

MURDERER SAYS OUT OF PRISON

Jesse Smith, Convicted of Killing Omaha, and Three Comrades Escape.

OUT OF PENITENTIARY WINDOW

Kitchen Gang Outs Bars in Morning Twilight.

SLAYER SERVING TEN YEARS

Found Guilty of Shooting a Piano Player Here.

RESULT OF DRINK AND FUS

Ranzel Started in Divis Saloon Ends in Death—Police Are on the Lookout for the Four Fugitives.

LINCOLN, March 12.—(Special Telegram.)

Jesse Smith, a murderer from Omaha serving a term of ten years in the state penitentiary, and three fellow convicts, escaped at 4 o'clock this morning. Those who escaped with Smith are Joseph Bushnell, serving a four-year term for burglary; John Hayes, three years' man, robber; Charles Peabody, forger, five years. The men were in the prison kitchen. At 4 o'clock they were released from their cells to help prepare breakfast. When the cook arrived the men were gone. Four iron bars across the window were explained the method of their escape. Notification has been sent broadcast.

Jesse Smith was convicted of murder here for the killing of a piano player at Frank T. Divis' saloon, 123 North Tenth street, in July 1910.

Smith came to Omaha from Montana. In the course of a drunken quarrel with the piano player Smith went out and purchased a gun. He returned and entering the saloon by a rear door shot his victim to death on the spot.

Smith was arrested by Detectives Murphy and Donahue.

Captain Dempsey put his men on the lookout for the escaped convicts last night.

RECIPROCITY AND TARIFF AT EXTRA SESSION OF CONGRESS

Congressman Underwood of Alabama Tells of Legislation that is to Be Passed.

WASHINGTON, March 12.—(Special Telegram.)—Representative Oscar W. Underwood of Alabama, who is to head the new ways and means committee, today it clear that any notion which may be entertained by the president or his friends that the democratic leaders of the house will not take up the tariff at the coming extra session of congress is wrong.

"You may say as positively as you choose," said Mr. Underwood, "that in addition to the reciprocity bill, some tariff legislation will be undertaken at the special session.

Moreover, the president has been repeatedly assured of this by both Mr. Clark and myself, and I do not believe he can have misunderstood us."

The ways and means committee democrats have not decided whether they will undertake general revision, but partial revision is certain—veto or no veto.

The reciprocity bill will be introduced by Mr. Underwood and will be called the "Underwood bill."

DYNAMITE BLAST BLOCKS TRAFFIC ON THREE ROADS

Three Hundred Thousand Yards of Rock Broken Up by Seventeen Tons of Explosive.

CORONA, Cal., March 12.—Three great railroad systems were put out of commission on their trunk lines east and south out of Los Angeles for several hours today by the blasting up of sections of rock with which was said to have been the largest blast of dynamite ever set off in the west. About seventeen tons were used.

It is estimated that 300,000 yards of rock were broken up by the explosion and the track of the Atchison, Topeka & Santa Fe railroad close by was covered by boulders and debris four feet deep for a distance of 100 feet. This track was also being used by the Rock Lake route and the Southern Pacific pending repairs to their own lines damaged by floods. Late in the afternoon, however, the Atchison, Topeka & Santa Fe completed repairs and was able to offer the use of its track to the blockaded railroads.

GOULDS WILL NOT ATTEND ANNUAL MEETING TUESDAY

Four Representatives of Independents Will Be on Hand at Missouri Pacific Gathering.

NEW YORK, March 12.—It is understood here that neither George J. Gould, the retiring president, nor his brother, Frank J. Gould, who has allied himself with the "Independents" will attend the annual meeting of the Missouri Pacific stockholders in St. Louis on Tuesday. Four representatives of the independents, among them R. Williams, a candidate for director, will be on hand, however. Who will represent the Kuhn, Loeb-Rockefeller interests, now dominating the situation, could not be learned here, nor has any selection of a successor to George J. Gould been made public.

