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FRIENDSHIP MOTIVE OF JUDGE'S ACTION, INSISTS ARCHBALD

Jurist in His Own Defense Denies Improper Intentions in Coal Land Deals.

FAVORS DONE FOR ASSOCIATES Gives Chronological History of Events Figuring in Trial.

WIFE PRECEDES HIM ON STAND Mrs. Archbald Explains Innocence of Trip to Europe.

SHOWS APPARENT CONFIDENCE Admits Many Facts Charged by House Managers in Impeachment Case, But Denies Implication of Wrong Purpose.

WASHINGTON, D. C., Jan. 6.—Friendship for his Scranton associates with whom he had lived and worked for years was the motive that led Judge Robert W. Archbald of the United States commerce court to negotiate with officials of the Erie and Lehigh Valley railroads over the settlement of coal land matters and that induced him to endorse certain notes, according to the statements made by the accused jurist today when he took the stand before the impeachment court of the senate to testify in his own behalf.

Judge Archbald followed his wife on the witness stand. Led by his own attorneys, he gave a chronological history of the transactions upon which the house of representatives had based its impeachment proceedings against him. He repeatedly denied that any improper motives influenced his actions or that he had sought corruptly to use his power as a federal judge to induce the railroad officials to do certain things.

Mrs. Archbald, an eloquent figure in defense of her husband's integrity as to the trip to Europe which he enjoyed at the expense of Henry W. Cannon, a director in the Great Northern and other railroads, was under examination but a short time. She said Mr. Cannon was her cousin and that the two families had been intimate for years and that they had frequently enjoyed pleasure trips together.

Letters Show Friendship.
The invitation for the Archbalds to go to Europe in 1910 came to Mrs. Archbald personally. She gave the senate the letter from Mr. Cannon. This and other letters that passed between Mr. Cannon and Judge and Mrs. Archbald were filled with discussion of the trip with instructions to Judge Archbald to take heavy underwear and dress clothes for the European journey and with personal exchanges to emphasize the close relationship that existed.

Tomorrow the managers of the house, appearing as the prosecutors in the case, will take up the cross-examination of the jurist.

Judge Archbald appeared composed and assured in his statements throughout the day, and his voice carried to all points of the senate chamber. He admitted his association with Edward J. Williams of Scranton, in negotiations for the Katonah refuse coal dump owned jointly by a subsidiary of the Erie railroad and by the firm of Robertson & Law.

He admitted that he had talked with Second Vice President Richardson and General Counsel Brownell of the Erie in an effort to expedite a decision as to whether the Erie would grant an option on its part of the dump, but he denied that he had tried or intended to influence them to act in his favor.

Acts in Interest of Attorney.
Judge Archbald declared he had no interest whatever in the settlement of the case of the Marlan Coal company of Scranton against the Delaware, Lackawanna & Western railroad. He went to officials of the railroad in that case, he said, as a friend of George M. Watson, the attorney for the coal company, and C. G. Boland, one of the owners of the coal company. He had no thought of reward for his efforts, he said, and no purpose to influence the railroad to make a favorable settlement.

He denied that he had tried to get credit

START WORK ON TARIFF BILL

House Ways and Means Committee Begins Work of Revision.

CHEMICAL SCHEDULE TAKEN UP Measure Will Be Ready for Consideration of Democratic Caucus When Extra Session of Congress Begins.

WASHINGTON, Jan. 6.—Democratic revision of the tariff actually got under way today when the house ways and means committee began hearings which will be the basis of the new tariff bill of the next congress. To appeal the Payne-Andrew law, in accordance with the tariff's pledges for an "immediate downward revision," and "tariff for revenue only." The hearing was on schedule "A," the chemical schedule. The committee plans to go down through the list, taking a new schedule every other day until all have been covered.

Most of the democratic majority of the present ways and means committee will go into the next congress which is to convene in extra session probably between March 15 and early April. In the tariff hearings the democratic majority will devote themselves in daily executive sessions to the formulation of the tentative tariff legislation, which they hope to have ready by March 15, if not earlier.

