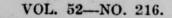
THE OMAHA MORNING BEE



Halts Work on Capitol

Secretary Johnson Attacks Action of Architect Goodhouse -Says Recommendation Cost State \$115,000.

Omaha Firm Is Named

By A. C. POWELL, prrespondent The Omaha Bee son, secretary of the commission, that the state was paying \$115,000 more for

stone than was justifiable considering peal insisted that the law would proquality of stone used.

At the same time, Johnson charged eighth grade except after dark or on that Bertrand F. Goodhue, New York Sunday. While admitting that the architect, in charge of erection of the state had the right to enforce comstate house, had violated terms of his pulsory education and prescribe the contract by awarding Sunderland course of studies in private and paro-Brothers, Omaha, a contract for \$25,- chial as well as in public schools, 000 for columns in the first section of those attacking the law insisted that the state house on a noncompetitive the state could not legally prevent bid without approval of the commis- parents from employing private bid without approval of the commis-sion. Goodhue was present at the teachers to instruct their children in police power, to break up foreign set-he found Hattley had been drinking

meeting in Governor Bryan's office when the charges were filed. He declined to make a statement.

Will Test Stone.

No further work will be done until Prof. J. H. Mickey of the state university tests all stones in the outer wall, and representatives of the Struble Cut Stone company, Bedford, Ind., and the contractor laying the stone, and Architect Goodhue meet again with the commission, probably within 20 days, when the entire affair will be threshed out and future action decided upon by the commission. Work on other sections of the state house will continue. Payments on stone delivered, amounting to \$50,000, were ordered withheld by the commission

Johnson, in his statement, pointed Beal, county attorney. but to the commission that at the A coroner's jury yesterday probed

time the contract for stone was let, the shooting of the young gangster July 20, No. 1 buff Oolitic Indiana in a battle in the Great Western raillimestone was selected and the price road yards Wednesday morning, but was set at 75 cents per cubic foot. failed to fix responsibility. Another bid for stone at 65 cents per "Samuel C. Curtis, the railroad

cubic foot on select buff Indiana lime- watchman who engaged the gang of stone shipped from the Consolidated alleged boxcar thieves in battle, spe-Stone company's quarries at Bedford cifically stated he did not fire at anyone on top of a boxcar." Beal said. was rejected.

Lowest Bid Rejected.

"We rejected this latter bid," John- man who was shot like Maher was son said, "because the architect's wounded could not have climbed up: American. representatives were very emphatic there is no proof that any other man in their statements that the architect was shot; and in my opinion Maher's would not approve of the stone from the Consolidated quarries, as they the battle and fired at him as he could not furnish the color of stone climbed to the top of the car in a run we wanted, and if a Bedford stone for safety or a strategic firing point."

other by the Nebraska District Evan- counsel for those opposing it as presenting the doctrine of the Russian gelical Synod of Missouri. The law was attacked as einvalid soviet. The court must determine, m that it deprived the people of cer- it was stated, whether the parents or uin rights and liberties guaranteed a majority in a state legislature were Thirteen persons, trapped in a room-Lincoln, Feb. 23 .- (Special.)-All by the federal constitution and inter- most interested in the children. outer walls of Nebraska's fered with religious freedom. It was Nearly all people in the middle- ly today in a fire which destroyed new \$6,000,000 state house halted at defended as a police regulation with-in the discretion of the state, it being within the last few generations come Kansas avenue, in the Armourdale afternoon upon order of the pointed out that many men drafted from continental Europe, and while district here. All of the bodies had state capitol commission, following during the war who had been born the Catholics were represented as the not been identified tonight. filing of charges by George E. John- in this country could not speak nor most directly interested in retaining understand English. **Religious** Teaching. Counsel for those bringing the ap-

English in all schools below the eighth it was insisted, was aimed to prevent

grade was orally argued in the su- religious instruction in day schools

Entered as Second-Class Matter May 28, 1906, at Omaha P. O. Under Act of March 3, 1879.

when they made the United States ened. hibit religious instruction below the their home. It was insisted that they had the right to retain their native language and use it in their home and in their religious worship as they

21 States Interested.

Pointing out that 21 states were in-

Jury Exonerates Officer of Death of Marty Maher papers, counsel for the state insisted,

How Alleged Bandit Was Slain Is Mystery to Beal-Curtis impressionable age. Admits Firing at



