TAX CASE COMES TO OMAHA

Counties File a Demurrer to the Petition of the Railroads.

ARGUMENT SET FOR JANUARY THIRTY

Various Agricultural and Allied Societies Holding Annual Conventions in the Capital City.

(From a Staff Correspondent.)

LINCOLN, Jan. 16.—(Special.)—Arguments in the railroad tax injunction case will be heard in Omaha in the federal court January 30. The case was called in the federal court here this morning and went over until that time. Attorney General Norris Brown, representing the various counties of the state interested, filed a demurrer to the petition of the Union Pacific and Burlington railroads. The demurrer, after citing the various treasurers interested, was as follows:

1. That it appears by the plaintiff's own showing by the said bill that it is not entitled to the relief prayed by said bill against these defendants or any of them.
2. That it appears from said bill of complaint of plaintiff that this court has no jurisdiction to hear and determine this action.
3. That said bill of complaint of plaintiff is wholly without equity.
4. That it appears upon the face of said bill that the plaintiff has an adequate remedy at law.
5. That plaintiff has not made or stated such a case as entitles it in a court of equity to the relief prayed.

Wherefore, and for divers other good reasons of demurrer appearing on said bill, these defendants jointly and severally demur thereto, and they pray the judgment of this honorable court whether they or any of them shall be compelled to make further or any answer to the said bill, and they humbly pray to be hence dismissed with their reasonable costs in their behalf sustained.

Agriculturists Are Active.

Today marked the opening of the state agricultural meetings and Lincoln is alive with men interested, all headed for the state farm, where the day meetings will be held. Splendid programs have been arranged and big meetings are anticipated. The meetings began with the association of agricultural students at the state farm at 3 o'clock. H. D. Lute, president, delivered his address and Erwin Hopt read a paper.

This evening at the same place a paper was read by Fred H. Rankin. Music was furnished by Dr. and Mrs. J. H. Gain.

The Duroc-Jersey Breeders' association began at 1:30 with an address of welcome by Prof. H. R. Smith, to which E. Z. Russell responded. A. F. Magdanz delivered an address on "The Observance of the Laws of Breeding as a Means of Improving Our Hogs." W. H. Taylor and Hal Young also delivered addresses.

The Nebraska Bee Keepers are also holding forth at the farm, beginning at 2 o'clock.

The twentieth annual exhibition of the Nebraska State Poultry exhibition will be open to the public at 9 o'clock tomorrow morning at the Auditorium.

DeFrance Chief Boomer.

C. Q. De France is the circulation manager of the Watson magazine, a monthly publication to be started immediately in New York. This morning Lincoln was flooded with circulars setting forth this fact. The envelopes also contained a prospectus of the new magazine and letters from T. H. Tibbles and De France calling upon populists and independent readers to support the new venture. De France will continue at intervals to write for the Independent.

Talks on Juvenile Court.

Judge Ben Lindsey of Denver, the noted advocate of the juvenile court, addressed a small audience at the senate chamber tonight upon the juvenile court proposition. Mayor Adams presided. Judge Lindsey's address is timely, for the reason that a bill providing for juvenile courts in Nebraska already has been introduced in the legislature.

Joint Installation at Table Rock.

TABLE ROCK, Neb., Jan. 16.—(Special.)—A joint public installation of the officers of John N. Gere post, Grand Army of the Republic, and the Woman's Relief corps was held at their hall here yesterday. Hon. William Sutton, post commander, was the installing officer for the former and Mrs. Amanda J. Marble, past commander of the corps, of the latter. A fine dinner was served at noon and the exercises followed. The following were the officers of the post: J. D. Longwell, commander; G. W. Myers, senior vice commander; Charles A. Groom, junior vice commander; Allen Barnes, officer of the day; J. W. Hastings, officer of the guard; J. H. Layman, quartermaster; Fred W. Ault, adjutant; John Bush, sergeant major. The officers of the corps were: Mrs. Julia Gold, president; Mrs. Mary E. Ault, senior vice president; Mrs. Elvira Stevens, junior vice president; Mrs. Allie Fisher, secretary; Mrs. F. C. Norris, treasurer; Mrs. Catherine Baker, chaplain; Mrs. Ora Super, conductor; Mrs. L. A. Holmes, assistant conductor; Mrs. Rebecca Bush, guard; Mrs. M. B. Fox, assistant guard; Mrs. Alwilda Carmichael, Mrs. Rose McClain, Mrs. Martha Myers, Mrs. Rose Billings, color bearers.

FACE HUMORS

Cuticura SOAP

Assisted by CUTICURA Ointment, greatest of emollient skin cures, is of priceless value for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, for baby rashes and chafings, for annoying ulcerations and inflammations, and many sanative, antiseptic purposes which readily suggest themselves to women, as well as for all purposes of the toilet, bath, and nursery.

Sold throughout the world. Potter Drug & Chem. Corp., Sole Props., Boston. Send for "How to Preserve, Purify, and Beautify."

Woman Finds Chilly Welcome.

