

HITCHCOCK GETS SEAT AS SENATOR

Nebraska Legislators in House and Senate Elect Omaha Man to Hold Office.

ELEVEN VOTES CAST FOR BURKETT

Ten Ballots in Lower House and One in Upper Body.

JOINT SESSION COMES TODAY

Senator—Elect on Ground and Will Make Address.

NEW ORLEANS WINS IN HOUSE

Friends of San Francisco Make No Fight for Exposition Endorsement and Southern City Leads.

(From a Staff Correspondent.) LINCOLN, Jan. 17.—(Special.)—No republican opposition to the election of Gilbert M. Hitchcock as United States senator materialized in either house of the Nebraska state legislature this morning and the democratic candidate was chosen by a vote of 87 to 10 in the house and 30 to 1 in the senate.

Therepublicans followed the plan agreed upon last night, when those who were not bound by any statement under the Oregon plan and those who did not feel under other obligations decided to vote for Senator Burkett.

The ten votes cast for Burkett in the house were: Baker, Barclay, Fliley, Haller, Herzog, Housh, Kirk, Meyer, McTellan and Smith. Three republican members were absent, Johnson, Nutzman and McKelvie.

R. B. Smith handed in a written explanation saying that whenever Hitchcock submits to one of his own investigating committees he would vote for him; otherwise he was for Burkett.

In the senate only one vote went against Hitchcock and that was cast by Peter Jansen of Gage, complimentary to Daniel Woolford Cook, a banker of Beatrice. Senator Hoagland cast his vote for Hitchcock with the explanation that he had no objection as a republican to add anything to the prestige of Mr. Hitchcock by making the decision unanimous, but merely wanted to follow the wishes of the people in making a choice.

Joint Session Today. Tomorrow at noon the houses will meet in joint session. The two journals will be canvassed and when it is found that the democratic candidate had a majority he will be declared elected. Mr. Hitchcock will make an address to the assembled legislators.

New Orleans was chosen as the preferred site of the house for the site of the Panama exposition and contrary to expectations the vote aroused no discussion and no oratory. The resolution of Representative Johnson for New Orleans, which was offered as a substitute to the San Francisco resolution of W. A. Prince, was voted upon and passed by a vote of 61 to 36.

The Douglas county delegation with the exception of Shoemaker stood pat against the southern location and when Sink of Hall was called upon for his vote he bawled out "No," with such disgusted vehemence that the galleries were moved to smile.

Senate May Follow Suit. It seems probable that the choice of the senate will agree with New Orleans also, although the matter is for the present in the hands of a committee composed of Banning, Albert, Jansen, Rangan, Smith of Fillmore, Lee and Hoagland.

The attention of the house was called to the contest over the seat of Scheele of Seward by a letter from the secretary of state. Secretary Watt reminded the speaker that the papers in connection with the matter had been submitted to him and should be given over to the consideration of the house immediately. The republicans, in the hope of making the contest amount to something as an effort to unseat Scheele, tried to get it referred to a special committee.

The motion was made by Evans of Adams, but the speaker, resting upon his prerogative in the treatment of a minority point of order, overruled the motion and referred the matter to the committee on privileges and elections. This committee was finally made up of seven democrats and four republicans. One of the democrats is dry, making the dry and wet vote, which will probably decide the committee report, six to five for the wets.

Representative Gleason withdrew house roll 102, the primary measure which he introduced yesterday, because it does away with primaries completely and he intended to introduce a very different sort of a measure. He asked the legislative reference department to draw a bill for him which would repeal the open primary law and re-establish the old closed primary. The clerks in the legislative reference department were under the impression that if the present law was repealed the old law would come into force again, which is of course not true, and the passage of the bill which actually was presented would have brought back the convention system. A new measure re-establishing the closed primary will be introduced by Gustafson in place of the one withdrawn.

In the house, Speaker Kuhl announced that house roll eighty-two, which he had previously referred to the committee on judiciary would be referred instead, to the committee on live stock and grazing. This is the measure relating to the regulation of stock yards as public markets.

Quackenbush of Nemaha reported for the committee on rooms. It was found impossible to obtain any place at the capital so it was necessary to provide for renting rooms at the Lindell, the Royal and the Lincoln hotels at the rate of \$9 per month in each case which expense would include day and night service together with heat and lights. The report of the committee was adopted.

