

JURY TAKES CASE AGAINST PACKERS

Counsel Makes Scathing Arrangement of Defendants in Delayed Closing Address.

JUDGE LAYS STRESS ON DOUBT Instructs Jurors to Put Self-Respect Above Speedy Verdict.

TRIAL LASTS THREE MONTHS Attorney Insists Government Has Proved Assertion.

COURT READY FOR VERDICT Judge Carpenter Remains in Room Awaiting Decision of Jurors Until Ten O'Clock at Night.

CHICAGO, March 25.—The case of the ten Chicago packers who the government charges have violated the criminal section of the Sherman anti-trust law, went to the jury late today.

The closing argument, delayed since Friday by the illness of a juror, was delivered today by Special Counsel Pierce Butler for the government and was a scathing arraignment of the acts of the packers.

The counsel repeatedly asserted that the government had established its case beyond question.

Instructions from United States District Judge Carpenter held the jurors' attention for more than an hour. A short conference between counsel and court followed, and at 4:30 the jury retired to consider its verdict, which will bring to a close a trial which has lasted since December 4, 1911, more than three months.

Instructions to Jury. Judge Carpenter's first charge was an interpretation of the Sherman act. Following this he instructed the jury regarding the exclusion of certain testimony which was given concerning one group of the defendants and did not apply to the other.

Judge Carpenter laid great stress on the doctrine of reasonable doubt to be exercised by the jury in determining the guilt or innocence of the defendants. In concluding his instructions the court said: "Gentlemen, do not sacrifice any self-respect in order to reach a speedy verdict."

Judge Carpenter announced that he would remain in his court room awaiting a verdict until 10 o'clock tonight.

That Armour & Co., Swift & Co. and Morris & Co. have today just as effective a monopoly of the meat business of the country as though their proposed "billion-dollar combine" had been created was the contention in substance of Attorney Butler's closing argument.

NORWOOD APARTMENTS ARE TO BE SOLD TODAY

The Norwood apartments, 2322-24-26 Harney street, will be sold today by Mrs. Minnie R. Swan, 3015 North Twenty-first street, for the sum of \$18,150.

The deal, which has been impending for the last week, will be consummated with the passing of the deed from Samuel Mandelson today. The Norwood is one of three apartment houses between Thirty-third and Thirty-fourth street on Harney street owned by Mandelson. They are two stories high and of brick.

Mrs. Swan is making the purchase through the Glover Realty syndicate and wants the apartments as an investment.

HOUSE DEMOCRATS CALL CAUCUS ON THE NAVAL BILL

WASHINGTON, March 25.—The call for the caucus of house democrats to consider a naval program was issued today, but the situation was complicated by the inclusion in the call of consideration of a public buildings measure. The caucus is set for Wednesday night and a heated fight is expected. The agreement to include public buildings was reached after careful consideration by house leaders, but a majority of the house is said to be opposed to the passage of another "pork barrel" measure at this session.

The Weather

For Nebraska: Generally fair, colder east portion Tuesday.
For Iowa: Generally fair, except unsettled east and north portions.
Temperature in Omaha Yesterday.

Table with 2 columns: Time and Temperature. Rows include 5 a.m., 6 a.m., 7 a.m., 8 a.m., 9 a.m., 10 a.m., 11 a.m., 12 m., 1 p.m., 2 p.m., 3 p.m., 4 p.m., 5 p.m., 6 p.m., 7 p.m., 8 p.m., 9 p.m., 10 p.m., 11 p.m., and Comparative Local Record for 1912, 1911, 1910, 1909.

The National Capital

Monday, March 25, 1912. The Senate. Final consideration begun of Stephenson election case; vote probable by Wednesday.

The House. Met at noon and adjourned at 12:30 p. m. out of respect for the memorial of the late Representative Bingham of Pennsylvania.

Representative Jackson urged before the Interstate Commerce committee his resolution for investigation of all fire insurance companies, declaring they had the country "by the throat."

Interior department expenditures committee decided to investigate the Indian bureau, hearings to begin next week.

French Automobile Bandits Kill Driver and Steal His Car

PARIS, March 25.—The automobile bandits who in February terrorized many districts of France by carrying out an extraordinary series of crimes, have perpetrated during the last few days a fresh series of daring crimes which reached their climax this morning in a murder on the public highway between Ville Neuve-St. George and Paris.

A gang of four bandits, who occupied a private motor car to stop. When the chauffeur refused the highway men shot him dead and wounded the occupant of the car.

