

PATTERSON CASE NEARING ITS END

Judge Allen Instructs Jury, Following Testimony of Last Witness in Trial.

ACCUSED WOMAN'S FACE PALE

Defense's Witness Acknowledges She Gave Wrong Name.

MOTHER RECALLED TO STAND

Testifies that She Paid Son's Expenses During Sickness.

BENSON BEGINS HIS ADDRESS

Prosecutor Opens His Speech with Quotation Adapted from Kipling's "Vampire"—Defendant's History Analyzed.

DENVER, Nov. 28.—The last witness in the trial of Gertrude Gibson Patterson, charged with the murder of her husband, Charles A. Patterson, was heard this forenoon. Judge Allen then instructed the jury and Special Prosecutor Horace G. Benson began his closing argument for the state.

In his instructions Judge Allen gave an exposition of the laws defining murder in the first and second degrees, and voluntary and involuntary manslaughter.

During the reading of the instructions, Mrs. Patterson's face was waxen in its pallor. This appearance deepened as Prosecutor Benson laying stress on every bit of testimony which he believed told against the defendant in measured tones addressed the jury.

Defendant Shows Sign of Strain

When Mrs. Patterson entered the court room her face was pale and deep circles under the eyes gave evidence of a sleepless night.

Mrs. C. A. Jones, who testified yesterday that she had witnessed an assault by Patterson on his wife, was recalled by the state and compelled to admit that Jones was not really her husband's name, nor her own.

Mrs. Mary K. Patterson, mother of the slain man, being recalled, testified that she had paid all his expenses attendant upon her son's illness, excepting those for two weeks.

Benson's Opening Address. "A fool there was, and he made his prayer (even as you and I): To a rag and a bone and a hank of hair—We called her the woman who did not care;

But the fool, he called her his lady fair—and she shot him in the back," was the way Attorney Benson opened his address.

The prosecutor then took up the early life of the defendant in an attempt to convince the jury that it was no unprovoked 16-year-old child, but an experienced woman, who won the devotion of Emil W. Strous in Chicago. Benson declared that the evidence shows that Gertrude Gibson was 21 or 22 years of age when she met the Chicago clothing manufacturer and five or six years older than Charles A. Patterson.

Passengers Save Town from Fire

WICHITA, Kan., Nov. 28.—Only the aid of passengers and trainmen on a Chicago, Rock Island & Pacific train, No. 11, early today saved the town of Elbing in Butler county, north of here, from being wiped out by fire. The train was held fifteen minutes while the passengers and trainmen joined the Elbing bucket brigade and the people from Whitewater, a neighboring town, who had come to help stop the flames. The west side of the main street was destroyed, six buildings being burned.

Ten Thousand Taken in at Michigan Game

LINCOLN, Neb., Nov. 28.—(Special.)—According to a statement made by Manager Eager of athletics at the State university, the total receipts of the Michigan game exceeded \$10,000 and the Michigan team's share of that amount was about \$5,000. The original guarantee called for \$4,000, so that amount was exceeded by a comfortable margin.

The Weather

FOR NEBRASKA—Generally fair; rising temperature.
FOR IOWA—Generally fair; warmer in west portion.

Temperature at Omaha Yesterday.

Time	Temp.	Wind	Rel. Hum.
6 A. M.	33	N. 1/2 E.	82
8 A. M.	34	N. 1/2 E.	82
10 A. M.	35	N. 1/2 E.	82
12 M.	36	N. 1/2 E.	82
2 P. M.	37	N. 1/2 E.	82
4 P. M.	38	N. 1/2 E.	82
6 P. M.	39	N. 1/2 E.	82
8 P. M.	38	N. 1/2 E.	82
10 P. M.	37	N. 1/2 E.	82
11 P. M.	36	N. 1/2 E.	82

Comparative Local Record.

Year	High	Low
1911, 1910, 1909, 1908	38	20
1907	37	19
1906	36	18
1905	35	17
1904	34	16
1903	33	15
1902	32	14
1901	31	13
1900	30	12

Normal temperature, 32 degrees.

Deficiency or excess since March 1, 1911. Total excess since March 1, 1911, 1.25 inches. Deficiency since March 1, 1911, .06 inches. Excess for cor. period, 1910-11, 1.25 inches. Excess for cor. period, 1909-11, 3.45 inches.

