

PROFITS HIDDEN ON BY-PRODUCTS?

Objection by Packers to Evidence Concerning Kenwood and Aetna Companies Halts Trial.

TEST COST FIGURES TOO LOW Firms Deal in Oleomargarine and Casings During Former Period.

TELLS OF REORGANIZATION

Omaha Company on List of Firms in National Corporation.

GORDON SUGGESTED MERGER

Veeder Tells Jury that Few Months Later Idea Was Revived at Meeting of Several of the Meat Kings.

CHICAGO, Dec. 28.—Objection made by counsel for the defense to evidence which the government seeks to introduce regarding the operations of the Kenwood company and the Aetna Trading company halted the packers' trial late this afternoon and caused Judge Carpenter to excuse the jury pending the hearing of legal arguments.

The government contends that the Kenwood company which was organized by the packers in 1909 and continued in business until 1905 was one of the alleged pools used to market the packers by-products. It is alleged that the Kenwood company dealt in oleomargarine and the Aetna Trading company in the same period dealt in casings.

The government expects to show that the Kenwood company's profits were \$1,000,000 in one year, despite the fact that it was only incorporated with a capital stock of \$14,000. The profits of the Aetna Trading company are also alleged to have been proportionately large, by counsel for the government.

Profits Hidden.

By making an inadequate allowance for these by-products in figuring the test cost of the animals slaughtered, the packers were enabled to keep the profits of the parent concerns within reasonable limits, according to counsel for the government.

This line of testimony came when Albert H. Veeder was questioned in regard to the business transacted by these subsidiary companies.

"We have a right to know what the government intends to prove by going into the business of these companies and what relation it has to this company," said Attorney Levy Mayer, counsel for the defense.

"The Kenwood company dealt in oleomargarine and the Aetna Trading company dealt in casings and we cannot understand what relation this has to the allegations made in the indictment that there was a combination for control of the price of fresh meat and the price paid in the purchase of cattle. For this reason we contend that this testimony is incompetent and ask to have it excluded."

"Standing alone I do not see the relevancy of this testimony, but it may lead to something connected with the acts charged in the indictment," said Judge Carpenter. "I think the government should at this time state just what it expects to prove by this testimony."

Purpose of Testimony.

Special Counsel Feroze Butler said the government expected to show by revealing the business of these companies that the packers made an inadequate allowance for byproducts in figuring the test cost of animals slaughtered, which had a direct bearing on the workings of the alleged combination.

"We expect to develop in the trial that these companies are an important part of the pool or pools by which the packers between 1900 and 1905 fixed the price of fresh meat and the figures to be paid for cattle," said Attorney Butler. "They were used to market byproducts at a higher price than they could be sold direct by the parent concerns."

"We expect to show that through these companies the packers were enabled to make an inadequate allowance on their byproducts in the figuring of the test cost on the animals slaughtered; and this

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Many Experts Will Lecture at South Dakota Corn Show

MITCHELL, S. D., Dec. 28.—(Special.)—The annual South Dakota Corn and Grain show is to be held in Mitchell January 15 to 19 under the direction of President E. W. Fulton, secretary A. N. Hume of Brookings Agricultural college, John Lakings of Hurley, G. W. Downs of Mt. Vernon and Lewis Larson of Langford, directors.

The premium list and program indicate a week of great usefulness to the farmer of the state who takes advantage of the instruction offered in the corn course and the chance for competition in the exhibition. The men who will do the talking on the subject of corn are Prof. Hume, agronomist, Prof. O. D. Center of Illinois, who will also judge the corn in the contest; Prof. J. G. Hutton of Brookings, Prof. O. C. Bull of the University of Minnesota, Prof. H. J. Waters, president of Kansas Agricultural college; Prof. John M. Eward of Iowa Agricultural college, and Dr. R. L. Single, president of South Dakota college.

The subjects of the speakers will be divided into different subjects concerning the growth of corn, wheat, the work of farming, and many things pertaining to farm life. Miss Mary Tought of Brookings college is to have charge of the domestic science department in the short course, which has been provided by the Commercial club of this city. Prof. Eward is to conduct the class in live stock judging.