After throwing the body of the chauffeur into a ditch the bandits entered the automobile and drove towards Paris.

Public opinion is greatly aroused on account of these audacious attacks in the vicinity of the capital. The bandits in the meantime are employing most impudent tactics. The police today received a sheet of paper on which was stamped what purported to be copies of their fingerprints. These were naturally fictitious, and it is rumored in some quarters that the bandits will soon visit police headquarters and shoot several of the officials.

It was reported that the automobile bandits had been captured on February 29, when two anarchists were arrested at Pontoise about nineteen miles northwest of Paris, after attempting to assassinate a wealthy lawyer and rob his residence, but these evidently were at most only a part of the gang.

In February the bandits shot down and robbed a bank messenger by daylight in the streets of Paris, and also killed a policeman in front of the Saint Lazare terminus, shooting him from the window of their automobile.

A band of brigands hearing all the appearance of being the authors of this morning's holdup, arrived in an automobile at Chantilly, the racing center, today. Four of the men, armed with revolvers, entered the local branch of a Paris bank, where they shot the cashier and another employe dead, seriously wounding a third man and escaped with \$2,000 in notes.

Proposed Increase in Rates on Feeders is Not Justified

WASHINGTON, March 25.—The Interstate Commerce commission decided today that the proposed increase of 25 per cent in the transportation rate on "feeder" cattle and sheep made by all the western railroads was not justified. The commission expects all of the carriers to cancel the proposed advance by April 15. If they should fail to cancel them voluntarily the commission will issue a peremptory order.

Existing rates on "feeder" cattle are approximately 75 per cent of the rates on fat cattle. The railroads contended this low rate was a "gratuity" which they could withdraw at will.

Woman Kills Girl and Herself After Writing to Coroner

SAN FRANCISCO, March 25.—Cremate the remains of my daughter and myself and deposit the ashes in the same casket. I have kissed her good night and will now turn on the gas. I am sick and without relatives and cannot leave my daughter to the mercy of the world.

When coroner Leland opened his mail today he found the above message, and upon investigating, discovered Mrs. A. Morse and her 13-year old daughter, Ethel, dead from asphyxiation in an apartment house. The woman had mailed the letter to the coroner Saturday and it is believed the deaths occurred that night. Mrs. Morse left no Chicago addresses.

WOULD IMPROVE THE SOCIAL CONDITIONS HERE

A civic federation—for promoting better social conditions for Omaha has been started by the Frances Willard Temperance union. The idea is to get the cooperation of all the women's clubs and societies of the city and hold a mass meeting to stir up enthusiasm. Mrs. Clara E. Burbank, chairman; Mrs. George Covell and Mrs. C. J. Roberts form the committee of the union working on the matter.

EVANSTON ELOPERS ARE MARRIED AT OGDEN

EVANSTON, Wyo., March 25.—(Special.)—Richard Zufeldt and Miss Brown, a sister of the local deputy sheriff and Carl Wall and Miss Minnie Stevens, all under the age of consent, were apprehended at Ogden at the request of their parents, who wished to prevent their marriage, but the officers were too late, the marriage ceremony having been performed. The disappointed parents have relented and will welcome the elopers home again.

ILLINOIS WILL HAVE PRIMARY

Governor Deneen Will Call Special Session of Legislature to Pass New Law.

NECESSARY VOTE IS IN SIGHT Two-Thirds of Members Agree to Support the Measure.

BECOMES EFFECTIVE AT ONCE Will Provide Preference Vote for President April 9.

PRIMARIES IN NEW YORK TODAY Up State Districts Will Elect Eighty-Six Delegates to National Republican Convention at Chicago.

SPRINGFIELD, Ill., March 25.—Governor Deneen today ordered a call issued for a special session of the legislature to act on a proposed presidential preference primary bill. The session will begin late tomorrow.

Some time ago the governor announced that if two-thirds of the legislators will agree to pass such a bill, he would call a special session, and it became known today that the necessary number was willing.

To make the law effective in time for the primaries April 9, as an emergency measure, the bill would require the affirmative votes of two-thirds of the legislators.

In a statement made public with the call for the special session Governor Deneen declared that aside from the presidential preference primary question there is need for an extraordinary session of the legislature.

Among the subjects which he deems necessary for the state legislators to take action on in the near future are appropriations for the repair of the state capitol and the state fair buildings, injured in the Springfield cyclone, the amendment of the insurance laws and the validation of the appropriation for the University of Illinois Medical school, which was recently declared by the state supreme court to have been improperly passed and therefore void.

