

### MOTOR DRIVERS IN RACE WITH DEATH THRILL BIG THROUGH

#### Mad Race at Speedway Sends One Car Hurling From Track in Front of Grandstand.

#### FRANCHI ESCAPES UNHURT

##### Mechanician Colombo Fatally Hurt and Dies Later in Hospital.

#### GABLE HAS CLOSE CALL

BY EDWARD BLACK.

Omaha had its first genuine automobile thrill at the speedway yesterday afternoon when Franchi, in his Pusun racing machine, darted, as if hurled from a mighty catapult, through the railing at the top of the track to the ground twelve feet below and then dashed in its frenzied flight for 100 feet in the space which separates grandstand from the track. At its fatal destination the machine, which a few seconds before had been a pulsating demonstration of man's mechanical genius, lay on the ground, an inert mass with two human beings pinned beneath its wreckage. That was enough of a thrill for any ordinary mortal.

Only a few minutes before this accident one of the announcers shouted through a megaphone requests that spectators remain quietly in their seats if an accident should occur.

Danger Adds Thrill.

"Will it happen?" asked each spectator in his mind as he trained his eyes around the great mile and a fourth speedway. The possibility of a mechanical or tire defect diverting one of the machines from the track added zest to the occasion. Of course nobody wished any of the drivers to be injured or killed, but if an accident was to occur, Mr. Spectator had a feeling that he would like to see it.

The 150-mile race was getting well under way when all of a sudden a crash of boards and a fleeting glimpse of the disappearing Pusun car brought the thrill which many were expecting.

Spectators Start Rush.

All of the spectators did not heed the announcement of the man with the megaphone. Many started to rush to the scene of the disaster. Regular and special police held the situation in hand and in less than a minute the vast crowd was again settled back in its collective seats, watching the terrific pace of the machines on the track. Word was passed around that two men had been killed, but the race was on and went on without interruption. It seemed that a driver and mechanic more or less did not make much material difference.

Several scattered boards from the track, Franchi and Colombo were recovered from the wreckage, carried to the waiting ambulance and taken to the field hospital. And the race went on.

Want to See the Living.

It was evident that when a man drops out of an automobile race or accident, the crowd loses interest in him. The spectators want to see real live racers who can speed it up at the rate of 100 miles or better per hour. And a thrill now and then is not half bad. If a man is hurt or killed there is an ambulance ready for him and doctors are handy. Every provision is made for his comfort. What more could he desire?

"What I would like to know is just what those other drivers thought when Franchi went over the top of the track" was an expression of a spectator. "Those other driver surely knew something happened, because they could see the people in the grandstand standing up and no doubt some of them saw the accident. But traveling 100 miles an hour and using all your wits to keep on the speedway yourself, I do not believe a driver would have much time to think about the accident."

The accident was of deep concern to the men at the pits. After the second race.

(Continued on Page Two, Column Two.)

(Fred Hunter's story of the race will be found on Page 1 of the Sports Section this morning.)

### The Weather

Nebraska—Fair and continued warm.

Hour	Temp.	Dir.
7 a. m.	76	W
8 a. m.	77	W
9 a. m.	78	W
10 a. m.	79	W
11 a. m.	80	W
12 m.	81	W
1 p. m.	82	W
2 p. m.	83	W
3 p. m.	84	W
4 p. m.	85	W
5 p. m.	86	W
6 p. m.	87	W
7 p. m.	88	W
8 p. m.	89	W
9 p. m.	90	W
10 p. m.	91	W
11 p. m.	92	W
12 m.	93	W

Comparative Local Records.

Date	High	Low
1916, 1915, 1914, 1913.	95	65
Highest yesterday	87	57
Lowest yesterday	77	67
Mean temperature	80	69
Precipitation	0.0	0.0

Reports from stations at 7 p. m.

Temp.	High.	Low.
Cheyanne, clear	88	68
Davenport, part cloudy	82	66
Denver, cloudy	74	62
Des Moines, clear	80	64
Dodge City, clear	80	64
Lincoln, cloudy	74	60
North Platte, clear	84	66
Omaha, clear	82	66
Pueblo, cloudy	81	64
St. Louis, clear	82	66
St. Paul, cloudy	81	64
Sioux Falls, clear	84	66
Valentine, part cloudy	82	66

T. indicates trace of precipitation.

L. A. WELSH, Meteorologist.

### HARMONY REIGNS IN LANCASTER G. O. P.

#### County Convention at Lincoln Results in Most Peaceful Meeting.

#### SPEECHES BY CANDIDATES

(From a Staff Correspondent.)