PEMBERTON FOUND NOT GUILTY

Jury Frees Men Charged with Conspiracy to Secure Money

SPRINGFIELD, Ill., March 12.—At 9:45 o'clock tonight after three and one-half hours of deliberation, in which about twenty-one ballots were taken, the jury in the trial of State Senator Stanton C. Pemberton of Oakland, and former Representative Joseph Clark of Vandavia, charged with entering into a conspiracy to secure money corruptly for their votes in awarding the contract for the furnishing of the senate and house chambers of the state house, returned a verdict of "not guilty."

Both Pemberton and Clark were present. Before reading the verdict, Judge Thompson instructed the crowd in the court room that there would be no demonstration no matter what verdict was rendered.

Earth Slide Buries Thirty Coal Miners Near Virginia, Minn.

Hundreds of Tons of Material Sweep Down Upon Men Bent Over at Work.

Virginia, Minn., March 12.—Thirty men in a great slide of earth at the No. 10 mine near Virginia last night, the pit 100 feet deep and was more than half filled by the avalanche, which came without warning and extended 100 feet beyond where the victims were entombed. There are only four survivors, all injured, three of them probably fatally hurt.

Four bodies were recovered by rescuing parties. The others still remain beneath the debris. The dead are mostly Finlanders and Austrians, several of them leaving large families.

The news of the disaster caused a rush of sobbing women and children to the pit. The miners, who were taking up one of the two tracks in the pit in order to permit the steam shovel to work in another section of the mine, were for the most part bent over, using bars and claws, when the avalanche came.

The scene was a strange one. The catastrophe was quite unlike anything in the history of iron mining on the range. Healed and before the pit were thousands of tons of ore, rock, snow and ice, which the rapid warming of the atmosphere released upon the toiling miners.

A year ago there was an accident that bore a slight resemblance to the one today. A steam shovel at the Norman mine was buried by a cavern, but not a miner was caught. The Norman employs about 1,000 men when running to capacity. Just at this time several hundred are employed, working in night and day shifts.

Subpoena Issued for Senator Bailey

Texas Man Wanted at Springfield, Ill., to Produce Broderick Bank Deposit Slip.

SPRINGFIELD, Ill., March 12.—State Attorney Burke yesterday obtained a subpoena duces tecum for United States Senator Joseph W. Bailey of Texas, summoning him as a witness in the case against State Senator John S. Broderick of Chicago, who is charged by former State Senator David H. Holstlaw of Iuka with paying him \$2,500 on July 16, 1909, in Broderick's saloon in Chicago for Holstlaw's vote for Lorimer for United States senator.

Holstlaw produced a deposit slip for that amount on the State Bank of Chicago, in which bank he said he deposited the money. The deposit slip was taken to Washington by the subcommittee investigating Lorimer's election, and the last knowledge of the whereabouts of the slip was when Senator Bailey held it in hand during his speech in the senate in defense of Lorimer and denounced it as a forgery.

Mr. Bailey's explanation was that while he was addressing the senate some one took the slip from his hand and that he cannot remember who it was. Broderick's attorney set for trial Monday, March 20.

WASHINGTON, March 12.—Although Senator Bailey had not been served with the subpoena issued by the State of Illinois, commanding him to testify in the trial of State Senator Broderick, on the charge of having bribed State Senator Holstlaw to vote for William Lorimer, for United States senator, he was at work today on a statement.

The request for a statement, came from Senator Cummins of Iowa, who telegraphed from Des Moines, declaring he had made a statement and that he desired that Senator Bailey also should give his version of the loss of the two documents.

The affidavit in that of J. W. Newton, chief clerk of the bank and the exhibit was the deposit slip, both having been given with the view of demonstrating that Holstlaw did not prepare the slip. At the time these papers were introduced in the senate, Senator Bailey turned them over to Senator Tillman and Mr. Tillman states he handed them to some republican senator. Not since then has either of the documents been seen. Mr. Bailey said today he could throw no light on the present whereabouts of the papers.

Mrs. Lansing Bites on Decoy Package

San Francisco Woman Confesses to Robbing Mail Boxes of an Apartment House.

