

INDICT NEWBERRY AND 133 OTHERS IN ELECTION CASE

Corruption, Fraud and Conspiracy Charged Against Senator Who Defeated Ford in Michigan.

(Continued From Page One.)
 sioner and opponent of Henry Ford in the democratic primary, received from the Newberry organization funds for his compensation and expenses in seeking nomination to said office of senator, at the primary, the alleged purpose being to aid the Newberry cause by preventing democratic voters from lin-

ing up with Ford in the republican primary.
 In a list of 38 "overt acts" attached to the indictments was an accusation that Helm's "compensation" for his candidacy was \$50 a week.

14 Men Charged.
 These 38 alleged overt acts were charged against 14 men and carried accusations of having given rewards ranging from promises of "a good job" to payments of sums varying from \$5 to \$2,750 as returns for support or activity in the Newberry campaign. One country editor is alleged to have received a ton of printing paper.

The extreme penalty which may be imposed under the indictments is a fine of \$10,000 and two years imprisonment.

The identity of only the chief figures in the case was revealed in court today.

On instructions from Judge Clarence W. Sessions, of the United States district court, the names of the others were impounded, to be released only when their owners have been served with warrants based upon the indictments.

Greatest Political Scandal.
 Government officials asserted that the testimony presented to the grand jury had revealed a political scandal that in many respects was without parallel in American annals. They said it extended from the most populous wards of Detroit to the Indian reservations on the shores of Lake Superior, where aborigines were voted according to the behest of the Newberry campaign organization.

It was alleged that voters were bribed, election boards corrupted, editors subsidized and moving picture theaters bought up in the endeavor to defeat Henry Ford, first

in the primaries of both parties, and later, when he had won the democratic nomination, in the election itself.

Officials Were Secretive.
 Officials were a bit secretive as to how the alleged conspiracy was uncovered, but a general outline of their methods was made available. A corps of investigators were sent into the state under direction of Earl J. Houck, who, with Frank C. Dailey, special assistant to the attorney general, was a central figure in the election fraud cases of Terre Haute, Indianapolis, Evansville and Frankfort, Ind. These cases, beginning in 1915, resulted in some 200 convictions.

Daily and Houck came to Michigan last August. Bank records were inspected and the visitors' lists of safety deposit vaults gone over. With the tale of these as a starter, the investigators were sent out first, offering them vague hints of what might come from a mythical campaign of certain Michigan politicians. Objections to small returns were followed by "confidential" comparisons with the Newberry campaign.

Small "Fry" Fall.
 Generally, it was said, these lesser political leaders fell into the trap, telling them that they had received and explaining who "ought to handle the money" in given wards of towns. The next grade of political leader was then approached and by this method, it was stated, a clear trail was blazed to the "higher ups."

When brought into the grand jury room and confronted with accurate accounts of their conversations with the agents, the men generally, it was said, repeated their stories.

The government's legal experts, headed by Mr. Dailey, Mr. Dalesouster of Grand Rapids, a former assistant district attorney, and Oliver Fagan, indictment expert for the Department of Justice, took both state and federal laws as the basis for the indictments. The federal corrupt practices act of 1910 limits the expenditures of senatorial candidates to \$10,000, and requires that four statements be filed with the secretary of the senate, one preceding and following first the primary and then the election. The Newberry affidavit cited in the second indictment was filed in compliance with this act.

The second federal corrupt prac-

tices act which the indictments alleged was violated, was passed in October, 1918. It made bribery of voters a crime after several federal courts held that such an act was not an offense against the law of the United States. This law came into being after the Michigan primary, but just ahead of the election.

Also Use State Laws.
 The state laws were brought in because the act of 1910 provides that if a state limits campaign expenditures to less than the \$10,000 named in that act, then the state law shall apply to campaigns within that commonwealth. As it happens, the Michigan statutes limit campaign expenditures to four-fifths of the yearly salary of the position sought for each primary or election campaign. An aspirant for United States senator in this state may, therefore, it was argued, spend only \$1,875 on the primary and an equal amount on the election campaign.

The law forbidding use of the mails to defraud was first used in election cases by Mr. Dailey in the Terre Haute indictments. It was applied to the Newberry case as probably covering various letters sent to campaign contributors, worded so as to deceive the recipients as to the amounts already collected by the Newberry treasury.

Use Own Statements.
 To meet a probable defense that Senator Newberry was ignorant of the amount of money and its sources used in his campaign, the government intends to use a statement issued by the senator's managers shortly after the first rumors of the American Book company and a brother of Mrs. Truman Newberry, with \$25,000; Henry B. Joy of Detroit, another brother-in-law of the senator, with \$25,000, and Mrs. Henry B. Joy, the senator's sister, with \$10,000.

Held Newberry Knew.
 The government will attempt to show that all these persons conferred with Truman H. Newberry while he was a candidate, thus indicating his knowledge of the campaign. It also has a number of letters which he wrote to politicians while the campaign was on. Frederick Cody, formerly a Detroit school teacher, but now of New York and connected with the American Book company, was named as one with whom the candidate conferred.

