

NEBRASKA SUPREME COURT GRANTS ORDER AGAINST TELEPHONE MERGERS

Action Taken on Request of Attorney General Thompson to Prevent Purchase of Independents by Bell System.

As forecast in last evening's Journal the war between the Independent Telephone association and the Bell interests is now in full swing and it promises to be a red-hot one with much litigation in prospect. The independents through F. H. Woods of Lincoln, have prevailed upon the attorney general to commence an injunction suit to restrain the Nebraska Telephone company from purchasing any further stock in independent or competing lines and also to restrain them from taking any further steps looking toward the control of the Plattsmouth Telephone company or to close up connection with its lines.

As the Journal has said, the Plattsmouth Telephone company is a most valuable property for the independents and it's possession by the Bell interests would result in disastrously crippling the former. Hence their lively interest in preventing the consummation of the deal. The restraining order also provides that the companies and their officers are not to deliver over the properties to the Bell interests.

The restraining order is issued by the supreme court and is to be returnable on September 12, at 10 a. m., before that court. The attorney general brings the suit on the motion of F. M. Hall, representing the legal end of the independent interests. Mr. Hall and Allen W. Field, two very strong lawyers, appear in the case as counsel for the state.

This promises to indefinitely tie up the proposed transfer of the property of the Plattsmouth Telephone company and the Nebraska City company, the latter owned principally by R. A. Duff, and it means a bitter war for the possession of the properties. Those of the stockholders of the local company who have sold and transferred their stock and many of them have already done so, have escaped probably from some vexatious litigation. The Omaha Bee speaking of the case says:

Lincoln, Neb., July 12.—A temporary restraining order was issued by the supreme court this afternoon to restrain the American Bell Telephone company and the Nebraska Telephone company from buying any stock in an independent telephone company in Nebraska which is a competitor of the Nebraska company, or from making any further contracts to connect with any competing telephone company, or from making any connection with the Plattsmouth Telephone company, the Nebraska City Telephone company, or the Home company at Papillion, recently purchased. The companies are also restrained from in any way interfering with the last three telephones, or taking over the offices. The officers of these companies are also restrained from delivering over the property.

The restraining order is made returnable September 12, at 10 a. m., before the supreme court.

Attorney General W. H. Thompson appears as plaintiff in the case, he having filed the suit upon representation made to him by F. M. Hall, representing Frank H. Woods, president of the National Association of Independent Telephone companies.

Attorneys for State. Mr. Thompson informed the court that he had appointed F. M. Hall and Judge Allen W. Field to represent the state and these two attorneys filed a bond for \$5,000 when the case was filed.

The petition sets out that the American Bell Telephone company is trying to get a monopoly of the telephone business of the country and is working through subsidiary companies, of which the Nebraska Telephone company is one. Unfair means have been resorted to by the parent company, the petition says, to stifle competition, and at this time the Nebraska company is engaged in buying up a majority of the stock of independent companies in order to destroy them. This is contrary to the law, the petition sets out, and for that reason an injunction is asked for. The purchase of the independent companies in Cass, Otoe and Sarpy counties is cited as a specific instance of recent purchases. Until the organization of independent companies, the petition recites, the Bell people had a monopoly of the business of the company and that it recently again to get a monopoly purchased the Western Union Telegraph company.

Billion Dollar Company. The petition alleges that the Bell company controls a billion dollars worth of telephone and telegraph property and that it has a capital stock of \$500,000,000. It alleges that \$2,000,000 has been set apart for the use of the Nebraska com-

pany to buy up and destroy competing independent companies. To destroy this competition it is alleged the company has given free service and cut rates, where competition existed, and that about a year ago it raised a large fund which it distributed among the magazines and newspapers for the purpose of deceiving the public and closing the press against exposure of its many schemes.

It is alleged the Bell company controls the manufacturing of instruments and it will not permit other than its subsidiary companies to buy them, and retains a controlling interest in these instruments. The purchase of independent stock has been done through an agent named Hall, so the petition alleges.

