VOL. XLIII—NO. 227,

OMAHA, SATURDAY MORNING, APRIL 18, 1914-SIXTEEN PAGES.

Judge Munger Refuses to Quash In-

dictments Against Him.

Twenty-Two of the Twenty-Three

Counts Held Proper and the

Case Probably Will Be

Tried at Hastings.

the First National bank of Sutton.

Motions to quash each count of the two

compelled to enter a plea, and indica-

tions are that the case will be tried in

the Hastings division of the United States

Wedding Will Be

be very small, only the vice president

immediate members of the two families

to Be Dragged Off;

for the democratic nomination.

ing to be nominated and elected."

MRS. KATZ DIES DESPITE

WHOLE BLOCK DESTROYED

BURLINGTON, Ia., April 17 .- A part

of the business section of Morning Sun

lost is estimated at \$60,000. An entire

The fire started in a meat market.

Citizens formed a bucket brigade and,

directed by Mayor Wright, succeeded in

Shoots Wfe and Stmself.

confining the flames to the one block.

Is., was destroyed by fire today.

verbal declaration that he was "sure go-

RADIUM TREATMENT

Thursday, May 7.

to be present."

also said:

SINGLE COPY TWO CENTS.

ATTEMPT IS MADE TO KILL MAYOR MITCHEL, CITY OFFICIAL IS SHO

Assassin's Bullet Aimed at Executive Strikes Corporation Counsel Frank Polk.

BALL CRASHES THROUGH JAW

Teeth of Victim Are Nearly All Knocked Out by Lead.

ASSAILANT AGED, OUT OF WORK

Michael P. Mahoney Had Made Up Mind to Slay Gotham Head.

PLOT EXISTED, IS BELIEVED

Man Firing Gun Says He Is Sorry Now that He Did So, and Hopes Wounded Person Will

Recover.

NEW YORK, April 17.-An assassin's badly wounded Frank Polk, corporation counsel. The man who fired the shot lieth street, Manhattan, his age nearly and he gave evidences of being mentally unbalanced

The bullet crashed through Mr. Polk's jaw, knocking out nearly all his front teeth and inflicting a serious, though not necessarily, fatal wound. He was assisted into the city hall, then removed to a hospital.

'Mr. Polk was hit by the builet, but the bullet was undoubtedly for me," was Mg/or Mitchel's comment. Attaches at the city hall said that Mahoney had called to see the mayor several times lately, but because of his queer actions had not been permitted to see

Won't Talk at First.

While an ambulance surgeon was dressing Mr. Polk's wound Mahoney was questioned by the mayor and a score of detectives. He refused at first to answer any questions. Two letters addressed to Mayer Mitchel were found on his cloth-

The shooting occurred at the Park Row entrance to the city hall plaza shortly after 1 o'clock. At that time of day

out of Work Year.

He said he had tried to get an interview with Mayor Mitchel on Monday last, but ble tract of farm land. had been unsuccessful. On Wednesday, he said, he made up his mind to kill the mayor and went to the city hall for that purpose. He lost his nerve, however, and went away.

Early this afternoon, according to his story, he visited a saloon in Park Row, drank some whiskey and then attended an anarchistic meeting under the statue of Benjamin Franklin in Parw Row. He was leaving the meeting when he saw the mayor and his party. He immediately determined it was a good time to kill Mr. Mitchell. Mahoney said he was sorry now that he fired.

"I would never do such a thing again," he said. "I am very sorry for Mr. Polk. hope he will recover."

Commits Suicide on Wife's Grave. SPARTA, Wis., April 17.-Floyd Miller of Minneapolis, a painting contractor, committed suicide in the Lutheran cemetery here on the grave of his wife. He drank whisky containing polson, then he called for help, but a physician who responded was unable to save him.

The Weather

Forecast illi 7 p. m. Saturday: For Omaha, Council Bluffs and Vicinity -Fair, colder.



