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THE OMAHA DAILY BEE

THE WEATHER
Cloudy; Cooler

VOL. XLIII—NO. 248.

OMAHA, WEDNESDAY MORNING, MAY 13, 1914—TWELVE PAGES

On Trains and at
Hotel News Stands, 5c. SINGLE COPY, TWO CENTS.

"BALD JACK" ROSE AND SHAPIRO TESTIFY IN CASE OF BECKER

Star Witnesses Again Tell of Circumstances Attending Killing of Gambler.

CRIME FACT IS DESCRIBED

Relations of Rosenthal and Defendant Are Set Forth.

THEIR QUARRELS PART OF STORY

Plotting of Squaler's Death When Exposure is Imminent.

CHAUFFEUR BECOMES CONFUSED

Testimony Does Not Altogether Agree with Story at First Trial.

NEW YORK, May 12.—"Bald Jack" Rose, star witness of the first trial of Charles Becker for the murder of Herman Rosenthal, appeared in that role again today. He took the stand shortly before noon and calmly told of the part he played in the events leading up to the gambler's death. Substantially, it was the same story he told at the first trial.

Briefly Rose recited how Becker and Rosenthal had entered into partnership in a gambling establishment; how they quarreled; how exposure for Becker was imminent; and how Rosenthal's death was plotted.

William Shapiro, driver of the gunmen's car, testified in the Becker murder trial today. He said he knew "Bald Jack" Rose and "Bridgie" Webber. He told of receiving a call at his stand in front of the Cafe Boulevard late at night on July 15. He went to Tom Sharkey's saloon, where he picked up Rose, Harry Vallon and Sam Schepa. "At Bridgie Webber's poker rooms the occupants of the car got out," he said. "Fifteen minutes later Frank Grogan, Gyp the Hood, Whitey Lewis and Lefty Louie came out and I was ordered to go to the Metropole hotel.

Sees Man Fall

"At the Metropole Dago Frank ordered me to turn the car around so it would face toward Sixth avenue. The four men got out and went to the other side of the street. In fifteen minutes I heard a shot and then four more.

"I looked toward the Metropole and saw a man fall. I started my machine. I was going to get away from there. I ran about fifty feet when the four men caught up with me and I jumped on board.

"I heard Whitey say: 'Make the chauffeur turn around and wait. The cops are all fixed. Everything is all right. Becker has fixed them.'

"After the murder I took the four men to One Hundred and Twenty-sixth street, where they left me."

"Where were you last night?" asked the district attorney.

"In your house," answered Shapiro. "How much money have you received from my office?"

"Fifty dollars, for expenses out of the city."

"What did you say was the conversation in your car before the murder?" asked Mr. Manion of Becker's counsel.

"Whitey said, 'Everything is all right; Becker has the cops fixed.'"

Mr. Manion read a copy of the testimony Shapiro offered at the trial of the gunmen. In that Shapiro said, "Frank said 'everything is all right; Becker told me so.' Under a fire of cross examination the witness got badly confused and was unable fully to reconcile his testimony of today with that of the previous trial.

Rose Takes Stand

Jack Rose took the stand. He gave his occupation as a lecturer and writer. Under questioning he told how he first met Becker in 1911. He talked in a low tone and persons in the back of the room could hardly hear him. Rose described a New Year's eve banquet at the Elks' club. "Becker" he said, "went up behind Rosenthal, who was sitting next to his wife. He placed his arms around Rosenthal and said to Mrs. Rosenthal, 'You don't have to worry any more. I'll take care of him from now on. Everything is all right.'"

Rose also told of alleged meetings between Rosenthal and Becker at the latter's home and at other places.

Coal Miners Begin to Erect New Tent Colony at Ludlow

TRINIDAD, Col., May 12.—Union leaders in the southern Colorado strike fields today began preparations for the erection of a new tent colony at Ludlow. Strikers were engaged in clearing the site of the old colony, which was destroyed by fire April 29, when 22 people were killed.

Present plans contemplate the erection of the new colony adjacent to the old site.