Lincoln, July 15.—(Special.)—The Lancaster county republican convention proved to be a most harmonious one, although there was some warm discussion over the report of the resolutions committee, which was finally accepted with the exception of a plank favoring the short ballot and a change in the primary law which would make an equitable distribution of offices between the town and the county.

There was a strong sentiment favoring a change in the primary, but the delegates appeared to think that the best thing to do was to leave it to the legislature.

Judge Jesse B. Strode was elected chairman of the convention and had been called to order by County Clerkman J. Reid Green, and Frank Stapleton of Hickman was elected secretary.

Strode Praises Hughes.

Judge Strode in his address said that the national convention had nominated the most popular candidate ever nominated by a national convention because he had been nominated absolutely without any effort on his part and against the wishes of the bosses, hence he was a candidate of the people and would be elected.

A resolutions committee was appointed consisting of Walter L. Anderson, L. J. Dunn, L. L. Lindsey, Don L. Love, A. S. Graham, Cyrus Black and U. S. Ellithorp.

Messages were read from Judge A. L. Stanton, candidate for governor, and C. F. Reavis, candidate for congress in the First district.

John L. Kennedy, candidate for the United States senate, was present and addressed the convention.

Kennedy Delivers Speech.

He said the country was facing one of the greatest problems in its whole history and it behooved every true American to do his duty. "We who came here from a foreign country," said Mr. Kennedy, "should show true Americanism. Any man who comes from across the water should discard everything not in sympathy with American ideas and American institutions in fact one of the great people on this side of the water who love true liberty."

His address was enthusiastically received and frequently loudly applauded.

Delegates Elected.

The following delegates were elected to the convention:

Howard S. Adams	T. C. Carstena
Crawford Kennedy	Henry Gerbie
Victor Seymour	A. Otterman
W. E. Brown	W. E. Brown
O. V. P. Stout	A. M. Trimbel
J. B. Strode	T. W. Smith
W. A. Hellock	H. C. Johnson
L. J. Dunn	Martin C. Witham
Don L. Love	C. C. Dalley
J. C. P. McKennon	Ralph Miller
W. L. Williams	Samuel L. Lang
L. J. Dunn	Alva Van Curen
H. M. Bushnell	Henry F. May
W. E. Brown	W. E. Brown
C. E. Williams	J. Swearingen
J. C. Penser	Cyrus Black
Henry F. Gule	Henry DeVries
W. E. Brown	W. E. Brown
B. D. Beach	John Mann
Hiram Broch	C. L. Myers
W. E. Brown	W. E. Brown
W. C. Frampton	W. J. Blystone
E. J. Helner	W. C. Israel
George W. Adams	L. G. Brian
W. Lindley	C. H. Aldrich
A. Warner	

Resolutions Adopted.

The resolutions adopted by the convention were as follows:

We, the republicans of Lancaster county, in convention assembled, do most heartily approve of the platform adopted by the national republican convention in Chicago and congratulate our party upon taking such a firm stand for undivided Americanism and unswerving loyalty to our nation. We pledge our enthusiastic support to the nominees of that convention, Charles Evans Hughes and Charles Warren Fairbank, and know that under their leadership a reunited party will achieve success in November. We believe in Nebraska a normal republicanism in the United States senate by two republicans, and we assure our nominees, the Hon. S. P. Kennedy and C. F. Reavis, our support and co-operation in securing his election.

Praise for Reavis.

It is with satisfaction and with unusual pride that we note the distinguished, identified and patriotic action in the congress of the United States by our representative from the First district of Nebraska, Hon. C. F. Reavis. It is to be remembered that Lancaster county, during the congressional campaign two years ago, gave to Mr. Reavis its most hearty and enthusiastic support, both by the party's regular organization and by individual effort. And this year we again give our support and approval of his record as our representative in the popular branch of the congress of the United States. We pledge our support and approval of his record as our representative in the popular branch of the congress of the United States. We pledge our support and approval of his record as our representative in the popular branch of the congress of the United States.

