

Live One's Monologue: "I should worry because my sleepy competitor does not know enough to advertise."

THE OMAHA DAILY BEE

THE WEATHER Fair

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CONFEREES SMOOTH OUT DIFFERENCES BETWEEN HOUSES

All-Day Conference of Joint Congressional Committee Held on Currency Bill. DIFFER ON FORTY-TWO POINTS Capital Stock Four Million Dollars for Reserve Banks. COMPROMISES ARE IN ORDER Each Side Disposed to Yield Something for Settlement. HOPE TO PASS BILL TODAY Every Effort Being Made to Settle Controversy as Members May Take Their Holiday Vacation.

WASHINGTON, Dec. 21.—An all-day conference of the joint congressional committee on the currency bill passed that measure close to perfection tonight. Problems involving the reserve provisions, the size and character of the federal reserve board, the redemption of 2 per cent government bonds and the retirement of the present national bank currency proved troublesome, but the conferees finally smoothed out most of the issues between house and senate.

When the two branches of congress convene tomorrow it is expected plans will be made for a long recess beginning Tuesday. It was predicted tonight that the currency bill could be completed and signed by the president late tomorrow or Tuesday, and congress has dropped all other problems in the anticipation of the first actual recess that it will have enjoyed since April 7. It is planned to drop all business until January 12. President Wilson will leave Washington for Pass Christian as soon as the currency bill is signed.

Points of Difference. An analysis of the bill by Senator Owen and Representative Glass, chairmen of the conferees, showed forty-two points of difference between the two houses, but many of these were of a minor character and disposed of quickly. Among the more important decisions of the committee today were the following: The minimum capital stock of each regional reserve bank was fixed at \$4,000,000, a compromise between the \$3,000,000 minimum of the senate bill and the \$5,000,000 minimum of the house bill.

The senate provision "for from eight to twelve" regional banks was accepted by the house in place of the minimum of twelve fixed in the house bill. The senate provision that each "member bank" must subscribe for stock of the region bank in its territory equal to 6 per cent of the member bank's capital and surplus was accepted by the house to replace its own provision that the subscription must equal 5 per cent of the member bank's capital.

Senate Gives Way. The senate gave way on its provision that no "class B" director of a regional bank could be a stockholder in any member bank. This would permit the three directors who represent "agricultural, commercial or industrial" interests in the directorate of each regional reserve bank to own stock in local banks in their district.

The attempt of the house conferees to have the secretary of agriculture and the comptroller of the currency made members of the organization committee to inaugurate the new system and permanent members of the federal reserve board held the attention of the conferees through much of the afternoon. The house bill included these federal officers as members of the board, while the senate allowed only the secretary of the treasury to remain on the board.

Should the conference report be ready tomorrow it will be given the right-of-way in both the senate and house and adjournment will follow as soon as the president signs the bill. Members of both houses are preparing to leave Washington for the holidays, even before President Wilson writes his approval on the new currency law.

PARCEL POST TRAFFIC AT OMAHA BREAKS RECORDS

Saturday established a new high water mark in the parcel post business done through the Omaha terminals, when 1,223 pouches of such mail went through the Burlington terminal and 923 pouches through the Union Pacific terminal in Council Bluffs. In addition to this quantity of mail handled at the Union Pacific terminal, there were 593 pouches of second class matter, and the force there worked out 1,458 packages of letters.

Officials in both the railway mail service and the local postoffice believe that they will be able to meet the emergencies of the first parcel post Christmas without being overwhelmed with the volume of business.

RAIL RATE CASE IN TANGLE Injunction Suit Against Two-Cent Law in Missouri Dismissed.

JUDGE THEN SUSPENDS DECREE Attorney General Begins Action for Two Million Dollars Against Missouri Pacific Railroad. KANSAS CITY, Dec. 21.—Almost simultaneously with the filing at Jefferson City yesterday of a suit for \$2,000,000 against the Missouri Pacific railroad, by John T. Barker, attorney general, for claimed overcharges made by the road while the 2-cent fare and maximum freight rate laws were enforced, Judge Smith McPherson in the federal court here made a new order suspending until January 10, the decrees he had ordered at the opening session of the court.

