

LARSON GUILTY; LIFE SENTENCE

Plea of "Unwritten Law" and Insanity Fail to Win Jury's Sympathy.

DAY AGAIN "UNWRITTEN LAW"

Court's Instructions Make Clear Such Defense Not Recognized in Law.

ROGERS CASE GOES TO JURY

Fremont Trial Ends and Matter Under Consideration.

MRS. RICHTER AGAIN ON STAND

Woman Extremely Ill and There is Possibility Action Against Her May Never Be Brought to Trial.

TEKAMAH, Neb., Dec. 8.—(Special Telegram)—Frank Larson, accused of murdering his brother, Charles Larson, and tried before Judge George A. Day in the district court here this week, was found guilty of first degree murder by the jury at 5 o'clock last night. The jury fixed the penalty at life imprisonment.

The case went to the jury yesterday morning. Judge Day, in instructing the jury, made it clear that the "unwritten law" is not a defense to a charge of murder. His instructions covering the insanity plea were the well established statutory ones, but were regarded as favorable to Larson, in view of some of the testimony introduced in his behalf.

JURORS TAKE ROGERS CASE

Man Accused of Murdering Child

FREMONT, Neb., Dec. 8.—(Special Telegram)—The Rogers murder case was submitted to the jury at 5 o'clock this evening. This morning Mrs. Richter was called in rebuttal and testified in regard to statements to Sheriff Haumann previous to her arrest about the birth of the child. She was very feeble and had to be assisted to her chair. Judge Stinson made the opening statement and Frank Dolezal and P. W. Hutton argued for the defense. County Attorney Cook closed. Judge Hollenbeck in his instructions to the jury defined conspiracy and charged the jury that if Rogers was implicated with Mrs. Richter in disposing of the child he was a principal and guilty. Mrs. Richter is suffering from nervous prostration and the effects if child birth, and it is probable that her condition is such that the case against her will never be tried.

DEPUTY UNITED STATES MARSHAL SHOT AT MEMPHIS

MEMPHIS, Tenn., Dec. 8.—Victor C. Benner, United States deputy marshal, was killed and George W. Ladd, deputy marshal, and Charles McCalmann, railroad guard, were seriously wounded early today in an exchange of shots between a posse of deputy United States marshals and railroad guards in the Northcott yards of the Illinois Central railroad in the outskirts of Memphis.

Conflicting reports were made as to the origin of the trouble. It is presumed the detail of railroad guards was mistaken in the dark by Benner and his force for negroes they had been summoned to disperse. The exchange of shots immediately followed the arrival of the deputy marshals aboard a switch engine.

DENVER MAN HOLDS RECORD FOR PHYSICAL STRENGTH

NEW HAVEN, Conn., Dec. 8.—The tests just completed by Dr. Born at the Yale gymnasium of the freshmen classes show that the strength test of Marie O. Kistler of Denver stands intact. H. A. Hummel of Oswego, N. Y., is the strongest of the college freshmen class with a total of 1,067.9 points. The record held by Kistler is 2,270.

At the time Dr. Born gave out Kistler's figures he said that the record stood for tests made during five years, which was the period in which the present system had been used.

Kistler, who was coach of the freshman football team this fall, is convalescent from typhoid fever at the infirmary.

The Weather

FOR NEBRASKA—Fair, cooler extreme southwest portion.

FOR IOWA—Generally fair.

Temperature at Omaha Yesterday.

Hour. Deg.

6 a. m. 42

7 a. m. 42

8 a. m. 42

9 a. m. 42

10 a. m. 42

11 a. m. 42

12 m. 42

1 p. m. 42

2 p. m. 42

3 p. m. 42

4 p. m. 42

5 p. m. 42

6 p. m. 42

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8 p. m. 42

9 p. m. 42

10 p. m. 42

11 p. m. 42

12 m. 42

1 p. m. 42

2 p. m. 42

3 p. m. 42

4 p. m. 42

5 p. m. 42

6 p. m. 42

7 p. m. 42

The National Capital

Friday, December 8, 1911.

The Senate.

Not in session.

Meets Monday at 2 p. m.

Lorimer senatorial investigation continued with witnesses for the defense.

The House.

Met at noon.

First sugar farmers subpoenaed by Sugar trust committee to refute testimony of penance in Colorado.

Representative Moon of Pennsylvania denounced reports; he had a "near fist fight" with Representative Thomas of Kentucky.

