

FISH WINS POINT

Illinois Central Stockholders Adopt His Motion to Adjourn.

STATES REASON FOR THE DELAY

Mr. Cromwell Objected to Wording of the Motion.

HARAHAN AND FISH CLASH

Warm Verbal Encounter Over Status of Mr. Cromwell.

PRESIDENT TOLD TO BE CIVIL

Amendment to Mr. Fish's Motion Finally Withdrawn Before It Came to Vote—Argument in Court Continued.

CHICAGO, Dec. 20.—A warm verbal encounter took place at the annual meeting of the Illinois Central railroad before President Harahan and Stuyvesant Fish in the end the latter secured his object and the meeting was adjourned, in the manner in which Mr. Fish desired, and in accordance with the order of Judge Ball, to March 2, 1938.

It was understood from the meeting was called to order that the only matter to come before it was the adjournment to appear on the record that the adjournment was taken for the purpose of awaiting the decision of Judge Ball on the right of the Union Pacific and the Railroad Securities company to vote the stock now standing in their names, and which were temporarily enjoined prior to the meeting in October. He therefore introduced a resolution which as follows:

Whereas, by order entered on December 19, 1937, in the case of George F. Edmunds, et al., against the Illinois Central Railroad company, et al., in the superior court of Cook county, Illinois, it was ordered and decreed that the present adjourned annual meeting of stockholders of the year 1937 should be further adjourned until Monday, March 2, 1938, at 12 o'clock noon, to await the decision of the court on the right of certain stockholders to vote at said meeting;

Objection by Cromwell. A copy of this resolution was shown in advance of its introduction by Mr. Fish to William Nelson Cromwell, chief counsel for Mr. Harahan. Mr. Cromwell drew a pencil through the words, "to await the decision of the court on the right of certain stockholders to vote at said meeting," and the resolution as they are omitted from the resolution.

This Mr. Fish declined to do, declaring that they were the essence of his resolution, because he desired that the stockholders should be specifically informed of the actual reason for the adjournment. As soon as the meeting was called to order Mr. Fish introduced the resolution and Mr. Cromwell, who sat close beside the presiding officer, President Harahan, offered an amendment leaving out the words to which he had objected. Mr. Fish declared that he desired to be shown what right Mr. Cromwell possessed to take part in the meeting, saying that he knew the order was not a stockholder. Mr. Cromwell declared that he was there by virtue of proxies which he possessed. Mr. Fish demanded that the proxies of Mr. Cromwell be produced and a call was made upon the committee to bring them up. While the order was being read, Mr. Fish said to President Harahan:

"Mr. Chairman, the question before the meeting is on my motion to adjourn."

President Harahan replied: "There is an amendment before us, and you have objected to it. You are not a stockholder. We are trying to discover whether he is."

"He did not propose an amendment," said Mr. Fish. "I will correct you as to the matter of fact."

Mr. Cromwell interjected: "I do propose an amendment."

"You did not," said Mr. Fish with some feeling, and he demanded of President Harahan if he intended to put his motion to adjourn.

"Not until it is decided whether the gentleman has the right to offer an amendment here," said President Harahan. "He has not offered an amendment," declared Mr. Fish.

"Well, you stopped him," replied President Harahan, tartly.

"I did nothing of the kind," rejoined Mr. Fish with equal emphasis. "I said that he had no right to speak in this meeting."

Colloquy Becomes Warm. "We will decide whether he has or not," said President Harahan. "The proxy committee is investigating the facts."

"Is he a stockholder?" demanded Mr. Fish.

"You say he is not," was the response. "I understand that he is. The only reason—"

SUMMARY OF THE BEE

Saturday, December 21, 1937.

Table with 7 columns (SUN, MON, TUE, WED, THU, FRI, SAT) and 7 rows of numbers (1-7, 8-14, 15-21, 22-28, 29-31).

THE WEATHER. Forecast till 7 p. m. Saturday: For Omaha, Council Bluffs and vicinity—Fair Saturday; no important change in temperature.

Table with 2 columns (Temp, Wind) and 24 rows of weather data.

President Roosevelt has ordered federal troops quartered at Goldfield to return to their stations.

Chancellor E. Benjamin Andrews, at a meeting of Nebraska university men in Spokane, says Bryan's election with a republican congress would be a block to reform.