Kirk of Knox then called up his resolution of Monday providing for selecting a committee from two of the house committees to investigate the building situation at the university and to suggest possible legislation for the present crowded condition. A motion by Mockett of Lancaster that the two house committees of finance ways and means and university and normal schools be selected in full to investigate and report was declared by the speaker to be out of order. Senator of Buffalo offered an amendment basing for the selection of two members from each of these committees, which was lost. At the wish of Gerdes

NEW JUDGE OF UNITED STATES CIRCUIT COURT

WALTER I. SMITH, Congressman from Council Bluffs.



WALTER I. SMITH, Congressman from Council Bluffs.

Mrs. Schenk's Chauffeur Tells of Midnight Trips

Dr. J. W. Myers Testifies Defendant Obtained Sugar of Lead and Other Poisons from Him.

WHEELING, W. Va., Jan. 17.—With the resumption of the Schenk case this morning, in which Mrs. Laura Farnsworth Schenk is charged with administering poison to her husband, the chauffeur of the Schenk family who is alleged to have driven Mrs. Schenk on a number of occasions with a man other than her husband, was called as the first witness for the state.

Other witnesses planned to be called are Dr. J. E. Burns, one of the physicians who made blood tests to ascertain if Schenk was really suffering from arsenical poisoning. Dr. Gregory Ackerman was also expected to be called today. His first appearance at this time is for cross-examination by the defense.

Miss Zoelker was again on the stand when the trial was resumed. The cross-examination of Nurse Zoelker developed nothing of importance and Lundy Wilson, Mrs. Schenk's chauffeur, was called. The promised sensational testimony followed.

The witness said he had driven Mrs. Schenk and Dan Phillips in the country on many occasions, principally at night, and that beer and sandwiches were taken on these trips. The car was usually driven to a point near Smithfield, O., the lights lowered and the witness dismounted until recalled by the automobile horn.

Wilson said Mrs. Schenk told him her relations with Phillips were not proper. He related incidents connected with the purchase of a diamond horseshoe pin, furnished overcoat and other articles alleged to have been bought by Mrs. Schenk for Phillips.

Wilson testified that on the day following the alleged attempt of Mrs. Schenk to bribe the detective-nurse he had driven Mrs. Schenk to the office of a South side physician and told of other trips to the same place.

When cross-examined by Attorney Boyce for the defense, Wilson had a faulty memory.

Dr. J. W. Myers, the "South side" doctor to whom Wilson had referred, testified that Mrs. Schenk had obtained sugar of lead and other poison from him.

Ohio and Iowa Win Prizes for Live Stock

Buckeye and Hawkeye Exhibitors Carry Off Bulk of Honors at Denver Show.

DENVER, Jan. 17.—In the awards of the first day of the sixth annual national livestock show, which opened here yesterday, Ohio and Iowa were the big winners. Among the first prizes captured by the Ohio farm were those for the champion Shorthorn steer or bull and the grade and cross-breed steers and heifers.

W. J. Miller of Newton, Ia., made practically a clean sweep in the awards for Aberdeen-Angora steers and heifers.

Robert Burgess & Sons of Wenona, Ill., took the majority of the blue ribbons for Percherons.

At the horse show last night the entries of Adolphus Busch of St. Louis took three second prizes.

Stiox City Warehouse Burned. SIOUX CITY, Ia., Jan. 17.—(Special Telegram.)—Fire in the old Baker & Hishel warehouse, Second and Pearl streets, this morning saved the firemen an expensive fight and threatened the big wholesale grocery house of William Taakabery company, next door. The total damage is about \$25,000.

Blue Sky Holds Terrors for Man Who Saw Two Falls

Aviation has been robbed of a promising recruit because Fred A. Shank of Omaha happened to be "in at the death" when both Ralph Johnstone and Archie Hoxsey tumbled out of the sky into their graves.

Mr. Shank has just returned to Omaha after a tour of the west as representative of the Land Show. As an old friend of Wright and Orville Wright of the days of their work was yet in the experimental stage back in Ohio, he takes an intimate interest in aviation. He attended both the Denver and the Los Angeles meets; both tinged with tragedy by the death of famous flyers. He saw both men fall from their last flights.

