

THE OMAHA DAILY BEE

OMAHA, TUESDAY MORNING, SEPTEMBER 3, 1912—TEN PAGES.

THE WEATHER.
Fair

SINGLE COPY TWO CENTS.

ELECTORAL MIXUP IN KANSAS IS PRESENTED TO COURT OF APPEALS

Right of Roosevelt Men to Hold Place on Ticket Argued Before Judge Sanborn in Denver.

MANY QUESTIONS FOR COURT

Can Names of Taft and Roosevelt Be on Same Ticket?

POSITION OF THE PLAINTIFFS

It is Charged Eight Places Were Secured Irregularly.

BULL MOOSERS ALLEGED FRAUD

Two Electors File Affidavits Saying That Taft Was Nominated by and They Cannot Support Him.

DENVER, Colo., Sept. 2.—At the opening of the case of the Kansas Roosevelt electors seeking to hold their places on the ballot in the United States circuit court of appeals here today, Judge Sanborn of St. Paul announced he would hear the arguments, leaving to Judges John E. Garland of Washington and W. H. Munger of Omaha other cases to be considered.

The suit came before the court in a petition for an injunction against the Kansas secretary of state restraining him from placing the Roosevelt electors on the ballot in Kansas.

D. R. Hite, for the plaintiffs, argued that so long as the names of eight electors were obtained by irregular methods they had no right to be placed on the regular republican ballot.

John Dawson, asked the court for an opinion as to whether the names of Roosevelt and Johnson and Taft and Sherman could be placed on the same ticket.

L. W. Kepplinger, representing the eight Roosevelt electors, read an affidavit by J. M. Dolley, chairman of the republican state committee, in which Dolley declared it was his belief that Taft and Sherman were nominated at Chicago by fraud and they were not the regular nominees of the party, that the Roosevelt faction represented the republican party of Kansas and the eight of the ten electors who declared for Roosevelt should be placed on the regular republican ticket. Mr. Stewart, one of the electors, stated that he did not declare at any time not did his supporters claim, that he would support Taft as the republican nominee, but that he concluded that he could not conscientiously vote for Taft for president nor Sherman for vice president, in view of the methods adopted for their nomination at the Chicago convention.

Mr. Kepplinger stated that affidavits of others of the electors who favored Roosevelt were in substance the same as those of Mr. Dolley and Mr. Stewart.

Pat Crowe Shoulders the Curse of Drink

Pat Crowe was arrested last night at 8 o'clock by Motorcycle Policemen Emery and Wheeler, who charge him with vagrancy.

The famous old crook was intoxicated when brought to headquarters, but when he was shown behind the bars he sobered quickly.

When asked concerning the anti-liquor pledge he had championed only a few months ago, Crowe turned his head and laughed. "Booze is the capital D in the word degradation. I drink it to save others from committing the sin." Then he turned away and a few moments later was snoring lustily.

Pat was given ninety days in the county jail. He was given a ninety-day suspended sentence by Police Magistrate Foster a month ago, when he visited Omaha, with the understanding he was to serve it in the county jail if arrested again.

POSTOFFICE CLERKS MEET IN SALT LAKE CITY

SALT LAKE CITY, Utah, Sept. 2.—The National Federation of Postoffice Clerks, in annual convention here, received this message today from Senator La Follette:

"I admire your grit. Through you we won this last fight."

Oscar F. Nelson, president of the federation, said it was organized to educate the clerks and the public to better working conditions through legislation and to co-operate with the American Federation of Labor. He rejoiced that "gap rule" had been removed by recent action. This was the "fight" to which Senator La Follette's message alluded.

VIOLENT EARTHQUAKE AT GUADALAJARA MEX.

GUADALAJARA, Mex., Sept. 1.—(Delayed in transmission)—Another violent earthquake shook this town at 10 o'clock tonight and caused a panic among the inhabitants. It was the heaviest shock since the disturbance of May 8.

Many of the smaller residents were wrecked, while buildings in all districts of the city were damaged. No casualties have been reported.

The Weather

For Nebraska—Fair tonight; cooler in east portion; Tuesday fair; warmer in west portion.

Temperatures at Omaha Yesterday.

