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THE OMAHA DAILY BEE

THE WEATHER
FAIR; COLD

VOL. XLVI.—NO. 167.

OMAHA, FRIDAY MORNING, DECEMBER 29, 1916—TEN PAGES.

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RAIL MAGNATES AND TRAINMEN CANNOT AGREE

Representatives of Roads and Brotherhoods Fail to Reach Agreement on Adamson Eight-Hour Law.

SESSION QUICKLY ENDED

Unionists Oppose Plan of Settlement Along Lines of Switchmen Award.

MEETING IN NEW YORK CITY

New York, Dec. 28.—Resumption of conferences here today between representatives of the railroads and the employes brotherhoods was quickly terminated. The conferees had been in session less than two hours when an adjournment was taken and no announcement was made as to whether future meetings would be held. The brotherhood chiefs were obviously disturbed when the session ended. Neither side would be quoted as to what had taken place.

It was learned, however, that the roads suggested that the dispute between them over the application of the Adamson law, if upheld by the supreme court, be settled on the basis of the switchmen's award which, the railroad managers held, gave the switchmen on the roads involved nine hours pay for eight hours of work. Representatives of the brotherhoods, it was asserted, declined to accept a settlement on such a basis. They are declared to have pointed insistently to the Adamson act and to have demanded that an agreement be reached under the act. Such a settlement they held would grant them ten hours pay for eight hours of work. It was understood that during the conference today, the brotherhoods suggested the creation of a federal commission representing both sides, which would consider and settle arbitrarily all future disputes regardless of whether the Adamson act was declared constitutional. The proposal was not given consideration, however, it was stated in view of the failure of the conferees to agree on how the act ought to be worked out. The railroad managers will continue their individual conferences here, it was stated. The plans of the brotherhoods were not announced.

Night Patrolman Killed by Man He Seeks to Subdue

Rapid City, S. D., Dec. 28.—(Special Telegram.)—A Night Patrolman Hawks entered a hotel here at an early hour this morning in response to a call for help. Ensor Spiking shot him through the heart, killing him instantly. Spiking had been making a disturbance in the hotel, seeking to see a woman with whom he was friendly. The hotel manager had called the patrolman, Spiking is thought to have been intoxicated. He is a carpenter and has been serving on a jury in court.

Answer of Carranza is Now in Lane's Hands

Washington, Dec. 28.—Luis Cabrera, chairman of the Mexican commission, has arrived, bearing the answer of Carranza to the demand of the American representatives that he ratify or repudiate the protocol signed at Atlantic City. He has made arrangements with Secretary Lane to submit the answer today.

The Weather

For Nebraska—Fair, colder.
Temperatures at Omaha Yesterday.

| Hour | Deg. |
|----------|------|
| 5 a. m. | 7 |
| 6 a. m. | 6 |
| 7 a. m. | 6 |
| 8 a. m. | 6 |
| 9 a. m. | 7 |
| 10 a. m. | 7 |
| 11 a. m. | 7 |
| 12 m. | 12 |
| 1 p. m. | 12 |
| 2 p. m. | 17 |
| 3 p. m. | 17 |
| 4 p. m. | 16 |
| 5 p. m. | 15 |
| 6 p. m. | 15 |
| 7 p. m. | 11 |
| 8 p. m. | 11 |

Comparative Local Records.
1916, 1915, 1914, 1913.

| | 1916 | 1915 | 1914 | 1913 |
|--|-------|-------|-------|-------|
| Highest yesterday | 17 | 36 | 32 | 32 |
| Lowest yesterday | 6 | 8 | 22 | 16 |
| Mean temperature | 12 | 17 | 27 | 24 |
| Precipitation | .00 | .00 | .01 | .00 |
| Temperature and precipitation departures from the normal at Omaha since March 1, compared with the last two years: | | | | |
| Normal temperature | 33 | 33 | 33 | 33 |
| Deficiency for the day | 21 | 27 | 21 | 17 |
| Total excess since March 1 | 187 | 187 | 187 | 187 |
| Normal precipitation | .02 | .02 | .02 | .02 |
| Deficiency since March 1 | 12.65 | 12.65 | 12.65 | 12.65 |
| Deficiency for cor. period, 1915 | 2.14 | 2.14 | 2.14 | 2.14 |
| Deficiency for cor. period, 1914 | 2.14 | 2.14 | 2.14 | 2.14 |