War on Independents. The petition recites that there are at present in Nebraska some 400 independent telephone companies, owned by 20,000 different persons, who have invested ten millions of dollars in the business and have 116,000 phones connected. The Bell has an investment of \$6,000,000 and has 47,000 phones.

It is charged that the Nebraska Telephone company has pursued towards independent companies of this state the same practices outlined in the above as the policy of the parent company, but that in spite of this there are in the eastern two-thirds of the state, some 100 independent companies, serving 60,000 subscribers. These are bound together by a toll system, by contracts for intercommunication and by a traffic association which clears all business. In this way competition has been built up that it is claimed saves the people millions of dollars.

Independent Men Talk.

Attorney General Thompson was very enthusiastic over the suit, according to the independent interests, and immediately appointed the two attorneys as special deputy attorneys for the state for the prosecution of this action. The suit is brought on the section of the statutes which provides against the restraint of trade. It makes combinations a felony punishable with a six months term in the penitentiary or a fine not to exceed \$5,000. W. W. Morsman, the attorney for the Nebraska Telephone company, has arranged for an interview with the attorney general for Wednesday morning.

"The Nebraska Telephone company has hold of other so-called independent interests all over the state, according to information which has been given to me," says Lysle I. Abbott of Omaha, receiver for the Omaha Independent company. "There have been numerous purchases that have never come to light and they will be announced by the Bell interests whenever they see fit. I believe that the Holdrege company is entirely in their control and the Goshen company probably."

Manager T. H. Pollock of the Plattsmouth Telephone company when seen at his office today expressed some surprise at the granting of the restraining order and stated that it could not affect the Plattsmouth company in the least, as it had not taken any action in the matter, as a company. The sale of the stock had been made by the individual stockholders of their own volition and not by the company operating as a whole. As to turning the property of the Plattsmouth Telephone company over to the Nebraska company, he stated no steps had been taken, nor, so far as he knew, would they be. Speaking of the physical connection of the Plattsmouth company with the Nebraska City company, he stated that this had taken place some time ago and a restraining order at this late day would be of no effect. Mr. Pollock stated furthermore that there was no contract in existence between the Plattsmouth company and the Lincoln or other independent companies which the proposed merger would effect. About one year ago F. H. Woods had proposed a uniform system contract between the independent companies, one clause of which provided that the independent or Plattsmouth companies, would not sell except to another independent company. The Plattsmouth company declined to sign this contract as they did not care to be tied up in such a manner. Mr. Woods had been in Plattsmouth several times and had figured on taking over the local company but he had been unable to consummate the deal and when the offer was made by eastern capitalists it had been accepted.

Mr. Pollock is of the opinion that the sale will be much more appreciated by the public when it has been in effect and some practical work done under it. He believes it means a great improvement in system and it will result in a great increase in the lines convenient to the city for long distance messages. The transfer does not in any manner affect the use of the independent long distance lines and it merely enables the public to use two systems instead of one. The long distance lines of the Bell system extend to every part of the country and these are now made available to the patrons of the Plattsmouth Telephone company.

Asked as to whether the sale meant an increase in rates for phone service, Mr. Pollock replied that he had no doubt the introduction of a common battery service in the Plattsmouth company's lines would cost a little more but it was a better service and if the present system was maintained then he looked for the present rates to remain in force. He believed the merchants would hail the change as one telephone even at a small advance on what they were paying for one at present, would save them money, especially where they have two phones as many have. On the whole he talked optimistically of the deal and declared that he believed it means improved service and more satisfactory to the people. As to the restraining order he did not express an opinion of its effect as he had not seen a copy of it nor had notice of it been served upon him.

Those Pies or Boyhood.

How delicious were the pies of boyhood. No pies now never taste so good. What's changed? The pies? No! Its you. You've lost the strong, healthy stomach, the vigorous liver, the active kidneys, the regular bowels of boyhood. Your digestion is poor and you blame the food. What's needed? A complete toning up by Electric Bitters of all organs of digestion—Stomach, Liver, Kidneys, Bowels—Try them. They'll restore your boyhood appetite and appreciation of food and fairly saturate your body with new health, strength and vigor. 50c at F. G. Fricke & Co.

