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# THE OMAHA DAILY BEE

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THE WEATHER FAIR

## SENATE PASSES SUB RESOLUTION FOR HITCHCOCK'S

Jones Substitute Motion Accepted by Nebraskan and Wins Way Through the Upper House.

### THE VOTE STANDS 48 TO 17

Wilson's Note Itself Not Approved, But Request for Terms Is Endorsed.

### MOOSERS WITH DEMOCRATS

Washington, Jan. 5.—Senator Jones' substitute for the Hitchcock resolution endorsing President Wilson's peace note, which approves the request for peace terms without endorsing the note itself, was passed late today by the senate.

By a vote of 27 to 35 the senate rejected Senator Gallinger's substitute for the Hitchcock resolution.

The vote was 48 to 17. Progressive republican senators voted solidly with the democrats for the substitute.

### One Demo in Negative.

One democrat, Senator Martine of New Jersey, voted in the negative. The vote follows:

Ayes—Democrats, Bankhead, Bryan, Chamberlain, Chilton, Fletcher, Hardwick, Hitchcock, Hollis, Hughes, Johnson, South Dakota; Kern, Kirby, Lane, Lee, Lewis, Martin, Newlands, Overman, Pittman, Pomeroy, Ransdell, Reed, Robinson, Saulsbury, Shafroth, Sheppard, Shivers, Simmons, Smith, Arizona; Smith, Georgia; Smith, South Carolina; Stone, Shannon, Thomas, Tillman, Underwood, Vardaman, Walsh—38.

Republicans, Borah, Clapp, Cummins, Curtis, Jones, Kenyon, Lippitt, Morris, Sterling, Townsend—10. Total ayes, 48.

### Noes—Republicans, Brady, Brandegee, Clark, Gallinger, Harding, Lodge, McCumber, Nelson, Page, Pendergast, Sherman, Smoot, Walsworth, Watson, Weeks, Works—17.

### Democrat, Martine. Total noes—17.

### Accept Substitute.

Washington, Jan. 5.—Senator Hitchcock today accepted as a substitute for his resolution endorsing the president's peace note one offered by Senator Jones, republican, which approves not the note, but the president's request for a statement of peace terms by belligerent nations.

Apparently referring to the submarine situation, Senator Lewis during his speech declared:

"Do you feel that the people of this nation are in such temper that they can ever again allow any commander in chief of ships, any captain of armies, any officer of diplomacy, to visit upon this country an injury to a citizen or property and escape on an excuse of misconception of orders or zeal of an officer?"

"If these conditions again be repeated," he continued, "America will not again accept that form of apology and will resent and punish to the full extent of its power. No amount of logic of pacification would prevail."

"I say, continuance of war means war with the United States and in this I have never a doubt of the comprehension of the United States and faith in the sagacious foresight of the officials of the administration in the effort looking to bring about peace with Europe that we might maintain peace in America."

Senator Lewis declared, however, he did not agree with the contention of Senator Lodge that adoption of the Hitchcock resolution would mean an endorsement of Secretary Lansing's statement that the United States was being drawn nearer to the conflict.

"But let me say on my own authority," he said, "I agree with the sentiment expressed from any quarter, whether by the secretary of state or anyone else, that this war cannot continue without America being involved in the conflict."

When Senator Lewis finished, Senator Borah, republican, began an argument, contending "If the senate acts, it will intrude itself in an affair of utmost delicacy and grave import without information other than in the newspapers and general sources."

## COMMITTEE BERTHS SOUGHT BY MEMBERS AS SESSION OPENS

Adjournment Taken Until Tuesday to Permit Committees on Committees to Make Their Assignments.

### REISHICK FOR FINANCE

Richardson County Member May Be Chosen to Guide Money Matters.

### NORMAL FIGHT SIZZLING

(From a Staff Correspondent.) Lincoln, Jan. 5.—(Special.)—During the adjournment of the legislature, which will not meet until Tuesday, the committees on committees of the two houses will endeavor to line-up the members for the different assignments, though all may not be assigned to the places they are eventually to occupy.

Chairmen of the two committees have announced that nothing will be given out until the whole list is complete, but it is rumored the most important places have already been filled. There does not appear to be much of a scramble for any of the chairmanships.

Reishick of Richardson will probably be chairman of the finance, ways and means committee of the house, and Kohl of Wayne will have his old place as chairman of a like committee in the senate.

### Normal School Fight.

The old protest against any member of the finance committee of either house coming from a district where there is a state normal school, has again been brought up by Liggett of Seward.