According to previous statements of the military officers authority for the construction of a new camp was not to be given until union leaders had secured approval of men selected to have charge of the colony and submitted a roster of its inhabitants. When this would be done was not known definitely. Operators were formulating plans for the operation of mines which were being run before April 29.

The voluntary surrender of arms by residents of the Trinidad district practically ceased today, though receiving officers were at their posts in the five designated districts. A few stragglers among the townspeople were the only ones who appeared with arms to give up. The time limit for peaceful surrender of all arms will expire at 5 o'clock tomorrow afternoon, after which time persons suspected of carrying arms will be seized and searched, according to Colonel Lockett's order.

Bandit Will Kill Three Americans for Each Outlaw Slain

JUAREZ, Mexico, May 12.—No word of the progress of the assault on Tampico by constitutionalists reached here today. Since the word was received of the opening of the attack Sunday night every channel of news has remained closed. Not only have the border points been able to learn the progress of the fighting, but constitutionalist leaders at Torreon have been without reports.

Three American lives is the price that will be collected by General Rodrigo Quevedo for every bandit in his command killed by constitutionalist soldiers, according to a defiance from Quevedo today. Quevedo said he would kill three Americans at the ratio of three to one for his own losses in revenge for the action of the big northern Chihuahua cattle companies owned by Americans, which had demanded protection of the constitutionalists. As a result of the representation a force of constitutionalist cavalry was sent out from Juarez which has been in pursuit of the bandits and has killed several of them in a running fight.

Quevedo, in his communications, said that already his men had begun to carry out the threat to destroy the windmills of various cattle companies. He said, however, that they would not destroy all the windmills immediately, but would burn enough to show their threat was in earnest.

Asquith Promises to Introduce Home Rule Amendment

LONDON, May 12.—Premier Asquith in the House of Commons today pledged the government to introduce an amending bill to the home rule measure in the hope of passing it by agreement between parties. If this offer is accepted, the original home rule bill and the amending bill will become law practically simultaneously. This he contended was the only proper way of carrying out any agreed settlement which might be reached.

The prime minister added that obviously in order to take advantage of the provisions of the parliament act no change could be made in the home rule bill while it was in the committee stage and therefore any debate during that stage would be pure waste of time.

Mr. Bonar Law, leader of the opposition bitterly criticized the "rag" methods, he declared Mr. Asquith proposed and accused him of failing to redeem his pledges to reconstitute the House of Lords.

Seven Killed and Several Injured by Explosion on Ship

NORFOLK, Va., May 12.—Seven persons were killed in an explosion in the engine room of the Old Dominion ship Jefferson, near Cape Henry, last night. The ship returned to Norfolk, left the dead and injured and then resumed its trip to New York.

The dead are members of the Jefferson's engine room crew, but have not yet been identified. According to local officers of the Old Dominion line, the vessel was not badly damaged by the explosion, which occurred at 10:30 last night as the Jefferson was passing out from this port for New York.

First word of the explosion reached Norfolk late last night, but that fatalities had occurred was not learned until today.

Lightning Sets Fire to Two Oil Tanks

TULSA, Okl., May 12.—Two tanks, containing approximately 50,000 barrels of oil, the property of the Pierce Oil corporation near Tulsa, fired by lightning last night, are still burning and efforts to extinguish them have been abandoned. The loss is estimated at \$50,000.

IOWA MEDICAL WOMEN FOR DRASTIC HEALTH REFORM

SIOUX CITY, Ia., May 12.—Iowa medical women in convention here today demanded the enactment of drastic health legislation that will cut down the tremendous infant mortality, stop the waste of money spent in "trying to get well," and bring into the world the "eugenic child."

Demand for a better "crop" of babies was the key note of the annual address of Dr. Florence Brown Shebron of Cotfax, president of the organization.

NEW HAVEN DIRECTORS WILL NOT TAKE STAND

Indications Are Mellen, Rockefeller and Others Won't Be Called to Testify.

DISAPPROVED BY M'REYNOLDS
Attorney General Fears It Would Give Them Immunity.

TELLS FOLK OF HIS INTENTION
Cabinet Official Has Short Conference with Wilson.

RATE BOARD IS MAKING INQUIRY
Investigation in Civil Proceedings and Has No Connection with Financial Affairs of Road.

