

Legal Battle on "Wild Cat" Stock Schemes Starts

Defense Beaten in Attempt to Force State to Elect Charges On Which Action Will Be Brought.

The first legal battle in connection with indictments in "wild cat" promotion schemes was waged yesterday afternoon before District Judge Troup.

Attorneys for the Shafer brothers, Thomas H. Shafer, William H. Matthews and Roy E. Karls, all indicted on more than one count, appeared to argue motions to direct the county attorney to elect on which charge he intends to proceed.

The motions were opposed by W. C. Dorsey.

Judge Troup ruled it is not necessary for the county attorney to elect before objections have been filed to the form or sufficiency of the indictments, upon which count action shall be brought.

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"Let the Negro Vote," Says President Harding

(Continued from Page One.) sider this problem together as a problem of all sections and of both races, in whose solution the best intelligence of both must be enlisted.

"Indeed we will be wise to recognize it as wider than the book of Mr. Lothrop Stoddard's book on the rising tide of color, or say, the thoughtful review of some recent literature of this question, which Mr. F. D. Lugard presented in a recent Edinburg review, must realize that our race problem here in the United States is only a phase of a race issue that the whole world confronts.

"Surely we shall gain nothing by blinking the facts, by refusing to give thought to them. That is not the American way of approaching such issues.

Mr. Lugard, in his recent essay, after surveying the world's problem of races, concludes thus: "There then is the true conception—the inter-relationship of color—complete uniformity in ideals, absolute equality in the paths of knowledge and culture, equal opportunity for those who strive, equal admiration for those who achieve, in matters social and racial a separate path, each pursuing the line which it has chosen, preserving his own race purity and race pride; equality in things spiritual; agreed divergence in the physical and material."

"True Way Out." "Here it has seemed to me is suggestion of the way out. Politically and economically there need be no occasion for great and permanent differentiation, for limitations of the individual's opportunity, provided that the color of his skin shall be recognized of the absolute divergence in things social and racial.

"Men of both races may well stand uncompromisingly against every suggestion of social equality. Indeed, it would be helpful to have that word equally eliminated from our political tradition, which is not accepted on both sides that is not a question of social equality, but a question of recognizing a fundamental, eternal and inescapable difference.

"Take the political aspect. I would say let the black man vote when he is fit to vote; prohibit the white man from voting when he is unfit to vote. Especially would I appeal to the self-respect of the colored race. I would inculcate in it the wish to improve itself as a distinct race, with a heredity, a set of traditions, an array of aspirations all its own.

Equal Opportunities. "On the other hand, I would insist upon equal educational opportunity for both. This does not mean that both would be equally educated within a generation or two generations or 10 generations. But there must be such education among the colored people as will enable them to develop their own leaders, capable of understanding and sympathizing with such a differentiation between the races as I have suggested. Racial amalgamation there can not be. Partnership of the races in developing the highest aims of all humanity there must be if humanity, not only here, but everywhere, are to achieve the ends of earth.

"I say you people of the south, both white and black, that the time has passed when you are entitled to assume that this problem of races is peculiarly and particularly your problem. More and more it is becoming a problem of the whole world, and more and more the problem of Africa, of South America, of the Pacific, of the South seas, of the world.

"Oneness as Americans." "The one thing we must sedulously avoid is the development of group and class organizations in this country. There have been times when we heard too much about the labor vote, the business vote, the Irish vote, the Scandinavian vote, the Italian vote, and so on. But the demagogues who would array class against class and group against group have fortunately found little to reward their efforts. That is because, despite the demagogues, the idea of our oneness as Americans has risen superior to every appeal to mere class and group.

"And so I would wish it might be in this matter of our national problem of races. Just as I do not wish the south to be politically entirely one party; just as I believe that is bad for the south, and for the rest of the country as well, so I do not want the colored people to be entirely of one party. I wish that both the tradition of a solidly democratic south and the tradition of a solidly republican black race might be broken up. Neither political amalgamation nor any system of rigid groupings of the people will in the long run prosper our country.

Girl Member of Gunman Gang Is State Witness

Pretty Omaha Miss Takes Stand Against Members of Party Arrested in Raid at Lake Manawa.

Pretty Audrey McQuillan, 18, 2873 Dorcas street, Omaha, took the stand in Bluffs police court yesterday against three members of the alleged gang of gunmen and bow-car thieves arrested at Lake Manawa Saturday following a raid upon a cottage at 58 Pickard Lane, Lakoma addition.

Audrey, one of two women in the automobile party which drove up to the house as the officers were leaving, testified that Harry Hoden, alias Jack Edwards, 18; William Reynolds, alias Russell, 26, and William Raps, 19, each were carrying a large revolver, which they threw from the car as they approached.