Failure to print and read all the sections of the appropriations act in the last general assembly was the point on which the medical school bill was attacked.

Governor Deneen said that if other laws were found to come under the ban of the supreme court decision they would be added to the call.

It is the idea of the governor that the general assembly shall pass the preferential primary act and then recess until a more convenient season to consider the other matters covered by the call for the special session.

Primaries in New York Today. NEW YORK, March 25.—Active preparations were made today for the New York state primaries to be held tomorrow. Chief interest centers in the choice of eighty-six republican district delegates to the Chicago national convention, making up the entire representation of New York state except the four delegates-at-large, who will be chosen later at the state convention at Rochester.

Of the nineteen up-state districts there are contests in only two districts—the Twenty-sixth and Thirty-third.

Most of the contests are in New York City. Out of fourteen districts in Manhattan there are contests in thirteen districts. Brooklyn with its eight districts has a contest in only one district, the Ninth. One of the suburban districts, the Second, also has a contest.

Democratic primaries also will be held, but the delegates chosen will be to the state convention and not to the national convention, under the privilege given by the primary law.

District Conventions in Indiana. INDIANAPOLIS, Ind., March 25.—Four district conventions this afternoon and a state convention in this city tomorrow will go far toward deciding the close contest between the Taft and Roosevelt factions for a majority of the Indiana delegation of thirty to the national republican convention. The Third, Fourth, Fifth and Eleventh districts today are to elect two delegates each, and at tomorrow's convention four delegates at large will be chosen. Other district conventions are to follow.

Unofficial returns from ward and township primaries or meetings show the Taft faction will have a majority of about 150 in the state convention and will carry eight of the thirteen districts. But margins are so narrow in many districts certain decisions must wait on the results of the conventions, and the Roosevelt managers are claiming eight districts and the state convention.

Two Taft Delegates in Michigan. MARQUETTE, Mich., March 25.—Republicans of the Twelfth Michigan district, at Ishpeming, today elected two delegates to the Chicago convention and instructed them for Taft.

T. R. ANNOUNCES ITINERARY

Colonel Will Go Through Iowa on the Burlington.

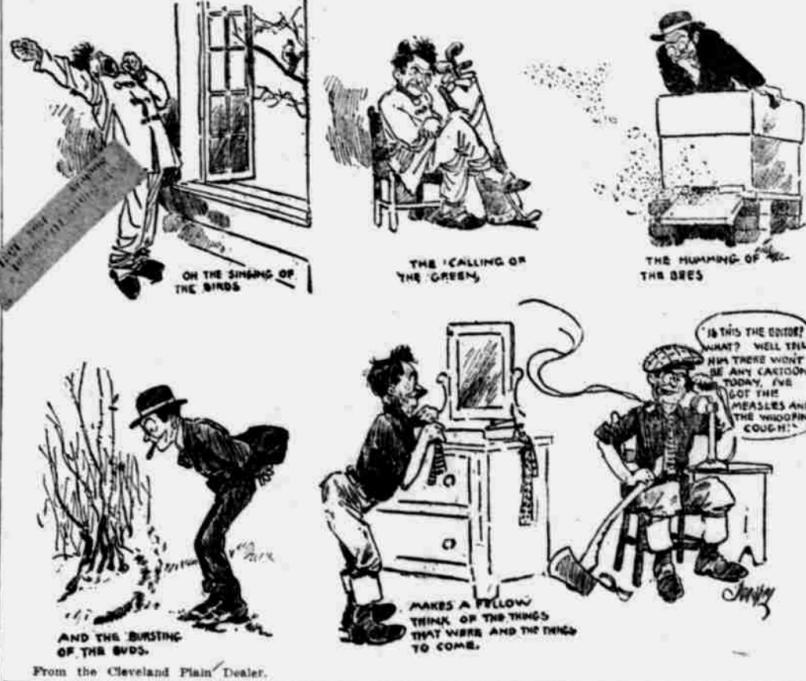
NEW YORK, March 25.—The itinerary for Colonel Roosevelt's trip through the central west this week was completed today. It concludes with a visit to Detroit in addition to the points named in the first announcement of the trip.

Colonel Roosevelt will leave New York tomorrow at 5:34 p. m. over the Pennsylvania railroad and will reach Chicago Wednesday at 3 p. m. In the afternoon he will hold a reception to several precinct committeemen in Chicago. In the evening he will deliver two addresses, one in the downtown section and the other on the west side. The colonel will leave for St. Louis at 11:45 p. m. by the Chicago & Alton railroad.

