

MEAT BUSINESS RULED BY POOL

Former Secretary of Old Packers' Combination Tells of Dividing Country into Sections. PRICE DETERMINED EACH WEEK Values of Fresh Beef and of Cattle Fixed at Meetings. SCHIFF PREVENTED BIG MERGER Depressing Advice Later Vindicated by Coming of Panic. THREE PLANS THEN CONSIDERED

CHICAGO, Dec. 29.—Direct evidence that a packers' pool was in existence from 1883 to 1896 and that it, after suspending operations two years, resumed control of the country's fresh meat business, was given today in the packers' trial by Henry Veeder, who admitted that he acted as secretary of the organization. It was the first positive testimony offered by the government regarding the existence of the old pool which is held under the name of "Postoffice Box No. 247," every Tuesday afternoon on the sixth floor of the Counselman building, Chicago, to fix the price charged for fresh beef, to agree on the price to be paid for cattle and to allot among its members the amount of meat to be shipped into the different centers of distribution. Henry Veeder, who is a son of Albert H. Veeder, the veteran attorney for the packers, followed his father on the stand as the second witness called by the government. His story of the inside workings of the old packers' pool was not half finished when court adjourned. He admitted many of the material allegations made by counsel for the government to the jury. Between 1883 and 1896, the members of the pool were Armour & Co., Armour Packing company, Cudahy & Co., G. H. Hammond & Co., St. Louis Dressed Beef and Provision company, Morris & Co. and Swift and Company, according to Henry Veeder. In 1898 Schwarzschild & Sulzberger entered the combination, the witness said.

Describes Weekly Meetings. He described the meetings held every Tuesday afternoon at which he said reports of the last week's business of the different members were received and the allotment of the next week's business was divided on a percentage basis. The witness said the country was geographically divided into five sections, each known by a letter of the alphabet and that each of the members of the pool was assigned a territory to be sold in that section.

He testified that a record was kept of the amount of meat shipped to the different branch houses and weekly statements were sent to the members showing the cost, average price received and the margin of profit on fresh beef in the different cities. The witness gave a minute description of the intricate system used by the alleged pool in keeping its accounts and transacting its business. Attorneys for the defendants made an unsuccessful effort to prevent the witness from answering questions regarding the inside workings of the packers' pool, but Judge Carpenter overruled every objection and directed the government to proceed with the presentation of its case.

Schiff Prevented Merger. Albert H. Veeder, who was cross-examined by Attorney George T. Buckingham, told of attending a meeting of packers in December, 1896, at the office of the Kohn, Loeb & Co. in New York at which plans for financing the big merger were discussed with Jacob H. Schiff. "He said conditions in the money market were not propitious," said Mr. Veeder. "He talked so depressed the packers that the idea of the big merger was dropped. In a few months the fears of Mr. Schiff were realized and we had a panic." The witness then described the plight of the packers after the collapse of the plans for the big merger. "They had thirteen packing companies

NEWLY ELECTED PRESIDENT OF THE CHINESE REPUBLIC.



DR. SUN YAT SEN

Young Arapahoe Man Married Upon Train at Lincoln Station (From a Staff Correspondent.) LINCOLN, Neb., Dec. 29.—(Special Telegram.)—Earl Shock of Arapahoe and Miss Rachael Given of Westport, W. Va., were married at 8:45 this afternoon in the vestibule of a Burlington westbound train and departed on the same train for their new home at Arapahoe. The two young people were youthful sweethearts in West Virginia, where both resided until about a year ago, when the young man came to Nebraska to win his fortune. Last Thanksgiving the young woman read a telegram in a home paper that Shock died as a result of inhaling gas, and, of course, was disconsolate. The young man, however, did not die, but recovered, and on learning this the young woman decided the wedding should not be delayed. She agreed to come west for the ceremony, as circumstances prevented Shock's return east. As a result she bought a ticket for Arapahoe and Shock, accompanied by Justice Bruce Fullerton and a marriage license, met the train at Lincoln. The ceremony was performed in the train vestibule, with Earl Eager, manager of athletics at the university, as a witness. The couple went on to Arapahoe, the bride not even alighting from the train, at this place.

