

Nebraska—Slightly rising temperature.

CITY EDITION

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OMAHA, WEDNESDAY, JANUARY 28, 1925.

TWO CENTS In Omaha and Council Bluffs.

A good man is like a good eat. No matter which way he is thrown, he always lands on his feet—Clipped.

27 Millions Sought for Biennium

Figure Shows Gain of \$1,227,362, Due to Meager Appropriation Two Years Ago.

Million More for Roads

By P. C. POWELL.

Staff Correspondent, The Omaha Bee. Lincoln, Jan. 27.—Governor Adam McMullen recommended a total of \$27,473,808.54 in appropriations for the coming biennium in his budget message presented today at a joint session of the house and senate.

His budget will be transformed immediately into an appropriation bill to be referred to the house committee on ways and means. It probably will remain in that committee until near the close of the session.

Under the law, the governor's recommendations may be reduced by a majority vote of house and senate but they cannot be increased unless 50 per cent of the members vote for the increase.

The governor, in his message, stated that \$7,872,928.56 of the total is to be derived from cash and federal funds and from the proposed gasoline tax which he estimates will net \$4,000,000 in the biennium. This leaves \$15,600,880 to be taken from the general fund, including the capitol building levy of \$1,500,000 and the normal school levy of \$750,000 and the normal school levy of \$240,000.

Comparing the total budget with the appropriations made by the last legislature, namely, \$25,246,446.19, I am recommending an increase of \$1,227,362.35," the governor said.

The principal items of increase involved in general property taxes are under two heads, one for state institutions and the other for educational institutions.

"The increase for the state institutions is \$465,224.56, the item of increase for the four normal schools is \$440,000 and the state university is \$1,111,230. In these increases is the levy of one-eighth mill for building levies for the next two years and also the biennial total of a levy of one-twentieth of a mill for the normal schools to extend over a like 19-year period.

"Bridging Over Past Shortage." My task in preparing this budget has been two-fold," the governor said. "It has involved bridging over a past period when appropriations were unjustifiably meager, and, at the same time, providing funds for reasonable demands of the state."

"The increase of the total appropriations of this budget, as compared with the total budget of two years ago, is undoubtedly more than it would have been had current expenses of the last biennium been properly estimated and judiciously expanded. Under the circumstances, I have been compelled to disregard, as far as possible, the extension of governmental activities into new fields.

A large number of projects, commendable in themselves, have been urged, some of which could have been undertaken with profit to the state were it not for the fact that immediately after the close of the session. A large number of projects, commendable in themselves, have been urged, some of which could have been undertaken with profit to the state were it not for the fact that immediately after the close of the session.

DR. SUN YAT SEN REPORTED DEAD

Tokyo, Jan. 27.—Dr. Sun Yat-sen, one of China's most noted political leaders, died at Peking, according to a dispatch received here this afternoon by the Japanese semi-official news agency.

It is generally understood, the newspaper adds, that part of the issue is needed for capital improvements but that most of the new funds which are to pay off short term notes which are said to represent advances made to the railroad by the government.

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Operation Restores Sight of 10 Blind Children

Denver, Colo., Jan. 27.—Ten blind children, inmates of the Colorado home for the deaf and blind at Colorado Springs, will see as the result of operations performed recently at the University of Colorado hospital here, doctors predicted today.

Two others a brother and sister—Russell Richards, 12, and Elveta, 15, are doomed to remain in darkness, it was said by surgeons.

While full sight may not be restored to all, surgeons and hospital attaches predicted that the operations could be classed as "successful," and that the majority would regain normal eyesight.

McMullen Scores Management of Banking Bureau

Lincoln, Jan. 27.—Criticism of the management of the state banking bureau and of the insurance and securities bureaus of the state was expressed today by Governor Adam McMullen while delivering his budget message at a joint session of the house and senate.

Complete reorganization in these bureaus is absolutely necessary, the governor told the legislature.

"During the last two years the office force and requisite number of examiners in the banking bureau were reduced to such a point that bank examinations were hurriedly conducted and examiners' findings were given scant attention in connection with reported irregularities," the governor said.

