

The Bee aims to print a paper that appeals to intelligence; not to an appetite for scandal and sensations.

# THE OMAHA DAILY BEE.

WEATHER FORECAST.  
For Nebraska—Rain and colder.  
For Iowa—Rain and colder.  
For weather report see page 2.

VOL. XXXIX—NO. 244.

OMAHA, WEDNESDAY MORNING, MARCH 30, 1910—TWELVE PAGES.

SINGLE COPY ONE CENT.

## SENATOR ALLDS FOUND GUILTY

New York State Senate Sustains Bribery Charge Against Him by Decisive Vote.

HE TENDERS HIS RESIGNATION  
Timely Action Saves Him from Being Ousted from Office.

CANNOT NOW BE PROSECUTED

Statute of Limitations Closes Law on His Past Deeds.

CONGRESS WILL FIGHT CASE OUT

Accuser of Aids Will Not Resign, But Will Battle Against Enemies Who Have Implacated Him.

ALBANY, N. Y., March 29.—Jetham P. Allds went to his home in Norwich tonight a private citizen, branded as a betrayer by his former colleagues in the senate and by his own act no longer a member of the body. Senator Conger, who filed the charges against Allds, stayed here tonight. The battle that confronts Conger is no longer to prove his charges. To this extent the senate vindicated him today when forty of his forty-nine members voted that the charges had been sustained by the evidence brought before them.

It is believed that Conger came to the senate today prepared to resign as soon as he received this vindication. However, he did not resign and developments make it likely that he will not do so. The cause of this is a resolution introduced by Senator Cobb, the majority leader, providing for the appointment of a committee to present to the senate charges against Conger, "growing out of his connection with legislation and the use of funds to influence the members of the legislature or other persons with reference thereto."

Even Conger's enemies admit that he is a fighter and the belief is that he will oppose this attempt to deprive him of office as vigorously and with as free an expenditure of money as he attacked Allds.

The Cobb resolution was referred to the judiciary committee. It is expected that the committee will report it promptly to the senate. There seems no doubt that the present legislature will conduct a general "graft" investigation.

Allds' resignation absolutely closes his case. All the senate could have done after sustaining the charges against him would have been to put him out, and such a punishment is a crime under the statutes, the allegations against Allds concerned something that occurred ten years ago, and the statute of limitations would prevent any criminal prosecution had anyone felt inclined to bring such proceedings.

The senate by a vote of 40 to 9 sustained the charge that Senator Allds had defrauded and taken a bribe. It was unable to punish Allds, however, for this morning before the vote began he resigned his position in the senate.

Allds was not in the senate chamber today, but Senator Conger sat all through the proceedings with his wife at his side. When the final vote was announced he turned to his wife and smiled.

A statement given out by Allds' counsel declared Allds resigned on the advice of his attorneys because the latter were satisfied that his case was not to be decided on the vote, but by political expediency and influence brought to bear from "Washington and elsewhere."

Governor Hughes may now call a special election for the immediate selection of Allds' successor.

## Mackenzie Talks for Cattlemen

Stockman Appears Before Senate Committee and Tells of Cost of Raising Animals.

WASHINGTON, March 29.—Murdo Mackenzie, representing the cattle raisers of the West, today defended the producers against the charge of responsibility for the increased cost of beef. He was a witness before the senate committee investigating the high cost of living.

Mr. Mackenzie said it cost 30 to 40 cents a day to feed each head of cattle and as an expert feeder could not increase the weight per head more than three pounds a day at a value of about 8 cents a pound, it was impossible for stock raisers to raise corn fed cattle at a profit.

Mr. Mackenzie owns large ranches in South Dakota and Texas.

## Man Draws Money, Bloody Trail Left

Otto Withuhn of Gothenburg Disappears and Leaves Big Mystery Behind Him.

GOETHENBURG, Neb., March 29.—(Special Telegram.)—This morning the bloody coat and hat of Otto Withuhn was found on a bench near a hole near the sidewalk, also two empty and bloody pocketbooks and one bloody hat. On the bank of the lake was the other shoe, cut and bloody, and his vest. He drew \$1,000 in cash from the bank yesterday. Bloodhounds followed a trail to the railroad track, where were found feathers in blood. Some think he disappeared and left the bloody clothes as a blind.