HUMBOLDT, Neb., Jan. 16.—(Special.)—Quite a little interest has been aroused by an appeal to the authorities made a day or two ago by a strange woman, giving her name as Mrs. Faulkner of Kansas City, who asserted that she came here a day or two ago in response to an advertisement inserted in a Kansas City paper signed by S. D. Hopper, Humboldt, Neb., who claimed he was in need of a housekeeper and offering to pay liberal wages to a suitable applicant. Correspondence ensued, and the woman claims that Hopper represented himself to be a retired farmer, with a small family and large income, thoroughly able to give a good home to the woman who would consent to become his housekeeper. The terms appeared to suit and Mrs. Faulkner started, consigning her baggage to Hopper, and arrived on a late train a day or two ago, being taken at once to the Hopper home in the southeast part of the city. Upon her arrival she found things far different from what they had been pictured, the truth being that Hopper and his children have been kept from starving during the recent cold snap only by the efforts of the authorities and by the hand of charity. The woman is now working temporarily at one of the hotels, being practically out of money.

Rumor of New Postmaster.

TABLE ROCK, Neb., Jan. 16.—(Special.)—It is an open secret that Table Rock is to have a new postmaster in the near future, probably about April 1. However, it seems to be known to but a very few. At the time of the previous contest, when a change was talked of, nearly two years since, when F. H. Taylor, the editor of the Argus, was a contestant against the present incumbent, Mrs. Jessie W. Phillips, an amicable agreement was reached that Mrs. Phillips should receive the appointment, but that she should resign in his favor after holding the office for two years.

News of Nebraska.

SCHUYLER, Jan. 16.—Robert Edgar, who during many years has made his home with his son, John Edgar of this city, died here Saturday evening at the advanced age of 92.

STELLA, Jan. 16.—On account of the diphtheria scare the town board met last night and appointed Dr. Montgomery, M. H. Vandeventer and J. C. Reimers as a board of health.

TABLE ROCK, Jan. 16.—Captain R. P. Jennings of this place has sold his restaurant and lunch counter here to Charles A. Shoup of Pawnee City, who expects to take possession at once.

STELLA, Jan. 16.—Little Marguerite, the 4-year-old child of Mrs. Will Thomas, died yesterday, after a ten days' illness of diphtheria. She was apparently getting better and was not thought to be in danger until yesterday morning, when she suffered a relapse.

FAIRBURY, Jan. 16.—The members of St. Luke's Episcopal church have purchased the lot and building on F street formerly owned by the Baptist denomination and will remodel the building and use it for church purposes. At present services are held in a rented hall.

BEATRICE, Jan. 16.—Rice Wilber of this city, who has been stenographer in the uptown Rock Island office for the last year, has been promoted to the office of F. P. Rutherford, division passenger agent at Omaha, and will leave for that place as soon as his successor is named.

STELLA, Jan. 16.—F. E. DePord, local manager of the Powell Grain company, has opened a skating rink in the basement of the Lowe building, formerly occupied by the bowling alley. The bowling alley has removed to the building formerly occupied by Springfield Bros.' dry good store.

HUMBOLDT, Jan. 16.—The thermometer has shown during the last twenty-four hours the lowest registration for this season, being reported all the way from zero to 12 below from reliable thermometers. The local ice company is having the snow cleaned off Spring lake and will begin the harvest of ice in a few days.

SCHUYLER, Jan. 16.—After intense suffering and pain from the ravages of intestinal cancer, Mrs. Charles A. Sherman's sufferings ended at 8 o'clock last evening, at which time she closed her eyes in the peaceful sleep of death. Mrs. Sherman was the wife of ex-Night Policeman Sherman, the story of whose tragic death following his arrest for being found in the store of the Wells Grocery company is known throughout the state.

NEBRASKA CITY, Jan. 16.—The stockholders of the Nebraska City Driving Park association have decided to hold a race meeting during the summer and to make a number of improvements to the grounds and buildings this spring. The following officers have been elected for the ensuing year: President, Calvin Chapman; vice president, Dr. E. M. Whitten; secretary and treasurer, George W. Hawke; directors, Ed Bartling and F. W. Rodenbrock.

TECUMSEH, Jan. 16.—At the regular meeting of Heckathorn post No. 47, Grand Army of the Republic, the following officers were installed by Past Commander P. C. Johnson: John A. Easton, commander; Robert Bryson, senior vice commander; C. H. Halstead, junior vice commander; J. A. Lawrence, adjutant; J. G. O'Connell, surgeon; Thomas Goodman, chaplain; W. Robb, quartermaster; O. S. Mason, officer of the day; D. B. Ray, officer of the guard.

TECUMSEH, Jan. 16.—At the annual meeting of the Tecumseh Building and Loan association the old board of directors was re-elected, as follows: P. A. Brundage, Roscoe Anderson, C. G. Woods, John R. Pierson, P. H. Hopkins, A. O. Shaw, Harry Phelps, C. J. Canon and L. M. Davis. The directors will hold an election of officers tomorrow evening. The association, which is not yet one year of age, is in a flourishing condition and our citizens seem thoroughly interested in it.