Hay Named for Judge Of Court of Claims

Washington, July 15.—President Wilson today nominated Representative James Hay of Madison, Va., chairman of the house military affairs committee, for judge of the United States court of claims, to succeed Judge George W. Atkinson, who retired for age.

### JURORS ACCUSED WILL ORPET OF MURDER CHARGE

#### Twelve Men, After Being Out for Five Hours, Declare University Student Is Not Guilty.

#### CASE PERPLEXING ONE

##### Charge of Judge Donnelly is Regarded as Favorable to the Defendant.

#### HIS ATTORNEY PLEASD

Waukegan, Ill., July 15.—William Orpet, the university student charged with murdering Marion Lambert, the high school girl and his former sweetheart, was found not guilty tonight by a jury in Judge Donnelly's court after five hours deliberation. Counsel for the defendant said that Judge Donnelly's instructions to the jury were tantamount to a command to the jury to acquit.

Speaking of Orpet's testimony that he merely looked at the body and fled, Mr. Joslyn, who closed for the state, said:

"If he suddenly was surprised to find her unconscious there wouldn't he have bathed her head in snow, wouldn't he have opened her dress, wouldn't he have searched exhaustively for signs of life? Even the callous defendant would have done that, but he didn't because he knew she was dead, and he alone knew."

At the close of Mr. Joslyn's argument Judge Donnelly delivered his instructions to the jury.

Charge of Judge Donnelly.

Counsel for the defense considered Judge Donnelly's instructions favorable to the defendant. Excerpts follow:

"The jury should not go beyond the evidence to hunt up doubts, nor must they entertain such doubts as chimerical or conjectural."

"The court instructs the jury that although the jury should be satisfied from the evidence beyond a reasonable doubt that the deceased Marion Lambert died from cyanide of potassium poisoning, still if the jury further finds from the evidence that she had the same opportunity for taking the poison herself without the aid of the defendant, that the defendant had to give it to her, and if it is possible from any reasonable manner to explain all the facts and circumstances proved on the trial consistently with the hypothesis that she did take the poison herself, then this is sufficient to raise a reasonable doubt and the jury should render a verdict of not guilty."

"Nothing short of proof so clear and convincing as to exclude every reasonable hypothesis of his innocence will justify a conviction, and without such proof the jury must find the defendant not guilty."

"To warrant a conviction the defendant must be proved guilty so clearly that there is no reasonable theory that he can be innocent."

"Unless you find beyond all reasonable doubt in considering the evidence that the defendant had cyanide of potassium in his possession just prior to the death of Marion Lambert, then you should find the defendant not guilty."

"Flight, though a circumstance to be weighed against the defendant, is not of a conclusive character and it may not be evidence of guilt if it appears that there was any other motive for flight than a sense of guilt."

"If there are two theories, one for guilt and one for innocence, then adopt the innocent theory and acquit."

"Presumption of innocence is not a mere form to be disregarded by the jury at pleasure, but it is an essential substantial part of the law of the land."

"The jury has no right to assume the guilt of the defendant and then to try to reconcile the testimony with such theory."

Case Perplexing.

The case became one of the most perplexing in the annals of criminal history. Motive paralleled motive, action paralleled action, opportunity paralleled opportunity until the marks of murder and om suicide became substantially as one.

In the end the guilt or innocence of the defendant, so far as the adduction of actual fact was concerned, went to the jury on the mystifying niceties of chemical analysis and Orpet's own compromising conduct. The mystery attracted unusual interest in all parts of the United States and Canada.

Trial of the case including selection of a jury occupied the better part of two months. There appeared in evidence forty-four letters written by Orpet to Marion over a period of a year; bottles and boxes containing samples of cyanide from the McCormick estate, from the Deerfield High school laboratory, from Kraft's drug store at Lake Forest and white powder scraped from Marion's hand and from spots on her cloak; the girl's garments; a magazine article dealing with the use of cyanide as a fumigator in greenhouses; the chemistry text books used respectively by the high school girl and the college student; a copy of the Wisconsin statute dealing with the sale of poisons, and a bottle of molasses and water.

Chemists Testify.