Sues for Insurance.

Lottie A. Morrison, wife of the late S. A. Morrison, has brought suit against the Woodmen of the World for \$1,000. She claims her husband was insured in the Woodmen for this amount but that the agents have refused to make the payment. Mr. Morrison died from the effects of a self-inflicted gun shot wound on February 3. At the same time he attempted to take the life of his wife but inflicted only a slight wound from which she soon recovered.—Omaha Bee.

Teething children have more or less diarrhoea, which can be controlled by giving Chamberlain's Colic, Cholera and Diarrhoea Remedy. All that is necessary is to give the prescription dose after each operation of the bowels more than natural and then castor oil to cleanse the system. It is safe and sure. Sold by all dealers.

Grant Long and family of Seattle, Wash., who have been in the city for several weeks making a visit with Silas Long and family departed this morning for their home. They expect to visit for a few days with relatives in South Omaha while on their way home.

If Sick

Don't risk even one single penny!
And I will tell you why I say this. It is because every package of Dr. Shoop's medicine is absolutely free if it fails. No one need risk even one single penny. Just think what this means to the suffering sick!
No risk, no expense, nothing whatever unless health first returns. For 30 full days, and without the risk of a single penny, you can use either of my two medicines—Dr. Shoop's Restorative or his Sore Throat Remedy.
Then why take any chance whatever?
Why purchase any medicine whose maker dare not back it just as I do by this remarkable offer?
And besides, I am not a doctor.
No! No! No! My name is not on the box. Dr. Shoop's Restorative is sold by every drug store in the land. The Sore Throat Remedy is sold by every drug store in the land. We take no chances whatsoever.
For twenty years Dr. Shoop's medicines have become thoroughly standardized all over America. And I have collected honest and responsible druggists in every city and village everywhere to sell my medicines to you. These selected druggists are the only ones who sell the Sore Throat Remedy and Restorative with the sick—no other risk is mine alone.
But write me first for an order.
I have an agent in almost every community—but all druggists are not authorized to grant the 30-day test.
So drop me a line, please—and thus save all disappointments and delays.
Besides, you are free to consult me by letter as you would your home physician. Do so freely and fully—if you desire. My advice and the book below are yours—and without cost. Perhaps a word or two from me will clear up some serious ailment. I have helped thousands upon thousands by my private prescription or personal advice plan.
Besides, the books will open up new and helpful ideas to you. They tell of my 30 years experience at the bedside in homes and in hospitals. They tell of the relief and cures I have had here. They tell of the "inside nerve" no larger than a silken thread that gives to the heart its impulse. How the Stomach and Kidney each have their inside or power nerve. How these organs utterly fail when these controlling or master nerves begin to fail. How Dr. Shoop's Restorative goes to these failing nerves, and rebuilds, and restores the lost tone and power. I can surely help you—if it is within the power of medicine to do so. My best effort is surely worth your simple request. So write now, while it is fresh in your mind, for tomorrow never comes. Dr. Shoop, Box 12, Racine, Wis.
Which Book Shall I Send You?
No. 1 On Dyspepsia No. 4 For Women
No. 2 On the Stomach No. 5 For Men
No. 3 On the Kidneys No. 6 On Rheumatism

MAKES BRUTAL ATTACK ON SISTER

Lawrence Stull Beats, Chokes and Shamefully Injures Mrs. O. P. Monroe.

An assault unequalled by its unnatural ferocity took place this noon at the second hand store of O. P. Monroe on north Sixth street, Mrs. O. P. Monroe being the victim. The assault seems from all reports to have been entirely unprovoked and to have been made with a venom which is deserving of the most severe punishment. According to the story told by the victim whose face was battered into a pulp by the vicious blows, her brother, Lawrence Stull came to this city this morning from his home northwest of the city and called at the store.

