

UNCLE SAM SEEKSTO RECOVERLANDWORTH A BILLION DOLLARS

First of Series of Suits is Filed in Los Angeles Against Southern Pacific.

INVOLVES QUARTER BILLION

About Fifty Thousand Acres Included in This Action.

CHARGE OF FRAUD MADE

Oil-Bearing Land is Included in Railroad Grant.

OTHER COMPANIES DEFENDANTS

It is Alleged that These Subsidiary Corporations Were Organized in Attempt to Deceive the Government.

LOS ANGELES, Cal., Dec. 20.—The complaint in the long expected suit of the federal government against the Southern Pacific railroad, involving title to \$250,000,000 worth of supposedly mineral bearing lands in Fresno county, was filed today in the United States district court for the southern district of California.

Mr. Townsend with T. J. Butler, also a special assistant, will prosecute the suit. The latter filed the complaint.

The suit is brought under the provisions of the act of congress passed July 27, 1883, requiring the Department of the Interior to exempt mineral bearing lands in leasing patents to railroads. The government will contend that of 400,000 acres of land on the main line of the Southern Pacific railroad, in California, 65,736 acres are mineral bearing and most revert to the public domain. The land is, for the most part, in the Coalinga oil field, and is under the lease to the Kern Trading and Oil company, a subsidiary corporation of the Southern Pacific railroad.

List of Defendants. The following is the list of defendants: The Southern Pacific company, the Southern Pacific Railroad company, the Kern Trading and Oil company, the Associated Oil company, the Southern Pacific Land company, the Central Trust company of New York, Honer & King, the St. Paul Consolidated Oil company, the Zier Oil company, the Coalinga Oil and Gas company, the Guthrie Oil company, the Confidence Oil company, the Associated Pipe Line company, the Section Seven Oil company, C. F. Jredell, I. E. Briner, Julius Fried, J. V. Vincent, G. E. Shore, Oren G. Myers, W. S. Porter, O. Schreiber, C. A. Murdoch, George W. C. Baker, W. W. Macdonald, M. L. Woy and M. Madson.

All the co-defendants are alleged by the government to be lessors of the Southern Pacific lands in question, and to be deriving profits from their mineral yields. The contested patent, by which the railroad was given title to the lands, is recorded as patent No. 22 and was issued July 19, 1894. The patent was accepted, says the complaint, with full acquiescence in the statutory exception of mineral bearing lands, "not including coal and iron lands."

"During the last three years," the complaint alleges, "this plaintiff has ascertained that of the lands described in said patent 22, approximately 65,736 acres are valuable mineral lands (both coal and iron lands), and contained rich deposits in commercially paying quantities of gold, silver, copper, tin, petroleum, asphaltum, borax, gypsum and other valuable minerals, and were well known to be mineral lands until long subsequent to July 19, 1894, subject to mineral locations pursuant to the mineral land laws of the United States.

Charge of Fraud Made. Fraudulent practices on the part of the railroad company in securing the grant are charged as follows:

"In addition to the secret and fraudulent purpose and intent of said Southern Pacific Railroad company and its officers and agents in inducing the issuance of said patent and the including therein of said mineral lands, it was also the secret and fraudulent purpose and intent of said Southern Pacific Railroad company and its officers and agents to conceal from this plaintiff the true facts in the premises until more than six years had elapsed from the date of the issuance of said patent, to the end that the plaintiff should be delayed in the institution of judicial proceedings to force the rights of the plaintiff in the premises, and in the hope that when the plaintiff should ultimately discover said fraud the delay in the institution of said judicial proceedings might be pleaded in defense hereof.

"The aforesaid fraudulent inducement (Continued on Page Two.)

Secretary Churchill and Lord Beresford in Row in Commons

LONDON, Dec. 20.—Much hard language was indulged in and venomous feeling aroused in the House of Commons this afternoon over the retirement of Vice Admiral Sir Francis C. Bridgeman from the position of first sea lord of the British admiralty.

Admiral Lord Charles Beresford, who is a member of the house, and Winston Spencer Churchill, first lord of the admiralty, recalled each other to the utmost limit allowed in the British Parliament. "Beckstairs methods," "bribes and threats," "gross insinuations" and "skulking" were some of the choice phrases exchanged.

Chiefly, Lord Charles Beresford charged Mr. Churchill with pursuing a policy of bribes and threats. "If, he said, the sea lords disagreed with Mr. Churchill's autocratic assumption of the executive as well as the administrative authority they were dismissed in insolent letters."

Mr. Churchill stuck to his guns in saying he had written to Admiral Bridgeman insisting on his resignation solely on account of the admiral's health rendering him incapable of adequately fulfilling his duties.