Hour.	Deg.
5 a. m.	63
6 a. m.	63
7 a. m.	63
8 a. m.	63
9 a. m.	63
10 a. m.	70
11 a. m.	70
12 m.	73
1 p. m.	74
2 p. m.	77
3 p. m.	78
4 p. m.	79
5 p. m.	79
6 p. m.	78
7 p. m.	76

Officers of Wyoming May Clash With Uncle Sam Over Water Order

CHEYENNE, Wyo., Sept. 2.—(Special)—The Wyoming authorities have thrown down the gauntlet to the Interior department of the federal government, and unless Secretary Fisher recedes from the position he has taken in the matter of distribution of water in the Wind River Indian reservation, in central Wyoming, there will be a real clash. The Interior department charges that the Wyoming authorities have not been distributing the waters of Owl creek equitably among government users, and has instructed its special agents in the field to disregard the Wyoming laws and the orders of state officials. State Engineer A. J. Parshall has notified the Interior department that any interference with headquarters and the distribution of water will result in the arrest of said officers.

The state of Wyoming granted water rights on certain streams in the ceded portion of the Wind River reservation in 1865 for the irrigation of various Indian lands. On Owl creek such water rights were granted to the Duncan allotment, but on the same stream prior rights have been granted to other settlers previous to the year 1884, or eleven years prior to the government application, and, in accordance with the Wyoming laws these prior holders were entitled to the first use of water.

Recently the water commissioner of the district found that water was being wastefully used on the Duncan allotment and to the damage of crops of others. The state engineer at once ordered the headgates on the Duncan allotment closed until the prior rights could be settled.

Mrs. Duncan, an Indian ward, complained to the Indian agent at Fort Washakie, who in turn notified the authorities at Washington, and instructions came for the Indian agent to take possession of the headgates and see that Mrs. Duncan received water that her crops needed. This was regarded as confiscation, for the rights of others seemingly were not to be considered.

State Engineer Parshall protested against this high-handed disregard of state rights, but was informed by Samuel Adams, first assistant secretary of the interior, in a sharp telegram, that the officers of his department would comply with the Wyoming laws so far as possible without jeopardizing the right of the government to water required for irrigating land received or held in trust for its Indian wards.

In replying to the Interior department State Engineer Parshall denied that the rights of the Indians had been interfered with, and warned the government officials that the state laws provide a heavy penalty for interference with headgates and ditches.

California Moose Are Trying to Steal Republican Emblem

SAN FRANCISCO, Sept. 2.—The first primary election involving the ultimate selection of the presidential electors under the new California primary law, will be held tomorrow. Interest centers around the contest of the Taft and Roosevelt supporters for control of the republican party machinery of the state.

Governor Hiram W. Johnson's political allies, heading the state organization of the progressive party, contend

that if they succeed in nominating presidential electors pledged to Roosevelt, they will be entitled to the party designation on the ballot in the November election. The Taft adherents take

the ground that the action of the republican convention in nominating President Taft committed the state to the choice of electors pledged to their candidate.

The names of republican, democratic and socialist candidates will appear on the ballot at Tuesday's primary. Eighty

candidates for the state assembly and twenty candidates for the senate will be nominated. These nominees, with the holdover senators of each party, will constitute the state convention. All three state conventions will be held in Sacramento September 24. The convention will nominate thirteen presidential electors each.

Taft followers are planning to nominate electors by separate petition, after

the convention, in the event of the rejection of candidates pledged to Roosevelt. Whether the Taft wing of the party will be entitled to a designation on the ballot which will indicate the pledging of their candidates is a matter of contention between the two factions.

Four Are Killed in Omaha Train Wreck Near Douglas, Wyo.

CAMP DOUGLAS, Wyo., Sept. 2.—Four persons were killed in the wreck of train No. 10 on the Chicago, St. Paul, Minneapolis & Omaha railroad, which a washout caused by last night's cloudburst, threw into the Lemonweir river, near Camp Douglas today. Twenty-six other persons were injured, six seriously.

EAU CLAIRE, Wis., Sept. 2.—A message from Altoona City says the engineer, Ralph Thompson of Altoona, was killed; Fireman Abraham is dead or dying, and some passengers were injured when passenger train No. 10 ran into a washout near Camp Douglas today. A wrecking train was sent from Altoona with physicians.

The dead:

ENGINEER RALPH THOMPSON,
FIREMAN ABRAHAM,
MAIL CLERK, name not known,
BAGGAGEMAN LEE.

Conductor Lyons and a brakeman are among the seriously injured.

The train was flagged at a tunnel on account of a washout just west of Elcoy and later was ordered to back up to Camp Douglas so that the passengers might breakfast. The high bridge and the banks on both sides of the Lemon river were washed out and before the engineer could be warned the train plunged into the whirling body of water below. That so many escaped death, in view of the fact that every coach plunged into the river, is considered miraculous.

VEIL IS DRAWN FROM STATUE OF LINCOLN

Ceremonies at Capital for Dedication of Monument Take Place on State House Plaza.

CROWD LISTENS IN THE ORATORS Deliver Speeches During Prolonged Drizzle.

