

WEATHER FORECAST. For Nebraska—Showers. For Iowa—Showers. For weather report see page 3.

TWO PRESIDENTS MEET ON BORDER

Chief Executives of United States and Mexico Clasp Hands at El Paso, Texas.

MILITARY POMP AND CEREMONY

Flare of Trumpets and Boom of Cannon Announce Event to People.

DIAZ THE FIRST MAN TO SPEAK

Interpreter Exchanges Messages Between National Leaders.

SINGLE TRAGEDY MARS THE DAY

In Crush to See Sights Two Boys Are Involved in Fight and One Slays the Other with Knife.

EL PASO, TEX., Oct. 15.—The long-expected meeting between President Diaz of the United States and President Diaz of the Republic of Mexico occurred here today. Outwardly it was attended with a display of soldiery, a flare of trumpets, a boom of cannon and a pomp of ceremony suggestive of supreme authority, but in the actual hand-clasp of the two executives and in the exchange of courteous words which passed from lip to lip, there was simple but cordial informality.

President Diaz was the first to speak. He assured President Taft of his warm personal regard and his high esteem of the man who had accomplished so much in the Philippines, Cuba, elsewhere and who had now the honor to be the chief executive of so great a nation as the United States. President Taft, in simple American English, declared he was glad to meet President Diaz. He was glad to know the president of such a great nation, especially glad to know that the president who had made the nation great.

Both presidents dwelt upon the cordiality of the relations existing between the United States and Mexico. President Taft declared that today's meeting was not necessary to make stronger the bonds of friendship, it merely typified the strength of the bonds as they already exist.

Few persons witness meeting. There were less than a score of persons permitted to witness the meeting of the two executives. Even these were excluded later when President Taft and President Diaz withdrew into an inner room of the Chamber of Commerce building where the historic meeting occurred and were only attended by Governor Creel of the state of Chihuahua, former ambassador to the United States, who acted as interpreter.

The scene of the day's ceremonies shifted from time to time from the thrifty little American city, across the shallow, wandering Rio Grande river to the typical little Mexican settlement of Ciudad Juarez.

In the customs house there, President Diaz received a return call from President Taft and again lets this evening entertained the American president at a large dinner party at a state banquet which, in all its surroundings of lavish decorations of brilliancy in color, of wealth of silver handed down by a former emperor, Emperor Maximilian, and in every carefully considered detail, probably was the most notable feast ever served on the American continent.

It was at the banquet tonight that the more formal and public expressions of regard between the two executives as the representatives of the people of the United States and of Mexico, were exchanged. The banquet also marked the end of the day of international pageantry, a day of cloudless skies.

One Tragedy Mars Day. The day was marred by but one untoward incident. A lad of 15 years was stabbed to death by a companion who, just as President Taft was stepping aboard his special train upon its arrival in the center of the city at 9:30 o'clock this morning. The boys were in the crush of people gathered in the plaza and in pushing forward to catch a glimpse of the president became involved in a fight. Noll Morgan, 14 years of age, pulled a knife, and before bystanders could realize what was happening, Lawrence Wimer, 15 years old, was lying mortally wounded at his feet, a red flow from his heart marking the ebb tide of his life. Before an ambulance could reach the scene the boy was dead.

The crowd about the plaza was so great that even the reason for the morgue could not make its way through and during most of the time President Taft was at breakfast the body lay on the pavement not forty feet away. Some thoughtful person finally tore down two American flags from the decorations about the plaza and spread them over the dead boy's form. Morgan was arrested and held in the county jail tonight. He is utterly crushed and a heartbroken boy.

An interesting incident of the day was the declaration of neutrality over the El Chamazal territory, a part of the city of El Paso over which Mexico is contending for territory. The El Chamazal territory was formed when the Rio Grande river took one of its periodical spells of coarctation and changed its course a mile or two to the westward.

