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THE OMAHA DAILY BEE

THE WEATHER
Snow; Cold

VOL. XLIII—NO. 190

OMAHA, FRIDAY MORNING, FEBRUARY 6, 1914—TEN PAGES.

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PRESIDENT TO FIGHT FOR REPEAL OF FREE DITCH TOLLS PROVISION

Wilson Announces He Will Seek to Have Clause Exempting U. S. Ships Rescinded.

HE MAKES CLEAR HIS POSITION
Believes Treaty Guarantees Equality to All Nations.

PARTY LEADERS NOT SURPRISED
House Will Act as Executive Wishes, it is Stated.

SENATE IS HARDER PROPOSITION
O'Gorman Asserts He Will Stand by Convictions and Fight Desires of Man in the White House.

WASHINGTON, Feb. 5.—President Wilson announced today that he would endeavor to have repealed at the present session of congress that provision of the Panama canal act which exempts American coastwise ships from the payment of tolls. He made his position clear to callers today in unequalled terms.

The president believes the Hay-Pauncefote treaty with Great Britain guarantees equality of treatment to all nations, including the United States, in the subject of tolls, and that the United States is in honor bound to charge American vessels the same tolls it imposes upon those of foreign nations. The president impressed upon his callers that he would use every legitimate influence at his disposal to have the exemption clause eliminated from the Panama canal act.

Announcement Expected.
This announcement was expected by administration leaders at the capitol. The president's views will be carried out in the house, according to Representative Adamson, chairman of the interstate and foreign commerce committee, who said tonight congress would act quickly by a "straight-out repeal."

Not so certain, however, are some of the democratic leaders in the senate that the president will be sustained in his resolve on this question which has agitated American relations with Great Britain for several years and has been a subject of international controversy since the passage of the Panama canal act in August, 1912. Senator O'Gorman, chairman of the interoceanic canals committee, which had charge of the bill, and who led the victorious fight in the senate to exempt American coastwise vessels from tolls, tonight asserted his purpose to stand by his convictions and fight the president's desire.

Stone for Repeal.
Other senators pointed to the recent action of the foreign relations committee in recommending the British general arbitration treaty for extension as an indication that the senate is ready to rescind its action on the tolls question, fear of having to submit it to arbitration having delayed its extension by the senate last summer. Senator Stone, who voted against it, has said he would vote for the repeal, taking the position that, while under the treaty the United States still has the right to levy any tolls it wishes, the exemption should be stricken out in deference to international good feeling and in line with a desire to avoid any ill feeling with Great Britain.

The president's announcement grew out of a report that he did not seek action at the present congress. Senator O'Gorman on leaving the White House yesterday said he had discussed the tolls question casually with the president and expressed the view that congress could do little else at the present session besides passing the trust bills and appropriation measures.

Hopes for Action.
The president sought to make clear today that this was Senator O'Gorman's own impression of the legislative situation, but that so far as he was concerned he earnestly hoped for action at the present session.

The illness of Chairman Bacon of the senate foreign relations committee, which is holding up consideration of the arbitration treaties, including one with Great Britain, may delay action in congress on the tolls question. The president is—
(Continued on Page Two.)

LOBINGIER GIVEN PROMOTION

Judge in Philippines Court Named for Place in China.

EXPERT TO STUDY WATER FLOW
Secretary of Agriculture Details Dr. Fortier to Go to Kearney to Make Exhaustive Survey of Conditions.

(From a Staff Correspondent.)
WASHINGTON, Feb. 5.—(Special Telegram.)—Charles Sumner Lobingier of Omaha, who is a member of the court of first instance in the Philippines, was today nominated by President Wilson to be judge of the United States court in China, vice Rufus H. Thayer, resigned.

When in Washington in October last Judge Lobingier has several conferences with attorney general as to his position on the bench in the Philippines, and while not expressing any preference intimated that he would like to stay in the Philippines, possibly as chief justice. The resignation of Judge Thayer, however, created a vacancy on the bench of the United States court in China, and a way was thereby provided to give Judge Lobingier a decided promotion and an increase in salary.

The subterranean flow of water throughout the Platte Valley, particularly in the Sixth congressional district, has been the subject of numberless scientific papers as well as numerous inquiries on the part of several departments of the government.