The concrete result of their deliberations, the new tariff bill, "acids to zinc," the expansion of the free list and zones will be formally passed upon at a caucus of the representatives of the new house soon after the opening of the session. This caucus will determine whether the new tariff legislation shall be in the form of a single measure or in separate bills, schedule by schedule, along lines of the tariff procedure of the last session when chemical, wool, cotton, iron and steel and free list bills went through both houses, but met presidential vetoes.

Chairman Underwood of the ways and means committee and his associates are inclined to favor the same course as that of last session. By the procedure it is urged by its advocates, "log rolling" or trading on rates on various articles could be avoided.

The chemical schedule is one of three or four that command the greatest interest. Democratic committeemen claim revision along the lines embodied in the chemical bill of last year would save American consumers \$17,000,000 by reducing the prices of all chemicals and at the same time increasing the revenue to the government.

The plan of the committee is to levy low rates of duty upon non competitive articles produced in this country, especially the chemicals used in the textile industry and chemicals and drugs used for medicines.

Girl Suffragists Will Make Calls Upon Young Men

NEW YORK, Jan. 6.—"Be just as feminine as you know how. Wear pretty clothes and becoming hats and earrings so as not to look strong-minded," is the way Dr. Mary Halton of the Twenty-ninth assembly district has instructed fifty charming girls who start out tonight to make after-dinner calls upon young men with specific appeals for the woman suffrage cause.

"Make your calls soon after dinner—in pairs," the order reads. "No use to waste time with the 'ants,' we will take care of them later. Spend your time with the man without convictions. Talk and leave him thinking. Don't make long calls. Make the men glad you came and sorry you left so soon."

There are 1,000 voters in the district whom the young workers hope to reach by their personal appeal campaign.

An incident of the suffrage cause was the announcement today that the League of Civil Federation of Women, one of the organizations of women strongly opposed to the suffrage movement, had dissolved.

Man Asphyxiated While Riding in a Car of Potatoes

FORT DODGE, Ia., Jan. 6.—(Special Telegram.)—Desire to save car fare when he accompanied a car of his potatoes to its destination and ignorance of the fact that a man could not live in a refrigerator car five hours when a charcoal burner was in use cost J. C. Edwards, aged 38, of Waterloo, S. D., his life. His body was found this morning when his car of potatoes was opened to replenish the charcoal burner. It was found dressed in nightclothes and wrapped in bed clothing. His parents, wealthy farmers, are hastening to this city. The young man was well dressed and had plenty of money. The car was sealed at Sioux Falls, S. D. With the burner in operation consuming the oxygen in the air, the human occupant of the car could not live five hours. Although he was dead when the car was unsealed at Cherokee to adjust the burner, his presence was unnoticed by the workmen.

George Ade Injured by Fall on Ice Walk

LAFAYETTE, Ind., Jan. 6.—George Ade, the playwright and humorist, who fell on a slippery sidewalk yesterday afternoon for a time was thought to be badly injured, was able to be out today.

Mr. Ade in falling received a blow on the back of his head which stunned him and he was carried into a drug store. He was later able to go to the home of Judge Henry H. Vinson, with whom he was visiting. Mr. Ade said he felt no effects from the fall today.

Mr. Ade a short time before the accident had been the principal speaker at the dedicatory services at the New Sigma Chi Fraternity Chapter House of Purdue University, which was his gift to the society. Leaving the building he lost his footing on the ice and struck his head on the cement sidewalk. He was unconscious for nearly an hour after the accident.

LEGISLATORS CAUCUS TO SELECT OFFICERS

Democrats Not Decided Pick for Leader Pending House Session

SOME WANT OPEN MEETING Others Much Opposed to Letting Public Into Deliberations.

SAUNDERS AND KEMP UNITE Two Members of Senate Have Working Agreement for Caucus.

GOVERNOR MOREHEAD ARRIVES Keeps Himself Well Concealed During Day from Vast Number of Job Hunters Who Have Desecrated on Capital.