## Guy and Porter Named for Mayor

KANSAS CITY, March 29.—Complete returns show that U. S. Guyer, the present mayor, and J. E. Porter were chosen as the nominees for mayor in the primary election yesterday in Kansas City, Kan. Guyer is a republican and Porter is a democrat.

The election was held under the commission plan of government. Eight candidates for commissioner were chosen.

## T. S. Allen Declares for County Option

"Shallenberger Will Come Around," Declares Brother-in-Law of William J. Bryan.

(From a Staff Correspondent.)  
LINCOLN, March 29.—(Special.)—"I am for county option. I shall work to have the democratic state convention endorse county option."

This statement was made by T. S. Allen, brother-in-law of Mr. Bryan, former chairman of the democratic state committee, the man who went east with Mayor Dahlman in 1904 after the snipe of war.

Allen said he does not know what the convention will do, but so far as he is concerned for county option, "continued."

When asked what he thought of Governor Shallenberger's proposed county option, but would not see on any platform the party platform, he said: "Shallenberger will climb on the right. He'll come around." Mr. Allen did not commit himself as to whether he would be for his old sidekick, or Dahlman; whether he would get behind the candidacy of Governor Shallenberger, or whether he would urge the democrats to stand behind George W. Berge as the Bryan favorite for governor. As the case stands now, democratic candidates who have announced themselves are lined up in this fashion: Against county option, James C. Dahlman, candidate for governor; for county option, William E. Price, candidate for United States senator; on the fence and about to fall over on the county option platform, W. H. Thompson, candidate for the senate; non-committal, G. M. Hitchcock, candidate for the senate; personally against county option, but for it if the band wagon heads in that direction, Governor A. C. Shallenberger, candidate for re-election.

## Demonstration by Egyptian Students

Parade in Front of Roosevelt's Hotel and Shout "Long Live the Constitution!"

CAIRO, March 29.—This evening 300 students from the University of Egypt made a demonstration in front of the Roosevelt hotel, where Colonel Roosevelt is stopping. The students carried an Egyptian flag and as they paraded past they shouted: "Long live the constitution and the liberty of Egypt."

The shouting was interspersed with handclapping. Mr. Roosevelt paid no attention to the students. The latter were orderly, and after giving expression to their sentiments dispersed. The demonstration was brought about by the British expressions made by Mr. Roosevelt in his speech at the university yesterday.

Mr. Roosevelt visited the bazaar today and late today had tea at the German embassy with Prince Eitel Frederick. This evening Colonel Roosevelt gave an informal tea to the newspaper correspondents.

## New Mystery in Stamp Robbery

Indications that Men who Looted Postoffice at Richmond Fought Over Booty.

RICHMOND, Va., March 29.—A new mystery has entered into the startling robbery of the cashier's safe in the postoffice, which was discovered here yesterday. Stains of blood were found today on the floor of a room in the basement of a cheap hotel in the vicinity of the temporary postoffice building to which the thieves have been traced. Detectives have a theory that the thieves quarreled and fought as they were packing their booty preparatory to flight on one of the night trains out of Richmond.

## Conservation, Lincoln Theme

First Nebraska Congress Called for this Purpose Meets at Capital City.

LINCOLN, March 29.—The first Nebraska conservation congress was called to order today. Dr. George E. Conrad of the University of Nebraska presiding. Mayor Love of Lincoln delivered an address of welcome. Governor Shallenberger urged the development of the agricultural wealth of the state. The session will end tomorrow evening. Delegates from all parts of the state are in attendance.

Date for Burns and Lang.  
SYDNEY, N. S. W., March 29.—Another date has been set for the fight between "Tommy" Burns, the Canadian pugilist, and "Bill" Lang, heavyweight champion of Australia, for the Australian title. The date announced today is April 12. The fight was originally scheduled for March 28 and subsequently postponed to April 28.

## Injured Man Lowered from Eighth Floor by a Derrick

Letting out its cable inch by inch, while careful hands manipulated its progress, a derrick lowered a bruised and bleeding man to the ground from the top of a high building, while a large crowd watched with bated breath.

William Harwell, 339 South Nineteenth street, a boiler-maker's helper fell a distance of thirty-five feet from the top of a water tower being constructed on the roof of the new Highland building, Eighth and Douglas streets, to the roof and fractured his right thigh.