Reports from Stations at T. P. M.
Station and State Temp. High- Rain-
of Weather. T. P. M. est. Fall.

| | | | |
|------------------------|----|----|-----|
| Cheyenne, clear | 26 | 35 | .00 |
| Davenport, clear | 12 | 14 | .00 |
| Denver, clear | 8 | 24 | .00 |
| Des Moines, clear | 14 | 24 | .00 |
| Idaho City, pt. cloudy | 22 | 24 | .00 |
| Landover, clear | 8 | 18 | .00 |
| North Platte, clear | 8 | 18 | .00 |
| Omaha, clear | 13 | 17 | .00 |
| Public, clear | 20 | 26 | .00 |
| Salt Lake City, cloudy | 14 | 18 | .00 |
| Sioux Falls, clear | 10 | 12 | .00 |
| Sheridan, part cloudy | 4 | 10 | .00 |
| Sioux City, clear | 4 | 10 | .00 |
| Valentine, clear | 10 | 12 | .00 |

— indicates below zero.
L. A. WELSH, Meteorologist.

OMAHA TO WELCOME THE SOLDIERS HOME

Nebraska Troops Reaching Fort Crook Saturday to Be Greeted by a Band.

AUTO PARTIES PLANNED

Mayor Dahlman appointed Commissioners Butler, Jardine and Kugel to serve as a committee to make suitable arrangements to receive the returning Nebraska National Guard soldiers from the Mexican border. It is expected the troops will arrive at Fort Crook Saturday afternoon or evening. The Postoffice band has been offered for the occasion and the Elks will co-operate.

The Fourth Nebraska regiment left Llano Grande Tuesday afternoon. The committee expects to meet the boys at Fort Crook and everything will be done to impress the guardsmen with the thought that Omaha appreciates their services, even if they did not get into actual battles. Genuine Welcome. "We were not able to give the soldiers the send-off they deserved, so it is up to us to make their homecoming a genuine welcome," said Mayor Dahlman at a meeting of the city council. An automobile party from the city hall to Fort Crook will be a feature of the reception. The guardsmen will be encamped at Fort Crook until mustered out of the federal service.

Every Man, Woman And Child Invited To the Reception

Salt Lake City, Utah, Dec. 28.—Departing from the time-honored custom of inaugural balls, with all their pomp and splendor, Governor-elect and Mrs. Simon Bamberger have announced that they will give an inaugural reception in true democratic style at the capitol the night of January 5.

The reception will be held from 8 to 10 o'clock and will be a public affair. No special invitations will be issued and no tickets will be sold. Every man, woman and child in Utah is invited to come and get acquainted with the chief executive and the first lady of the state, as well as the newly-elected officers. It will be a strictly informal function. The man in overalls and the woman in calico will be just as welcome as the man in evening clothes and the woman in silks. The governor-elect has announced that this is to be his and Mrs. Bamberger's inaugural reception, strictly non-partisan and non-sectarian and that he will foot all the bills. He lays emphasis on the fact that it is to be a democratic affair, only democratic with a small "d."

Trade Unions and Societies Wishing Success for Wilson

The Hague, Dec. 28.—(Via London, Dec. 28.)—Floods of cablegrams are being sent to President Wilson by trade unions, social welfare societies, religious bodies of all denominations and other organizations, wishing him success in what they regard as his efforts to bring about peace. The Dutch socialist party sent the following message to the president today: "The Dutch socialist party supports in the strongest way your initiative in favor of peace and appeals to the belligerent powers to accept your proposal." The newspapers, in voluminous articles, regard the situation rather hopefully, with the exception of the anti-German Telegram, which favors a war to a finish and sneers at Germany's answer, using the words "if it can be called an answer." The Telegram says the central powers are grateful to President Wilson.