On his arrival in St. Louis at 7:36 a. m. Thursday Colonel Roosevelt will be met by a committee from the Million Population club. After meeting the leaders in the Roosevelt movement in Missouri and taking an automobile drive through the city Colonel Roosevelt will attend a dinner of the Million Population club. In the evening he will address a mass meeting in the First regiment armory and later a gathering of negroes. At 10:30

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How Can You Blame Him?



PLATTE HIGH AT FREMONT

River Rising Slowly and Big Flood is Expected.

DYNAMITE IS FREELY USED Large Gangs of Men Breaking Up Ice Masses—Railroads Prepare to Protect Their Bridges in State.

The Platte river rise is inundating low fields in the vicinity of Fremont between Fremont and North Bend and from a point four miles west of Fremont to a point four miles east of the city.

For the first time since the flood five years ago the old channel between Murphys and Fremont south of Fremont is carrying water. Several farmers have left their homes and the dozen families residing on Fremont island have gone to that city.

Last night gangs of dynamiters were working incessantly to prevent the formation of ice gorges. Quantities of sacked sand were scattered along the dikes and the levees south and west of Fremont for use in case of an emergency.

Late last night the ice was still intact and the water was slowly rising. It is freely predicted that the Platte river will do much damage east and west of Fremont. The city is protected by levees and will probably escape.

Missouri Pacific Prepared. The Missouri Pacific is prepared to cope with floods, according to Mr. Higgins of St. Louis, assistant to the general manager. Mr. Higgins is in town and gives it out that at every point where there is a bridge over a stream of any size, quantities of dynamite is stored to be used in breaking up the ice. In each instance, the ice will be thrown before the levee begins to move, thus shattering it into fragments before the flood can reach the piers or the bridges.

Reports to the Union Pacific are to the effect that the Blue river for a distance of seventy-five miles south of Beatrice is covered with ice and that it has passed out of the stream without destroying or damaging any of the railroad, or wagon bridges over the stream.

Snow at Kansas City. Tom Hughes, traveling freight and passenger agent for the Missouri Pacific spent Sunday in Kansas City, watching the heaviest snow storm that he ever saw. While it was clear, calm and bright in Omaha all Sunday, Kansas City was in the grip of the hardest storm of the winter, according to Mr. Hughes. The storm set in Saturday night and when it ceased Sunday forenoon, snow had fallen to a depth of two feet, completely demoralizing traffic for 100 miles around Kansas City.

Ice in the Missouri. There is a slight rise noticeable in the Missouri river at this point, but the ice continues to hold solid, except for a distance above the Douglas street bridge and along the west bank of the stream. Carter and Florence lakes are covered with water to a depth of several inches, but beneath the ice is solid and eighteen to twenty inches thick.

Some Ice Breaks. The first sign of a break-up of the ice in the Missouri river in this vicinity occurred Monday forenoon just below the Illinois Central bridge in East Omaha. There a field of an acre or more of ice on the north side of the channel heaved and cracking loose from the main body swung out into the north channel that has been open a greater portion of the winter.

For a few minutes the ice field moved down the river, going a couple of hundred yards. One corner caught on a sand bar and swinging about, the entire field veered to the north, striking the shore, soon disintegrating and going to pieces, floating away in small chunks.

Under the Illinois Central bridge the river is open nearly one-half the distance from the north shore.

Mississippi Rising Rapidly. ST. LOUIS, March 25.—Further floods along the Mississippi river were imminent this morning, because of the rising temperature which followed yesterday's heavy snow in this state, Kansas and Illinois.

The river was rising slowly here and stages were advancing rapidly at points above St. Louis, while the rivers are bank-full everywhere. The Illinois is at flood stage, for most of its length and serious overflows are expected.

The Missouri is rising rapidly at Fulton, Mo., and there is anxiety over its stage.

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Eastern Railroad Engineers Refused Increase in Pay

NEW YORK, March 25.—Fifty railroad engineers, practically all the lines east of Chicago and north of the Norfolk & Western, today refused to grant an increase in wages demanded by their locomotive engineers.

The engineers' demand, presented on January 22, was for an increase amounting to about 19 per cent a year. The railroad's refusal is based on the assertion that they are financially unable to bear the increased expense.