For over an hour after the man fell, and while he was moaning and writhing in pain, all attempts to lower him to the ground proved futile. The only way of ascending to the roof was by means of ladders, and it was deemed dangerous to attempt to carry the man down eight stories to the ground.

The police ambulance was called and a stretcher was carried to the roof and there Harwell was strapped to it. Next a derrick, used in hoisting building material on the structure, was pressed in service and the stretcher balanced and tied so that the man could be safely lowered. But before it was possible to use the derrick it was necessary to fire up the engine that runs the derrick, and this, of course, took time.

The big long arm of the derrick swung its peculiar burden far out from the building and the descent was slowly made, while hundreds breathlessly watched the progress. After five minutes Harwell reached the ground still conscious.

He was immediately taken to St. Joseph's hospital, where he was attended by Dr. T. Harris. Harwell's jaw was badly bruised and the attending physician thinks it probable internal injuries may be found after a thorough examination can be made.

## MINERS ISSUE STRIKE ORDER

Three Hundred Thousand Men in Bituminous Fields Will Quit Thursday Night.

WALKOUT IS RESULT OF DISAGREEMENT OF MEN AND OPERATORS.

DISPUTE ARISES OVER WAGES

Advance Asked by Employes April 1 Coldly Turned Down.

BITTER CONFLICT PREDICTED

President Lewis of Mine Workers Says His Army Will Fight Until Victorious or Until Completely Routed.

CINCINNATI, March 29.—A declaration of an industrial war of great extent seemed but a few hours away today, when the delegates of 30,000 union miners of the United States met this afternoon to outline their course as a result of the snipe dia adjournment without agreement of the joint conference of miners and operators of Ohio, Indiana and western Pennsylvania. The adjournment was taken following an all morning discussion and just after President Lewis of the United Mine Workers of North America had declared:

"When the miners go into this conflict it will be a fight that will not end until we are the victors or are completely routed."

President Lewis gave notice to the operators that the disagreement and adjournment of the joint convention meant the withdrawal of all demands by the miners and that if the miners are successful in an open conflict they will demand even more than a 10 per cent advance in wages and also added improvements in working conditions.

"Of course," he added, "if we are losers in the fight we shall expect the operators to make the terms."

Illinois Miners Close Thursday.  
ST. LOUIS, March 29.—Miners which produce 20,000,000 tons of coal annually in Illinois will close down Thursday night, as the operators' agreement with the men expires on April 1. Negotiations toward a new contract will begin in Chicago next Monday, when the scale committee of the operators and miners meet.

President Alfred J. S. Moorhead of the Illinois Coal Mine Operators' association, who is authority for the statement, the miners will close, said today no shortage of coal will exist if the mines do not reopen for two months.

If the miners and operators had agreed at Cincinnati today the mining rate and the day wage for Illinois would have been settled, but an agreement on local conditions would have to have been worked out. This usually requires three weeks' time.

No Agreement in Southwest.  
KANSAS CITY, March 29.—No agreement is in sight between the Southwestern Coal Miners' association, including Missouri, Kansas and Oklahoma, and the miners of those states, on the wage question, according to a local authority, and a general strike is expected on April 1.

Iowa Miners Wait.  
DES MOINES, Ia., March 29.—(Special Telegram.)—The state convention of miners and coal mine operators in session here today did little but await news of the proceedings in Cincinnati. When the news was received that the convention there had dissolved without reaching an agreement as to the wage scale, it was announced that on Thursday all the Iowa miners would cease work until the wage matter could be adjusted.

President White of the coal miners of Iowa has been attending the Cincinnati convention and he is expected to immediately come here and assist in the settlement of the wage question. Tomorrow evening President White will address a meeting arranged by the trades and labor assembly for a state-wide rally of laboring men, and following this there will be meeting every day for a week to arouse interest in labor questions and organization.

## Special Election in Oklahoma

Permanent State Capital Will Be Selected by the People on June 11.

GUTHRIE, Okl., March 29.—A proclamation calling a special election for June 11, under the initiative and referendum, to locate permanently the state capital was filed secretly by Governor Haskell and Secretary of State Cross late last night and issued publicly today. The secrecy is said to have resulted from fear of federal court injunction on request of the city of Guthrie, where an enabling act fixed the state capital until 1913. This will be the first time that the initiative has been taken in Oklahoma.