-	7 p. m 8 p. m	50
Comparative		
Highest yesterday Lowest yesterday Mean temperature Frecipitation	75 66 75 66	42 73 36 61 39 63 T T
Temperature and tures from the nor Normal temperature Excess for the day	mal:	
Total excess since Normal precipitatio Deficiency for the o	March 1, 1914.	9 inches

Reports from Stations at 7 P. M. more fish than they can well take care Station and State Ten of Weather. Tp Davenport, cloudy Denver, cloudy Des Moines, pt. cloudy. Dodge City, cloudy. Lander, cloudy North Platte, cloudy. Omaha, clear Temp. High- Rain-North Fratte, cloudy 50 86 00
Omaha, clear 80 86 00
Pueblo, cloudy 4a 54 02
Rapid City, cloudy 50 52 22
Salt Lake, clear 50 32 30
Santa Fe, cloudy 38 8 38
Sheridan, partly cloudy 52 56 14
Sloux City, clear 80 54 7
Valentine, rain 48 58, 7
T indicates trace of precipitation
L A. WELSH, Local Forecaster.

Veteran Character Actor Dies in 'Frisco

SAN FRANCISCO, Cal., April 17.-Mc-Kee Rankin, the veteran character actor, who was identified for years with Nance O'Nell in Shakespeare American producon, died here today.

Following a recent brief engagement Rankin suffered an attack of illness, attributed to age and a complication of incoms for several weeks.

In the prime of his theatrical career arthur McKee Rankin was known to the ountries of the world.

satility. Rankin probably made a large fortune, but his big earnings were lost n one theatrical adventure or another. war period and continued it actively for fifty years.

He was born at Sandwich, Ont., in 1841, be son of a member of Parliament. While at Upper Canada college he had a disagreement with his father over his association with the dramatic society there and ran away to New York with an actor. His father found him and made him return to accept a government

was only one brick house in the town," fired list as far as their right to run for was instantly overpowered. His name is Rankin once related. "And I was the the office is concerned. Michael P. Mahoney of No. 263 East Fif- first American ever to take a theatrical Other opinions cover the injunction company across the ocean."

Joaquin Miller and made a tremendous printing to foreign corporations, the hit in it as Alexander McGee at the court deciding that in this case the law Broadway theater, New York, in 1877, regarding foreign corporations did not For more than a decade he was famous apply. in this part and later distinguished himself in a play written by his brother, the judgment secured by the administhe late George Rankin, called "The trator of the estate of W. S. Kennedy Cannuck" and in a play written by himself, "True to Lafe." Other of his productions were "A Kentucky Colonel," Baby" and "Captain Imprudence,"

ing world in Shakespearean and other productions.

Recovers Farm After Eighteen Years' Litigation

SIOUX FALLS, S. D., April 17 .- (Spe- tional provision which reads that: Park Row is congested with hundreds of men and women on their way to and from luncheon.

In Mahoney's pockets the police found two bottles containing liquid. A man, who said he saw the shooting, declared as Mahoney fired two men, who had been say had been so the fact that the foreclosure was based on the fact that the foreclosure tional provision which reads that:

None of the officers of the executive department shall be eligible to any other state office during the period for which they shall have been elected, makes the lieutenant governor, during the term for which ho was elected, incligible to be elected to the office of governor for the succeeding term.—Constitution, article v. as Mahoney fired two men, who had been was based on the fact that the foreclosure with him ran off in opposite directions. of a mortgage attempted eighteen years.

This led to the bellef that there had been ago was incomplete and void. The matter was fough through the various courts ter was fough through the various courts and finally reached the state supreme court , which now has held in accordance After being questioned for two hours with the contention of the attorneys for District Attorney Whitman, Police Mrs. West that the foreclosure was ille-Commissioner Wood and detectives, the gal and void. The mortgage company man said that his name was Michael P. has been in possession of the land during Mahoney of No. 203 East Fiftieth street, the eighteen years, and the rental use of Manhattan. Mahoney said he was a the farm has about wiped out the original blacksmith and had been out of work debt. As the farm has increased in value steadily during the eighteen years, Mrs. West will recover possession of a valua-

Suffragettes Use Bomb to Set Fire to Yarmouth Theater

GREAT YARMOUTH, Eng., April 17 .-The theater on the Great Recreation pler here was destroyed today by a fire. caused by the explosion of a bomb left inder a seat by a militant suffragette. At 4 o'clock this morning a violent explosion awoke the inhabitants of Great Yarmouth. A few moments later the theater burst into flames. It was recently rebuilt at a cost of \$100,000.