New Wealth Acts As Dynamo Within George A. Roberts

Because his "war brides" have been so good to him as to have presented him with about a half million dollars he is not reason enough for George A. Roberts, Omaha grain man, to sit back and rest. Instead, he has bought, for more than \$100,000, the South Side grain elevator of the Updike Elevator company. "I am new in the elevator business, but I have faith in Omaha's future," said Mr. Roberts, discussing his new venture. "I believe this city is coming to the front rapidly and can support not only one, but many more elevators."

Cigars from California Likely to Be Explosive

Los Angeles, Cal., Dec. 28.—Seventeen cigar "bombs" of twenty-five, mailed on a train in California to addresses in Iowa, Nebraska and other middle western states and along the Pacific coast, have yet to be accounted for, according to postoffice inspectors today. The "bombs" were mailed December 22. One of them was received by a man in Brawley, Cal., and in an attempt to smoke the cigar he was severely injured about the face. Seven other of the "bombs" have been traced to their destinations. Postmasters in various towns and cities throughout the country have been asked to watch for the cigar packages.

NINE MEN FOUND GUILTY IN HORSE VERDICT

Jury Finds Against Defendants in Celebrated Federal Court Case After Being Out Six Hours.

TWO ARE EXONERATED

Trial Is One of Costliest and Longest in History of the Local U. S. Court.

HUNDREDS OF WITNESSES

"WILD HORSE" VERDICT. Albert A. Hastings, Silver Creek, Neb., guilty. Charles W. West, Lincoln, guilty. J. E. Shircliff, Sauke Center, Minn., guilty. B. F. Burwinkle, Elston, Ia., guilty. John Boley, Omaha, guilty; mercy of court recommended. F. Guidinger, Minneapolis, not guilty. W. Hinkley, Brayton, S. D., guilty. J. Sidney Smith, Omaha, guilty. A. C. Smith, Omaha, guilty. Charles M. Thompson, Omaha, guilty; mercy of court recommended. Joseph C. Wharton, McCracken, Kan., pleaded guilty. A. O. Perry, Omaha, pleaded guilty. L. R. West, Osceola, Ia., dismissed.

The "wild horse" jury, after being out six hours and twenty minutes, brought in verdicts yesterday afternoon branding nine of the eleven defendants "guilty" on the charge of conspiring to use the mails to defraud in the selling of wild mustangs on the government reserve in Coconino county, Arizona. F. Guidinger of Minneapolis and L. R. West of Osceola, Ia., were found not guilty and exonerated of all blame in the fraud. Judge Woodrough had instructed the jury that not enough prima facie evidence had been shown by the government to hold the latter in connection with the case and ordered the jury not to bring a verdict of guilty against him.

Recommendations Lenient

As to John Boley and Charles M. Thompson, both of this city, the jury recommended that the leniency of the Omaha and Joseph C. Wharton of McCracken, Kan., entered pleas of guilty prior to the beginning of the case. The defendants were allowed to retain their liberty on their former bonds and were given thirty days before sentences were pronounced. "To file motions before the court," to file motions before the court. Upon hearing the verdict, all of the defendants found guilty said that they would ask for a new trial, and if that was refused, declared they would appeal the case.

Harks Back to 1914

In 1914 the federal grand jury indicted forty-two persons for having a hand in the selling of plantations and imaginary wild horses, which the United States Live Stock company claimed were running the range in Coconino county. Since the first indictment was returned a number of the defendants have died and others have been released from the charge. Several others have been granted separate trials, and besides the thirteen tried the last three weeks charges still remain against fifteen. The case was one of the costliest and longest ever tried at the federal court here. The government subpoenaed nearly 100 witnesses from all parts of the country, while witnesses for the defense totaled half this number.

