria-Hungary Of Injuries in Grid Game Pittsburgh, Pa., Nov. 17,-Munroe Gibraltar today for the Island of Madeira, to which the former royal (Bud) Beatty, Bellevue high school foot ball player, died yesterday of No estimate of the damage could print expert had arrived and had The Cardiff is due to reach its des-

Twenty-Five Hurt In Train Wreck On Chicago "L"

Acetylene Torches, Used by Firemen to Cut Through Twisted Metal to Reach Wreck Victims.

Chicago, Nov. 17.—Twenty-five pared with 500,000 each for England and America. The Japanese have been reputed to be seeking an infatally, shortly before 9 o'clock this crease to 350,000 tons, which would morning, when two five-car elevated give Japan a navy 70 per cent, in-trains, bound downtown from the stead of 60 per cent, of the strength West Side, were wrecked in a rear-sed collision at the Crawford ave-In Arbuckle Case end collision at the Crawford avenue station on the Ooak Park line.

nue station on the Ooak Park line. Three steel coaches were smashed and several victims pinned beneath be allowed nearly a parity the wreckage. Firemen with acety- either England or America in the lene torches cut through the twisted tonnage of a certain type of defenmetal to reach them.

workers.

San Francisco, Nov. 17.—After counsel for both sides had accepted definitely a jury to try Roscoe C. (Fatty) Arbuckle on a manslaughter charge, admissions by one of the 12 of the trains, pinned beneath two charges, admissions by one of the 12 of the trains, pinned beneath two of the trains, pinned beneath two would leave with a capital ship nor a submarine. about to be sworn in set the attor- steel coaches. As firemen with acety-

One train was just leaving the George R. Morgan was the man Crawford avenue station when the

Frank R. Doyle, 43, motorman on change his answers to certain questions asked him and then ancustody by the police. He declared auxiliary ships. The American agnounced he had formed an opinion he had done everything possible to gregate is now below 450,000 tons stop his train as soon as he saw the train ahead, but was unable to prevent the c-ash.

Holdings in Coal Fields either side.

Examination of prospective jurors
was speeded up today. Interest in its holdings in the Lehigh Valley was acused of causing the death of Virginia Rappe, film actress, involves approximately \$32,500,000, through injuries inflicted at a party according to reports current in the according to reports current in the financial district today.

This is one of the largest transactions affecting any of the important vania field since the general decree issued by the United State supreme court, directing all railroads owning coal lands to separate them from parent companies.

It is estimated that at the figure named, the return to the Central earnings of the last 10 days.

The Weather

Friday-Snow; not much change in temperature. Hourly Temperatures.

Highest Thursday. 1 Hursday.

24 Pueblo
48 Rapid City
28 Salt Lake
49 Santa Fe
26 Sheridan
18 Stoux City
28 Valentins

Georgetown,

Prosecution Will Conference Take Up This Situation? Japs Ask Increased Tonnage

Admiral Kato Proposes Capital Ship Total Larger Than Suggested-Want More Auxiliary Ships.

British Want Changes

By ARTHUR SEARS HENNING. hicago Tribune-Omaha Bee Leased Wire. Washington, Nov. 17.—There were two developments of great significance today in connection with the consideration of the big powers of the American proposal of a 10-year naval holiday and the radical reduc-

tion of limitation of armaments. In brief the developments were:

1. Japan proposed that it be allowed an aggregate tonnage of capital ships slightly larger than that suggested by Secretary of State Hughes and that in auxiliary ships for defensive purposes, it be allowed a tonnage nearly as great as that of either the United States or Great

Britain.

2. The British delegation repudiated a previously advanced conten-tion that instead of suspending con-struction of capital ships completely for 10 years, the powers should be permitted to build one ship a year in order to preserve shippard facil-ities—a modification that would scrap the naval holiday.

Kato Presents Arguments. The Japanese plea for a more lib-eral allowance of tonnage was made by Admiral Kato in the committee of naval authorities of which Assis-tant Secretary of the Navy Theo-dore Roosevelt is chairman. He presented lengthy arguments, all to the effect that Japan, on account of her insularity and widely dispersed possessions, needs a larger navy than that allowed her in the American

Afterward Admiral Baron Kato issued an official statement on the modifications proposed by Japan. This statement follows:

"Because of its geographical posi-tion, Japan deems it only fair at the present time that the other interested countries should agree that it maintain a proportion in general tonnage slightly greater than 60 per cent and in a type of vessels of strictly defensive character it might

desire even to approximate that of the greater navies."

The head of the Japanese navy was unwilling to go much further than his brief statement in elucidating the Japanese position. He de-clined to state definitely how much more capital ship tonnage the Jap-anese desire. The Hughes plan suggests an allowance to Japan of 300,000 capital ship tonnage,

Makes New Proposal. The other suggestion that Japan

sive vessel is a hitherto unmentioned Both the trains carried crowds of proposal and one still enveloped in a good deal of mystery. Baron Ka-William Griffin, 15, was caught be-tween two cars and his leg crushed. of ship he had in mind and when

within the range of possibility such craft as light cruisers, destroyers and airplane carriers. It is evident from the baron's statement that Japan contemplated building auxiliary ships on a new scale never before undertaken. Under the Hughes plan England

and the United States would be allowed an aggregate of 450,000 tons each and Japan 270,000 tons of cruisers and destroyers. To get within this limitation, England would be and the Japanese is below 270,000.

United States C. of C. Endorses Arms Plan

Asheville, N. C., Nov. 17 .- Proposals for armament reduction presented by the American government and favorably received by representa-tives of foreign countries at the armament conference, were declared matters of "deep gratification" by directors of the Chamber of Commerce of the United States at their closing session.

They adopted resolutions expressing the hope that through the conference, plans will be agreed on which will not only reduce the great burdens the people now bear in supporting armies and navies, but will result in the substitution of arbitration and law in the settlement of disputes between nations and removal of the menace of war with its attendant evil and suffer-

The board reiterated its stand favoring legislation for disabled soldiers and opposing a cash bonus.

Jesuit College of U. S.

Presents Foch With Sword Washington, Nov. 17.-Marshal Foch, an alumnus of Jesuit college of France, was presented with a gold sword by nearly two score Jesuit colleges and universities of the United States.

The presentation was made at Georgetown university on the porch of the Old North building, which served as the temporary capitol of the United States after the British burned Washington in 1814. The marshal also received the degree of doctor of canon and civil laws from

The Rule of 3 By ETHEL TRAIN

BLUE RIBBON fiction in

Next Sunday's Bee