These circumstances were also used as a basis for the allegation of the second indictment, that there was a general conspiracy to aid the senator to obtain office illegally. There are two counts to this indictment, one relating to the primary affidavits and the other to the election statements.

Spent Too Much Money.
 The second indictment starts with a count which charges expenditures in excess of the legal limit in the primary and election combined; the second count alleges the same charge with relation to the primary alone and the third repeats it as to the election alone.

The fourth count charges violation of the state election law in that more than \$6,750 was spent in the two campaigns.

In this connection, it is pointed out that while the federal law does not forbid advertising in newspapers, the Michigan statute specifically excludes such a pre-election practice. The statement of expenditures listed by the Newberry campaign managers includes items which total about \$148,000 for newspaper advertising.

Bought Movie Films.
 The count details that with the excess campaign funds, district and county agents and managers and numerous secret propagandists and detectives were hired and their expenses paid; moving picture films were bought; and much literature distributed, all of which acts are alleged to be in violation of the Michigan law. The government agents said they had proof that one movie film alone cost \$8,000.

The fifth count charges conspiracy to commit thousands of offenses against the federal act of October, 1918, forbidding payment of money to voters.

The sixth count bristles with accusations. It alleges that certain defendants each contributed more than the total amount allowed by law, knowing all the time that they were violating the statutes and that certain of the defendants induced others to give by falsely representing the amounts, already contributed to the campaign.

Politicians Kept \$100,000.
 It alleges further that more than \$100,000 of the amounts so contributed were converted to the personal use of certain politicians. It is also charged that more than \$100,000 was paid to newspapers, campaign agents, all degrees, for office and hall rent, dinners and other entertainment.

The charge that James Helm was hired on salary and expenses to run against Ford in the democratic primary, follows a list of names and questions that republican candidates for county offices were paid money upon condition that they support the Newberry senatorial aspirations. The count concludes with allegations of wholesale bribery of voters, election boards and other officials.

Not in Washington.
 Washington, Nov. 29.—Senator Newberry has not returned to Washington, but it was believed by other senators that the action of the Michigan grand jury in his case would not change the status of the petition that he be unseated filed by Henry Ford and pending before the senate committee on privileges and elections. The outcome of the proceedings in Michigan would be awaited, it was said, as the senator hardly would be called upon by the committee to defend his title to his seat in both places at the same time.

Cold Spell in West.
 Reported as About Over
 Denver, Colo., Nov. 29.—Reports from the Rocky Mountain states today indicated the cold snap is over. In Denver at 10 o'clock this morning the mercury stood at 35 degrees, a rise of 17 degrees from the low in 24 hours. Warmer temperatures were reported from all over the district except in western Colorado, where a heavy blanket of snow probably will hold back the coming of warmer weather several days.

Final Chapter Written In Murder Mystery

(Continued From Page One.)

former waitress in Omaha and Des Moines restaurants, whose parents are said to live in Colfax, Ia., told the police they were absolutely certain the body was that of Miss Masette.

The efforts of the police to learn anything about the woman's whereabouts, or to get in touch with her relatives, have proved of no avail. Neither have the police been able to learn anything about the movements of a mysterious man, who is said to have been seen the last time with Miss Masette a few days before the murdered woman was found.

No Trace of Fugitive.
 The man for whom the police have been searching, until recently, was employed as a waiter in Louis Ahko's chop suey restaurant, Fifth and Harney streets, Miss Masette and the waiter were seen dining together in Ahko's restaurant a few days before the murder was discovered.

The man is said to have fled from Omaha as soon as he read the newspaper accounts of the tragedy. He was thought to have gone to Kansas City, where his wife, according to friends here, was visiting at the time. No trace of the fugitive has been found either in that city or any of the other dozen cities to which the local authorities wired.

Miss Masette and the waiter were said to have been sweethearts until the man jilted her and married another woman. The girl is alleged to have made studied efforts to cause her former lover grief and embarrassment in every possible way. They were heard to quarrel frequently and the police were told the man threatened a half dozen times to kill the girl if she did not let him alone.

The girl left Omaha several months ago and worked in a Des Moines restaurant. Later she returned to this city and renewed her tactics in causing misery for her former lover. Repeatedly, friends of Miss Masette declare, she had threatened to prosecute the waiter under the Mann act.

Detectives working on the case advanced the theory that the couple quarreled in the restaurant the last night they were together and the man deliberately planned the murder while they consumed their meal. It is thought she was lured to a room in a secluded section of the

Autopsy on Body of Skinner Co. Watchman Found Dead in Tunnel

An autopsy will be held Monday on the body of Charles Babcock, 67 years old, night watchman for the Skinner Packing company. Babcock, who lives at Fifth and Locust streets, East Omaha, was found dead at 7:30 Friday morning in the Skinner tunnel, South Twenty-seventh and R streets. The body was in a sitting position and evidently Babcock had not been dead long when found as his body was still warm. It was sent to the Brewer undertaking rooms.

Later, it is believed, he obtained the assistance of a friend, secured an automobile, drove to the lonely spot on Ridge road and there dropped the body over the steep embankment. It is thought the hat, coat and shoes were removed to baffle attempts at identification. The point also has been made that perhaps an entire change of clothing was placed on the body.

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