Five chemists, all of whom were specialists in toxicology; one alienist, two surveyors, druggists, street carmen, an undertaker, school teachers, police officers, reporters and friends of the Orpets and Lamberts were among the long array of witnesses who testified.

Ralph W. Dady, state's attorney of Lake county; David R. Joslyn, state's attorney of McHenry county, and Eugene M. Ruyard appeared as counsel for the prosecution, and

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### SERIOUS MISHAP ON THE OMAHA MOTOR SPEEDWAY—Aldo Franchi's car skids at 100 miles per hour, and goes through rail at top of track; Franchi is but slightly hurt, while his mechanic, Dan Colombo, dies from his injuries. Flying splinters hurt several spectators. Cut shows wrecked car lying at bottom of "zone of safety."



Franchi's car after going through the grand stand

### COLLIER HECTOR IS TOTAL WRECK

#### Naval Vessel Strikes Reef Off Charleston and Breaks In Two.

#### ALL ARE REPORTED SAVED

Washington, July 15.—Commandant Briant of the Charleston yard sent the following message to the Navy department:

"Hector ashore seven miles north-east of the Romaine gas buoy. Abandoned by crew at 12:45 a. m. Ship broken in two and a total wreck. All hands saved. Chief engineer and one fireman seriously injured. Carpenter broken leg. Officers and crew being taken to Charleston."

The chief engineer is Edward A. Mercer of Rockland, Me.

Another dispatch from Captain Briant, commandant at Charleston, said all the officers, crew and marines taken off by the lighthouse tender Cypruss and the tug Wilmington arrived at Charleston at 8 a. m. today.

#### Six Reported Missing.

Charleston, S. C., July 15.—At least one marine was drowned and five or six others who were aboard the large naval collier Hector, which grounded while trying to reach Charleston, are missing, according to reports to the Consumers' Coal company, owners of the tug Vigilant, which went to the Hector's assistance.

The chief engineer's skull was fractured and two others of the crew were badly injured, according to the report.

One hundred and two marines and sailors from the Hector were landed here this morning. Captain Newell and sixteen men remain aboard the Hector, which is lying aground off Charleston lightship, broken in two.

Four injured marines were sent to a local hospital.

### CHARLESTON, S. C., July 15.—Tales of the unsuccessful fight of the naval collier Hector against a gale which blew 120 miles an hour, great seas, fires and disabled engines and the daring rescue of 102 men by the tug Wellington, were brought today by the first survivors to land.

The Wellington, storm battered and having lost its two barges, worked for six hours taking off the crew and sixty marines, which the Hector was taking from Port Royal to Guantanamo.

Captain Joseph Newell of the Hector and about twenty men were taken off later by the steamer Cypruss and the broken Hector was left to its fate, seven miles northeast of Caperton. No member of the ship's company was lost and but four were hurt.

The Hector ran into the worst of the hurricane Thursday morning. Huge waves broke over the vessel and disabled the engines. When it was unable to make way, wireless calls for help were sent out. Fires broke out in the hold.

The Wellington reached the collier at 1 o'clock Friday afternoon, about one hour after the Hector was grounded. The work of transferring the men continued for several hours. Captain Newell with about a score of men elected to remain on the Hector. The Wellington started for this port and the Cypruss set out to take off Captain Newell and his men, as it seemed certain there was no chance to save the collier. At 8 o'clock last night Captain Newell and his men were forced to leave the Hector.

### Famous French Scientist is Dead

Paris, July 15.—Prof. Elie Metchnikoff, the famous bacteriologist, is dead.

Prof. Metchnikoff had been in poor health for several months. The first news of his serious condition reached this country in January, when it became known that he was seriously ill with heart disease. His physicians announced in May that there was no hope of saving the life of their patient.

### HOLDS RATES FROM OMAHA ARE UNFAIR

#### Commission Rules Railroads Are Discriminating Against Points East of River.

#### ORDERS READJUSTMENT

Washington, July 15.—The Interstate Commerce commission held today that freight rates to many Nebraska cities have given Omaha unfair advantages over Council Bluffs, Sioux City, St. Joseph, Kansas City and Atchison, Kan., and ordered a readjustment of rates to put these cities on a competitive basis, effective September 25.

The rates involved here are the Nebraska intrastate rates fixed by General Order 19 of the Nebraska State Railway commission. They went into effect November 6, 1914.