## London Papers Comment on Roosevelt's Address

LONDON, March 29.—Former President Roosevelt's address before the students of the University of Egypt yesterday has attracted considerable comment here, where there is a difference of opinion as to the good or evil effects of his plain talking.

In denouncing the assassination of the late premier, Boutros Pasha Ghali, Colonel Roosevelt did not mince his words with a view to avoiding offense to the nationalists, a great many of whom have openly sympathized with the assassin.

The radical press today takes exception to Colonel Roosevelt's remarks and even the moderate Westminster Gazette says editorially:

Discussions on the readiness or the reverse of Egypt for self-government, while permitted to men without great passion, are perhaps better hushed in the presence of ex-presidents.

Regarding Mr. Gladstone's pronouncement in regard to the early independence of



It May Come To This If the Price of Hogs Continues Upward.

## LABOR LAWS OF TWO YEARS

Federal Bureau Reviews Legislation in Special Bulletin.

STANDARD GRADUALLY RISING

Six New State Commissions Created to Study Conditions—Liability of Employers Given More Attention.

WASHINGTON, March 29.—Bulletin No. 8, of the United States Bureau of Labor is devoted to a presentation of the labor legislation of the country during the last two years. Prior legislation of this sort is collected in the twenty-second annual report of the commissioner of labor, this bulletin being, in effect, a supplement to that report.

Besides a reproduction of the laws, the bulletin presents a review of the principal features of the statutes of 1908 and 1909. The tendency of labor legislation to conform to a standard, which is being raised from year to year, and a consequent increasing uniformity in the provisions of such legislation are clearly in evidence.

State Commissions at Work.  
Six state commissions to study specific conditions and draft laws or suggest amendments to existing laws in accordance with the findings of the investigations were appointed in the last two years. Commissions to investigate the liability of employers for injuries to their employees and better methods of compensating employees for the results of industrial accidents were appointed in Minnesota and New York, while Wisconsin had a similar body at work under an earlier appointment.

The co-operation of these commissions, though not at all provided for in the laws creating them, has been a practical economy in the matter of conducting investigations, as well as affording grounds for a belief that the results will be the recommendation of fairly uniform laws on this important and pressing subject. The New York commission was directed to consider also the subject of unemployment and a better distribution of labor, while another commission was instructed by a law of this state to investigate the condition, welfare, and industrial opportunities of its alien population.

Illinois has a commission at work on regulations relating to factories and mercantile establishments, while Arizona, Illinois and Ohio assigned the conditions and regulation of mine labor to commissions for investigation and report.

Liability of Employers.  
That the employer's liability is the subject of an increasing degree of attention appears not only from the appointment of commissions but from actual legislation as well. Five states (Michigan, Texas, Idaho, Maine and New Jersey) and the Philippine Islands passed laws affecting employers' liability directly; while in Georgia, Iowa, Massachusetts, Mississippi, Ohio and South Dakota the customary defenses of employers in suits for damages by injured employes, i. e., fellow service, assumed risks and contributory negligence, were more or less restricted or modified. The doctrine of comparative negligence, under which the contributory negligence of the employe is compared with the primary negligence of the employer, with a corre-

(Continued on Second Page.)

## Little Light on Murphy Murder

Icebox in Which Meat Was Kept Was Accessible from the Outside.

CHICAGO, March 29.—Detectives engaged in an attempt to clear up the mysterious death of Alexander J. Moody today hinted of arrests soon to be made, but could add nothing to the startling story that Coroner Hoffman yesterday gave out.

"Alexander Moody was murdered, there can be no doubt of that, when we know that the meat of which he ate on the day of his death was impregnated with arsenic, and that he found the arsenic in his body to be," said the coroner today. "But there is no one on whom an unwavering finger of accusation can be pointed.

Members of the decedent's family and others today dwell vaguely on some mysterious illness from which, it is said, Mr. Moody suffered and which might justify a suicide theory.

The fact that the icebox from which the poisoned meat was taken was accessible from the outside allows the widest scope for speculation as to the manner in which the drug reached the food.

