

ROSS DEFENDS WATER FILING

Gives Testimony at Hearing Before State Board of Irrigation at Lincoln.

CHARGES OF BAD FAITH MADE

Kountze Brothers Declares Ross Agreed to Do More Than Able.

REPLY IN KIND FROM ROSS

His Attorney Insists Full Payment Was Not to Be Made.

WHY STOCK SALE FELL THROUGH

J. H. Meier Testifies He Owns 1/2 of Stock, and Being in Employer of Doherty Company Blocks Kountze Deal.

(From a Staff Correspondent.) LINCOLN, Neb., March 27.—(Special.)—Charles Ross was on the stand today in his own behalf in the hearing of the project made by Kountze brothers against his water power filing on the Platte and Elkhorn rivers. The whole tendency of his testimony was to show good faith on his part in making the filing, following it up with work to protect his rights and efforts to finance the project, and also to show bad faith on the part of representatives of Kountze brothers in making their filing through William Coad and also in the negotiations to buy the rights of Ross and his associates.

The cross-examination of Ross by L. N. Congdon, attorney for Kountze brothers, was directed to attempt to show that not enough work had been done on the project to keep it alive, and also that in the negotiations for the sale of the rights of himself and associates he had contracted to deliver a percentage of the stock of his company which he could not deliver when the time came to make good on the option contract.

Ross as Promoter. On direct examination Ross detailed how when he made his filing he gave some stock in his company to Craig and the heirs of Andrew Rosewater to clear any cloud which their previous filings might have cast on his rights and also the details of his plan. He testified that in April, 1911, he went to F. H. Davis of the First National bank and gave him figures showing the plant was capable of earning \$100,000 net per year and on that basis was capitalized at \$4,000,000, of which Davis was to receive 50 per cent for floating the company.

The dealings with the Farwell Trust company of Chicago and others were detailed and then the entrance of Kountze brothers through the medium of Lester. The details of the negotiations with Lester were recalled substantially as by Lester himself on the day before, the principal point of difference being that—Lester sought to show by the witness that he was not able to deliver the 50 per cent of the stock in his company as provided in the option contract signed by Ross and Lester. Ross maintained that he could, while the Kountze interests insisted he could not and that was the reason the money was not paid on the option. Ross also testified that he had assurances he could finance his project if the title to his water rights were officially cleared.

Money Spent on Project.

Mr. Ross testified he and his associates had expended \$5,000 so far on the project, of which \$7,000 had been paid in cash and the remainder in stock of the company. Mr. Congdon on cross-examination asked how much of this amount had been paid for actual construction work, seeking to exclude money paid for engineering "protection of work" as provided by law to protect the filing. Mr. Ross testified that \$1,500 had been expended on grading work and that while most of the time only one team had been working, the work had progressed all the time when weather conditions would permit.

The questions asked by Mr. Ross' attorney concerning the negotiations with F. H. Davis were so pointed intending to show the connection of Mr. Davis with the Kountzes as a showing of bad faith and to substantiate his claim that the Kountzes were so impressed with the value of the proposition that they wanted

The Weather

For Nebraska—Unsettled weather with probably rain. For Iowa—Unsettled weather with probably rain. Temperature at Omaha Yesterday.

Table with columns: Hour, Deg., and Comparative Local Record. Shows temperatures for various hours and historical data for 1912, 1911, 1910, 1909.

Table with columns: Station and State, Temp. High, Rain, and Wind. Lists weather conditions for various locations like Cheyenne, Denver, Des Moines, etc.

The National Capital

Wednesday, March 27, 1912.

The Senate.

Met at 11 a. m. Resumed consideration of Stephenson election case.

Lorimer investigating committee briefly considered Lorimer case and adjourned until Thursday.

The House.

Met at noon. Considered miscellaneous bills on regular calendar.

Rules committee decided not to report resolutions calling for Lawrence strike investigation.

Mr. Kennedy, mechanical engineer, told Stanley Steel trust investigating committee a steel mill running 80 to 90 per cent full capacity was economically run.

Great Crowds Listen to Seed Experts in Southeastern Iowa

CRESTON, Ia., March 27.—(Special.)—That Iowa farmers are awakened to the serious condition of seed corn this spring and anxious for every suggestion that will help them to produce a bigger crop next fall was forcefully demonstrated today by the large crowds that greeted the Burlington seed, corn and soil specialists on its first day of the two weeks' itinerary over southeastern Iowa.