In the exhibition department the corn display will be exceptionally good and prizes are to be awarded in three districts, aggregating a sum of \$50, aside from the special prizes which are offered in the various districts. The professional corn raiser is eliminated from the contest in the exhibition, and this gives the average corn raiser an opportunity to demonstrate his ability to produce good corn.

Officer of Suffrage Society Advertises for a Husband

SEATTLE, Wash., Dec. 28.—With the approach of leap year Marriage License Clerk Claude F. Gage is receiving letters from many women inquiring for the names and addresses of eligible and desirable unmarried men who would make good husbands and are on the matrimonial market. Gage is wondering if the duties of his office will permit him to operate a matrimonial clearing house.

"Here is a letter from a girl, educated in an eastern college and now living on a ranch," he said today. "Here is one from a house-maid in an old lady's home. Another is from an officer of a woman's suffrage organization in Oregon. Circumstances, you see, have put them out of touch with the class they seek. They're just home sick for a good husband."

Gage now has the addresses of two men who desire to wed, one a red-headed man, weighing 220 pounds, 42 years old and with ten acres of land, three children and a good home. The other entry is a young country clergyman.

Dynamite Found Under Railroad Bridge at Thebes

CHICAGO, Dec. 28.—What may have been an attempt to destroy the Thebes bridge over the Mississippi river at Thebes, Ill., came to the attention of the officials of the Chicago & Eastern Illinois Railroad company today. Several children found dynamite with fuse attached among the timbers on the track approaches to the railroad bridge.

"Our informant, C. W. Mogg, station agent at Thebes," said W. J. Jackson, vice president of the Chicago & Eastern Illinois railroad, "sent a message to me saying that a lot of dynamite with cap and fuse attached had been found by children beneath the bridge. The explosive was in a position to threaten the tracks which are used by all our trains and had it been exploded would have wrecked the railroad bridge approaches."

La Follette Men Hold Meeting in Lincoln

(From a Staff Correspondent.) LINCOLN, Neb., Dec. 28.—(Special.)—The executive committee of the La Follette league met last night and decided that a big rally would be held some time in the near future, in spite of the fact their patron saint had sent notice that he could not visit this state. The date, however, has not yet been fixed.

There were present at the conference: L. D. Evans of Kanesaw, U. S. Rohrer of Hastings, Nathan Merriam of Omaha, R. B. Howell of Omaha, C. E. Van Dusen of Blair, E. E. Correll of Hebron, S. M. Wallace of Clay county, William Ernst of Johnson county, H. E. Spafford of Gage and J. R. McCari of McCook. J. J. McCarthy of Ponca, president of the league, was not in attendance.

Bryan Candidate For Fourth Time

A petition to place the name of William J. Bryan on the democratic primary ticket as a candidate for president in 1912, is being circulated by A. A. Arter, and last evening he had secured more than half the required number of signatures.

According to law a man's name may be placed on the ticket on the petition of at least twenty-five citizens. It is said that there is no law by which a name can be drawn after it is once placed on the ticket, and so Bryan will become a candidate again, whether he wishes it or not.

Spaniards Defeat Rifflin Tribesmen

MADRID, Dec. 28.—Advices from Spanish Morocco, say that the whole Spanish army advanced yesterday and "routed and decimated" the Rifflin tribesmen. A Spanish general, named Ros, was wounded. Special correspondents in their dispatches say the Spanish casualties totaled twenty-seven killed and 100 wounded. The Rifflins lost 400.

CHINESE THRONE AGREES TO YIELD

Imperial Clan After Extended Conference Decides to Accept Proposal of Yuan Shi Kai.

EDICT FOR ASSEMBLY ISSUED

National Conference Will Decide on Form of Government.

IMPERIAL FAMILY WILL LEAVE

Emperor and Manchu Retinue Will Abandon the Capital.

RUSSIA MAY ANNEX MONGOLIA

Province Declares Its Independence of China and is Preparing to Extend Sphere of Influence.