Who shot Marty Maher! "His own pals." declares Henry

state insisted, but more English in at \$35,000 the churches. Under the law the state had attempted to exercise its right, counsel said to supervise the education of its youth, and see that the language of their country shall be

made the language of the children. Nebraska cannot be divided and made part English and part German. counsel for the state declared. "It "One of the car tops was gory; a is the ambition of the state to have

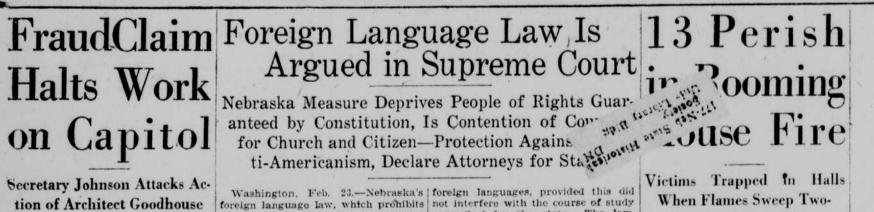
Chief of Dublin

Rebels Caught

Captured at Drumcondra;

by Free Staters

OMAHA, SATURRAY, FEBRUARY 24, 1923. *



When Flames Sweep Two-Story Building in Kansas City, Kans.

preme court today in two cases, one and restrict it to Sunday schools. brought by Robert T. Meyer, and the The Nebraska law was declared by Little Warning Given

> Kansas City, Kan., Feb. 23.-(A)ing house, were burned to death car

An official investigation will be freedom of instruction in parochial started Saturday. The fire started schools, the entire European-born pop- in a garage beneath the rooming ulation should not be deprived, it was house and almost enveloped the buildargued, of the liberties guaranteed ing before the occupants were awak-

Cause Mystery.

Thomas C. Hattley, owner of the garage, was sleeping in the garage office when the fire broke out. "I haven't the least idea what could have caused the fire. I am sure there

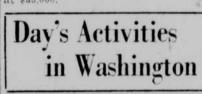
terested in the outcome of the litiga-E. J. D. Hodge, a chauffeur, said tion, counsel for the state contended that he recalled driving into the gatlement influence. If such law as that and the stove in the garage office now attacked were enforced for one red hot.

generation, it was argued, foreign lan- Only once before has Kansas City, guage conditions would disappear as Kan,, had a fire in which the toll of one of the problems confronting the human lives was as great as that states. The law did not prohibit this morning. In 1906, a fire in the speaking or writing in a foreign lan- Chamber of Commerce building killed guage, nor attempt to prevent the 13 persons and injured 40. publication of foreign language news-

Held 34 Persons

The rooming house destroyed to but the law, as explained by them, was intended to ground English in all day contained 18 rooms and housed the children while they were of an 34 persons. There were but two stairways, both

The complaint against the law $w_{\rm h,8}$ through the interior of the building, grounded, state counsel declared, and it was said the halls on the sec upon the effect it would have in pre- ond floor were so arranged that they venting the propagation of the Ger- were difficult to find in darkness. The positions of the bodies in the man language and institutions on children of immature age. Conditions in Nebraska do not require more Ger- killed were in the halls. Fire depart man in the schools, counsel for the ment officials estimated the damage



Senator Underwood of Alabama concluded his service as democratic its entire population 100 per cent floor leader, leaving for a European

> The house, by a vote of 300 to 11, passed the administration bill direct-ing the return of certain estates of former enemy aliens held by the alien property custodian. Tow armed bandits, without masks, held up and robbed the office of the Omaha Merchants Express company. 802 South Fourteenth street, of be-tween \$859 and \$890 in cash, at 4 yes-Tow armed bandits, without masks,