It is said that Ollis may get the chairmanship of schools in the house and that the chairmanship of cities and towns may again go to Richmond of Douglas. There is some opposition to Richmond on the Douglas county delegation, and Bulla and Shannon are especially interested in committee assignments, which it is said they fear will harm their chances if Richmond gets an important chairmanship, like that of cities and towns.

### How Sassy May Land.

Sass of Sarpy may land the chairmanship of the committee on railroads. This assignment was held by Regan of Platte last session. Anderson of Boyd is said to want the committee on roads, but it is pretty well understood that Soren Fries of Howard will have his old place as chairman of that committee if he wants it.

Fries has been chairman of the committee many years, having served six terms in the legislature and now starting on the seventh. He has for two or more sessions been chairman of the committee on claims, and his efficient work along that line has made him a valuable member of the committee.

### May Give Way.

It is possible that he may give way on roads to Anderson, if the latter desires the assignment, so that he can put in most of his committee time on the claims committee. Fries is well known to be fair and willing to change his mind if there is evidence enough to justify it and that is the kind of man the claims committee needs for its chairman.

In the senate, outside of the finance committee, there appears to be little juggling for jobs. Some of the members would like to be on certain committees, but as far as the public knows they are not making any threats if they don't get what they want.

## Federal Court Holds Session On Trans-Continental Train

San Francisco, Cal., Jan. 5.—On a Southern Pacific limited train, which left here late yesterday for the east, special sessions of the United States district court will be held. No witnesses will be examined, it was announced, but attorneys will argue before United States District Judge Benjamin F. Bledsoe of Los Angeles the admissibility of certain evidence in the so-called fraud suits, in which the government is seeking to cancel patents on California oil lands acquired by the Southern Pacific company.

For the convenience of witnesses for the defense Judge Bledsoe consented to hold court in New York January 19. This is the second trans-continental trip taken by the court and its attaches in this case.

The traveling expenses of the court in this case will be heavy, as sessions have been held in San Francisco, Los Angeles, San Diego, Fresno, Cal.; Washington, D. C.; and now in New York.

## Greek Government Rejects Part of Entente's Demands

London, Jan. 5.—The Greek government, acting in harmony with the king, has decided to reject certain clauses of the entente note demanding reparation in consequence of the recent fighting at Athens, Reuters' correspondent at Athens telegraphs.

The Greek government is ready to discuss the other demands made by the allies. It has been determined not to declare war on the entente, but to submit passively to all coercion, relying upon ultimate recognition by the powers that blockade is an unmerited punishment.

The demands of the entente, presented late last month, require an apology and other measures of reparation for the attack on entente forces at Athens, re-establishment of control by the allies of Greek railways, telegraph lines and posts and a large reduction in the number of Greek troops under arms.

## OFFICERS TAKE CLOTHING FROM MEN OF FOURTH

Companies at Fort Crook Are Stripped of Uniforms and Forced Into Condemned Garments.

### MEN DESTROY UNIFORMS

Assert They Will Not Turn the Clothing They Paid For.

### PHIL HALL IN CHARGE

Stripped of the uniforms and other clothing, which they insist they paid for, soldiers of the Fourth Nebraska regiment at Fort Crook are greatly aroused over the treatment they are receiving at the hands of the state and the government.

Yesterday United States army officers and officers of the Fourth Nebraska regiment went through the barracks of a number of the companies and took up all the uniforms and clothing of the soldiers. The men were left only condemned uniforms to wear home. The band of Friend was the hardest hit. In several instances, the musicians were ordered to strip off good shirts and in place put on torn and condemned ones. Following the visit band members had such ragged and uniform items that many of them borrowed money and sent telegrams to their parents asking for civilian clothing.

### Claim Paid for Clothing.

The headquarters company also was hard hit. The appearance of the men, following the taking up of their uniforms, was greatly in contrast to their former neat dress.

As a company after company heard of the manner in which the band and headquarters company had been deprived of their uniforms and other clothing, they determined that the state and government would not benefit by the act. In many instances the soldiers cut and ripped their uniforms and in some cases deliberately destroyed them.

The men say that they paid for the clothing and that it belongs to them.

### Do Not Claim Overcoats.

If the clothing is taken up, they say, they are out the money that they otherwise could have had on the refund and also the clothing.

Members of several companies openly asserted they would not give up their clothes, when requested to do so.

"The soldiers do not lay claim to the large overcoats or blankets they use, as they are only loaned to them while in the government service."