"The records of this department show that 185 banks in the state have not been examined since June 30, 1924. The present number of examiners is 11 building and loan associations and two trust companies have received no attention whatever since the year 1923.

"If the bureau of banking of this department is to attain the results desired, it will be necessary to install an experienced man at its head whose undivided attention can be given examiners' reports bearing on problems and difficulties existing under the guaranty system. It also will be necessary to increase the number of examiners from nine to 12, in order that the 95 banks in the state may be examined once every six months, as provided by law.

"The conditions in the insurance and securities bureaus are similar to those in the banking division. They need to be systematized and reorganized in order to function effectively. Fortunately, this can be done with out a material increase in the current appropriation."

PAYROLL BANDITS GET \$15,000 CASH

Collinsville, Ill., Jan. 27.—William Mathies, 64, a messenger, was held up today by several men who escaped with a mail pouch believed to contain \$15,000.

Mathies was en route from the railroad depot to the Collinsville State bank. The money, it was understood, was to have been used to cash payroll checks of the Lumaghi Coal company of St. Louis, whose mines are located here.

Mexican Inspectors Find Old Heraldic Emblems

Mexico City, Jan. 27.—Inspectors of the National Museum have made a valuable find of old heraldic emblems. The find contains over 200 coats of arms of the Spanish conquerors, the first colonizers of Mexico. There are a number of families still living in Mexico who have the right to use shields, coats of arms and other decorations.

Dr. Trout Threatens Stock in Lower California

San Diego, Cal., Jan. 27.—Unless there is rain soon many cattle now seeking forage in the hills and mountains of Lower California will die, according to word from Escondido today. It is declared that feed conditions in the Mexico state are serious, many cattle already having perished from starvation.

Columbus Sportsmen Form Izack Walton League Branch

Demurrer of Collins Overruled

Argument of Poffenberg That Indictment Improperly Drawn Under Advisement.

Trial to Start Today

First score in the trials of Keith Collins and Fred Poffenberg, jr., on charges of rifling mail pouches went to the government.

Argument of Poffenberg, jr. in the two cases opened in federal court in Council Bluffs yesterday afternoon. Collins' demurrer was overruled by Judge Martin J. Wade and the two demurrers of Poffenberg were taken under advisement.

The hearing was first scene of the second trial of the two young men on charges growing out of the robbery of a mail train in Council Bluffs in November, 1921. The defendants were released from the Leavenworth (Kan.) penitentiary a few months ago, after serving a portion of the sentence meted out after their first trial.

"Collins Fights Indictment." Attorneys for the defense argued, in the Collins case, that the defendant was improperly indicted. They declared that the indictment did not identify the mail alleged to have been stolen as government property.

The prosecution contended that the indictment was correct. That the fact that the mail was government property was inferred by the very fact that it was mailed and was contained in a mail car at the time of the robbery. The removal of mail was contained in the interpretation of the word, steel, they said.

Judge Wade ruled with the prosecution on this point, overruling the demurrer.

"Demurrer Scored." Ross Mowry, United States district attorney, flayed the demurrer in the Poffenberg case, which contended that the defendant was falsely indicted, in that the indictment named a Fred A. Poffenberg as defendant. The defense pointed out that Fred Poffenberg, jr., had never been known as Fred A. Poffenberg.

The prosecution argued that the indictment is correct. The case was taken under advisement by the judge.

Rulings on the Poffenberg indictment will be made this morning. The Collins trial will likely open this afternoon.

CHILD LABOR LAW THRICE REJECTED

Bismarck, N. D., Jan. 27.—North Dakota's senate late today voted against ratification of the proposed child labor amendment, 20 to 19.

Olympia, Wash., Jan. 27.—A resolution rejecting a proposed child labor amendment to the federal constitution was adopted by the senate of the state legislature here today, 27 to 15.

Later a bill to refer a proposed child labor amendment to the people for ratification in the general election next year passed the senate, 33 to 9.

STRAY DOG FOILS STORE BURGLARY

Louisville, Ky., Jan. 27.—A stray dog is wandering around in the heaviest snow of the winter today, a vagabond which it might have a home at if it were for its vigilance last night. The dog crept into B. V. Winslow's drug store when sleet and snow began to fly. During the night thieves broke the front door glass and were frightened away by a legged defender. When the store was opened today for business the dog eyed bloody finger prints on the door knob a moment and trotted away.