BEATRICE, Jan. 16.—The Gage County Society of Agriculture met in the city Saturday afternoon and elected the following officers: H. P. Crocker, president; J. R. Dodds, first vice president; J. D. White, second vice president; H. A. Greenwood, treasurer; L. W. Colby, secretary. A resolution was adopted agreeing to hold an annual fair at Beatrice and Wymore, but leaving the time to be fixed at a subsequent meeting. The meeting was well attended and the members were enthusiastic over the prospects.

TECUMSEH, Jan. 16.—Hope Rebekah lodge No. 15 of this city has installed the following officers for service the coming year: Miss Libbie J. Hervey, N. G.; Mrs. P. C. Johnson, V. G.; Mrs. J. S. Dew, secretary; Miss Laura Mason, treasurer; Mrs. Theodore Smith, R. S. N. G.; Mrs. Mary Hedrick, L. S. N. G.; Mrs. B. E. Seaver, R. S. V. G.; Mrs. W. W. Wheatley, I. G.; Miss Lillie McDougal, O. G.; Mrs. James Ross, P. G.; Mrs. James Moyer, chaplain. The installation service was under direction of Mrs. E. M. Atterberry, district deputy president.

WEST POINT, Jan. 16.—The County Board of Supervisors has approved the appointment by the county assessor of the following deputy assessors for the various precincts of the county: Bancroft precinct, E. L. Cates; Cleveland, Felix Givens; Grant, H. R. Gear; Blaine, Henry Moeller; Wisner, William Moshage; Beemer, Henry Buhk; Logan, James J. Byrne; Neligh, A. J. Zost; Garfield, Charles A. Anderson; Sherman, Otto Rubin; Elkhorn, Theodore Thoms; Bismarck, John Clatanoff; Lincoln, Theodore Doernemann; Monterey, Joseph Kreikemeier; St. Charles, William Oligmueller; Cuming, S. P. Johnson; West Point City, Herman Koch.

BEATRICE, Jan. 16.—Rawlins post No. 35, Grand Army of the Republic, and Rawlins Woman's Relief Corps held joint public installation Saturday night. Dr. Ferd Brother installed these post officers: W. N. Whitlock, commander; Stephen Bull, senior vice commander; W. C. Shreve, junior vice commander; W. H. Walker, adjutant; J. R. Craig, quartermaster; Dr. Ferd Brother, surgeon; J. G. Carnahan, chaplain; J. W. Jackson, officer of the day; George Pease, officer of the guard; J. Q. Overman, sergeant major; H. A. La Selle, quartermaster sergeant; W. Shottenkirk and T. Mayburn, assistant guards. Rawlins Relief Corps officers were installed as follows by Mrs. Susie Gould: Mrs. Emma Hughes, president; Mrs. Maranda Haney, senior vice president; Mrs. Polly Bull, junior vice president; Mrs. Amanda Sample, chaplain; Mrs. Mary Oden, treasurer; Mrs. Rachael Laymon, conductor; Mrs. Sarah Hutchins, guard; Mrs. Libbie Lescher, secretary; Mrs. Lucy Shottenkirk, assistant conductor; Mrs. Nancy Lowe, assistant guard; color bearers, No. 1, Mrs. Mary Shreve; no. 2, Mrs. Mary Childre; No. 3, Mrs. Lucy Gilmore; No. 4, Mrs. Sarah Wilson. A banquet was held at the close of the business meeting.

DOUBLE CRIME NEAR NELIGH

Farm Hand Shoots His Employer's Daughter and Commits Suicide.

DEED RESULT OF REFUSAL TO MARRY

Woman Appeals to Parents for Protection, and in Absence of Mother Rejected Suitor Uses a Gun.

NELIGH, Neb., Jan. 16.—(Special Telegram.)—A tragedy surpassing anything in the history of Antelope county occurred last night in the settlement of Grecian Bend, seven miles west of town.

Carrie Jacobson, daughter of Hans Jacobson, a prosperous and popular farmer, was shot and killed by Andrew Nelson, a farm hand who has for a long time been employed by and made his home with the Jacobsons, and immediately thereafter Nelson killed himself with the shotgun with which he had shot Miss Jacobson. Both expired almost instantly.

Very little is known as to the cause of the deed. Nelson had been paying attention to the young woman, who was about 18 years of age, and it is stated that when she refused his offer of marriage he threatened her with death and she appealed to her parents not to be left alone.

Sunday night Miss Jacobson complained of being sick and slept with her mother downstairs. Mrs. Jacobson went down cellar after coal to replenish the fire, and during her absence the tragedy occurred. A coroner's inquest will be held today.

Annual Meeting and Banquet.

BEATRICE, Neb., Jan. 16.—(Special.)—The annual meeting of the stockholders of the Dempster Mill Manufacturing company was held last night at the offices of the factory, at which nearly all the stock was represented. A report was made on the year's work, which showed very satisfactory results to the stockholders. A substantial cash dividend was declared and a comfortable amount placed in the surplus fund. The following officers were elected: C. B. Dempster, president; Harry Shaffer, vice president; R. H. Yale, secretary; J. W. Burgess, treasurer. The directors remain the same as last year, with the addition of W. A. Waddington as a member. At the close of the business meeting a banquet was held at the Markle hotel, about forty stockholders and traveling representatives of the company attending, including the managers of the branch houses, who are Bert King of Omaha, Henry Dempster of Sioux Falls and J. C. Gilmore of Kansas City.

