

Washington, Congressional, Political and Other Events Briefly Told

Foreign.

A dispatch from Melila, Morocco, precarious. Every day the Moors cut ity. the communication between Melila and the outposts, and since July 29 the Spaniards have lost fifty men killed and 150 wounded in the re-establishment of their means of communication.

M. Jusserand, the French ambasspend his vacation, he will confer with the government on the situation created by the passage of the American tariff bill and the forthcoming negotiations relating to the maximum and minimum clauses.

The steamer Tango Maru brings poned. news to Victoria that there has been a recrudescense of piracy in South China and some tragic affairs are reter the capture of a castle-like house owned by one of the local gentry.

In executive ression the senate conis now secretary of the embassy at the senate before final adjournment Mexico City and his promotion followed various promotions of secrewere confirmed.

in the belief that the millenium may be ushered in any moment, over 2,000 fairs this year. "Cooneyites" are holding continuous prayer meetings at Ballinamallard county Fermanagh, Ireland. The pilgrims have arrived from all parts of found unconscious in bed at the Hyde the country, and remarkable scenes park hotel, Chicago, and died soon are being witnessed.

An early and successful ontcome of Sze-Chuen loan is anticipated. The as the next meeting place. English and French groups already have accepted the American terms, and it is expected that the Germans shortly will do likewise.

General.

Nebraska, last week, received its largest fee, \$70,000, for the filing of articles of incorporation of the consolidated Missouri Pacific railway.

A Lincoln woman, Mrs. Anna B.

The supply of the new Lincoln penment is concerned.

board of trade shows increases of the powers of the world. \$17,237,500 in imports and \$8,907,500 ports were manufactured goods.

The first day of the forty-third na- the United States and Mexico. tional encampment of the G. A. R: quartered in Salt Lake City.

down on the Island of Crete.

Silas A. Barton, state auditor of various surely companies with a view of the companies operating in Ne- | three years old. braska.

any material change in conditions,

The president, it is said, will not Veagh. attempt to defend the tariff law while talking in western states.

road building program.

versy over the island of Crete. Unless the cost of living raises

to be blamed.

The porte has sent a note to Greece in the islands. demanding a formal declaration by that country of non-interference in Cretan affairs. In the event of a refusal to accede to the demand. Turkey

with Greece. The adjutant general of Kentucky attacked a Louisville editor with a

heavy cane. The Carmichael bill for state wide prohibition was passed by the Alabama house by a vote of 75 to 19.

compelled to leave the town of Ethel, Miss., because he rhook hands with a negro presiding elder of an African the Seattle exposition on Minnesota

M. E. conference. Following a bold hold-up of the First State bank of White Bear, Minn. Henry Paul, the robber, and Fred Lar- schools. kins, one of a posse of pursuing citi-

zens, were shot and killed. The strike situation in Stockholm, Sweden is assuming alarming propor-

Reports are in circulation of serius agitation in Albania against the attempt of Greece to annex Crete.

The tie-up of the business life of Sweden as the result of the general strike is so serious that King Gustay has intervened in an endeavor to secure a compromise.

Theodore Roosevelt, Jr., temporarily abandoning the carpet manufacturing business in Connecticut, went to New York to arrange for learning more about aeronautics.

While attending the chautauqua at Marshalltown, Iowa, Governor Shallenberger of Nebraska was touched and is minus \$120 as a result. The governor is in doubt just how he lost the money, but thinks he left it on the writing desk of the hotel. He is not sure of this, however.

The tariff has been passed and signed by the president and members of congress have gone to their homes.

Returns indicate that Judge Hodges Mann, candidate for governor of Virginia, in the state primary carried the state over H. St. George Tucker says the position of the Spanish is by between 40,000 and 50,000 plural-

> The mayor of Omaha says that drug stores must quiet selling liquor at p. m., the same as the saloons. Don Jamie, the Spanish pretender,

> says he will not stir up strife during the present trouble.