"I had been up in a Wright plane but a short time before Hoxsey fell," said Mr. Shank. "I have often been up with the

BAILEY OPPOSES CLARK ON TARIFF

Senator Takes Direct Issue with Those Favoring Revision by Separate Schedules.

ISSUE ONLY HOPE FOR SUCCESS

Leaders Acknowledge They Must Act Wisely or Lose.

ROOSEVELT TARGET FOR ARROWS

Blackburn Calls the Colonel's New Nationalism Treason.

PAYNE LAW IS ALSO ASSAILED

Champ Clark Asserts Smoot Had More to Do with Tariff Law Than Any Other Man, Save Aldrich.

BALTIMORE, Jan. 17.—Tariff problems with all the vicissitudes they bring from topics at the Jackson day gathering of the democrats here today. This was evident at the mass meeting this afternoon and also at the banquet tonight.

The issue was met by all the speakers. Some frankly acknowledge there would be differences of opinion among the democrats on the subject as there had been among the republicans. Senator Bailey, for instance, while declaring that harmony of action must be the watchword of the democracy if it was to retain the advantages obtained at the last election, took direct issue with those who advocate piecemeal revision of the tariff.

Champ Clark, speaker-to-be of the house had just announced that the sentiment among house democrats seemed to favor piecemeal revision, schedule by schedule if possible, but item by item if necessary.

"And the most obnoxious items first," exclaimed Mr. Clark.

Governor Harmon of Ohio, one of the leading figures in the gathering also pointed on the tariff, as did practically every one of the speakers.

No Bombs Launched. The day passed, as the democratic leaders wished, without an attempt to launch a boom for the presidential nomination in 1912. Senator Bailey, while looking horns with Champ Clark on the method of revision of the tariff, paid the democratic leader of the house the tribute of placing him in the presidential class.

"If Champ Clark makes a better speaker than Mr. Harmon makes a governor we will nominate him for president," he said amid enthusiasm at the Lyric meeting.

"But," he added, "if Governor Harmon makes a better speaker than Champ Clark, makes a speaker, then we are going to nominate Mr. Harmon."

The tariff was acknowledged as the factor which brought about the defeat of the republican party in the last campaign and with equal frankness the democratic leaders acknowledged that if they did not deal wisely with that issue and fulfill the hopes of the country democratic success would not be long lived.

And while they were not discussing the tariff democratic leaders were calling out shouts of laughter and rounds of applause by their witty and vitriolic attacks on the "grand old party." The whole breed of elephants, it was announced, would be exterminated in 1912.

Roosevelt General Target. Colonel Theodore Roosevelt came in for a large share of the maledictions hurled at the republican party. Former Senator J. C. S. Blackburn of Kentucky claimed the privilege at the afternoon mass meeting of dealing with the colonel. He said the "new nationalism" enunciated by Colonel Roosevelt was filled with treason "deeper and darker" than any charged against the south from '61 to '65.

Governor Harmon was the first speaker at the afternoon meeting and adhered closely to his prepared speech. Champ Clark and Senator Bailey strayed far afield at times and interjected impromptu remarks that were filled with interest and significance.

Mr. Clark warned his fellow democrats that it was the failure of the republican party to keep its pledges that brought about its defeat, and that the democratic party must live up to its promises in every respect.

Mr. Clark referred to the new tariff law as the "Payne-Aldrich-Smoot monstrosity." "I put Senator Smoot in," he declared, "because I believe in giving the devil his due, for Smoot of Utah, one of the twelve apostles, had more to do with cooking up that bill than any other man save Aldrich."