SAN FRANCISCO, March 12.—(Special Telegram.)—Arrested by central office detectives today after she had taken a decoy package containing silver spoons from one of the mail boxes in the vestibule of the apartment house in which she lives, Mrs. George L. Lansing, handsome, well-dressed and of apparent refinement, broke down at the city prison and confessed to the theft of a dozen valuable packages mailed within the last three months to other women in the house.

Almost weekly since December 21 Mrs. Lansing has stolen a package containing some article of value and addressed to one of her neighbors. Her confession clears up the disappearance of the many packages that were never received by the women to whom they were addressed.

TATTOOED CHINS SUGGESTED BY MAN FOR MARRIED WOMEN

New Zealand Missionary Would Protect Young and Innocent Men from Female Wiles.

CHICAGO, March 12.—Married men scored today in retaliation of the suggestion several weeks ago by anxious woman-kind that all benefactors be compelled to wear wedding rings on their thumbs. The revenge came today in an address before the Cook County Teachers' association by a native Methodist missionary from New Zealand. Here is the islander's suggestion: "Compel the married women to tattoo their chins and lips so that all who run may read of their marital obligations."

The speaker was Rev. Havel and he talks on "From Cannibals to Culture." The tattooing was one of the customs he thought could well be imported by culture from cannibals.

"I think it a magnificent custom," said the New Zealander. "Young and innocent men cannot be misled by adventurous women. I am going to suggest it to President Taft."

MERIT SYSTEM IS PRAISED WARMLY

Report of Civil Service Commission Transmitted to Congress in Special Message.

PROMOTION REWARD OF SERVICE

Classification of Assistant Postmasters and Clerk Satisfactory.

WOULD EXTEND THE NEW SYSTEM

Legislation for Number of Improvements Requested by Taft.

BETTER SPIRIT OF UNITY NOW

Number of Competitive Classified Positions Shows Increase of 5,400—Navy Yard Laborers Decrease.

WASHINGTON, March 12.—President Taft, in a special message, has transmitted to congress the twenty-seventh annual report of the civil service commission. The report states that the increasing effectiveness of the merit system has strengthened the public conviction that it is indispensable to economy and efficiency in governmental affairs. It is shown that the examination system tends to lessen the number of employees required under similar conditions and at the same time facilitates the extension of governmental activities to new fields by furnishing the best practicable means of testing qualifications for scientific, technical and professional work.

A better spirit of co-operation on the part of administrative officers and the public is noted, thus rendering civil service administration more effective. Economies have been effected in the use of registers, fewer persons being examined, although more were appointed than in the previous year.

The report shows 34,088 persons in the executive civil service, 22,278 of whom are in the competitive classified service. The number of competitive classified positions, which does not include mechanics and laborers at navy yards, is shown to have increased by 5,488. On the other hand, opinion of the attorney general, rendered during the year, that mechanics and laborers at navy yards are not classified, though they have been so regarded, gives an apparent decrease by taking them from the figures of the year. The commission urges the classification of similar positions and other parts of the service is beneficial, and that the navy yard mechanics are performing duties whose classification was contemplated by the rules.

Including transfers, promotions, and reinstatements, there were, according to the report, 42,302 appointments throughout the year, while transfers and reinstatements without examination to the federal service and appointments through examination to the Philippine service and unclassified labor positions brings the number up to 46,302.

It is shown that the large number of clerks in Washington required for the recent census were readily supplied through the examination system.

The recent classification by executive order of assistant postmasters and of other like positions have been advantageously treated as classified.

The report calls attention to the pronounced tendency to fill the higher federal positions through promotion of persons in the service and further shows remarkable progress in the general application of this method of selection to the personnel of government organizations which has been adopted by more than 200 cities and six state governments.

The commission joins with the president and the postmaster general in recommending legislation to permit the classification masters and supervisor earnestly the president's recommendation to congress that he be given power to classify local officers whose appointments are now subject to confirmation by the senate, favoring the classification of all except those responsible for the policy of the administration.

The commission urges legislation looking to increased efficiency in the service, especially in the classification of salaries in accordance with the work performed, with equal grades to insure frequent promotions, some provision for retirement and promotion on merit to the higher positions.