Interesting Dispute Arises. The contention of the American authorities is that this change was gradual and was due to natural accretion from the American side. The Mexican authorities contended that the change was due to an avulsion, or sudden change of course, and that the United States gained no additional territory by the shifting of the natural boundary line. The matter still is in dispute. It was agreed between the governments of Mexico and of the United States today that this territory, which lies on this side of the international bridge, should be regarded as neutral and that neither the American nor the Mexican flag should anywhere be displayed thereupon.

As President Diaz made his way through the Chamber this morning to visit President Taft the roadway was lined with American troops. As President Taft passed over the disputed ground to return the call the way was lined with Mexican soldiers.

The day's ceremonies began this morning when President Diaz, in a state carriage with gold hubs, gold-trimmed doors, black horses and six cockades, crossed the international bridge with an escort of soldiers. The main body of Mexican troops were left behind at the bridge entrance. The Diaz carriage was driven at a smart pace at the boudry by the American troops.

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Taft Testily Makes Answer to Doubters

New Mexican Speakers Regard Statement as Myths and President Disabuses Their Mind.

ALBUQUERQUE, Oct. 16.—In the closing minutes of the banquet, which was tendered to him here last night, President Taft took occasion to rebuke some local speakers who had made some rather testy remarks on the subject of statehood. They had expressed some doubt if the republican party really was going to grant statehood to New Mexico and Arizona, despite the earnest declarations the president had made on that subject.

They had argued and harangued for two hours, while the president sat patiently listening. Then he arose and declared that he was like a judge, he once knew who at the end of a long argument by counsel, remarked: "Mr. Wolfe, in spite of your argument, I am still with you."

Good Chance to Get Farm

One Person in Seven Slated to Draw One in Dakota at Present Rate of Registration.

ABERDEEN, S. D., Oct. 16.—(Special.)—From present indications the winner of a lucky number in the Cheyenne River and Standing Rock reservations will have about one chance in seven to draw a homestead. This is the lowest proportion since the lottery system of giving away public lands was devised. At the Spokane drawing nearly 100,000 people registered for 100 quarter sections. If the present rate is maintained about 75,000 people will register at all points for the 10,000 or more homesteads to be disposed of on the two reservations in the Dakotas.

Judge Witten yesterday finally decided to hold the drawing in the Gottschalk auditorium. A huge platform will be erected in the building, upon which all the envelopes containing the names of those who have registered will be deposited, and thoroughly stirred up. Then the little girls chosen for the purpose, will begin the work of selecting the winners, the first name drawn from the heap of envelopes being entitled to first choice in the drawing.

Danes Averse to Yielding

Request of American Society to Examine Cook Data May Be Turned Down.

COPENHAGEN, Oct. 16.—Local sentiment may be summed up as averse to granting the request of the National Geographic society of the United States that the United States of Copenhagen waive its claim to the first examination of Dr. Cook's North Pole data.

Prof. Torp, rector of the University of Copenhagen, personally appears disinclined to the American view. A consistory will discuss the matter Wednesday next.

SULTAN SAID TO HAVE SOLD RIF MINES

Report of German Purchase Which Would Make Serious Complication.

PARIS, Oct. 16.—The Matin's correspondent at Oran, Algeria, telegraphs that Moula Hafid, the sultan of Morocco, has sold the Rif mines, which were the cause of the trouble between Spain and the Moors on the Rifian coast, to a German company.

FERRIER TRIES TO END LIFE

Domestic Troubles Following Injury to Wyoming Ranchman May Result in Death.

SHERIDAN, Wyo., Oct. 16.—(Special Telegram.)—Later developments in the shooting affair on the F. P. ranch, twelve miles west of Sheridan, Thursday night, tend to confirm early reports. Andrew Ferrer, a prominent Scotchman, while mentally unbalanced, attempted suicide. Ferrer still is in a critical condition at the State hospital here and may not survive.