Officers at Fort Crook are sympathizers with the men, but apparently are unable to stop the taking up of the clothes.

### State to Profit.

The only possible party to profit by the deal is the state, the soldiers say, and they cannot see why Nebraska would want to benefit by taking away their clothing, which they had previously worn.

"Most of us only draw 50 cents a day," said one soldier, "and before I turn my uniform over I will set a match to it."

The manner in which the state would be benefited by the deal is (Continued on Page Two, Column Five.)

## Three Hundred Die In Japan Quake; 1,000 Houses Fall

Tokyo, Jan. 5.—Three hundred persons were killed and many injured by an earthquake in central Formosa, according to a special dispatch from Pikoie, the capital of Formosa. One thousand houses were destroyed.

## Text of Curtis Note to Wood That Started "Leak" Inquiry

Washington, Jan. 5.—The Curtis letter to Representative Wood follows:

"December 26, 1916.—Hon. William R. Wood, House of Representatives, Washington, D. C. Dear Sir: The democratic majority of the house will not, I presume, permit the adoption of your resolution of inquiry, but it is a highly meritorious measure nonetheless and if I can do so I want to help you."

"Barney M. Baruch of this city unquestionably had the news of Secretary Lansing's note as early as Saturday, December 9. The note was dated December 11 and not dispatched until December 12."

## GERMANY'S ALLIES LEARNING NEW WARFARE—Turkish troops being schooled in the latest German military methods.



TURKISH TROOPS BEING SCHOOLED.

## WILSON WILL NOT SEND NEW NOTE

State Department Says Report President Preparing Second One Is False.

### TEUTONS WILL GIVE TERMS

Washington, Jan. 5.—The State department late today authorized the statement that President Wilson was not contemplating sending another peace note.

Counsellor Polk gave out the following statement:

"The report that the president is preparing to send a new note to the belligerent powers is false and without any foundation. The president has no second note in contemplation."

Following the cabinet meeting, Secretary Lansing announced that President Wilson had authorized him to say that the American government had no other note in contemplation and that such information was being sent to all American diplomatic representatives abroad.

Secretary Lansing would not discuss the question further but it was understood that the reason for the announcement was apprehension on the part of the administration that reports that, together, note would be sent would affect the entente reply to the president's first note expected here in the near future.

### Awaiting Advice.

London, Jan. 5.—The British government still is awaiting advice from the French government concerning the publication of the entente reply to President Wilson's peace note. The Associated Press learned at the foreign office today. It now is believed the reply will not be made public before Monday.

### Preparing Second Note.

Paris, Jan. 5.—The central papers are reported by the Lausanne Gazette to be preparing a second note to the entente, enumerating the precise conditions of peace, says a Geneva dispatch to the Temps.

## President Nominates Members For Compensation Commission

Washington, Jan. 5.—President Wilson today nominated the following members of the workmen's compensation commission to administer the federal employees' liability law: Dr. Riley McMillan Little of Swarthmore, Pa., a republican, for a term of six years.

Mrs. Frances C. Axtell of Bellingham, Wash., progressive, for a term of four years.

John J. Keegan of Indianapolis, a democrat, for a term of two years.

Local officials are unable to account for the story told them by Joe Motto, 10 years of age, 501 Pierce street, and Sebasto Cerco, 11 years of age, that Carl had drowned, unless it was inspired by dime novels.

## Marguia Defeats Force Commanded By Gen. Villa Himself

El Paso, Tex., Jan. 5.—De facto Mexican government troops under General Francisco Marguia, decisively defeated a revolutionary force under personal command of Francisco Villa near Jimenez yesterday according to Eduardo Brago, Carranza consul who announced that he had received the news in a message from Chihuahua City late today. Many of Villa's followers were killed and taken prisoner, the message said.

## Manager Plan is Written Into Kansas City Charter

Kansas City, Mo., Jan. 5.—The city manager plan of government for Kansas City, Mo., was written into the new city charter last night at a meeting of the charter board, composed of freeholders elected at the last municipal election. The vote stood seven to five in favor of changing from the present plan of ward government to the new system. The charter on completion will be submitted to the people for adoption. Agitation for a revised form of city government began in the last campaign.

## MERKER KIDDIE TURNS UP SAFELY

Carl Merker, Whose Chums Said He Drowned in River, Found in Lincoln.

### JUST WANTED TO VISIT

Sadness gave way to gladness yesterday at the home of Mr. and Mrs. William Merker, 317 North Twenty-first street, when telephone messages from Lincoln conveyed the intelligence that their 9-year-old son, Carl, given up by police and parents as dead, was alive and well in Lincoln and in the care of the chief of police there.

