

Court Dismisses Action Against Science Church

Publishing Society Loses Suit To Restrain Interference By Directors—Dismissal of Rowlands Sustained.

Boston, Nov. 23.—The supreme court today dismissed a bill brought by Herbert W. Eustace and other trustees of the Christian Science Publishing society against Adam H. Dickey and others, directors of the First Church of Christ, Scientist, to restrain the latter from interfering with the publishing society.

The court held that the directors of the church were within their authority in dismissing Lamont Rowlands of Picayune, Miss., as a member of the board of directors.

The court dismissed the suggestion of the state attorney general that it had no jurisdiction and that under deeds of Mrs. Eddy, a public charitable trust was created.

In its recital the court says: "Interlocutory decree or decrees to be entered sustaining the defendant's exceptions to the master's report, so far as they relate to rulings that directors have no power to remove a trustee under the deed of January 25, 1898, and that the removal of Mr. Rowlands was ineffectual and otherwise confirming the master's report except those paragraphs relating to the Dittmore-Knott controversy and final decree to be entered dismissing the bill."

At the end of the decision the court says:

"On the facts found by the master in the light of the principles of law here found to be controlling, the plaintiffs cannot maintain their bill."

"To decide the fundamental issues raised in this record it is unnecessary to question whether Mr. Dittmore or Mr. Knott is a director. This issue is involved in another suit."

The exceptions of Emilie E. Hulin have been waived and need not be considered.

Both appeals of Mr. and Mrs. Krauthoff dismissed.

"Bill dismissed."

Suit Started in 1919.

The Christian Science litigation, upon which the full bench of the Massachusetts supreme court rendered its decision today, started on March 25, 1919. One year later, in March, 1920, the master appointed by the court to determine the facts at issue, filed his report. Final arguments were completed on December 1, 1920, and since that time the full bench has had the matter under consideration.

The original suit was a petition by the trustees of the Christian Science Publishing society for an injunction to restrain the directors of the First Church of Christ, Scientist, of Boston (the mother church) from interfering in the management of the affairs of the publishing society or from engaging in competing business. This resulted from a vote of the directors to remove Lamont Rowlands of Picayune, Miss., from the board of trustees.

Five other actions were brought subsequently. John V. Dittmore, a director whose fellow directors had removed him, sought to compel his reinstatement. Mrs. Emilie E. Hulin of Brooklyn asked leave to intervene in the trustees' suit as one of the original so-called first members of the church, but subsequently withdrew her petition. Daisy and Edwin A. Krauthoff asked the court to rule that the church manual was the supreme authority of the church. The trustees asked that individual members of the church be restrained from influencing other members to cancel subscriptions to Christian Science publications.

New Action Filed.

Finally Attorney General J. Weston Allen of Massachusetts asked that the issues raised in all the other suits be tried out in an information which he filed, asking that the court declare that in establishing the Christian Science church Mrs. Mary Baker Eddy created a public charitable trust, and that the directors were the governing body of the church and had power to declare vacancies in the trusteeships of the publishing society and to determine what literature should be published.

Frederic Dodge, a former judge of the United States circuit court, was appointed master to determine the facts at issue in the trustees' original suit and to interpret two deeds of trust made by Mrs. Eddy. He also heard the Dittmore case in part.

In his report, filed in March, 1920, Mr. Dodge held that the directors had no legal right to remove Rowlands from the board of trustees or Dittmore from the board of directors. Concurrent action by the first members, he said, was required by one of Mrs. Eddy's trust deeds to make lawful the removal of a trustee. He held that Dittmore could be removed only by a court of equity as a director under the trust deed of 1892 and only for cause as a director under church by-laws adopted later.

The master said he was unable to find that Mrs. Eddy intended all branches of Christian Science activities to be carried on under unified supervision of the constituted authorities of the church or that she intended to subject the trustees to supervision by any other constituted authority of the church. The trust deed of 1889, he said, seemed to him to contemplate "a publishing society in close alliance with, but not under, the rule of the church or its officers."

