

Life Term in Pen for Otto Cole

Slayer of Harry Hahn, Who Conducted Defense Without Counsel, Escapes Death Penalty.

Will Ask for New Trial

“We, the jurors, do find Otto Cole guilty of murder in the first degree, and fix his punishment at imprisonment for his life in the penitentiary. This is the verdict of the jury which tried the man who calls himself ‘Otto Cole,’ on the charge of murdering Harry Hahn, second-hand clothing merchant, 414 South 28th street, the morning of March 28. The jury was locked in the jury room all night, but reached the verdict at 3:40 yesterday morning. Louis Grebe, veteran bailiff, when notified that the verdict had been reached, summoned the 12 tired men with cats and they slept a few hours after that.”

Judge Is Summoned.

County Attorney Shotwell and District Judge Leslie were notified early yesterday morning that the verdict was reached and were in the big court room before 9.

Haggard Appearance.

Cole looked haggard. A growth of gray whiskers was on his face. He looked carefully at each juror as the 12 men filed in and took their places.

Gentlemen of the Jury, Have You Reached a Verdict?

“Gentlemen of the jury, have you reached a verdict?” asked Judge Leslie.

“We Have,” Said Guy L. Smith, the Foreman.

Sidney Gottneid, jury clerk, received from the foreman the paper containing the verdict.

Cole’s Eyes Followed Him as He Took the Paper to the Left of the Judge’s Bench and Read It.

Expression Changes.

As the words ‘guilty of murder in the first degree’ were uttered Cole’s eyes moved again to the jury and he usually studiously, gentle expression seemed to change to one of hate.

“Gentlemen of the Jury, Have You Reached a Verdict?”

“It is,” he said.

The Jurors were then excused with the compliments of the judge.

No Comments.

Cole was led back to the county jail.

The Jurors refused to state what went on in the jury room, except to give the information that 14 ballots were taken.

“What took so long?” Foreman Smith was asked.

“Deliberation,” he said.

It is believed that the deliberation was on the question of whether to make the punishment death or life imprisonment.

Rumor at the court house said the first ballots were 10 for the electric chair and two for life imprisonment.

Called by Shotwell.

County Attorney Shotwell, in striving to give Cole every legal advantage, had him brought from jail at 11 yesterday morning to be informed as to procedure in making the ordinary motion for a new trial.

Cole was dressed in the brown uniforms which are the jail garb.

He nodded pleasantly to the county attorney as he took his seat opposite him at the table.

“I want to tell you, Cole, of the steps you are entitled to take if you”

(Turn to Page Two, Column One.)

Impressive Arbor Day Plea Made by Secretary Wallace Via Radio

Bee Receives Special Message Through Wireless Service—All Aroused to Plant Trees.

Marking the golden anniversary of Arbor day, and honoring a distinguished Nebraskan, J. Sterling Morton, founder of the day, Secretary of Agriculture Wallace last night broadcast a special message, which The Bee is presenting to its readers by courtesy of the Postoffice department radio service. The message was received here by Operator McAvoy. It follows:

Washington, April 21.—(By Postoffice Radiogram.)—To the people of the United States: Fifty years ago in Nebraska the first Arbor day was observed. A distinguished citizen of that state, who later became one of our national leaders, had the foresight to discern what tree planting might accomplish.

Arbor day means tree day, and we honor its founder, Hon. J. Sterling Morton.

In 1872 Arbor day had in view the planting of trees where nature had spared none, and these trees had a sprouting, and they are in 1922 we give thought to our need for a greater task. From a nation of 40,000,000 we have become one of more than 100,000,000, but our forests a half century ago thought inexhaustible, have been retreating steadily before fire and axe. Unless, as a nation, we give thought to our need for forests, we shall suffer an increasing economic and social loss. A vast area of denuded and idle land awaits employment for the only useful service which it can render: Tree growing.

We can produce all the timber that we require, maintain our streams flowing in unshrunk volume, preserve the allurements and wild life of the out-of-doors, and add comfort and beauty to our homes and highways if we make the growing and protecting of trees a national concern.

While we use and enjoy our forests let us keep them green. Let us unitedly protect them from the great destroyer, fire. Let us plant on roadside and farm, the school yard and around the home, and in the waste areas, where new forests must be grown for old so we may preserve for ourselves and our children one of the greatest blessings and most vital resources of America.

(Signed) HENRY C. WALLACE, Secretary of Agriculture.