Bill for semi-annual tobacco census passed.

General service pension bill debated.

Small uprisings are reported from San Martin, in the state of Tlaxcala and also in the neighborhood of Tehuacan in the state of Puebla as well as on the southern border of Zacatecas. To all of these disturbances the military authorities are paying close attention. The situation in Yucatan is said to have improved.

SAN ANTONIO, Tex., Dec. 8.—It is reported here this afternoon that General Reyes, accused of violation of the neutrality laws, who disappeared from San Antonio early this week, is in Camargo, Mexico. Mexican secret service agents have been seeking Reyes for two days and have been close on his trail several times, it is reported.

Camargo is on the National railway about 100 miles from Brownsville, Tex. The distance by air line to the American border, however, is not more than twenty-five miles. Reyes was believed to have been at Brownsville yesterday.

Mexicans Searching Border Towns for General Reyes

NEW ORLEANS, Dec. 8.—Soon after the steamer Burestan had received clearance papers today for Frontera, Mexico, agents of the United States customs and secret service went along side in a search for General Reyes, who is believed to have been on the steamer.

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Pinchot Praises Work of Secretary Fisher in Alaska

CHICAGO, Dec. 8.—In an address before the National Association of Secretaries of the Interior, Pinchot commented briefly on the trust problem and devoted himself chiefly to Alaska and the conservation problems there. In that regard he praised the work of Secretary of the Interior Fisher and said the administration was certain to defeat any effort to monopolize the valuable coal lands.

Mr. Pinchot declared that "when you gain control of the water problem in any country you have solved all the physical problems of that country."

"Water power is the thing that makes the world go round," said Mr. Pinchot, "and with the bill that will surely be passed this session of congress conserving power and obtaining just recompense for the people for the power hitherto given gratis to great interests, lies the solution."

James H. Garfield, former secretary of the Interior, addressed the congress on drainage and irrigation differences and advised harmony, if not coalition, between the two congresses. Albert E. Bartlett of Cheyenne, Wyo., attacked the government's present conservation policy as fantastic and hampering the present development of western lands and resources in favor of problematic great-grandchildren. He also declared it was in effect, playing into the hands of land monopolists.

Army Officer Missing from Fort Russell

WASHINGTON, Dec. 8.—The disappearance of Second Lieutenant Gibbs Lykes of the Ninth cavalry has puzzled the War department officials, and Senator Tillman of South Carolina has appealed to the president to assist in solving the mystery.

Lieutenant Lykes, who was on duty at Fort D. A. Russell in Wyoming, and left there in July on a month's leave of absence, has friends at almost all of the army posts. The last word from him was a letter mailed at St. Paul, July 31.

Senator Tillman today expressed the belief that if Lieutenant Lykes' affairs are straightened out, as the family is anxious to do, the young man can safely return to duty.

DRAFT HORSE PRIZES AWARDED AT CHICAGO

CHICAGO, Dec. 8.—Robert A. Fairbairn, chairman of the National Horse Show association of New York, was today awarded the grand championship for Clydesdale American bred mares at the National Stock show here. The grand prize in the Percheron class was won by J. Crouch of Lafayette, Ind., with the best group of five imported horses.

JERSEY CITY OFFICIALS ARE CHARGED WITH GRAFT

JERSEY CITY, N. J., Dec. 8.—The Hudson county grand jury, which has been investigating the award of contracts for furnishing supplies to the various county institutions by the board of freeholders, today returned thirty-eight indictments against seven members of the board. John P. Crosby, county clerk, is one of those indicted.

Mrs. Kirk to Marry Old Secretary.

FARGO, N. D., Dec. 8.—J. P. Williams, a well-known stockman of Sargent county, will marry Mrs. J. S. Kirk, widow of the Chicago soap manufacturer, during the holidays. It became known here today that Williams and Mrs. Kirk were schoolmates in New York state and recently met again after many years.

O. E. McMANIGAL FINISHES STORY

Confessed Dynamiter Spends Another Half Day Before Grand Jury at Los Angeles.

RAILROAD OFFICIALS APPEAR

Agents Are Questioned About Illegal Transportation of Dynamite.

INDICTMENTS MAY BE DELAYED

Information Gathered There May Be Used in Other Investigations.

FRANK J. RYAN MAY BE CALLED

Officials Are Taking Great Interest in the Movements of the President of the Iron Workers' Association.