The order left the Missouri rate cases tonight in a more complex tangle than ever. Another step in the supreme court of the United States, more litigation and more delay appeared to be in prospect for the cases, which have been in the courts since 1906 and in thirteen of which the supreme court upheld the reasonableness of the rates in a decision last summer.

At the morning session of the court, Judge McPherson read from the bench his decision, holding that under the mandates of the supreme court he could do nothing but dismiss the injunction suits without prejudice, not reserving, as the railroad had asked, jurisdiction to decide the many thousands of claims of overcharges while the laws were held up by injunction. The railroad counsel left the court room without making a motion or any request for the decree to be held up until motion could be filed.

Barker Brings Suit. Immediately upon hearing of Judge McPherson's decision, Attorney General Barker at Jefferson City brought suit against the Missouri Pacific road. He prepared to file it immediately, fearing the railroad might enjoin him from suing. Later in the afternoon, Frank Hagerman, attorney for the railroad presented a new motion to the court asking the judges to amend the decrees he offered at the morning session by inserting provisions retaining jurisdiction of the claims for overcharges. In this motion, the railroad asked the thing Judge McPherson had held in his morning decision he could not put in the mandate.

The railroad asked two clauses to be inserted in the decree. The first clause read: "The court reserves jurisdiction to settle and determine liability, if any, for alleged overcharges after the granting of the injunction, and herein filed." The second clause asked by the railroad read: "The court will hear or hereafter refer to a special master to be hereafter appointed, the ascertainment, after due notice of the liability to shippers and passengers for alleged overcharges, Mrs. Mabelle Crawford's motion will be the vocal slogan, and will stir shortly after 9 o'clock, when all the employees of the stores will be off duty to attend the celebration. It is expected that thousands of citizens will gather in the court house square to witness the spectacle and listen to the music.

The committee of public spirited citizens who have organized the affair urged that all members of Roman Catholic churches and all other Catholics who sing, attend the rehearsal of their part of the program, this afternoon at Creighton university library rooms, Twenty-fifth and California streets.

Children Practice Carols. Public school children of the first, second and third grades have been practicing Christmas carols for the celebration during the last few weeks. The committee requests that parents whose children cooperate with the committee by escorting the children to the court house Wednesday evening at 7:30 o'clock, in order that a large number may be on hand to sing their songs as planned.

They will meet in the rotunda of the building and then march out on the steps to sing their part of the program, after which they will return to the parents. A responsible committee of well known teachers, assisted by other workers, will be on hand to see that the children receive proper care.

Those who will assist in this matter are Miss Juliet McCune and a corps of other teachers, Miss Joy Higgins, Miss Adams and Miss Schaefer of the social settlement, Miss Dorothy Ringwalt, Miss Lesta Holdrege, Miss Carmella Chase, Miss Alice Buchanan, Mrs. Philip Potter, Ira J. Beard of the Young Men's Christian association and a police officer.

Court House Decorated. The court house will be decorated and brightly lighted, and the county commissioners will hold a reception in the building before the program takes place outside in the square.

As the municipal tree is the first general Christmas celebration ever planned to allow all Omaha to join in the observance of the holiday, enthusiasm over the idea is widespread, and thousands plan to gather around the immense tree Christmas night.

Judge Ben Lindsey Weds 'Little Rebel,' Word Obedience Omitted. CHICAGO, Dec. 21.—Judge Benjamin B. Lindsey, founder of the juvenile court at Denver, and Miss Henrietta Brewster, stepdaughter of Dr. F. J. Clippert of Detroit, were married here last night.

Judge Lindsey met his bride several months ago while they were guests at a sanatorium at Battle Creek, Mich. She is a socialist and is referred to by her husband as "the little Rebel." She has been a student in a local firm of interior decorators and Judge Lindsey spoke of her proudly as a "working girl."

MISTLETOE TO HANG INSIDE COURT HOUSE

Big Spray Will Be Suspended from High Dome by One-Hundred-Foot Cord. TREE IS READY TO BE RAISED

Huge Derrick Will Lift It in Place Today. SINGERS PRACTICE FOR EVENT Children and Choirs Busily Engaged in Preparation.

DECORATIONS TO BE BRILLIANT One Thousand Incandescent Lights and Other Decorations Will Be Placed in Branches—Fine Musical Program.

