

OPPOSED TO DEATH DECREE

Chief Justice Reese Dissents to Penalty for Prince.

MURDERER OF WARDEN TO DIE

Majority of Court Decides Convicted Prisoner Must Suffer on Gallows for Crime Committed in State Penitentiary Last February.

Lincoln, Nov. 28.—Declaring that under previous administrations, and hinting at the administration of the late Warden Delahanty, the treatment of some prisoners was both cruel and brutal, Judge Reese, chief justice of the supreme court, gave as his personal opinion that Albert Prince should not be subjected to the death penalty.

But the chief justice, who wrote the opinion, said, as a majority of the high court favor affirmation of the district court's sentence of death, that must be the decision of the higher tribunal.

A feature of the decision in Prince's case is the court's criticism of the cruelties practiced upon prisoners during previous administrations.

While no names are mentioned in the opinion, clearly refers to the administration of the late Warden Delahanty, who was shot and killed during the spring mutiny at the penitentiary.

Prince's experience with the water cure, which took place a long time before his attack and slaying of Deputy Warden Davis and other alleged cruelties to which he was subjected, is alluded to in the opinion of the court.

The court says that the evidence strongly tends to show that under an administration previous to that of Delahanty there had been a cruel enforcement of discipline. The present administration is complimented at having brought about a more humane treatment of prisoners.

The date of execution was fixed for March 6.

Rates Not Suspended.

A. R. Talbot, head consul of the Modern Woodmen of America, denied a report from Rock Island that the executive council of the lodge had issued an order suspending the effect of the new rates. He declared it certain that the council would take no action until it is ascertained how broad the effect will be of the injunction issued by the Illinois court restraining the lodge from charging the new rates. No plan of action can be mapped out, he said, until the decree is formally filed tomorrow. He pointed out that there is no alternative to doing business under the old rates until the legality of the new rates are determined by the courts.

Motorcycle Ordinance Valid.

Motorcycle riders may not carry passengers on their machines in front of the rider driver, according to a decision handed down by the supreme court in a test case coming up from the city of Lincoln. An ordinance passed in this city provided a fine as a penalty for motorcycle riders carrying passengers before them. A number of cycle owners got together and started to test the law. The supreme court upholds the ordinance. No mention is made of the proposition of carrying passengers behind the driver.

Occupation Tax Due.

All corporations doing business in Nebraska which fail to pay their 1912 occupation tax, with a \$10 penalty for delinquency, on or before Nov. 30, will forfeit their charters. The provision has been made where corporations, which can make a satisfactory showing in excuse, may be reinstated at the option of the secretary of state.

GREEK HAS A BRAIN STORM

Begins to See Things When He is About to Start for the Balkans.

Omaha, Nov. 28.—Hounded by three unknown men until his nerves were shattered and his brain tottered on the verge of insanity, John Kolliteris, a Grand Island Greek, bound to join his countrymen in the Balkan war, has appealed to Sheriff McShane for protection from the trio that he fears will do him to death.

But for his possession of a piece of black chalk, the charm of a secret Greek order of which he is a member, Kolliteris believes his pursuers would have ended his life before this.

Kolliteris could not tell where the men might be found; no arrests could be made; the best the sheriff could do for him was to advise that he keep himself on main traveled streets and in public places, where no attempt to harm him successfully can be made.

Bridges Wins Suit.

Schuyler, Neb., Nov. 28.—The case of Bridges of Leigh against Held of Omaha was taken from the jury in the county court by Judge Thomas Held was instructed by the court to pay the plaintiff \$540, with interest. The object of the suit was to recover on a note issued by the plaintiff on a real estate deal.

Kearney High School Defeats Acadmy

Kearney, Neb., Nov. 28.—By defeating the Kearney Military academy 30 to 14, the Kearney high school team took the Thanksgiving game scheduled between these schools each year this game making three years in succession that the academy has lost to the high.

EUROPE'S EYE ON HIM.

The Archduke Francis Ferdinand of Austria, Who Visited the Kaiser.



SENATOR CORDEAL HAS VOTING PLAN Will Introduce Bill for Balloting in Absentia.

Lincoln, Nov. 28.—Senator J. F. Cordell of Red Willow county will introduce in the coming session of the legislature a bill permitting traveling men, railroad employees and others whose employment necessarily takes them away from home on election day to cast ballots. Whether he will suggest the Kansas system of "voting by mail" or some other, he has not as yet determined.