## Love's Dream is Broken by Posses

Boy and Girl Elope in Automobile and Well Armed to Fight Pursuers.

SAN DIEGO, Cal., March 29.—Armed with two revolvers and determined to do battle for the lady of his choice against any odds, Thomas Foreman, the 17-year-old son of a wealthy merchant of this place, for the second time eloped last night with Gertrude Seifert, his 15-year-old sweetheart, and headed for Death Valley in an automobile. His progress was stayed by the snow, which blocked the roads at Des Conas, twenty-five miles east of here, and it is reported that a battle has occurred at that place, the youth standing off the posse which set out in pursuit.

## KANSAS CITY CAR RUNS AWAY

Twelve Persons Slightly Hurt in Collision at Foot of Twelfth Street Hill.

KANSAS CITY, March 29.—Twelve persons were injured today when a cable car ran away down the Twelfth street incline and collided with another car at Hickory street. No one was seriously hurt.

At Jefferson street, the summit of the incline, the gripman of the runaway car, could not utilize his brakes and the car ran backwards down the hill for two blocks at a terrific speed. Both cars were badly wrecked.

## This is moving and house cleaning season.

You are interested in it in one way or another. It is made easy by those dealers in that line. Read the column today, Moving and House Cleaning. It will help you to do what you are thinking of doing.

Phone Douglas 238 and an accommodating staff will attend to you in a jiffy.

## FOWLER'S CALL TO BANKERS

New Jersey Congressman Explains Some Provisions of His Measure.

ATTACKS MONETARY COMMISSION

He Says Third Great Trial in Courts of Civilization Impends—Theodore Roosevelt Attorney for the People.

WASHINGTON, March 29.—Representative Charles N. Fowler of New Jersey, speaking in the house of representatives today to his bill to establish a complete financial and banking system for the United States, declared that a third great trial in the courts of civilization impends, the trial being "the case of the chairman of the national monetary commission, alias Aldrichism, alias the special interests, versus the people of the United States."

"Theodore Roosevelt," Representative Fowler concluded, "is the attorney of record for the people, and the people, under his leadership, will triumph most gloriously."

In championing his bill, which is a repetition of the Fowler bill introduced in the sixtieth congress, before the appointment of the monetary commission, Mr. Fowler compared the pending crisis, which he described, to the "first great trial of civilization, British tyranny versus the American colonies," and the "second great trial, slavery versus liberty."

"If in this great crisis," said the New Jersey congressman, "the American bankers as a class, would prove worthy of their proud past, they must rise to the call of duty from their bank counters to an exalted conception of the American banker of the future, holding a trusteeship of the business welfare of the whole republic and of the national credit."

Provisions of Fowler Bill.  
Mr. Fowler's bill provides, in brief, that the banking system for the United States shall be organized with a bank note redemption zone, a banker's council, a board of control and a federal reserve bank. The bank note redemption zone, under the provisions of the bill, shall be located in twenty-eight cities of the United States, to be selected by a person to be appointed by the president of the United States, acting in conjunction with the secretary of the treasury and the comptroller of the currency.

Within a reasonable radius of all bank redemption agencies, representatives of national banks shall organize what will be known as bank note redemption zones. The bankers' council of each bank note redemption zone would elect, under the terms of the bill, a representative to the board of a proposed federal reserve bank to be located in Washington, banks bearing even numbers to elect business men and those bearing odd numbers to elect bankers. The comptroller of the currency and the secretary of the treasury would be ex-

(Continued on Second Page.)

## MANY ARE NAMED FOR JUDGESHIP

Justice Brewer's Death Causes Wide Speculation as to Selection of Successor.

WILL MAN COME FROM EIGHTH?

Kansas Delegation is Divided Over Choice of Man.

SANBORN AND VANDEVANTER

These Jurists Prominently Mentioned Together with Eastern Men.

REARGUMENT OF BIG CASES

Three Leading Trials May be Long Delayed—Justice's Brother's Funeral at Leavenworth Saturday.

(From a Staff Correspondent.)  
WASHINGTON, March 29.—(Special Telegram.)—Even though the body of the late associate justice of the supreme court, David J. Brewer, is still without confinement in the earth, there is speculation here as to his successor. Justice Brewer's death makes it necessary for a rehearing of the corporation tax case, the Standard Oil and the Tobacco trust cases. But eight justices sat when these cases were argued, the absence of Justice Moody, who is incapacitated on account of rheumatism, making his appearance on the bench and participating in the decision impossible.