A big spray of mistletoe, suspended by a cord 100 feet long intertwined with green foliage, will hang over the center of the first floor of the court house Christmas eve. Warning that this ancient and historical plant was to have its share in Douglas county's unprecedented popular celebration of the holiday was given yesterday by County Commissioner John Lynch, who succeeded in securing the approval of his fellow members of the board.

By authority of his office of chairman of the committee on the court house and grounds Mr. Lynch decreed that the mistletoe shall hang in the precise center of the building. From the top of the huge dome the cord will descend, four stories in length, ending several feet above the first floor.

"I am anxious to have the exact location of the mistletoe made known," said Mr. Lynch, "in order that all may have fair warning." (Continued on Page Two)

The gigantic tree, around which all Omaha will sing carols on Christmas eve, is now in the court house square, ready to be hoisted into place by many workmen on Monday. A big scenery wagon and three stout horses were necessary to haul it from the two railway flat cars in the Northwestern yards to the central location where the celebration will take place. A large derrick had to be used to lift it off the wagon. It will be raised to its intended position and fastened in place Monday, and then brilliantly trimmed and wired for 1,000 incandescent lights.

Hundreds of school children, City mission children, church choir singers and other vocalists and George Green's band will take part in the lengthy program of Christmas music that will be given from 8 o'clock until midnight. Mrs. Mabelle Crawford's motion will be the vocal slogan, and will stir shortly after 9 o'clock, when all the employees of the stores will be off duty to attend the celebration. It is expected that thousands of citizens will gather in the court house square to witness the spectacle and listen to the music.

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The Saint of the Season.



Drawn for The Bee by Winsor McCay.

ASKED TO PUT BACK \$5,000 LYNCH WILL INTRODUCE RESOLUTION CONCERNING SMITH.

RETAINS NATURALIZATION FEES Clerk of District Court Says Will Continue to Hold Collections Unless Stopped by Ruling of Court. A resolution demanding that Robert Smith, clerk of the district court, pay to the county treasurer about \$5,000, consisting of half the naturalization fees collected by his office during the six years he has held the office and instructing the county attorney to bring suit if he refuses will be introduced in the Board of County Commissioners at its next meeting by Commissioner John Lynch.

It is expected that the board will pass the resolution and that a fight in the courts will be the result. Mr. Smith made a statement yesterday that he would not relinquish the fees. "Half of the fees go to the federal government," said Commissioner Lynch, "and Smith is getting the other half. I not only demand that he turn over what sums he may collect in the future, but that he put back the amounts he now holds."

"Smith's job is paying him in salary \$4,000 a year for merely nominal services. Why he should receive large sums in naturalization fees when the county is furnishing the building, the supplies and the employees who do the work I cannot understand."

Mr. Smith made a statement that he considered he was entitled to the fees and that he would make a fight on the issue. "I have received in the neighborhood of \$5,000 in this way in the last six years," he said, "the amount having been increased to above the normal by the new federal law providing for lapsing of first papers after a defined period. The half I have been receiving ordinarily would average about \$50 a year."

"I consider that I am entitled to these fees because courts' decisions so indicate, and County Attorney Magney has said I might receive them."

"The county's expenses are not increased by the naturalization work," Mr. Smith continued. "The employees are here in the office and the cost of lights, janitor service, etc., go on anyway. If the county board wants to attempt to recover these fees it will have to be taken into the courts."

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WIDOW GETS VERDICT FOR DEATH OF HUSBAND

MADISON, Neb., Dec. 21.—(Special.)—The jury in the case of Mrs. Bergman against Martin H. Sporn and other saloonkeepers of Norfolk and several county bond companies returned a verdict of \$5,000 against Martin H. Sporn and the Title Guaranty and Surety company in favor of Mrs. Bergman. Mrs. Bergman's husband while intoxicated was struck and killed by a Northwestern passenger train at Norfolk Junction and this action was brought against the saloonkeeper charged with having sold him the liquor and his bond company.

M'HENRY STIRS FOOD LAWS

Judge at Des Moines Sets Up a New Butter Fat Standard. BEYOND THE LEGISLATURE Jurist Maintains that Lawmakers Cannot Insist Upon a Certain Cream Test in Ice Cream.