Interstate Commerce commission fixes the statute of limitations on claims filed before it.

The work of rescue is progressing rapidly at the Darr mine.

Milk trust is under the ban in Chicago.

Indictments by the hundreds have been returned in Kansas City against violators of the Sunday law.

Judgment of ouster was taken against Oklahoma supply dealers, who were charged with being in a combination.

J. H. Olliphant, a prominent New York broker, was shot by a man who was behind his speculative accounts.

The Railroad Commission ordered rates on oil in Nebraska cut by one-third in response to the demand of independent shippers.

Negro at Columbus commits assault upon prominent woman in most brutal manner.

Testimony in the Wallace murder trial reveals that trouble might have existed between the defendant at Hills because of domestic relations.

Trial of Editor Harden has been ordered to proceed in secret without even the newspaper men present.

At a banquet tendered Ambassador O'Brien at Tokio expressions of friendship for the United States were uttered by Japanese and returned.

Ninety-three persons were killed in an explosion at Palermo.

A Russian bomb thrower was executed at Moscow.

Nine men charged with violating Sunday blue laws are fined \$1 each and costs in police court.

Union Pacific will give shop men an enforced vacation of eight days during holidays as measure of economy.

New York bank demands legal tender in payment of interest on Omaha bonds in police court.

Christmas celebration will be held at City mission Thursday, Santa Claus having been booked for a return engagement on that day.

Stock of Chicago increases his Omaha holdings by investing in five first-class buildings.

HARDEN'S TRIAL IN SECRET

German Judges Take Stand in Interest of Morality.

PRINCE ZU EULENBURG IS ILL

Notorious Case Which Has Struck German Government to the Heart Continues at Berlin.

BERLIN, Dec. 20.—Prince Philip Zu Eulenburg, Frau von Elbe, the divorced wife of General Count Kuno von Moltke, and Frau von Heyden, mother of Frau von Moltke, testified in camera at today's hearing of the trial of Prince Philip Zu Eulenburg, the court having decided that the interests of public morality required the exclusion of all persons not immediately connected with the court.

The only witness heard openly was Colonel Otto von Moltke, a cousin of Count Kuno von Moltke, who is today's guest of the court. He is a studious looking man of 80. He spoke with much emotion of his twenty-five years' friendship with the co-plaintiff. They had commanded squadrons of the same Life Guard regiment at Breslau. After he left the army the colonel was often the guest of Count Kuno von Moltke. He believed, he said, that he knew him better than anyone else. He was always popular with his officers and men. His cousin, the colonel continued, was a man who exerted an elevating influence upon those he met rather than a lowering one. The colonel had observed Count Kuno's friendship with Prince Philip Zu Eulenburg on the occasion of the various visits both of them had made to the prince at his castle at Liebenburg, but he never gained the impression that the relations between the two men were other than what was to be expected in friendship. These statements the colonel took oath.

Harden Declined to Fight. Regarding the statements made by Harden in the course of the action that he would only be able to repeat in camera the remarks about Count Kuno made by General Count Huiszen-Baessler, chief of the emperor's military cabinet, in a letter and a letter from the general in which he said that he was not conscious of having made such remarks to anyone. The colonel produced a thick typewritten document from which to refresh his memory concerning the officers he had carried out between Count Kuno and Harden. The colonel said he had taken his hotel in Berlin on May 8 and said he was in great trouble. He asked the witness if he would stand by him and this the colonel readily promised. Later he carried a challenge from his cousin to Harden to fight a duel, but Harden declined.

The colonel is at present holding a service in the state Lutheran church, being head of the cathedral chapter and superintendent of church properties.

Emperor's Attitude Made Difference. Herr Bernstein, counsel for Harden, examined the witness closely as to whether he had taken his cousin's word of honor to Harden, denying the insinuations published in Die Zukunft; Harden had not accepted the communication, and the count then formally challenged him to fight a duel on foreign soil. Harden declined this proposition by a simple "no."