In its argument for a reclassification of salaries the commission states that the present classification was adopted in 1883 under different conditions and shows the inequalities resulting at the present time. Such a reclassification as that recommended by the Keop commission, which was reported favorably to the house of representatives by the committee on department methods, is favored by the commission, and is considered prerequisite to the establishment of any uniform plan of promotions on merit. After such a plan of classification the commission favors promotions in the service on the basis of efficiency records kept and harmonized by a supervisory body.

Satisfaction is expressed with the results of the application of the merit system to the diplomatic and consular services by presidential order and the commission is heartily in accord with President Taft in his desire, expressed in his recent message, that the system be adopted by law.

The portion of the report dealing with political activity of employees shows an increase in the number of cases investigated by the commission, most of them of a minor character, which is ascribed to increased facilities for detecting violations, fuller co-operation of the departments, and greater public sympathy, rather than a growth in the actual number. It recommends the extension of the restriction on political activity to officers now unclassified.

Though the total number of temporary appointments increased during the year, according to the report, there was a marked decrease in their number in Washington, and the careful administration of the rule limited the number in such as were for the good of the service.

The value of the district system whereby twelve centers of administration and information are maintained, each in touch with the service and the public in its territory, is shown, the result being increased expedition, stability, economy and efficiency in the service.

(Continued on Second Page.)



From the St. Louis Globe-Democrat.

U. S. SMALL ARMS DEADLY

Army Rifle Shoots Five Miles Without Sound or Smoke.

MACHINE GUN EXTREMELY RAPID

New Death-Dealing Arm Will Discharge Hundreds of Bullets Per Minute and Requires No Skill in Use.

SPRINGFIELD, Mass., March 12.—(Special Telegram.)—The mobilization of United States troops on the Mexican boundary may mean the placing of the Springfield armory, temporarily at least, on a war time basis. Should orders of such import be received from Washington, the armory, which now ranks as the finest small arms plant in the world, would be able to give good account of itself from the outset. In the event of actual hostilities, the foes of Uncle Sam would be likely to receive a series of unwelcome surprises in the actual demonstration of the Springfield armory's production. The improved United States army rifle has an effective range of five miles. At a distance of a mile a bullet from this weapon after passing through the bodies of half a dozen soldiers, standing in a row would still have sufficient penetrability to bury itself beyond recovery in the trunk of an ordinary tree.

Only smokeless powder is used in this rifle and if Maxon's "silencer" is attached an enemy half a mile distant would be absolutely at sea as to the course of a withering fire.

Machine Gun Deadly

Deadlier than any weapon ever placed in the hands of individual soldiers in actual combat is the new machine gun which is manufactured at the United States armory. The gun is designed for close range work and its chief characteristics are velocity and rapid fire. For reasons of its own, the ordnance department is becoming modest concerning the possibilities of the new weapon, the first models of which for field service have recently been completed. It is known, however, that the gun is so light that it can be carried on the march slung over the shoulder of a soldier, the same as the regulation rifle.

The gun will discharge hundreds of bullets per minute and a corporal's guard of soldiers equipped with the new gun at close range could dissipate an attacking regiment. The death dealing machine gun can be put in readiness with the quickness with which a boy fills a new blow-up and requires less skill than the manipulation of a putty blower.

The time worn statement that it takes a ton of lead to kill a soldier will be strikingly disproved the next time the United States has occasion to do a little fighting. Army officers who have handled every weapon in use in the great armies of the world assert that the United States army infantryman is equipped with a weapon 100 per cent more effective than the small arm in use in any other country.

BAD LANDSLIDE IN VESUVIUS

Severe Earthquake Accompanied by Strong Detonations Damages Railway and Causes Much Alarm.

NAPLES, March 12.—A severe earthquake, accompanied by strong detonations from Mount Vesuvius occurred this evening. Investigations showed that a great landslide had dropped from the upper part of the crater. It is estimated that it measured 1,000 by 250 feet and when it fell it caused enormous clouds of smoke.