PEKING, China, Dec. 28.—The throne has agreed to Premier Yuan Shi Kai's suggestion to refer the question of the future government of China to a national conference and to abide by its decision, whatever it may be.

The decision taken by the meeting of the imperial clan and Premier Yuan Shi Kai to submit the question of the future government of China to a national conference was followed quickly by an imperial edict in the following terms:

"Dr. Wu Ting-fang, the chief of the revolutionary delegates to the peace conference at Shanghai, and others contend that the people of China desire a republic. This question neither the government nor a section of the people is able to decide. A national conference is necessary. The emperor dowager sanctions the calling together of a conference, as she is desirous to avoid bloodshed and to bring happiness to the people of China."

Debate Lasts All Morning.

The dowager empress, Premier Yuan Shi Kai and the Manchu princes of the imperial clan debated throughout the entire morning the scheme for calling together a convention of delegates from all parts of the empire to decide on the form of government which shall prevail in future in China.

The cabinet has been instructed to draw up the regulations which shall govern the national convention and to inform the delegates to the peace conference at Shanghai that the throne is willing to abide by the decision of a representative convention no matter what form of government it may choose.

In view of the activities of the Shanghai revolutionaries imperial government officials consider it to be doubtful whether the rebels will agree to the long delay inseparable from the calling of a national convention.

The action of the throne leaves no room for doubt that the advisers of the regent and the emperor are prepared for abdication should that course prove to be the only way of settlement.

Emperor Will Leave Peking.

LONDON, Dec. 28.—A telegram from Tien Tsin to the Exchange Telegram company says that the imperial family has decided to leave Peking. The decision will be announced at 3 o'clock this afternoon.

Imperial Troops Starving.

SAN FRANCISCO, Dec. 28.—The students of Fong Yuen college at Canton, 1,000 in number, have formed a fighting corps and are preparing to move to Shanghai to join the revolutionists, according to a dispatch received here today by the Chinese Free Press. The boys call themselves the "willing to die" regiment.

Starvation faces the imperial troops now holding the cities of Hang Yang and Hankow. It was stated today in a dispatch received by the Chung Sai Yat Po.

RUSSIA MAY ANNEX MONGOLIA

Indications that Tsar Will Try to Get Control of Province. PEKING, Dec. 28.—M. Shokin, Russian charge d'affaires, went to the Chinese foreign office today and handed in the request on behalf of the Russian government that China should promptly resume control of Mongolia. He received the response that China was at the moment unable to comply.

The action of the Russian government was taken in consequence of the proclamation of independence by Mongolia and the report that the independence of Turkey would be cut off from China at the same moment. The inability of China to assert its authority in Mongolia at the present moment leaves the way open, according to prevalent opinion here, for the extension of Russian influence in that department, and also the possibility of ultimate annexation.

It is assumed here that Russia will immediately proceed to carry out its plans for the construction of a trans-Mongolian railway, which will shorten the route from Europe to Peking by several days. It also is suggested that a Russo-Japanese alliance may result from the action of Mongolia, as this brings the Russian and Japanese spheres of influence in Mongolia and Manchuria side by side.

Russia Denies Report.

ST. PETERSBURG, Dec. 28.—The Russian foreign office denies the report that Russian troops have entered Mongolia. A squadron of cosaks were sent recently to the newly established consulate at Koldob, and this movement evidently gave rise to the report that a Russian army was entering Mongolia. The idea of extending the Russian protectorate over Mongolia exists in certain circles here, but Russian diplomacy has so far been inactive and has adhered to the policy of noninterference in Chinese affairs.

After the Mongolians, however, insistently press for protection, they might be able to procure results and Russia might be forced to act in case Mongolian autonomy is menaced.

Status of the Province.

The ceremony of the accession to the throne of the Khutukhtas of Mongolia occurs today and many representatives of foreign nations will attend in an unofficial capacity.

The Khutukhtas is an ecclesiastical subordinate to the Dalai Lama, the head of the religion of Lamaism, a corrupt form of Buddhism, and his relations to the

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Don't Bother Him, He is Eating His Head Off. What Are Promises to a Mule, Anyway? From the Baltimore American.