At Lacona, Murray, Afton and Lenox the lectures were delivered at the special train in the audience coaches, the talks being divided among Prof. A. M. Snyder, head of the Extension department; Prof. A. A. Burger, Prof. G. R. Bliss and Prof. M. L. Mosher, the governor making a short address at each place.

Turks Report Great Slaughter of Italians in Northern Tripoli

LONDON, March 27.—The Turkish army in Tripoli has achieved a great victory over the Italian army, whose losses were twenty-seven officers and 3,500 men killed and wounded, according to the report of the Turkish commander at Benghazi received here today from a special correspondent at the Turkish headquarters.

River Breaks Into Tunnel Under Berlin

BERLIN, March 27.—Eighty workmen barely escaped with their lives today when the river Spree broke through the tunnel now being bored under the river for the extension of the Berlin subway. The entire downtown section of the subway was flooded and damage to the extent of several millions was done.

PIANO MAKERS SENTENCED FOR CONTEMPT OF COURT

CHICAGO, March 27.—Formal orders of commitment were entered today by Circuit Court Judge Scanlan against John V. Steger and four other officials for the Steger & Sons Piano Manufacturing company, who were sentenced to terms of from three to seven days in jail for contempt of court for violation of an injunction entered in a trademark suit. The court allowed an appeal in all the cases to the supreme court and the five bonds and were given their freedom pending the ruling of the upper court.

TWENTY-EIGHT BODIES TAKEN FROM WELCH MINE

WELCH, Va., March 27.—The explosion yesterday in the mine of the Jed Coal and Coke company at Jed, snuffed out the lives of eighty-three workmen. Twenty-eight bodies had been brought to the surface today, leaving fifty-five more to be found. It is expected that by the end of the day practically all of them will have been recovered. Work of identification has been difficult. Experts decline to express an opinion as to the cause of the explosion.

SENATOR TAYLOR OF TENNESSEE CRITICALLY ILL

WASHINGTON, March 27.—Senator Taylor of Tennessee, who has been ill for some days with an aggravated gall stone trouble, was much worse today. His condition this afternoon is regarded as precarious.

COLORADO GOES IN TAFT COLUMN

Republican State Convention Endorses President by Three to One Vote.

ROOSEVELT RESOLUTION LOSES

Colonel's Delegates Attempt to Force Matters Early.

GUGGENHEIM IS COMMITTEEMAN

Stewart of Colorado Springs Beaten by Huge Majority.

EIGHT DELEGATES TO CHICAGO

Looser, to Hopefully Outnumbered, Fall to Get Concession of Two Envoys-at-Large to National Gathering.

COLORADO SPRINGS, March 27.—The state republican convention here today selected eight delegates-at-large to the Chicago national convention, instructed for President Taft, adopted resolutions endorsing the Taft administration and chose United States Senator Guggenheim as national committeeman from Colorado.

The Taft instructions and endorsement were adopted by a viva voce vote and Senator Guggenheim was chosen national committeeman over Philip B. Stewart of Colorado Springs by a vote of 97 to 24.

Never after the first test vote on temporary chairman, when Thomas H. Devine of Pueblo, the Taft candidate, was elected over Ben Griffith, the Roosevelt candidate, by 65 to 32, was there a doubt as to the adoption of the program agreed upon by Taft leaders.

The Roosevelt adherents, although hopelessly outnumbered, carried their fight to the floor of the convention, but the minority report endorsing Roosevelt and recommending that two delegates-at-large be given to the Roosevelt forces was rejected overwhelmingly.

The delegates-at-large follow: United States Senator Guggenheim, T. H. Devine, Jefferson Parr, Crawford Hill, A. M. Stevenson, Irving Howbert, A. N. Parrish and J. P. McDonald.

The Roosevelt delegates forced the doors of the convention hall shortly after 10 o'clock and selected seats directly in front of the platform.

Special Grand Jury at Hillsville, Va., Indicts Eight Men

HILLSVILLE, Va., March 27.—The special grand jury empaneled to consider the assassinations today returned eight new indictments against members of the Allen clan charging murder and conspiracy to kill. Those indicted were Sida, Floyd, Victor, Claude and Friel Allen, Byrd Marion, Sida Edwards and Wesley Edwards. Of these Floyd Allen, Sida Edwards, Victor Allen and Byrd Marion are in custody.