W. H. Dennett, of Salt Lake City sador at Washington, has arrived in has been elected chairman of the laws Paris from New York. Before leaving committee of the International Typo Paris for his country seat in the de- graphical union, which will begin its partment of the Loire, where he will convention in St. Joseph, Mo., this Colonel Roosevelt and Kermit were

guests of honor at a banquet tendered by men of Nairobi. The trial of American missionaries

in the Congo has again been post-

Representative Tawney, chairman of the house committee on appropriations, was at the White house and told ported, seven persons being roasted the president that his committee would to death by pirates near Shuntak, af sail for the Isthmus of Panama November 7 next.

The Georgia senate tabled the reso lution proposing to ratify the income firmed the nomination of William F. tax amendment to the federal constitu Sands of the District of Columbia to | tion. It is expected that the effort to be minister to Guatemala. Mr. Sands ratify the amendment will come up in

The Kansas board of health has sent a circular letter to all the county taries of legations, most of which fair associations in the state serving notice on them to eliminate red lemonade and other fake drinks at their

Colonel G. A. Riche, said to have been a government engineer on the Panama canal some years ago, was after his condition was discovered.

The Western Federation of miners the negotiations in the participation at Denver concluded its annual conof American bankers in the Hankow vention with the selection of Denver

J. Wright Butler of Wyoming has been nominated to be secretary of the legation at Tegucigalpa, Honduras, George W. Stoner of Ottumwa, la., has been appointed messenger in the patent office.

Washington.

Baron Takahira, Japanese ambassador to the United States, called at the White House to bid goodbye to Presi-Holmes, was No. 93 in the government dent Taft. Baron Takabira has arland lottery at Couer d'Alene, Idaho, ranged to leave Washington on August 10 for Tokio in response to the sumnies, bearing the three initials of the mons of his government, which dedesigner, has been exhausted so far sired to consult him in connection as distribution at the treasury depart- with the proposed revision of the treaties of commerce and navigation The July statement of the London about to be undertaken by Japan with

President Taft of the United States in exports. The principal increase and President Diaz of Mexico are to in imports were grain, flour and raw meet at El Paso, Tex., October 18. material, while the increases in ex- This program has been arranged as the result of correspondence between

The state department announced sound 30,000 veterans and visitors the appointment of Ozro C. Gould of The flag of Greece has been hauled interpretator at Tokio, to be vice consul general at Seoul, Korea.

Dr. John G. Butler, pastor of the Nebraska, and J. M. Gilchirst of Oma- Luther Place Memorial church, and ha were in New York visiting the one of the most prominent Lutheran ministers in the United States. of securing information as to the de- dropped dead of heart failure in his pository and fidelity bond experience home in Washington. He was eighty-

None of the new Panama bonds au-With the tariff agitation at an end thorized by congress at the session and the new law in force, many mem- just closed will be issued before conbers of congress took occasion to gress meets again and has had an compare the old with the new. The opportunity to change the existing general impression was that the great circulation tax. Announcement to this mass of the people will not observe effect was made in a statement issued by Secretary of the Treasury Mac-

Purchasers of Philippine tobacco will hereafter have a government Japan does not expect aggressive guarantee as to its quality and cleanopposition from China to her rall- liness as a result of an arrangement made by the bureau of insular afairs Turkey has adopted an aggressive with the Philippine government, deattitude toward Greece in the contro- signed to insure the strict enforcement of the new tariff bill providing for the admission into the United higher the new tariff law is not likely States, free of duty, of a limited quantity of cigars and tobacco produced

Personal.

It is said that house members who have incurred the displeasure of will break off diplomatic relations Speaker Cannon are to be deprived of chairmanshits.

Ambassador Jusserand says a tariff war between the United States and France would be monstrous.

The president on September 15 will start west on a tour that will embrace all but eight or fen states of the union Rev. Frank R. English says he was and both of the territories in the far southwest.

Gov. Johnson made an address at

Mrs. Ella Flagg-Young has been placed at the head of the Chicago

President Taft will visit Omaha Sep tember 20.

The senate and house conferees report on the tariff bill is not satisfactory to President Taft.

COURT UPHOLDS LAW

DAYLIGHT SALOON MEASURE IS DECLARED VALID.

THE STATUTE CONSTITUTIONAL

Act Properly Titled and Does Not Interfere with or Modify Power of Board of Police Commissioners.