TAFT TO SPEAK IN OHIO

President Will Visit Cleveland, Columbus and Akron Next Month.

HE WILL MAKE SIX ADDRESSES

Warren G. Harding Says So-Called LaFollette Invasion is Calling the President Political Good.

WASHINGTON, Dec. 28.—President Taft has decided to extend his trip in Ohio, next month, further than was contemplated in the original program.

Senator La Follette is now campaigning there and some of Mr. Taft's friends predict to see a political significance in the announcement today that his trip has been enlarged.

As now planned, President Taft will be in Ohio from January 29 to January 31, will visit Cleveland, Columbus and Akron and deliver probably more than half a dozen speeches. Some significance is attached to the president's plan to speak in Ohio by the fact that he has twice changed the date of his annual dinner to justices of the supreme court in order to keep the Ohio engagements.

The dinner was first set for January 30, it was later changed to January 31 and with the addition of engagements in Ohio has finally been changed to February 2.

Warren G. Harding, republican candidate for governor of Ohio last year, was a White House caller today and had something to say about what he termed "the La Follette invasion." Mr. Harding declared Mr. Taft would carry the republican state convention.

"The La Follette invasion," he said, "is doing the president good. Ohio is more certainly for President Taft than it was four years ago. There are more democrats favorable to the president than ever favored a republican president before."

STATE LABOR COMMISSIONER GIVES FIGURES ON CROPS

State Labor Commissioner Guye gives out the following agricultural report, covering a period of twenty-two years, including 1911:

Wheat—Total acreage, 4,319,239; production in bushels, 74,916,255; value, \$99,968,866.
Corn—Total acreage, 139,642,495; production in bushels, 3,282,023,941; value, \$211,628,698.
Oats—Total acreage, 90,642,883; production in bushels, 1,662,969,970; value, \$275,916,520.
Rye—Total acreage, 2,381,500; production in bushels, 5,018,882; value, \$17,793,272.
Barley—Total acreage, 2,246,540; production in bushels, 49,697,777; value, \$16,321,961.

Send in your Daffydils before 6 p. m. Thursday

Eighteen valuable prizes awarded next Sunday. Look for rules of contest on page 12.

Omission of One Word Cuts Off Inheritance of Denver Woman

HEIR SHARES DENIED BECAUSE OF THE OMISSION OF THE WORD "SISTERS" IN THE WILL.

CINCINNATI, Dec. 28.—Mrs. Henriette Goodloe of Denver, Colo., niece of former banker James S. Armstrong, will not share in his \$1,000,000 estate, according to a decision by Common Pleas Judge Swing today, in a suit brought by the trustees to expedite the distribution of the estate.

Her share was denied her because of the omission of the word "sisters" in the will. The document, which was drawn in 1905, provided that brothers, sisters, nephews and nieces were to share in the income and after the death of direct heirs the property was to be distributed among the heirs of brothers, nephews and nieces.

Mrs. Goodloe is a daughter of a sister of Mr. Armstrong. Her attorneys held the omission was unintentional.

Armstrong died in France in 1888. Since then Mrs. Goodloe has shared the income from the estate. The direct legatees are dead and the estate will be distributed, cutting the Denver woman off.

Italian Army Near Tripoli is Expecting Another Onslaught

TRIPOLI, Dec. 28.—According to information gathered by the army attached to the Italian army and by scouting parties of cavalry, the Turks and the Arabs are concentrating in great force to the south of Ain Sara.

The Italians do not proceed far away from the Italian camp, as another onslaught by the Turks is feared.

The position of the Turks is the same from which they made their last attack, which resulted in a severe fight, lasting six hours, and the retirement of the Italians.

MARSEILLES, Dec. 28.—A special dispatch from a correspondent with the Ottoman army at Azizia in the hinterland of Tripoli, says that thousands of volunteers are being enrolled daily. The army, he says, is in excellent condition and possesses ample arms and ammunition, most of which has been captured from the Italians.

The leading spirit in the Turkish camp continues to be Ali Pethi Bey, former Turkish military attache in Paris, and who was reported killed by the Italians.