WASHINGTON, May 12.—Indications were large tonight that Charles Mellen, former president, and Lewis Cass Ledyard, William Rockefeller, George P. Baker and George McCulloch Miller, directors of the New York, New Haven & Hartford railroad, would not be called to testify in the inquiry being conducted by the Interstate Commerce commission into the financial operations of the New York, New Haven & Hartford railroad and the Billard company.

Attorney General McReynolds, while declining during the day to make any statement, frankly informed Joseph W. Polk, chief counsel for the commission, that he disapproved of the calling of these witnesses at this time. It is known that members of the commission doubt the advisability of putting them on the stand, lest the evidence they give should render them immune from any prosecution that might be considered necessary.

Confers with Wilson.
The attorney general had a brief conference with President Wilson tonight on the New Haven situation. Later he was asked whether he thought the examination of Mr. Mellen and the New Haven directors would give them immunity from prosecution.

"I think it would," he replied. The adjustment of the affairs of the New Haven and Boston & Maine, upon which the Department of Justice has been working involving the separation of the two systems, is a civil proceeding. It has no relation with the financial affairs of the New Haven, which the commission now has under investigation and department officials have explained that it would have no effect on the question of whether there shall be prosecutions in the criminal courts.

Intention of Folk.
It was the intention of Chief Counsel Folk, when the hearing was adjourned today, to call Mr. Mellen probably tomorrow. Four of the New Haven directors were subpoenaed for tomorrow and Lewis Cass Ledyard is also here.

Mr. Ledyard attended today's sessions and participated in a lively verbal tilt with William B. Lawrence of Boston, one of the witnesses who represents the largest individual holdings of Boston & Maine stock. Mr. Lawrence said that his family's holdings of Boston & Maine stock had depreciated nearly \$1,500,000 since the absorption of the Boston and Maine by the New Haven.

Insurance by District Judge Sears yesterday of a temporary injunction holding enforcement of the seven-cent street car fares for a quarter ordinance pending hearing on its merits, on the sole ground that the rate named in the new initiative ordinance is according to pleading so far made, confiscatory on its face, is a forerunner of a law suit of huge dimensions.

Speaking of the court order, W. C. Lambert, of counsel for the city, declares that when the injunction case comes up for hearing on application to make the restraining order permanent, the formidable task of physical valuation of the Omaha & Council Bluffs street railway would be forced and the company would be required to open its books to public view.

John L. Webster, attorney for the street railway company, vigorously cast aside the thought.

"No question involving physical valuation is in the slightest degree raised in this case," he declared. "What does it cost to carry passengers? How much do we pay for wages, coal, cars and supplies? Those are the things the court will want to know at the final hearing."

Makes the Issue.
The issue, whether the seven fares for a quarter rate is compensatory to the company or whether it is confiscatory and so unconstitutional, was raised squarely by the judge's decision. Nothing is left to it but to meet this point, for it cannot go to the supreme court until it has done so.

For the present he found the issue of sufficient income easy of solution since under the rules of legal procedure the city had had no opportunity to date to Elbe or the Hudson might just as well be questioned. They were surprised at the alleged unbelief of Sir Clements Markham, former president of the Royal Geographical society of London.

Colonel Roosevelt is going to Madrid to attend the wedding of his son, Kermit, with Miss Willard. He declined to say anything concerning the Mexican situation or politics in general until he arrived in New York.

Plotz Discovers Typhus Fever Germ

NEW YORK, May 12.—In a paper which he will read tomorrow before the American Association of Physicians, in convention at Atlantic City, Dr. Harry Plotz of the pathological department of Mount Sinai hospital of this city will tell of his discovery and isolation of the germ which causes typhus fever.

Woman Convicted of Murder Kills Self

NEW ORLEANS, La., May 12.—Augusta Agnes Edwards, sentenced to life imprisonment for murder, committed suicide in her cell here late last night by swallowing poison after being informed that the supreme court had overruled her petition for a new trial.

British Cruiser is Ordered to Tampico

LONDON, May 12.—The British cruiser Bristol, now stationed at Portsmouth, was ordered today to proceed to Tampico as speedily as possible.