Army to Send Message. Lieut. Col. H. B. Meyers, chief of the intelligence department at Fort Crook, received the following message by radio from Washington yesterday:

“Arlington radio station, Washington, D. C., at 10 p. m. eastern-standard time, April 21, will broadcast on 2650 meter spark, special Arbor day message from secretary of agriculture to the people of the United States. The army radio stations at Fort Crook, at Omaha, Fort Benjamin Harrison, Fort Sumner and Fort MacPherson will rebroadcast this message and again rebroadcast it on continuous wave of 2650 meters at noon eastern-standard time on April 22.”

Paris Plans to Receive Good Will Delegation

Winners of Trip-to-France Contest Will Be Greeted by Officials at Havre—Reception at Rheims Arranged—Trip to Fort at Verdun Also on Itinerary.

New York, April 21.—The following cable from Mrs. Anne Murray Dike, commissioner in France for the American committee on devastated France, was received in Good Will Headquarters: “Regarding the reception at Havre, and in all the principal towns on itinerary, including reception by Cardinal Luçon of Rheims cathedral and the commandant of the port at Verdun.”

Candidates continue to enter The Omaha Bee Good Will election contest and new names appear daily.

As an indication of the local interest, a commercial traveler began making inquiries in a hotel about the local contest, stating that immediately on his arrival in town he noticed an attractive daughter of the state conversing with a uniformed employee who insisted upon her entering some sort of a contest. Later, he noticed cards inviting the general public to vote for Miss Mabel M. Leary, a girl further on he found cards inviting him to vote for Nellie B. Dunn, and again in the hotel he saw several persons meeting and pointing out paragraphs in the Good Will election story.

Told of Contest. When told that the American Committee for Devastated France was running an election to send popular girls of the city to France, he stated: “Yes, they are running one of those in St. Paul where the poolrooms is festooned with banners, placards and campaign slogans and the university students parade in attempting to secure votes for Miss Mosback, who is by no means the embodiment of a corruption of her name.”

Monday, Tuesday, Wednesday (four days) are left for nominations, and if the primaries now being held are an indication, the (Turn to Page Thirteen, Column Two.)

Blind Man Who Became ‘Boss’ of Frisco Is Dead

San Francisco, April 21.—Christopher Buckley, veteran political figure of San Francisco, at one time known as ‘the blind boss,’ died last night at his home here. He was 77 years old.

During the 20 years of his sovereignty it was conceded that he ruled the political circles of San Francisco. He was a democrat.

Buckley’s career is a story of an indomitable will arrayed against an unkindly fate.

A politician of the old school, he fought relentlessly, if futilely, against such innovations as the direct primary. For years he was proprietor of the Sunset cafe, a famous hangout dating back to Bonanza days, where his first job had been as a helper in 1862. The political machine built up by Buckley was finally destroyed in the middle 90’s when James D. Phelan, former United States senator, lead a revolt within the democratic party and was elected mayor.

Congress Appropriates \$1,000,000 to Fight Flood Washington, April 21.—The sum of \$1,000,000 for control of flood waters of the Mississippi river, now at the highest stages in years, was made available immediately by a resolution rushed through the senate and house today within an hour after the proposal made by southern members had been approved by Secretary Weeks and Director Dawes of the budget.

Girl Held Prisoner 10 Days Rescued by New York Police New York, April 21.—Police battered down a door in a West Forty-fifth street house today and rescued Minnie Zarembok, 16, who said she had been kidnaped and held prisoner for 10 days.

A man who said he was William Weisinger, 23, was arrested on charges of abduction and assault. The girl said Weisinger seized her at a deserted corner and took her to the house where he held her prisoner after depriving her of all her clothing.

Five Hurt in Wreck. Palestine, Tex., April 21.—Five railroad men were seriously injured when two freight trains collided this afternoon three miles west of Troup on the north end of the J. and G. N. railroad, according to reports reaching here. A special train carrying a number of railroad officials and doctors left Palestine for the scene of the wreck.

Bandit Shoots Iowan Sioux City, Ia., April 21.—Peter Wang, a butcher for the Swift Packing company, was shot in the leg by a lone bandit who attempted to hold him up late last night. Edward Savage, a suspect, is in custody.

Your ‘Want’ Ad will reach 78,000 Bee readers tomorrow

17th and Farnam
AT lantic 1000

Congress Provides \$1,000,000 to Fight Flood Washington, April 21.—A joint resolution making immediately available the sum of \$1,000,000 for control of flood waters of the Mississippi river, was adopted today by the house.

