

FEDERAL FARM LOAN BANK ACT IS VALID

Millions of Dollars to Be Released

Decision Declares Congress Was Acting Within Rights in Establishing Farmer Relief System.

Bonds Exempt From Tax

By The Associated Press. Washington, Feb. 28.—The federal farm loan act was held constitutional today by the supreme court.

Dismisses Injunction. The court, in sustaining federal court decrees dismissing injunction proceedings brought by Mr. Smith, also held that congress had the authority to exempt the bonds of the farm loan act.

\$50,000,000 Held Up. Farm loans aggregating more than \$50,000,000 have been held up since May, 1920, as a result of the suit instituted by Charles E. Smith, a stockholder in the Kansas City Title and Trust company.

Officials placed the total amount of loans to farmers held in abeyance by the suit at many times \$50,000,000, however, the receipt of applications having stopped with Commissioner Lobdell's announcement.

On March 1, 1920, the farm loan board reported that \$182,897,000 had been advanced to 75,384 farmers and that applications from 179,734 persons then pending totaled \$471,000,000.

Heard on an Appeal. The suit in the supreme court was in the form of an appeal from lower court decisions refusing to issue an injunction to restrain the Kansas City Title and Trust company from investing its funds in bonds issued by the federal farm loan act.

Vag in El Paso Jail Admits He Is Officer in Army of Soviets

El Paso, Tex., Feb. 28.—Gust Skaley, a prisoner in the city jail, serving a short sentence for vagrancy, today admitted he is an officer in the red army in Russia.

Mrs. A. C. Scott Dies; Funeral or Wednesday

Mrs. Myra Ethel Scott, 38, 302 South Fifty-second street, wife of A. C. Scott, Omaha manufacturer, died at the Fenger hospital at 4 yesterday afternoon following an illness of several weeks.

Townspeople of Coolidge Bid Him Farewell in Rain

Northampton, Mass., Feb. 28.—Lavin Coolidge, vice president-elect, left for Washington with Mrs. Coolidge with the idea of becoming ready to go to work after his oath.

Terrorist Attack Against Deputy of Spain Fails

Madrid, Feb. 28.—A terrorist attack made on Deputy Guerra Del Rio, noted for his pronounced views on syndicalism, failed when he grappled with his assailants, several armed men, who fired but did not injure him.

Additional Mail Service Given Towns on U. P.

Decision on Land Banks Said to be a "Life Saver"

Secretary of Omaha Branch Asserts Farmers Can Obtain Loans Within Month if Bill Before Congress Authorizing Treasury to Buy Bonds Is Authorized.

A life saver for the farmers and stock raisers of the middle west is the way Omaha bankers and business men characterize the decision of the United States supreme court, upholding the constitutionality of the bonds of the Federal Farm Land bank system.

Higher Rate Probable. "Farmers should not apply right away for loans, but wait a few days until the local secretaries and treasurers are supplied with new forms for applications. The old forms cannot be used for the interest charges probably will have to be altered.

Early Operations Predicted. If a bill now in congress, and already passed by the senate, is approved, the United States treasury will be authorized to buy \$200,000,000 of land bank bonds, and this, he said, perhaps would enable operations to be resumed within less than a month.

Mail Robber on Transportation Stand as Witness Against Brother

Fred E. Poffenbagger Tells Jury How He Concealed Part of Loot in \$3,500-000 Robbery.

Fred E. Poffenbagger, convicted of implication in the \$3,500,000 Burlington mail train robbery and sentenced to 18 years in the Fort Leavenworth penitentiary, took the witness stand in federal court at Council Bluffs yesterday afternoon.

Attorneys in the case began the examination of jurors at 2 yesterday afternoon. Clyde's wife, a pretty blonde, kissed him as she took a seat by his side at the counsel table.

Loat Recovered. Ed G. Moon, United States district attorney, made the opening statement for the government. He told the jury that \$6,850 in currency was recovered by federal officials from an outdoor vault at the Clyde Poffenbagger home and that Clyde, himself, directed them to the place of concealment and assisted them in locating it.

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Army Aviator Will Attempt To Lower His Own Record

Jacksonville, Fla., Feb. 28.—Lieut. W. D. Conroy, who established a record flying time of 22 hours and 27 minutes from the Pacific to the Atlantic ocean, will leave at midnight March 7 on a return flight to San Diego, Cal., in an attempt to lower his own record.

Agricultural Appropriation Bill Reduced to \$2,000,000

Washington, Feb. 28.—The senate provision of \$5,000,000 in the agriculture appropriation bill for the purchase of seed grain for farmers in drought-stricken areas of the northwest was reduced to \$2,000,000 by the house.

Volstead Law Supersedes Previous Revenue Laws

St. Louis, Mo., Feb. 28.—The United States circuit court of appeals held that the Volstead law supersedes the revenue laws pertaining to alcoholic beverages, and that persons cannot be convicted of a crime under the old laws when their offenses are covered fully by the Volstead law.