Judge Kinkaid, who is everlastingly after results for his constituents, enlisted the engineering branch of the reclamation service in the underground flow of water from the Platte and as a result of his importunities had an engineer detailed to make an examination of this flow.

The official of the reclamation service had a meeting with the Platte Valley Protective association at Kearney and after going over with the association the question of underground flow declined to make field investigation as to the shortness of water to users holding lands under government patents. It was the opinion of the engineer that the investigation belonged to the Department of Agriculture.

Judge Kinkaid upon this suggestion took up the matter with the agricultural department, but Acting Secretary Galloway thought his department had not better meddle with the question as it was clearly a reclamation office affair.

Expert is Secured.
And so they backed and filled until Kinkaid got pretty tired and took the matter up with the secretary of the interior, who finally saw the force of Kinkaid's argument that something should be done and wrote a letter to the secretary of agriculture stating that any action looking to an inquiry as to underground flow on the Platte river would be entirely satisfactory by his department.

As a result of his persistence, Judge Kinkaid was informed by the department of agriculture that Dr. Fortier, an engineer of experience in the department, would be detailed to make an exhaustive study of the subject and would leave for Nebraska in about three weeks to remain for a year at least, making Kearney his headquarters in all probability.

This investigation is of the utmost importance as it may once for all settle the question of the proposition of water coming from the several states.

Visitor in Washington.
Among the callers upon Representative Kinkaid today was Mrs. F. M. B. O'Leary of Chadron, Neb., who is visiting here.

ZERO COLD AND SNOW IN WESTERN NEBRASKA

The Best and Heaviest Snow, with High Wind, at Alliance.

STARTS THURSDAY MORNING
Precipitation Follows Right After Drop in Mercury.

FEAR EXPRESSED FOR STOCK
Cattle and Sheep Men Anxious About Herds Out on Range.

WHEAT FIELDS MAY SUFFER
Unless a Protective Blanket of Snow Falls, Experts Declare that Winter Grain is Going to Be Damaged.

With the mercury down to 19 below, a drifting, flaky snow falling and the wind blowing a hurricane, Alliance, Neb., is experiencing the worst storm in the year. It started in the extreme northwest corner of the state yesterday morning and continued unabated throughout the rest of the day and last night. It is feared that there will be heavy losses among range cattle and sheep, and all trains on the Burlington south from Billings are late.

On the Guernsey line of the Burlington the Fahrenheit was down to 19 below and a furious northeast wind was driving the flaky snow into high drifts. On the Cheyenne branch it was about 15 above and very cloudy.

At Holdrege it was 3 below and had just started to snow last night, while the same temperature prevailed at Upton. A report from O'Neill last yesterday evening gave the temperature at 10 below zero, and at Valentine 14 below. The dispatch carried the information that a severe storm was raging.

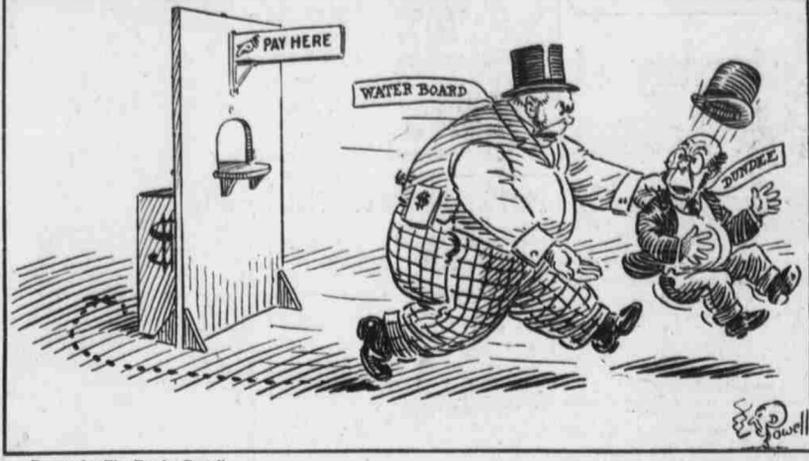
At Sheridan, Wyo., yesterday evening the thermometer was down to 16 below, and from there on southeast to Upton it ranged up to 3 below.