Reports from Stations at 5 P. M.
Station and State Temp. High. Rain.
Cheyenne, clear, 18, 16, .01
Denver, snowing, 15, 24, .01
Bozeman, clear, 24, 28, .01
Des Moines, cloudy, 14, 18, .04
Dodge City, clear, 14, 20, .01
Lansing, clear, 8, 18, .01
North Platte, clear, 12, 18, .01
Omaha, clear, 13, 15, .02
Pueblo, clear, 24, 28, .01
Rapid City, clear, 15, 28, .01
Salt Lake City, clear, 25, 32, .01
Santa Fe, clear, 9, 18, .01
Sheridan, clear, 10, 20, .01
Sioux City, clear, 8, 14, .01
Valentine, clear, 4, 11, .01
" " indicates trace of precipitation, " " indicates below zero.
L. A. WELSH, Local Forecaster.

Nothin' to Do Till Tomorrow, So Land Lubber Joins Navy

Rene Streiten, chief of the outer guard and passenger surgeon, stationed in the naval recruiting station in the federal building, was frightened out of a year's vacation yesterday afternoon when Estee Dean of Lexington appeared before him and asked if the navy "needed any ballast."

Streiten took one look at the applicant's 223 pounds of beef and decided that if he was shipped, the navy would most assuredly have some very good material to keep the ship on even keel.

Bain, although the largest man ever "shipped" by the local recruiting station, is only 23 years of age, but he is over six feet tall, and fairly well proportioned. He was taken on as apprentice seaman and will be sent to the training ship off San Francisco some time today.

"I got tired of living in Lexington with 'nothing to do till tomorrow,' so I thought I would like a whirl at the rolling deep," boasted Bain from the depths of a very solid-looking chest. That he passed the examination goes without saying, and it was only when one of the office "salts" tried to scare the new recruit by telling him of the sailor horse-play old Bain saw any nervousness. Then he calmly rolled up his sleeve and exhibited a knobby bunch of muscles that looked like an anchor chain, and nonchalantly asked if they "had any fighters in the navy."

Bain says he was some wrestler in Lexington, and if he can find some one anywhere near his weight on board ship, he will see that the boat he is assigned to does not have any dull moments.

Four Seamen Swept from Deck of Liner by a High Wave

NEW YORK, Nov. 28.—A tremendous sea, which hammered the bow and swept the decks of the Fabra line steamship Santa Anna, caused the death of four seamen and the serious injury of three others. News of the disaster was brought to port when the liner arrived today from Marseilles and Naples.

The ship's passage as a whole was stormy and unpleasant, but it was not until November 23 that the heaviest sea encountered. Described by Captain Paey as the "most terrific" ever encountered, "a great mass of water rose like a wall before the vessel, then fell with crushing force on the decks and, sweeping over every part of the ship, carried seamen Durand, Sartl, Callati and Quarelli overboard like corks. Three others were stretched out unconscious on the decks. The impact of the wall of water had nearly stopped the ship. Engines were reversed quickly. Life buoys were thrown out promptly and, as the vessel neared the spot where the four seamen had been swept into the sea they were seen floating on the buoys. The sea was so violent, however, that three of them soon relinquished their hold and sank. Quarelli succeeded in grasping a life line and was hauled aboard.

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Foxla and Roumen and Paetli, the ship's boy, had been badly hurt. Foxla's spine was broken and he died two days later. The others were operated on and probably will recover.

Denver Hotel Clerk Shot by Man Said to Be from Omaha

DENVER, Nov. 28.—When C. S. Yonley, night clerk of the Great Northern hotel, nearly today declined to throw up his hands and turn the contents of the safe over to George Yant, who gives Omaha as his home, the latter shot the clerk through the lungs, inflicting probably fatal wounds. Yant told the police that his act was inspired by lack of money and failure to secure employment.

There is no George Yant in Omaha, however, there is Maurice Yant, an electrician residing here. He has a brother George and the last that he heard from him he was in Fort Wayne, Ind., where he was employed as an ironworker. He is doubtful about his brother ever having come west and while he knows nothing certain about his present whereabouts, he thinks it is doubtful if he has left Fort Wayne.

Murder of Five is Followed by Suicide

NEW YORK, Nov. 28.—Ignappa Ploepia, an Italian stockbroker, killed his wife, his mother, his sister and his two children, then shot himself to death in the room back of his store at 161 N. J., a small town near Hackensack, today.

Ploepia had quarreled with his family and had been away for a week. He returned today and went into the store. A customer who entered soon after found the six corpses. The man used a revolver and each cartridge counted for a life.