Installation and Dinner.

OSCEOLA, Neb., Jan. 16.—(Special.)—The Grand Army of the Republic hall was filled to overflowing Saturday from noon till night, the occasion being a dinner given by the Woman's Relief corps and the installation of officers of the Grand Army and the corps and the Sons of Veterans camp. Comrade H. T. Arnold installed the Grand Army officers, Mrs. C. M. Pulver the corps officers and James McBeth the Sons of Veterans. The services began at noon by more than 100 members of the different orders sitting down to well filled tables prepared by the women, and among other things provided was the old army bean in profusion. A rising vote was taken on preference for department commander at the next department encampment, and every man, woman and child voted for their old comrade, P. C. Johnson, D. D., and J. F. Reynolds post voted that a large delegation would attend from here in the comrade's interests.

Brown's Widow Destitute.

TECUMSEH, Neb., Jan. 16.—(Special.)—At the time of the death of Frank E. Brown, who died from gunshot wounds here some two weeks ago, a brother arrived from Oskaloosa, Ia., to take charge of the remains. The brother did not have means, however, nor could he secure any with which to take the body of his brother back to the home town for burial. The deceased had some personal property, consisting of several head of horses and a number of dogs, which were at Filley, where his home had been. It took all this property to pay the funeral expenses and it is understood the widow is left entirely without means.

Otoe Bar Association Meets.

NEBRASKA CITY, Neb., Jan. 16.—(Special.)—The Otoe County Bar association held its annual meeting and banquet at the Watson hotel Saturday night. The following officers were elected for the ensuing year: President, W. W. Wilson; vice president, William Hayward; secretary and treasurer, Arthur A. Bischop; executive committee, Judge Paul Jessen, W. H. Pitzer and D. W. Livingston. After the routine business and election of officers the members and their guests, including all the court officers of the county and city, adjourned to the dining room, where the banquet was served.

Oratory at Hastings College.

HASTINGS, Neb., Jan. 16.—(Special Telegram.)—The Hastings college annual oratorical contest was held at the Presbyterian church tonight. There were five contestants. First place was awarded Alex. F. Dunlap and second place to Elmer T. Peters. Both are seniors. Dunlap won in last year's contest and will represent Hastings college at the state intercollegiate contest, to be held at Grand Island. The judges were: Rev. E. M. Evens, Prof. Miller of the business college and John Snyder.

York High School Opens.

YORK, Neb., Jan. 16.—(Special.)—At the formal opening of the York High school building hundreds of York business men and citizens attended and inspected one of the largest and most modern constructed high school buildings in the west. Appropriate exercises were held in the evening, which were largely attended and highly appreciated. The principal address was by Chancellor Andrews of the State university.

Be sure a bottle of Piso's Cure is kept on hand for sudden colds. 25c per bottle.

STRUGGLES FOR THE TOGAS

(Continued from First Page.)

public sentiment was with the field and opposed the re-election of Senator Paddock. The difficulty of uniting the field seemed almost insurmountable, but on the fifth day, after the balloting had begun and after a stampede had almost brought on Paddock's re-election, an anti-Paddock caucus was held, amidst the most intense excitement, and centered upon Van Wyck, electing him thirty minutes later on the seventeenth ballot.

In the senatorial contest of 1883 the seventeenth ballot was again the talisman that decided the fateful struggle. Fifteen days were consumed in balloting, and ten days elapsed before the necessary number could be secured to hold a caucus. Alvin Saunders was a candidate for re-election, but the republican vote was divided between him and John C. Cowin, Charles F. Manderson, Joseph H. Millard and John M. Thayer. Millard was regarded as the candidate who had the financial strength behind him, but he was unable to secure the votes necessary to his election. Charles F. Manderson, who from the start to the day previous to the ending of the race, mustered only eight votes, was finally given the caucus nomination over John C. Cowin, his highest competitor, and elected the next day by the unanimous republican vote. J. Sterling Morton received the bulk of the democratic vote.

Defeat of Van Wyck.

In 1887 came another hotly contested senatorial fight, Charles H. Van Wyck asking for re-election. He had taken advantage of the provision in the constitution allowing him to submit his name for an expression of popular preference and was unquestionably the choice of a majority of the people. The opposition, however, had centered its efforts in procuring legislative nominations for men who could be depended upon to ignore the popular will. Although the organization of the house was effected by the Van Wyck forces in the election of their candidate for speaker, in the formal ballots the votes for senator were divided between Van Wyck, Paddock and a few others. After several days' balloting the republicans were consolidated on Paddock by means of a caucus, and he was elected for the second time. The democrats divided their votes between George L. Miller and John A. McShane.

The election of the senator in 1889 could hardly be called a contest. Senator Manderson was re-elected without opposition from the republican ranks and the joint session was necessary only to announce the result. The democrats again complimented John A. McShane.

Triangular Division of Parties.