SubsidyBill **Drops** Into **Coma State** Death of Shipping Measure But Question of Hours-May Possibly Hold Out Until Monday. Friends Give Up Fight Washington, Feb. 23 .- (A)-The ad ministration shipping bill tonight had passed into the state of coma that precedes death Worn by the filibuster and attacks of its enemies in the senate, the legis lation for which President Harding called congress in special session and which the leader of the executive branch has urged by all means, to night hangs by a single thread-the notion pending in the senate to take t up for consideration Most of the measure's friends gave up the fight during the day. Senator Jones, republican, Washington, who as chairman of the commerce committee has fathered the bill in the senate, refused for the first time to say that he was hopeful, although de claring that he would fight on End May Come Today. The end may come Saturday or it may be delayed until Monday, and will be brought about either by a mo tion to send the measure back to the committee or to displace it with an other piece of legislation. Some sug gestions were heard about the senate hat it might be left pending with its leath to occur coincident with the adournment of congress. Indications of the end developed rapidly today in the senate, although definitely forecast Thursday Senator Curtis of Kansas, the as sistant republican leader, early in the day went to the White House and informed the president that the cause in behalf of the bill was hopeless. The president was understood merely to have asked that every possible effort be made in behalf of the legislation. Agree to Adjourn. Returning to the capital just before the senate met. Senator Curtis confer red with Senator Jones and other re City of Bochum red with Senator Jones and other re-publican leaders. Then in an executive ession, the republican leaders pro posed a unanimous consent agreemen that the senate adjourn at 6 until 11 Saturday morning, after which bills on the calendar would be considered

TWO CENTS

Cronkhite Case

ship bill entered no objection, accepting the proposal as an indication o and Slain. dissolution among the supporters of the legislation and immediately began in High Court Essen. Feb. 23.-(P)-The French the legislation and immediately began preparing to press further the admave decided to replace the German vantage gained. customs officials by French through- Conferences continued throughout out the Ruhr.

man Civilian Is Shot

the day among the ship bill's opponents, but when the senate ad-Berlin, Feb. 23 .- Martial law has journed, the plan of action had not

ment of the measure in favor of other

legislation, and a third group wanted

Country to Pass Judgment.

the administration would withdraw the

bill, but Senator Jones showed no

that came directly from the White

House during the day was a declara

that as to the filibuster, the execu

tive would let the country pass judg-

Pending final disposition of the bill

Inspect Fremont Paving

on by a spokesman for the president

Some suggestions were heard that

for two hours. The opponents of the

were used, the only quarry that was **Beal and Doctor Disagree.** in a position to furnish acceptable Medical opinion does not agree with stone was the Indiana Quarries com- Beal, however, on the point that Mapany

"After the stone began to arrive of the car. and it is not a select grade.

Visit at Quarries.

"I secured the services of Profes- under the shock and loss of blood." where we consulted the state geolothat have been constructed with dif- her, in his belief, yet---ferent grades of stones from different quarries.

that the Indiana Quarries company is me." e only quarry that can furnish a buff Indiana limestone.

furnish the same kind of stone and should have started away but turned rest. that often buff stone from two or back to climb to the car roof is a wall of a building without anyone be- swer. ing able to tell what quarry the in- Six men and one woman have been mation dividual pieces of stone came from. "We found that the Consolidated chief of detectives, concerning the Quarries company, who gave us the shooting. All of the tricks of shrewd low bid, is the best equipped company investigators have failed, so far as is in the United States to furnish us any known, to bring out a single fact re-

quantity, quality or grade of Bedford | garding the identity of other members stone.

Can Buy Cheaper.

"Last but not least, we found that Even the direction of the bullet that ce could purchase the same stone we killed Maher is shrouded in mystery, five were seated at a table, which re paying 75 cents per cubic foot for | The doctors examined the body. One for 35 cents per cubic foot. This means believes the bullet entered his left leg that if we continue paying our pres- from the left, the outside; the other ent price the state will pay \$115,000 is equally confident it entered from more for stone than it is worth."

Then Johnson dwelt on the \$25,000 unable to tell. If from the right, incontract awarded Sunderland Broth- vestigators believe he could have been He said: "At the last the man shot by Curtis. If from the meeting of the capitol commission the left, he probably was not the man. architect was instructed to make up a list of individuals or companies in a William Gurnett, detective. position to take care of such work Maher's body will be removed to his Eircann, for Wexford, was burned to press an opinion regarding the pro as necessary in order to get competi- home at 2878 Capitol avenue. Funeral the ground last evening at Tagout. tive prices. Instead of following these services will be held Monday morning. instructions, the architect sends us a The aged mother of the slain man did a letter on February 10, saying he has not attend the inquest. Bill Maher.

had ho occupation ers. Omaha, for \$25,000. "Inasmuch as there have been many | Curtis stated that he has given his mistakes in the architect's plans, 32-caliber revolver to his wife bewhich have previously been brought cause hereafter he will use only .45to your attention, and his recom- caliber weapons, holding one in each mendations and actions do not appear | hand. to be for the best interests of the state, I believe his work in connection with Minneapolis Police the capitol should be gone into very thoroughly by the commission.'