BRYAN MAKES ADDRESS OF DAY

Pays Tribute to Genius of Great President of Republic.

INTRODUCTORY BY GOVERNOR

Executive of State Presides at Exercises, Which Mark Turning of Shaft Over to People of Nebraska.

(From a Staff Correspondent)

LINCOLN, Neb., Sept. 2.—(Special Telegram).—The unveiling of the statue of Abraham Lincoln on the state house grounds in Lincoln this afternoon, took place before a large crowd on the plaza at the north entrance to the state house.

The exercises were opened with a medley of patriotic airs by the Nebraska State band before a crowd of several thousand people, who waited patiently while a drizzling rain was falling, for the speakers to take their part on the program.

A motion picture machine set up in the center of the plaza for the purpose of taking Mr. Bryan in his characteristic attitudes, attracted considerable attention.

William J. Bryan, the speaker of the day came on the platform escorted by Governor Aldrich and was met with that hearty welcome always given Mr. Bryan by his neighbors.

Secretary of State Addison Waltz, as presiding officer, made a few introductory remarks and presented Rev. D. J. F. Roach, of St. Paul's church, who delivered the invocation. Following the invocation the St. Paul chorus rendered the "Hallelujah" chorus accompanied by the Nebraska state band.

Acting Mayor T. C. Pratt, president of the city council, in the absence of Mayor Armstrong, delivered the address of welcome in behalf of the city of Lincoln, giving a short history of the location of the state capital at Lincoln.

Governor Aldrich, in behalf of the state of Nebraska, welcomed the people to the state house on such an important occasion. He spoke of Lincoln as the man whom every American citizen could well take as an example. Though as tender and sympathetic as a child, yet when occasion demanded, firm and immovable as a rock. Few men with the possible exception of Andrew Jackson, reared among such vicious surroundings, as Abraham Lincoln, rise to great leaders and successful men.

In closing the governor said:

"The only and deepest significance that this occasion has, and that this monument yonder stands for, is that we of another generation have not forgotten America's greatest figure; that we still love and are devoted to the principles for which Abraham Lincoln lived and died, that it is our duty to keep still ringing in the ear of the citizen of tomorrow the full and deepest significance of Abraham Lincoln's life and character."

"As citizens of today, we cannot too often bow before the shrine of this great commoner, because from his life and his writings every citizen from the highest to the lowest gets encouragement and the guidance of the progressive party, contend

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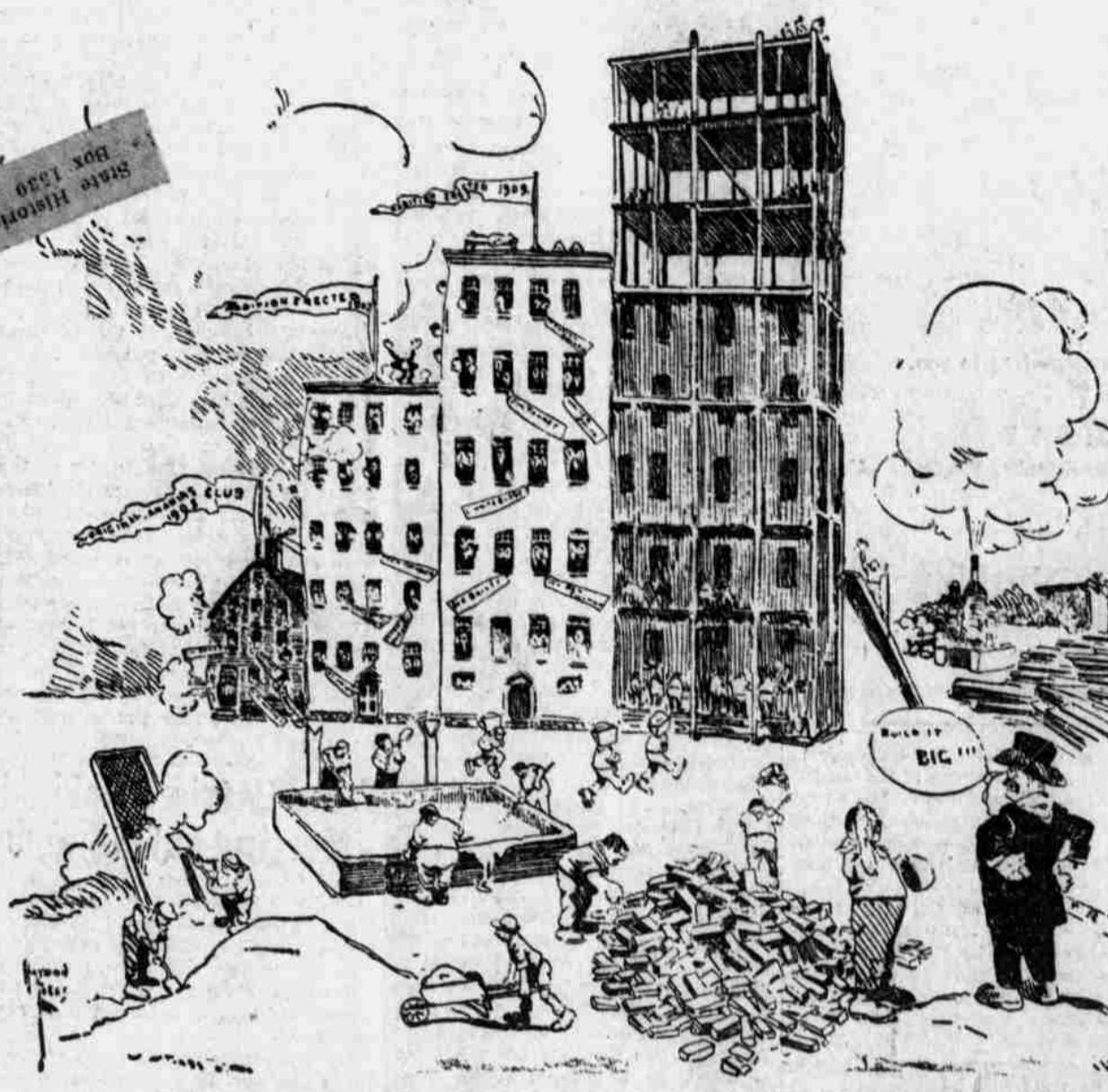
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Activity in the Building Trade