Alleged Auto Bandit Has Receipt for Cash Paid for Missions

CHICAGO, Dec. 20.—When Arthur Lewis, alias Louis Forbes, who, with two companions, is being held at a West Side police station as alleged automobile bandit, was searched today a card was found in his pocket showing that he is a member of the Tuesday Evening club of the Trinity Episcopal church, South Michigan avenue and East Twenty-sixth street. In another pocket a letter was found from the pastor, Rev. John M. McGinn, acknowledging receipt of a contribution of \$10 for missionary purposes.

The three men were arrested following their betrayal by Elmer Heath, an automobile repair man, who said he had been engaged to drive the alleged robbers to several restaurants they had planned to hold up.

Kansas Socialists Charged With Fraud

GIRARD, Kan., Dec. 20.—Charges of irregularity and fraud were brought by six republican county candidates against socialists who defeated them in the last election at the hearing of the Crawford county contests, which began here today.

Taft Will Be Member of the Yale Faculty

NEW HAVEN, Conn., Dec. 20.—President Taft will make his permanent residence in this city when he takes up the duties of the Kent professorship at Yale college next spring. He has requested a friend to find him a house. In connection with the professorship, it is understood at the next meeting of the corporation the tender of it will be formally made and will be accepted by President Taft.

MR. AND MRS. SWENSON NOT AT DINNER ON GUNBOAT

VALLIJO, Cal., Dec. 20.—The official report to the Navy department at Washington of the supper on board the gunboat Victrola on December 3 will make no mention when given out of Emil Swenson, chief gunner of the South Dakota, or his wife, whose names are connected in published accounts with the injuries suffered by Mrs. Andrew Muller, who was taken from the Victrola that night with a fractured skull.

MILLIONAIRE'S SON CRUSHED UNDER CARS

MORRISTOWN, N. J., Dec. 20.—John S. Huyler, aged 19, the youngest son of the late John S. Huyler, millionaire candy manufacturer, was fatally injured here today when he fell beneath a train. Both legs were crushed to the knees so that immediate amputation was necessary, and he died a few hours later. The young man jumped on the train just as it was pulling out of the station for New York, then lost his balance and fell.

HELP FOR McNAMARAS HELD NO SIGN OF GUILT

Attorneys in Dynamite Trial Deny Raising of Fund Should Bear Against Defendants.

BROTHERS BELIEVED INNOCENT Actions of Accused Men Only Based Upon Their Duty.

JOHN J. BRAINS OF CONSPIRACY Leaders Scattered Over Country Not Criminally Involved.

KERN'S ARGUMENT FOR MONDAY Pleas of Lawyers Will Be Concluded by Thursday, After Which Judge's Instructions to Jury Will Be Given.

INDIANAPOLIS, Dec. 20.—Denial that aid in raising a defense fund for the McNamara brothers by labor union officials now on trial should be taken as an indication of guilty knowledge of a dynamite conspiracy on the part of the forty defendants was made today by attorneys for the defense in their arguments before the federal jury today.

It has been repeatedly charged by the government that these defendants showed their implication in the dynamite plots because of their efforts to help the McNamaras while the McNamaras were locked up in Los Angeles and before they pleaded guilty," said M. C. Tiff of Minneapolis, continuing the argument for the defense. Having every confidence that John J. McNamara, their brother union official, was innocent, it was the duty of these defendants to help them.

Deceived by Boldness of Crimes. "The very enormity of the crime at Los Angeles, the very boldness and extent to which explosions had secretly been carried on for years, made it unthinkable that the secretary of the Ironworkers' International union committed them or caused them to be committed. Had the defendants raised a defense fund after the McNamara brothers pleaded guilty, then they would have been subject to criticism, but not otherwise. John J. was the brains of the plots and these men scattered over the country were not closely enough associated with him to have become acquainted with his criminal acts."

Defending Charles N. Reum of Minneapolis and Fred J. Mooney of Duluth, Minn., he especially expressed. Mr. Tiff said they had no knowledge of any (Continued on Page Two.)

Overman Says Wilson is a Good Listener, but a Poor Talker

WASHINGTON, Dec. 20.—"I found Governor Wilson a good listener and a poor talker," said Senator Lee Overman of North Carolina, who returned today from Trenton, with the expressed hope that Josephus Daniels of North Carolina would be given the postmaster generalship in the new cabinet. Senator Overman said he received no promise from Governor Wilson, but that he believed Mr. Daniels would be brought into the cabinet.

Hitchcock and Lobeck File Oral Objections

(From a Staff Correspondent.) WASHINGTON, Dec. 20.—(Special Telegram)—Representative Lobeck was told today by Dr. Granfield, first assistant postmaster general, that he had referred the matter of consolidation of the South Omaha postoffice with that of Omaha to the postmaster general as requested by Senator Hitchcock and the congressman from the Second Nebraska district.