Omaha, Neb .- The 8 o'clock law has been declared constitutional by Judge Sutton of the district court.

The demurrer entered by the attorneys for Frank Dinuzzo, on trial for violating the law, was overruled and his case will be tried immediately. The demurrer entered by Weaver & Giller was on the contention that the law was not properly titled and not properly phrased according to the state constitution, but both contentions were disagreed with by the court.

In order to expedite the matter for the benefit of the Board of Fire and Police Commissioners Judge Sutton did not prepare a written decision.

"It is the duty of the legislature to decide whether or not a law is good or bad and whether or not it is for the good of the people," he said. "It is the court's duty to declare it unconstitutional, but only when it is fundamentally contrary to some provision of the written law.

"We have two questions in this case. The law in question is titled as an amendment to section 14 of chapter 50, which deals with the regulation of the sale of liquor on election and primary days and on Sunday. The contention first made is that, although it purports to be amendatory to this section it is in fact not at all germane

"The court holds that the section 14 deals with the question of at what 'time' liquor may or may not be sold and on that belief holds that the amendment is germane to it and does not violate the section of the constitution which holds that an amendment must agree exactly in substance with the original act.

"The second contention is that the law in question is in fact an amendment to section 25, although it does not repeal or mention it in the text or title. Section 25 deals with the powers of excise and fire and police boards to regulate the sale of liquor. But it must be noticed that the boards can regulate the sale of liquor only in accordance with the regulating laws of the state. Consequently a new law regarding that regulation does not in any way interfere with or change the powers of the boards.

"The court believes that the law is constitutional and the demurrer is overruled. It must be distinctly understood that this decision does not in any way prejudice the question as to whether or not the fire and police board must revoke the license of the dealers charged with violating the law, nor would the court intimate what its opinion would be if the action of the board were in question."

UNDER NEW TARIFF LAW.

Collections on Tuesday Nearly a Mil lion, a Big Increase.

Tuesday from the operation of the as against the receipts under the killed. Dingley law for the same day last year amounting to \$676,578.

A fair comparison of receipts under the two acts cannot be made be fore the latter part of the present week, as some of the collections in cluded in today's receipts came from Minnesota, who has been a student distant ports and were made up of collections under the Dingley law. At the same time three-fourths of all the collections come from the port of New York, and it will be seen, there fore, that the collections under the new law will be much greater than under the old, based upon existing conditions.

Taft Pardons Banker.

Auburn, N. Y .- Manning C Pal mer, former president of the Ameri can Exchange National bank of Syracuse, N. Y., was discharged from Au burn prison today on a pardon grant ed him by President Taft. Palmer was convicted in 1906 of misapplication of the bank's funds.

Veterans in Salt Lake.

Salt Lake City, Utah,-The first day of the Forty-third National encampment of the Grand army of the Republic found 20,000 veterans and visitors quartered in this city with the prospect of having their number increased to 40,000 by Wednesday.

Coeur D'Alene Drawing Ends.

Coeur D'Alene, Idaho.-Judge Witten completed the drawing for the Coeur D'Alene reservation on Tuesday. There was not the same enthusiasm as was manifested on the first day, probably due to the fact that numbers after 1,500 are considered of little value.

Bridegroom Shot at Door. Des Moines.-Following his mar riage to Miss Mary Saunders, colored, here Tuesday night, and just after the wedding guests had departed, John Weaver, 35, colored, was called to the door of his home and shot to death by an unnown man. Weaver staggered from the fainted. The police are looking for James Watkins, who, they say, was and who was seen near the house.

NEBRASKA NEWS AND NOTES. Items of Interest Taken From Hers

and There Over the State. Oliver Nelson of Dodge county was perhaps fatally injured by being thrown from a load of hay.

Fire at Grand Island practically destroyed all of the stock of Kelso & Watters, milliners, and of Mr. Sonin, ladies' tailor.

Deputy Game Warden Gellus rethree more Friend sportsmen of illegal seining, Charles Ladmann and his brother and George Endicott They were fined \$15 each.