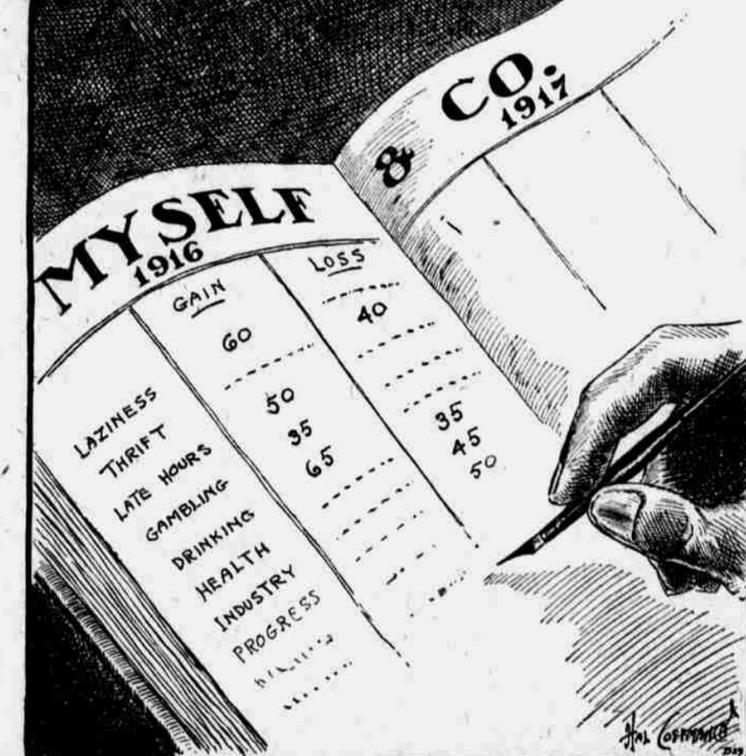
Fire Threatens to Destroy Brewing Company's Plant

Fire starting from either defective wiring or an overturned stove, broke out in the warehouse and cold storage plant of the Schlitz Brewing company at Ninth and Leavenworth streets early last evening and threatened to destroy the entire group of buildings. The fire department made little headway in extinguishing the blaze, as exploding barrels of beer gave it fresh starts in dozens of places as fast as the flames were conquered in other parts of the plant. There were several hundred barrels of beer stored in the warehouse.

Black Hills Forest Roads To Be Officially Logged

Deadwood, S. D., Dec. 28.—Automobile roads within the Black Hills forest will be logged by the forest officers for the benefit of automobile tourists, according to a statement issued by the office of the forest superintendent. It is planned to have this work completed before the 1917 tourist season opens. The data is to be gathered in such form as to be in convenient shape for use of travelers in the Hills region. Particular effort will be given to roads that will be of interest to the tourist who comes from a distance. Routes of travel will be laid out so that tourists may take the most convenient method in traveling through the forest and still see the most important places of interest. These roads logs will cover all information as to roads, bridges, hills, stopping places, and other points of convenience, the statement says.

Striking a Balance—Be Honest With Yourself



COMMISSION TAKES UP CAR SHORTAGE

Order Looking to Relieving the Freight Congestion of Roads Ready to Be Issued.

RAILROAD MEN AT HEARING

Washington, Dec. 28.—Representatives of railroads throughout the country today appeared before the Interstate Commerce commission to show cause why the commission should not take into its own hands the car shortage situation heretofore dealt with by the roads themselves and issue drastic orders to relieve congestion.

The order which the commission apparently is prepared to issue, unless the roads show cause why it should not, would require the roads to return to connecting lines all foreign cars on their tracks after unloading. Heretofore the railroads have endeavored to cope with the situation by requiring roads in the east, where the congestion is greater, to return to connecting lines monthly a larger number of foreign cars than received. Disregard Requirement. This requirement is said to have been largely disregarded by certain eastern roads with resultant upset of the relief plans.

While congestion of traffic is said to be somewhat less at present than recently, the improvement in conditions apparently has not been as rapid as the commission expected it would be. One of the phases of today's hearing was the claim advanced by certain railroad interests that the commission apparently was without authority to issue such an order as cited in today's summons.