LOS ANGELES, Dec. 8.—Ortie E. McManigal, confessed dynamiter, was taken before the federal grand jury again today to resume his story of dynamite outrages throughout the United States.

McManigal was on the stand until noon and it was said that he had completed his story.

Following the departure of McManigal reports were current that the McNamara would be given their chance, but this was not attempted in the morning.

John Crickshank, district passenger agent of the San Pedro, Los Angeles & Salt Lake railroad, appeared today before the grand jury.

Many other railroad officials may be called upon in regard to the movements of those who United States District Attorney Regan and his colleagues believe to have been involved in alleged illegal transportation of dynamite.

With United States Deputy marshals searching for 125 witnesses subpoenaed to appear before the federal grand jury that body's second day of investigation into the source of an alleged nationwide dynamite conspiracy was taken up here today. Ortie E. McManigal, who confessed to many of those dynamites occupied the entire time of that body yesterday in telling his story.

Indictments May Be Delayed.

It was said today that in all probability no indictments would be returned for a week and perhaps for even a longer time. The whereabouts of some of the men said to be sought as witnesses are not definitely known and the list is so long as to render it likely that many days will elapse before all are heard.

Information gathered here indicated that the scope of the Los Angeles investigation is not entirely determined by the Department of Justice at Washington. In view of the similar investigation in progress at Indianapolis it is possible that the one here will be used to "clean up" the Pacific coast angles of the affair, leaving the wider range for the east.

When the McNamaras would go to San Quentin penitentiary was much a mystery today as at any time since sentence was pronounced.

Ryan May Be Called.

Members of the district attorney's office today were discussing the fact that F. M. Ryan, president of the Association of Bridge and Structural Iron Workers, did not sign the statement of the committee of the American Federation of Labor made yesterday in Washington denouncing the McNamara brothers.

It was but one of a number of instances where the district attorney's office has manifested an especial interest in what Mr. Ryan says and does and where he goes. As head of the organization of which John J. McNamara was secretary and treasurer it was not unlikely that Ryan would be subpoenaed to appear as a witness before the federal grand jury.

Ryan Denies Report of Fricition.

INDIANAPOLIS, Ind., Dec. 8.—"There is not a word of truth in reports of friction between Samuel Gompers or other officials of the American Federation of Labor and myself," said Frank M. Ryan, president of the International Association of the Bridge and Structural Iron Workers, who arrived in this city today from Washington.

Asked why he had not signed the statement issued by the Federation of Labor officials in denunciation of the McNamara brothers after a conference in Washington yesterday, Mr. Ryan replied: "I took very little part in the conference because of other business. I will not add to my first statement in regard to the McNamara case. I have nothing more to say."

"Will you call a meeting of the executive board to consider the attitude of the association toward the McNamaras?" he was asked.

"I don't know," was the answer.

"Did you report to anybody anything of the details of the expenditure by John J. McNamara as secretary of a fund of \$100,000 appropriated for organizing purposes and for which no account was made?"

"That is a matter that will take care of itself."

Mr. Ryan refused to comment on the federal authorities' examination of the books of the association now proceeding in preparation for the grand jury's session beginning December 14. When he was asked if he knew a federal grand jury inquiry was being made as to whether or not others were associated with the McNamaras in illegal transportation of dynamite, he replied: "There is nothing I can say on that matter."

Information as to the whereabouts of Mr. Ryan was denied at the office of the association until he had conferred with his counsel, Leo M. Haggaport.

Burns in New York.

NEW YORK, Dec. 8.—Detective W. J. Burns left today for Philadelphia after holding a conference here yesterday with Walter Drew, counsel for the National Erectors' association. He will return to New York to continue his investigation of local clues to the dynamiting cases.

MOVEMENTS OF OCEAN STEAMERS.

NEW YORK, Arrivals. Pacific.

NEW YORK, Departures. Pacific.

NEW YORK, Arrivals. Atlantic.

NEW YORK, Departures. Atlantic.

NEW YORK, Arrivals. Gulf.

NEW YORK, Departures. Gulf.

NEW YORK, Arrivals. Caribbean.

NEW YORK, Departures. Caribbean.

NEW YORK, Arrivals. Europe.

NEW YORK, Departures. Europe.

NEW YORK, Arrivals. Asia.

NEW YORK, Departures. Asia.