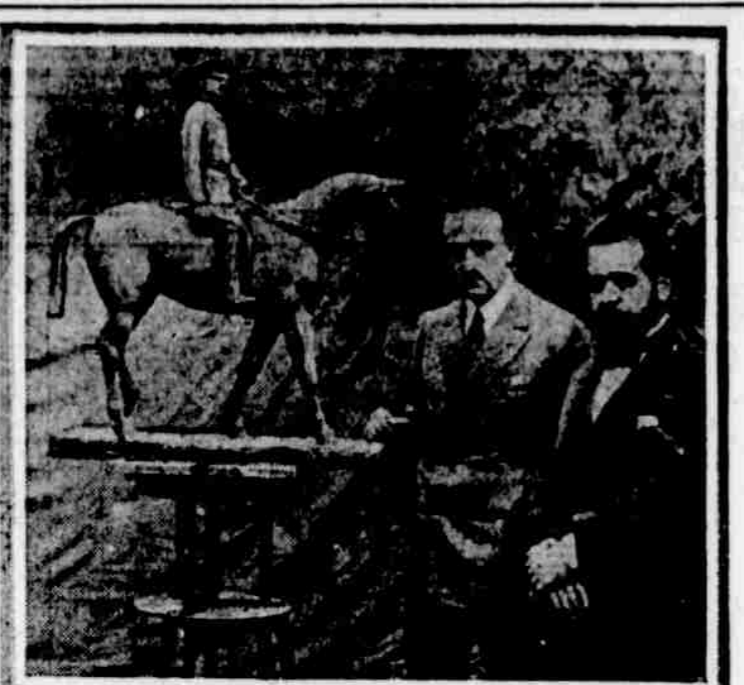
He held, therefore, that Rowlands was "still a trustee" and that Dittmore continued to be a member of the board of directors instead of Mrs. Annie M. Knott, whom the other directors had elected to succeed him.

Numerous collateral suits followed the publication of the master's report.

Farmer Gored by Bull

Gretna, Neb., Nov. 23.—(Special.)—Jacob Ehlers, farmer, living three miles east of Gretna, was gored by a bull. He was tramped upon and badly crushed. His condition is critical.

Statue of Pershing



Left to right: Herbert Haseltine and Jo Davidson, American sculptors, in Mr. Haseltine's studio in Paris with a model of the bronze statuette of General Pershing, which will be presented to West Point as a gift of admirers of the commander-in-chief of the A. E. F. Both sculptors worked on the statuette, which shows Pershing erect on a spirited charger marching forward. Mr. Haseltine originally intended to have the horse in a rearing position, but later changed its attitude out of respect for Pershing's motto, "Ever Forward." General Pershing during his recent visit to Paris visited Mr. Haseltine's studio to view the work of the artists. He was immensely pleased with it.

Norris Raps Hitchcock For Stand On Tax Bill

(Continued From Page One.) publicans fight for these principles whether their party is in control or whether they are in a minority. My colleague fights for these things when he is in a minority and cannot accomplish anything and votes the other way when his party is in control.

Senator Wrong in 1917

"In 1917, when we had the revenue bill before us at the beginning of the war, if the few republicans that my colleague is glad to work with now had had their way then, they would have increased the taxation on war profits in a way that would have brought into the treasury of the United States more than \$1,000,000,000 in excess of what was brought into the treasury. We were defeated, and my colleague, as did most of the democratic senators, helped to defeat that very thing."

There were a few over there who voted with us on every one of our amendments, but the major senator from Nebraska, Mr. Hitchcock, was not one of them.

"But, the thing I wanted particularly to call attention to, was that these republicans who voted then for an increased surtax on big incomes, these few republicans in the minority as they were, who fought for increased taxes on war profits, were found, when this bill came here with a republican in the White House, and with the republicans in control of the senate and the house, fighting for the same principles that they fought for then."