(From a Staff Correspondent.)
LINCOLN, Jan. 6.—(Special.)—Republicans and democrats of the house and senate are in caucus tonight, the senate members holding forth at the Lincoln and the house members at the Lincoln.

So far as the democrats of the house are concerned the caucus opened with no candidate certain of success. During the day an effort was made to hold an open meeting, to which the public would be invited, but until the meeting is called to order it cannot be said positively whether the caucus will be open.

Saunders of Douglas and Kemp of Nance held a meeting this morning and formed an alliance, which means, probably, the reported strength of Hoagland will not materialize tonight. Should Saunders be elected president of the senate Kemp will be chairman of the committee on committees, and if Kemp is elected Saunders will take the chairmanship.

Morehead Arrives.
Governor-elect Morehead is in town, assembled in Lincoln. He immediately went into hiding, presumably to work on his inaugural address, but in reality to get away from the most insistent army of would-be job hunters ever.

Jerry Howard of Omaha is the whatting up his knives preparatory to going on the warpath.

"I am here to see the governor," said the former statesman, "but I have not been able to find him, though I understand he is in the city. I am going to have him tell me yes or no when I ask him to tell me whether he is going to appoint me deputy fire commissioner. I want to know now and I don't want to stay around here forever to find out whether I am to get the job."

Yeiser Nominates T. R.
If John O. Yeiser has his way Colonel Theodore Roosevelt will be the nominee of the republican party in 1916. A petition was filed with the secretary of state this afternoon signed by Mr. Yeiser and twenty-four others placing the colonel in nomination as a republican candidate for the presidency in 1916. All but about half a dozen of the signatures to the petition are names of men living in Omaha and most of them were on the petition filed by Mr. Yeiser during the late campaign when he took the same method to place Mr. Roosevelt in nomination then.

Suffrage Petition Filed.
Another petition filed with the secretary of state was that of a woman, said to be Mrs. Frank Hamilton, who desires to have the name "male" stricken from the constitution of the state relating to voters.

Automobile Turns
Somersault Into a
Creek; Man Killed

EDWARDSVILLE, Kan., Jan. 6.—L. A. Abbott, of Bonner Springs, Kan., was killed here last night when a motor car containing five persons skidded from a bridge and somersaulted twenty-five feet to the water below. The other four occupants of the car were injured, but not severely. The cries of two girls in the party who the machine fell attracted a farmer who arrived in time to help the injured ones from the creek.

Two Killed, Two Hurt in Gambling Fight

PAWUSKA, Okla., Dec. 6.—Howard and Fred Phillips, brothers, were shot and killed, and Samuel King and John Jones were seriously wounded here last night in a battle with pistols, following a quarrel over a gambling game. All are negroes.

DENTAL COMPANY LOSES LAWSUIT OVER LAND

(From a Staff Correspondent.)
WASHINGTON, Jan. 6.—(Special Telegram.)—Title in several hundred acres of swamp land claimed by the Marshall Dental company of Greene county, Iowa, was denied today by a decision of Chief Justice White in the supreme court. The decision of the Iowa supreme court was affirmed. The Marshall Dental company claimed that it had title through mesne conveyances from the state, and that the state acquired title from the interior department a number of years ago. The chief justice denied that the state had secured title and that therefore the Marshall Dental company had secured no right to the premises.

"It is enough to say," said the court, "that the state of Iowa has an interest in the condition of the land in question sufficient to entitle it to maintain this suit against any intruder without title whether the state owns it or not, and the decree is affirmed."

NEILL RENOMINATED FOR LABOR COMMISSIONER

WASHINGTON, Jan. 6.—President Taft today renomined Charles P. Neill to be commissioner of labor. Other nominees sent to the senate today include: To be postmaster, Herman Terence, Duquesne, Pa.

Long Overdue, But Sighted.



From the Philadelphia Record.

The National Capital

Monday, January 6, 1913.

CONSIDERED.

Convoked at noon.
Considered an amendment to enlarge powers of the campaign funds investigating committee.