Missing Youth Sought.

as being five feet 10 inches tall and gambling and disorderly houses, has der control.

suit and hat.

her could not have climbed to the roof Sean Fitzpatrick and 4 Others

we made an investigation and found "It would depend upon the vitality that we were getting what the archi- of the subject," said Dr. M. E. Grier, tect had approved. It appeared to me police surgeon, who examined Maher, that we should be getting this stone "Perhaps Maher had much of it, and cheaper than 75 cents per cubic foot, in that case he could have made his way up to the roof. No one can say just how far he could have stood up

De Valera's Capture Is Rumored. Dublin, Feb. 23 .- (A)-Five Itish ir. firms.

sor Mickey and we went to Bedford. County Attorney Beal's opinion regulars, the most important of whom concedes the shooting of no man ex- was Sean Fitzpatrick, have been capgist and examined several buildings cept the one atop the car-Marty Ma- tured by criminal investigation department officers of the free state "I pointed my gun carefully at the government in a raid at Drumcondra man opening the car door," Curtis de- army headquarters announced today.

fice was not correct in its statements heard his cry distinctly, 'He's got of the Dublin brigade of irregulars.

Detective Perplexed.

other men are irregular officers. It is understood a meeting of the Why that man, with an open path first Dublin battalion of irregulars We found that each quarry could and a waiting motor car ahead of him, was proceeding at the time of the ar-A rumor was in circulation that

more quarries was used in the same question detectives are trying to an- Eamon de Valera had been arrested in the raid, but there was no confir-

ment men, the account states, sud-

denly appeared at the door of the room

Norfolk, Neb., Feb. 23 .- Fire which

tion.

age book system

Resolution for Inquiry

tion by its marketing experts.

quizzed by Charles H. Van Deusen, De Valera's Capture Rumored. Belfast, Feb. 23.-A Dublin dispatch patrick says the men taken with him were his adjutant and three officers. The criminal investigation depart

of the alleged robber gang. Direction of Bullet Mystery.

in a house on Royse road, where the raiders presented revolvers and shout-"Hands up! the right. Embalmers say they are dered

message, deny reports that Eamon de Valera was captured.

"Name your own slayer," declared

Dublin, Feb. 23 .- (A)-More than 0 Irish irregulars were captured in raids in Dublin last evening and this let the contract to Sunderland Broth- brother, testified he did not work and morning, it was stated this afternoon.

> Additional raids are in progress. Fire Threatens Whole Town; Church Destroyed

over a large part of the town of Chief Is Arrested Stanton, destroyed the Methodist Minneapolis, Feb. 23 .-- A warrant church there last night with a loss for the arrest of A. C. Jensen, super. of \$12,000, partly covered by insurintendent of the police, based on four ance. At one time five residences

Nebraska City, Neb., Feb. 23 .- indictments, returned recently by the near the church were on fire and (Special.)-Merrit Learned, 16, son of county grand jury was served today the situation looked so serious that a Nebraska City merchant, left his by Sheriff Earle Brown. Chief Jen- help from here was summoned at home here Saturday and no trace of sen, who is charged with "wilful midnight. By the time the Norfolk him has been found. He is described neglect/of duty" in failing to close up firemen arrived, the flames were un not guilty by a jury tonight of the fireman, was seriously injured here court would permit Mr. Arnold to file

> was badly damaged. charges

terday afternoo

The bureau of immigration announc- According to Henry Stahl, paymas ed that Pat Somerset, English actor, ter, who was in the office with O. against whom deportation proceed. P. Woodruff and J. W. Jardine, emngs are pending, could remain in this ployes, the two men entered by a front country six months more under bond. door and, drawing weapons, command-

The house agriculture committee While one of the men kept them tabled a resolution by Representative covered, his companion walked behind Voigt, republican, Wisconsin, calling the counter and removed the cash for a federal trade commission in- from the office safe, which was unquiry into the proposed consolidation locked. Then 'both men pocketed of the Armour and Morris packing their guns and fled.