Cities on the east bank of the Missouri river; namely, Council Bluffs, Sioux City, St. Joseph and Kansas City, attacked the rates as discriminatory.

"The decision of the commission," said a Commercial club traffic bureau man, "probably orders an adjustment of rates where the haul is the same, but of course would not make the same rate apply from any of the cities mentioned to any point in Nebraska if the distance were greater than the distance from Omaha."

"Omaha now has the same rate to points in Iowa, for instance, as Council Bluffs has, plus the bridge toll."

#### Injunction in Prospect.

Lincoln, July 15.—(Special Telegram.)—State Railway commissioners will not discuss the order from Washington until they see a copy of the decree. It is intimated an effort will be made in federal court to enjoin new rates when the railroads seek to put them in force.

### Hearing in Villisca Murder Case Set For Next Friday

Red Oak, Ia., July 15.—(Special.)—William Mansfield, charged with the Villisca axe murders, was brought before Justice George W. Thomas here yesterday and arrangements made for his preliminary hearing to be held at 9 o'clock Friday morning, July 21. Mansfield expressed a desire to have the hearing put off until that date so that his attorney, J. C. Detwiler of Kansas City, could have time to confer with some witnesses after arriving here. Detwiler expects to be here on Tuesday or Wednesday of next week, according to a letter which Mansfield received from him yesterday.

Judge E. B. Woodruff arrived here yesterday morning and organized the grand jury and left again at noon. The grand jury has been in session all day and it is presumed that it has been hearing evidence in the Mansfield case, as a number of persons from Villisca have been here during the day.

The grand jurors are H. M. Dirrim of Scott township, E. T. Erickson of Frankfort, W. R. Finlayson of Jackson, S. D. Gillispie of West, Charles Holmstrom of Sherman, J. R. Jones of Lincoln, C. M. Kneedy of Pilot Grove, A. S. Nelson of Grant, W. H. Ruske of East, R. D. Taylor of Douglas, T. T. Thompson of W-shington and S. L. Wickersham of Red Oak.

### Troops of South Dakota Expect to Start Tonight

Sioux City, Ia., July 15.—Advices from Redfield, S. D., to the Journal says that the South Dakota troops probably will start for the border tonight. The troops have received orders to entrain and probably will board cars in a few hours.

### WIFE OF ST. JOSEPH PROSECUTOR SLAIN

#### Mrs. Oscar McDaniel Beaten to Death During a Short Absence of Husband.

#### DEED CAREFULLY PLANNED

St. Joseph, Mo., July 15.—Mrs. Oscar McDaniel, wife of the prosecuting attorney of Buchanan county, whose skull was crushed by assassins at her home about midnight last night, died here this morning without regaining consciousness. The entire police and sheriff's forces are engaged in the search for the murderer or murderers.

An assassin fired five shots at her husband, who engaged in a pistol duel with the man. Neither was hit and the man escaped. The attack was evidently carefully planned and it is believed the assassin intended to kill both the prosecutor and his wife. The police connect the tragedy with an anonymous threatening letter received by McDaniel about a week ago.

McDaniel was called downtown by a telephone call about 11:30 p. m. McDaniel found the call was a fake. He hurried back home and as he stopped his car in front of the house, a man opened fire on him from behind a tree. After his assailant fled, the prosecutor hurried upstairs to his wife's room, where he found her senseless on the floor, her head terribly crushed. She had been beaten with some heavy blunt instrument. Bloodhounds are being used in an effort to track the slayer.

The police have taken into custody five men who are held pending investigation of the murder.

### Twenty-Seven More Infants Are Dead of Paralysis at Gotham

New York, July 16.—A drop in temperature failed today materially to reduce the fatalities and development of the epidemic of infantile paralysis. During the twenty-four hours ending at 10 o'clock this morning, there were twenty-seven deaths and 144 new cases of the disease reported in the five boroughs of New York.

To control the epidemic the Rockefeller foundation today donated the sum of \$50,000 to those in charge of the fight against the disease. Mayor Mitchel has been named a member of the committee through which the fund will be disbursed.

Since the epidemic started on June 26, nineteen days, 1,853 cases have been reported and there have been 369 deaths.