Testimony Called Lie by Pierce

Star Witness in Fogg Trial, Now in Insane Asylum, Kept Under ‘Dope,’ Affidavit States.

Officer Franks Blamed

Frank Pierce, star witness for the prosecution of Frank Damato, charged with the murder of Frank Fogg, druggist, innocent victim of manslaughter, declares he believes Damato “knew nothing about the killing of Fogg,” in an affidavit filed by Joseph M. Lovely, in support of a motion for a new trial for Damato, in district court yesterday.

This affidavit was obtained from Pierce in an insane asylum at Topeka, Kan. In it Pierce admits that he “now feels that Mike Damato has wrongfully been convicted and principally upon my evidence given at the trial, for it is my firm conviction now that I am innocent of any connection with the Fogg murder.”

Girl Retracts Statement. Bernice Wiler, another principal witness for the prosecution, declares she “did not know anything whatever about the facts of the murder and robbery of Frank Fogg, except only as told to me and prompted by Detective Erit Franks and Detective Walston, in another affidavit filed by Mr. Lovely.

She asserts that when she was called to the office of Chief Walston in Kansas City she said she never had been in Omaha and that she knew nothing of the Fogg murder.

“I was supplied with a complete description of both men and was shown their pictures,” the Wiler woman contends.

Tells of Interview. William Jamieson, Omaha lawyer, in a third affidavit, tells of an interview with Pierce, who baffled attorneys defending Damato, and whose testimony was admittedly the most damaging given against the prisoner.

“I visited one Charles Kerr, alias Frank Pierce, and in an interview he stated to me that if he could be assured that he would not be prosecuted for perjury he would make a statement in affidavit form listing each and every statement by him on the witness stand which in any way incriminated Mike Damato or his confederate, Walter Stevens,” deposes Mr. Jamieson.

“Jamieson says Pierce further asserted that he had given testimony solidly because he wanted to get away from several burglary charges pending against him in Kansas City, and because he was assured that if he would testify against Damato and Stevens he would be charged against him would be dropped.”

Offers to Retract Word. Pierce stated if guaranteed immunity from perjury he would come to Omaha and repudiate all his testimony and clear Damato of any connection with the murder of Fogg, according to Jamieson.

Pierce, in his affidavit, states his true name is Charles Andrew Kerr, and that he was committed by the probate court of Lyon county, Kan., to the state insane asylum at Topeka, Kan., under the name of Frank Pierce, in 1921, and admits that he is again in the asylum under the same commitment.

Says Dope Given Him. At the time of the alleged conversation with Damato and Stevens at 706 North Sixteenth street, Omaha, during the night of August 12, 1921, when Damato and Stevens were alleged to have talked of killing Fogg, Pierce in his affidavit admits that he was under the influence of dope and that every time he testified or made a statement regarding this conversation in Omaha he “was under the influence of drug furnished me by Omaha authorities.”

The Wiler woman deposes that she never was on the premises at 706 North Sixteenth street until she was taken there by Detective Franks.

Dutchman, according to Attorney G. P. North, who filed the petition, has \$90,000 worth of stock and Rev. Mr. Swab over \$40,000.

The company, which was organized in the fall of 1919, has brick plants at Humboldt and Tekamah, Neb.

Over Two Million Pounds Wool Pooled During 1921 Chicago, April 21.—Twenty-two and a quarter millions of pounds of wool was pooled and co-operatively marketed by 45,000 wool growers in the United States in 1921, at a saving to growers of over one million dollars, according to figures compiled by C. J. Fawcett, director of the wool marketing department of the American Farm Bureau federation.

The average net return to the grower was a fraction over 20 cents a pound, according to replies to questionnaires sent to wool-pool managers. In five of the chief cotton producing states, 1,500,000 bales of cotton have been marketed through pools and co-operative marketing organizations, the report said.

When the Air Is Full of Wireless Waves

HOW WILL IT AFFECT THE PEOPLE THEY PERMEATE?



When they broadcast sentimental songs—

—Will all those who are permeated by the waves of sentiment feel sentimental?



When they broadcast speeches of stirring eloquence—

—Will all whose bodies are penetrated by the waves of eloquence feel eloquent?



When they broadcast jazz music—

—Will everybody who gets in the way of the waves become bejazzed?

Dublin Barracks Troops Beat Off Attacking Force

Siege Lasts 40 Minutes—Intense Firing and Bomb Explosions Alarm Citizens—3 Deaths in Belfast.

