

## Good Roads Big Asset of State

### Eighty-Mile Motor Bus Trip From Hastings to York Eye-Opener for "Hard Times" Howlers.

### Marketing on Increase

Good roads are of importance to many trade competitors with passenger trains. The splendid highway noted by a staff representative of The Bee in his trip over the state is another of the signs that Nebraska is far from flat on a bad day. This is the seventh of the series of articles appearing daily.

By PAUL GREER.

York, Neb., Feb. 1.—(Special)—Good roads are not least among the assets of Nebraska. A great deal of money has been spent on their construction and upkeep, and it would be splendid if it could be reduced, but there is not one highway that persons living anywhere near regret having built or willingly would see neglected.

An 80-mile journey by motor bus from Hastings to Grand Island, Aurora and York would open the eyes of a good many city folk. All the way the road is smoother than many city streets, and for several miles in Hall county it is gravelled like a boulevard. This material is dug from pits near Grand Island. The existence of so many brick yards in other localities suggests the idea that some day, when population and prosperity have increased, and the price of brick decreased, long stretches of roads may be paved permanently.

### Dirt Roads Fill Need.

But for the present dirt roads fill every need. This one is kept open through the winter by snow plows and is maintained in constant repair. The driver of the bus asserts that he has not missed making a regular trip one day this winter. The sights along the way prove that good roads are of importance to many beside competitors with passenger trains. Everywhere in the state there is a great deal of trucking between towns. Poultry and egg dealers send out from larger centers to smaller ones, bringing back loads of produce. Jobbing houses send out loads of fruit in this way. We passed an immense oil truck just out of Hampton which covers this whole region.

Farmers seem to be cashing in more of their produce that for some time. A good many horse-drawn wagons heavily laden with wheat and corn were heading for the loading points. Two farm wagons, loaded more lightly, were being drawn to town by automobiles. In one of these cases the cargo consisted of hogs and in the other corn. An ingenious farmer even was carrying two hogs in a Ford, with one fastened on each running board.

### Trade Better.

Gossip along the way never fails to touch on the fact that more money is coming into evidence and that trade is better. Passengers in the bus are mostly traveling salesmen, although there is at least one teacher and a bevy of school teachers. (Turn to Page Three, Column One.)

## Parole Asked by Man Who Shot Poker Player

Fremont, Neb., Feb. 1.—(Special)—Richard Hank Dunkle, serving from one to 10 years in the state penitentiary for manslaughter in the killing of Ross Wickersham, after a poker game at Nickerson last winter, has applied to the state board for a pardon.

Dunkle is an ex-convict and ever since his discharge has been suffering with lung and heart trouble as a result of being gauged in France. Since being at Lancaster, Dunkle has been a patient in the penitentiary hospital. Friends and relatives fear that even liberty in the fresh air will not prolong his life to a great extent.

County Attorney J. C. Cook stated today that he did not know what action he will take in regard to the pardon when it comes up on February 4, before the state board.

## Air Mail Refund Bills To Be Introduced This Week

Legislation providing reimbursement of western cities that advanced money for establishment of air mail fields and hangars will be introduced in the house and senate this week, according to J. Davis Larson, commissioner of the Omaha Chamber of Commerce, who returned from Washington yesterday.

Representative Jefferis will introduce the bill in the house, while Senator Smoot will follow the bill in the senate. The sum involved is close to \$150,000, of which Omaha is claiming \$35,000.

## Influenza Epidemic Increases in New York

New York, Feb. 1.—Influenza cases in this city have reached epidemic proportions. Health Commissioner Copeland announced last night in making public a report showing that 813 cases of the disease and 283 cases of pneumonia had been reported during the last 24 hours. There were 43 deaths from the two causes.

## Man in New York Prison Named Delegate to Soviet

Moscow, Feb. 1.—(By A. P.)—James Larkin, who is serving a prison sentence in New York state under conviction for criminal anarchy, has been elected as one of the delegates to the Moscow soviet by the voters of a tailoring factory here, whose workers are largely composed of tailors who came from America.

## United States Party To Seven of Eight Pacts Formed at Arms Meet

Washington, Feb. 1.—(By A. P.)—Unless present plans are changed, the Washington conference will give to the world eight treaties, to seven of which the United States will be a party. This is the list: Four-power Pacific treaty, signed December 13. Five-power naval limitation treaty, ready for signature. Five-power submarine and poison gas treaty, ready for signature. Six-power treaty allocating German Pacific cables, drafting. Nine-power treaty on Chinese tariff, drafting. Five-power treaty on other Chinese questions, drafting. American-Japanese treaty regarding Yap, virtually ready for signature. Chinese-Japanese treaty regarding Shantung, near completion.