At this stage of the proceedings the public prosecutor announced that Prince Zu Eulenburg, accompanied by his two sons, was in an adjoining room. He was so ill, the prosecutor declared, that he begged to be heard immediately, and the suggestion was made that the emperor might wish to put questions to the prince which the father would not desire his sons to hear. Dr. Isenbill, the state attorney, then moved, in the interest of morality, that the public hearing be suspended, and the suggestion was made that the emperor might wish to put questions to the prince which the father would not desire his sons to hear. Dr. Isenbill, the state attorney, then moved, in the interest of morality, that the public hearing be suspended, and the suggestion was made that the emperor might wish to put questions to the prince which the father would not desire his sons to hear.

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LIMIT FIXED UPON

Interstate Commerce Termination When Statute Expires.

MORE SUNDAY LAW FINES

Dollar and Costs Meted Out to Several Alleged Offenders.

NO JURY TRIALS IN POLICE COURT

Where Cases Are Appointed Daniel Says Decision in District Court Shall Be the Precedent for Him.

Violators of Sunday blue laws again thronged the police court, Friday morning, laundries, cigar dealers, messenger boys, photographers, pool room operators, confectionery men. Those fined were: H. Vackerson, selling papers and cigars; J. Sherman, avenue; Joseph Broughton, operating pool room and selling cigars; 218 North Sixteenth street; W. A. Key, 153 Capitol avenue, selling cigars; C. C. Cannon, 107 North Sixteenth street, selling candy and cigars; H. L. Welsh, 102 North Sixteenth street, selling cigars and candy; B. Harding, 1317 Douglas street, operating pool room and selling cigars; J. J. Cusack, 234 South Twenty-fourth street, running pool room and selling cigars and tobacco; David Roark, 218 South Fifteenth street, selling cigars; Charles Jacobson, 418 North Twenty-fourth street, selling tobacco and cigars.

All of these were fined \$1 and costs. They were represented by the same attorney, who demanded in each case a trial by jury, which was overruled by Judge Crawford. The judge held that under the statutes in effect in this city a jury cannot be demanded in cases before the police court. Notice was given that all of the clear and pool room cases would be appealed to the district court and tried before a jury.

Cleaning Buggy Necessary. Robert Wood was discharged on a complaint charging him with cleaning his buggy on Sunday. He was held to answer by necessary labor. Wing Sing, a Chinese laundryman arrested for washing and ironing clothes on Sunday, pleaded not guilty. "Me no wash; just sprinkle," he said.

The judge set his case for Saturday morning in order to have the officer who made the discovery appear in court. When Wing Sing was told to come back to court Saturday morning for trial he asked to change his plea to guilty and was allowed to pay a fine of \$1 and costs. D. J. Martell, a photographer at 612 North Sixteenth street, admitted he had taken several pictures Sunday in his buggy, but told the judge he was a Seventh Day Adventist and was not in the habit of observing the day commonly known as the Sabbath. He said he observed Saturday and kept his place closed on that day, whereupon he was discharged.

Messenger Is Fined. George Crow of the Harry Up Messenger Service was fined \$1 and costs for carrying messages on Sunday. He failed to show the labor he performed was necessary. Ed Beeman of the A. D. T. messenger service was discharged. He was arrested for carrying a message for the Western Union, but upon the showing that the message was an important one the judge held it was necessary labor.

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Wherever cases are appealed to the district court, said City Prosecutor Daniel, "I will not arrest others in the same line of business for working on Sunday until the cases appealed have been settled and then will be guided in the future by the results of the cases appealed. I will make one exception to that rule, however, and that is where the appellants pursue dilatory tactics and attempt to evade a speedy trial."

TO PILOT FLEET IN STRAITS Captain E. F. Greene Has Been Selected by Navy Department for This Task.

LOS ANGELES, Dec. 20.—The man who is to pilot the United States battleship fleet through the Straits of Magellan is in Los Angeles, on his way to Washington, from whence he will proceed to Rio de Janeiro, there to join the fleet on January 1. The man who has been selected by the Navy department for this important duty is Captain E. F. Greene of the United States army transport service. He is 56 years of age and has made in all seventeen trips through the straits. He has been a sailor since he was 14 years old, when he joined the confederate navy. His first trip was made in 1899 and the last a year ago, when he brought the lighthouse tender Junia to the Pacific coast. Captain Greene will assume charge as pilot of the fleet at Punta Arenas about February 1, according to schedule. There will be assigned to him by Admiral Evans one of the fleet of the torpedo craft with which he will lead the way through the straits. The actual passage will require about forty-eight hours. Captain Greene anticipates no danger in taking the squadron safely through. "There is no danger in passing through the straits if you know the channel," he said. "It is all to me an inland sea. The water is deep and there are no heavy rocks. It is essential of course that the pilot knows every foot of the channel. Passing through the straits cuts off the most dangerous part of the trip between the eastern and western coasts; namely the rounding of Cape Horn. The tides from the east and west meet at the Horn and in consequence it is frequently almost impossible to carry a ship around. At all times it is decidedly dangerous. "Not only is this danger avoided in passing through the straits, but a great saving in time is effected as well. The journey is shortened somewhat and having to combat no winds or seas, it is possible to drive the boats along at a greater speed."