Ploepia's body lay nearest the door. Between him and the living room at the back lay the body of his wife. In the next room were the other two women and in the bedroom the two children, aged 1 and 5.

MRS. DUDLEY NOT TOLD OF HER HUSBAND'S DEATH

BALTIMORE, Nov. 28.—Because of her illness, Mrs. Dudley, widow of Irving B. Dudley, United States ambassador to Brazil, has not yet been informed of the death of her husband, which occurred suddenly yesterday. Mrs. Dudley is a patient in the same hospital where Mr. Dudley died.

MRS. O'SHAUGHNESSY FOUND NOT GUILTY

NEW YORK, Nov. 28.—Mrs. Francis O'Shaughnessy, who shot her husband "to save his soul," was acquitted on a charge of murder today by the jury after it had deliberated two hours. The defense was a combination of insanity and the "unwritten law."

MANCHU TROOPS OCCUPY WUCHANG

Second City Near Hankow Capitulates to the Imperial Army Under General Chang.

SURRENDER IS PROVISIONAL

Action Taken by Rebel Leaders to Save City from Destruction.

HEAVY SLAUGHTER AT NANKING

Report that Nearly Four Thousand Are Slain.

U. S. MARINES SENT TO PEKING

Company Sent from Shanghai on Gunboat Saratoga—French and Japanese Garrisoned Are Increased.

PEKING, Nov. 28.—Lieutenant General Fong Kwo Chang, commander of the imperial troops at Hankow, telegraphed today that he had occupied the whole of the city of Han Yang at 4 o'clock yesterday.

Wu Chang capitulated to the imperial troops today, the revolutionary leaders expressing a desire to negotiate for a compromise and suggesting some slight situations in the government program.

The government is endeavoring to secure an immediate cessation of hostilities at Nanking, where the fall of the city is imminent.

There is much jubilation in official circles over the sudden success of Lieutenant General Fong Kwo Chang. The merchants are overjoyed at the prospect of a resumption of business and the re-establishment of order with the removal of the terrible menace to the lives of foreigners in the interior of the country.

The surrender of Wu Chang by the rebels today was provisional and with a view to saving the city from destruction. The revolutionaries at Hankow have asked for a three days' armistice in which an attempt will be made to secure the consent of the other provinces to the acceptance of the imperial government's terms, including the preservation of the Manchu dynasty.

The government has received reports announcing that the fighting preceding the capture of the city of Han Yang lasted seventy consecutive hours. The carnage was heavy.

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The force of French troops stationed here has been increased to 1,500 men and that of the Japanese to 1,200.

Terrific Slaughter at Nanking. SAN FRANCISCO, Nov. 28.—Terrific slaughter has marked the fighting at Nanking, according to a cablegram received today by the Chinese daily paper. The report says that 3,500 regular soldiers and 500 civilian volunteers have been killed. Dispatches received by the Chinese press state that the imperialists and rebels are fighting today inside Nanking. The revolutionary navy is preparing to bombard the suburb of Shih Kwan, occupied by the Manchus.

The Chinese daily paper also says word that the governors of Shantung and Honan provinces have wired Prime Minister Yuan Shi Kai that they have repudiated the republican government set up in these provinces.

It is stated that a revolutionary force of 3,000 has left Canton for Hankow.

Fighting North of Nanking. NANKING, Nov. 28.—Some fighting has taken place to the northward of the city. A bombardment is imminent.

There is reason to believe that Lieutenant General Fong Kwo Chang, commander of the imperial troops, has discovered a treacherous plot to open the gates of the city. Much shooting has been heard inside the city. All foreigners except the Japanese consul and his guard have left the city.

The victory of the province and the Tartar general are reported to have returned to their yamens from the Japanese consulate where they had taken refuge. All the foreign warships have withdrawn out of range.

Treasury Nearly Empty. WASHINGTON, Nov. 28.—According to today's cable advice, from American Minister Calhoun at Peking, Chinese finances are in a deplorable condition with but two million taels in the treasury and the government without credit.

Mr. Calhoun confirms the first stories of the killing of missionaries at Hsien Fu, the capital of Szechuan. The minister adds the name of Mr. Vayne to the list of Americans killed. In addition, Mrs. Beckman, an American, and Mr. Vayne, one British and one German, and five European children were slain.

United States Sends Marines. SHANGHAI, Nov. 28.—Rear Admiral Joseph B. Murdock, United States navy, is sending a company of marines from here to Peking on board the United States cruiser Saratoga.