Syndicate Will Not Buy Coliseum in St. Louis

St. Louis, Jan. 27.—The deal for the sale to a New York syndicate of the St. Louis Coliseum, scene of the 1918 democratic national convention, is off, said T. P. Bates, president of the Coliseum company and owner of the majority stock. He said the purchase option had expired Sunday and had not been renewed.

Brooklyn School Children Nominate Hylan President

WHEAT SOARS NEAR \$2 MARK

Chicago, Jan. 27.—Crowds of excited speculative buyers gunning for \$2 a bushel met the market today.

After the Chicago market had closed, it was pointed out that high advance elsewhere, notably at Winnipeg, had been much more rapid.

The extreme gain in Winnipeg today was 7 1/8 cents a bushel, as against 3 3/8 cents in Chicago. Tremendous selling to realize profits acted as a big impediment to a runaway market here.

Russia, Bulgaria and Roumania, as well as Hungary, were represented today as having been turned from exporters into importers of wheat. Such a situation, it was contended in some quarters, has seldom if ever existed before.

Muscle Shoals Is Referred Back to Senate by House

Conference Proposed to Settle Differences in Time for Final Action at This Congress Session.

Washington, Jan. 27.—The house today, by a vote of 181 to 41, ordered the Underwood bill authorizing the lease of Muscle Shoals to private interests sent to conference with the senate, in an effort to adjust differences in time for final action at this session of congress.

The appointment of house conferees puts the matter again up to the senate, where the selection of managers to confer with those of the house is expected to arouse considerable discussion.

"Fight Over Conferees." If senate conferees friendly to the Underwood bill are to be named, it will be necessary to depart from the usual custom of selection, since all of those in regular line for the appointment opposed the measure when it was before the senate.

Supporters of the bill contend that these senators, headed by Senator Norris, republican, Nebraska, leaders of the opposition, could not conscientiously represent the senate in conference, and they are prepared to fight for selection of friendly managers on the senate floor if necessary.

Senator Norris tonight declined to discuss his attitude on the selection of conferees but indicated that he would object to departure from the usual practice.

FREIGHT LOADING STILL INCREASES

Washington, Jan. 27.—Loading of revenue freight by railroads continues at record high levels, amounting to 2,650,654 cars in the first three weeks of January. This was an increase over the corresponding period of 1924, the American Railway association reported tonight, of 137,518 or 6.4 per cent.

Actor Given \$4,000 Verdict Against Movie Concern

Chicago, Jan. 27.—A verdict of \$4,000 was returned here today by a jury which heard the suit of G. M. Anderson of San Francisco against the Essanay Film Manufacturing company. Anderson, formerly a moving picture actor, sued for \$30,000, which he claimed was due him on a contract which arranged for the sale by Charles Chaplin.

Soviet Claim to Fleet of Wrangle Is Denied

Paris, Jan. 27.—The soviet government claim to the Wrangle fleet was denied by French Premier Poincaré today. He stated that the Wrangle fleet was the property of the White House and was not to be arranged by J. Butler Wright, assistant secretary of state.

Pair Confess Grain Thefts

York, Jan. 27.—Henry Darby and Alvin Darby were arrested Sunday night at the Henry Rich farm, nine miles southwest of York, where it is alleged they were caught stealing wheat from the Rich granary. They confessed to having stolen about \$70 worth of wheat and corn in the last month, bringing it to town in their car, a sack at a time, and selling it at the elevator. Both men are married and have families.

Married in Council Bluffs.

Crack Train Takes Body of Lane East

Casket Bearing Beloved Union Pacific Official Starts on Long Journey to Boyhood Home.

Bearing the body of Charles J. Lane toward his final resting place, the Los Angeles Limited, crack train of the Union Pacific, rolled out of the Union station for Chicago at 7:32 last night, leaving a large group of officials and other friends who had come down to see the metal casket placed in its bower of flowers in the car.

A special Pullman was attached to the train for the relatives and friends who are making the trip to Ithaca, N. Y.