The state railway commission authorized the Crab Orchard Telephone company to issue \$20,000 in stock on the Crab Orchard exchange, which it purchased for \$19,500.

Gothenburg will have a series revival meetings, beginning September 1. They are to be led by Rev French Oliver and will probably continue about a month. Bloodhounds were called to aid in

bold attempt to rob Pete Hammond, a farmer living five miles west of Cozad. The men were traced to Gothenburg, but were not apprehended. The Munroe fife and drum corps of Hastings, composed of three veteran musicians, lead the Nebraska delega-

the capture of three men, who made a

tion in the G. A. R. parade during the national encampment in Salt Lake The Cambridge chantauqua closed its third annual session last week, Chancellor William Joseph Davidson of the Nebraska Wesleyan university delivering the closing address. It was

the greatest chautauqua ever held in that part of Nebraska. A delegation of Omaha business men and Douglas county officials waited upon the state board of equalization with a view to convincing the board that the merchandise assessment of Omaha merchants should not

be increased. News has reached Fremont of the marriage of Mrs. Grace Shurman of Fremont and Ed. A. Pegeau at Denver. Mrs. Shurman for a number of years was a teacher in the Fremont schools and was prominent socially in

Fay Woodford, a brakeman employe on the Burlington between Sioux City and Ashland, was brought to Beatrice upon a warrant sworn out against him by Lizzie Kobjerwoski. charging him with basterdy. Woodford had his preliminary hearing and was bound over to the district court

J. Frank Jones, the noted outlaw and horseman of Missouri, but new residing in Oklahoma, has been engaged by the Speed association as starter for their races to be held in Nebraska City August 31 to September 2. He is one of the best known starters of race horses in the coun-

The Box Butte County Fair association was fully and formally launched at Alliance last week, with a paidup capital of \$10,000 and all subscribed for. John O'Keefe was elected president and Earl Malloy, secretary. Forty acres of land has been purchased east of the city upon which permanent buildings will be erected and a race course made.

As Mr. and Mrs. Hans Jorgensen and five children were crossing the railroad tracks in an automobile in Blair they were struck by a freight train that was switching near the Acme mill. They were pushed along Washington.-Receipts reported on the track for about thirty feet before the train could be stopped. The motnew tariff law amounted to \$930,944, or car was crushed, but no one was

James Hruska, the 16-year-old son of the late James Hruska of Table Rock, met with an accident which resulted in his death. He had been assisting in threshing and started for home on horseback, riding in considerable haste to get up his cows be fore dark. His horse stepped into a gopher hole, stumbled and fell, pre sumable on the boy, who was not able to explain the circumstances.

That the right-of-way of the Union Pacific Railroad company embraces an area of 400 feet in width, or 200 feet from the middle of the tracks on each side is established by a decree just handed down by Judge W. H Munger in the United States circuit court in the case of the Union Pacific Railroad company against Cecilia Karges, Martin Karges, Kelm Gonder and others.

Grand Island passed away at the St Francis hospital in that city after ar operation for the removal of gal stones. Mr. Ipsen had been a rest from Denmark when a youth. His viser to the royal family and Mr Ipsen as a boy often played with the present king of Denmark.

H. P. Runion of Benkelman, who owns a profitable private fish hatch ery, arrived in Lincoln from a visit to the state and government hatch eries in Michigan, Wisconsin, Ohic and Illinois. He also attended the national meeting of state and gov ernment fishculturists. The hatch eries in Michigan and Wisconsin are the best in the country, but Mr. Run ion, after visiting them said he had seen no better than the Nebraska state hatchery near South Hend.

The proposed class rate hearing be fore the rallway commission, assigned to begin August 24, will be postponed until December 1, providing the rail roads will allow the testimony intro duced during the trial of the 2-cent and Aldrich bills to be introduced in duplicate in the class rate hearings Secretary William Ernst of the Johnson County Agricultural and Me steps and fell dead without uttering chanical association announces that a sound. His bride of a few hours the annual county fair will be held in Johnson county. The committee so liciting a guarantee fund to carry on amount has been raised.

THE NEW BANK LAW!

ATTORNEY FOR THE STATE FILES suit in the county court of Lancaster HIS BRIEF.