The senatorial election of 1893 was again protracted. The legislature was divided between the republicans, populists and democrats in such a way that no one of them had the necessary vote to elect. The balance of power lay with the democrats, who by throwing to the republicans or the populists were able to decide the politics of the successful man. It took the democrats a long time to determine which course to pursue. In the interval the balloting continued from day to day, with the populists voting in succession for John H. Powers, their defeated candidate for governor; W. L. Greene, later congressman from the Sixth district, and William V. Allen, then a judge on the district bench. The republicans tried to break the deadlock by swinging back and forth from Paddock to Thurston, but in vain. Finally, upon the eighteenth ballot, the democrats who had been holding out swung in with the populists and gave seventy votes and the election to William V. Allen.

The senatorial contest of 1895 was devoid of excitement, the prize being tendered to John M. Thurston by a written agreement signed by all the republican members of the legislature before this session was under way.

The Deadlock of 1899.

The senatorial contest of 1899 precipitated a protracted deadlock. M. L. Hayward finding himself defeated as the republican candidate for governor, responded to an unmistakable popular call to enter the race for the United States senate. His principal competitor was David E. Thompson of Lincoln, who up to the time it became known that the legislature had gone republican had scarcely been suspected of harboring senatorial aspirations. The field was large, including among the candidates John L. Webster of Omaha, G. M. Lambertson, M. B. Reese and Allen W. Field of Lincoln, E. H. Hinshaw of Fairbury, E. J. Hainer of Aurora, C. E. Adams of Superior, J. B. Weston of Beatrice and a number of others, but none of them mustered a formidable strength. Strange to say, the situation developed into an alignment with Hayward, the strong man, and the field combined on one side against D. E. Thompson on the other. The policy pursued by Thompson in making mysterious claims of hidden strength kept the followers of Hayward out of a caucus until nearly two months of balloting had elapsed, the vote of the republicans in open session being scattered among the various candidates, while the fusionists continued to record themselves for William V. Allen. At last, after considerable contention over the terms, a caucus agreement was reached by the republicans calling for a two-thirds vote by a peculiarly open-and-shut ballot which allowed certain members of the caucus to vote secretly at their option. Even then the caucus could arrive at no result for several days, until a break was made in the following of two or three of the smaller candidates, and the nomination was declared for Mr. Hayward. Stories were rife at the time of an attempt to repudiate the caucus decision, but when the ballot was taken in joint session the next day all the republicans voted for Hayward, while the opposition died in the ditch with Allen. To elect Hayward it required forty-three joint ballots, extending over the forty-ninth day of the session, leaving a period of vacancy in the state's representation between March 4, when Senator Allen's term expired, and March 8, when his successor secured his credentials.

A Double-Barrelled Fight.

It was owing to the death of Senator Hayward before he had an opportunity to fill his seat and the appointment by the governor of Senator Allen to fill the vacancy that the legislature of 1901 was called upon to choose two United States senators—a situation that had not presented since the original election of two United States senators by the first state legislature immediately after Nebraska was admitted into the union.

With the doubling of the stake the excitement and persistence was more than doubled. A long list of candidates presented themselves to the legislature, dividing their aspirations between the short term and the long term, the first being conceded to the South Platte and the second being claimed for the North Platte.

The principal candidate for the short term was again David E. Thompson of Lincoln, the lesser lights in his firmament being E. H. Hinshaw of Fairbury, now congressman from the Fourth district; E. J. Hainer of Aurora, former congressman, and Francis Martin, state senator from Richardson county. Facing the other goal the leaders were: Edward Rosewater, editor of The Omaha Bee; George D. Meikeljohn of Fullerton, former assistant secretary of war; State Senator F. M. Currie of Custer county, and State Senator and former Governor Lorenzo Crounse of Washington county. Through the fifty-four days of balloting other names appeared from time to time in the list, but never as serious candidates for the senatorship.

The balloting began before common ground was reached for a caucus and when a caucus was finally secured the preponderancy of Thompson strength precipitated a bolt of nine members, who proclaimed the ultimatum that they would enter no caucus from which Thompson was not barred. These nine men professed to be against Thompson on account of his affiliation with the Burlington railroad interests, but as a matter of fact they were generaled by representatives of the Union Pacific and Elkhorn combine, who were determined not only to beat Thompson because he was allied with the opposition railroad, but to beat Rosewater as well because he was independent of all railroads. At several stages efforts were made to effect a compromise with the fusion minority in favor of Allen (fusionist) and Crounse (republican), but without success, because enough republican votes could not be mustered to consummate the election of a populist.

Ends in Spectacular Fashion.

The deadlock was finally broken by the withdrawal of Thompson and Rosewater on the last regular day of the session, the caucus quickly agreeing upon two dark horses in the persons of Governor Charles H. Dietrich for the South Platte senatorship and Joseph H. Millard, a banker of Omaha, for the North Platte senatorship.

The ballot that determined that Nebraska's seats in the upper house of congress should be occupied rather than remain vacant abated the high strung tension of all participants. The successful and unsuccessful candidates were called before the joint convention and expressed acquiescence in the result. As described at the time, "the election of Dietrich and Millard was hailed with joy and exultation; the deadlock had been broken; Nebraska was assured two republican senators; it brought a feeling of relief, it not entirely of satisfaction."