And the grief-burdened father and mother were as unrestrained in the expression of their joy as they had been in the expression of their sorrow.

Carl left home New Year's day in pursuit of youthful thieves who had stolen his sled. When he did not return his father enlisted police assistance and the lad was traced to the river bank at the new Union Pacific bridge. There tracks indicated that the youngster had fallen into the river.

Then Carl's playmates were found and, although reluctant at first, they finally told of how the boy had fallen into the stream while at play and had drowned. So plausible was the story that detectives gave up the lad as lost.

### Dad Merker Angry.

When told that Carl had been drowned the mother was driven almost to insanity and her husband believes she would have lost her mind had not her only child turned up well and alive. Merker was at police headquarters when news was received from Lincoln that Carl was in the detention home there. He had just expressed his dissatisfaction with police methods and announced that he intended to drag the river himself and would pay \$50 reward for the recovery of the body.

At first he doubted the truth of the news, but decided, regardless, to go to Lincoln by auto. Then he was induced to put in a long distance call and get his boy on the phone. He waited nervously for an answer to the call and when it came Chief of Detectives Steve Maloney took the receiver.

### Hears Boy's Voice.

"Who is this?" asked the chief while Merker stood close by. "Carl—r," drawled a childish voice from the other end.

"That's him," shouted the father as he grabbed the phone.

"According to advice from Lincoln Carl was picked up at the Burlington station there last Tuesday and has since been held at the detention home. He told detention home officials his name and said that he had taken from under his father's pillow money enough to get him to Lincoln where he intended to visit a roomer who once lived with his parents.

Local officials are unable to account for the story told them by Joe Motto, 10 years of age, 501 Pierce street, and Sebasto Cerco, 11 years of age, that Carl had drowned, unless it was inspired by dime novels.

## Gregory Considers Facts Gathered in Print Paper Probe

Washington, Jan. 5.—Attorney General Gregory had in his hands today the fruit of the Federal Trade commission's inquiry into the news print paper industry, with the intention of instituting civil and criminal actions if it is found a paper trust has been formed.

"I know, of course, from what has already been brought out," wrote the attorney general to the trade commission, referring to the commission's investigation, "that a serious condition exists in this trade and that any remedy which the law may afford should be applied at once."

President Wilson is said to be actively interested in the paper situation. The commission expects to report to congress within a few days the result of its inquiry.

## Four More Names Added to Death List of Oklahoma Storm

Muskogee, Okl., Jan. 5.—Four names were added today to the death list of the tornado which swept through southeastern Oklahoma yesterday, bringing the total list to fifteen. The four were pupils at the Vireton school house, which was demolished by the storm.

Elsie Perry, aged 14, and Raymond Perry, aged 8, died in the hospital at McAlester, and Florence Rose, aged 15, and Jessie Rose, aged 8, died last night at their home near Vireton.

The tornado dipped down on a farming community near Quinton and destroyed four farm houses. Barkley Satterfield, a farmer, received injuries from which he is expected to die. Mrs. Val Stewart and a child of Charles Quinn were badly hurt.

## FULLER SAYS GUILTY; GIVEN LIFE TERM

Slayer of Dorothy Rader Carberry Permitted to Admit Second Degree Murder.

### TALK TO COURT CUT OFF

A death-like silence hung over the big criminal court room when Floyd Fuller, slayer of Dorothy Rader-Carberry on the night of December 21 last, was asked by Judge Sears if he had anything to say before sentence was passed upon him.

Fuller a moment before, upon the advice of his attorney, Guy Kiddoo, and the consent of County Attorney Magney, had pleaded guilty to second degree murder to escape the death penalty. The county attorney's information read before the court when Fuller was arraigned charged murder in the first degree.

### Makes Talk to Court.

In tones scarcely audible to anyone save the judge and those close to Fuller, the former Lexington butcher, who shot down the Rader-Carberry woman in the tragedy enacted before the Leonard apartments at Twenty-fifth and Farnam streets, broke his silence and fairly breathed the following, as if weighing each word:

"I tried for weeks to stave it off. I had prayed to God to strike her dead if she was not true to me."

Here Judge Sears interrupted and said that the court would not accept his plea of guilty under those conditions.

"If you are possessed of the idea that God or anyone else had anything to do with your act, then that question must go to a jury. It is my duty to enter a plea of 'not guilty' for you if you make any qualifying clauses in your plea of guilty to cold, premeditated murder."