Stahl called police and furnished a

description of the two men to the po-The end of the senate filibuster lice. Officers started a roundup of against the administration shipping bill appeared in sight with an agree-Stabl said the loct in Stahl said the loot taken by the ment for a temporary armistice and bandits comprised the weekly payroll

the possibility of an early vote on a of the drivers for the company, who Secretaries Hoover and Wallace ning.

Firm and Two Others to

Witness Robbery.

gave endorsement to the Lenreot An. Stahl drew on the bank for another derson farm credits bill, recently op- payroll and "the ghost walked" for posed by Secretary Mellon, while the employes as usual. President Harding said he was con - Police believe the bandits were ac- Rhode Island, which held Roberd R

fident the house could "effect a con-quainted with the habits of the ex- Pothier without bail on his promise" on farm credits legisla press office and knew the payroll was confession of having fired the she In the safe. Detectives stated they which killed Major Cronkhite. Judge received a tip that a larger sum of Brown, deciding that the shooting took Railroad representatives gave no money was presumed to have been due place on a government reservation tice to the Interstate Commerce com- in the office of the express company over which the federal courts had

mission of their intention to start yesterday afternoon. court proceedings to block re-establescribing the capture of Sean Fitz lishment of the interchangeable mile- Convict Finishing Term

in Kansas to Be Rearrested and Justice depart

Lincoln, Feb. 23,-(Special)-When ments have held John Baker is released from the Kan- that the federal gov on Packer Merger Tabled sas state penitentiary at Lansing on srnment was with Washington, Feb. 23.-A resolution Sunday, he will walk into the arms out jurisidition be-by Representative Voigt, republican, of a Lancaster county deputy sheriff, cause the reservawas strewn with papers. The official Wisconsin, calling for a federal-trade who will return Baker to Lincoln to tion had not passed commission inquiry into the proposed face a burglary charge. Baker, into full control of consolidation of the Armour and whose real name is said to be Shi- the government at Morris packing firms was tabled to merdia, was arrested at Sloux City, the time of the The five men immediately surren- day by the house agriculture com- Ia, a year ago for the alleged theft shoeting.

dered. The free state authorities, adds the message, deny reports that Eamon de Valera was captured. Dublin, Feb. 23.—The residence of Michael Doyle, member of the Dail Michael Doyle, member of the Dail partment, which has declined to ex- prosecuted on the Lincoln charge,

posed combination after an investiga- Osterman Wants Information

Two Convicted of Robbing Pay Car at Langley Field a statement today to the effect that

Newport News, Va., Feb. 23 -- his bill, House roll 293, is not an ef In orally presenting to the court their leaders as formerly. James Harvey and James Wood were fort to force county boards to dis-convicted by military court at Fort continue purchasing their own road been retained by the American Le-

naping the Langley field finance offi-bing the post's pay car of \$43,000 on gather material price lists from all threatened for a time to get beyond bing the post's pay car of \$43,000 on gather material price lists from all Attorney General James A. Fowler control of the firemen and sweep January 20. They were sentenced to manufacturers and publish these told the court that the Department 10 years at hard labor in a prison to prices so the people at home may of Justice had no objection to the be designated by the War department know, if they desire, how much ma- filing of the habeas corpus petition in and were dishonorably discharged terials can be purchased for by their behalf of Pothier, but that on the con from the military service.

Acquitted of Murder.

Richmond, Va., Feb. 23. - Thomas Pollard, real estate broker, was found cial.)-Fred Hoffmann, - Burlington Chief Justice Taft stated that the murder of his former stenographer, when the cogine on which he was his petition and would at a later date of slender build. When he left his been relieved of duty at his own re- The church is a total loss and the Mrs. Thelma Ham Richardson, who working backed into a string of cars announce its decision as to whether it

home he was wearing a brown over- quest pending disposition of the parsonage which stood next to it was shot to death in front of the on a sidetrack with such force as to would pass upon the question whether Pollard home on December 11. strike his head on the engine cab. the federal courts have jurisdiction.