With the death of Justice Brewer comes the question, Will his successor be selected from the Eighth judicial circuit, composed of the states of Minnesota, Iowa, Missouri, Arkansas, Nebraska, Colorado, Kansas, North Dakota, South Dakota, Oklahoma, Wyoming, Utah and the territory of New Mexico?

Twenty years ago on January 8 David J. Brewer was appointed a member of the supreme bench from Kansas. The Kansas delegation is unhappily divided over a successor to him, although William C. Hood of Leavenworth, Kan., a very distinguished lawyer, is one of the circuit judges of the Eighth judicial circuit.

Minnesota Presents Sanborn.  
Minnesota will probably present Judge Walter H. Sanborn, who is the senior judge on that circuit. Wyoming will probably present Judge Willis Van Devanter, who ranks next to Judge Sanborn in the list of circuit judges, and it is probable that Missouri will present as its candidate Judge Elmer B. Adams. But it is possible that a lawyer may be selected from some one of the states in the Eighth judicial circuit, which even three names of Nebraska's distinguished lawyers will in all probability appear uppermost—Charles J. Greene, John L. Webster and John C. Cowin of Omaha. If Judge T. C. Munger had been on the bench, somewhat longer, he has been regarded in the nature of a candidate, and if Judge William H. Munger had different politics he would certainly be regarded as a candidate. But with Judge T. C. Munger, a comparatively new man on the bench, and Judge William H. Munger, a democrat, it seems a fair guess that neither will be considered for the Brewer succession. It is understood here that the Iowa delegation, regulars, insurgents and dissenters, will present as a unit for the promotion of Judge Desmer of the supreme court of that state.

In the seventh circuit is another possibility, Lloyd W. Bowers of Chicago, now solicitor general of the Department of Justice. It is well known in Washington that President Taft has the highest regard for Mr. Bowers' ability.

Sentiment for Eastern Man.  
A strong sentiment in favor of the appointment of an eastern man. When Justice Lurton was appointed to succeed Justice Peckham, an endeavor was made to induce President Taft to give the seat to a New York member. Prominently mentioned at that time was Attorney General Wickersham.

Should the Standard Oil case, the tobacco case or the corporation tax suits be set for re-argument it is probable that neither Mr. Bowers nor Mr. Wickersham would be considered since they would be incapacitated for service in that connection.

On behalf of the appointment of an eastern man it is urged by some that the Mississippi rally already in four members on the bench, Chief Justice Fuller of Illinois, Justice Harlan of Kentucky, Justice Day of Ohio and Justice Lurton of Tennessee.

Another candidate whose chances are considered as strong is Judge John W. Warrington of the Sixth circuit court.

Other Possible Successors.  
Among those mentioned today as possible successors to Brewer were Secretary of War Dickinson, Secretary Nagel of the Department of Commerce and Labor, Henry M. Hoyt, counselor of the State department; Governor Hughes and Senator Root.

The sudden death of Justice Brewer and its possible effect upon the supreme court decisions in the Standard Oil and Tobacco trust cases were discussed at the cabinet meeting at the White House today.

Attorney General Wickersham, as he went into the cabinet session was asked if there was any chance of a rehearing on the two important cases pending in the supreme court. He declared there was the possibility of a rehearing, but he did not consider it at all probable.

Reargument Likely.  
Reargument of the cases affecting great corporations which are pending before the supreme court of the United States loomed up prominently today as a probable outcome of the death of Justice Brewer last night. These include the dissolution suits against the Standard Oil company and Jersey and the American Tobacco company and the corporation tax cases.

The decision of these cases by the seven justices on the bench now that Justice Brewer has passed away and Justice Moody is incapacitated for service on account of rheumatism, is believed to depend almost entirely upon the unanimity of opinion on the questions.

Some lawyers who have followed closely the decisions of the supreme court about the idea that such unanimity exists and therefore they are free in expressing the view that these cases will set for reargument before a full court.

It is probable that a vote already has been taken on all of these cases. If this be true and the court was equally divided or nearly so, it is believed the court would hesitate to give to the country a decision.