A decision handed down by Judge McHenry of the district court in Des Moines to the effect that the pure food law relative to the butter fat standard for ice cream is unconstitutional has caused a stir in local pure food officials' circles and a test case of the Nebraska law is not now unexpected.

Judge McHenry held that the legislature could not fix the per cent of butter fat ice cream should contain any more than it could legislate the quality of soap. He says there is nothing in butter fat or the lack of it to injure health or morals. His decision, in part, follows:

"Butter fat is the natural product which is extracted from cream of milk and is a food product generally known and recognized as a harmless food product and suitable for the maintenance and support of the physical bodies of men. Yet it is equally well known and commonly understood that a food product containing butter fat is equally as harmless or equally beneficial. Ice cream is not a natural food product, but a manufactured combination of other ingredients."

"To one man ice cream containing 12 per cent of butter fat might be beneficial and acceptable to his taste. To another man ice cream containing but 6 per cent of butter fat might be more suitable, and in both cases it is a matter of common knowledge that it is a harmless food product, not injurious to public health, morals or welfare. The state of Iowa might as well have said in defining ice cream that it shall have 10 per cent by actual weight of sugar. The facts upon which this law is founded are simply arbitrary, and the presence of 12 per cent of butter fat in ice cream has no relation whatever, and cannot possibly have any relation, to public health, morals or welfare."

If the legislature of the state of Iowa can say to the manufacturer you cannot add ice cream within the state of Iowa unless it contains 12 per cent of butter fat, the same prohibition extends to the consumer and prevents him from buying and consuming ice cream with a less percentage than 12 per cent of butter fat. The law not only interferes with the liberty of the manufacturer, but interferes with the liberty of the consumer who may, by reason of his personal taste and desires, prefer ice cream of a lower percentage of butter fat.

Walker's Narrow Escape. OGALLALA, Neb., Dec. 21.—(Special.)—As B. M. Walker was crossing the Union Pacific tracks at the Ogallala crossing at noon today the westbound local struck his buggy in such a manner as to kill one horse, injure the other and demolish the buggy. Mr. Walker was struck on the shoulder, but not seriously hurt. L. O. Harris, who was riding with Walker, did not receive any serious injury.

ASSAILS MORMON PRACTICES

Senator Cannon Talks of Crimes and Treason of Church. CALLS POLYGAMY CORNERSTONE Well Known Utah Man Asserts Mormons Have Never Abandoned Plural Marriages and Still Protect Practice.

"The Crimes and Treason of the Mormon Church" was the subject of scathing criticism by Senator Frank J. Cannon of Denver, in an address at the First Methodist church last night, who appeared in a regular lecture course there.

Senator Cannon was the first United States senator from Utah. He described the Mormon system as "treason masquerading as religion," as an "empire posing as a church" and as "Turkish marriage systems and oriental politics transplanted to the soil of the United States."

"Polygamy is the basis and cornerstone of Mormon theology," he said, "it is the order of the Mormon social system. The church has never abandoned it and has never planned or enforced any order for its abandonment. The church always protects and rewards its practice. You can throw one of the Mormon priests into the greatest rage by intimating that polygamy is not of God."

Fears Mormons in Congress. The senator sounded a warning against letting Mormons gain representation in congress and reverted to the famous Smoot case, in which an investigation was made by a senate committee to determine whether Senator Reed Smoot of Utah was a polygamist, and whether he should be expelled from the senate. He said Mormon representation was exceedingly dangerous to the republic as secretly the Mormons are opposed to our republican form of government. He pointed out that the Mormons teach that all government except that which they have established is illegal and unauthorized; that their law is that which their priests ordain or approve is of no effect, and that opposition by any government or any people to the decree of the Mormon prophet is direct rebellion against Almighty God.

"This nation, in their eyes," he said, "is a sinner, and must suffer for its sins. The republic, in their view, must fall as a punishment for having assented to the slaying of the Prophets Joseph and Hyrum Smith."

Secret Political Leagues. The speaker reviewed the political bargains of the Mormon church, touched on secret political leagues formed with political bosses for advantage, dealt with the commercial despotism of the Mormon and suggested some remedies for what he called "Mormon church crimes." He pointed out that Mormons have benefited from the United States government amnesties for past offenses and restoration of citizenship, and declared that the nation has a right to ask that its leaders shall observe in good faith the terms of the treaty made between the federal government and themselves.