The Bug Is in the Air



CHEAPER FARES BLOCKED

Judge Sears Grants Temporary Restraining Order to Company.

IS NOT AN ADEQUATE RETURN
Holds that Seven Fares for a Quarter Would Not Pay Sufficient on the Investment Made by the Company.

Insurance by District Judge Sears yesterday of a temporary injunction holding enforcement of the seven-cent street car fares for a quarter ordinance pending hearing on its merits, on the sole ground that the rate named in the new initiative ordinance is according to pleading so far made, confiscatory on its face, is a forerunner of a law suit of huge dimensions.

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The National Capital

Tuesday, May 12, 1914.

The Senate.
Interstate commerce committee considered anti-trust bill.

The House.
Senate bill to provide for temporary methods of electing United States senators by popular vote considered.

Representative Duffre reported special rule for treating United States embassies in Chile and the Argentine republic.

Debate continued on Panama canal tolls.

Omaha Boy in Navy Wounded by Mexican While at San Diego

Howard Hunt, of the United States navy, son of Mr. and Mrs. Ernest C. Hunt of Omaha, was shot through the leg by a Mexican bandit at San Diego shortly before the flotilla sailed southward.

Howard Hunt of the Truxton had been visiting friends on shore leave in San Diego, and was waiting for a street car when he was approached by a Mexican. When the Mexican reached the side of the sailor, he drew a gun, and showing the muzzle of the weapon against the young man's chest, ordered him to throw up his hands.

Hunt had just placed a cigar in his mouth, and with a sharp downward blow of his hand, struck the trigger discharged the weapon. The bullet entered his leg below the knee, coming out on the other side of the limb nearly eight inches nearer the foot. He was given emergency treatment at a hospital in San Diego, and removed to the ship, proceeding toward Mexican waters the following day, with the flotilla. His parents here are not alarmed over the young man's condition, the wound being not a serious one.

Rebels Run Fire of Batteries to Blow Up Federal Gunboat

NOGALES, Sonora, May 12.—The destruction of the federal gunboat Morelos in the harbor of Mazatlan last Sunday was accomplished by four constitutionalist who ran the fire of the federal batteries, according to details which reached here today.

Equipped with inflammable materials saturated with oil the four men in a rowboat made their way to the war vessel, which had been grounded and abandoned by its crew. Under the fire of the federal batteries they placed their oil soaked torches, hurried back to their small boat and again ran the gauntlet of the batteries to safety.

The magazine of the Morelos exploded, completely destroying the vessel. The constitutionalist field commanders reported they were drawing their lines closer about Mazatlan, the fall of which was momentarily expected.

Iowa Supreme Court Upholds Three Laws

DES MOINES, Ia., May 12.—The supreme court today upheld three state laws the constitutionality of which had been attacked. In the case of the pure food law, requiring 12 1/2 per cent of butter fat in ice cream, the court reversed the decision of District Judge McHenry of Polk county, who held the provision was void.

In the case of Therber against Duckworth, the court sustained the ruling of the lower court, which held the soldiers' preference law to be constitutional.

The court also sustained the teachers' minimum wage law.

Common Trough for Animals Under Ban

PHILADELPHIA, Pa., May 12.—Following its ban on the common drinking cup for human beings, the Board of Health here today forbade the use of common drinking troughs for animals. The state live stock sanitary board declared that glanders and other diseases were being spread by the common troughs.

Bubonic Plague in Colombia.
PANAMA, May 12.—A seven-day quarantine has been declared against all ports of Colombia, owing to reports indicating that conditions there in regard to the bubonic plague have become serious.

SLOAN ON REVENUE CUTTERS

Fourth District Representative Pokes Hot One at Democracy.

GREATEST REVENUE CUTTER
Senator Norris Introduces Measure to Give Title to Holders of Land on U. P. Right-of-Way Who Have Adverse Possession.

(From a Staff Correspondent.)
WASHINGTON, D. C., May 12.—(Special Telegram)—Representative William C. Adamson of Georgia, chairman of the interstate and foreign commerce committee of the house, when the bill providing for the construction of four revenue cutters came up in the house today made the statement that under pressure he desired to cut the number of revenue cutters provided for by the bill from four to two, as conditions were such that the money might be desired for other purposes than policing the high seas.