News Note—Work on the 1912 Addition to the Ananias Club is Being Rushed.

From the Boston Herald.

PROGRESSIVES IN BATTLE

Sharp Factional Fight Develops in Missouri Convention.

DIVISION OVER HEAD OF TICKET

Delegates from Kansas City and Western Section Backing Judge Norton—He Will Be Temporary Chairman.

DETROIT, Mich., Sept. 2.—Right at the heels of the national gathering of tombstone manufacturers, American Press humorists from all over the United States started out bright and early today to undergo their week of recreation in Detroit. Today's program included an automobile tour, a short visit in Canada and a dinner.

Tuesday, Wednesday, Thursday and Friday are looked forward to by the joke-smiths as days laden with promise. The local committee has prepared a schedule brimming over with possibilities.

If there is time and nothing else to tempt the members, they expect to hold a business session about Thursday night.

The first session of the convention will begin at 1 o'clock tomorrow afternoon.

It is probable that no other business than the appointment of committees will be done, following which the welcoming and address of Colonel Theodore Roosevelt, the party's presidential candidate, will take place. Colonel Roosevelt arrives here at 3 o'clock and will address the convention an hour later. In the evening he will address the city club.

Judge Norton was today selected as the temporary chairman by the state committee. It is anticipated that he also will be the permanent presiding officer. The delegation from Kansas City is backing him from the gubernatorial nomination while the delegates from St. Louis and the eastern end of the state are behind Sager, who was formerly circuit attorney of St. Louis.

Johnson Speaks at Topeka.

TOPEKA, Kan., Sept. 2.—Men and women who till and their children have a champion in the progressive party. Governor Johnson today told an audience at a Labor day celebration in a local park.

This was the governor's first appearance in Kansas since he was nominated for the vice presidency. Bandana battle flags were much in evidence and as the mercury has broken altitude records in seven out of the last nine days and to date appeared to be going after a new mark, the insignias proved useful as well as ornamental.

"All over the country today thinking men and women are groping about trying to solve the great human problem," the governor said. "It is the great human problem to which the progressive party, under the splendid leadership of Theodore Roosevelt, is dedicated; the problem of bringing the underman a little nearer to his more fortunate fellows by a little greater effort, sympathy and aid; the problem of giving a chance to victims of misfortune and want, the opportunity of life that God meant for us all; the problem of lightening the load of the overworked woman and of lifting the overburdened man from despondency and darkness."

OYSTER BAY, N. Y., Sept. 2.—Colonel Roosevelt was up before daybreak today and by 6 o'clock was off in his automobile for New York, where he was to catch an 8 o'clock train eastward bound with Hartford, Conn., as his first stop. His program called for speeches at Hartford and Springfield, although the latest stop was not originally planned.

Governor Wilson interrupted his public reception to address the delegates to the Catholic Young Men's National union in convention at another hotel. Upon his return half an hour later the reception was resumed.

The governor assailed the minimum wage idea, declaring that employers would take occasion to bring their wage scale as nearly as they could down to the level of the minimum permitted by the law.