BONDS AND ROAD'S EARNINGS Auditor of Walsh Railroads Gives Figures in Trial Now On at Chicago.

CHICAGO, Dec. 20.—A. F. Williams, auditor of the Walsh railroads, was cross-examined by the attorney for John R. Walsh at the latter's trial today. Witness stated that the railroad accounts were correctly kept and that Walsh had given him no instructions to exaggerate the value of the properties or otherwise.

He testified that the surplus net earnings of the Southern Indiana railroad for 1936 amounted to \$1,008,356. December 15, 1936, there were outstanding \$7,528,000 of first mortgage bonds, for which \$4,612,200 had been received, and \$2,000,000 of bond certificates, for which there had been received \$1,825,000, a total of \$6,237,200 of outstanding securities for which \$2,237,200 had been received.

PROTESTANTS MEET CATHOLIC Noteworthy Indication of Growing Liberty in Celebration at Detroit.

DETROIT, Mich., Dec. 20.—A noticeable feature of the laymen's reception tendered at the Hotel Pontchartrain last night to Rt. Bishop John E. Foley of the Roman Catholic diocese of Detroit in connection with the celebration yesterday of the fifty-first anniversary of Bishop Foley's ordination to the priesthood, was the appearance of a number of Protestant clergymen in the receiving line. Among them were nine clergymen of the Protestant Episcopal church, including Bishop Wilham Lane, four Presbyterian ministers and one clergyman each from the Baptist, Methodist, Episcopal, Congregational and Unitarian denominations.

RUSSIAN WOMAN EXECUTED Bomb Thrower Meets Summary Punishment in Prison at Moscow.

MOSCOW, Dec. 20.—The woman who on December 6 made an unsuccessful attempt to kill Lieutenant General Guecherzhain, governor general of Moscow, by means of a bomb, was executed here this morning. She refused to partake of the sacraments. On the scaffold she said to her executioners: "I will soon stop your hangings."

NINETY-THREE ARE KILLED This is Death List So Far in Powder Explosion at Palermo, Italy.

PALERMO, Dec. 20.—The work of rescuing the persons wounded by the explosion last night in the military powder magazine was continued until this morning. Up to the present time it is known that ninety-three persons met their death from the explosion and subsequent fire, and more than 100 were injured. The building house for emigrants which was destroyed by the flames gave the largest number of victims.

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He testified that the surplus net earnings of the Southern Indiana railroad for 1936 amounted to \$1,008,356. December 15, 1936, there were outstanding \$7,528,000 of first mortgage bonds, for which \$4,612,200 had been received, and \$2,000,000 of bond certificates, for which there had been received \$1,825,000, a total of \$6,237,200 of outstanding securities for which \$2,237,200 had been received.

PROTESTANTS MEET CATHOLIC Noteworthy Indication of Growing Liberty in Celebration at Detroit.

DETROIT, Mich., Dec. 20.—A noticeable feature of the laymen's reception tendered at the Hotel Pontchartrain last night to Rt. Bishop John E. Foley of the Roman Catholic diocese of Detroit in connection with the celebration yesterday of the fifty-first anniversary of Bishop Foley's ordination to the priesthood, was the appearance of a number of Protestant clergymen in the receiving line. Among them were nine clergymen of the Protestant Episcopal church, including Bishop Wilham Lane, four Presbyterian ministers and one clergyman each from the Baptist, Methodist, Episcopal, Congregational and Unitarian denominations.

RUSSIAN WOMAN EXECUTED Bomb Thrower Meets Summary Punishment in Prison at Moscow.

MOSCOW, Dec. 2