Fashion Calls for Turkish Towel Gown

CHICAGO, Dec. 28.—Milady's next gown will be simple of attainment and it will accord well with the household curtailing due to the high cost of living, it was said today at the exposition of coming fashions held here by dry goods trade papers.

The bath robe, which supplied her bathrobe (otherwise known as blanket-cloth) coat, now will furnish her dress and the material in it will be Turkish towels.

A simple silk undershirt, toned to show off the towel fringe laid at the bottom of the skirt and costing slightly in excess of the overdress, completes the costume.

FIFTY DEAD IN BERLIN HOME

Destitute Men Who Ate Decayed Fish Are Dying Hourly.

MANY OTHERS ARE STRICKEN

BERLIN, Dec. 28.—More than fifty deaths from ptomaine poisoning have occurred since December 26 at the municipal shelter for the homeless in Froebel street. Fifteen more of the destitute men died last night and this forenoon, while sixty or seventy others are seriously ill. New cases are being rushed to hospitals so fast statistics cannot keep up with them.

The affair has assumed such proportions that doubts are being expressed as to whether the deaths were due, as at first believed, to the eating of decayed smoked herring, which the homeless men had brought with them to the shelter to eat out of the scanty diet provided there. A considerable number of cases have been reported from another municipal shelter and from the jail. The authorities, however, are still adhering to the original theory.

The symptoms of some of the patients correspond to those of cholera, but several postmortem examinations have developed absolutely the existence of cholera. The hopes that the latter cases would prove less serious than those reported at first have vanished, many of the victims today as well as yesterday succumbing in thirty to thirty-five minutes after they were attacked. The ambulances starting from the shelter to go to hospitals had in many cases to change their destination and go to the morgue instead, as the patients had died on the way. Others expired in the shelter before they could be given attention.

Call It Deliberate Poisoning. The symptoms of the poisoning are fainting, which is followed by violent vomiting and death. The superintendent of the asylum expresses the opinion that the deaths have not been due to fish, but to deliberate poisoning.

In spite of the rumors among the destitute classes which patronize these institutions that there has been a deliberate plot against the inmates, the various shelters in the city were last night even more crowded than before. Over 4,500 men took refuge in the main institution. Many of those who have been taken sick here, it is said, been victims of suggestions. They display the critical symptoms, but on examination prove not to have been poisoned. The police in trying to establish responsibility thus far have been unsuccessful.

Golden City, Ont., Destroyed by Fire

COBALT, Ont., Dec. 28.—Fire swept the business district of Golden City today, wiping out nearly all the buildings that survived a fire last July. The fire was stopped only by blowing up a theater and adjoining buildings. The burned section included about a dozen stores, a hotel and several saloons. Golden City is the pioneer townsite of Porcupine.

Railroad Offers Reward. CHICAGO, Dec. 28.—A reward of \$1,000 was offered here today by officials of the Illinois Central railroad for the arrest of the persons who several nights ago broke open several switches south of Chicago, caused several derailments and endangered the lives of thousands of passengers in suburban and through trains.

SEEK TO PROVE MABRAY A LIAR

Witnesses Deny Truth of Testimony of Corruption of Public Officers and Bankers.

DECLARE THE EVIDENCE FALSE

Impeach What Has Been Formerly Testified to by State's Witness.

HART ON THE WITNESS STAND

Seifen Tells What He Knew about Marks and Those Races.

MANAWA TRACK IS DESCRIBED

Former Chief of Police Richmond Describes Some of the Efforts that He Made to Break Up Swindling Games.

Mabray's tale that he bribed and corrupted county and city officials and the officers of the leading banks in Council Bluffs was attacked yesterday by a number of witnesses, including Ernest E. Hart, national republican committee man for Iowa and president of the bank, T. G. Turner, president of the City National bank, and J. J. Spindler, former state bank examiner of Iowa and now cashier of the First National bank. All of these men were declared by Mabray in his testimony in the Marks case to have been bought and completely corrupted by a few thousand dollars of the money Mabray had secured from his victims.