Dublin, April 21.—(By A. P.)—The attack on the Wellington barracks, which began at 11:15 o'clock last night, continued 40 minutes when the besieging forces were beaten off by regular Irish republican troops.

The firing in different parts of the city, which lasted, was even more intense than that of the previous night, the explosions of bombs causing the greatest alarm.

Wellington barracks, which is in a thickly populated residential section, was the last barracks here to be evacuated by the British and is not responsible for military action in Dublin, Begarrs Bush barracks being the headquarters of the provisional government’s forces.

The firing of revolvers in various parts of the city at night has grown so general that it has had almost the same effect as a curfew law, peace loving citizens retiring to their homes at an early hour.

Twelve Easter Deaths.

Belfast, April 21.—(By A. P.)—Firing again was in progress in Ballymacarrett, the eastern section of Belfast, early today. A sergeant in the special Ulster constabulary was the first casualty of the day.

Two deaths in the hospital last night and the death of Andrew McCarty, one of the soldiers wounded, raised the Easter tide list to 12.

Dublin, April 21.—A manifesto issued last night by the labor party and the trades union congress calls for a one-day strike for the issue, and that the Daily Eireann assert its authority, reunite the army under a single command and accept the responsibility of government or confess its impotence and make way for the people to decide the issues.

The manifesto says the lord mayor and the archbishop of Dublin have been requested to invite the representatives of the executive council of the dissident section of the army (that headed by Roderick (Rory) O’Connor) to the adjourned session of the peace conference between representatives of the free state and the republicans next Wednesday.

It is declared in the manifesto that it is for the Daily Eireann, when it meets next Tuesday, to reunite the army and bring it under single command so that it may defend the nation and its liberties against foreign intervention.

Attack Newspaper. Sligo, Ireland, April 21.—(By A. P.)—Armed men raided the offices of the Sligo Champion today and smashed the type for this week’s issue, apparently in order to prevent publication of the newspaper’s report of Sunday’s meeting, when Arthur Griffith, president of the Daily Eireann, delivered an address in favor of the Free State treaty.

The raiders tore up 10,000 partly printed copies of the paper but spared the machinery.

Movie Actor Wed.

Riverside, Cal., April 21.—Emund ‘Hoot’ Gibson, motion picture actor of Los Angeles, and Helen Johnson, vaudeville actress, were married here yesterday.

Senate Delays Consideration of Tariff Measure

Discussion of Administration Bill Deferred to Monday at Request of Democratic Members.

Washington, April 21.—Officially the tariff bill was before the senate today but it received scant attention, that republican leaders finally acquiesced in a request of the democrats that further consideration of it be deferred until Monday.

By that time the minority expects to be ready to proceed with the general deliberation of the measure.

When the bill was called up by Chairman McCumber of the finance committee, Senator King, democrat, Utah, took the floor and after a reference to the tariff, launched into a nearly four hours’ discussion of the Mexican situation.

After his address, Senator Harrison, democrat, Mississippi, had the senate clerk read a lengthy newspaper account of a speech by Senator Moses, republican, New Hampshire, in which the agricultural bloc and many other things were discussed.

This over, Senator Curtis of Kansas, the republican whip, demanded the regular order, which would mean consideration of committee amendments to the tariff bill.

Senator King announced that if the regular order were insisted upon he would “have to make a speech on another subject.”

Senator Harrison interposed to request that the tariff bill go over until Monday, saying the democrats had not had time despite “diligent work” to prepare themselves for the tariff fight. He added that there was no disposition on the minority side unnecessarily to delay the bill and that time would be saved and consideration of the measure expedited if it went over.

Formation of World’s Women’s Organization Urged

Baltimore, April 21.—The formation of “world’s women’s organizations,” with the pan-American conference of women as a nucleus, was urged at the conference today by Dr. Bedrich Stepanek, minister to the United States from Czechoslovakia.

Dr. Stepanek said he was the spokesman for the women of his country who felt that the pan-American conference was too limited territorially.

N. Y. Stock Exchange Seat Brings \$93,000

New York, April 21.—Prices of seats on the New York Stock exchange, long regarded by many as an index of approaching market conditions, are still on the upgrade. Wall street got a thrill when it was announced that Eric Marks had bought the seat of W. P. Blais for \$93,000, which was \$4,000 more than the previous sale recorded, less than a week ago.