Cordell believes that some method could be devised by which men who know they will be absent from home on election day may cast the ballot in advance of that day. Another idea is that of issuing credentials, which would entitle a voter to vote at a place other than his home. This, however, Cordell thinks, might not be able to stand the test of constitutionality, as it might invite repeating.

IDA M. BEERE WINS CASE

New Interpretation of Liability of Counties by Defective Highways.

Lincoln, Nov. 28.—A new interpretation of the liability of counties for damages sustained through accidents caused by or resulting from defective highways was handed down by the state supreme court in the case of Ida M. Beere against the county of Scottsbluff. Mrs. Beere was driving a team over a public road in that county when the horses became frightened and started to run away. The buggy struck an abandoned irrigation ditch which extended down the road for some distance, and Mrs. Beere was thrown out and severely injured. She sued for damages and won the case in the district court. The county appealed on the ground that it was not liable for damages on account of such an accident. The upper court, however, holds that:

"The road law of the state does not require a county or municipality to guarantee the safety of its highways and streets, but it is required of them to keep them in a reasonably safe condition for public travel."

Schuyler Teacher Says Farewell.

Schuyler, Neb., Nov. 28.—W. A. Losey, for the last two years teacher of science in the Schuyler high school, was tendered a farewell reception here by his pupils. Mr. Losey was presented with a handsome gift from each of the four classes, after which refreshments were served. The former instructor is leaving this week for Hagerman, N. M., where he will enter into the banking business. J. R. Over tariff of Fremont will be his successor.

Victor's Bravery Rewarded.

Omaha, Nov. 28.—Recognition of bravery for saving the lives of two children from the icy waters of the Missouri river one December day came to Herman Victor in the form of a heavy silver medal from the United States treasury department. The medal is appropriately hand engraved.

Platte County Has Candidate.

Columbus, Neb., Nov. 28.—A move ment has been instituted among Platte county Democrats to ask President Wilson to appoint C. M. Gruenther collector of internal revenue, to succeed Ross Hammond of Fremont, at the expiration of Mr. Hammond's term.

Grand Island Girl Shoots Herself.

Grand Island, Neb., Nov. 28.—Miss Clara Kilntworth, aged twenty-five, dependent over ill health, fatally shot herself, the bullet going entirely through the forehead. No hopes are entertained for her recovery.

Boy Hurt in Football Game.

Lyons, Neb., Nov. 28.—Raymond Osborn, son of Mr. and Mrs. L. W. Osborn, got his right shoulder blade broken in a game of football here.

EYEWITNESSES OF HORRORS OF WAR AND SWIFT PLAGUE TELL OF BATTLE

Dead and Dying From Cholera Piled In Ghastly Heaps.

THE horrors of war, in wholesale slaughter and grewsome plague, have probably never been as effectively told in hurriedly written dispatches as those received from the correspondents at Tchatalja. At Hademkeul, where the remnants of the defeated Turkish army finally rallied and the place fixed for the first peace negotiations, the scourge was shown in its most appalling form. A correspondent describes it as the valley of the shadow of death—an inferno of torture and death more aptly comprehends it.

Ashmead Bartlett, with the Ottoman army, tells of the lack of medical arrangements and how men were thrown from their fellows to die unattended and hastily buried by being barely covered by the earth.

"These ghastly mounds," he declares, "litter the whole country; there is no escaping them. But these horrid scenes in the villages pale into insignificance when compared with the horrors of Hademkeul. These men, who lived for ten days on green corn or scraps of offal picked up on the march, yield the greatest number of victims. I never actually entered the village of Hademkeul, because the sights outside caused me to turn my horse in the opposite direction. The valley in which Hademkeul lies, viewed from the hills, is the valley of the shadow of death.

"Every road over which the troops move is marked with a trail of dead and dying. It is impossible to succor or save any of them. Once a soldier is seized with the disease his comrades shun him, as they fear infection. No prayers or pleadings will move the living to raise a helping hand."

The correspondent, looking toward Hademkeul from a hill, saw a large square formed on one side by the barracks, on two others by a line of hospital tents and on the fourth by a high road. The square was covered with corpses and writhing bodies lying in all attitudes. Some were prone, some sitting, some kneeling, some constantly shifting and some with their hands clasped as if in supplication.

Plague Dead In Heaps.

In some parts the dead were piled in heaps. In others those still living were almost as closely packed. This lake of misery was constantly fed by stretcher-bearers bringing fresh victims from the camps and forts and by others who crawled in of their own accord, seeming to prefer to end their days in the company of their fellow men or expecting to find succor or release from their torments.