The opportunity was too good for Congressman Sloan. The mere mention of revenue cutters gave him an introduction which, whether it had been planned or not, seemed to the liking of the alert representative of the Fourth Nebraska district, and he agreed with Mr. Adamson that the revenue cutters should be cut down in number to be consistent with the greatest revenue cut that has occurred in many, many years. He said the revenue for the last several months showed \$75,000,000, as against \$125,000,000 on October 31 last. Mr. Sloan remarked that he was in favor of the chairman's recommendation of two revenue cutters instead of four, as the bill originally planned on the theory that the really greatest and most noteworthy revenue cutter of all, the democratic party, had about established its record, and he stood willing to add it to every retrenchment possible at this time.

The satire of Mr. Sloan created considerable consternation on the floor. To say the least, it was effective, and came as a climax after a whole day spent in legislating for the District of Columbia, wherein the foes of the district were unmercifully beaten in an effort to change the system of taxation for the capital.

U. P. Right-of-Way Bill.
Senator Harris today introduced his bill to forfeit to the government that portion of the right-of-way of the Union Pacific and affiliated lines in Nebraska, Kansas, Wyoming and Colorado lying outside a strip 100 feet wide. Under the terms of the bill there is no forfeiture of any of the right-of-way now in actual use for railway purposes. It affects only the areas used as building sites, streets, country roads and for agricultural purposes.

The land involved in the forfeiture as proposed by the Norris bill is said to be worth several million dollars. It includes areas in some of the prosperous towns along the Union Pacific as well as strips used for farming lands.

Senator Norris' bill includes a provision that the leasing by the railroad of any part of its right of way shall constitute prima facie evidence of abandonment. In this connection it is known that the Union Pacific has already offered to confer title of all land owners along its right of way to whom it deeded land, but the road declined to surrender its content with those claimants holding strips of right of way by adverse possession.

The Norris measure is aimed to benefit those holding by adverse possession.

O'Connor Nominated.
Frank A. O'Connor of New Hampton, Ia., was today nominated to the senate for United States attorney for the northern district of Iowa.

NO COURT HOUSE BONDS FOR COUNTY OF SHERMAN

LOUP CITY, Neb., May 12.—(Special Telegram)—Court house bonds were demanded by a majority of fifteen, the vote standing 80 against to 75 for.

DICTATOR PROMISES PROMPT RELEASE OF CONSUL SILLIMAN

Brazilian Minister in Mexico City Assured American Official Will Be Given Freedom.

CABINET TALKS OF MEDIATION
Instructions to American Representatives Are Discussed.

VERA CRUZ IS IN NO DANGER
Funston Reports that Attack on City is Improbable.

NEW SOUTH AMERICAN ISSUE
Arrest of Brazilian on Tramp Steamship in Vera Cruz on Charge of Sniping Raises Delicate Diplomatic Point.

WASHINGTON, May 12.—Members of the cabinet, after a prolonged conference with President Wilson today on the Mexican situation, declared the president maintained confidence that mediation would succeed and that further serious consequences in Mexico would be averted.

Most of the discussion in the cabinet meeting, it was said, related to mediation, and the views to be presented on behalf of this government by Justice Lamar and Frederick W. Lehmann, when the South American envoys receive views of the United States and Huerta's representatives at the Niagara Falls conference.

This situation at Tampico was reported to have been discussed. Complications that might arise over the foreign owned oil property there should destruction result from the conflict between constitutionalist and federal forces, have been under consideration for some time.

This report from London that Great Britain had ordered the Bristol, a speedy cruiser, to be sent to Tampico, was not regarded as particularly significant here. As the Bristol is of light draft, it was believed it might be used to operate in the Panuco river, along which the British oil properties are located.

Secretary Bryan announced after the meeting that reports made to this government by South American envoys, in behalf of the South American envoys under arrest in Vera Cruz, were made at the request of the Huerta government. He understood, he said, that this had been done on the ground that "sniping" had occurred in Mexican territory. He added there was a question as to whether one of the South American envoys was a Brazilian or a Venezuelan.