## Packers Carry on Injunction Fight Though Strike Off

### Counsel for "Big Five" Will Ask That Order Be Made Permanent in Hearing Today.

Notwithstanding the calling off of the packer strike on the South Side, counsel for the "Big Five" packers will present their plea for an injunction against picketing in the strike zone at a hearing to be held in federal court today. Judge T. C. Munger is expected to preside at the hearing. The packer strike was called off Tuesday.

### Want Permanent Injunction.

"That will not deter us from seeking a permanent injunction against picketing in the future," declared G. L. De Lacy, member of the law firm representing the packers. "We want a permanent injunction to be a matter of record. No doubt there are many strikers who will not be taken back to work immediately and I think a permanent injunction will be a protection against them in case they become dissatisfied and resolve to renew their molestations."

### Bigelow to Represent.

Anson H. Bigelow, counsel for the unions, declared he would be present for the hearing.

Packing plant employment agents predicted yesterday that most of the old employees of the plants would find work within the next week as the packing season was just opening. Of 1,000 applicants yesterday only 165, however, were given jobs.

### Think Unions Shattered.

Managers stated yesterday morning that their reorganized forces were nearing normal efficiency. The packers believe that the failure of the strike will shatter the unions beyond recovery.

## Tots Die in Flames When House Burns

The two infant daughters of Mr. and Mrs. Berelson Decker, 1014 South Seventeenth street, Council Bluffs, were burned to death last night in the cottage in which they live, when fire from an overheated stove pipe and was completely gutted.

The two children, Dorothy, 4 months, and Mary, 13 months, were left in the house while Mrs. Decker was hanging out washing. When she glanced toward the house it was in flames, with no possibility of rescuing the babies. The frantic mother made several attempts to rescue them.

Decker is employed by the Droge Elevator company.

## "Wobblies" Active in Colorado Mines

Denver, Colo., Feb. 1.—The mining districts of southern Colorado, particularly in Huerfano county, are infested with scores of followers of the Industrial Workers of the World, Patrick J. Hamrock, state adjutant general, asserted in a report to Governor Shoup. The report was made following the withdrawal yesterday of state rangers from Huerfano county, which has been under martial law since November 17, last, when the Colorado Fuel & Iron company cut wages and a strike of miners followed.

## Jonas Marsh Libby Plunges to Death in N. Y.

New York, Feb. 1.—Jonas Marsh Libby, editor and international authority on industrial matters, plunged to his death this afternoon from a faint high up on the 25th story of the Municipal building. His body fell in the midst of lunch hour pedestrians.

## Rightly So!

The people of Omaha and Nebraska are justly tired of purely newspaper controversies on matters that do not affect the public welfare.

## Poor Work Blamed for Disaster

### Senator Capper Holds Faulty Construction and Bad En- gineering Responsible for Movie Collapse.

### Failed to Anchor Beams

Washington, Feb. 1.—Bad engineering, coupled with cheap and faulty construction, was held responsible for the collapse of the roof of the Knickerbocker theater and the resultant loss of nearly a hundred lives, by Senator Capper of Kansas, in a statement issued after an investigation of the ruins of the ill-fated structure. Senator Capper, who as a member of the senate District of Columbia committee, introduced a resolution providing for senate investigation of the disaster, was accompanied in his inspection of the scene by Senators Jones of Washington, Gooding of Idaho and Sheppard of Texas, all members of the District of Columbia committee, and Representative Upshaw of Georgia, whose niece, Miss Caroline Upshaw, was injured in the collapse. The Kansas senator said District of Columbia officials who approved the plans for such construction as was used in the Knickerbocker were responsible to a large extent for the collapse of the building.

### Beams Not Anchored.

"Government engineers on the ground told me," said Senator Capper's statement, "that none of the beams were anchored or fastened to the walls, which in my judgment was a fundamental error in such construction, because any unusual disturbing cause might gradually slip the beams from their supports." Coincident with Senator Capper's statement the American Association of Engineers issued a statement in which it declared the disaster "was evidently due either to faulty design or construction which would not have occurred had licensed engineers or architects supervised the work." The association has a committee investigating the collapse.

### Hold Inquest Tuesday.

Other developments in the investigation today was an announcement from Coroner Nevitt that he would inaugurate the inquest to be held over the bodies of two of the theater victims Tuesday and a conference between District Attorney Gordon and the two army officers detailed to assist him preparatory to presentation of the matter to the grand jury.