All the tracks leading to this innumerable morgue were dotted with the bodies of those who had died on the way. From time to time empty bullock wagons passed through. The bodies of the dead would be thrown into them, carried out of the village and thrown into great pits, where thousands are already sleeping.

The beginning of the two days' assault on the Tchatalja defenses which resulted in the repulse of the Bulgarians is told graphically by a correspondent who personally witnessed part of the terrific engagement.

"At 7 o'clock in the morning the sudden booming of guns came from the southwest. According to what I was told by Turkish soldiers, this sudden start of the battle was the chief Bulgarian attempt to rush the Turkish positions commanding the lake of Biyuk Chekmeji. In the half light of the dawn the Bulgarian infantry had already crept up within a close distance of the Turkish lines.

"It is said that when the Turkish cruiser lying in Biyuk Chekmeji bay saw them it immediately opened fire with its big guns. The Turkish land batteries joined in, and the Bulgarian advance was driven back."

From the crest of the ridge of hills commanding a broad valley the correspondent was able to watch the Bulgarian attack.

TAFT TO FILL ALL VACANCIES

List Includes Industrial Commission and Dr. Wiley's Place.

President Taft announced that when the senate convenes he will send in for confirmation a list of appointees for all federal vacancies.

This list will include the nine members of the newly created industrial commission, a pure food commissioner to succeed Dr. Harvey W. Wiley and many vacancies in the postal and United States marshal service. As the present senate is Republican the president believes all will be confirmed.

Dr. R. B. Doolittle, acting pure food commissioner, it is understood, will be suggested by the president for permanent appointment.

Germany's Big Apple Crop.

Wholesale dealers in Germany say that on account of good home crops the imports of American apples will not be great this year.

HORRORS OF WAR AND SWIFT PLAGUE

First Terrific Attack on the Line of Tchatalja Defenses.

riant and Turkish artillery pounding each other. He says:

"It was the ridge just across the railway, where the line goes southwest before turning to the north up the valley to Tchatalja. Along this ridge stands the rearmost line of forts, and from it one looked across a deep, broad valley to a village, which I identified on the map as Izedin.

Spectacular Shell Fire.

"The Bulgarian batteries were flashing along a line stretching from this village to Tchatalja, which was itself hidden from sight by a piece of rising ground on my left front, which was occupied by two Turkish batteries.

"On these the Bulgarian shells were bursting freely without, however, doing much damage to either the guns or the infantry lying in the shelter of a dip in the ground.

"To the right of a disused redoubt, the parapet of which I made my post of observation, was a Turkish fort shelling the village of Izedin. A battery close by was doing the same along the front.

"Between these points lay a long line of Turkish trenches full of infantry, among whom the shell fire was evidently doing damage, for supports in a widely extended line were going slowly to them, sought out themselves now and then by those sudden death dealing clouds of compact white smoke that flung the black earth in showers into the air.

"Farther away on the right were two more Turkish forts, from which still more shells went petulantly screaming across the land toward where tiny flashes in the blue haze of the valley marked the Bulgarian batteries at work.

"It was difficult to estimate the range, but I noticed that many Turkish shells fell short, while some of the Bulgarian shells were bursting 300 yards behind the batteries in front of me.

Charging the Turkish Trenches.

"About 3 o'clock in the afternoon the Bulgarians sent forward infantry from Tchatalja against the Turkish trenches lying along the opposite ridge. For a quarter of an hour a heavy rifle fire took place at this point and then slackened.

"As the Bulgarians withdrew shortly afterward a dense column of cream colored smoke sprang up in the village of Izedin. Evidently the Turkish shells had set it on fire.

"All this time heavy firing was going on along the valley that stretched away to the left and round in a crescent shape toward Lake Biyuk Chekmeje. There the Turkish cruiser Hamidiyeh was engaged all day, covering with her fire the narrow neck of land that separates the lake from the sea.

"As night fell the long day's artillery duel slackened and died away to silence.

Firing Resumed at Dawn.

"We got up before sunrise and returned to see the battle start again. Again it began as soon as it was light, but only along the valley between Tchatalja and Lake Biyuk Chekmeji. The forts on our right, which were yesterday so active, were now silent, one battery coming away from that part of the line as we watched.

"That Bulgarian fire against that section of the front had ceased, however, was shown by the impunity with which a bullock wagon and train of ammunition was crossing the ground where yesterday shells were bursting.