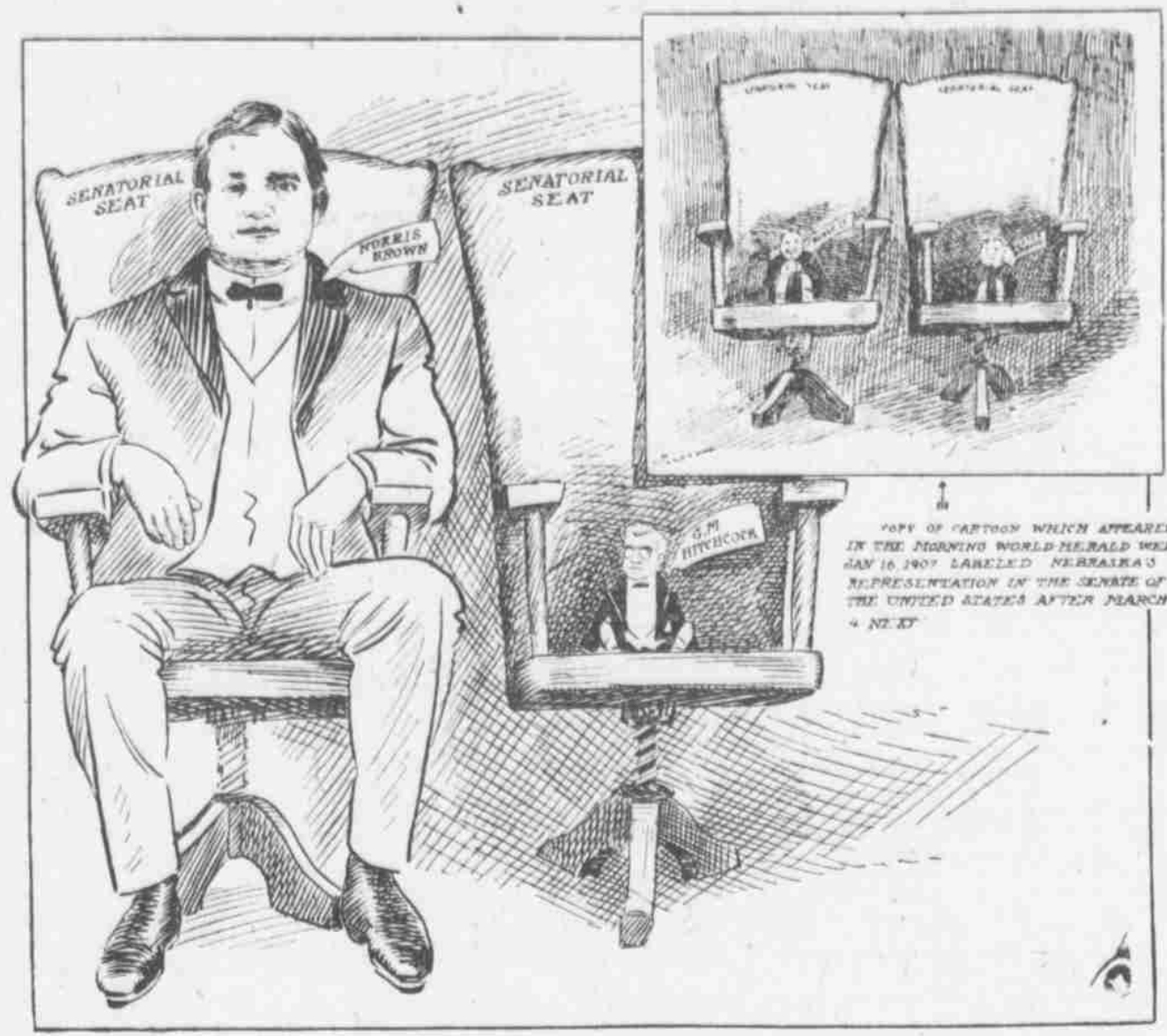
Senator Bailey said democrats were in accord as to the necessity and the extent to which the tariff should be revised, and the principle which should underlie that revision. The only difference of opinion, he asserted, would be on the method of revision.

Old-Fashioned Way for Bailey. "Let's prepare a tariff bill exactly as if we had control of the senate and the presidency," he said, "and then if the republicans of the senate refuse to take it up, that will be time enough to talk about revision schedule by schedule. If we are not capable of preparing a complete tariff bill, we will disappoint the hopes of the country and dash the prospects of the democratic party. Lay every duty for revenue and none for protection."

In rapping "new nationalism," Senator

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A Pictorial Adaptation



Nebraska's Representation in the Senate of the United States After March 4 Next.

SMITH IS NAMED AS JUDGE

Congressman from Iowa Secures the Much Coveted Plum.