Quest for Dietrich Succession.

The senatorial contest over the Dietrich succession began long before the time for the election was in sight. The elements that compassed the defeat of Thompson accepted the substitution of Governor Dietrich with still less grace and set about early to make his re-election impossible. Their campaign of ridicule and detraction culminated in his indictment by the federal grand jury, which, notwithstanding his acquittal, marked him for retirement at the end of his term. To make sure that Thompson should not fall heir, his opponents settled upon E. J. Burkett, congressman from the First district and residing in the same city as Mr. Thompson, to make the race. Thompson, however, refused to compete and Burkett secured the support of his home county without contest.

While this was being worked out the program was inaugurated for the nomination of a candidate for United States senator in the republican state convention, and the state committee was prevailed upon to include in its call a recommendation to that effect. No other avowed candidate appearing, the convention nominated Mr. Burkett without dissent and his name appeared on the official ballot as the republican nominee. In many legislative districts candidates were pledged to his support and written pledges were solicited from others by his campaign managers, both before and after election.

The only incident in the final round of the game was the adoption of resolutions by the house a week ago endorsing the position of President Roosevelt on the reform railroad rate regulation and inviting Mr. Burkett to declare himself on this point before the balloting should begin. A republican majority of 115 left no need of a caucus.

Result of Boycott.

The only place in the United States that guarantees freedom from strikes, lockouts and labor warfare is Battle Creek, Mich.

The story? The work people, merchants, lawyers, doctors and other citizens became aroused and indignant at the efforts of the labor unions throughout the country to destroy the business of one of our largest industries—the Postum Cereal Co., Lt'd, and and at the open threats in the official union papers, that the entire power of the National and State Federations of Labor was being brought to bear to "punish" the industries of Battle Creek, and particularly the Postum Co.

This sprung from the refusal of C. W. Post to obey the "orders" of the unions to take the Postum advertising away from various papers that refused to purchase labor of the labor trust—the unions.

Mr. Post was ordered to join the unions in their conspiracy to "ruin" and "put out of business" these publishers who had worked faithfully for him for years, and helped build up his business. They had done no wrong, but had found it inconvenient and against their best judgment to buy labor of the labor trust. It seems a rule of the unions to conspire to ruin anyone who does not purchase from them upon their own terms.

An ink maker or paper maker who failed to sell ink or paper would have the same reason to order Post to help ruin these publishers. So the peddler in the street might stone you if you refused to buy his apples; the cabman to run over you if you refused to ride with him; the grocer order the manufacturer to discharge certain people because they did not patronize him, and so on to the ridiculous and villainous limit of all this boycott nonsense, in trying to force people to buy what they do not want.

If a man has labor to sell let him sell it at the best price he can get just as he would sell wheat, but he has no right to even intimate that he will obstruct the business, or attempt its ruin because the owner will not purchase of him.

The unions have become so tyrannous and arrogant with their despotism that a common citizen who has some time to spare and innocently thinks he has a right to put a little paint on his own house finds he must have that paint taken off and put on again by "the union" or all sorts of dire things happen to him, his employer is ordered to discharge him, his grocer is boycotted if he furnishes him supplies, his family followed and insulted and his life made more miserable than that of a black slave before the war. If he drives a nail to repair the house or barn the carpenter's "union" hounds him. He takes a pipe wrench to stop a leaking pipe and prevent damage to his property and the plumbers "union" does things to him. He cannot put a little mortar to a loose brick on his chimney or the bricklayers, plasterers or hod carriers "union" is up in arms, and if he carelessly eats a loaf of bread that has no "union" label on it the bakers "union" proceeds to make life miserable for him.

So the white slave is tied hand and foot, unable to lift a hand to better himself or do the needful things, without first obtaining permission from some haughty, ignorant and abusive tyrant of some labor union.

It all would seem rather like a comic opera, if it did not rob people of their freedom, that kind of work will not be permitted long in America.

Some smooth managers have built up the labor trust in the last few years, to bring themselves money and power, and by managing workmen, have succeeded in making it possible for them to lay down the law in some cities and force workmen and citizens to "obey" implicitly, stripping them right and left of their liberties.

They have used boycotting, picketing, assaults, dynamiting of property and murder to enforce their orders and rule the people. They have gone far enough to order the President to remove certain citizens from office because the "Unions" weren't pleased.

That means they propose to make the law of the unions replace the law of this government and the union leaders dominate even the chief executive.

This is a government of and for the people and no organization or trust shall displace it. But the unions try it every now and then, led by desperate men as shown in their defiance of law and support of law breakers.

The "union" record of assaults, crippling of men and even women and children, destruction of property and murder of American citizens during the past two years, is perhaps 10 times the volume of crime and abuse perpetrated by slave owners during any two years previous to the civil war. We are in a horrible period of lethargy, which permits us to stand idly by while our American citizens are abused, crippled and murdered in dozens and hundreds by an organization or trust, having for its purpose thrusting what it has to sell (labor) upon us whether or no.