The Vesuvius railway was badly damaged. A party of tourists were about to ascend by the railway when the shock occurred.

W. J. BRYAN GUEST OF WILSON

Nebraska Entertained at Dinner by New Jersey Governor and His Deputy

PRINCETON, N. J., March 12.—William J. Bryan was the guest of Governor Woodrow Wilson at a dinner at the Princeton Inn tonight. Both Colonel Bryan and Governor Wilson said, after the dinner, that they had not discussed politics. The Nebraskan declined to express any opinion about Governor Wilson as a presidential possibility.

Colonel Bryan spoke for an hour and a half this afternoon to one of the largest audiences ever gathered in Princeton.

Prince Luitpold's Birthdays

MUNICH, March 12.—The ninetieth birthday of Prince Regent Luitpold was generally celebrated today throughout Bavaria. Prince Luitpold is in good health and went on foot today through the streets of Munich and inspected the decorations that had been hung in honor of his birthday.

For Forty Days



Missouri Will Stop All Treating in the Saloons in State

Bill Passes the House and Author, Representative Bedworth, Says Will Solve Liquor Problem.

JEFFERSON CITY, Mo., March 12.—(Special Telegram.)—The house today passed a bill to prohibit treating in saloons. It was introduced by Representative Bedworth of Callaway, a preacher, who says it will solve the liquor problem. It was looked upon as a joke, but members voted for it and sent it to the senate for action there.

Would Export Goods and Not Laborers

Premier Luzzatti Declares Italian Emigrants to America Have Sent Home \$214,000,000.

ROME, March 12.—(Special Cablegram.)—Advantages derived by Italy from emigration were enumerated by Premier Luzzatti in an important debate in the chamber of deputies yesterday. He said that \$214,000,000 had been sent home by emigrants to the United States in the last three years, and that the financial prosperity of the country was due mainly to this fact.

Emigration, said the premier, contributed to the development of the shipping and national industries and to the increase of imports and hence the government was bound to encourage it.

The premier expressed the hope that the time was near when Italian property and industrial development would reach a stage where the country would not need the aid of emigration. Then he concluded, steps would be taken to diminish the exodus of workers and Italy would export goods only, and not men.

CONTROL OF MARSHALL FIELD STORE GOES TO EMPLOYEES

Co-Operative Plan Arranged by Which Department Heads Will Become Joint Owners.

CHICAGO, March 12.—A co-operative and co-partnership plan whereby department heads will become joint owners of the business controlled by the trust estate of Marshall Field was announced tonight. The result of this plan, it is said, will be that control of the estate business eventually will pass from the control of the heirs of Marshall Field into the hands of the man now employed by the company.

The participation does not extend to the personal property and outside real estate. The estate now is held in trust for fifty years for the two grandsons of Marshall Field, who are being educated in England under the direction of their mother, Mrs. Mabel Drummond.

Twenty-five department heads will receive an allotment of stock at once, it is said, and the arrangement ultimately will be extended to others. Some will purchase the stock outright and others will take a certain number of shares and be permitted to pay for them in the future out of the profits of the business.

O'Brien's Candy Free Today

See if your name appears in the Bee's Want Ad today offering O'Brien's Candy free—you don't have to advertise to get it. Find your name and the gift is yours. The Bee is also giving away today—

Farrell's Fine Syrup.

Udike's Famous Flour.

American Theater Tickets.

DEMOCRATS FACE BROKEN PLEDGES

Author of First Initiative and Referendum Bill Admits Cannot Pass Direct Legislation Measure.

COMPROMISES WILL RESULT BADLY

Nebraska to Refuse to Profit by Others' Experience.

"WORST BILL IN COUNTRY NOW"

Attempt to Suit Enemies of Provision is a Failure.

SESSION MAY BE DRAWN OUT

Legislators Alarmed Because Only Three Hundred and Fifty Bills Are Disposed of Out of Eleven Hundred.

(From a Staff Correspondent.)

LINCOLN, March 12.—(Special.)—In the opinion of the author of H. R. 1, the first initiative and referendum bill, the attempt made by the present legislature to pass a good direct legislation bill will be mere of a failure than success.