La Follette Argues Direct Primaries at North Baltimore

NORTH BALTIMORE, O., Dec. 29.—Senator R. M. La Follette, on his third day of progressive missionary work in Ohio, came here today from Toledo. He stopped about three minutes at Bowling Green, where the senator spoke briefly, saying the time had arrived for the government to be restored to the people. The progressive meeting here was held in a somewhat picturesque environment, in a roughly constructed tabernacle that had been used for a religious revival, having been turned temporarily to political uses. The initiative, referendum and the recall, the progressive movement in Wisconsin and combinations and trusts were again discussed, but the main tenor of his remarks here were on primary elections in government. "The very back bone of the true representative government is direct primary," the speaker declared. "It is the direct participating in the affairs of government by the people through direct primaries for the nomination of candidates." He said old machine politics have always opposed primary elections. "The national republican committee is almost wholly composed of men opposed to the primary principle. In its recent meeting in Washington this committee went on record not only as opposing voluntary primary elections in states where there is no law providing them, but by failing directly to recognize the law in those states that have provided for the election of delegates to the national convention in primary elections."

Colonel Roosevelt Puts Lid on News from His Office

NEW YORK, Dec. 29.—Theodore Roosevelt announced today he would decline to make public in future the names of persons who should call upon him "and anything that they say or do not say." Colonel Roosevelt had nothing to say upon any other topic, he declared. "Gentlemen, I have nothing to say on any subject—not a word," he told the newspaper men. "Nothing to say and not half a minute to say it in." Colonel Roosevelt was asked if he would comment upon the appointment of Henry Clues as assistant to Andrew Carnegie, chairman of the reception committee at the peace banquet tomorrow night. Mr. Clues will take the place which had been reserved for Mayor Gaynor. "I haven't heard of it," Colonel Roosevelt said, "and I have nothing to say." The reception room of Colonel Roosevelt's office was crowded with visitors, many of whom had invitations to call.

WOMAN CLERK OF FEDERAL COURT WILL RETIRE

KANSAS CITY, Mo., Dec. 29.—After nineteen years' continuous service as clerk of the United States circuit court here, Miss Adelaide Utter, who was the first woman to be appointed to a federal court clerkship, will retire January 1. The circuit court will go out of existence at that time, having been merged with the federal district court.

ABDICATION IS MATTER OF DAYS

Empress Dowager and Child Emperor of China Expected to Vacate Throne Soon. MAY FLEE TO THE LEGATIONS They Probably Will Seek Shelter in Foreign Quarter. DR. SEN CHOSEN PRESIDENT Delegates of New Chinese Republic Meet in Nanking. GIVEN OVATION AT SHANGHAI Provisional Cabinet Which Has Been Conducting Negotiations with the Dynasty Lapses.