Senator Briawell introduced bill for an industrial commission to control corporations and with power similar to that of the Interstate Commerce commission.

Samuel Gompers at judiciary committee hearing on anti-injunction and contempt bills advocated these bills and discussed for first time publicly the dynamite conspiracy case.

Court impeachment resumed trial of Judge Archbald.

The House.
Convoked at noon.
Considered legislation on unanimous consent calendar.

Ways and means committee began tariff revision hearings, listening to manufacturers' objections to reduction on chemicals.

"Money trust" investigating committee resumed its hearings.

Notice of contest against re-election of Representative Harrison of New York was filed.

Salt Lake Bankers
Tell of Operations
Of Clearing House

WASHINGTON, Jan. 6.—The operations of the clearing house association of Salt Lake City, Utah and its controversy with the National Copper bank of that city, were explained to the money trust investigating committee of the house today. Five Salt Lake City bankers testified.

W. W. Armstrong, president of the National Copper bank, recounted the circumstances that resulted in the separation of his bank from the clearing house.

He said that when the Copper National decided to abide by a rule adopted by the clearing house forbidding banks to pay interest on open or checking accounts, the eight other members of the clearing house dissolved the association and immediately formed a new one with a constitution including the rule to which the Copper National objected.

Mr. Armstrong said it was costing his bank \$25,000 a year extra to operate outside of the clearing house. He asserted that the Salt Lake City clearing house rules regulated rates and interest to be charged in practically every transaction charged by a bank and its clients and argued that the association was in restraint of trade, usurping the functions of the officers of the banks.

W. S. McCormick and three other members of the association, said Mr. Armstrong had stated the facts about as they had occurred, but they disagreed with his view of the ethics of the transaction, maintaining that the association was acting within its rights.

Miner Fatally Hurt by Delayed Shot

DEADWOOD, S. D., Jan. 6.—(Special Telegram.)—While picking out some mines along the St. Louis mine of the Golden Reward Mining company in the Bald Mountain district, Peter Widmer, a miner, was probably fatally injured by an explosion. One shot delayed fire and when Widmer went to investigate, received the charge in the face. The lower jaw was broken, and his face and breast frightfully torn and should he recover, it is probable that he will be blind.

HEISKELL APPOINTED SENATOR IN ARKANSAS

LITTLE ROCK, Ark., Jan. 6.—Governor George W. Donaghey today appointed J. N. Heiskell, editor of the Arkansas Gazette of this city, United States senator to succeed the late Jeff Davis. The appointment is for the short term ending March 4.

HARRIMAN SCHEME TO DISSOLVE MERGER IS REJECTED BY COURT

Plan Advanced by Union Pacific Attorney to Distribute Stock is Declared Inadequate.

WOULD NOT CHANGE CONTROL Same Set of Interests Would Still Dominate the Corporations.

FATTON MUST STAND TRIAL Cotton King Must Answer of Alleged Violation of Sherman Act.

DECISION IN CASE IMPORTANT It Establishes Point that Any Attempt to Corner Commodity in Interstate Trade is Illegal.

WASHINGTON, Jan. 6.—The supreme court today held that the plan advanced by Union Pacific attorneys of dissolving the entire stockholdings of the Union Pacific Railroad company in the Southern Pacific company by transfer to the stockholders of the Union Pacific company would not so effectively end the Union Pacific merger as to comply with its dissolution decree.

EXPEDITION ACT IS VALID
Court Rules that It Was Not Repealed
by New Code.

WASHINGTON, Jan. 6.—The supreme court today announced the decision that the United States judges of the eighth circuit and not the district judge in Missouri should enforce the recent decree of the court holding that the St. Louis Terminal company has been violating the Sherman anti-trust law.

In so holding the court decided that the "expedition act" authorizing the calling together of circuit judges to pass upon important cases was not repealed by the judicial code which went into effect a year ago.

Government officials claim that this will be decisive of the point raised by navigation companies in Alaska, charged with violating the Sherman anti-trust law, and officials of the United Shoe Machinery company, under similar charges, that the criminal appeals act was repealed by the code.