LIMIT OF BANKING BUSINESS

Reply to the Brief of John L. Webster and William V. Allen, Op. ponents of Measure.

Judge I. L. Albert, attorney for the state in the defense of the banking law enacted by the late legislature, has filed in the federal court his brief in reply to the brief of John L. Webster and William V. Allen. It is believed an early decision will be handed down.

In discussing the right of the state to limit the banking business to incorporations and the right to issue notes for circulation, Judge Albert said:

"Counsel concedes that the right to

to issue such paper is no longer a common law right, to be exercised at the pleasure of the citizen, but one that rests on a grant from the state. Now we have already shown that it is one of the incidental rights which accompanies the right to engage in banking generally; that it is so essentially a part of banking that an institution without the power to issue such paper is not a bank. The court will take judicial notice of the fact that there is nothing in the federal constitution which prohibits the issuance of such paper and that it is prohibited by no act of congress. If it is true, then, as counsel concede, that the right to issue such paper must rest on a grant from the state, and, that the right to engage in banking generally carries with it the right to issue such paper, does it not follow that the right to engage in banking generally is no longer a common law right, but one lawfully exercisable only under a franchise from the state Does it not also follow that the legis lative act under consideration, which deals with banking generally, is to be regarded as one designed, not to regu late the exercise of a common law right, but to fix the terms and conditions upon which a franchise may be obtained and enjoyed.

"We come now to the guaranty feature of the law. Counsel call atten tion to the brevity of our argument on this branch of the case. Speaking for himself, the writer would say that one of his excuses is that his argument was prepared exclusively for this court and not for distribution among laymen. For that reason he assumed that elementary principles. matters of history and of common knowledge would be noticed without an elaborate argument or citation of authorities. For like reason he refrained from any attempt to answer the arguments based on the Dartmouth college case, never doubting that the court would take judicial notice of our constitutional provisions which render them wholly inapplicable. Another and stronger reason influenced him in this respect, and that is, that when he felt that he had shown that the right to do a general banking business is no longer a common right, but a right dependant on a grant from the state, the validity of the guaranty feature would follow as a logical conclusion. He is of the opinion that he has established that proposition. The validity of his con clusion can be tested by any standard history of banking."

Cattle Destroying Crops.

Hooker county homesteaders have netitioned Gov. Shallenberger to come to their assistance and save their crops from cattle, which are beins grazed without being herded. In a letter signed by twenty-four home steaders it was set out that the own ers of the cattle hal been appealed to through employes, but no effort had been made by them to save the crops of the settlers. Some tige ago another complaint was received by the governor, who turned the complaint over to Deputy United States there is no law by which the money Attorney Lane.

To Make Fish Secure.

Heavy, half-inch glass is to be Chris Ipsen, the pioneer druggist of placed in the catfish tanks in the fisheries building at the state fair grounds. This will be done on the recommendation of Superintendent O'Brien, of the state hatcheries. He dent of Grand Island for over forty says that a fairly bulky catfish, given years. He emigrated to this country a swimming start of eight feet, can splinter an inch pine board. This is father was at that time spiritual ad the reason that thin glass will not do for fish tanks.

Brewer Complains of Rates. The Hastings Brewing company has complained to the railway commission that the railroads have been charging it a rate of 40 cents when the Omaha rate is 30 and as a result it is losing most of its business in the towns near Hastings. The rates on file with the commission do not show a 46-cent rate for Hastings and if the brewing company produces bills of lad ing showing that price was charged. the commission will institute proceedings against the railroad companies.

Missouri Pacific Pays Up.

Secretary of State Junkin received a check for \$70,000 from A. J. Shores. attorney for the Missouri Pacific rail road, the fee charged by the state for filing the amended articles of incorporation of the consolidated company \$31,000 of the amount was paid under protest. The capital stock of the consolidated company is \$240,000,000 The attorney for the company in sisted that he should be given credit for the fee paid on the capital stock a former admirer of Miss Saunders the fair reports that the required of \$100,000,000 and he made a prof fer of \$20,000. This was refused. Jing gone out of business

A COMPANY IS SUED.