Davis of Omaha to Head the Surgeons

ST. LOUIS, Mo., Dec. 21.—Dr. R. B. Davis of Omaha was elected president of the Western Surgical association at its meeting here today. Other officers chosen were: Dr. Leonard Freeman, Denver, vice president, and Dr. Arthur T. Mann, Minneapolis, secretary-treasurer.

INDEPENDENTS LIKE PROVISIONS OF THE PHONE AGREEMENT

Pleased to Have Use of Thousands of Miles of Trunk Lines Operated by Bell Companies.

WIRES OPEN TO THEM ALL Announcement of Dissolution of Trust Causes Speculation.

BURLESON HAS DATA READY Won't Submit Findings as to Public Ownership Unless Asked.

AMERICAN STOCK ADVANCES News of Plan to "Bust" Monopoly is Followed by Fourteen-Point Rise on the New York Exchange.

WASHINGTON, Dec. 21.—Attorney General McReynolds told friends yesterday that scores of the independent telephone companies in the United States were gratified with the agreement the so-called telephone trust has made with the Department of Justice, which will give them the use of thousands of miles of trunk lines operated by the Bell companies.

The department, he said, could hardly have forced the Bell company to allow independents to make use of Bell equipment and there was no chance that they could raise sufficient funds, if they had the desire to build competing long distance lines.

"By bringing competition in interstate business, it was pointed out, would have required an outlay of many millions of dollars and probably would have meant loss or a severe falling off in the receipts of the Bell and the independent companies that tried to get long distance business. According to figures laid before the attorney general, the vice president of the American Telephone and Telegraph company, who conducted the agreement of last night, there are more than 20,000 independent telephone companies in the country."

All Companies Have Rights. The opening of the Bell lines to all the companies under this simple and inexpensive plan, it is declared, will mean that every one of these companies has the right to make use of the Bell lines in every part of the union.

There was talk today at the Department of Justice of action by the Bell company to allow subscribers of independent companies in cities to talk to Bell subscribers through all exchanges and Bell lines, but Mr. McReynolds said that this was a step that seemed to be far in the future. So far as he knew the independent companies were well satisfied with the American Telephone and Telegraph company's proposal and its agreement to make no further extensions and to give up its holdings in such instances as the department or the Interstate Commerce commission suggested such action. Announcement of the agreement caused an unusual buzz of speculation here today. In some quarters, it was regarded as an indication of the fight that some of the conservative members of President Wilson's cabinet will make against government ownership of public utilities.

McReynolds opposed. It is known that Mr. McReynolds is strongly opposed to government ownership. The attorney general is said to feel that government ownership is likely to come in the United States unless there can be a restoration of free competition in public service, but he believes the agreement with the American Telephone and Telegraph company is a long step toward a return to competition in the telephone and telegraph field. In his opinion the Sherman law is a sufficiently strong weapon to force any monopoly to come to terms and he is convinced that a clear demonstration of the power will do much to allay the growing sentiment for government ownership.

Postmaster General Burleson, it became known today, now has before him all data collected and put in concrete form respecting the proposed government acquisition of telegraph and telephone lines, but it is understood that it is not his present purpose to submit the findings of his experts to congress unless they are desired.

If congress wishes to take up the question, the postmaster general is prepared at an hour's notice to submit data on the subject.

In the summary of Mr. Burleson's action (Continued on Page Two)

Don't Wait for the "Day Before"

Any reader of The Bee who has ever done any Christmas shopping the "day before" well knows the little penalty one pays for putting it off.

Stocks are literally "shot to pieces," stores are tippy-turvy, shoppers are in a temper and salespeople are worn and weary.

DON'T PROCRASTINATE! Enterprising stores have long been waiting for you. They are laden with thousands of things from which you may choose if you make up your mind to act. From father's slippers to baby's toys; from mother's piece of lace to sister's set of furs—dozens of suggestions for every member of the family are made daily in the advertising columns of The Bee. Make your selections first from the newspapers. That simplifies shopping. It saves time and you are sure to have no regrets afterwards, for you have carefully considered every possible present and chosen the one you know is right.