Scores 1917 Senate

Senator Norris then reviewed the activities of the democratic senate during 1917 when that body had before it the revenue bill. He showed that the same situation existed then as now, only the conditions were reversed, there being a democratic president then. He said that Senator La Follette had offered an amendment to the then tariff bill increasing the rates from 66-100 of 1 per cent on an income of \$3,000 to 59-91 per cent on an income of two millions and which the experts of the treasury department estimated at the time would have brought in \$231,000,000. He said on looking over the record, his colleague, Mr. Hitchcock, "who now is boasting of the fight that he is making for increased taxes on big incomes, as recorded as voting 'nay' on the La Follette amendment."

And so he proceeded to dissect Senator Hitchcock's record, finding that his colleague had voted "no" to increase the tax on individual incomes and "yes" on an amendment of Senator Johnson levying a tax of 73 per cent upon war profits, "notwithstanding that the amendment, if adopted, would have been another tax on profiteers."

Says Playing Politics

In closing, Senator Norris said: "I have had only a few minutes to look up this record, although I was very clear in my mind as to what it was. With additional time I should go further into it and show additional circumstances. But I only wanted to call the attention of the senate, and I hope of the country, to the inconsistency of my colleague. He has been right this time, and in this instance I agree with him. I wish we could have kept the income tax at the present rate, and I voted against the bill because of the change in the rate. Among other reasons I intend to vote against the conference report because I do not believe it is fair. It lets too much wealth escape taxation. But I think now as I thought then, that the only difference between myself and my colleague is that at that time, when the democrats in control, he was following the lead of the president in the White House, doing his bidding, or he is going contrary now to his convictions, or he has experienced a change of heart. I hope it is a change of heart, and the one thing to indicate that is, that there is a senatorial election coming on in Nebraska now, and there was not then."

McKelvie to Attend Meet Of Governors in Charleston

Charleston, S. C., Nov. 23.—Twenty-one governors have declared their purpose of attending the sessions of the house of governors here December 5, 6 and 7. They include McKelvie, Nebraska; Kendall, Iowa; Davis, Idaho; Campbell, Arizona; Mabey, Utah; Dixon, Montana, and Carey, Wyoming.

Reception on Board the Cruiser

Rochester and a review of medals from the Atlantic destroyer squadrons, cadets of the citadel and National guard companies are on the tentative program.

Breach Between Great Britain and China Develops

Difference of Opinion on Meaning of Open Door Policy Expressed By Delegates.

By PHILIP KINSLEY. Chicago Tribune—Omaha Bee Leased Wire. Washington, Nov. 23.—Representative McLaughlin, who was scheduled to go to Canada, under the auspices of a well-known New York newspaper publisher, to study the operations of the Canadian sales tax laws, has cancelled his acceptance and will remain in Washington during the recess, for the purpose of making a further study of the needs of agriculture from a federal legislative standpoint.

Representative and Mrs. Reavis will leave today for Cleveland to spend Thanksgiving with their sons, Frank and Jack Reavis, who are practicing law in that city.

Shortly after Thanksgiving Mrs. Reavis will visit a sister at Iowa Falls, while Mr. Reavis will continue on to his home in Falls City. He is scheduled to deliver the Ellis Memorial address at Omaha on December 4, and later will speak before the Palimpsest club.

Postmasters appointed yesterday by the postoffice department included; J. C. Deming at Anoka, Boyd county, vice B. M. Rybin resigned. Mrs. Blanche Marten at Sibley, Albany county, Wyoming, vice Florence C. Deming, died. E. A. Bark at Climbing Hill, Woodbury county, Iowa; vice Esther Kluss, resigned. The postoffice at Cairo, Louisiana county, Iowa, has been discontinued. All mail will be sent to Columbus Junction.

New Officials Take Office in North Dakota

Men Elected to Succeed Governor, Attorney General and Commissioner of Agriculture Inaugurated.

Bismarck, N. D., Nov. 23.—R. A. Nestos, an attorney of Minot, was sworn in late today as the 13th governor of North Dakota, displacing Gov. Lynn J. Frazier, a Nonpartisan league choice, who was ousted in the October 28th election.