WAS BORN AT COUNCIL BLUFFS

Gets the Place for Which the Nebraska State Bar Recommended Myron L. Learned—Succeeds Vandevanter.

WASHINGTON, Jan. 17.—President Taft today sent to the senate the nomination of Representative Walter I. Smith of Iowa to be a United States judge of the Eighth circuit.

Walter Inglewood Smith, who was today nominated by President Taft to be judge of the Eighth judicial circuit, lives in Council Bluffs. He is appointed to succeed Judge Willis Vandevanter of Cheyenne, who was raised to the supreme court of the United States.

The judgeship to which Mr. Smith succeeds is that for which the Nebraska State bar association recently recommended the name of Myron L. Learned of Omaha.

Mr. Smith was elected to congress from the Ninth Iowa district in 1909. He was born in Council Bluffs July 30, 1862, and educated in the public schools at Council Bluffs. He studied law with D. B. Dalley and was admitted to practice in December, 1882.

Mr. Smith was married at Council Bluffs July 16, 1890, to Miss Effie M. Moon. In November of the same year he was made judge of the Fifteenth judicial district of Iowa and re-elected in 1894 and 1898. He resigned September 1, 1909, to accept the republican nomination to congress and was elected to the Fifty-sixth congress to fill a vacancy. He has been a member of congress since that time.

Eight Men Killed by Accident on the Battleship Delaware

Victims Working in Boiler Rooms and Were Burned to Death by Escaping Steam.

WASHINGTON, Jan. 17.—Eight men were killed and one injured on the United States battleship Delaware, enroute from Guantanamo, Cuba, to Hampton Roads, according to a wireless dispatch received by the Navy department this afternoon.

The dispatch stated that the men were burned by steam and that the details of the accident would be telegraphed to the department when the vessel arrived in the Norfolk navy yards about 9 o'clock tonight.

The dead are: CHARLES HENRY HARP, WILLIAM PORTER WHITE, COLUMBUS PORTER WATTS, HERBERT ANDERSON BREWER, all firemen.

LEWIS ADDISON WHITE, CLARENCE DAVIS, coal passers. CHRISTIAN PENSEN, water tender. UNIDENTIFIED MAN.

Those injured were: Eugene Phillips, a fireman, badly injured.

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If you want a position, it usually gets one at once.

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Call Tyler 1000.

German Submarine Sinks and is Raised; Whole Crew Saved

Crew Had Good Supply of Oxygen and Talked with Rescue Party by Means of Buoy Telephone.

KIEL, Germany, Jan. 17.—The German submarine "U. 3" sank in the harbor today, but was raised after three hours' work and the crew of twenty-five men rescued unharmed.

The sinking was due to the accidental filling of the water bunkers. Soon after it disappeared the salvage ship Vulkan, which is equipped with modern machinery for the raising of submerged vessels, was on the spot and gave the first successful demonstration of what it could do in an emergency.

First communication with the submarine was established by a buoy telephone over which the commander of the "U. 3" reported that the vessel had a forty-eight-hour supply of oxygen and that the crew was in no immediate danger.

Divers were then sent down and they placed a chain about the hull of the submarine and soon the "U. 3" slowly was released from its bed in the mud.

Prince Henry of Prussia was an interested spectator of the operations.

Anti-Asiatic Bill in California

Measure Introduced to Provide for Separate Schools for Children of Orientals.

SACRAMENTO, Cal., Jan. 17.—A bill for the segregation of Asiatic pupils in the public schools of California was introduced in the state legislature yesterday by Assemblyman Hall (democrat) of Bakersfield.

It provides that education boards must establish separate schools for children of Mongolian or Chinese, Japanese, Malay or Hindu descent by providing separate buildings or separate rooms in the same buildings. Indian children are also included.

The bill further provides that no adult Indian, Chinese, Japanese, Malayan or Hindu shall be admitted to any public schools in the state.

It was a measure similar to that that led to protests from Japanese and the intervention of President Roosevelt at the last session of the legislature.

MRS. EDDY'S WILL PROBATED

Filing of Document Does Not Terminate Action by Sons Attacking its Validity.

CONCORD, N. H., Jan. 17.—The will of Mrs. Mary Baker Eddy was probated with out opposition today. The filing of the will does not terminate the actions brought by her sons asking that the court determine the validity of the document.