Randall Headquarters for Governor in Lincoln

Lincoln, April 21.—(Special.)—Charles Randall of Randolph, a republican candidate for governor, opened headquarters here today. Elmer Robinson of Hartington, an executive member, will be Randall’s campaign manager.

Russians Willing to Pay Debts

To Accept Prewar and War Obligations if Granted Recognition and Given Financial Assistance.

Germany Is ‘Surprised’

Genoa, April 21.—(By A. P.)—Both the Germans and the Russians today submitted their replies to the allies’ demands. The German reply accepts the allied proposal that the Germans take no further part in the negotiations between the allies and the Russians, but the reply does not modify the effectiveness of the Russo-German treaty.

The Russian reply accepts the allied proposal for the payment of Russia’s debts due to foreigners, and the restoration of foreign property nationalized by Russia, in case the soviet regime is granted full recognition by the allied governments and is given adequate financial assistance.

The effect of the two replies is to continue the German and Russian negotiations in the dark here, and thus to bridge over the crisis which recently threatened to disrupt the conference.

Difficult Problem.

While the soviet reply apparently accepts practically all the allied demands, the details of working out the plan and the amounts the Russians may expect in loans to restore their country admittedly present a difficult problem, without any certainty that it can be solved, and thus complete the preliminaries necessary for Russian recognition.

The allies believe the Russian counter claims for damages due to intervention will disappear from the discussions.

The German reply to the allied ultimatum accepts the condition that the German delegates be barred from participating in the further discussions of the Russian question by the Genoa conference, the Russo-Germany treaty signed at Rapallo being allowed to stand.

The German note is longer than that from the allies and begins by acknowledging “with painful surprise” the protest received, which is considered undesired.

Exclusion of Germany. The note then repeats what Dr. Rathenau, German foreign minister, has stated on several occasions—that negotiations for the conclusion of the Russo-German treaty had begun long ago, were known to have been in progress by all the European governments, and had lately been suspended out of agreement with the soviet government. But the exclusion of Germany from the negotiations held by the allies with the Russians at the Villa De Albertis gave to the German delegation the impression that the allies were trying to conclude arrangements with the soviet government without German participation, perhaps to Germany’s detriment.

At a certain moment, perhaps through misunderstanding, the German delegation received the impression that the allies were about to conclude an agreement with the Russian government.

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Nebraska City Pays Tribute to Morton

Nebraska City, Neb., April 21.—(Special Telegram.)—The anniversary of Arbor day was observed here under the auspices of the American Legion post. The exercises were, in the nature of a memorial observance, a tree being planted in Morton park for each of the 28 Otoe county young men who lost their lives in the world war.

The trees were planted in a park donated to the city by the founder of Arbor day, the late J. Sterling Morton, adjoining Arbor lodge. The ceremonies opened with a parade in which the school children, city and county officials, legion and various civic organizations took part. At the park an appropriate program was given with O. S. Spillman of Pierce for speaker. John W. Steinhardt gave an address on Arbor day and the man who did so much for treeless state in the early days.

The streets of the city were decorated with the American flag and the community appeared in gala attire for the occasion.

New Film Release Combine

Los Angeles, Cal., April 21.—Negotiations for the formation of a new motion picture releasing company, which, it is understood, will insure an open market independent producers, have been brought to a close here, it was announced last night with the departure for New York of Dennis O’Brien, attorney for Mary Pickford and Douglas Fairbanks.

Details of the new organization’s activities have not been worked out, but O’Brien stated it would be a releasing medium only, would not enter the production field and would handle independent productions exclusively.

Gubernatorial Petition Is Filed for C. M. Skiles

Lincoln, April 21.—(Special.)—A petition asking C. M. Skiles of Lincoln to become a democratic candidate for governor was filed today in the office of D. M. Amsberry, secretary of state. The petition was headed by Fred Ayres, former democratic state officeholder.

Vet Hospital Bill Signed

Washington, April 21.—Signed by President Harding of the Langley bill authorizing an additional appropriation of \$17,000,000 for hospital facilities for disabled former service men was announced today at the White House.

The Weather

Forecast. Saturday fair; not much change in temperature.

Hourly Temperatures.	
5 a. m.	53
6 a. m.	53
7 a. m.	53
8 a. m.	53
9 a. m.	53
10 a. m.	53
11 a. m.	53
12 noon	62

Highest Friday.	
Cheyenne	41
Denver	38
Des Moines	38
Dodge City	38
Laramie	38
Lincoln	38
Omaha	38
Sioux Falls	38
Wichita	38
Yankton	38