With Mr. Nestos there went into office Sveinbjorn Johnson of Grand Forks and J. A. Kitchin of Sentinel Butte, independents, chosen in the Grand Forks state mill and elevator project, and William Lemke and J. N. Hagan, commissioner of agriculture and labor, respectively.

Re-establishment of the credit of the state; reduction in public employees; curtailment of the state's pay roll and other measures, the Grand Forks state mill and elevator project, a part of the Nonpartisan league's program of state ownership, were promised by Governor Nestos in his inaugural address. He promised "to make a thorough examination, insofar as possible, of every department of the state, and to bring up for support of which tax moneys have been used."

Governor Frazier, who began his third term last January, will return to his farm near Hoople. Mr. Lemke will return to his law office in Fargo.

Two Mexicans Are Shot by Countrymen at Bayard

Bayard, Neb., Nov. 23.—(Special.)—Two Mexicans, Ines Baion and Maximo Darcia, were wounded by unidentified Mexicans, who shot at a house in which about 20 of their countrymen were spending the night. The wounded men will recover. The 20 Mexicans were in the house when three strangers entered and by their actions roused the suspicion of the proprietor, who ordered them to leave the place. When they had gone about 150 feet, they turned and opened fire on the house, some of the bullets entering the side wall and going through the opposite side. The occupants of the house think that a robbery was planned, but abandoned on account of the number in the house.

Land Armament Discussed by 'Big 5'

Washington, Nov. 23.—(By The Associated Press.)—The delegations of the five powers discussed land armament today, but no definite declaration of policy resulted from their deliberations.

Work for Sick Neighbor

Callaway, Neb., Nov. 23.—(Special.)—Friends and neighbors of L. V. Whipple gathered at his farm and husked over 1,000 bushels of corn. Mr. Whipple has been sick for some time and has been unable to do any work.

Gold in Kansas

Salina, Kan., Nov. 23.—Winter records were broken here overnight with a temperature of 5 degrees above zero. Snow flurries did this morning.

Convicted in Wyoming

Alliance, Neb., Nov. 23.—(Special.)—William C. Brooks of Alliance and Hemingford, airplane pilot employed by Ora C. Phillips, was found guilty in the district court at Newcastle, Wyo., of a statutory offense against a 15-year-old Newcastle girl and was sentenced to from 15 to 25 years in the penitentiary. The conviction was returned by a second jury, after the first jury had disagreed. Phillips was arrested following the Brooks trial on a charge of subornation of perjury in connection with the Brooks hearing. He is alleged to have attempted to bribe the mother of the girl to give false testimony at the trial and to have offered her \$250 to do so.

Woman Collapses While on Stand in 'Bluebeard' Trial

Former Sweetheart Tells How Landru Lured Her From Soldier Fiance, Then Falls From Chair.

Paris, Nov. 23.—"Bluebeard" Landru, he of the 243 sweethearts, tried his hypnotic eye on one of his former sweethearts in court, resulting in her complete collapse.

Fernande Segret, an actress, 29, who was on the witness stand and just at the point of relating the story of her intimate relations with the man who is charged with killing 10 persons, fell from the chair and had to be carried from the court. Following the incident the court was suspended for a period.

Landru gave the first signs of emotion that he has exhibited during his trial today when Segret, sobbing took the oath as a witness.

With the "Bluebeard" staring hard and the witness fearing to meet his blazing eyes, she related the strange courtship by which he won her. She told how he haunted her place of abode, making her acquaintance and wooing her faithfully for several months. They first met on a street car, she said, when he gave her his seat.

Taking advantage of his act of courtesy to open a conversation, he made a good impression. After a time he persuaded her to break off with a soldier to whom she was engaged. He won the confidence of her mother, who warned him that the girl was only a poor girl, but he responded:

"I will be content with her youth and beauty."

Could Not Resist. However, he failed to keep his promise of marriage, the mother became angry and the girl left home to live with him.

"I loved him deeply," she told the court. "When he looked at me I could not resist him."