The fall of snow in that part of Wyoming was light and the wind was from a northwesterly direction.

Considerable concern over the condition of grain is felt by grain men in Omaha. With the fields barren of the usual blanket of snow, it is feared that such a period of cold weather as is threatened now may cause serious damage to wheat.

"If the thermometer goes below zero and stays there, with the ground in its present condition and the fields barren of snow, the damage will be greater than most people realize just now," said a member of the grain exchange. "The history of these cold waves is that when the thermometer drops below zero there is a little chance for a snow or any precipitation and as a result the wheat suffers considerably, because it is not protected with the blanket of snow which is usual at this season of the year. If the cold wave is as serious as it threatens to be, we can only hope that the snow flurries that precede the cold wave will be sufficiently heavy to give the wheat some protection."

Wouldn't It Make You Sore?



Drawn for The Bee by Powell

If you lived in a nice little suburb and you had paid the man you bought your place from for the water main, and then you were swallowed up in the Metropolitan Water District, and the Water Boss demanded that you pay him for the main you had bought from the other man. Wouldn't it make you sore?

MAZATLAN TAKEN BY CARRANZA'S FORCES AFTER LONG SIEGE

Important Seaport on West Coast of Mexico Falls in to Hands of the Rebels.

HOME OF WEALTHY PEOPLE
New Source of Revenue for Constitutionalists Open.

ARMS MOVE ACROSS BORDER
Large Shipments Held on Frontier Are Released.

HUERTA WILL PUSH CAMPAIGN
Circular of Instructions is Issued by the Dictator Urging the Chiefs to Protect All Noncombatants.

NOGALES, Ariz., Feb. 5.—Mazatlan, an important seaport port in the state of Sinaloa, fell into the hands of Carranza's rebel forces today, according to information received in Nogales, Sonora, from rebel sources.

The rebels had been investing the city for some time, having captured Culiacan, the state capital, several weeks ago. Culiacan is north of Mazatlan and it was used by the rebels as a supply base for their attack on the federal troops at Mazatlan. The federalists had taken the larger portion of their troops out of Mazatlan and sent them to the defense of Guaymas, which they evidently thought the rebels would first try to invest. This weakened the garrison to such an extent that the rebel investure was comparatively easy, although much hot fighting is said to have accompanied the fall of the port.

Use Artillery.
The rebels used artillery in the attack and their shells shattered many of the buildings in the town. The rebels had the advantage of protecting hills in the attack and the federal gunfire was not serious.

Mazatlan is the home of many rich Spaniards and Mexicans. The fall of the town will result in placing many people with money in a position where they may be forced to contribute to the constitutionalist cause. Mazatlan is a port from which much shipping is done. It is also the home of many fishermen, and its cargoes go not only to Mexican but to California ports.

The capture of Mazatlan places the first seaport in the possession of the rebels. For months the Carrancistas have battled for the possession of Guaymas, Sonora's most important seaport, without avail.

Arms Moving Across Border.
WASHINGTON, Feb. 5.—Hundreds of thousands of rounds of rifle and machine gun ammunition under sealings along the Mexican border are being turned over to the constitutionalists as fast as they procure ownership.

During the last two years agents of the Department of Justice have arrested hundreds of men in the act of transporting arms across the border and have seized carloads of ammunition. In many cases the ammunition so seized was turned over after it had been used as evidence.

Such arms as may be needed as evidence against persons still under indictment will not be released for the present. It was said today, however, that the Department of Justice probably will not attempt to prosecute all the cases against arms smugglers.

Huerta Will Protect Foreigners.
MEXICO CITY, Feb. 5.—A circular of instructions was issued today by Provisional President Huerta to the chiefs of all army divisions and governors of states. It recites that the government has begun a more active campaign against the rebels and urges that extreme diligence be observed in giving all possible protection to noncombatants, foreign as well as native, removing them when necessary from the zones of operations.

Dr. Ignacio Alcocer, acting minister of—
(Continued on Page Two.)

Jones Convicted of Murder as Result of Fight Over Ten Cents

Johnnie Jones, alias William Stanser, a negro, was found guilty of first degree murder by a jury in Judge English's criminal court. The jury approved the death penalty for Jones, which under the new law in this state will be accomplished by electrocution if the verdict stands.