Dakota Legislature Asked to Take Part In Prohibition War

Pierre, S. D., 28.—One of the most vital issues to come before the lawmakers of South Dakota is a proposed law which will put into force the prohibition amendment to the state constitution, adopted by the voters in the November election. It is necessary that the legislature pass an act placing a penalty upon the violation of the prohibition measure before the law becomes operative. Reports indicate a general demand throughout the state that the law be made as stringent as possible and that heavy penalties be placed upon the violation of the prohibition provision. Some of the most ardent prohibition supporters are pressing for a clause which will prohibit the importation of liquor into the state for home consumption.

Grocers Fear Ink Flavor if Storage Eggs Are Stamped

New York, Dec. 28.—Danger of an ink flavor in coffee settled by eggshells was advanced as one reason against stamping "cold storage" on eggs in argument before the supreme court, on application of John J. Dillon, state commissioner of foods and markets, for an injunction against selling eggs not so marked. Another argument was that the individuality of eggs as to shape made the labeling of each one impracticable. The arguments were presented by grocery men's counsel. A representative of the state attorney general's office argued in support of the application that the failure of some stores to apprise their customers of the sort of eggs they were buying made the stamp order necessary. The court reserved a decision.

Bryan the Speaker at the Prohibition Convention

Lexington, Ky., Dec. 28.—The national convention of the Intercollegiate Prohibition association, which opened here at 2 o'clock this afternoon had William J. Bryan as the chief speaker. He came as a champion of national prohibition. Prior to Mr. Bryan's address Mayor James C. Rogers delivered an address of welcome on behalf of the city and Colonel George W. Bain, veteran prohibition orator, welcomed the convention on behalf of the temperance organizations of Lexington. Dr. D. Leigh Colvin, national president of the Intercollegiate Prohibition association, presided.

ANOTHER FEDERAL PLUM FOR OMAHA

Nebraska Metropolis Selected Headquarters for Fifth Good Roads Division.

DEFEATS KANSAS CITY, MO.

Omaha has been selected as headquarters for the fifth federal good roads division. This means that the federal government work on good roads in Nebraska, Kansas, Iowa and Missouri will be administered from Omaha. The government will in all probability take quarters for this administrative office in the Douglas county court house. A few weeks ago County Commissioner John Lynch notified Congressman Lobeck that the commissioners would be glad to provide quarters in the court house for this office if it were located at Omaha.

Kansas City was in the field seeking to be chosen as headquarters for the fifth district. The federal government has appropriated a good roads fund, of which \$8,500,000 is apportioned to the district of Nebraska, Kansas, Iowa and Missouri. The condition is that before the federal money is available for road building in any state, that state must appropriate an amount of money for roads, equal to the amount of federal money it seeks to use. Thus if Nebraska hopes to get \$1,500,000 of the federal money for road building in the state, the legislature this winter must appropriate that amount for roads. The work of constructing the roads is to be supervised and managed by the government office in Omaha.

GIVES UP SEARCH FOR THE MARYLAND

Nantucket, Mass., Dec. 28.—The steamship Maryland is regarded as probably lost. Search for the vessel and crew by the coast guard cutters Acushnet and Gresham, begun after the Maryland's wireless calls of distress were suddenly silenced Christmas night, was abandoned without having developed any trace of the steamship by either. Flotsam found by the cutters could not be identified as being from the Maryland. Hope for the safety of the steamer's thirty odd men lies in the possibility that they were picked up from the ship's boats by a passing steamer.

Germany Asserts Delto Was Chartered To the Belligerents

Berlin, Dec. 28.—(Via London, Dec. 28.)—The reply of the German government to another of the American inquiries in regard to steamships sunk by submarines, in this instance relating to the destruction of the Norwegian steamship Delto with Americans in the crew, asserts that the steamship was chartered for transport purposes to a belligerent government and hence its destruction was legitimate. This reply which has been delivered to the American embassy says that so far as was possible the safety of the crew was provided for. The men were given half an hour in which to enter the boats. The weather was clear and the distance to the shore was not excessive.