PEKING, Dec. 29.—The news of the election of Dr. Sun Yat Sen as president of the Chinese republic reached the members of the cabinet by means of the Associated Press this evening. No communication of any nature arrived from Tang Shao Yi, who is at Shanghai attending the peace conference as the representative of Premier Yuan Shi Kai. It is said that the members of the court will remain in Peking until the abdication of the empress dowager and the child emperor are announced, which is considered only a matter of days. It is said that some princes have taken refuge within the foreign concessions at Tien Tsin and it is probable that a secret agreement has been made for the emperor and the empress dowager to take refuge in the legation quarter of Peking. Statement by President Sen. SHANGHAI, Dec. 29.—Immediately following the receipt of word from Nanking that he had been elected president of the republic of China, Dr. Sun Yat Sen handed the following statement to the Associated Press with the request that it be transmitted to his friends in the United States: "I consider it my duty to accept the presidency. My policy will be to secure peace and a stable government by the promptest methods. My aim is to assure the peace and contentment of the millions of my fellow countrymen." The news of Dr. Sun Yat Sen's election to the presidency by the delegates of the eighteen provinces of China proper at their conference at Nanking spread with extraordinary rapidity among the population. Crowds made their way to the house in the French concession in which he has resided since his arrival here. When he appeared he was greeted with an enthusiastic ovation. Great Activity in Shanghai. The city shows evidence of great activity. Members of the provisional cabinet which was formed by Dr. Wu Ting-fang on November 6 and delegates who were sent by both the imperialists and revolutionaries to the peace conference which is now regarded as having lapsed, pass frequently along the street on their way to President Sun Yat Sen's headquarters. It is believed that President Sun Yat Sen will immediately demand the withdrawal of the so-called imperial troops from their strategic position, in order to avoid the possibility of conflict with the troops of the republican government. As soon as this has been effected the armistice now existing will be extended and the Manchurian troops will be ordered to lay down their arms or to enter the service of the republic. As soon as military arrangements have been completed negotiations will be opened on the subject of the pensions to be offered to the former princes and Manchu governors. Sketch of New President. Dr. Sun Yat Sen, who has been elected by the delegates of the eighteen provinces of China, proper, as first president of the Chinese republic, is a native of Canton. He was educated at Honolulu, where his father was in business, and later studied medicine at Canton, afterwards engaging in practice there. He has been connected with the revolutionary movement for a considerable time and took a most radical point of view. He was one of the promoters of a plot to seize the city of Canton in 1906. The plans of the speaker declared. "It is the direct participating in the affairs of government by the people through direct primaries for the nomination of candidates." He said old machine politics have always opposed primary elections. "The national republican committee is almost wholly composed of men opposed to the primary principle. In its recent meeting in Washington this committee went on record not only as opposing voluntary primary elections in states where there is no law providing them, but by failing directly to recognize the law in those states that have provided for the election of delegates to the national convention in primary elections."

RUSSIANS OCCUPY TABRIZ

Banks and European Merchants Will Resume Business Saturday. STORIES OF ATROCITIES DENIED Mortality Among Noncombatants is Not Large—No Foreigners Are Killed, but Many Suffered from Hunger. TABRIZ, Persia, Dec. 29.—The Russian occupation of this city is now complete and practically all the members of the constitutional party have disappeared. The banks and European merchants will resume business tomorrow after passing nine days in a state of siege. There have been no casualties among the resident foreign population, although many have suffered from a lack of provisions while they have been boxed up in their houses during the prolonged street fighting. The Stars and Stripes flying over the United States consulate was cut down by a Russian shell during the fighting, but no further damage was done to the consulate. No precise figures as to the casualties sustained by the Russians and the Persians are available, but it is estimated that the Russian loss amounted to from 100 to 200 men. The mortality among the native noncombatants has not been large and the reported atrocities by the troops on both sides are unfounded. The operations of the Persians were directed solely against the Russians. They showed no resentment whatever against any other foreigners. The disturbances started during the night of December 29 by a collision between a patrol of Russian troops and the Persian constitutionalists in the street. Two Persians were shot in this affair, and fighting throughout the city became general on the following morning. The principal engagements occurred in the neighborhood of the Russian consulate, around the citadel known as "The Ark" and at the Russian camp at Baghi Shemal. No More Troops to Be Sent. ST. PETERSBURG, Dec. 29.—The Russian government does not contemplate the dispatch of any further troops to Persia. The brigade of sharpshooters, consisting of four regiments and comprising about 4,000 men, with four squadrons of Cossacks and a battery of artillery, are considered sufficient to maintain the order in the city of Tabriz. The Russian military commanders have been ordered to co-operate with the Persian authorities in the punishment of the disorderly elements responsible for the attacks on the Russian troops at various places. Safe Conduct for Shuster. WASHINGTON, Dec. 29.—Russia is making preparations for the safe passage of W. Morgan Shuster, Jr., dismissed treasurer according to dispatches received at the State department today from Ambassador Guild at St. Petersburg. Mr. Shuster's party, it is believed, will start from Teheran within a week. The party include Mr. Shuster's wife and two daughters. Crippled Destroyer Towed Into Harbor. WASHINGTON, Dec. 29.—The crippled torpedo boat destroyer Warrington, which was run down off Hatteras in a gale on Wednesday night by an unknown ship, was safely towed into Hampton Roads at 2:30 o'clock this morning by the revenue cutter Onondaga, which also brought the destroyer's crew. Wireless dispatches received at revenue cutter headquarters at 1:50 a. m. announced the Warrington's safe arrival.