Jones shot Samuel Leon, proprietor of a pool hall, 104 Davenport street, the night of October 18, following a quarrel over 10 cents.

Missing Brooklyn School Girl is Found

NEW YORK, Feb. 5.—Florence Barbara Lawlor, the 15-year-old Brooklyn high school girl, who disappeared Monday, was found today in South Chicago. Her father, a prosperous druggist, received word to this effect from his brother-in-law, B. R. Hedges of Columbus, O.

CHICAGO, Feb. 5.—Miss Florence Barbara Lawlor, the missing Brooklyn high school girl, is at the Central Young Women's Christian association here, in the care of Miss Wilhelmina Barr of the Traverser's Aid society.

University Students Are Publicly Posted Because of Conduct

(From a Staff Correspondent.)
LINCOLN, Feb. 5.—(Special Telegram.)—Three students of the University of Nebraska were publicly posted today by Dean Emberg. It is the first time in the memory of the "oldest inhabitant" that such publicity has been given any student who has ever been called on the carpet. One of the boys, F. E. Neighbors, is accused of attending a dance Saturday night with Guy Coffee of Omaha, an ex-student and making a disturbance when refused admission, for which they were taken to the police station.

The other two are H. K. Granger of Lincoln, a freshman, and F. A. Bock of Omaha, who are accused with other students of indulging in a carousal following the Pan Hellenic banquet Saturday night. The boys were given choice between suspension or public posting and took the latter.

Dean Emberg says that the conduct of the boys was of such a nature that it could not be overlooked.

TALBOT FORCES DEFEATED

Delegates Opposed to Head Consul Elected by Narrow Margin.

ARE GIVEN NO INSTRUCTIONS
"Progressives," Who Wanted Small Rate of Rates, but Less Than the Chicago Rates, Are Beaten in the Balloting.

By the close vote of 109 to 97 the members of Omaha camp, No. 130, of the Modern Woodmen of America, Wednesday night chose forty-two delegates to the county convention who are known to be opposed to Head Consul A. R. Talbot, the enforcement of the "Chicago rates," and even to the adoption of a compromise table of increased rates.

No resolutions were adopted and no instructions were given to the delegates chosen, but C. H. T. Rippen, clerk of the camp, says that the winners in the election are especially in favor of the removal of Head Consul Talbot, and particularly against an increase in rates.

A well organized campaign for the election of a "harmony first" ticket, standing on principles which included the adoption of a compromise table of rates, higher than those now in force, but lower than the "Chicago rates," has been waged by the members of the camp, who designated themselves as "progressives."

Progressives Defeated.
The nominating committee proposed by this faction was defeated by a vote of 128 to 78, the successful members of the nominating committee being N. D. Bernstein, J. W. Barnett and H. H. Stone. The ticket reported by them was elected on a 109 to 97 vote.

This was done, after a vain attempt had been made to elect the "progressive" or pro-Talbot ticket, in spite of the nominating committee's adverse report.

The county convention will be held at South Omaha April 1.

The anti-Talbot ticket is said to contain a few names of men who also stood on—
(Continued on Page Two.)

Business Will Be Suspended During Perkins' Funeral

SIoux CITY, Ia., Feb. 5.—(Special Telegram.)—All public buildings and business houses will be closed during hour of George D. Perkins' funeral tomorrow afternoon. Newspaper men will be active pallbearers. Pioneer citizens will be honorary pallbearers, and Masons will be pallbearers at the grave. Telegrams from prominent men and neighboring editors continue to arrive by scores. No death ever made such a profound impression in Sioux City.

HANS SCHMIDT FOUND GUILTY

Former Priest Convicted of Murder in the First Degree.

LAUGHS AS VERDICT RENDERED
"I Would Rather Die Tonight Than Tomorrow," Says Churchman—Penalty is Death in Electric Chair.

NEW YORK, Feb. 5.—Hans Schmidt was found guilty today of murder in the first degree for killing Anna Aumuller, a young woman he had married through a self-performed ceremony while acting as a priest at St. Joseph's church. The penalty for the crime is death in the electric chair at Sing Sing prison. He will be sentenced on next Wednesday.