NEW YORK, Arrivals. Africa.

NEW YORK, Departures. Africa.

NEW YORK, Arrivals. Australia.

NEW YORK, Departures. Australia.

NEW YORK, Arrivals. Other.

NEW YORK, Departures. Other.

NEW YORK, Arrivals. Other.

NEW YORK, Departures. Other.

Do It Now



From the Cleveland Plain Dealer.

LORIMER WITNESS MIXED

A. J. Bell, Called to Discredit White, Contradicts Himself.

STORY OF CHICAGO POLICEMAN

J. J. O'Keefe Says White Told Him that He Had Sworn Falsely Against Leo O'Neill Brown.

WASHINGTON, Dec. 8.—A. J. Bell, a Chicago street car conductor, testified before the Lorimer sensational investigating committee today in an effort of the defense to show that Sidney Yarbrough was in the buggy who did the shooting.

Some of the evidence pointed to a man named Henry Lehr, but when accused of the deed he denied it, but closer questioning as to his whereabouts at the time finally brought a confession from him.

Lehr stated that he saw the girl in the crowd at 11 p. m. and after driving in another direction they lost sight of her, and then saying what they thought was a rabbit, took a shot at it, only to find that it was the girl they had shot. Lehr stated that he was so frightened at what he had done that he never stopped, but tried to get away. He was in town the same night when the crowd of men were looking for the person who did the shooting.

Lehr owns 18 acres of land near Trip and he deeded the same to the physician as a surety that he would pay all damages of a civil action.

Narragansett Bay Selected as Site for Great Navy Yard

WASHINGTON, Dec. 8.—Narragansett bay, Rhode Island, has been selected as the site of one of the three great Atlantic coast navy yards proposed by Secretary of the Navy Meyer in his reorganization plans, the others being at Norfolk and Guantanamo. This will mean the elimination of the New York, the Boston and the Portsmouth, N. H., yards.

Major Fitzgerald of Boston today had a long conference with Secretary Meyer, who pointed out that when the Panama canal was opened the battleship fleet would divide much of its time between the east and west coasts of the United States and would lessen the need for navy yards on the Atlantic side.

Narragansett bay was selected as the site for the northern yard because it was sufficient to provide harbor area for the anchorage of the biggest fleet and its entrances could easily be protected.

Rivers and Harbors Congress Asks for Systematic Policy

WASHINGTON, Dec. 8.—The National Rivers and Harbors congress closed its eighth annual convention here today. Resolutions urging the adoption by the federal government of a broad, liberal and systematic policy of waterway improvement were adopted and were presented to President Taft, Vice President Sherman and Speaker Clark.

Senator Newlands attacked the indifference of congress to the demands for waterway improvement.

The officers of the congress have been removed from Cincinnati to Washington and it is probable that this city may be made the permanent meeting place.

MAY LOSE RICH GOLD MINE ON TECHNICALITY

WASHINGTON, Dec. 8.—Whether J. Potter Whittier loses his claim to a rich gold mine in Alaska because he held a patry federal job is now before the supreme court of the United States. Whittier first discovered gold in Alaska in 1896. He made off his claim, but by closed half an acre too much within its bounds. It is claimed that he lost title to the mine because in reducing the boundaries to the required amount he excluded ten lots from which the gold had been mined. By the next year, when he discovered gold within the proper bounds, Whittier had become a deputy mineral surveyor of the United States.

Other claimants and others now claim title to the mine in question on the ground that Whittier lost his claim in 1902 and was disqualified from gaining another after he became deputy mineral inspector.

ORDER OF RED EAGLE IS CONFERRED ON MORGAN

BERLIN, Dec. 8.—The bestowal of the decoration of the first class of the Order of the Red Eagle on J. P. Morgan is officially announced in the Imperial Gazette today. At the same time the notification is communicated that the Red Eagle of the third class had been given to Richard August Schnabel of New York. The insignia of the order was presented to Mr. Morgan during the Imperial visit.

ELEVEN-YEAR-OLD GIRL ON TRIAL FOR MURDER

HARTFORD, Conn., Dec. 8.—Eleven-year-old Nellie Dowell, charged with the murder of her mother, a 15-year-old playmate, was placed on trial today. The girl was found dead in a room at the Dowell home last Sunday. A stepladder was found a few feet from the body. Nellie Dowell said her playmate's death was the result of an accident.