### Paul Smith, Motor Magnate, Falls From Tenth Floor

New York, July 15.—Paul Smith of Detroit, vice president of the Chalmers Motor company, was killed today when he either jumped or fell from the window of his room on the tenth floor of the Hotel Biltmore. Mr. Smith came here July 10 on business. "He had complained of ill health and had summoned his wife from Detroit on the plea that he had pro-maine poisoning. Mrs. Smith reached New York early today and was about to have breakfast with her husband in his apartment, when she missed him. She said she did not see him drop from sight or hear an outcry."

### Business Section of New Hall, Iowa, Destroyed by Fire

Cedar Rapids, Ia., July 15.—The entire business section of New Hall, fifteen miles west of here, was destroyed by fire today. The loss was estimated at \$90,000.

### BRITISH FORCE GERMANS TO THE THIRD POSITION

#### Allies at One Point Advance Four Miles Behind First Line of the Teuton Trenches.

#### TRONES WOOD IS TAKEN

##### Official Statement from Berlin Admits Loss of Considerable Ground.

#### FRENCH REPULSE ATTACK

London, July 15.—The British offensive was resumed today. The war office announced that at one point the Germans were forced back to their third line position. More than 2,000 prisoners were taken.

The statement from the front, timed 12:50 p. m., follows:

"All continues to go well on the British front, and at one point we forced the enemy back to his third system of defense, more than four miles to the rear of his original front trenches at Fricourt and Mametz."

"In the last twenty-four hours we have captured over 2,000 prisoners, including a regimental commander of the Third Guards division, and the total number of prisoners taken by the British since the battle began exceeds 10,000. Large quantities of war material also have fallen into our hands."

#### French Repulse Attack.

Paris, July 15.—A violent artillery duel continues in the Fleury sector, the war office announced today. A German attack on a trench north-east of the Avocourt redoubt was repulsed, the official statement asserts, and German attempts to undertake attacks in the Apremont forest were checked by a curtain fire.

#### Germans Admit Losses.

Berlin, July 15.—(Via London.)—The continuation of the British attack on the German lines between Poziere and Longueval resulted in the penetrating of the German lines and effecting a gain of territory, the war office announced today. The British also have occupied Trones Wood. The fighting is continuing, although the attack has been stemmed, adds the statement, which says:

"British attacks which followed the first sanguinary repulse suffered by them north of the Somme led to heavy fighting. By his forces massed between Poziere and Longueval the enemy, in spite of the most severe losses, succeeded in penetrating our lines and gaining some ground. He also occupied Trones Wood. The attack has been stemmed, but the fighting is being continued."

Italian Attack Repulsed.

Berlin, July 15.—(Wireless to Sayville.)—The repulse of heavy attacks by Italians on Austrian front in the Trentino between the Brenta and the Adige is announced in the Vienna headquarters report of July 14. The statement says:

"Intense activity continues between the Brenta and the Adige. The enemy ten times attacked northeast of Monta Rasta, being in each case repulsed by our troops, who maintained all their positions."

### Transit Privileges On Omaha Grain Ordered Curtailed

Washington, July 15.—Transit privileges at Atchison and Leavenworth, Kan., on grain from Omaha and Council Bluffs to Mississippi river points were curtailed today by the Interstate Commerce commission on the plea of the railroads that they were no longer necessary.

The effect of the ruling, according to Omaha grain men, will not be great so far as Omaha is concerned. In the past Omaha elevator men and shippers have sent considerable grain to St. Louis and other Missouri river points, via Atchison and Leavenworth, the grain being shipped to dealers at these points and held in storage until wanted at the destination points.

"The ruling won't hurt us to amount to anything," says P. D. Sturdevant of the Transmississippi Grain company. "We will ship direct at practically the same rates. It will hurt Atchison and Leavenworth only."

### Capt. J. M. Leidy, Rejected as Chaplain, to Do Recruiting

Captain J. M. Leidy, whose services as chaplain with the Nebraska volunteers were rejected because of failure to pass the physical examination, has accepted the offer of Adjutant General "Phil" Hall to appoint him recruiting officer.

# 1483

## More Paid Want Ads in The Bee for the Week Just Ended, 7-15, than in the Same Week One Year Ago

An Increase of 67%

Be Want-Ads are gaining by leaps and bounds.