On the strength of the testimony of the McQuillan girl, whose real name is said to be Gene Gates, Judge Casell bound the trio over to the grand jury on the charge of carrying concealed weapons. Bonds for each were fixed at \$500. The girl was held as state's witness under bond of the same amount.

Mr. and Mrs. James Combs, who rented the house at 58 Pickard Lane, were bound over on charges of possession of stolen property. Quantities of merchandise believed to have been taken from box cars was seized in the raid on the house. Mrs. Combs is a police character, known as "Dago Bess."

Raph, one of three men whom the Gates girl testified she saw carrying revolvers, was shot in the back by one of the officers when he jumped from the automobile and attempted to run away. He has nearly recovered from his wounds, however, and was arraigned yesterday with a bandage on his head. Raph and Hoden are mere witnesses.

May Prosecute Leaders. Washington, Oct. 26.—Prosecution of the rail union leaders for conspiracy to paralyze the transportation system of the country was derided yesterday at the legal council of war of Attorney General Daugherty and the five district attorneys he called to Washington.

In the event of the walkout actually materializing, the heads of the brotherhoods and the 400 local chairmen named in the strike call, will be arrested on government warrants charging conspiracy. Other legal measures also will be adopted to prevent interference with transportation.

If the railway labor board fails to avert the strike, President Harding will issue a proclamation declaring the purpose of the government to maintain transportation and giving warning of the consequences of prosecution which will be incurred by strikers in defying the government.

"Trains Will Run." "The trains will run," emphatically asserted Mr. Daugherty, following the conclusion of the conference.

Charles F. Cline, the United States district attorney at Chicago, lifted hurriedly for home yesterday, "under sealed orders," as he expressed it. Mr. Cline carried with him the instructions of the attorney general to be communicated to other district attorneys in the country who will assemble at a conference within the next few days at Kansas City or St. Louis. This conference will make a study of the grounds for legal action, after which the United States attorneys will return to their districts prepared to institute concerted prosecution of the strike leaders at the signal from Washington.

While the attorney general is confident there will be no complete suspension of transportation in the event of a strike he recognizes that there will be a slowing down of food and fuel shipments. With this situation in mind he uttered an appeal to householders to refrain from buying or hoarding which would incite profiteering by retailers and send prices skyward.

Hoover Gets Reports. To Secretary of Commerce Hoover, who is organizing government agencies to keep the necessities of life moving, Mr. Daugherty sent detailed reports on the food and fuel situation in every section of the country. These reports indicate that there are supplies of food and fuel in most communities sufficient to last two weeks even if transportation facilities were completely suspended.

Mr. Daugherty declined to discuss his plans for proceeding against the strike leaders at this time. "It is sufficient to say at this time," he said, "that we are getting ready to act effectively if it should become necessary for the government to preserve transportation."

Blind Murderer Loses Suit on Ex-Saloon Men. Lincoln, Neb., Oct. 26.—(Special.)—Rudolf Kraus, blind and "life" convict in the penitentiary, today lost his suit for \$25,000 against Harry Pimper and Max Schroeder, in the district court here.

The jury returned a verdict against him after four hours deliberation. Kraus charged that Schroeder and Pimper, former saloon keepers in Ohio and Dayton, Neb., sold him liquor which made him drunk just before he went home, one night in 1917, and killed his wife and two little children.

Stone Reads Names. Stone finally was permitted to read the names of the seven roads, on motion of W. L. McMenimen, labor member of the board. The first two were the Atlanta, Birmingham and Atlantic and the Missouri and North Arkansas, both of which are in the hands of receivers.

"Don't you know our decisions were overruled by the federal courts on these roads?" Chairman Barton and Mr. Hooper interrupted, saying they were all short lines and not parties to the present dispute. "All roads need to do is to go into a receiver's hands and the transportation act is null and void," Stone replied.

The other five roads named by Stone as violating the board's decisions included the Denver and Salt Lake, Arizona and New Mexico, and Nevada Northern.

Stone then attempted to read a list of 33 roads on which he said wage reductions had been placed in effect in violation of the transportation act, but Chairman Barton interrupted, saying they were all short lines and not parties to the present dispute.

After the day hearing Mr. Cashen, in a statement to newspaper men, said: "Nothing transpired at the day meeting to change the situation, so far as a settlement is concerned."

Hearing Closed. It was decided, the board announced at the convening of the next session, that no further representation of the unions would be called to testify.

Third Party to Have Oratory at Lincoln Meeting

Ten-Minute Limit Imposed to Permit Passage of Box to Collect Membership Dues.

Lincoln, Oct. 26.—(Special.)—So-called third party leaders aren't worried in the least for fear that there won't be sufficient oratory in the "progressive independents," formerly the nonpartisan league.

In fact, the promised abundance of conversation that will be volunteered at the powwow here Friday is just what is worrying "the boys" in charge. They're afraid that the orators will get their listeners so excited that a thorough passage of the collection box, in the form of "party dues," will be overlooked.