### Magney Becomes Interested.

Here County Attorney Magney broke in and declared that Fuller knew as well as anyone else what he was talking about and apparently wanted to plead guilty to second degree murder. Fuller's attorney also said that there was no doubt but that the plea of "guilty" was what his client meant.

Judge Sears repeated the query, "Guilty or not guilty?"

Fuller hesitated, looked at the floor, shifted from one foot to the other, and then replied in a low, impassioned voice:

"Yes, I'm guilty. I committed a great crime. Take me and hang me now if you want to—do anything you want with me."

Judge Sears then read the sentence: "Hard labor in the state penitentiary for the term of your natural life."

In passing the sentence the judge told Fuller that "he had forgotten the duty which he owed his family."

Fuller has a wife and several children in Campbell, Neb.

### Plea for Haste.

The self-confessed murderer's counsel made one last request—that his client be taken to the penitentiary immediately.

"That's up to the sheriff's office," remarked the judge. "They can take him there this afternoon as far as I'm concerned."

After Fuller had been taken back to the county jail A. F. Perrier of Julesburg, Colo., deputy district attorney and assistant county attorney of Sedgewick county, grandfather of the girl slain by Fuller, broke down and cried. Mr. Perrier has been in Omaha for several days to "see that his dead granddaughter got justice."

"I've figured in scores of murder cases," sobbed Mr. Perrier, "but never one so close to me as this."

## Lobeck Recovering From His Operation

(From a Staff Correspondent.) Washington, Jan. 5.—(Special Telegram.)—Congressman Lobeck, according to reports from the Homeopathic hospital, was resting very comfortably today, although he had a rather bad night, recovering from the shock of the operation. Should no complication ensue, Mr. Lobeck will be in his seat in the house in about ten days.

## TUMULTY, BARUCH AND BOLLING ARE NAMED BY WOOD

President's Secretary and His Brother-in-Law Figure in Testimony in Leak Inquiry.

### BROKER SHORT ON STEEL

Representative Hears Speculator Conferred with Secretary in New York Hotel.

### TUMULTY MAKES A DENIAL

Washington, Jan. 5.—Smouldering rumors that somebody made money in the stock market with "leak" information about the sending of President Wilson's peace note blazed up at a notable session of the house rules committee today at its first hearing on Representative Wood's resolution for investigation.

Officially declaring he made charges a "mist no one and was presenting only information that had come to him, Wood brought in the names of Secretary Tumulty, "a Mr. Bolling," a brother of President Wilson's wife, whom he did not further identify; Bernard Baruch, a New York stock operator; Otto H. Kahn of Kuhn, Loeb & Co.; Thompson & McKinnon and Lamson Bros. & Co., Chicago brokers; W. E. F. Hutton & Co., New York brokers, and F. A. Conolly & Co., a local brokerage house in which Wood said the "Mr. Bolling" he referred to was a partner.

Much of his information, Wood said, came in a letter from A. Curtis, an independent N. Y. stock operator.

### Closed Section is Refused.

Wood disclaimed intending to give the impression that he believed that Mr. Tumulty, or anyone else for that matter, profited by the so-called leak; that he was merely stating what had come to him; that he realized danger of making such statements in public and for that reason he had preferred to make his statement in secret session, which the committee denied.

At the conclusion of today's session Chairman Henry announced that Secretary Tumulty would appear without subpoena, and that subpoenas should be ordered for Curtis and Baruch. Representative Gardner of Massachusetts, who has joined in Wood's agitation for investigation will be heard tomorrow, and Thomas W. Lawson will be heard Monday.

### Plat Denial by Tumulty.

When Secretary Tumulty learned that Representative Wood had mentioned his name he issued a formal statement demanding a public apology and denying flatly that he even knew of the president's peace note before it was made public. Secretary Tumulty's statement follows:

"I am very glad to say publicly that I did not know of the existence of (Continued on Page Six, Column One.)

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## Representative Sloan Back in Washington

(From a Staff Correspondent.) Washington, Jan. 5.—(Special Telegram.)—Representative Sloan returned to Washington today, having been detained in Nebraska on account of the death of his father.

## The Weather

For Nebraska—Fair, rising temperature. Temperatures at Omaha Yesterday:

Hour	Temp.	Wind
9 a. m.	18	18
10 "	17	17
11 "	17	17
12 "	19	19
1 p. m.	20	20
2 "	21	21
3 "	22	22
4 "	23	23
5 "	24	24
6 "	25	25
7 "	26	26
8 "	27	27