At this time Mr. Monroe was out in the city delivering some goods and his wife was alone in the store. Stull announced that he had come to take possession of a spade which he claimed the Monroe's had stolen from him. Mrs. Monroe replied that they had not stolen it and that they had never taken any more from him that he had from them. This seemed to throw Stull into a violent passion and he commenced abusing his sister, applying foul names to her and wound up by declaring "we might as well settle this now as any time." He then declared he would "knock your eyes out" and sprang over the counter behind which the sister was standing.

She attempted for a moment to ward off the storm of blows which he rained upon her but her efforts were unavailing and she was beaten down, a terrific blow in the right eye being the most powerful one delivered first and this was followed by others upon her face, the brutal brother finally seizing her by the throat and delivering a blow which knocked her unconscious and sent her into a senseless mass of flesh in the corner of the store back of the counter while her brother stood over her and, it is believed, kicked her insensible body with his boots.

When his terrible wrath had been in a measure appeased, Stull turned and left the store, getting into his wagon which was standing in front and driving off. O. M. Streight was one of those who saw him leave the store while at least a dozen men stood in the neighborhood of the place where the assault occurred and offered nothing to prevent it.

The woman lay upon the floor for some moments after Stull had left when consciousness returned and she staggered to her feet, reaching the telephone and sending in a call for a physician. Fortunately the physician was in his office a few doors away and he hurried to the scene. In company with O. M. Streight, he carried the unfortunate woman into her house at the corner of Sixth and Vine streets and gave her temporary relief from her injuries, the exact nature of which he could not determine then. It was evident that she had been terribly beaten as she was bleeding from a dozen cuts and wounds about the face and from the mouth and nose while she complained of pains down the back of her neck and of a terrible headache.

During the time she was being beaten by the inhuman brother, the screams of the unfortunate woman had rent the air and alarmed many of the neighborhood but no men went to her rescue. Gradually as she was beaten down her cries died away and when she was being choked by the brute a convulsive, gasping noise could be heard a block away on Main street according to ladies who were there.

As soon as he had finished his work and gotten into his wagon, Stull started for home, meeting Monroe as he returned to his store. Monroe did not know of the trouble which had taken place in his absence and was accosted by Stull who said he had something to say to him. As Stull kept on driving Monroe did not stop but came to his store when he learned of what had taken place.

A reporter for the Journal was on the scene within a short time after the unfortunate woman had been carried into her home and the sight which she presented as she lay upon the lounge with her swollen distorted countenance, blackened and bruised by the awful blows and the convulsive fits of vomiting blood which she endured was something painfully shocking. Between these spells she told the story of the crime as above outlined interrupting her story at times, to cry out about the terrible pains in her head and down her neck.

County Attorney Ramsey this afternoon filed a complaint before County Judge Beeson charging C. Lawrence Stull with assault with intent to do great bodily injury upon Mrs. Monroe. A warrant was issued and Stull will be taken into custody. Owing to the county attorney being

Dr. Pierce's Favorite Prescription

Is the best of all medicines for the cure of diseases, disorders and weaknesses peculiar to women. It is the only preparation of its kind devised by a regularly graduated physician—an experienced and skilled specialist in the diseases of women.

It is a safe medicine in any condition of the system. **THE ONE REMEDY** which contains no alcohol and no injurious habit-forming drugs and which creates no craving for such stimulants. **THE ONE REMEDY** so good that its makers are not afraid to print its every ingredient on each outside bottle-wrapper and attest to the truthfulness of the same under oath.

It is sold by medicine dealers everywhere, and any dealer who hasn't it can get it. Don't take a substitute of unknown composition for this medicine of known composition. No counterfeit is as good as the genuine and the druggist who says something else is "just as good as Dr. Pierce's" is either mistaken or is trying to deceive you for his own selfish benefit. Such a man is not to be trusted. He is trifling with your most priceless possession—your health—may be your life itself. See that you get what you ask for.



called to Papillion by business the hearing will not take place before tomorrow.