Schmidt, whose defense was insanity, laughed when the verdict was pronounced. He had steadfastly declared himself guilty and at his arraignment before being held for the supreme court pleaded that he be punished by death. Later he protested against the insanity defense advanced by his counsel and tonight said he would not assist them in any way if they prepared an appeal.

"I would rather die tonight than tomorrow," he said. "It is as good as dead as I wish it."

Out Over Five Hours.
This was the second trial and the jury was out a few minutes less than five hours. At the first trial the jury disagreed. Attorneys for the prosecution and defense supplied most of the testimony at both trials.

A. G. Koelbe of Schmidt's counsel asserted after the verdict that, owing to the former priest's persistent silence concerning the crime, it had not been possible to place all the facts before the jury. He said Schmidt was not guilty of murder, but had shielded a physician after the woman's death. She was not murdered, the lawyer declared. If the police would display enough energy, he said, they could get at the truth. The lawyer was undecided whether he would take an appeal. "Father Schmidt will never go to the electric chair," he added.

Murder of Girl.
Anna Aumuller's body was cut up with a knife in Schmidt's flat on September 2 and the pieces, in several bundles, were tossed into the Hudson river, where most of them were found before suspicion was directed against Schmidt. The head was never recovered. Schmidt in his confession said he was commanded to make a "sacrifice" of the Aumuller girl's life by his patron, St. Elizabeth.

Dr. Ernest A. Muret, a dentist, Schmidt's friend and companion, who was arrested shortly after the ex-priest was accused of murder, was sentenced in October to seven years in the federal penitentiary at Atlanta after his conviction for counterfeiting.

Schmidt testified at Muret's trial that it was he and not Muret who planned the counterfeiting operations.

Kentucky Solons Have Smallpox

FRANKFORT, Ky., Feb. 5.—Several members of the Kentucky legislature and many residents of this city are nursing sore arms today, the result of vaccination due to a smallpox scare which developed yesterday when it was announced that Senator J. Forrest Porter and Representative A. J. Oliver were ill with the disease. Both cases are said by the physicians to be slight.

Cooks and Waiters in Chicago Strike

CHICAGO, Feb. 5.—Cooks and waiters employed in a big Randolph street restaurant walked out today because their demands had not been granted. The union officials said the strike would extend to thirty-five restaurants controlled by the Restaurant Keepers' association unless the restaurant owners' association would increase wages, shorter hours and one day off each week is complied with. A police guard was asked by the restaurant affected today.

Half Million to Fight Hog Cholera

WASHINGTON, Feb. 5.—A threatened loss of \$500,000,000 in hogs during the present year from hog cholera, led the senate today to agree unanimously to a bill appropriating \$500,000 for the Department of Agriculture to fight the disease.

Leaders Will Push Rural Credits Bill

WASHINGTON, Feb. 5.—Under a definite agreement between President Wilson and democratic house and senate leaders, rural credits legislation will be hurried through at this session of congress. This was determined today, after conferences between the president, Senator Owen and Representatives Underwood and Hulkeley.

The house sub-committee has abandoned a proposed trip about the country to hear interested persons in order to expedite action. The committee will hold hearings in Washington, but will hurry them along in an effort to get the bill before the house early in April.

Senator Owen and Representative Hulkeley will arrange for co-operation between the house and senate committees and they may hold joint hearings.

Rural Carriers in Mountains Resign

WASHINGTON, Feb. 5.—Parcel post business in the mountainous country of the west has become so great that mail carriers are abandoning their contracts. Senator Brady of Idaho today urged the postoffice committee to take steps to give them relief.

United States Calls Peace Conference

WASHINGTON, Feb.—The United States, which was known at the White House today, has issued a call for the holding of the third peace conference at The Hague next year. This government took this action, it is understood, at the request of the late Representative Bremner, agreed to take up no new business today

KEARNEY MAY VOTE BONDS FOR BALL PARK

KEARNEY, Neb., Feb. 5.—(Special.)—The voters of this city will be given an opportunity on March 19 to say whether or not a public park will be purchased for the use of the State league team and other athletic associations. An ordinance calling for the voting of \$50,000 in bonds was passed by the council last evening and the date of the election fixed. If the park is secured it will mean a great revival in attendance at the ball games in this city, the site being sought by the council being within two blocks of the Union Pacific depot, right in the heart of the city.