Look for Daffydil Contest Page Sunday

Many clever home-grown daffydils will be published with names and addresses of authors. Get into the game. There will be eighteen valuable prizes offered for the following Sunday. Anyone who thinks can write a Daffydil.

SPANISH LOSSES IN FIGHT AT MELILLA ARE HEAVY

MADRID, Dec. 29.—Corrected official advices arriving here from Melilla, Morocco, today show the Spanish losses in the battle with the Rifian tribesmen in Morocco on December 27 to have been more severe than at first reported. There were seven officers and sixty-one soldiers killed and eighteen officers and 200 soldiers wounded. The killed include the colonel of the Melilla regiment and three captains. The captain general of Melilla reports that heavy Rifian reinforcements are arriving from the interior.



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MEXICO CITY, Dec. 29.—His first night in the military prison here did not appear to depress General Bernardo Reyes much. He slept in the room of the sub-director of the Santiago prison and he was granted all that was necessary for his comfort. He ate a good breakfast today. Among early callers was his nephew, Ignacio Reyes, who brought a supply of clothing, having previously secured permission from President Madero. Tears sprang to the eyes of the general as he embraced his nephew. General Reyes will be formally put on the disposition of the military judges today, although it will be some weeks before the actual trial begins. An official of the department of justice expressed the opinion today that the penalty meted out to General Reyes will be about three years in jail. CUERNAVACA, Mexico, Dec. 29.—A sharp engagement between fifty federal sappers supported by a small detachment of rurales and 200 Zapatistas in a mountain pass ten miles east of this city, resulted in the rout of the Zapatistas. Three rebels were killed. An official report of a battle in the same vicinity on December 27 says sixteen rebels were found dead on the field.

Girl Loses Voice When She Comes to Home in Nebraska

BOULDER, Colo., Dec. 29.—The case of Miss Edna Clark, a student in the state university here, who has lost her voice on three consecutive occasions when she visited her home in Diller, Jefferson county, Nebraska, is said by physicians to be one of the most peculiar cases of its kind on record. Miss Clark left Boulder last Saturday for Nebraska, arriving there the next afternoon. She had been home but a local organ almost entirely and could not speak above a whisper. She returned here today. She said she believed she would regain entire control of her voice within two weeks. When she returned home on the two previous occasions she had practically the same experience.

Dewey Asks for Four Warships Each Year

WASHINGTON, Dec. 29.—Peace, but with four new battleships each year to assure it is Admiral George Dewey's wish for the future of the United States in its foreign relations. As head of the general naval board the admiral recommends that four new men-of-war be built, but an effort probably will be made in congress to cut the number down to two. "The United States should build four new battleships this year to keep up the efficiency of the fleet," the admiral is quoted as saying. "I am for peace, but peace with four more battleships as an assurance that it will be maintained. It always is possible that there may be some quarrel among nations as to just how peace ought to be brought about. Such a thing even happens at peace banquets."

OFFER OF OIL STOCK MADE TO KANSAS OFFICER

CLEVELAND, Dec. 29.—S. H. Garrett, Toledo (Kan.) agent of Charles A. Sandall and Albert S. Griffin, on trial in the federal court here for alleged misuse of this to defraud, today testified that stock of the Sterling Oil company had been offered to J. N. Dolley, state bank commissioner of Kansas, for his endorsement of the company. Griffin, on the stand before Garrett was called, testified that Dolley consented to go to Oklahoma to inspect their properties, but refused to do so the day before the party was to start.

NEW BRIDGE ACROSS MISSOURI IS OPENED

KANSAS CITY, Mo., Dec. 29.—When Harlem bridge, Kansas City's new \$2,000,000 structure across the Missouri river, was opened today, the first man to pass over it was Christus W. Frounhold, "professional first crosser of bridges." Frounhold performed a similar service for the Eads bridge in St. Louis, Mo.