The railroad in their reply pointed out that the proposed increase will amount to \$7,265,792 annually, which would be equivalent to placing on their property a lien of \$108,944,518 of 4 per cent securities which would have preference over first mortgage bonds, "and to just that extent would lessen the ability of the roads to make the improvements necessary to increase the efficiency of their services and to insure greater safety to the public and employees."

At the conclusion of the conference of the locomotive engineers this afternoon it was announced that they would not recede from their position in their demand for increased wages. It is likely that another joint conference may be held.

Texas-Louisiana Rate Case Will Be Appealed to Court

WASHINGTON, March 25.—Resort to the courts will probably be made at once for a review of the decision of the Interstate Commerce commission announced yesterday in the Texas-Louisiana rate case. The commission laid down the doctrine in this decision that interstate railroads which put into force low rate rates must adopt equally low interstate rates for traffic moving under similar conditions. It is believed that the case will ultimately be taken to the supreme court of the United States for a final adjudication on the possession of power claimed by the commission.

Joseph Seidel and Mrs. Hunning Placed on Trial for Murder

ST. LOUIS, Mo., March 25.—When the case of Joseph Seidel and Mrs. Annie Hunning, charged jointly with the murder of the woman's husband, Martin Hunning, was called in the circuit court at Hillsboro, Mo., today, attorneys for the defendants obtained a continuance until late in the afternoon. A notice was served that a change of venue will be asked. Hunning was shot and killed December 9, 1911. His wife was in the house at the time with her husband. The shot was fired through a window.

Five Piano Makers Are Sent to Jail for Contempt of Court

CHICAGO, March 25.—Found guilty of having violated a circuit court injunction restraining them from using a certain trade name in connection with pianos, John V. Steger, the president, and four other officials of a piano manufacturing company were held in contempt of court today by Judge Scanlan and sentenced to serve terms of from three to seven days each in the county jail.

Fiance of Miss Mercy Testifies

CHICAGO, March 25.—Warren E. Herndon, fiance of Miss Esther Mercy, the young woman suing Dean Marion Talbot of the University of Chicago for \$100,000 damages for alleged slander, occupied the witness stand in the trial today, but attempts to have the witness tell incidents of his life, particularly about his divorce, were blocked by the court declaring such matter not relevant.

Miss Mercy, recalled to the stand, asked if she had not sought to have a vandevelde sketch written for her, said: "I tried to get the sketch because I was hungry and wanted to get some money to fight this case."

WILEY RESOLUTION IS SHELVED BY THE SENATE

WASHINGTON, March 25.—Senator Martine's resolution expressing the regret of the senate over the retirement of Dr. Wiley as chief chemist of the Agricultural department was shelved by the senate today. The New Jersey senator moved its adoption, but Mr. Martine of Virginia offered a substitute referring the resolution to the committee on agriculture and the substitute prevailed. There was little debate. Mr. Martine expressed the opinion that the senate should not go on record on such a subject.

ELECTION STIRS DES MOINES

Nearly All Voters Take Part in Battle for City Officers.

MACVICAR OPPOSED BY ROE Two Forces Engaged in Contest for Control of Municipal Politics—Hanna's Election Ceaseless Over Duhiag.

(From a Staff Correspondent.) DES MOINES, Ia., March 25.—(Special Telegram.)—Business was almost suspended today while a hot city election was in progress. Interest in a city election was never greater and almost every vote in the city was got out. The fight was largely personal, as required to be under the commission plan of government, but in a general way it was a contest between two forces, one led by Councilman MacVicar and the other by Councilman Roe. The contest for mayor was not lively, as it was conceded that Mayor Hanna would be re-elected over Dr. Duhiag. While there was much interest in the election, there were no disturbances and it is believed fraudulent voting was of small importance.

No requests from other political parties have been made for this manner of making up the ballot. The primary law does not authorize this department to issue a sample ballot.

New England Textile Workers Are Given General Raise in Pay

BOSTON, March 25.—More than 120,000 textile operatives in New England received a general advance of wages today when the increase announced recently by many cotton and woolen manufacturers went into effect. The advances varied from 5 to 10 per cent, but with the exception of the 45,000 persons employed in the mills owned by the manufacturers of Fall River, where a 10 per cent raise has been granted, the operatives will not know the exact amount of their increase until payday.

Several hundred operatives at the Appleton cotton mills at Lowell, struck today because the management would not increase wages more than 7 per cent.