Hunter Who Shot Girl Near Mitchell Finally Confesses

MITCHELL, S. D., Dec. 8.—(Special Telegram)—The mystery of who shot Lydia Kallbaugh a week ago while she was in a cornfield has been cleared up, the guilty party making a confession when the evidence lead to his door. Miss Kallbaugh is still in a dangerous condition and there is a possibility that she will lose her eyesight, as some of the shot penetrated her eye. Shortly after the shooting men went out on the trail of the two men in the buggy who did the shooting. Some of the evidence pointed to a man named Henry Lehr, but when accused of the deed he denied it, but closer questioning as to his whereabouts at the time finally brought a confession from him.

Lehr stated that he saw the girl in the crowd at 11 p. m. and after driving in another direction they lost sight of her, and then saying what they thought was a rabbit, took a shot at it, only to find that it was the girl they had shot. Lehr stated that he was so frightened at what he had done that he never stopped, but tried to get away. He was in town the same night when the crowd of men were looking for the person who did the shooting.

Lehr owns 18 acres of land near Trip and he deeded the same to the physician as a surety that he would pay all damages of a civil action.

KELLY CASE TO THE JURY

Judge Bradshaw Gives Lengthy Set of Instructions.

SIX FORMS FOR THE VERDICT

Jurors in Any Event Must Decide Whether Defendant Was Insane on Morning of the Shooting.

(From a Staff Correspondent.)

DES MOINES, Dec. 8.—(Special Telegram)—At 6 o'clock the jury was still out in the Kelly murder case. The jurors gave no sign to indicate whether they were likely to reach a verdict.

Judge Bradshaw finished his instructions shortly before noon today. They were unusually lengthy, as the judge discussed every phase of the case from a legal standpoint and at the conclusion he submitted six forms of verdicts, any one of which may be returned by the jury.

The first one provides that the defendant be found guilty of murder in the first degree and the penalty to be fixed at death, the second guilty of murder in the first degree with a punishment of life imprisonment, the third guilty of murder in the second degree, the fourth guilty of manslaughter, the fifth not guilty on the grounds of insanity and the sixth not guilty.

In addition to these a special interrogatory was submitted to the jury which must be signed with the verdicts. This was whether or not the defendant was insane on the morning of March 25 last, which was the date he shot down the two men.

Packers' Attorneys Ask Jurors to Define Many Large Words

CHICAGO, Dec. 8.—Attorneys for the Chicago packers now on trial for alleged violation of the Sherman anti-trust law, today demanded definitions of words used in the indictments when they examined the tentative jurors selected by the government.

The gentlemen questioned thus far have been farmers and the questions have been directed toward forming a basis for a challenge when the jurors have not the necessary knowledge.

Chas. Olson, a farmer, hesitated at defining "competition, elimination, refrigerator and like words," although declaring he knew the meaning of all of them. He was excused.

Attorney Miller's questions were taken from the early bills that the defense would attempt to have the farmers in the panel excused for cause.

New Reichstag to Be Elected January 12

BERLIN, Dec. 8.—Decrees dissolving the Reichstag and fixing the date of the general elections for the new Reichstag on January 12 are published today in the Imperial Gazette. The existence of what is known as "Prince von Buelow's Reichstag," which was elected under such different auspices in 1907, is thus ended.

SHULTZ FOUND GUILTY OF SPYING ON GERMAN NAVY

LEIPZIG, Saxony, Dec. 8.—Reports which have leaked out regarding the progress of the espionage trial now taking place before the Imperial court, in which the English ship broker, Eric Schultze, and four German associates, are accused of attempting to procure information regarding German naval secrets, say it has been established that Schultze is connected with the general organization of an English information bureau.

The activities of this institution work all the shipyards and naval installations in foreign countries and aim at the discovery of every naval development. The sentence will be fixed tomorrow. It is expected that Schultze and two German engineers who are among his accomplices will be punished severely.

Want Ad Christmas Gifts

By reading the want ads every day, you may find your name among the want ads telling you that a gift is waiting for you.

No puzzles to solve—nothing to guess—no waiting for the answer—no waiting for the answer—no waiting for the answer.

There are other prizes than these free gifts on the want ad pages. You may find your opportunity in the way of a situation, a bargain or valuable information. It is a good habit to read the want ad page—every day.

Dalzell's Ice Cream Bricks Boxes of O'Brien's Candy

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