Steel Corporation Raises Thirty Million

NEW YORK, March 27.—The United States Steel corporation announced today that it had sold to J. P. Morgan & Co. an issue of \$30,000,000 5 per cent bonds. This is the first time in years that the corporation has issued bonds, its surplus earnings heretofore having been used in the construction of new properties.

Stephenson Keeps His Seat in Senate

WASHINGTON, March 27.—Senator Stephenson of Wisconsin, octogenarian, millionaire banker and lumberman, retains his seat. By a vote of 69 to 24 the senate today declared his election valid and rejected the charge that \$107,732, which a senator admitted spending in the Wisconsin primaries had been used corruptly.

Mexican Rebels Capture Jimenez

JIMENEZ, Mex., March 27.—The rebel triumph is complete. The last of the federal forces covering their retreat under heavy artillery fire, fled during the night from Jimenez.

ARIZONA LEGISLATURE DOES NOT WANT SLOAN FOR JUDGE

PHOENIX, Ariz., March 27.—The Arizona legislature by an overwhelming majority today adopted resolutions objecting to the appointment of former Territorial Governor Richard Sloan to be United States judge for the District of Arizona.

MARYLAND OFFICIAL CHARGED WITH BRIBERY

ANNAPOLIS, Md., March 27.—John P. O'Malley, state auditor-elect, was arrested today on the charge of attempting to bribe William E. Smallwood, a member of the house of delegates, to vote against the local option bill. He was released on \$20,000 bail. Smallwood declared on the floor of the house recently that O'Malley offered him \$2,500 to vote against the bill.

How Doth the Presidential Bee Improve Each Shining Hour



From the Minneapolis Journal.

NEW YORK VOTE GRATIFYING

Secretary Currie of Taft League Comments on Primary. GIVES WORK MUCH IMPETUS Seven Hundred Taft Delegates Will Be Chosen by Next Saturday Night—Hooper Leaves for Golden State.

(From a Staff Correspondent.) LINCOLN, March 27.—(Special.)—F. A. Currie, secretary of the State Taft league, today, in speaking of the result of the primary in New York state and city, said: "The returns from New York this morning are indeed gratifying to those interested in the success of President Taft's campaign. Well informed people have insisted all the time that New York would be for Taft and the result is but a confirmation of that belief. The news of Taft's success in New York will give Taft's campaign an impetus which is sure to carry it to a successful issue. Nothing can now prevent President Taft's nomination at the convention. He will have a clear majority on the first ballot."

"The result of the election in New York will also have a tendency to quiet and set at rest the clamor that only the politicians are for Taft and that the great masses of the common people are against him. "In New York City the contest was by a primary election, open to all voters, and the returns show that the common people were almost two to one in favor of President Taft. The result in Nebraska must, of necessity, be influenced by the result in New York. By next Saturday night it is confidently expected by those who are best informed that at least 70 Taft delegates will be chosen. It would seem as though the republicans of Nebraska would prefer to get in line for Mr. Taft before the primaries and throw their strength in his behalf now rather than to wait until after the national convention, since it is a foregone conclusion that every true republican who desires to be regular and to stand by his party must vote for Taft in the November election."

Hooper to California. W. L. Hooper, the campaign manager of Senator La Follette, who came to Nebraska intending to stay until after the primaries, left this evening for California. His going in response to a telegram from his chief, stating things were getting warm in the Sunset state and his presence was badly needed there. Colonel John Hannan will come to Nebraska to look after La Follette's interests.

The official ballot sent out by Secretary of State Watt has been found to contain a typographical error. The name of Frank T. Swanson, candidate for district delegate to the democratic national convention, is printed Frank "P." Swanson.

Youth Kills Farmer Who Struck Mother

BROKEN BOW, Neb., March 27.—(Special Telegram.)—Joe Tehon, a farmer, living seven miles west of Anselmo, this county, was shot and instantly killed this forenoon by Frank Bayers, a son of Mrs. Mary Bayers, a woman who had been living with Tehon.

MRS. VERMILYA WAS ENGAGED TO MARRY MISS

CHICAGO, March 27.—Miss Elizabeth Nolan, a witness in the trial of Mrs. Louise Vermilya, charged with the murder of Richard T. Smith, a railroad man, who died in March, 1911, at the Vermilya home, testified today that Mrs. Vermilya had told her, after Smith's death, that she was engaged to marry him. Miss Nolan said that Mrs. Vermilya told her that she had taken good care of Smith and that he had begged not to be taken to a hospital.