The body will arrive in Ithaca Thursday morning at 9 and funeral services there probably will be at the home of his cousin, George H. Tutbill. Afterward the body will be taken to the little village of Danby, 10 miles out of Ithaca, where Charlie played when he was a child.

There, in a little cemetery on the hillside, overlooking the hamlet, the bodies of Mr. Lane's parents have rested for many years. And there, beside them, will be laid his body, in accordance with his wish.

Flags at Halfmast.

First, however, it will be placed in a vault of the cemetery until a concrete-lined grave can be built for the final interment.

Never has there been a funeral in Omaha like that of Charles J. Lane, whose personal qualities rather than his position as Union Pacific assistant freight traffic manager, caused the wide surge of feeling toward him.

Flags on all downtown buildings were at halfmast. For four hours his body lay in state in the Union Pacific headquarters building, guarded by 80 men of the Union Pacific's own company K. Never before has the body of a deceased official lain in state in the headquarters building.

At 1, accompanied by the soldiers, the body was taken to the First Presbyterian church, which was filled with a great audience of friends.

Church Filled With Flowers.

The entire front of the big church inside the chancel, the pulpit and choir loft, were a garden of flowers and ribbons. There, too, were smaller bouquets bearing the entire space.

Rev. E. H. Jenks officiated, preaching a sermon filled with tributes to the qualities of the man which had enthralled him in the hearts of so many friends. The scripture read was from the passage beginning "I am the resurrection and the life." "He that eateth me, he that eateth me shall not die, he that eateth me shall live by me," said Rev. Edwin Jenks, looking down upon the casket. "The fairest fruit that the world holds up to its Maker, make the fertile plain. So men's forms change also, but are not lost.

"We will miss the hearty hand-clasp of Charlie Lane, his jovial presence, his jolly conversation.

"Had Vision of a Poet." "But Charlie Lane still lives beyond the limits of the far-off horizon.

"What a rebuke to the winners who say they never had a chance in the life of this man! Coming to the west when it was undeveloped, he... (Turn to Page Four, Column One.)"

Lady Diana King May Be Wales' Bride

Washington, Jan. 27.—The prince and princess of Wales, who are expected to visit the United States next month, are reported to be in the process of selecting a bride for the prince.



Lady Diana King, daughter of the Earl of Lovelace, and a peeress in her own right, is the latest to be picked by Dame Rumor as a wife for the prince of Wales. It is reported in London that their engagement will be announced when the prince returns from his African trip.

California Tax Held Incorrect

Treasury Faces Refund of \$3,000,000 as Result of Ruling of Attorney General.

Washington, Jan. 27.—Attorney General Stone has held that the federal government's basis of taxing California estates under the California community property law is incorrect and the treasury faces refunding of taxes plus collected since the California law was enacted.

The attorney general expressed no opinion with respect to the principles governing the taxation of income derived from community property.

Simultaneously with the announcement of Stone's opinion on the estate tax phase, which was requested by the treasury, the latter department announced it was prepared to seek a final court determination of the right of the husband and wife each to make a separate return covering one-half of the community income.

The treasury under Stone's ruling will have to refund only about \$2,000,000 collected illegally on estate taxes. Approximately \$7,000,000 is involved in the income tax feature of the two-year-old controversy.

BRITISH FIELD MARSHAL DIES

Windsor, Surrey, England, Jan. 27.—Field Marshal Baron Grenfell died here today.

Field Marshal Baron Grenfell of Killybegs, who served in the British army in almost every land in which British soldiers have been stationed. He entered the army when 18 years of age. His last active position was as commander-in-chief in Ireland from 1904 to 1908, when he was made a field marshal. He was born in 1841 and created first baron of Killybegs in 1902.

SHERIFF'S OFFICE IS BURGLARIZED

Grand Island, Neb., Jan. 27.—A distinctly new one in the genre art of burglary was perpetrated here when during the night someone broke into the sheriff's office in the courthouse facing the nearby jail building. Exit was made out of one of the basement doors. Nothing has been found disturbed or missing by any of the officers.