Champ Clark Better.

Leaver Food Act Invalid Under Court Rules

Prosecutions of Profiteers by Department of Justice Were Unconstitutional, Supreme Court Finds.

Washington, Feb. 28.—Sections of the Leaver food control act under which the Department of Justice has brought many actions for alleged profiteering in necessities were declared unconstitutional today by the supreme court.

Many Cases Are Affected. Hundreds of cases growing out of the government campaign to reduce the cost of living are affected by the opinion.

Practically all attacks against the act were based on the ground it violated the fifth amendment in that it deprives the defendants of their property without due process of law.

Parole Board to Consider 30 Cases

Probation Officer Will Select Candidates for Hearing March 9.

Lincoln, Neb., Feb. 28.—(Special)—Thirty applications for parole will come before the new state board of pardons at its second monthly meeting at the Nebraska penitentiary Wednesday, March 9, it is announced by Chief Probation Officer J. J. Harmon.

Ships, Foreign Owned, Can Be Libeled in U. S.

Washington, Feb. 28.—Merchant vessels which are the property of a friendly state or in its own service can be libeled in American courts, the supreme court ruled today.

Cold Storage Meat Stocks Decrease in Past Year

Chicago, Feb. 28.—Cold storage stocks of meats and lard in the United States February 1, were less by approximately 250,000,000 pounds than on the corresponding date last year, according to a statement today by the institute of American meat packers.

Mountain Bad Man Killed in Pistol Duel With Sheriff

Hazard, Ky., Feb. 28.—Kelley Robinson, "mountain bad man" was killed and John Smith, Perry county deputy sheriff, was dangerously wounded in a pistol battle today.

Japan Advances Rights of Women by House Bill

Tokio, Feb. 28.—Rights of women in Japan were advanced today when the house adopted the bill giving women the right to attend political meetings.

American Relief Worker in Armenia Is Captured

Beard, Ore., Feb. 28.—P. C. Burt, Deschutes county rancher, received advice today that his wife, one of the first relief workers to sail for Armenia after the war, had been captured by the Turkish nationalists.

Admiral Grayson, Wilson's Doctor, Ordered to Duty

Washington, Feb. 28.—Rear Admiral Cary T. Grayson, President Wilson's personal physician, was ordered today by the navy department to duty as officer in charge of the naval dispensary in this city.

Settlement Day---March 1



Mother of Wife Slayer in Court As Trial Begins

Of 40 Jurors Called to Hear Evidence in Lawson Case 28 Are Excused—Panel Incomplete.

No jury was chosen yesterday to try Burnell Lawson, 21, for wife murder, despite a whole day's impaneling. Of 40 jurors called, 28 were excused.

Women made up a large part of the afternoon court room. Perisodic curbs, rouge and not a little paint characterized their class.

Whether the life led by Jeanette Lawson, the dead woman, would incline them to leniency toward the prisoner was a question put to each juror by County Attorney Shotwell, who will prosecute the case.

25,000 Soviet Troops Enter City of Tiflis

Constantinople, Feb. 28.—(By the Associated Press.)—Bolshevik troops numbering about 25,000 entered Tiflis Friday evening, it is said in a dispatch received here.

Costa Rica Gives Up; Panama War Ended

Washington, Feb. 28.—Threatened war between Panama and Costa Rica was averted early today with the surrender of the Costa Rican army in Coto, according to word received here by J. E. Lefevre, charge d'affaires of the Panama legation.

Defeated Candidate for Alderman Kills Himself

Chicago, Feb. 28.—Emmett Wilson, a former state senator of Oklahoma and recently defeated candidate for alderman here, died today of a self-inflicted bullet wound.

Hydro-Electric Plant Is Authorized in California

Washington, Feb. 28.—The federal power commission voted today to grant application of the Southern California Edison company for a 200,000 horsepower hydro-electric development on the San Joaquin river, California, part of a \$100,000,000 project contemplated by the company.

American Glue Company Head, Carnegie Hero, Dies

Banker Placed On Trial at York

Former Officer of Aurora Bank Charged With Falsifying Return to Board.

Lincoln, Feb. 28.—(Special)—Secretary J. E. Hart of the state department of trade and commerce went to York, Neb., at noon Monday to take part in the trial of Charles W. Wentz, former officer of the Merchants' State bank of Aurora, Neb., who is charged with falsifying his return to the state banking board.

The bank was closed after the disappearance of Mr. Wentz, who was located a few days later in Omaha, suffering from a nervous collapse.

The prosecution, which was to have had the assistance of Charles L. Dort, assistant attorney general, will be entirely in the hands of County Attorney John J. Reinhardt of Hamilton county, because of an illness which has overtaken Mr. Dort.

Mr. Wentz took a change of venue from Aurora to York. The charges involve an alleged failure in the bank's report to the state department to list \$20,000 in time certificates.