Three more messages of condolence from diplomatic representatives of foreign governments, here were received today by Secretary Hughes. The expressions of sympathy came from Arthur J. Balfour, head of the British delegation to the Washington conference; Minister De Cespedes of Cuba and Minister Sz of China. Mr. Balfour's message said:

"It is a matter of most poignant regret to myself and to each of my colleagues that in which, for the last three months, we have received such hospitality and such kindness, should have been plunged into grief by a disaster so terrible at the moment when the labors of the conference are approaching their conclusion."

## Grand Island Family Is Overcome by Gas

Grand Island, Neb., Feb. 1.—(Special)—Dr. and Mrs. Cates and their 3-year-old daughter, Dorothy, and 11-year-old son, Jack, were overcome by gas, the nature of which was not ascertained for two days, when it was found that a prior tenant of the house had placed the cover of a mason jar on top of the vent of the bathroom gas heater.

The little girl was the first to be overcome, immediately after breakfast. Shortly thereafter the little boy became unconscious. A physician called, Mrs. Cates was the next apparently to faint and the attending physician, not being able to discover any evidence of gas, thought that in the mother's case it might be excitement. Dr. Cates was next overcome, and the physician in charge himself began to feel the effects in a severe headache.

Plumbers and gas men were called and the mysterious malady was explained when the covering of the vent was accidentally discovered. The woman of the family previously occupying the place, had also been overcome and the family had vacated the premises under the impression that something was wrong.

## Receivership Asked for Locomotive Company

South Norwalk, Conn., Feb. 1.—A receivership for the Locomotive company of Bridgeport was applied for in papers filed with Federal Judge Edwin S. Thomas at his office today. This action was taken, it was stated, as a step toward reorganization of the company. The company and various creditors were represented by counsel who stated that the proceedings were by agreement. It was represented in the application "that the interests of banks and merchandise creditors, as well as the stockholders can be best served through a reorganization through a receivership."

## Encourage Writers

Quebec, Feb. 1.—The provisional government is to encourage production of literature, a bill just having been passed by the legislature providing three annual cash prizes for budding authors. The highest is \$2,500.

## Voliva Announces Sky In Great Solid Dome Resting on Wall of Ice

Zion, Ill., Feb. 1.—Wilbur Glenn Voliva, overseer of Zion and head of the Christian Apostolic church, has completed the fixing of dimensions of his flat world, existence of which is now taught in the Zion schools.

According to Mr. Voliva's announcement, the sky is a vast dome of solid material from which the sun, moon and stars are hung like chandeliers. The edges of the dome, he explains, rest on the wall of ice which surrounds the flat world to keep foolhardy mariners from tumbling over the edge. "That is the plain teaching of the word of God," he said, "that the heaven, the dome, the vault, like a tent, is a solid structure over the earth and all the lights are set within the firmament. Ezekiel says 'the throne of God is above the vault.' The firmament above our heads is a solid structure and the stars are points of light, that is all."

## Arbuckle Case in Hands of Jury on Second Trial

### Defense Submits Case With- out Argument—Comedian Visibly Nervous as Jur- ors Deliberate.

San Francisco, Feb. 1.—The case of Roscoe C. (Fatty) Arbuckle, accused of manslaughter in connection with the death of Miss Virginia Rappo, went to the jury at 3:42 this afternoon after a trial covering three weeks. It was his second trial on the charge, the first having resulted in a jury disagreement. Mrs. Estelle Baummeister, one of the two alternate jurors who were excused when the jury retired, said that in her opinion Arbuckle is not guilty. Henry Ottenberg, the other alternate, declined to express an opinion, although he congratulated the defense on its showing.

### Defense Waives Argument.

The defense inserted a sensation into the proceedings by announcing it would submit the case to the jury without argument. It was this action which accelerated the case so that the jury was able to begin deliberation a day earlier than had been anticipated. The announcement came at the end of the first argument by the prosecution made by Milton T. U'Ren, assistant district attorney. It has the effect of shutting off further argument by the prosecution as, under the law, such further argument can only be a rebuttal of the final defense summing up. Arbuckle, jovial and apparently carefree most of the day, was visibly nervous when the jury retired.

### Courtroom Thronged.

Today's session saw the conclusion of the prosecution's rebuttal testimony. Three minor witnesses testified. The defense announced that it would make no rebuttal and U'Ren then began the sole closing argument. He attacked in detail the testimony given by Arbuckle in the first trial of the case, holding that no proper explanation had been given as to what transpired in Arbuckle's room in the Hotel St. Francis when the comedian is supposed to have attacked the girl. A throng was drawn to the courtroom for the final arguments and the police guard had its hands full for the first time since the trial opened.

Neither side would speculate as to the period of time it would take the jury to reach a final decision.