Fight Began to Enforce Anti-Trust

Law. Attorney General Thompson filed county against the American Surety company for failure to comply with the Junkin anti-trust law, enacted by the legislature of 1905.

The specific complaint is that the company has failed to file an annual report with the attorney general as provided by law, and it has also falleo to file an undertaking with the attorney general, saying that it will comply with the provisions of the Junkin act and all other laws governing such companies.

The penalty for failure to comply with the law is a fine of \$5,000 or imprisonment for one year or both.

The law applies to all foreign corporations except common carriers. Not one corporation has ever filed the reports and all are subject to the same prosecution as that which has just been started.

Attorney general Thompson has contemplated this action for some time, but the matter was precipitated by the action of the American Surety company in seeking an injunction against the state bonding board and the rates it proposes surety companies may charge.

Fight on State Freight Law.

The railroads of Nebraska in their ight on the Aldrich freight rate law and the 2-cent fare law will stand on the valuation of their property as fixed by the state board of assessment This statement was made by W. D. McHugh, one of the railroad lawyers, at a conference between the attorneys for the corporations and the railway commission. The lawyers asked for a delay in the hearing on the proposed classification of freight rates, as the hearing on the 2-cent rate bill and the Aldrich bill comes up shortly in the

federal court. The railroads will insist that the rates in effect prior to 1907, when the reductions were made, were then noncompensatory and evidence will be introduced to prove this statement, said the railroad attorneys. The evidence introduced will be the valuation of railroad property by the state board. The railway commission has not yet decided whether it will grant the de-

County Exhibit at State Fair.

ay to the railroads.

About \$4,000 is offered in premiums at the coming Nebraska State fair. September 6 to 10, for agricultural products. These are usually shown in county collective exhibits and are valuable advertisements for a county In many of the live, progressive coun ies the commissioners or board of supervisors makes an appropriation or an exhibit representing that couny at the state fair, and the result is hat the county doing this is the one which attracts the attention of the prospective settler to a much larger legree than those which do not be lieve in advertising. Among the coun les that have already made entries

Countles and in Charge Of-Richardson-Arnold Bros., Verdon. Washington-J. H. Ballard, Biair, Red Willow-Stephen Bolles, Box.

Elder. Nemaha-O. P. Dovel, Auburn. Frontier-Loyal M. Graham, Stock-

Dundy-W. E. Godell, Haigler. Lancaster-S. R. Hall, Havelock, Howard-Z. T. Leftwich, St. Paul. Wheeler-C. J. Lawless, Erickson. Pawnee-Arnold Martin, Dubois. York-A. J. Martin, York, Keya Paha-J. W. McLaren, Spring-

Brown-C. W. Potter, Ainsworth. Webster-L. C. Peisiger, Blue Hill. Furnas-J. W. Turner, Beaver City. Kearney-E. B. Trough, Minden. Soline-John August, Dorchester,

Occupation Tax Held Up. Secretary of State Junkiu is holding \$1.480 paid as occupation under protest by a number of corporations, who insist that the new law is unconstitutional. Mr. Junkin is holding the money merely as an accomodation, as can be held up, but he has notified the companies he will hold it only a short time, pending an attack on the

Boiler Bids Rejected.

The Board of Public Land and Buildings rejected all bids on the boil er for the Lincoln asylum and the generator and motor for the Norfolk asylum.

The St. Joseph & Grand Island railroad has been granted permission to install a rate of one and one-half

fare round trip from points on its

line to Fairbury during the state fair.

Rate to State Fair.

Assessed Valuation of State. The total assessed valuation of the state, as reported by the county assesors, with the proposed changes by the State Board of Equalization, is \$339,014,806. Last year the grand assessment roll was \$391,785,464. The

total was \$398,930.683. Omaha Road Pays Tax.

The secretary of state received a check for \$200 from the Chicago, St Paul, Minneapolis & Omaha railroad in payment of the occupation tax provided for by the law enacted by the recent legislature. The money was paid under protest, the company writ ing that if understood the law was to be attacked and that it believed it was unconstitutional. Out of a total of something over 7,000 letters sent out to corporations, over 3,000 have been returned, the corporations hav-