STATE BAR FAVORS CHANGE

Suggests Some Radical Differences in Court Procedure. ONLY MATERIAL ERRORS COUNT Lawyers Agree that This Only Should Be Cause for Reversal—Jury Commission for Omaha—Roscoe Pound Endorsed. (From a Staff Correspondent.) LINCOLN, Dec. 29.—(Special Telegram.)—The Nebraska Bar association today endorsed Roscoe Pound, formerly of this city and now professor of law at Harvard university, for a position on the United States supreme bench, made vacant by the death of Justice Harlan. The association also went on record as favoring some radical changes in judicial procedure in Nebraska. The report, which was adopted, was brought in by the resolutions committee composed of Howard Kennedy of Omaha and E. J. Clements and T. J. Doyle of Lincoln. The recommendations were for a revival of the office of district attorney, the reduction of the number of peremptory challenges in criminal cases, the defendant being allowed the same number as the state, which is to have the same number as at present; the enactment of a statute directing courts to disregard technical errors or defects, and that no judgment shall be reversed that does not affect the substantial rights of the defendant; the appointment of a jury commissioner in Omaha, the endorsement of civil actions by original notice, and five-sixths of a jury in civil cases to render a verdict. There were some objections to all the proposals except the one that nothing but material error should be ground for reversal by the supreme court, and on this there was unanimity. The other recommendations, however, were finally adopted. Paul L. Martin, dean of Creighton law school discussed the "Trained Lawyer." In his address, declaring the bar had lost much of its old time prestige and that only more strict requirements for admission could restore it. The report of the committee on education was also the same time and it is adopted, candidates will have more strenuous time than at present. If the new regulations are adopted the applicant must have had four years in high school, at least one year in a law school in addition to private study which will enable the candidate to pass the examination. The annual meeting of the association concluded with a banquet at the Lincoln hotel, at which there was a large attendance.

Lemon Growers Are Given Lower Rate

WASHINGTON, Dec. 29.—American lemon growers today won a signal victory over foreign competitors and the transcontinental railroads when the Interstate Commerce commission reaffirmed its previous order, upset by the new commerce court, reducing freight rates on lemons from California to all other points in the United States from \$1.15 per 100 pounds to \$1. The fight over the lemon rates has been in progress since 1902 and originally involved the question of competition with Sicily. It has bitterly fought and become one of the first causes of conflict between the Interstate Commerce commission and the new commerce court. When the commission originally ordered the reduction its order was stopped by the commerce court, which held the commission had no right to take into consideration the question of foreign competition and remanded the case for rehearing. The decision given today holds the rate of \$1.15 unreasonable and unjust irrespective of the question of competition, and orders the carriers to make effective the lower rate on February 15. The case was brought in the name of the Arlington Heights Fruit exchange against practically all the transcontinental lines.

SEE IS DENIED MOTION TO VACATE SENTENCE

CHICAGO, Dec. 29.—Another avenue of escape from the penitentiary was closed today to Evelyn Arthur See, leader of the "Absolute Life" cult, when Judge Honore in the criminal court denied a motion to vacate the prison sentence imposed after See had been found guilty of contributing to the delinquency of a minor. See is a 17-year-old disciple. His order is to be asked by See's attorneys from the state supreme court.

MARKS REFUTES MABRAY'S STORY

Denies He Received Money from Chief Miker or that Sent Message by Wire. DEFENSE RESTS SUDDENLY Arguments Probably Will Be Reached Early Today. MRS. MARKS GIVES TESTIMONY Mabray Often Came to Their House, She Says on Stand. TALKED LUMBER PROPOSITION Had Secret Process to Treat "Sugar" Pine So that it Would Resemble Mahogany and Was Promoting It.