While the junior senator and Mr. Lobeck appear to be greatly wrought up over the action of the postoffice authorities in even suggesting a consolidation of the South Omaha office with its bigger neighbor, so far as can be ascertained they have failed to file their protests in writing, contenting themselves with presenting oral objections to the amalgamation and citing a number of democratic politicians to prove that the consolidation will neither be popular or satisfactory to the business interests of the packing city.

Mr. Lobeck frankly stated that he would not have opposed consolidation, had South Omaha and Omaha voted to join hands in the making of a greater Omaha, but until that time he feels nothing should be done to injure the pride of either.

HARPER GIVES MONEY TO FOUND PROFESSORSHIP

MOUNT PLEASANT, Ia., Dec. 20.—A Christmas gift of \$10,000 from John Harper of Fairfield, to found a John Harper English bible professorship, was announced today by President Schell of Iowa Wesleyan college.



From the Baltimore American.

MUST PROTECT AMERICANS United States Adopts Firmer Policy Toward Mexico.

CONDITIONS ARE INTOLERABLE State Department Has Information from Many Sources of Plundering of Ranches and Mines of American Citizens.

WASHINGTON, Dec. 20.—The determination of the administration to adopt a stiffer policy toward Mexico, as disclosed in the announcement last night of the purpose to make fresh representations to that government regarding the continuation of the rebellion is directly attributed to the recent return to Washington of several persons thoroughly conversant with all alleged evil conditions existing south of the border.

First was Henry Lane Wilson, American ambassador to Mexico, who has been in close touch with every one of the American consular officers in the disturbed districts and who is also personally aware of the attitude of the Mexican government toward the large number of American claims presented as a result of the depredations committed by rebels.

Then there have come forward the three members of the self-constituted committee of Americans, representing the large plantation and mining interests in northern Mexico who from personal knowledge were able to inform the State department of the various practices employed by the rebel leaders to extort money from the American managers and foremen and of the comparative indifference of the Mexican government officials to the numerous appeals of the American interests for protection from the raiders.

Cleveland Lawyers Indicted in Detroit

CLEVELAND, O., Dec. 20.—Prosecuting Attorney Cline today asked Detroit authorities to arrest Attorney Jerome Probst and M. F. McDonald of that city. They were indicted here secretly several days ago, charged with obtaining money under false pretenses. The indictments grow out of the breach of promise suit brought against Probst by Miss Alma Broderick, a former Chicago teacher. She obtained a judgment in New York for \$25,000. It is alleged that McDonald, representing Probst, arranged for payment by inducing her to accept a lock box of securities deposited in a Cleveland bank. Miss Broderick subsequently claimed the securities worthless and the claim was upheld in the local courts when Judge Estep set aside the settlement as fraudulent. The indictment is based on the alleged fraudulent settlement.

TOMORROW The Best Colored Comics with The Sunday Bee

St. Paul System Takes Over Puget Sound Railroad

CHICAGO, Dec. 20.—President A. J. Earling of the Chicago, Milwaukee & St. Paul company confirmed the report last night that the Chicago, Milwaukee and Puget Sound lines would be operated as part of the St. Paul system and that the joint operation would begin January 1. Mr. Earling's statement follows: "The railway of the Chicago, Milwaukee & Puget Sound Railway company, extending from the connection with the railway of the Chicago, Milwaukee & St. Paul Railway company at Mohrville, near the east bank of the Missouri river in the state of South Dakota, through the states of South Dakota, North Dakota, Montana and Idaho to Seattle and Tacoma, was constructed as an extension of the railway of the Chicago, Milwaukee & St. Paul Railway company.

The work of constructing the railway of the Chicago, Milwaukee & Puget Sound Railway company has been completed substantially, and as the railways of both companies can in the interest of all concerned be more advantageously operated as one system, the lines of the Chicago, Milwaukee & Puget Sound Railway company will, on and after January 1, 1913, be operated as a part of the system of the Chicago, Milwaukee & St. Paul Railway company.

The headquarters of the lines west of the Missouri river will be continued on office declared and the representation therefore will be as full and complete as at present."

Chicago Diamond Merchant is Found Slain in His Office

CHICAGO, Dec. 20.—J. H. Logue, 53 years old, president of J. H. Logue & Co., diamond dealer, was found murdered in his office in McVicker's theater building this afternoon. Robbery is believed to have been the motive for the crime.

An office boy made the discovery and gave the alarm. Accounts of adjoining offices declared the representation therefore will be as full and complete as at present."