The nature of Mrs. Monroe's injuries this afternoon were pronounced by the attending physician to be principally bruises as he found no broken bones and he is of the opinion that the blood which she spit and vomited came from the injury to her head caused by Stull's blows. He is of the opinion that she will recover without doubt and will suffer nothing worse than being very sore from the bruising effect of the blows administered.

The warrant for Stull's arrest was delivered to Deputy Sheriff Manspeaker who departed for Stull's farm this afternoon at 3 o'clock.

According to Monroe, the husband of the woman assaulted, this morning Stull and he were talking together and Stull seemed entirely friendly although he had been drinking at the time. This was before the assault and Monroe left the store without suspecting any trouble. When he met Stull as he came back to the store he did not imagine any trouble had taken place.

Some who claim to know the facts assert Stull was enraged at the Monroe's because they had bought or tried to buy some hay in Iowa instead of patronizing him. It is said he was in town this morning and had been trying to sell hay when he heard of Monroe's action and it had incensed him a great deal. This last report comes from several sources and possibly accounts for his action.

Monroe asserted this afternoon that he would prosecute Stull to the limit and the complaint filed would be pressed to a final determination and Stull punished.

Soreness of the muscles, whether induced by violent exercise or injury, is quickly relieved by the free application of Chamberlain's Liniment. This liniment is equally valuable for muscular rheumatism, and always affords quick relief. Sold by all dealers.

John Ossenkop, the well known Louisville citizen, is spending today in the city on business matters and visiting with friends, coming down this morning on the Schuyler train.

The world's most successful medicine for bowel complaints is Chamberlain's Colic, Cholera and Diarrhoea Remedy. It has relieved more pain and suffering, and saved more lives than any other medicine in use. Invaluable for children and adults. Sold by all dealers.

PERFECT CONFIDENCE

Plattsmouth People Have Good Reason For Complete Reliance

Do you know how—
To find quick relief from backache;
To correct distressing urinary ills;
To surely cure sick kidneys?
Just one way—your neighbors know—
Have used Doan's Kidney Pills;
Have proved their worth in many tests.

Here's Plattsmouth testimony:
E. M. Buttery, Sixth & Walnut streets, Plattsmouth, Neb., says: "Doan's Kidney Pills proved to be a remedy of merit in my case. I often had pains in my hips, so severe that I could hardly work and there was also a lameness across my loins. I had reasons to believe that these troubles were caused by disordered kidneys and hearing Doan's Kidney Pills highly spoken of, I made up my mind to try them. I procured a box at Gering & Co.'s drug store and they brought me prompt and effective relief." (Statement given on June 19, 1906).

On December 29, 1908, Mr. Buttery said: "I still have a good word to say for Doan's Kidney Pills. I willingly confirm the statement I gave for publication over two years ago in their favor."
For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's—and take no other.

Wilson Discharged.

The insanity commission consisting of Clerk of the Court Robertson, Attorney D. O. Dwyer and Dr. B. F. Brendel of Murray, this morning made an examination of James Wilson, the telephone lineman, who tried to commit suicide here several days ago. Wilson was in much better condition than for many days and seemed to be quite rational. The hearing developed that he had been subject to attacks of insanity in the past and that after a rest these had left him all right. He was of the opinion that if he could get out to Colorado he would be all right and the board after considering the case decided to discharge him. He stated that he would go to Omaha this afternoon and try and get a job with the telephone company in Colorado where he thought his health would return and he would be all right.

PEACHES

FOR

CANNING!

We were somewhat disappointed in only getting twenty boxes of peaches today, but no more trouble after this, for we will have one hundred (100) crates to fill orders tomorrow and fifty more Saturday. Of course most of these are already ordered, but there will be plenty left for everybody if you get your orders in time.

Box of Texas Alberta Peaches for canning... **90c**
Box of California Yellow Crawford Peaches... **\$1.00**

Leave your order early and order liberal as we look for higher prices.

E. A. WURL