"I heard several stories from soldiers of the incidents of Sunday's battle, which I cannot guarantee. One was to the effect that the presence of a regiment of 500 Bulgarian cavalrymen was detected near the village of Biyuk Chekmeji by the fact that two of their scouts entered the village and obtained food from a Greek priest.

"Another said the attempt to blow up the railway bridge near San Stefano by two Bulgarian spies was noticed by a child, who told the Turkish patrol."

PARK WHERE ARMY CROSSED.

George Washington's Trip Over the Delaware Commemorated.

The spot where General George Washington and his Continental army crossed the Delaware river on the night before the battle of Trenton will be perpetuated as a public park. The Washington's crossing state commission was appointed to negotiate for its purchase, and William L. Doyle, one of the commissioners, announced that the price had been agreed upon and soon the 100 acres comprising the tract will be bought for \$19,000.

The property is the Blackwell farm at Washington's Crossing, on the Jersey side of the Delaware river. It was there that Washington and his army crossed the river.

Russian Forest Revenues.

Last year the Russian forest revenues exceeded \$42,525,000.

PLACING BLAME FOR DYNAMITING

Explosions Follow Refusals to Unionize Jobs.

ST. LOUIS JOB ONE INSTANCE

Garrett Admonished by Barry of Iron Workers' Organization—Sherman Talks to Marshall—Explosion at French Lick Follows Angry Refusal.

Indianapolis, Nov. 27.—As tending to the implication of labor union officials in plots, the government introduced testimony that explosions on nonunion iron works followed the refusal of contractors to unionize their jobs after personal visits by some of the defendants.

Before two charges of dynamite exploded on a bridge in St. Louis on Aug. 9, 1908, John T. Garrett, president of a construction firm, testified he was visited by John H. Barry of the local ironworkers' union.

"Barry wanted me to unionize the job," Garrett said. "You'll find it a great deal cheaper, for you know what will happen," he said. I told him I suspected he was going to dynamite the job and he had better be careful. It was blown up later."

Questioned by Chester Krum, counsel for Barry, Garrett said the union official, referring to dynamiting, declared "he did not do that kind of business."

Dynamiting Follows Refusal.

Wallace Marshall testified of putting up a job at French Lick, Ind., after he had been visited by Fred Sherman union business agent.

"Sherman told me I had better unionize the job," Marshall said, "but I lost my temper and told him I would have nothing to do with the murderous, dynamiting ironworkers. An explosion occurred in March, 1911."

F. J. McCain said his firm suffered three explosions on jobs at Buffalo in 1910 and one in Erie in 1911 after he had been visited by John T. Butler vice president of the International Association of Bridge and Structural Iron Workers.

"Butler told us we would be sorry when we refused to deal with the union," McCain said.

Relative to the government's charges that the forty-five defendant, aided in the illegal transportation of explosives, many trainmen testified about trains on which Ortie E. McManis and the McNamaras traveled. One porter told of luggage carried by James B. McNamara when the latter went from Chicago to Oakland, Cal., in July, 1910. It was on that trip that McNamara, after visiting Seattle and San Francisco, blew up the Los Angeles Times building.

WORK OF MINING CONGRESS

Methods for Protection of Investors Discussed at Spokane.

Spokane, Wash., Nov. 27.—Consideration of methods for the protection of the investor in mining properties occupied the sessions of the American mining congress.

The open discussion centered about the proposal of Lieutenant Governor Allen of Montana, that state laws be urged compelling mining corporation, to file with a commission of corporations frequent reports, giving full details regarding the company, the physical condition of its property, the amount of stock sold and what was done with the money, and that these reports be confirmed by state officers as far as possible. The speaker urged also that laws be passed providing that at least 75 per cent of the money derived from the sale of treasury stock must be used in the development of the property.

CHINESE GIRLS ARRESTED

Four Smuggled From Hongkong Detected by Customs Guard.

San Francisco, Nov. 27.—Four Chinese girls, dressed in men's clothes who had been smuggled across the Pacific in the hold of the Nippon Maru were borne shrieking and hysterical through the city streets to the office of the surveyor of the port. They were secretly arrested as they stepped from the ship's gangplank in company with Leong Moon, Chinese interpreter for the vessel.

In making the arrest, W. H. J. Deasy a customs guard, refused a bribe of \$1,000, which happens to be just \$4 more than his annual salary, with the knowledge that he was virtually sure to escape detection.