BOY BURNS OUT BABY'S EYE WITH HOT POKER

JAVA, S. D., Feb. 5.—(Special.)—The farm home of Mr. and Mrs. Rudolph Walter, some miles from here, was the scene of a distressing episode, when Alexander, the 3-year-old son, burned out with a red-hot poker the left eye of his sister, Lydia, aged 2. The two children were engaged in play and the little boy had no realization of what the result of his act would be. He thought it was great fun to heat the poker red-hot and push it into his little sister's eye. The girl is in a serious condition and may die.

The National Capital

Thursday, February 5, 1914.

The Senate.
Met at noon.
Hearings on bill to regulate Stock exchange continued before the Banking committee.
Met at 11 a. m.

The House.
Resumed debate on Alaska railway bill.
Secretary Bryan discussed Baker Act and exclusion bill before immigration committee.
Delegation of retail merchants urged Interstate trade commission and publicity of big business affairs before commerce committee.
Out of respect to the memory of the late Representative Bremner, agreed to take up no new business today

THE WEATHER

For Omaha, Council Bluffs and Vicinity—Unsettled, with cold waves. Evaporated Apples and Dried Fruits

Hours.	Deg.
5 a. m.	22
6 a. m.	22
7 a. m.	22
8 a. m.	24
9 a. m.	24
10 a. m.	24
11 a. m.	26
12 m.	26
1 p. m.	26
2 p. m.	26
3 p. m.	26
4 p. m.	26
5 p. m.	26
6 p. m.	26
7 p. m.	26
8 p. m.	26
9 p. m.	26
10 p. m.	26
11 p. m.	26
12 m.	26

Comparative Local Record.

1914, 1912, 1911, 1910.	1909, 1908, 1907, 1906.	1905, 1904, 1903, 1902.	1901, 1900, 1899, 1898.	
Highest yesterday	31	20	15	22
Lowest yesterday	17	12	14	22
Mean temperature	27	17	14	24
Precipitation	.00	.01	T	.51
Temperature and precipitation departures from the normal.				
Normal temperature	34	20	15	22
Excess for the day	07	00	01	00
Total excess since March 1.	24	26	26	26
Normal precipitation	.04	inch		
Deficiency for the day	04	inch		
Precipitation since March 1.	04	inch		
Deficiency since March 1.	00	inch		
Deficiency for cor. period, 1913, 4.41 inches				
Deficiency for cor. period, 1912, 15.61 inches				
Reports from Stations at 7 P. M.				
Station and State	Temp.	High.	Rain.	
of Weather.	7 p. m.	est.	fall.	
Cheyenne, snow	15	22	.01	
Denver, snow	20	29	.01	
Des Moines, cloudy	26	28	.00	
Dodge City, rain	22	32	.01	
North Platte, snow	24	34	.01	
Omaha, cloudy	29	31	.00	
Ionic City, snow	14	21	.02	
Santa Fe, cloudy	24	30	.00	
Sheridan, clear	14	17	.00	
Sioux City, snow	4	21	.06	
Valentine, snow	2	20	.06	
T indicates trace of precipitation.				
- indicates below zero.				

L. A. WELSH, Local Forecaster.

THE PHRASES OF ADVERTISING

No. 3—Public Service

In all religion today perhaps the dominant thought is service and the brotherhood of man.

The idea of service is a great and the religion in itself. It is growing in many directions and under many conditions.

The year 1914 will witness a noteworthy development of this idea of service among the public—serving corporations. Street, railways, interurban companies, railroad, telephone, telegraph and light and power companies are taking up the religion of service. The public is beginning to be treated with frankness—with the cards on the table—so to speak.

Newspapers like The Bee carry their advertisements—advertisements that are frank, open, and above board; that encourage confidence, and pledge a real and unselfish service.

This is as it should be—and it will be strange indeed if these corporations, which serve the public and are now advertising that fact, do not benefit from such a policy in very much the same way that a first class merchant does when he tells the public of his wares in the advertising columns of reliable newspapers like The Bee.

Tomorrow, Building and Contracting.