Steamer Supposed to Have Been Lost Reaches Port

Block Island, R. I., Dec. 28.—The Clyde line steamer Ozama, for which four coast guard cutters had been searching along the New England coast, anchored inside the breakwater here today. The Ozama left Portland, Me., December 21 from New York, and had not been heard from until it appeared here. It is believed it was blown to sea in the storms of the last week.

Bread and Flour Tickets Are to Be Issued in Sweden

Copenhagen (Via London), Dec. 28.—A Stockholm dispatch to the Ekstrabladet says that bread and flour tickets will be issued in Sweden after January 15.

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WILSON GETS THE FULL TEXT OF THE KAISER'S OFFER

Terms Are Substantially Same as Contained in Message Sent from Berlin by Wire Last Tuesday.

ACCEPTS FRIENDLY SPIRIT

Prevention of Future Wars to Be Taken Up After End of the Present Conflict.

FOR EXCHANGE OF VIEWS

Washington, Dec. 28.—The official text of Germany's reply to President Wilson's peace note was received here early today. So far as was known it was unaccompanied by any other communication and was said to be substantially the same as the unofficial text received Tuesday from Berlin. The official text, which differs some in phraseology from the unofficial, follows: "The imperial government has accepted and considered in the friendly spirit, which is apparent in the communication of the president, the noble initiative of the president looking to the creation of bases for the foundation of a lasting peace."

The president discloses the aim which lies next to his heart and leaves the choicest way open. "A direct exchange of views appears to the imperial government as the most suitable way of arriving at the desired result. The imperial government has the honor, therefore, in the sense of its declaration of December 12, which offered the hand for peace negotiations to propose speedily assembly on neutral ground of delegates of the warring states. "It is also the view of the imperial government that the great work for the prevention of future wars can first be taken up only after the ending of the present conflict of exhaustion. The imperial government is ready when this point has been reached to co-operate with the United States in this sublime task."

Germany Will Not Block Way

Germany, it was made known, will not permit the road to peace negotiations to be blocked by a refusal of the entente belligerents to enter a conference without prior knowledge of its terms. It has been forecasted that the entente powers would base a refusal on such a condition. The central powers are represented as willing to permit a confidential exchange of broad tentative terms through President Wilson, should it become necessary to do so to bridge the gap which threatens to prevent a gathering of peace delegates. There were broad intimations today that (Continued on Page Two, Column One.)

Avalanche in Alps Threatens to Wipe Out Entire Village

Berne (Via Paris), Dec. 28.—The destruction of the village of Champey, a tourist resort in the canton of Valais, is threatened by the sudden onset of a number of avalanches in the Alps. Several houses have been crushed and the whole population has evacuated the village. Swiss troops and 200 interned French prisoners of war are working day and night to preserve the rest of the village. An enormous avalanche has swept away many Alpine huts near Simplan pass, killing two men and many cattle.

Thirty Thousand-Dollar Loss by Fire at Denver

Denver, Colo., Dec. 28.—Damage of \$30,000 was caused by a fire in the building of the Proudfitt-Ormsby Commission company, in the heart of the wholesale district, early today. Frozen water mains were interfering with the work of the fire department. One fireman was slightly injured. Cause of the fire is unknown.

Fifth Raise in Oil Prices In the Last Thirty Days

Independence, Kan., Dec. 28.—The fifth increase within thirty days of 10 cents a barrel for crude oil was posted here today by the Prairie Oil and Gas company. The new price is \$1.40.

Over Hundred Thousand For Electric Street Lights

City Electrician Curran advised the city council that \$117,500 will be available during 1917 for maintenance of electric street lights.

No Bee Issue
New Year's Day
The Bee will observe the New Year's day holiday, along with other Omaha dailies, by omitting publication for that day. Our usual exhaustive statistical review of Omaha's industrial progress and other activities will be printed in our Sunday issue. As the edition will be strictly limited because of the white paper shortage, you will please order in advance all extra copies which you may want to send out-of-town friends.
Annual Review Sunday
Get Your Ads in Early