The usual suffrage literature was found strewn along the pier and on the beach

Sulzer's Appeal is in Hands of Court

ALBANY, N. Y., April 17 .- The appea in the mandamus proceedings against the state comptroller, through which Wilham Sulzer hopes to have the United States supreme court pass on the validity of his impeachment, was submitted to the court of appeals today. There were no oral arguments, the facts in the case being presented to the court in lengthy briefs. Mr. Bulger aued out the writ to compel the payment to him of the governor's salary from the time of his removal, last October. The lower courts decided against him.

James Nolan Admits Murder Near Regina

HUMBOLDT, Is., April 17.-James Nolan arrested here yesterday, today confessed to the murder of a homesteader named Cary at Wood Mountain, near Regina, Sask, Canada. He will return to Regina without requisition papers.

MANY CARLOADS OF CARP

SHIPPED FROM CLEAR LAKE CLEAR LAKE, Ia., April 17.-(Special.)
-The carp industry at the head of the lake is attracting a great deal of interof. Nets are spread in a dozen different parts of the upper lake and fish weighing from five to forty pounds are being caught. It is a great sight to see the men haul in their big nets filled with fish of this description. Occasionally some game fish are pulled in, but they are soon liberated without injury. The fine weather and the fine roads are bringing large numbers of people to the fishing grounds. The carp are dressed, packed into refrigerator cars and shipped east. the New York market getting most of

Arthur M'Kee Rankin SUPREME COURT SAYS M'KELVIE INELIGIBLE

Decision of Tribunal is Against Aspiration of Lieutenant Governor for Office

firmities. He had been confined to his Ruling Will Also Apply in Case of State Treasurer.

theater-goers in all the English-speaking JOURNAL COMPANY LOSES OUT

He was of the old school of bold ver- Fails to Stop Printing Board from Letting Contract.

He began his stage career in the civil MRS. MOON WINS HER SUIT

Recovers on Accident Policy Against Order of United Travelers of America, Which Said Death Was Not by Accident.

(From a Staff Correspondent.) LINCOLN, Neb., April 17 .- (Special.)-Supreme court opinions handed down this clerkship. He soon left this and at 21 morning settle the controversy whether builtet, aimed at Mayor Mitchel as he was he was leading man for Mrs. John Lieutenant Governor McKelvie may beleaving the city hall in an automobile Drew. All of his three daughters mar. come a candidate for governor and also today for luncheon, missed its mark, but ried into branches of the Drew family, scitle whether State Treasurer George is "I played in Denver, Colo., when there eligible. Both men are placed on the re-

case of the State Journal company. He preceded Daly and all of the which questioned the right of the state others. He bought "the Danites" from printing board to let contracts for state

The Miller Hotel company must pay The opinions follow:

McKelvie Case Affirmed. The judgment of the district court of "The Golden Giant." "A Bachelor's Lancaster county was affirmed in the action brought by Lieutenant-Governor B.R. In 1898 he became manager for Nance McKelvie to test his right to become a Together Rankin and Miss candidate for governor. The court holds O'Nelli toured all of the English-speak- that the constitution prohibits all state ONE OF THE COUNTS DISMISSED officers from being candidates for gov

ernor during their term of office. The contention of Lieutenant Governor McKelvie was that the word "eligible" found in the constitution meant that It prevented an executive officer from being governor during the time he was elected to any other state office and did not prevent him from being a candidate. The bone of contention was over the constitu-

follows:

I concur in the conclusion because the counts of the indictments were overwere a new one I should be in favor of a different determination of the case, and I am inclined to the belief that the former opinions, in the interest of public policy and a fair construction of the language used, should be overruled.

I have glanced into the opinions of some of the other courts and find that they rest upon different constitutional provisions than those contained in our constitution. The meaning to be given provisions than those contained in our constitution. The meaning to be given to the word "eligible" depends upon the connection in which it is used. If it is used in connection with holding an office, then it means eligible to hold an office and does not mean something else. The language "none of the officers of the executive department shall be eligible to any other state office during the period for which they shall have been elected" would seem to mean ineligible to hold the office during such period, but not to forwould seem to mean ineligible to hold the office during auch period, but not to forbid an election of the proposed officer for another and different period for which he was not elected.