The Marks case in Council Bluffs unexpectedly gave evidence of nearing its close before adjournment of court by the defense announcing that it would rest its case. Attorney General Cosson said the state probably would not offer evidence in rebuttal, but reserved the right to do so. He said that any such evidence would require but a few minutes to present. It is believed the case may be argued by both sides today and given to the jury tonight even though a night session may be necessary. Mr. and Mrs. Marks, who testified yesterday, told of visits of Mabray to the Marks home on several occasions in 1907 and 1908. Both testified that Mabray made efforts early in 1907 to interest Mr. Marks in southern timber lands, and a secret chemical process by which "sugar" pine could be transformed into a valuable timber product. Mrs. Marks was the first witness and testified that she was present at all of those interviews, and that during that period, owing to the precarious condition of her husband's health, she took charge of practically all of his business affairs. She said they were equal partners and that when Mabray made a proposition to do further business responsibilities she vigorously objected. She asserted her husband took no interest in the scheme, but that Mabray very persistent, urging her husband to buy the lands and to investigate the secret chemical process that would transform the pine into something resembling mahogany and prevent it from warping. Mrs. Marks detailed several visits in which all of the conversations pertained to lands and timber. She said Mabray came again in the spring of 1908 with the same object and received the same refusal. Then, later in the same year Mabray came to the house and sought to sell Marks his automobile, saying he wanted to get another and larger car. She told of her husband refusing to buy with Mabray in the car at Mabray's request to show the car, and that he was gone about an hour and a half. Mrs. Marks described the physical condition of her husband, asserting that he was seriously ill in 1908. She said his health had been steadily falling since he underwent an operation for cancer in 1906, and that his condition prior to his being taken to the Edmondson hospital in Council Bluffs on May 25, 1908, was such that an operation for gall stones could not be performed until June 25. On cross-examination she denied Mabray's story about the arrangements of the rooms in the Marks home, which Mabray described after declaring he had been in the house more than 100 times. Mrs. Marks declared that Mabray never said he wanted any money on any of his visits. He was introduced to her as Mr. Mabray, and was always called Mabray when he visited them. The number of visits was fixed at less than half a dozen in 1907 and three or four in the following year. Attorney General Cosson asked: "You might have been called out of the room to give directions to the girl might you not and not have heard all of the conversations?" "No, for I'm the girl," quickly responded Mrs. Marks. "But Mr. Marks often had business transactions buying stock for the farm in matters of that kind you could not have known much about the business?" "Why not? I certainly did as much of the business as my husband. His health made it a necessity," responded Mrs. Marks. Mrs. Marks said her husband never talked of any gambling when it was permitted in the town. The testimony of Mr. Marks was along the same lines and he denied every charge made against him by Mabray and all the assertions made by the state's witnesses. He said Mabray never paid him any money. He said at the date one of the alleged telegrams was sent to Mabray at Kansas City he was dangerously ill at his home. He corroborated all his wife's testimony. Marks told on cross-examination of all of his connections and interests in gambling houses in Council Bluffs during the twenty years they were permitted to run under license. He owned a half interest in the Hoffman house, where the

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 get 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; continued cold. For Iowa—Snow; cold west and central portions; colder east portion. Temperature at Omaha Yesterday. Hour. Deg. 5 a. m. 26 6 a. m. 26 7 a. m. 26 8 a. m. 26 9 a. m. 26 10 a. m. 26 11 a. m. 26 12 m. 26 1 p. m. 26 2 p. m. 26 3 p. m. 26 4 p. m. 26 5 p. m. 26 6 p. m. 26 7 p. m. 26 8 p. m. 26 9 p. m. 26 10 p. m. 26 11 p. m. 26 Comparative Local Record. 1911. 1910. 1909. 1908. Highest yesterday 27 27 4 54 Lowest yesterday 18 -9 29 29 Mean temperature 17 22 -2 44 Precipitation .00 .00 .00 .00 Temperature and precipitation departures from the normal: Normal temperature 32 Deficiency for the day 6 Total excess since March 80 Normal precipitation .60 inch Deficiency for the day .60 inch Excess since March 19.12 inches Deficiency since March 1.13 inches Excess for period 1909-1911 14.88 inches Excess for period 1909-1911 4.88 inches Reports from Stations at 7 P. M. Station and State Temp. High-Rain-Weather. P. M. cor. fall. Cheyenne, part cloudy, 2 10 4 Davenport, clear, 2 10 4 Denver, clear, 0 4 7 Des Moines, snowing, 2 10 7 Dodge City, clear, 12 18 0 Lead, cloudy, 2 10 0 North Platte, clear, -4 -10 0 Omaha, snowing, 7 20 0 Pueblo, clear, 7 20 0 Rapid City, clear, -12 -14 7 7 indicates trace of precipitation. - indicates below zero. L. A. WELSH, Local Forecaster.