Fall and Catron Elected Senators

SANTA FE, N. M., March 27.—A. B. Fall and T. B. Catron, both republicans, were elected United States senators on the eighth ballot today.

John Arbuckle, Coffee Magnate, is Dead

NEW YORK, March 27.—John Arbuckle, the well known coffee man, died early today at his home in Brooklyn. He was 74 years old. Death was due to a general collapse incident to old age. The body will be taken to Pittsburgh tomorrow for burial.

Governor Requests Mayor of Alliance to Resign Office

(From a Staff Correspondent.) LINCOLN, March 27.—(Special Telegram.)—Ten of the sixteen of the recent grand jury which met at Alliance have petitioned the governor to bring action to oust from office Mayor Fred W. Harris of Alliance.

The petition sets out that the marshal, John H. Hunsacker, and the night watchman, Floyd H. Dunovan, have been indicted for accepting money from gamblers and houses of ill repute and have permitted them to operate without molestation and that this has been done with the knowledge of the mayor, who has failed to remove the indicted officials. They also allege that he has ample knowledge of many unlawful acts in Alliance and takes no steps to prevent them and is altogether an unfit man for mayor.

The complaint is accompanied by some decidedly raw testimony taken by the grand jury, which is submitted in support of the petition. The governor has written Mayor Harris concerning the matter and advised him to resign instead of waiting to have these charges pressed. Pending an answer to this letter the governor will take no action. These documents arrived at the city before the murders at the penitentiary and have been overlooked since the excitement following that event.

Insanity Will Be Seidel's Defense

ST. LOUIS, March 27.—Five farmers who had declared they had no prejudice against insanity as a legal defense, were accepted as jurors at the trial of Joseph Seidel, charged with the murder of Martin Hummel, which is being held at Hillsboro, Mo. That insanity will be the defense was indicated by the question put to every venireman examined by Seidel's lawyers. Mrs. Martin Hummel, charged with being Seidel's accomplice in the murder of her husband, was not in court, as they obtained a severance of their trials.

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ASK DIX FOR NEW PRIMARY

Roosevelt's Leader in New York City Says Election Invalid. COLONEL BEATEN EVERYWHERE Failure to Deliver Official Ballots at Many Polling Places Charged to the Republican County Organization.

NEW YORK, March 27.—Characterizing yesterday's primaries in New York county as a "farce," Charles H. Duell, chairman of the Roosevelt committee of the city of New York, after a conference with Roosevelt leaders, today appealed to Governor Dix to declare the primary invalid and provide for a second primary. Samuel S. Koenig, chairman of the republican county committee, and William Barnes, Jr., chairman of the republican state committee, both express the opinion that a second primary would be illegal.

Leaders of the two factions of the party cannot agree as to who is responsible for the failure to deliver official ballots at many of the polling places yesterday. Chairman Duell insists that the republican county organization was responsible, while Mr. Koenig declares that the board of elections and the official printers had complete charge of the printing and distribution of the ballots.

When Chairman Koenig's attention was directed to Judge Duell's telegram to Governor Dix he said: "The republican county committee will not object to giving the voters in the districts where there were no ballots an opportunity to cast their ballots, but why should we join in a request to the governor to throw out the returns of yesterday's primary and take steps to have the legislature convened in extraordinary session to provide for a second primary contest? Such action, in my opinion, would be illegal."

Delegates to the republican national convention favoring the nomination of Theodore Roosevelt were defeated at yesterday's New York state primaries in every district where they opposed candidates designated by the regular republicans and claimed by the followers of President Taft.

The Taft campaign managers declared today at least eighty-three of New York's ninety delegates would go to Chicago favoring the president's renomination. This estimate included the four delegates at large to be chosen at the state convention on April 2.

The remaining seven delegates were designated by the regular district organizations, but conceded to Colonel Roosevelt.

Colonel Roosevelt lost the only two fights his supporters made "up state" and returns from the fifteen contested districts in New York City and Long Island gave his opponents a plurality averaging more than two to one.

Colonel Roosevelt's supporters now are expected to concentrate their attention on the state convention in an effort to prevent the Taft men from sending to Chicago an instructed delegation. The primary law in operation yesterday did not permit specific instructions of the delegates at the time they were elected.

The leaders concede that the action of the New York delegation will be influenced somewhat by the results in other states that hold primaries or conventions during the interval before the New York convention.