Former Chief of Police Lee B. Carey Dies at York

York, Pa., Jan. 27.—Lee B. Carey, former chief of police in York, died Sunday following an attack of heart failure while he was in attendance at the State Firemen's meeting at Hagerstown, Md. Mr. Carey was past president of the Firemen's association. He was 68 years of age, and is survived by his wife and three children.

New Board May Foster Farm Co-op

Agricultural Commission Recommends to Coolidge Formation of Group to Develop Market Scheme.

May Plan Extra Session

By Universal Service. Washington, Jan. 27.—President Coolidge tomorrow will forward to congress a report of his agricultural conference containing legislative recommendations which he believes can be embodied into law before the end of the present session.

That the president's optimism is not shared by legislators was shown today when after a consultation Senator Curtis and Representative Longworth, senate and house administration leaders, admitted they had abandoned hope of putting any farm relief bills through the upper house before March 4.

The possibility of an extra session to consider agricultural measures became more apparent as a result of these developments.

Discussed at Conference.

With the conference report, the result of yesterday's investigation, will go a covering letter from the president, emphasizing the urgency of remedial enactments for the farm industry. The findings of the conference were discussed by the president and members of the house and senate agriculture committees at a breakfast conference this morning.

1. Creation of a federal co-operative marketing board to make available to producers all facilities relating to the various phases of co-operative marketing.

2. Intensive development of producers' marketing associations.

3. Creation of clearing houses by co-operative groups to check loss, under-production of over-production of perishable products.

4. Amendment of the agricultural credits act to make national agricultural credit corporations eligible to rescind with the federal intermediate credit banks.

5. Revision of the house resolution directing the interstate commerce commission to bring about adjustments in freight rate structure, which, in the case of raw agricultural products, the conference believes to be too high.

6. Passage of a bill, already approved by the agriculture and state departments, ranking republicans, unappropriated public domain might be placed under lease, and a uniform policy might be instituted for administration of grazing on public lands and in the national forest.

7. Higher tariffs on many groups of agricultural products and products derived therefrom.

8. Increase in annual appropriations for research work by the Department of Agriculture and state agricultural experiment stations.

Senator Norris, republican progressive, and chairman of the senate agriculture committee, was not present at this morning's meeting. He is not in sympathy with most of the recommendations of the conference. His place was taken by Senator McNary, ranking republican. Several democratic members of house and senate committees attended, and also Secretary of Agriculture Gore.

The conference, it is understood, will continue its investigations with a view to making further legislative recommendations to congress when it convenes next December.

Tobacco Sales Tax. Nashville, Tenn., Jan. 27.—A 10 per cent special privilege sales tax to be levied on tobacco products, Tennessee is provided in a bill passed by the senate of the Tennessee legislature. The bill was passed by the house last week.

Summary of the Day in Washington. Recommendations of President Coolidge's agricultural commission were made public. The Underwood bill for private leasing of Muscle Shoals was sent to conference by the house.

House republicans called a caucus for February 27 to select candidates for speaker and floor leaders. Attorney General Stone's nomination to be an associate justice of the supreme court was debated in the senate.

The house passed the appropriation bill carrying funds for the departments of state, justice, commerce and labor.

Representatives of a number of churches appeared before the house foreign affairs committee to urge American participation in the world court.

Indications pointed to several changes in key positions at the Department of Justice in addition to the retirement of Attorney General Stone. Secretary Wilbur told the house military committee that President Coolidge was opposed to the bill for unification of the army and navy air services.

Final congressional action was taken by the senate on passage of the Smith-Hugh resolution looking ultimately to a consolidation of freight rates.

The Weather

For 24 hours ending 2 p. m. January 27.			
Precipitation, inches and hundredths.			
Total, 8.8; total since January 3, 9.11;			
Deficiency, .47.			
Hourly Temperatures.			
7 a. m. ... 32.0			
8 a. m. ... 32.0			
9 a. m. ... 32.0			
10 a. m. ... 32.0			
11 a. m. ... 32.0			
12 m. ... 32.0			
1 p. m. ... 32.0			
2 p. m. ... 32.0			
3 p. m. ... 32.0			
4 p. m. ... 32.0			
5 p. m. ... 32.0			
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9 p. m. ... 32.0			
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