This testimony of the girl led to another dramatic scene when the court resumed its sessions. An alienist, Dr. Vallon, who testified that he had examined Landru several years ago, was introduced. He declared that only Landru's great mental activity had kept him from becoming a madman.

With an elaborated how to the witness Landru asked dramatically: "Do you believe that I could hypnotize women?"

"A charming talker might have almost any effect upon a hysterical woman," answered the expert.

After her recovery Segret testified that Landru had had a rifle and a pistol in the place of Gambia. She said that she had cooked on the kitchen stove a few days before the bones were found in it. She asserted that Landru was a police spy during the war.

Alliance Comes to Aid Of Tourists Without Money

Alliance, Neb., Nov. 23.—(Special.)—For the third time within two weeks Alliance authorities have come to the assistance of persons who have been picked up in the railroad yards, "broke" and with "no-where to go." The latest case was that of Mr. and Mrs. Aaron Proper, 19 and 17, respectively, who were traveling from Omaha to Tacoma, Wash. They said they had bummed most of the way from Tacoma to Omaha a short time ago. The husband worked for a short time in an Omaha packing house and was laid off. They decided to return to Tacoma by the hobo route. They had total cash assets of \$2 when they reached here. Proper is an ex-soldier, and the Red Cross is preparing to assist him and his bride on their journey.

Omaha Trust Company Buys West Point Power Bonds

West Point, Neb., Nov. 23.—(Special.)—An auction sale of \$58,000 worth of municipal light and power plant bonds was held here. The bonds sold at a premium of \$1,020. The Omaha Trust company, who was represented by its vice president, R. F. Pettis, was the successful bidder.

Road Conditions

(Furnished by Omaha Auto Club.) Lincoln Highway—East—Roads good; weather cloudy; detour for eight miles at Marshallsburg; road from DeWitt to Clinton now open. Lincoln Highway—West—Roads good; weather clear at Fremont, Schuyler, Central City and Grand Island; roads excellent. Western Nebraska reported a little rough. O. S. Highway—Fair to Ashland; detour at bridge; roads to Lincoln and Kearney in fine shape; detour highest Imperial and Chase. Highland cutoff—Roads good; weather partly cloudy. S. Y. A. Roads—Roads in excellent condition. Cornhusker Highway—Roads excellent. Omaha-Tepic Highway—Roads good. George Washington Highway—Roads good to Stock City; weather cloudy. Blue Hills Trail—Roads good; now some points north. King of Trails, North—Roads good; weather cloudy. King of Trails, South—Roads in excellent condition; weather cloudy at most points; detour still necessary between Leavenworth and Kansas City due to road work. River to River Road—Good to Des Moines; weather cloudy. White Pole Road—Good; six-mile detour at Casey; detour for eight miles to Des Moines. I. O. A. Short Line—Roads fine. Wyo. Trail—Roads good. O Street Road—Roads fine; short detour at "Eagle's" bridge. No road report will be issued Thanksgiving day.

Packing House Union To Act Sunday on Cut

Members of the Amalgamated Meat Cutters and Butcher Workmen's union will meet in the union hall on the South Side Sunday to determine whether to accept the recently announced wage reductions, or to strike.

According to Jacob H. Davis, district president of the union, workers in packing plants here who already have voted to accept the cuts through plant organizations would be included in Sunday's meeting.

Conference boards of the Cudahy packing plant at Kansas City and the Swift plant at East St. Louis voted to accept cuts.

Free Shoe Fund Used as Medium Of Thanksgiving

Appreciation of Blessings by More Fortunate May Be Expressed Through Gifts To Poor.

Thanksgiving today. You have much to be thankful for. But let us not forget those whose blessings are fewer than ours.

Many little helpless children are without even shoes to keep their feet from winter's cold, children of widows struggling with poverty.

To show your own thankfulness, why not send a contribution to the Bee to be used in providing shoes for these poor children? Try it. Send it to The Bee at once. It will be acknowledged thankfully.