The power of the voter to nominate and elect his choics should not be restricted beyond the clear import of the language used.

Hotel Company Loses.

Judgment against the Miller Hotel company of Omaha, secured by Harry B. (Continued on Page Five.)

Vincent Astor Is About the Same Bill Price Refuses

NEW YORK, April 17 .- No arrangements for the postponement of the wedding of Vincent Astor and Miss Heten Huntington, set for April 30, have been made, notwithstanding Mr. Astor's illness. This announcement was made at the Huntington country home today in contradiction of reports that the ceremony had been indefinitely postponed. A postponement may yet be found expedient, however.

Mr. Aster spent a comfortable night and was pronounced "about the same to-

Body of Captain's Wife Washed Ashore

MONMOUTH BEACH, N. J., April 17 .-The body of Mrs. H. G. Hardy, wife of the captain of the achooner Charles K. Buckley, which stranded and went to pieces on the beach near here Wednesday night, floated sahore today, as did the bodies of three members of the crew. Ten persons perished in the wreck. One sailor was rescued.

> Tomorrow the Best Colored Comics

The Sunday Bee

MATTERS MUST STAND TRIAL Eleven Schools Will Compete in Relay Meeting at Drake

Poor Old Congress!

DES MOINES. Ia., April 17.-Relay cams from the various universities and colleges participating in the annual Drake athletic meet here tomorrow began ar riving today. Eleven educational institutions of the middle west will be represented in the events, including the state Through a decision handed down by universities of lows, Illinois, Missouri, Judge William H. Munger of the United Kansas, Nebraska, Minnesota, Wisconsin States district court, Thomas II. Matters probably will be compelled to stand trial and South Dakota, and Northwestern on twenty-two counts of two indictments | Chicago and Drake universities. and the serious injury of three others. | Towa State Agricultural and Grinnell colcoln, in connection with the failure of

In the college section teams will represent Cornell, Coe, Simpson, Highland The identified dead are:

which no was elected, ineligible to be decited to the office of governor for the succeeding term.—Constitution, article v. section 2.

Hamer's Opinion.

The express opinion of Judge Hamer, concurring only in the conclusion, is as follows: quash each of the other twenty-two entered.

Unleas demurrers are filed within ten Corporation to Get days attorneys for Mr. Matters will be of American Ores

PITTSBURGH, Pa., April 17 .- An ancouncement of unusual importance in attempting to reach the roof. the fron and steel trade was made here ferro-manganese from American ores, firemen working from ladders in front Thursday, May 7 ported from England and Germany with WASHINGTON, April 17 .- The presi- the exception of small quantities manudent and Mrs. Wilson announced today factured by the largest interests for their that the wedding of their youngest daugh- own use. Edward E. Marshall is president ter, Miss Eleanor Randolph Wilson, and and R. L. Wister of Phildelphia, one of Boylan from being dashed to death when Secretary McAdoo would take place on the most important stockholders of the a ladder broke on which he was crawling The announcement from the White \$12,000,000. The plant will be located at seized Boyland and held on to him until House giving the date of the wedding Dunbar, Pa., it was stated.

"In accordance with the wishes of Miss Coxey Has Fifteen Wilson and Mr. McAdoo the wedding will Marchers in Line and Mrs. Marshall, the cabinet and the

CANTON, O., April II .- Fifteen march ers made up "General" Jacob S. Coxey's 'army" of unemployed when it set out for the village of Osnaburg, six miles away, today. A large crowd saw the make the start on the second leg of the cus farmer, held her while he fired two general's sides assemble the army to Files in the First pigrimage to Washington.