"The house and senate bills as they stand now," said Representative Hatfield of Lancaster, who drew both bills, "if forced to any sort of a compromise will be the poorest initiative and referendum bills in the United States. Instead of improving upon the experience of other states, Nebraska will have put herself in the position of refusing to profit by the success of the law in Oregon and other places. We held long conferences when we first talked over the direct legislation bills that we wanted to introduce. We thought an 8 per cent petition would be reasonable, but we knew the opponents of the principle would not stand for it. We decided that 10 per cent would be satisfactory to us and should be to the others and we thought if we raised the initiative petition to that figure no real changes could be made in the bill. We had hoped to take a reasonable stand and not be forced to move from it. Instead we have found that the opponents of the bill were certain to oppose us no matter how reasonable we were and as a result we have now the worst initiative and referendum bill in the country and will be pledged to vote for it."

Democrats Fail in Attempt. This statement by a dry member of the majority party is regarded as an admission that the democrats have failed in their attempt to introduce a good direct legislation law and unless they materially change the bill now up before them it is asserted they will not be carrying out the spirit of their party pledge, even if they do obey the letter. They will undoubtedly pass some direct legislation bill, but if it requires a 10 per cent petition for referendum and has other restrictions thrown around its operation it will be of little service to the people of the state.

The senate bill and house bill have both passed the lower house and the senate bill has reached the senate. They are alike in requiring a 10 per cent petition for initiating ordinary measures and a 15 per cent petition for the initiation of constitutional amendments. The senate bill as amended by the house requires a 10 per cent petition to refer a bill and the house bill requires 5 per cent. They are alike in requiring that the majority of voters cast for a constitutional amendment when it has been submitted to the voters by petition shall not carry the measure unless the majority represents at least 25 per cent of the total number of votes cast at the election on all subjects.

The reason for this is the fear that on some questions special interests would vote at all and could hold a majority of the votes cast on the question itself. The conference committee which is soon to be appointed and take up the task of going over both the bills and effecting a compromise is much more likely to make the compromise more restrictive than liberal and the final result may be even less of what the people really mean when they say "direct legislation" than it is now.

Session May Go Overtime. Legislators have begun to be alarmed by the fact that of the 1,100 bills submitted to the legislature during the first forty days of the session, only about 350 bills have been finally disposed of by both houses of which 150 were killed. Not more than thirty bills have gone clear through the senate to the governor and the session has already used up forty-seventy days of the sixty allotted. It was hoped at first that an adjournment could be reached by Saturday, April 1, but unless the stiffing committee are soon set to work and get the mass of bills awaiting action quickly disposed of it will take a week longer and the legislature will have to spend a few days in the winter of the state without receiving their \$5 per day stipend.

MARTIN KIRKENDALL'S FUNERAL

Services Held at St. Luke's Methodist Church—Body Held Pending Location of Son.

Funeral services of the late Martin W. Kirkendall, bailiff of the county court, were held from the St. Luke's Methodist church at 2 o'clock yesterday afternoon. Owing to the failure of relatives to locate William Edward Kirkendall, a son, the body was placed in a receiving vault at Forest Lawn cemetery. Further efforts will be made to communicate with the son.

William Kirkendall and his wife were heard from two months ago when they were in North Platte, Neb. Mr. Kirkendall is a railroad employe. It is thought he went west.

Rev. J. G. Shick conducted the services yesterday.

GIRL IS SCALDED TO DEATH

Four-Year-Old Daughter of Marcus Cox of Westington, S. D., Falls Into Boiling Water.

HURON, S. D., March 12.—(Special.)—The four-year-old daughter of Marcus Cox and wife, residing near Westington, was accidentally scalded to death. The mother had placed a kettle of boiling water on the floor preparatory to scrubbing, when the child snatched by her mother in some way overturned the kettle and scalded her person, resulting in scalds that proved fatal in a few hours. Mr. and Mrs. Cox had planned to remove with their family to another state, and had disposed of a part of their belongings before the accident occurred.