Suppose an American in a foreign city should be chased by a mob, caught and beaten unconscious, then his mouth pried open and carbolic acid poured down his throat, then his ribs kicked in and his face well stamped with iron nailed shoes, murdered because he tried to earn bread for his children. By the Eternal, sir, a fleet of American men-of-war would assemble there, clear for action and blow something off the face of the earth if reparation were not made for the blood of one of our citizens.

And what answer do we make to the appeals of the hundreds of widows and orphans of those Americans murdered by labor unions? How do we try to protect the thousands of intelligent citizens who, with reason, prefer not to join any labor union and be subject to the tyranny of the heavily paid rulers of the labor trusts?

Upon a firm refusal by Mr. Post to join this criminal conspiracy a general boycott was ordered on Grape-Nuts and Postum all over the country, which set the good red blood of our ancestors in motion, bringing forth the reply that has now passed into history: "We refuse to join any conspiracy of organized labor to ruin publishers, nor will we discharge any of our trusted employes upon the orders of any labor union. If they can make their boycott effective and sink our ship, we will go down with the captain on the bridge and in command."

This set the writers in labor papers crazy and they redoubled their abuse. Finally one of their official organs came out with a large double column denunciation of Battle Creek, calling it "a running sore on the face of Michigan," because it would not become "organized" and pay in dues to their labor leaders. The usual coarse, villainous epithets common to labor union writers were indulged in.

The result was to weld public sentiment in Battle Creek for protection. A citizen's association was started and mass meetings held. Good citizens who happened to be members of local unions, in some cases quit the unions entirely, for there is small need of them there.

The working people of Battle Creek are of the highest order of American mechanics. The majority are not union members, for practically all of the manufacturers have for years declined to employ union men because of disturbances about 11 years ago, and the union men now in the city are among the best citizens.

No city in the state of Michigan pays as high average wages as Battle Creek; no city of its size is as prosperous, and no city has so large a proportion of the best grade of mechanics who own their own homes.

So the work people massed together with the other citizens in the organization of the Citizen's Ass'n with the following preamble and constitution:

Whereas, from 1891 to 1894 the strikes instigated by Labor Unions in Battle Creek resulted in the destruction of property and loss of large sums of money in wages that would have been expended here; and,

Whereas, these acts caused serious damage to the city and in a marked way delayed its progress at that time; and,

Whereas, since the year 1894 the citizens have been enabled, by public sentiment, to prevent the recurrence of strikes and Labor Union disturbances which have been prevalent elsewhere; and,

Whereas, the employes of this city have steadfastly refused to place the management of their business under the control of Labor Unions, but have maintained the highest standard of wages paid under like conditions anywhere in the United States, and hereby unanimously declared their intent to continue such policy; and the employes of this city, a large percentage of whom own homes and have families reared and educated under conditions of peace and the well-earned prosperity of steady employment, have steadfastly maintained their right as free American citizens to work without the dictation and tyranny of Labor Union leaders, the bitter experience of the past offering sufficient reason for a determined stand for freedom; and,

Whereas, the attitude of the citizens on this subject has been the means of preserving peaceful conditions and continuous prosperity in marked contrast to the conditions existing in other cities suffering from the dictation of Trades Unionism; it is therefore,

Resolved, that the continuance of peace and prosperity in Battle Creek can be maintained, and the destructive work of outside interference avoided under the combined effort and action of all our people, by the formation of a Citizens Association.

CONSTITUTION.

ARTICLE 1.—NAME.

ARTICLE 2.—OBJECTS.

First—To insure, so far as possible, a permanent condition of peace, prosperity and steady employment to the people of Battle Creek.

Second—To energetically assist in maintaining law and order at all times and under all conditions.

Third—To protect its members in their rights to manage their property and to dispose of their labor in a legal, lawful manner without restraint or interference.

Fourth—To insure and permanently maintain fair, just treatment, one with another in all the relations of life.

Fifth—To preserve the existing right of any capable person to obtain employment and sell his labor, without being obliged to join any particular church, secret society, labor union or any other organization, and to support all such persons in their efforts to resist compulsory methods on the part of any organized body whatsoever.

Sixth—To promote among employers a spirit of fairness, friendship and desire for the best interests of their employes, and to promote among workmen the spirit of industry, thrift, faithfulness to their employers and good citizenship.

Seventh—To so amalgamate the public sentiment of all of the best citizens of Battle Creek, that a guarantee can be given to the world of a continuance of peaceful conditions, and that under such guarantee and protection manufacturers and capitalists can be induced to locate their business enterprises in Battle Creek.

Then follows articles relating to membership, officers, duties, etc., etc., etc.

This constitution has been signed by the great majority of representative citizens including our workpeople.

A number of manufacturers from other cities, where they have been suffering all sorts of indignities, inconvenience and losses from the general hell of labor union strikes, picketing, assaults and other interference, proposed to move, providing they could be guaranteed protection.

The subject grew in importance until it has reached a place where absolute protection can be guaranteed by the citizens of Battle Creek on the following broad and evenly balanced terms which guarantees to the workman and to the manufacturer fairness, justice, steady work and regularity of output.