"It can be said from the most conservative angle that the results point to practically a solid Taft delegation from New York," said John W. Hutchinson, Jr., director of the eastern branch of the national Taft bureau.

Appeal to Governor Dix. The Roosevelt city committee announced this afternoon that it had sent a telegram to Governor Dix, outlining the evils which it says existed at yesterday's primaries

(Continued on Second Page.)

ROCK ISLAND IN STATE OF FRENZY

Undercurrent of Vicious Feeling Against Police Gets Stronger as Day Goes On.

ATTEMPT TO KILL THE MAYOR

Bullet from High Power Rifle is Fired Into Office.

GOVERNOR SENDS MORE TROOPS

Entire Sixth Regiment is Rushed to the City.

ONE KILLED BY POLICE VOLLEY

Shot Attempts to Rescue Men Arrested for Making Incendiary Speeches—Police Fire When Station is Attacked.

ROCK ISLAND, Ill., March 27.—Fear of a possible dynamite outrage as a sequel to last night's fatal riot caused Rock Island municipal and county authorities to invoke the protection of martial law late today.

A complete regiment of twelve companies of the Illinois National guard, the Sixth, was mobilized here tonight. As a result an early threatened demonstration was averted and Mayor Harry M. Schriever relinquished his power to the military authorities.

Sheriff Oscar L. Bruner's fear of "powder men" was substantiated when it was learned that several experienced construction workers familiar with the use of high explosives were mingling with the malcontents. This discovery was followed by a raid on the railroad yards in which a score of men were arrested and taken to jail. Deputy sheriffs aided by militia officers, investigated reports that a dynamite plot had been perfected.

A recapitulation of the dead and injured revealed the fact that but one man lost his life last night. A confusion of titles and the fact that two men were missing were responsible for the report that three men were dead. The list of injured has increased. Of these two were said to be in a dying condition.

Although thousands of persons thronged the downtown streets tonight the soldiers kept the crowds moving. Groups of three and four that grew into crowds last night were not permitted to gather tonight. The city hall, where the broadsides of bullets were fired twenty-four hours ago, was the center of interest all day. Thousands of curious eyes, chiefly those of farmers from the surrounding country, were turned on the structure, which they believed might be the scene of fresh riots in the near future.

Shot Fired at the Mayor. An unsuccessful attempt to assassinate Mayor Schriever at the city hall was made today by an unidentified person, who fired a rifle bullet through the mayor's office window from the top of a building several squares distant. The bullet missed Mayor Schriever, who was standing in front of the window, and buried itself in the wall of the office.

Last night's rioting continued practically unchecked for three hours. The police said there were more than 5,000 persons in the mob which surged through the downtown streets pulling car trolleys from the wires, overturning wagons and in other ways seeking to block public thoroughfares.

Attempt to Rescue City Jail. The mob attacked the city jail last night in an attempt to release sympathizers with John Looney, publisher of a weekly paper, which had severely criticized Mayor H. M. Schriever.

During the last three days the people have been stirred up over the controversy between the editor and the mayor, and last night the police arrested two speakers who were addressing a crowd. This infuriated the friends of Editor Looney and they began to hurl stones at the police and break windows of the police station.

Mayor Schriever, who was directing the police, ordered the officers to fire on the mob. One man was instantly killed and about a dozen were wounded. The mob dispersed, but reformed after an hour and attempted to procure arms from a hardware store. The police surrounded the store and were able to drive back the mob.

Mayor Makes Statement. Mayor Schriever issued the following statement from his office in the city hall after a conference with the other city commissioners: "We are restoring our time now to an attempt to devote our time to a trouble last night and yesterday, talked with various citizens as to the best and wisest course to pursue. I did not want to interfere with free speech, but was anxious to prevent disturbances and violence."

"I had a pleasant talk with E. E. Gardner, editor of the Tri-City Labor Review, who, as I thought was to be the only speaker last night, and assured him of the desire of the city administration that he be allowed to make his speech unopposed and urged him to refrain from inflammatory utterances."

"I told him to go ahead with his plans for the recall if he saw fit and to say what he pleased about my administration or official acts, but to keep within

(Continued on Second Page.)

Some folks still "put a sign in the window" when they have a room for rent.

The number of such people is constantly diminishing. In these modern times, when there is a Room for Rent in an Omaha home, the Want Ad columns of The Bee are used. The "Rooms for Rent" column of The Bee offers the best way to bring together those in search of Rooms and Board, and those who have rooms for rent.

Telephone Tyler 1000.