WOMAN FINDS TRAMP ASLEEP IN HER BED

YONKERS, N. Y., Dec. 20.—When Mrs. Arthur J. Van Susterend, wife of a Yonkers architect, went to her bedroom last night she found sleeping in her bed an unkempt stranger wrapped with a week's growth of beard. Her scream as she switched on the lights awakened him. Turning down the counterpane he sat up, blinked and said: "I won't be long; I'll be going."

MEMORIAL SERVICE FOR REID Westminster Abbey is Crowded with Distinguished Personages.

LONDON, Dec. 20.—The memorial service for the late Ambassador Whiteley Reid, celebrated today in Westminster abbey, was an impressive ceremony. The honor of such a service in Great Britain's most historic chapel has on only few occasions been accorded to any but British subjects of great distinction.

The day was a gray and gloomy one, typical of London winter. All members of the congregation were dressed in the deepest black. The robes of the clergy, lined and the shell and the flames from the clusters of candles before the altar were the only spots of color against the dark stone wall, lined with tablets and busts of hundreds of the noted dead.

Many Distinguished Personages. Prince Arthur of Connaught, as representative of King George and Queen Mary; Lord Howe, representing Queen Mother Alexandra; the representatives of other royal personages; the duke of Argyll; Prince Louis of Battenberg; the Grand Duke Michael of Russia; the vice chancellors of Oxford and Cambridge universities; Premier Asquith; Foreign Secretary Sir Edward Grey; Home Secretary Reginald McKenna; Colonial Secretary Lewis Harcourt; Lord President of the Council Viscount Morley; Indian (Continued on Page Two.)

Fitzgerald is Found Not Guilty

CHICAGO, Dec. 20.—George W. Fitzgerald, former substituting teller in the United States treasury at Chicago, charged with the theft of \$17,000 from the government in February, 1907, was found not guilty by a jury in Federal Judge Carpenter's court today.

The jury took five ballots in deciding Fitzgerald's fate. The first ballot immediately after the jury retired yesterday afternoon showed the members equally divided for conviction and acquittal. The second ballot was eight for acquittal and four for conviction. The third and fourth ballots were eleven for acquittal and one for conviction.

CHEROKEE FREEDMEN WIN SUIT FOR LANDS

WASHINGTON, Dec. 20.—The right of 5,000 Cherokee freedmen to participate in the distribution of the lands and funds belonging to the Cherokee Indian nation was sustained today by Judge Anderson of the District of Columbia supreme court. The court upheld the government's demurrer to a suit of the Keetoowah society to restrain the secretary of the interior from permitting the freedmen participating in the property. The suit was dismissed.

TURKEY DECIDES TO RECOGNIZE GREECE IN NEGOTIATIONS

Sultan Says Situation is So Changed that He Would Rather Continue War with Greeks.

WAVES SIGNING ARMISTICE Would Make Further Demands Before He Would Permit It.

INSTRUCTIONS SENT TO LONDON Next Point Will Be Reconstituting of Adrianople.

RECEPTION FOR THE DELEGATES Plenipotentiaries Guests of Honor at Luncheon Given by the Lord Mayor at the Mansion House.

LONDON, Dec. 20.—The six great European powers, England, France, Germany, Austria and Italy, have accepted the principle of an autonomous Albania, with a privilege guaranteeing to Serbia commercial access to the Adriatic sea. This is the first definite result of the ambassadors' "conversations" the third of which was held this afternoon.

CONSTANTINOPLE, Dec. 20.—The instructions forwarded by the Ottoman government to Rechad Pasha, the leader of the Turkish peace delegation in London, authorize him to treat with the Greek delegates without their previous signature of the armistice protocol.

The Turkish delegation is ordered to apply during tomorrow's meeting for permission for the reconstituting of the fortress of Adrianople.

In official circles here it is explained that the change of the Turkish attitude toward Greece is the result of the fact that the situation in regard to Greece has now turned so much to the advantage of Turkey that the Turkish government would demand exceptional conditions before signing an armistice with Greece.

Reception for Delegates. LONDON, Dec. 20.—The peace plenipotentiaries of Turkey and of the Balkan allies were the guests of honor at a luncheon given by the lord mayor of London at the Mansion house today. The distinguished gathering included Premier Asquith, Foreign Secretary Sir Edward Grey, Lord President of the Council Viscount Morley and other prominent personages.

The lord mayor extended a hearty welcome to the peace plenipotentiaries, speaking of the enduring satisfaction which would be felt if they should achieve a happy issue and a lasting peace.

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The Weather. Forecast till 7 p. m. Saturday: For Omaha, Council Bluffs and vicinity—Fair tonight and Sunday; not much change in temperature.

A Clearing House of Human Wants — Bee Want Ads are the business clearing house of the state—the active market place of many a business. The Wants lead to buying, selling, renting, hiring and exchanging. They are quick in action and powerful in the result-producing power. Tyler 1000