For that reason the real leaders are reported to be planning to put a 10-minute limit on orations, and thus give them time to get some of the "root of all evil," which, despite its wicked name is so necessary to carry out the present political program.

Among some of the orators expected are: Edgar Howard of Columbus; W. J. Taylor of Meria, "Alfalfa John" Franklin of Furnas, who took off his coat when some one called him a nonpartisan leaguer in the legislature, but who is willing to attend a "progressive independent" meeting; Arthur G. Wray, York; J. A. Lochray, Omaha; C. F. Birck, Grand Island; J. Hartley Edmondson, North Platte; Cecil Matthews, Blue Hill; A. M. Templin, Omaha; T. J. Elleber, Grand Island; Peter Hakanson, Fairfield; Herman Meyer, Hooper.

Have Good Laugh. The convention had its first good laugh Wednesday morning when Mrs. George R. Chatham, president of the Lincoln Women's club and chairman of the rules committee for the convention, made her report.

"Members of this convention shall remove their hats upon entering the assembly hall," she waited while delinquents took off their modest headgear. Suddenly aware of giggling she touched her own head—and hat. Amid laughter and applause she conformed to the rule of her own committee.

Report of the chairman of credentials, Mrs. R. D. Moritz of Seward, showed 247 club women in attendance of whom 231 are official representatives, including two general federation officers, six state officers, six district presidents, 12 state chairmen, 62 club presidents, 36 alternates, and 107 delegates.

275 Clubs in State. Federated clubs in the state number 275, according to report of Mrs. S. M. Dewey of Fairmont, recording secretary. Thirty new clubs have federated this past year.

A balance of \$865.40 in the treasury was reported by the auditor, Mrs. O'Linn Smith of Chadron. Mrs. L. M. Lord of Omaha, president of Second district, moved a vote of thanks to the chairman of program, Mrs. M. D. Cameron of Omaha, who is responsible for the "Outward Nebraska" program, which is considered by club women one of Mrs. E. B. Penney of Fullerton, vice president and candidate for the presidency, said in her report, "A woman's club should be to the community what the Rotary, Kiwanis and other men's organizations are."

Plan Special Luncheon. Second district, which includes Omaha, will hold a special luncheon at the Chamber of Commerce Friday

noon, the closing day of the convention. "Live at home and board at the same place," admonished Mrs. Lulu Hudson of Simon, who conveyed greetings from the Nebraska Home Economics association, an affiliated organization, to the federation.

An overflowed audience heard Mrs. Rose V. S. Berry of Berkeley, Cal., general federation chairman of the fine arts. "Our arts give us the story of the past in music," said Mrs. Berry. She places the greatest hope for the answer to myriad questions of the hour. She prophesied a new piano for the future with more intervals or tones increasing the possibilities for beauties by 50 per cent. "It is fair progress," she said.

Withholds Judgment. For modern art she bespoke aveyance of judgment. "You say, 'I have not read it, of a book, but you pass judgment on art you do not understand,'" she continued. Modern art, she declared, is more nearly her despair. The spirit of Main Street, Lulu Betts and other modern fiction, she deplored.

"We won't make surgical dressings for the next war," said Mrs. Addison E. Sheldon of Lincoln, general federation director for Nebraska. "We won't be here to do it, for civilization will be wiped out with these electric waves, deadly gases and poisonous germs," said Mrs. Sheldon in her plea for disarmament.

Therlow Lierance, Nebraska composer of Indian music, and his wife will appear on the biennial program at Chautauqua, N. Y., in June, according to Mrs. Sheldon. He will pay his own expenses with money earned at concerts during the winter before women's clubs.

Review of Work. Mrs. Sheldon described the purposes of the headquarters of the federation at Washington and reviewed the work of the last year and a half. Three hundred official delegates and 200 visitors packed the Methodist church to the limit at the Wednesday evening session.

Mrs. E. B. Penney of Fullerton, a member of the committee for the new state seal, spoke on that subject. She defined the law and sketched plans for the committee report to the governor in 1922. "The new seal will be placed in every school house," she said, "and a shrine will be asked for in the new state capitol where the inscription 'Equality Before the Law' will be placed."

Miss Katherine Worley, chairman of the state board of control, gave a revealing discussion of Nebraska institutions and Dr. G. E. Condra of the University of Nebraska, entertained the audience with an address, illustrated by stereopticon views on "Nebraska the Beautiful."

Snow at Sidney.—(Special.)—A steady rain started Monday night in Cheyenne county and after pouring down all night, turned to snow Tuesday morning. At Potter it assumed almost the proportions of a blizzard. This will be of inestimable value to the growing wheat which was beginning to suffer from lack of moisture.

Rain Continues Over State and Will Save Wheat

Western Part of Nebraska Gets Snow—Southwest Gets Snow—Southeast Months.