## Governor Spares Tree Monument to Scout

Burwell, Neb., Feb. 1.—(Special)—Two years ago, when the state highway was constructed through Valley county, a request made to Governor McKelvie for a large cottonwood tree was left standing in the road, the owner of the land permitting the state to take the right-of-way around the tree. This tree was planted by A. J. Smith, not far from the homestead of "Happy Jack" "Pickup." Pierce also admitted under cross-examination that he had the cottonwood tree cut for the purpose of getting back to Omaha.

## Col. MacNider Mentioned as Successor to Kenyon

Des Moines, Feb. 1.—Although Governor N. E. Kendall would give no intimation yesterday as to whom he would appoint to take Senator W. S. Kenyon's place in the United States senate, belief was current in political circles here last night that the governor has made up his mind to appoint a resident of the northern half of the state. The name of Col. Hanford MacNider of Mason City, national commander of the American Legion, is mentioned in connection with the appointment.

## New York Newspapermen's Club Is Incorporated

New York, Feb. 1.—Supreme Court Justice Wagner today signed the articles of incorporation of the Newspaper Men's club, a new social organization of newspaper men here. The incorporators include reporters and editors of morning and evening newspapers, news associations and several trade publications.

## Prince Yamagata Dies

London, Feb. 1.—Field Marshal Prince Yamagata, one of the few remaining of Japan's "Genro" or older statesmen, died at his home in Odawara today, says an Exchange Telegraph dispatch from Tokyo. He was in his 84th year.

## They Have an Advantage Over Him

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## Witness for State Gives Lie to Pierce in Damato Trial

### Says Man Accused of Fogg Murder Did Not Associate With Scores—Defense Acers Points.

Leo Kernan, 28, witness for the state in the trial of Mike Damato for the murder of Frank Fogg, drugist, created a sensation late yesterday by testifying that Damato and Frank Pierce, star witness for the state, had not associated with each other when confined in the same cell of the city jail. Pierce testified earlier in the day that he held Damato of the alleged plot to rob the Fogg drug store while in the cell at the city jail.

"Pierce and Damato never had anything to do with each other," testified Kernan. "Damato told me to stay away from Pierce, too, while we were in the cell." Under cross-examination by William Lovely, attorney for Damato, Pierce admitted he was a constant user of "dope," and that he had taken a shot in the morning before he appeared on the stand. Pierce said he had obtained morphine from a police surgeon, not from other sources. He told of watching the Fogg drug store for the arrival of a shipment of morphine.

## German Government Ready for Rail Strike

Berlin, Feb. 1.—(By A. P.)—The government has announced it will take aggressive measures, in the event of a strike of the railway men, which it is understood becomes effective at midnight tonight. Government authorities point out that the workmen have taken an oath to support the government and declare that in case of disorganization of traffic they will be prosecuted.

This is the first time in the history of Germany that the government had expressed its determination to take drastic steps against a labor union. Only the most radical labor quarters openly approve of the strike decision, the moderates contending that proper consideration was not given to the question before the vote was taken.

In the meantime, the strike leaders are in hiding, fearing arrest.

## Portuguese Cabinet, Formed December 16, Forced to Quit

Paris, Feb. 1.—The Portuguese cabinet, headed by Cunha Leal, which was formed December 16, has been obliged to resign, it is asserted in a dispatch to the Temps today from Vigo, near the Spanish-Portuguese border, relating a Lisbon telegram. The Cunha Leal cabinet resigned January 2, but President Almeida declined to accept the resignation.

## Four Men Found Guilty of Robbing Mail Train

Oklahoma City, Okl., Feb. 1.—Four defendants were found guilty and one not guilty by a federal jury today of charges of robbing a Santa Fe mail train near here last September. The men found guilty are Jeff Durre, Dan Durre, G. E. (Babe) Downer and Ed. Dodge.

## Woman Held for Murder.

Berlin, Wis., Feb. 1.—Mrs. Fred Gardner was held on a murder charge, following the return of a coroner inquest's jury verdict that she had killed her husband last September. State Chemist Lovenhart reported finding traces of poison in the vital organs.

## Treaty Approved.

London, Feb. 1.—The Bulgarian cabinet, says a dispatch today to the London Times from Sofia, has approved of a treaty with the United States, which if passed by the senate will be sent to Washington for ratification.

## Accuses Wife of Adopting Twins

### Man Jailed on Charge of Non- support Declares Babes Are Foundlings.

All attempts to bring about a reconciliation between Mr. and Mrs. Carl Fisher over the disputed parentage of twins, Eleanor and Carl, 18 months old, failed yesterday. Fisher claims the children were adopted by his wife, and that they are foundlings.