Two More Arrests in Vice Clique Raid

Portland, Ore., Nov. 27.—Ernest Enge, an employee in a physician's office, and Cyrus G. East, a postoffice employee, were arrested in connection with the vice clique alleged to exist in this city. The grand jury, which has been engaged in hearing the evidence, is expected to return a large number of indictments within the next day or so.

Republican Leaders to Meet.

New York, Nov. 27.—Leaders of the Republican party from every state in the union are to assemble here on Dec. 14 for a series of conferences to devise plans for a great forward movement by the party and to map out a program for the next four years. President Taft will be the principal speaker at a banquet in the evening of Dec. 14.

ARTIST SEEKING YANKEE BEAUTIES

Famous French Etcher's Quest Not Confined to Society.

TO SELECT EIGHT GIRLS.

Paul Helleu Cares Not From Which Section of the Country They Come, Be They Humble or Exalted, but They Must Be a Delight to the Eye.

Paul Helleu, the famous French dry paint etcher, who has received a modest fortune for each of the etchings he has made of beautiful American society women, is again in this country, this time on a beauty quest, pure and simple, in which the simple-country girl, the modestly dressed shopgirl and the healthy, red blooded miss of the ranch has just as much chance of being selected as the proudest society maid or matron. And the master etcher takes pains to emphasize the fact that he is not confining himself to New York. In eight fair faces he desires to encompass the entire range of beauty in America.

So if you are a young woman and your friends are in the habit of raving over your charms and your mirror tells you you are an exquisite type of American beauty, look out for a tall, dark man with a pointed beard. He may be after you.

M. Helleu is looking for types. There is not room in his sketchbook for all the types he may find, and he only wants eight. Last summer he made for L'Illustration, the French weekly, a series of eight sketches of the most beautiful types of Parisiennes and others that he could find at Deauville during the fashionable season, and now the same paper has commissioned him to make eight sketches of the most beautiful types he can find in America.

Commissions For Portraits.

Of course M. Helleu came over here to offer out commissions to make portraits of American women and children, which he engaged to do before leaving home. When M. Helleu was in New York ten years ago he made pictures of almost every young society woman of that time, and some of these he has made again almost every year since then. His reputation was made first in pastel work, and his work is famous not only for its beauty, but for the few lines he makes in the execution of a picture.

"I have nice portraits to make," said he. "Some of them are of children; some are of women in society. I believe I have made the portrait of almost every society woman in New York. My latest subject was Mrs. Clarence Mackay. Here is the most beautiful woman in Paris just now," he said, taking up an etching which seemed little more than an outline. "It is Mme. Menier. Here is a recent portrait of the Duchess of Marlborough, and here is a late one of Mrs. Philip Lydig, whom I have done five or six times.

"I shall not make my selections of American types without careful study," said M. Helleu in answer to a question. "They will by no means be limited to society women. On the beach at Deauville, at the races, in the restaurant of the Hotel de Paris at Trouville and at the casino last summer I searched long before I eliminated those that I did not consider to be the best types."

"Which nationality of women lends itself best to treatment in your style of work?" he was asked.

"That is a question which I do not like to answer," was the reply, "but if you were to ask an American woman and she told you her mind her answer would be that the Frenchwoman is the prettiest and the most chic. Else why do your American women come over to Paris for their frocks and their hats, their thousand and one little adornments of person in which Paris sets the standard? Not only does the Frenchwoman dress better, but her face and figure are prettier. The proof of this is that the American women copy the French as much as possible even in the figure.

American Woman a Spender.

"Of course the American spends a great deal more on her clothes—poor American husband!—but the effect is difficult to achieve. A Frenchwoman is by nature economical. It is inborn in her to achieve very great results on little expenditure of money. The Frenchwoman has not the money to spend on her clothes that the American woman has. Yet take the women of any class you will see on the streets of Paris. Consider the little mannequin on the Rue de la Paix. She makes wages that are infinitesimal, but notice the way she selects her hat, how her poor little dress conforms to the style of the moment, how the dainty touch here and there about her costume makes her a picture.

"Your American women are extravagant in dress. They are getting more luxurious all the time. It is a species of folly. American women spend four times as much on their frocks as Parisiennes. Of course I will admit that the French and the American women are the most stylish in the world.

"Beauty is not confined to any one set of women, and I shall not necessarily confine myself to drawing the eight most beautiful women I shall see, because I do not wish to have two of the same type. My idea is to measure the best I can see of eight different types."