A corps of five fifers, organised by LINCOLN, Neb., April 17 (Special.) 11-year-old David Coxey, the general's All efforts to sidetrack William B. Price son and courier of the army, who headed from the democratic race for the con- the line of march on his pony. Rev. gressional nomination in the First dis- Harry L. Wilson of Rockdale, Pa., the trict has proven unavailing, Mr. Price chaplain, decided not to march to Osnafiling today with the secretary of state burg, but took an interurban car and promised to meet the general in Alliance No declaration of principles, profession tonight

of faith or anything in the way of a plat-"Lieutenant" Anderson, the "army" re form accompanied the filing except a cruiting officer, last night and early today scoured the brickyards and railroad a series of burglaries, holdups and other tracks near Canton in an effort to sign lesser offenses, apparently committed by up more recruits. He gave out the names ! of twenty-eight men who had agreed to march today, but only fifteen appeared. up on banches or on the floor in Socialist tire regiment to barracks. NEW YORK, April 17.-Mrs. Ethel May Katz, well known on the stage before hall last night General Coxey and his her marriage as Ethel Adams, is dead son were quartered at a good hotel. The of cancer at a private hospital here. Her general's mule was placed in a livery husband, Herbert Katz, a brewer of barn.

Paterson, N. J., is said to have spent In spite of the measer proportions of \$100,600 in radium treatment in an effort the army Coxey says he has no intention of giving up the march.

BY MORNING SUN FIRE The National Capital GREEK MAIDEN, SCORNED.

Friday, April 17, 1914. The Senate.

pel interstate railroads to establish joint brough passenger fares not to exceed he sum of the locals. Senator Sheppard introduced a resolu-on to have the Interstate Commerca ommission investigate relations ween railroads and coastwise ships.

The House.

ELEVEN BURNED TO DEATH Apartment House in New York City

Destroyed by Fire.

THREE ARE SERIOUSLY HURT Dead and Injured Are Taken from

Rear Rooms, Where They Were Trying to Escape to the Roof. NEW YORK, April 17 .- A fire that

house at 741 Eighth avenue early today claimed eleven victims and resulted in Only four of the bodies taken from i heatrical boarding house that occupied half of the building could be identified.

awept through a five-story apartment

WILLIAM WALLACE, 46 year old. MRS. NELLIE WALLACE, his wife. MRS. NELLIS SPENCER, a cloak

MURIEL DAVIS, B years old. MRS. GEORGE C. DAVIS, died at th ospital. The injured are:

Joseph Messer. Martin Welsh, Charles Burke.

One man was killed in trying to escape today when it became known that a company had been organized to manufacture in less than an hour, but in that time and from windows of a nearby tenemen

building. Captain Smith, who was suspended by his feet from a window, prevented Louis corporation, which will be capitalized at from the burning building. Captain Smith both could be dragged to safety.

Murders Wife Who Refused to Give Up Her Wedding Ring

ECONEVILLE, Ind., April 17.-Pushing his wife, Mary, 42 years old, against a hot stove in his home here today, William Folsom, 52 years old, formerly a prospershots into her heart, killing her instantly. He then shot himself three times in the Lieutenant" Paul Anderson, followed The shooting came after the wife's denial of infidelity, it is said, and her refusal to surrender her wedding ring. The Foisoms have ten children, ranging in ages from 3 to 25 years.

NEGRO TROOPS IN HONOLULU ARE IN SERIOUS TROUBLE

HONOLULU, April 17 .- As the result of nembers of the Twenty-fifth infantry, colored, Major General Carter stated today that he will increase the provest While the members of the army curied guard and, if necessary, confine the en-

General Carter ascribes the trouble to the action of recruits. His determination to put an end to the series of petty orimes follows the third escape of Private Herman Lewis, who is facing cummulative sentences amounting to eighty years on charges of highway robbery. It is believed that Lewis has been able to effect his escapes through the connivance of fellow soldiers.

GETS MONEY REPARATION

(From a Staff Correspondent.) Met at noon.

Canals committee continued hearings on the repeal of the Panama tolis expending and decided to call Colonel learne W. Goethals.

Senator Gore introduced a stable to complete the complete Miss Katsura came to America from Greece with the understanding that she was to marry the defendant, who is a prosperous shoe shining merchant in Omaha, but after arriving there was put off from time to time until she became convinced George was stalling, so she

brought suit to compel him to come

HUERTA MAKES NEW CONDITIONS THAT WILL NOT BE MET

Dictator Demands that Salute to the American Flag Be Returned Simultaneously Gun for Gun.