New Juror Selected for the Stokes Case

NEW YORK, Nov. 28.—The jury box in the Stokes shooting case was refilled today and the trial resumed. W. E. D. Stokes, the millionaire, being the first witness examined. The new juror takes the place of the indiscreet member dismissed from the jury yesterday because the court heard he had said outside the jury room that the defendants would be found guilty. While technically, this made a subtrial, both sides agreed to retain the jurors already chosen and, instead of recalling all the witnesses, to let the new member catch up by reading to him the testimony already taken.

This will be done today and the attorneys hope to go on with the examination of witnesses tomorrow. The cross-examination of W. E. D. Stokes, who charged Lillian Grabau and Ethel Conrad, the show girls, with trying to murder him, is incomplete, and Stokes probably will be the first witness called.

Banker Attacks Roosevelt

Wharton Barker Asserts Colonel Made Bargain with Railroads.

HE ASSAILS "MONEY TRUST"

Philadelphia Man Says Story of Deal with Financial Giant is Verified by Message of Former President.

WASHINGTON, Nov. 28.—Wharton Barker, a retired banker of Philadelphia, sprung a sensation on the senate committee on interstate commerce today when he alleged that a New York financier sold him, in 1904, that the financial interests would support Theodore Roosevelt for president "because the latter had made a bargain" with them "on the railroad question."

Mr. Barker's statement came in the midst of a vigorous attack on the "money trust," in which he alleged also that President Roosevelt had been given the details of the impending panic of 1907 several months before it happened, but took no action to prevent it. He declared that the Aldrich currency plan was the handiwork, not of former Senator Aldrich, but of a Mr. Warburton of the banking firm of Kuhn, Loeb & Co. of New York and that a fund of \$1,000,000 had been started to insure its adoption.

"Three or four weeks before the election in 1904," Mr. Barker said, "I was walking down Broadway when I met one of the most distinguished money kings in New York, a man now dead. He said to me: 'We are going to elect Roosevelt.' I expressed surprise and asked if he had given up the support of Parker. He said yes; that he had frightened Roosevelt so that he had made a bargain with them."

Members of the committee looked somewhat incredulous and Mr. Barker added: "I wish Mr. Roosevelt were here." "I wish he were," Senator Townsend said; "it would be interesting."

Tells of Alleged Bargain. Mr. Barker said the financial giant, whom he declined to name, told him that "Roosevelt had made a bargain on the railroad question." Mr. Barker continued: "He is to tell all he wants to, he told me, but by and by a railroad bill will be brought in by recommendation of the president cutting off rebates and free passes, which suits us who own the railroads, permitting the railroads to make pooling arrangements and providing for maximum rates."

The railroad man added, Mr. Barker said, that under the latter authority it would be impossible to add from \$500,000 to \$100,000,000 to the total freight charges paid by the American public.

"I told him I didn't believe Roosevelt had made any such agreement," Mr. Barker said, "but when the annual message of 1905 went to congress he recommended most of those things. I wrote to President Roosevelt and told him what I heard and that I had thought the man lied, but now I must believe he had not. It was the only letter of mine Mr. Roosevelt ever failed to answer."

Members of the committee asked Mr. Barker to give the name of the financial man who had told him that Roosevelt was to be elected.

"I cannot do it," Mr. Barker said, "but subsequently somebody was alleged to have stolen some correspondence between Mr. Harriman and the president telling of \$250,000 put up for election expenses in the city of New York."

Referring to the panic of 1907, Mr. Barker said a man who was present at a conference at J. P. Morgan's house in May

Shakers Who Helped Sister Out of Life Held to Grand Jury

TAMPA, Fla., Nov. 28.—How Ebert Gillette and Elizabeth Sears, members of the Shaker colony near Kilmadine, assisted a co-religionist, "out of life" was taken up by a grand jury today that may hold the pair for manslaughter.

Both Gillette and Miss Sears admit they gave chloroform to Sade Marchant to expedite her death, because, they claim, she was in the final stage of tuberculosis. A medical examination disclosed, it is declared, that Sister Marchant was not as near death as Gillette and Sister Sears reported.

Italians Lose 120 in Recent Battle

TREPOLI, Nov. 28.—The Italian military authorities announce that the casualties among the Italian forces engaged in the battle at Port Meer and Hentti on November 25, when the Italians attacked and forced the Arabs to retire with a loss of more than 500 men and 300 prisoners, totaled 120 of them whom sixteen were killed.