Admiral Howland, commanding the American fleet off the west coast of Mexico, today reported that he had been ordered to send a patrol of five destroyers twenty miles from Acapulco. Admiral Howland said that sixteen revolutionists were killed. The fighting at Mazatlan continues, the report said.

WASHINGTON, May 12.—Senator Oliver, the Brazilian minister in Mexico City, formed the State department today that the Mexican government has ordered the immediate release of Vice Consul John R. Silliman, held a prisoner at Saltillo. The minister added that as soon as Mr. Silliman reached Mexico City he would obtain for him safe conduct to Vera Cruz.

President Wilson and members of the cabinet discussed today plans for participation by the United States in the Mexican mediation conference to begin next Monday at Niagara Falls. On that the Mexican government has ordered the immediate release of Vice Consul John R. Silliman, held a prisoner at Saltillo. The minister added that as soon as Mr. Silliman reached Mexico City he would obtain for him safe conduct to Vera Cruz.

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Just before the cabinet met a message was received from General Funston at Vera Cruz in which the American commander said no attention should be paid "alarmist reports" that Mexican forces were threatening to attack the Vera Cruz water works. General Funston said there was no indication of movement of Mexican troops in preparation for any such attack.

"There have been rumors," General Funston's message read, "that an attack was threatened. These have been due to remarks attributed to General Maas. The water works cannot be taken from us by force. If the pipe line should be cut it could be repaired in a few hours."

General Funston added that 200 acres of American mail destined for Mexico City and delivered at the break in the railroad still lay on the tracks in possession of the Mexican outpost. He had no news of Private Parks, who rode into the Mexican lines and has not returned.

South American Present Issue.
Among issues the president and cabinet had under consideration was the appeal from the Brazilian minister at Mexico City to General Funston on behalf of five South American envoys now under arrest at Vera Cruz from a tramp steamer. Three Brazilians are among the prisoners, and the appeal, coming from a diplomatic representative of one of the mediating nations has presented a delicate problem for decision. The manning by American forces of the lightships on Lake Chapala off Tampico, which Huerta's foreign minister has protested, is a violation of the armistice, also was taken up in the cabinet meeting.

Justice Lamar and Frederick W. Lehmann, chosen to represent the United States at the mediation conference, awaited word early today from Secretary Bryan before completing arrangements for their mission.

Consul W. E. Alger, from Mazatlan, reported today that the State department for instructions. He stated that between 14,000 and 15,000 constitutionalists were in the vicinity of Mazatlan when he left. At that time they were projecting troops on the firing line in alternating thousands in the hope of wearing out the federalists.

Thirty Americans were left in Mazatlan at their own wish. Most of these were women and children.

Offensive Moves Improbable.
VERA CRUZ, May 12.—While the Mexican commissioners are enroute to attend the Niagara, Canada, peace conference and during the sessions of the conference there will be no inauguration of hostilities.

(Continued on Page Two.)

The Weather

Forecast of the weather for Wednesday. Fair, with slowly rising temperature. Temperature at Omaha yesterday.

Hours	Temp.
5 a. m.	38
6 a. m.	38
7 a. m.	38
8 a. m.	38
9 a. m.	39
10 a. m.	41
11 a. m.	44
12 m.	47
1 p. m.	49
2 p. m.	51
3 p. m.	54
4 p. m.	57
5 p. m.	60
6 p. m.	62
7 p. m.	62
8 p. m.	61
9 p. m.	59
10 p. m.	56
11 p. m.	53

Comparative Local Record.
1914. 1913. 1912. 1911. 1910.

Highest yesterday... 57 60 61 72 72
Lowest yesterday... 38 34 44 52 52
Mean temperature... 48 45 48 52 52
Precipitation... .00 .00 .00 .00 .00

Temperature and precipitation departures from the normal.
Normal temperature... 48
Deficiency for the day... -17
Total excess since March... 49
Normal precipitation... .18 inch
Deficiency for the day... .18 inch

Reports from Stations at 7 P. M.
Station and State Temp. High. Rain-
fall. Wind. Dir. Vel. Hum. Rel. Bar. Fall.

L. A. WELSH, Local Forecaster.