cision as to Jurisdiction been declared in Bochum, says a dis- been agreed upon, except that a test of U. S. Courts. patch to the Central News, in conse- vote very probably would come Satur-

quence of yesterday's disturbance in day. There were some who urged re-Washington, Feb. 23 .- Proceedings which French soldiers fired on a crowd committal, others advocated displace were instituted today in the supreme with fatal results. court in an effort to obtain a final

decision as to the Dusseldorf. Feb. 23 .- Blood has an arrangement whereby the measure jurisdiction of the again been shed in the Ruhr in the would continue as the "unfinished bus federal courts to try course of a French "digging in" pro- iness" of the senate until adjournthe alleged murder- cess. One German civilian was killed ment ers of Maj. Alexand. and two others seriously wounded at

r P. Cronkhite, who Bochum yesterday when two French died of a gun shot soldiers fired upon a crowd that had wound received at gathered to watch the occupation of Camp Lewis, Wash., the law courts building. Observers said that the shooting was done by such indications nor was any such

ition for habeas The decision of Premiers Poincare orpus to bring be, and Theunis to operate the railroads ore it the decision through an allied civil administration of Judge Brown of is seen here as a move to improve Maj. Gen. Adel- the United States transportation conditions

> its opponents continued the filibuster and refused to allow any other busi Senate Demo Leader ception of reports from committees. Senator Frelinguysen, republican, New

jurisdiction, refused to release Pothier Oscar W. Underwood of Alabama, has vened, spoke in behalf of the legislaon ball. Since that decision, the closed his service as democratic floor tion and then the filibusters resumed United States commissioner in New leader of the senate. Accompanied their campaign of talk. Senator by Mrs. Underwood, he has left here Brookhart, republican, lawo, made s

he new congress.

day virtually fell upon Senator Robin

Fremont, Neb., Feb. 23 -(Special.)successor to Senator Underwood, who Mayor Lukens and members of the announced last November that he city council of Tekamah were in con would retire from the leadership with ference with Fremont officials inspect the end of the closing congress. Sending paving work in this city, prepara-

Fothier is without funds, Arnold said Mr. Underwood's friends also say county are to be let Monday. that he has long been dissatisfied Those who made up the party of sider the case under rules which would with the post of domestic leader be- visiting officials are Councilmen John on Cost of Road Materials relieve Pothier from certain filing and cause of dissensions and, they say, Fisher, Frank Reinbert, Chris Peter-Lincoln, Feb. 23.-(Special.)-Rep-other court charges, and to direct the publican and democratic sides, under the proposed paving at Tekamah

which the rank and file do not follow will be the first attempt to replace the dirt streets of that city. Senator and Mrs. Underwood will

Pawnee City Editor Sees

Signs of Spring in Flocks Pawnee City, Neb., Feb. 23 .- (Special.)-Harry D. Flory, editor of the Pawpee Republican, declares that spring is here to stay. When start ing for the office, he heard a robin in his yard, and upon investigating, he counted 19 robins in one maple tree.

Nebraskan Elected Head of Fraternal Association

Chicago, Feb. 23 .-- C. J. Carlow of Columbus, Neb., was elected pres-43 dent of the Fraternal Society Law association at the close of its 1410 annual convention here today.

For Better Results at Lesser Cost Phone Your Sunday "Want" Ad to AT. 1000

county boards," Osterman said,

Burlington Employe Hurt.

Nebraska City, Neb., Feb. 23.-(Spc- supreme court

resentative Theodore Osterman made release of his client on bail. Legion Pays Expenses.

countries.

trary it was highly desirable to have

the furisdiction of the federal court in the matter passed upon by the Saturday possibly snow: warmer.

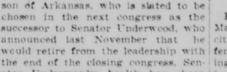
The court was poilus who were obviously irritated by the White House. The only comment asked to grant a pe- the jeers of the bystanders.

Underwood Quits as

Washington, Feb. 23 -- Senator Jersey, soon after the senate con

for a four month's European tour, further attack on the railroads: Senafollowing the completion of all the tor Stanley, democrat, Kentucky, disregular appropriation bills of the cussed phases of the prohibition quessession and assurance from President tion. and Senator Ladd, republican. Harding that there would be no early North Dakota, spoke for three and a call, at least, for an extra session of half hours on financial matters

The senate minority leadership to- Tekamah City Officials



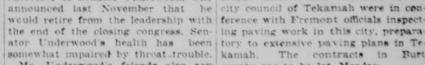
son of Arkansas, who is slated to be

The Weather

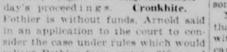
Forecast.

Hourly Temperatures.

1 p. m. 1 p



Maj. Alexander



York and the War