Previously acknowledged \$372.00 Mrs. Fred Myers 5.00 Little Jack 1.00 W. J. 2.00 F. H. 2.00 F. H. 2.00 Mrs. Truly, Fairbury, Neb. 1.00 G. C. Criss 5.00 Lauretta B. Cope 5.00 William J. Kierstead 5.00 Mabel Newington Club 5.00 Total \$372.00

Four Held at Beatrice On Liquor Charges

Beatrice, Neb., Nov. 23.—(Special Telegram.)—As the result of an alleged booze party at a road camp east of the city Sunday, complaint was filed against Roy Stattler of Omaha, charging him with having liquor in his possession, transporting it and giving it away. A similar complaint was filed against Frank Kinman, who was fined \$100 and costs for selling three pints of liquor to Stattler. Both men were turned over to the federal authorities. Two other members of the gang, "Red" McMains and Lou McCown were arrested on the charge of being intoxicated.

Plan Skating Ring

Columbus, Neb., Nov. 23.—(Special.)—The Rotarians will flood the tennis ground for use of a skating pond for the youngsters this winter.

Omaha Order of De Molay Plan Convocation Dec. 10

A banquet at the Castle hotel last night was attended by 100 members of the Order of De Molay, George C. Pardee, first past master, and William C. Cejnor, speaker on the order. A convocation is to be held December 10 in Scottish Rite cathedral.

Invitations Are Sent for Third Party Convention

Letters Mailed to 5,000 Nebraskans Urging Attendance At Grand Island Convention December 8.

Lincoln, Nov. 23.—(Special.)—Letters of 5,000 Nebraska voters, urging them to attend Nebraska's third party convention at Grand Island December 8, were mailed from the office of F. L. Bollen, chairman of the temporary executive committee. Recipients of these letters are subscribers to the Nebraska Leader, official newspaper of the Nonpartisan league, and other signers of the referendum petitions against four laws passed by the last legislature.

Under the Nebraska law there must be 500 delegates present at the Grand Island meeting in order to give the new party a lawful place on the ballots at the primary and general elections.

Plenty of Candidates.

Bollen expressed little fear there wouldn't be enough men and women with an itching to serve the public in the capacity of a public servant to insure a third party slate at the primary, from United States senator down to members of the legislature.

Bollen says a new party in order to nominate primary candidates must have at least 50 per cent of the 500 delegates sign a third party agreement and affix their signatures to nomination petitions for national and state officers.

The only troubles facing the leaders at present are the platform and the advisability of affiliating Nebraska's third party with the national third party, known as the "forty-eighters."

Platform Big Problem.

Judge Arthur G. Wray, one of the leaders in the movement, at the first organization meeting, held in Lincoln a month ago, urged nearly two dozen alleged reform planks.

Bollen is opposed to the Wray plan and is urging seven planks, including abolition of the party circuit from the ballot; rural credit law, patterned after the South Dakota plan; state income tax law; promise specific reductions of state appropriations in advance of election.

J. A. H. Hopkins, national chairman of the "forty-eighters," will be in Grand Island at the convention in an endeavor to coax Nebraska's third party into his party fold. Bollen says that he believes Judge Wray will aid Hopkins.

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Closed All Day Thursday Thanksgiving

Thompson, Belden & Co. logo and name in a decorative frame.

The Merchants National Bank of Omaha, Nebraska

Capital Stock Paid in \$1,000,000.00 Surplus and Undivided Profits \$1,000,000.00 Deposits \$12,401,173.21

Officers and directors list including Fred P. Hamilton, B. H. Mellic, O. T. Eastman, S. S. Kent, H. D. Beutler, E. B. Wood, J. P. Lee, Assistant Cashier, Assistant Cashier, Assistant Cashier.

We Solicit Your Business

Business Man Wanted advertisement. Text: "To you who are sick and ailing, Dr. Burhorn says: 'We have proven positively that relief can be obtained in ninety-five per cent of the human ailments by taking Chiropractic spinal adjustments.'" Includes a small portrait of Dr. Frank F. Burhorn.