Much interest in Hamilton county is manifested in the trial of Charles W. Wentz at York, charged with violation of the banking laws.

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American Glue Company Head, Carnegie Hero, Dies

Marbel Head, Mass., Feb. 28.—King Upton, president of the American Glue company, died here today. In 1910 he won a Carnegie medal for bravery when he saved an official of his company from drowning.

All Bodies Taken From Wreckage

Mutilated Condition of Victims Made Accurate Count of Dead Hard, Coroner Says.

Check Shows 37 Killed

Porter, Ind., Feb. 28.—A complete check up by railroad officials and the coroner of the bodies in the Chesterton Morgue at 9 o'clock tonight revealed that there were not more than 37 known dead in the Michigan Central-New York Central wreck last night.

The discrepancy between this count and the one of more than 40, previously announced by Coroner H. O. Seipel was found to be due to the mutilated condition of some of the dead. In some cases a body badly mangled had been counted as two.

Coroner Seipel announced the following official tabulation: Bodies in Chesterton Morgue, 23 to 27.

Bodies removed from Chesterton morgue, 8. Bodies in Michigan City, 2. Total dead, 35 to 37.

Coroner Seipel said that it might never be known exactly how many were killed because of the way in which some of the bodies were mangled.

Some seven or eight of the bodies, badly mutilated, may never be identified. Much of the wreckage had been cleared away tonight.

Only one part of the debris remained to be searched tomorrow—the twisted hulk of the New York Central engine which tore through the wrecked Michigan Central passenger coach with such force that it was buried several feet in the earth.

This had been partly undamaged, however, and it was thought all bodies had been recovered.

Tonight 41 of the dead had been taken to the little furniture store morgue in Chesterton, one mile away, and the other two had been removed to Michigan City, Ind.

Identification Slow. Only half a dozen bodies had been taken from the Chesterton morgue, the slow identification probably being responsible.

No statement had been made public by the engineer and firemen of the Michigan Central train. They escaped serious injury and went to Niles, Mich., where they related their stories to operating officers of the road. The engineer later went to his home in Jackson, Mich., it was said.

Trammen continued in their belief that Joe Cook, substitute signal man, was the man who was killed.

Only 30 of 43 Wreck Victims Identified

Porter, Ind., Feb. 28.—With the death list of last night's wreck fixed at 43 only 30 victims had been positively identified tonight. The list follows:

- HOWARD ARNOY, Cleveland, O. MRS. EMMA BEVIER, Augusta, Mich. MRS. BEVIER, Augusta, Mich. MRS. FLORENCE SEE, Michigan City, Ind. PEARL CAVANAUGH, 8, adopted daughter of Mrs. See. MRS. LILLIAN BAEHR, Michigan City, Ind. ARTHUR E. ECKMAN, 2, nephew of Mrs. Baeher. JUSTIN COLLINS, London, Ont. GORDON CAMPBELL, Retel-stoke, B. C. CARL DE LAND, Elkhart, Ind., fireman of New York Central train. W. G. ENGLER, traveling to Detroit. CLAUDE JOHNSON, Elkhart, Ind., engineer of New York Central train. PETER CAIN, Regina, Sask. MRS. BARNHART KRAMER, Michigan City, Ind. MRS. FREDERICK SCHWEIR, Michigan City, Ind. Three-year-old son of Mrs. Schweir. MR. AND MRS. A. H. VAN RIFER, Michigan City, Ind. J. W. BAKER, El Paso, Ill. MRS. SARAH MOSS, Denver, Colo. MISS FANNIE BALLOU, Kalamazoo, Mich. PHIL GOLDSTEIN, Detroit, Mich. MRS. RICHARD EVA, Jackson, Mich. L. A. HECK, Chicago. FRANK WAYNE, Milwaukee, Wis. SAM LIVINGSTON, Chicago. MRS. FLORENCE FLEMING, Kalamazoo, Mich. MR. AND MRS. JACK MULLEK, Cresco, City, Ill. ROY E. GREENWOOD, Kalamazoo, Ill. Mrs. JUSTIN COLLINS, London, Ont.

The revised list of missing tonight follows: MISS JUNE CAMPBELL, (address unknown). MRS. J. L. MILLER, Michigan City, Ind. J. L. MILLER, Michigan City, Ind. MRS. J. MCCREY, Chicago, Ill. MRS. McCRAY, Chicago, Ill. WOOLER, Detroit, Mich. MRS. C. H. GOLDSTEIN, Detroit, Mich. FRED LIGGETT, Niles, Mich. MRS. GEORGE Baker, Michigan City, Ind.

The Weather Forecast. Tuesday fair; not much change in temperature.

Hourly Temperatures table with columns for time and temperature.

Shippers' Bulletin. Protect shipments during the next 24 to 36 hours from temperatures as follows: North and west, 20 degrees. Shipments east and south can be made safely.