Norfolk, Neb., Oct. 26.—(Special Telegram.)—A general rain is falling all over north Nebraska and southern South Dakota. This rain has been in progress since Tuesday and is of much benefit to winter wheat. In the vicinity of Harrison, Neb., a light snow fell during the night.

Drouth Is Broken. Pawnee City, Neb., Oct. 26.—(Special.)—The first rain to visit the vicinity of Pawnee City for about two months fell Tuesday. Although it was not a soaker by any means, it was enough to lay the dust and break the drouth.

Winter Wheat Saved. Oshkosh, Neb., Oct. 26.—(Special.)—A rainfall amounting to 1.50 inches and lasting over a period of 24 hours has thoroughly soaked the ground, relieving the anxiety heretofore felt for fall wheat. A big acreage of wheat has been damaged already by the dry weather and the work of worms, but this moisture will save thousands of acres that were in danger.

Hail at Columbus. Columbus, Neb., Oct. 26.—(Special.)—One and one-third inch of hail was the rainfall here Tuesday afternoon as registered by the government gauge. There was some hail though not enough to cause damage in any way. There was a short period of lightning and heavy thunder during the one hour of heavy rain. Farmers had begun to report that some of the wheat was turning yellow and are much relieved to have the moisture at this time.

Rain at Cambridge. Cambridge, Neb., Oct. 26.—(Special.)—There fell in this community Tuesday night 1.2 of an inch of rain. This is the first rain since September 18. The wheat looks fine and farmers claim that it is in first-class condition. The farmers are beginning to pick corn and some corn is making as much as 35 bushels to the acre. The farmers are paying 4 cents per bushel for corn picking. Snow at Sidney.—(Special.)—A steady rain started Monday

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Woman on Trial for Murder Suffers From Poor Memory on Stand. Twin Falls, Oct. 26.—"I don't know," "I can't recall" and "I don't remember" were the principal replies of Mrs. Paul Vincent Southard during her cross-examination today. The woman, who is charged with the murder of her fourth husband by poisoning and by County Prosecutor Frank Stephan with causing the deaths of four other persons by the same means, took refuge in a faulty memory.

No amount of questioning served to refresh her recollection as to many incidents related by former witnesses. The witness was excused a few minutes before noon after being on the stand since the opening of court at 9.30. Practically no new information was brought out.

P. J. Grossman, county coroner and undertaker, was recalled by the defense for cross-examination as to his charge in the bill for services in connection with the Meyer funeral of \$50 for embalming. The witness had previously testified that the body of Meyer was not embalmed. Mr. Grossman explained the item referred to as a charge made not for embalming, but for care of the remains during and following the two postmortem examinations.

Two Beatrice Men Held For Stealing Y.M.C.A. Tents. Beatrice, Neb., Oct. 26.—(Special Telegram.)—Ernest Darwin and Spencer Horn were bound over to the district court by Judge Ellis on the charge of stealing three tents from the Y. camp, northwest of the city. The tents were valued at \$21.50 each. Frank Kinman, first man arrested in the case, turned state's evidence, and testified that Darwin and Horn told him they had stolen the tents and that they hired him to haul them from Horn's home to Glenover, but becoming frightened at a passing auto, they dumped them out along the road, where they were later found and turned over to the police.

Bee Want Ads. Get Results.

Chompson, Belden & Co. A Fitting Companion. For the morning's round of golf or the afternoon's shopping tour is this smartly woven coat sweater, which employs brushed wool for its full length Tuxedo collar. It may be had in the colors of brown, navy, rust and black for \$28. Crepe de Chine Underthings. Charming gowns in shades of flesh, white and peach, all daintily trimmed and fashioned from \$8.85 to \$16.50. Sale of Millinery for One-Half Price. Thursday your unrestricted choice of our entire stock of street, tailored and dress hats, including models from Cecile, Rawak, Gage, Cupid, Washshower, Maison Maurice, Bruick Wiess and Tennie. Some are Lyons velvets, feather hats, hand embroideries, gold and silver brocades, duvetyne. Thursday One-Half Price. All Sale Final—No Exchanges, Approvals or C. O. D.'s. Millinery—Fourth Floor. Your Overcoat. A luxurious, roomy overcoat, tailored from soft, warm, fleecy, new wool, is the kind that will give you comfort and defy the coldest weather. A Nicoll tailored overcoat means more comfort, quality, style and general satisfaction than you can get from the ordinary kind. We are featuring a splendid range of wonderful new wools in smooth, rough and shaggy effects, from the finest Foreign and American looms, at exceptionally low prices. Unusual Values \$45, \$55, \$65 and Upwards. NICOLL The Tailor. W. J. Jerrard's Sons. 209-211 South 15th Street. Nicoll all-wool fabrics give longer wear. This means fewer clothes to buy—a safe way to save.