Mrs. Fisher and her twins appeared at the county jail where Fisher is being held for nonsupport of his family, but the man refused the overtures she made. He asked her to prove that she was the mother of the children.

"It was after she had gone to visit a sister and then returned to Omaha that she wired me at Grand Island: 'Come home at once. We have a big line boy,'" said Fisher when interviewed at the jail.

"When I got home it was twins." Mrs. Fisher's story was to the effect that Fisher abused her so that she did not dare to remain at home during the birth of a child.

## Capitol Levy Is Passed With Two Opposing Votes

### Democrats and Nonpartisans Repudiate Their Party Press in Voting for Appropriation.

Lincoln, Feb. 1.—(Special)—Democrats and Nonpartisan leaguers in the lower house repudiated their party press today when they voted solidly to continue building Nebraska's new statehouse.

There were only two votes against the bill re-appropriating the 1919 levy for the new statehouse. They were cast by Representative Charles Epperson of Clay and Representative David Bowman of Omaha.

Epperson has been against state road construction, state bridge construction, the budget system of government, the code bill and everything with which Governor McKelvie has been connected. The reason Bowman voted against the bill was not explanation of the democratic and Nonpartisan league papers by members of their own party followed after the lower house by the lower house by W. H. Thompson, democratic national committee man, extolling every loyal Nebraskan to do away with the old dilapidated structure and erect a building fitting for Nebraska.

The members were given an opportunity to investigate every move made by the state capitol commission, composed of representative men from all political faiths, and the vote of confidence today was the result.

## Increased Pension Bill Passes House

Washington, Feb. 1.—Pensions of widows and dependent children of men who served in the army or navy during the war with Spain, the Philippine islands or the China expedition of 1900 would be increased from \$12 to \$20 a month under a bill passed by the house and sent to the senate.

The bill also increases the number eligible for pension by providing that the 90-day service requirement does not mean 90 days' duty outside the continental United States. Enforced furloughs are to be included as part of a soldier's service.

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## Conference Approves Naval Pact

### Treaty Represents Agreement Reached by "Big 5" Fol- lowing Proposal of U. S. for Naval Holiday.

### Work of Hughes Praised

Washington, Feb. 1.—In a three-hour session today the Washington conference approved both the naval limitation treaty and the treaty putting submarine warfare against merchant craft and gas and chemical warfare under the ban of five-power disapproval. The plenary session then adjourned on call.

Washington, Feb. 1.—Secretary Hughes shortly after noon today presented to the arms conference the text of the treaty of limitation of naval armaments.

The entire forenoon of today's plenary session of the conference—the fifth in its course—had been consumed with the presentation and adoption of committee resolutions providing for the return of certain sovereignties to China and the announcement of the settlement of the Shantung dispute.

### Treaty Not Read.

The naval treaty was not read, but Secretary Hughes outlined its terms and declared that so far as capital ships are concerned, the integrity of the plan proposed on behalf of the American government has been maintained.

A description of the terms of the naval limitation treaty outlines the results agreed upon between "the big five" following the dramatic announcement of the American proposals by Secretary Hughes at the opening session of the conference on November 12.

Secretary Hughes gave a somewhat detailed review of the principal terms and stated that the original American proposal as to capital ships, while changed in details, had been adopted substantially.

### Integrity of Plan.

"The integrity of the plan presented on behalf of the United States," said Secretary Hughes, "has been maintained and the spirit in which that proposal was made and in which it was received has dominated the entire negotiations and brought them to a very successful conclusion." There was applause when Mr. Hughes said the United States retained the number of capital ships proposed on November 12 and that Great Britain and Japan were situated similarly, the latter with the exception of one new battleship Mutsu. The effect of the retention of the Mutsu, Mr. Hughes continued, made necessary the changes in the original American program by which two dreadnaughts of the West Virginia class are to be completed and the battleships North Dakota and Delaware then scrapped.

### Four Principles.

In the American proposals, Mr. Hughes said, four principles had been governing. They were first that all capital ships now building and contemplated should be abandoned; second, that there should be a further reduction of naval armaments by scrapping older ships; third, that regard should be had to the existing fleet. (Turn to Page Two, Column Two.)

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## Head of Traction Company Horshipped by Woman

Champaign, Ill., Feb. 1.—F. W. Bedard, superintendent of the Urbana and Champaign Railway, Gas and Electric company, was horshipped in front of the Illinois Traction System offices this afternoon by Miss Jessie Daniels, formerly an employe of the company. She later surrendered to the police, but no formal charge has been filed against