HIS DEMAND FINALLY REJECTED

Cabinet Meets and Emphatic Stand is Determined Upon.

DOES NOT MEET THE SITUATION Such an Acknowledgement Would Make Apology Valueless.

SHORT STATEMENT BY BRYAN Secretary Says He Received One Message from O'Shaughnessey

and Sent One in Reply-Ships Are Still on Way. MEXICO CITY, April 15-The Mexican foreign minister said that his government would regard the return salute by

the United States in response to the Mexican salute of the American flag as a tacit recognition of the Huerta admin-WASHINGTON, April 17. - Huerta's latest equivocation over an apology to the flag of the United States has been met with an unqualified demand for a

saluta of twenty-one guns as originally asked by Rear Admiral Mayo at Tampico. The American warships will return it according to international custom. This word went forward to Mexico City today, after President Wilson and the cabinet had dismissed Huerta's latest proposal that the unlute be a simultaneous one and that he be assured that the American ships will return his gun fire. President Wilson and his advisers considered Huerta's answer and Secretary Bryan left the cabinet meeting to send the reply. It was brief and final.

"We intend to have that salute," said Secretary Daniels as he left the White House. Other officials reiterated the intention of the American government to have no more temporizing, but a complete apology for indignities to the flag.

Expresses Disapproval. Senator Shively, called from an executive assaion, to be informed of the counter proposition of Huerta for a simultaneous salute, expressed disapproval of such a course.

"There will be no simultaneous salute," the senator emphatically asserted. "The salute must be fired by Mexico in the manner demanded by this government and in accordance with international Secretary Bryan made public the terms

of Admiral Mayo's demands on the federal commander at Tampico for redress of his act in causing the arrest of the American bluejackets. They follow: "In view of the publicity of this occurrence, I must request that you send The fire started in a pile of waste in by suitable members of your staff

the basement of a 5 and 10 cent store, formal disavowal and apology for Ferro-Manganese Out which occupied the ground floor of the the act, together with your assurance building. It spread rapidly upstairs and that the officer responsible for it will recut off escape. All of the dead and in- ceive severe punishment. Also that you jured were taken from the rear roms publicly helat the United States flag in and halls, where they were caught while a prominent position on shore and salute It with twenty-one guns. Salute will be returned by this ship."

PARLEYS AGAIN

Demanda Sainte Be Returned Gun for Gun WASHINGTON, April 17.-Huerta has

parleyed again. He demands that his salute to the inited States flag shall be returned simultaneously gun for gun. This President Wilson is practically certain not to accept

This latest hitch at the eleventh hour when officials here expected the situation was as good as closed up, was disclosed in dispatches from Charge O'Shaughnesay. President Wilson discussed it with the cabinet. Administration officials said privately Huerta's counter proposition would not be ac-

The developments confirmed the fears of those officials who expected Huerta would equivocate again. Any intention of recalling any ships of the fleet now bound to Tampico was abandoned and those close to the administration expected to see President Wilson's demand for an unqualified apology backed up.

Meanage Not Given Out. The text of Charge O'Shaughnessy s dispatches was not made public, but it became known that Huerta's latest proposal was that as his guns fired their

(Continued on Page Four.)

An Investment-

Not An Expense It doesn't matter whether

you are a small shop-keeper or a large shop-keeper, a small manufacturer or a large one. If you make something to sell, or buy something to sell, you need advertising.

The ultimate consumer needs to be told about the merits of things he buys. You expect your salesmen and your samples to speak for you, You also need advertising to speak for you.

It is a salesperson of the highest order. It is the best investment you can make. The only time it is an expense is when you don't tell the truth. or have poor merchandise, or put your advertisement where it can't be read by possible customers.

Interesting information can be secured on this subject from the Bureau of Advertising, American Newspaper Publishers' Association, World Building, New York.

Booklet on request.

block was destroyed.

to save her life.

BELLLAIRE. O. April II. Angry be-cause his wife refused to pay half the costs of a divorce action he had insti-tuted against her, John Luggi today shot her four times, inflicting probably fatal wounds. He then killed himself. Two of their young children witnessed the trag-

Met at noon. Private claims bills were considered.