LOWELL, Mass., March 25.—Two thousand persons were made idle and the Appleton cotton mills were forced to shut down today by a strike which the Industrial Workers of the World are endeavoring to extend to all of the 20,000 operatives of Lowell as a protest against the new wage schedules which provide for advances varying from 4 to 10 per cent. The strikers ask for an increase in wages ranging from 15 to 20 per cent.

J. C. Mabray Charged With Vagrancy

KANSAS CITY, Mo., March 25.—John C. Mabray, former head of a syndicate of swindlers, who was arrested for investigation by the local police, later released and "given hours" to leave town, today defied the police and declared he would remain here.

"All right," said Chief Griffin, "then I will book you on a vagrancy charge." Mabray's friends declared they would apply for a habeas corpus writ.

Battle Near Jimenez Lasts for Four Days

JIMENEZ, Mexico, March 25.—9:30 a. m.—Fighting between the rebels and government forces was resumed today near Cuernavaca. The superior insurgents force seems to have the federals surrounded. Soldiers of both sides nearly are exhausted, as this is the fourth day of battle.

Water and food are scarce and the hot sun and dust add to the severity of the strain. Last night another trainload of men reinforced the insurgents.

WAIT DRAWS UP PRIMARY BALLOT

Makes Suggestion to County Clerks About Manner in Which the Tickets Be Printed.

UP TO OFFICIALS TO ACT Law Provides for No Instructions to Minor Officials.

DEAN WITHDRAWS AS POPULIST Only One Elector Now Running with Two Endorsements.

CURRIE ON BEHALF TAFT LEAGUE Making Plans for Fisher Meetings at Omaha and Lincoln—Westover Protest is Too Late.

(From a Staff Correspondent.) LINCOLN, Neb., March 25.—(Special Telegram.)—Just as the copy for the primary ballots was ready to be mailed to the county clerks this afternoon Secretary Wait received from J. R. Dean a withdrawal as a populist candidate for elector-at-large, but he remains on the ticket as a democrat candidate for the same office. This leaves only one elector, both of the Fifth district, running as both democrat and populist. Accompanying the list of candidates Mr. Wait sent the following concerning the candidates for delegates to the national convention:

"There are two sets of republican presidential electors, sixteen on the certificate, eight to be nominated; also two sets, eight delegates-at-large, four to be nominated and two sets, fourteen to be nominated and a like number of alternates. The first four in the list of delegates-at-large are endorsed by the Taft State league, and the last four endorsed by La Follette-Roosevelt State league.

"All republican delegates and alternates are pledged to vote in the national convention for the candidate for president receiving the highest number of votes at the primary.

"It has been suggested that the delegates be designated on the ballot as to their choice for president. I think the better way, however, would be to write the names in four, instead of singly, of the delegates and alternates-at-large, and in two of the district delegates, thus keeping together the two sets as endorsed by the separate leagues. I have no authority in the matter or instructions to give you, and as the primary law does not cover the situation, it is up to you to use your own discretion. The above plan might in some instances add a voter in making his choice for delegate.

"No requests from other political parties have been made for this manner of making up the ballot. The primary law does not authorize this department to issue a sample ballot."

Westover Protest Late. In regard to the protest made against the petition of Judge Westover, he said that as it was not filed within three days after the filing of the petition he could take no notice of it; in fact those who made it, he said, did not appear to be anxious to push the matter. Jerry Howard, who had charge of the petition in South Omaha, says that the names copied in one handwriting were obtained in the packing houses and a sthe men had their hands greasy, they requested the man carrying the petition to do the writing for them.

Many Meetings Scheduled. Secretary Currie of the State Taft League, has arranged for two meetings for Secretary of the Interior Fisher, one to be in Omaha and the other in Lincoln. He had hoped to obtain him for five meetings, but could not do so. Frank Harrison has received word from Senator A. Follette that he will be in Nebraska April 2, but the senator does not say how many speeches he will make. Until that is decided no dates will be made for him. The Roosevelt followers are urging the colonel to come to Nebraska and altogether things promise to be lively in the republican camp.

The democrats are likely to be just as busy, for Ed H. Moore, the general manager of the Harmon campaign, is coming to the state and the friends of Wilson and Clark are in active eruption. In fact they are so busy whacking each other that they appear to be in danger of forgetting all about the voters in the primary.

House Talks of Plans. Walter L. Houser, general manager of La Follette's campaign, this afternoon indicated the basis of his hope for his candidate. He said there would be contests

(Continued on Second Page.)

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