The new coming manufacturer agrees to maintain the standard rate of wage paid elsewhere for like service, under similar conditions, the rate to be determined from time to time from well authenticated reports from competing cities. The tabulated wage reports issued by the Government Department of Commerce and Labor can also be used to show the standard rate, and it is expected later on that this government bureau will furnish weekly reports of the labor market from different centers, so that the workman when he is ready to sell his labor and the employer when he is ready to buy, may each have reliable information as to the market or ruling price.

The new-coming manufacturer also agrees to maintain the sanitary and hygienic conditions provided for by the state laws and to refrain from any lockouts to reduce wages below the standard; reserving to himself the right to discharge any employee for cause.

The Citizens Association on its part agrees to furnish in such numbers as it is possible to obtain, first class workmen who will contract to sell their labor at the standard price for such period as may be fixed upon, agreeing not to strike, picket, assault other workmen, destroy property, or do any of the criminal acts common to labor unionism. Each workman reserving to himself the right to quit work for cause, and the Citizens Association further pledges its members to use its associated power to enforce the contracts between employer and employee and to act enmasse to uphold the law at all times.

The new industries locating in Battle Creek will not start under any sort of labor union domination whatsoever, but will make individual contracts with each employee, those contracts being fair and equitable and guaranteed on both sides.

Thus from the abuses of labor unions and their insane efforts to ruin everyone who does not "obey" has evolved this plan which replaces the old conditions of injustice, lockouts, strikes, violence, loss of money and property, and general industrial warfare; and inaugurates an era of perfect balance and fairness between employer and employee, a steady continuance of industry and consequent prosperity. The entire community pledged by public sentiment and private act to restore to each man his ancient right to "peace, freedom and the pursuit of happiness."

Other cities will be driven to protect their work people, merchants and citizens as well as their industries from the blight of strikes, violence and the losses brought on by labor unionism run amuck, by adopting the "Battle Creek plan," but this city offers industrial peace now with cheap coal and good water, first class railroad facilities and the best grade of fair, capable and peaceable mechanics known.

Details given upon inquiry of the "Secretary of the Citizens Association."

Identification.

The public should remember that there are a few Labor Unions conducted on peaceful lines and in proportion as they are worthy, they have won esteem, for we, as a people, are strongly in sympathy with any right act that has for its purpose better conditions for wage workers. But we do not forget that we seek the good of all and not those alone who belong to some organization, whereas even the law abiding unions show undeniable evidences of tyranny and oppression when they are strong enough, while many of the unions harbor and encourage criminals in their efforts to force a yoke of slavery upon the American people. As a public speaker lately said: "The arrogance of the English King that roused the fiery eloquence of Otis, that inspired the immortal declaration of Jefferson, that left Warren dying on the slopes of Bunker Hill was not more outrageous that the conditions that a closed shop would force upon a community. These men burst into rebellion 'when the king did but touch their pockets.' Imagine if you can their indignant protest had he sought to prohibit or restrict their occupation or determine the conditions under which they should earn their livelihood," and to assault, beat and murder them, blow up their houses and poison their food if they did not submit.

The public should also remember that good true American citizens can be found in the unions and that they deprecate the criminal acts of their fellow members, but they are often in bad company.

Salt only hurts sore spots. So, the honest, lawabiding union man is not hurt when the criminals are denounced, but when you hear a union man "holler" because the facts are made public, he has branded himself as either one of the law breakers or a sympathizer, and therefore with the mind of the law breaker, and likely to become one when opportunity offers. That is one reason employers decline to hire such men.

A short time ago inquiry came from the union forces to know if Mr. Post would "keep still" if they would call off the boycott on Postum and Grape-Nuts.

This is the reply: "The labor trust has seen fit to try to ruin our business because we would not join its criminal conspiracy. We are plain American citizens and differ from the labor union plan in that we do not force people to strike, picket, boycott, assault, blow up property or commit murder.

We do not pay thugs $20 to break in the ribs of any man who tries to support his family nor $30 for an eye knocked out.

We try to show our plain, honest regard for sturdy and independent workmen by paying the highest wages in the state.

We have a steady, unvarying respect for the law abiding peaceful union man and a most earnest desire to see him gain power enough to purge the unions of their criminal practices that have brought down upon them the righteous denunciation of a long-suffering and outraged public, but we will not fawn, truckle, bend the knee, wear the hated collar of white slavery, the union label, nor prostitute our American citizenship under "orders" of any labor trust.

You offer to remove the restriction on our business and with "union" gold choke the throat and still the voice raised in stern denunciation of the despotism which tramples beneath an iron shod heel, the freedom of our brothers.

You would gag us with a silver bar and muffle the appeal to the American people to harken to the cries for bread of the little children whose faithful fathers were beaten to death while striving to earn food for them.

Your boycott may perhaps succeed in throwing our people out of work and driving us from business, but you cannot wrench from us that priceless jewel our fathers fought for and which every true son guards with his life. Therefore, speaking for our work people and ourselves the infamous offer is declined."

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