The effect of these claims would be to prevent the supreme court reviewing decisions of lower courts which annulled counts in indictments against the parties.

BIG VICTORY FOR RAILROADS
Liability Contracts Not Subject to
State Laws.

WASHINGTON, Jan. 6.—Railroads and express companies today won a revolutionary decision in the supreme court when it was held that contracts limiting to small sums their liability for loss of shipments were not subject to state laws, but to interstate laws. It was further held that contracts limiting liability to a small sum in return for a low rate were not in violation of the interstate commerce laws, particularly the Carmack amendment.

Several upon scores of such contracts have been held void under state laws.

PATTON MUST STAND TRIAL
Supreme Court Refuses to Dismiss
Cotton Corner Case.

WASHINGTON, Jan. 6.—By upholding certain dissenting counts against James A. Patton and others, charged with a violation of the Sherman anti-trust law in running a so-called cotton corner, the supreme court today sent the case against the men to trial in the lower courts.

The decision of the supreme court settled the important question that a "corner" of any commodity is a restraint of interstate commerce and may be a violation of the Sherman anti-trust law. Today's decision does not determine the question of guilt of Patton or the other defendants, but sends the case back to the lower court for trial on the facts.

(Continued on Page Six.)

It's the Everyday Ad that Gets the Business!

One successful real estate man recently remarked: "The desire to buy a home hits some of your readers every day. My advertisement must be in your paper to catch his eye the very day the notion strikes him, because it's a sure thing that the first thing he will look for, when the notion hits him is the want ad section of The Bee."

There is great truth in what this man says. The great live directory of human wants and continuous advertising is bound to win because that man you want to meet is sure to read your ad one of these days—he answers—you get together—a deal is made.

Tyler 1000.

The Weather

FOR NEBRASKA—Fair with rising temperature.
FOR IOWA—Generally fair; colder in east portion.
Temperature at Omaha Yesterday.

Hour	Temp.	Wind
5 a. m.	32	W, 10
6 a. m.	33	W, 10
7 a. m.	35	W, 10
8 a. m.	38	W, 10
9 a. m.	42	W, 10
10 a. m.	45	W, 10
11 a. m.	48	W, 10
12 m.	52	W, 10
1 p. m.	55	W, 10
2 p. m.	58	W, 10
3 p. m.	60	W, 10
4 p. m.	58	W, 10
5 p. m.	55	W, 10
6 p. m.	52	W, 10
7 p. m.	48	W, 10
8 p. m.	45	W, 10
9 p. m.	42	W, 10
10 p. m.	40	W, 10
11 p. m.	38	W, 10
12 m.	35	W, 10

Comparative Local Record.
1913, 1912, 1911, 1910.
Highest yesterday... 60
Lowest yesterday... 20
Mean temperature... 45
Total rainfall since March 1... 2.52 inches
Deficiency since March 1... 4.49 inches
Deficiency for cor. period, 1913, 14.66 inches
Salt Lake City, clear... 10
Santa Fe, cloudy... 10
Sheridan, clear... 10
Station and State... Temp. High... Rain...

Temperature and precipitation departures from the normal.
Normal temperature... 32
Deficiency for the day... 2
Deficiency since March 1... 4.49 inches
Total excess since March 1... 2.52 inches
Normal precipitation... .02 inch
Excess for the day... .00 inch
Total rainfall since March 1... 2.52 inches
Deficiency since March 1... 4.49 inches
Deficiency for cor. period, 1913, 14.66 inches
Salt Lake City, clear... 10
Santa Fe, cloudy... 10
Sheridan, clear... 10
Station and State... Temp. High... Rain...
Cheyenne, clear... 10
Denver, clear... 10
Des Moines, snow... 10
London, clear... 10
North Platte, pt. cldy... 10
Omaha, snow... 10
Pueblo, cloudy... 10
Rapid City, cloudy... 10
Sioux City, cloudy... 10
Valentine, pt. cloudy... 10
— Indicates below zero.
L. A. WELSH, Local Forecaster.