Seven Killed by Cavels. EL PASO, Tex., Jan. 17.—Cavels caused the deaths of seven persons at Silver City, New Mexico, yesterday. On one ranch owned by Francisco Cahalero the adobe house was buried and the husband, wife and four children perished.

back and deliberately took aim and fired four times. As the limb from Mrs. Brooks was crumpling to the floor Mrs. Brooks fired the last time, the ball entering the ear and coming out at the top of the head.

Mrs. Brooks placed the pistol back into her muff and walked out of the store unmolested. She made her way on foot two blocks to her husband's office, handed him the pistol and without explanation said: "I'm sorry," and fainted.

Both she and her husband refused to make a statement.

She waived preliminary trial and was released on bond of \$10,000.

Before obtaining a divorce from her husband two years ago, Mrs. Binford was wealthy and popular. No cause for the killing is definitely known.

FIRST BALLOT TAKEN IN IOWA

Lafayette Young Leads Republicans with Thirty-Three Votes.

KENYON GETS TWENTY-TWO

Funk Has Twenty-One and Myers Thirteen—Deadline in New York on the First Ballot.

(From a Staff Correspondent.) DES MOINES, Jan. 17.—(Special Telegram.)—The legislature at its session today cast ballots in each house for United States senator, with a result which does not include any prospect of early settlement of the matter.

The number of votes for each one was about as expected. Senator Young did not receive as many votes as expected, but probably will receive his full strength in the joint session tomorrow.

The vote indicates that among the progressives Funk is ahead and is likely to remain so.

The vote was: Porter, democrat, 50; Young, 33; Kenyon, 22; Funk, 21; Myers, 13; Clark, 7; Peoly, 5; Frake, 3; C. J. Wilson, 1. Absentees in the senate, one; in the house, three. Eighty votes are necessary to elect.

Deadline in New York. ALBANY, N. Y., Jan. 17.—A deadline resulted from the ballot taken by the senate and assembly separately for United States senator. William F. Sheehan, who led the democratic candidates, received a total of 91 votes in both houses. Since 100 members votes, the number was eight less than the majority necessary for the election.

The first ballot in the house resulted: William H. Sheehan, 96; Sheppard, 12; Alton B. Parker, 8; D. Cary Herrick, 1; Judge James Gerard, 1; Martin J. Littleton, 1; Dewey, 2. Absentees, 4.

The senate voted as follows: Sheehan, 25; Sheppard, 3; Herrick, 1; Gerard, 1; Littleton, 1; Dewey, 2. Absent, 1.

The seventy-nine republicans present cast their votes for Senator Chauncey M. Depew.

When told that Mr. Murphy's frequent trips to the executive chamber were causing comment, Governor Dix replied: "Mr. Murphy is a force in New York county politics and as such is entitled to know what my views are."

McLean Elected in Connecticut. HARTFORD, Conn., Jan. 17.—George Payne McLean of Simsbury (republican) was chosen United States senator from Connecticut for the six-year term beginning March 4 next by the general assembly today. He will succeed Morgan G. Bulkeley.

Montana Deadline On. HELENA, Mont., Jan. 17.—The result of the vote for United States senator in the Montana legislative assembly today was: Carter, republican, 37; Walsh, democrat, 21; Conrad, democrat, 17. Scattering 18. Necessary for choice 52.

McCumber and Gronna Elected. BISMARCK, N. D., Jan. 17.—The North Dakota legislature this afternoon elected Porter J. McCumber of Wahpeton and Asie J. Gronna of Lakota, United States senators. Mr. Gronna will fill the unexpired term of M. M. Johnston, deceased.

Lippitt Will Succeed Aldrich. PROVIDENCE, R. I., Jan. 17.—Although there was no choice for United States senator in balloting in both branches of

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THE WHOLE WEST UNDER ONE ROOF

Products of an Empire Are to Be Shown at the Omaha Auditorium.

MANY STATES TO EXHIBIT

President Hill of the Great Northern to Attend the Show.

HAS PREPARED BIG EXHIBITS

Interested in the Development Problems of the Northwest.

WYOMING TO BE REPRESENTED

Son of Governor Carey to Attend, as Well as Former Governor Brooks—Western Development Association Meeting.