BERLIN, Nov. 28.—The German Red Cross society proposes to assist both the Italian and the Turkish armies engaged in operations in Tripoli provided that assurances are received that the help will be accepted.

Illinois Republican Editors Are for Taft

SPRINGFIELD, Ill., Nov. 28.—The Illinois Republican editorial association today adopted a resolution "approving the candidacy of President Taft for re-election and endorsing his administration." A copy of the resolutions was ordered sent to President Taft.

GERMAN THEOLOGIAN NEVER WEARS A HAT

KANSAS CITY, Nov. 28.—Appearing on the snow-covered street with his head protected from the elements only by a stock of iron gray hair-made Dr. Casper Rene Gregory, a theologian of the University of Leipzig, the center of attraction in a busy downtown district here today. Dr. Gregory was here to lecture on the New Testament before the Fine Arts Institute.

"I have not worn a hat for years," he said today.

"The plan is of the highest advantage to my health. I always keep my head cool. That is most important. I am very absent-minded and do not worry about losing my hat."

(Continued on Second Page.)

Take One



Temptation.
From the Washington Star.

Berlin Papers Take Pessimistic View of Grey's Speech

BERLIN, Nov. 28.—The afternoon papers which publish the speeches of Sir Edward Grey and Mr. Asquith are rather pessimistic as to the chances that they will improve Anglo-German relations, without admitting that it is necessary that they will make them worse.

According to the Local Anzeiger the speeches show that "English policy continues to follow the same old course. Sir Edward Grey does not make any further attack on Germany, but he has not diminished the unfriendly effect of the actions which occurred in the summer."

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ATTEMPT MADE TO BRIBE TALESMAN

Bert Franklin, Detective Employed by McNamara Defense, Faces Serious Charge.

TWO OTHER MEN ARE ARRESTED

They Are George Lockwood, Prospective Juror, and "Cap" White.

DETECTIVES SEE MONEY PAID

Franklin Gave \$500 to Lockwood and \$3,500 to White.

PROSECUTOR HAS THE MONEY

Men Still Had Bills in Their Hands When Marched Into His Office—Franklin Says He Can Explain All.

LOS ANGELES, Cal., Nov. 28.—Detectives of the state attorney's office headed by Samuel L. Brown, chief of investigation, arrested three men on a street corner today, charging attempted bribery in the McNamara murder trial.

The men arrested are: Bert Franklin, a former United States deputy marshal, now employed by the McNamara defense in looking up the antecedents of prospective jurors.

George N. Lockwood, a venireman, summoned to appear before Judge Walter Bordwell today for preliminary examination.

"Cap" White, a character of whom not much is known.

The men were taken to the office of the district attorney and then to jail. Counsel for the defense said they knew nothing of the case.

The arrests were made at the intersection of Los Angeles and Third streets.

Sees Money Pass. "I saw Franklin give Lockwood \$500, which was on his person when he was arrested," said Brown. White had \$3,500 on his person. I saw the money pass from Franklin to Lockwood. I know that it was in connection with the McNamara case."

Brown refused to say how he knew it. "I don't know anything about it," said Attorney Clarence S. Darrow, chief of counsel for the defense.

Leopoldo Davis of counsel for the defense said that the marshal had been working for his side looking up the records of men summoned in various venire lists.

"I am absolutely certain that there is nothing to the present charge," he said. "I have known Franklin for years and he would not do a thing of that kind."

The two attorneys were in court listening to preliminary examinations of veniremen when the arrests were made. When told of the arrests they left the court room.

"We're going to find out about this," said Darrow.

Lockwood Not Yet Subpoenaed. Another clerk developed in the situation when Clerk George Monroe of Judge Bordwell's court became authority for the statement that George N. Lockwood had not been reached with a subpoena.

To this deputy sheriff said they had been advised that for a year and a half, Detective Brown indicated that he expected even more dramatic developments.

"This is not the big smash," he said, "that will come in court just a little later."

Bert Franklin, the detective, faces a charge of having bribed a prospective juror, Lockwood.

Franklin Denies Guilt. District Attorney Fredricks announced the theory of the state is that Franklin gave Lockwood \$500 as advance payment for hanging the jury and turned over to C. E. (Cap) White, who was expected even more dramatic developments.

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How He Paid Bills. A bill collector named Dunn told of the trouble he had with Kelly collecting a bill and his receiving pay in a worthless check; also that Kelly wanted to show him a letter, but could not find it, and when he wanted to go away Kelly shut the door and refused to let him get away.

Edward Asplwall, who was head of the Eagles' order last January,