In his phase of the testimony in the Marks case was not reached until the afternoon session and was introduced by the examination of Mr. Hart. Former Chief of Police Richmond occupied the stand all forenoon in detail his knowledge of the operations of Mabray and the efforts of the police department.

Mr. Hart stated that he had been a continuous resident of Council Bluffs for forty-three years and for many years president of the First National bank. His examination by Mr. Tinley brought the matter at issue to the surface in the next question:

"Did Marks ever ask you for any information about checks or drafts of mine?"

"None whatever."

"Was there any arrangement between you and Marks by which you were to furnish him any information concerning checks and drafts connected with the Mabray operations?"

"He never did at any time, or in any manner."

"Did Marks ever pay you any money?"

"No money, says Hart. This question was vigorously objected to by Attorney General Conson on the grounds that the state had never charged that Mr. Hart or the bank had received any money, but the court permitted an answer.

"He never paid me one cent in connection with any such matters," responded Hart.

"Did anyone at the bank ever furnish Marks any information about the clearance of any paper that afterwards proved to relate to any of the Mabray business?" Hart said that no such information had ever been furnished to his knowledge, or asked for.

"Did you ever talk to Ben Marks over the telephone in relation to clearance of any paper of any character?"

"I never talked with Marks over the telephone on any subject in my life."

Hart described the usual business methods prevailing in the bank relative to the cashing of drafts and certified checks and the methods employed to prevent losses.

On cross-examination by Conson Hart said he had been president of the bank ten years. In answer to a question by the attorney general he told of the incident in the summer of 1907 when he called upon the police department to locate a man who had presented a \$5,000 draft on a Colorado bank, and asked that he be investigated, saying he feared there was something crooked about the man.

It was this complaint that led Detective Callaghan to first come into contact with the Mabray gang when he trailed the man to the Ogden hotel and which led to the raid on the South side street place adjoining the fire station and investigating what appeared to be a training bout between two fighters and which broke up what proved afterward to be a Mabray resort.

Telephoned Richmond. Hart said he made this complaint over the telephone to Chief Richmond. The draft presented by a man named Jones, who said he was a saloon keeper when questioned by the cashier, who referred the matter to Hart. Hart's further testimony related to any knowledge he might have had of any misdoings, and he said he knew of none at all until after the newspaper exposure.

T. G. Turner, cashier of the bank until March 1, 1908, asked substantially the same questions propounded to Hart and answered to the contrary in the same positive manner. Questioned closely upon direct and cross-examination concerning any telephone communication that may have passed between the bank's officials and Marks he said there was none whatever, that the telephones were located on his desk and private desks of Hart adjoining that he no such communications could have occurred while

Boxes of O'Brien's Candy and Dalzell's Ice Cream Bricks

Given away each day in the want ads to those finding their names.

Read the want ads each day, if you don't find a prize, you will probably find something advertised that appeals to you.

Each day these prizes are offered, no puzzles to solve—no subscriptions to get—nothing but finding your name. It will appear some time.

The Weather

For Nebraska—Snow; cold wave. For Iowa—Increasing cloudiness with probably snow; warmer east portion; colder west portion.

Temperature at Omaha Yesterday.

Hour	Temp.
5 a. m.	25
6 a. m.	25
7 a. m.	25
8 a. m.	25
9 a. m.	25
10 a. m.	25
11 a. m.	25
12 m.	25
1 p. m.	25
2 p. m.	25
3 p. m.	25
4 p. m.	25
5 p. m.	25
6 p. m.	25
7 p. m.	25
8 p. m.	25

Comparative Local Record.

1911	1910	1909	1908
Highest yesterday	32	32	32
Lowest yesterday	20	21	23
Mean temperature	29	30	30
Precipitation	0	0	0
Temperature precipitation departures from the normal:			
Normal temperature	32	32	32
Deficiency for the day	7	7	7
Total excess since March 1	0	0	0
Normal precipitation	58	58	58
Deficiency for the day	58	58	58
Precipitation since March 1	14.53	14.53	14.53
Deficiency since March 1	43.47	43.47	43.47
Deficiency for cor. period,			