"The whole west under one roof" otherwise known as the Omaha Land show, will be ready for the formal opening Wednesday night.

Out of the tangle of preparations the outlines of the complete exhibit of things western in rising in defined form at the Auditorium. Conspicuously aggressive among the exhibitors are the railroads. Those whose mission it is to haul the products are busily preparing to interest the prospective producers in the new territories under development.

Installation of the Great Northern exhibit began Tuesday morning under the direction of E. C. Leedy, immigration agent of the road. Mr. Leedy has had charge of numerous exhibits of a similar nature throughout the west. He has just completed a showing of the Great Northern's display of the productiveness of the northwest at the Chicago Land show. He was also in charge of a large collection of exhibits from the Hill system at the two Omaha corn exhibitions.

Part of the collection which the Great Northern is placing on display at the Omaha Land exhibition was exhibited at Chicago. However, the Chicago display has been augmented by the addition of many new specimens. The display consists principally of grains and grasses in the sheaves. An ornamental design typical of the Great Northern's artistic exhibits is being arranged to show wheat being grown in the fields of Washington, Oregon and Montana.

L. W. Hill, president of the Great Northern, will attend the Land show. He will probably arrive early next week. Mr. Hill is expected to make an address at the show touching on the development problems of the northwest.

It is possible that Mr. Hill will also appear at the meeting of the Western Development association, which will meet for organization January 24. The objects of the Development association are known to coincide with the expressed views of Mr. Hill in relation to the resources of the west. The position assumed by Mr. Hill and the Hill interests in relation to the "conservation" movement was made clear in the developments which came with the planning of the National Conservation congress at St. Paul.

The Western Development association proposes the advocacy of conservation of western resources by their judicious utilization. The Land show stands in alliance to this movement as tending to show where the opportunity for this judicious utilization lies.

Wyoming Represented. Robert Carey, son of Governor Carey of Wyoming, is expected to attend the meeting of the Western Development association. Wyoming is largely interested in the exploitation of western resources generally. A wealth of oil and minerals in the state is now but waiting mediums of delivery to the markets to be converted into wealth. Former Governor Brooks of Wyoming is also to attend the sessions of the association and visit the Land Show.

Mr. Brooks is interested in projects for the piping of crude oil from the Wyoming fields to the Omaha market. It is proposed to pipe the oil by a flow line directly across the state of Nebraska into Omaha, where a shipping center will be established.

Mohler Returns to Omaha After a Six Weeks' Trip Abroad

Head of the Union Pacific is Welcomed Back by His Associates.

Returning to Omaha after a six weeks' vacation trip to Europe, A. L. Mohler, vice president and general manager of the Union Pacific railroad, was welcomed Tuesday afternoon by the official force of the road. With the return of Mr. Mohler the reins of government of the Union Pacific fall again into his hands.

"I had a fine trip," declared Mr. Mohler, after stepping off his special car and greeting his associates. "I haven't thought of business in the least; in fact, I received only five cables during my entire trip."

Mr. Mohler spent the time of his vacation trip in visiting old world spots in France and Italy with his wife and daughter, who are still in the old world. Miss Marie Mohler will remain here for the winter, while she attends to her musical education.

The railroad man refused to be interviewed on any of the points of a returned traveler, declaring that he was resting and did absolutely no work of any kind.

"I spent the greater part of my time in Italy, but I can't say I noticed any changes in anything. The statues all looked the same as when I visited Europe before," he stated.

Although there were just thirteen of the Union Pacific officials present at the Union station to meet him everything about the informal reception went off without mishap. The list of men who welcomed Mr. Mohler upon his return is as follows: T. M. Orr, assistant general manager; Charles Ware, general superintendent; Edson Rich, general attorney; J. A. Munroe, freight traffic manager; R. L. Huntley, chief engineer; Gerrit Fort, passenger traffic manager; C. J. Lane, general freight agent; F. E. Lewis, superintendent of dining car service; W. H. Murray, assistant general passenger agent; N. H. Loomis, general solicitor; W. R. Cahill, superintendent of the Nebraska division; W. J. Lincoln, superintendent of transportation; and W. W. Keen, stationmaster of Union station.