Lawrence Officer Shot by Young Bandit Successor to His Injuries.

LAWRENCE, Kan., Oct. 16.—Wilson Pringle, the police officer who was shot by Earl Bullock Monday after he had robbed the State bank at Eudora, died today.

BULLOCK'S VICTIM IS DEAD

(Continued on Second Page.)

HEARST PLAYED BY JUDGE GAYNOR

Democratic Nominee for Mayor of New York City Issues Statement Upon Editor.

DOES NOT ANSWER CHARGES

Stamps Recent Statements as Belowings and Lies.

BANNARD ATTACKS TAMMANY

Says His Forces Are Destructive and that Hall Rule is Crushed.

IVINS ALSO ISSUES STATEMENT

Denies Acting as Emisary of Richard Croker to Henry George and Offering Money to Bring About Lettier's Withdrawal.

NEW YORK, Oct. 16.—William J. Gaynor, democratic nominee for mayor of New York, spoke in Brooklyn tonight, dividing his time between heaping ridicule upon William Randolph Hearst, his independent opponent, and touching upon municipal issues. Otto T. Bannard, the republican nominee, delivered a series of addresses in New York proper. He avoided personalities and confined himself to a general attack on Tammany hall and an outline of what he expects to do if elected. Hearst did not speak tonight.

Gaynor's references to Hearst were along lines he has touched upon before, namely, the editor's attempt to obtain the presidential nomination, his race for governor of this state with Tammany's endorsement and the conduct of his newspapers. As in his former speeches the judge did not attempt to answer the charges that have been made against him, stamping them as belowings and lies that did not deserve a reply.

In his speech Mr. Bannard said: "Already we are closing in upon the enemy with unbroken front, and another day simultaneously performs a flanking movement most destructive. As surely as I stand before you, Tammany hall is crushed."

William H. Ivins, who ran for mayor against Hearst and McClean four years ago on the republican ticket, but who is supporting Hearst, issued a statement tonight denying that he acted as an emissary from Richard Croker, former leader of Tammany hall, to Henry George, in George's first campaign for mayor of this city, offering Mr. George \$5,000 to withdraw from the campaign.

Francis Lynde Stearns, at one time a law partner of Grover Cleveland, issued a statement tonight in support of Bannard's candidacy, but at the same time praising Hearst and criticizing Gaynor.

In the controversy between Mr. Hearst and Judge Gaynor, he said, "The editor appears to be a great advantage over the judge. The charges of Mr. Ivins against Judge Gaynor would assuredly never have been made by so responsible a man as Mr. Ivins against so prominent a man as Mr. Gaynor. If Mr. Ivins had not conclusive evidence as to the truth of his charges."

Dr. G. A. Fritch is Accused

Detroit Physician Held on Charge of Manslaughter in Connection with Death of Miss Millman.

DETROIT, Oct. 16.—A warrant was issued today charging Dr. George A. Fritch with manslaughter in connection with the death of Miss Mabel Millman, whose dismembered body was thrown into Ecorse creek, early last month. Dr. Fritch is in custody.

J. RAY WOLTZ HEAD OF CHICAGO AD CLUB

Man Whose Influence Helped Fix Next Convention at Omaha is Thus Honored.

CHICAGO, Oct. 16.—(Special.)—J. Ray Woltz, sergeant-at-arms of the National Advertising convention to be held at Omaha next September, was elected president of the Chicago Advertising association at its annual election. The vote was unanimous.

Heavy advertising men seem to be popular in Chicago. Woltz and his predecessor, William A. Stiles, being generally recognized as two of the biggest girth ad men in the country.

Woltz's election for the leadership of the largest ad club in America was predicted in a speech made by one of the Chicago delegates at the Louisville national convention last August. Woltz was chairman of the Chicago delegation and it was his vote on behalf of the Chicago club that swung the coming gathering of ad men to Omaha after the convention had been stormy by the Richmond, Va., representatives.

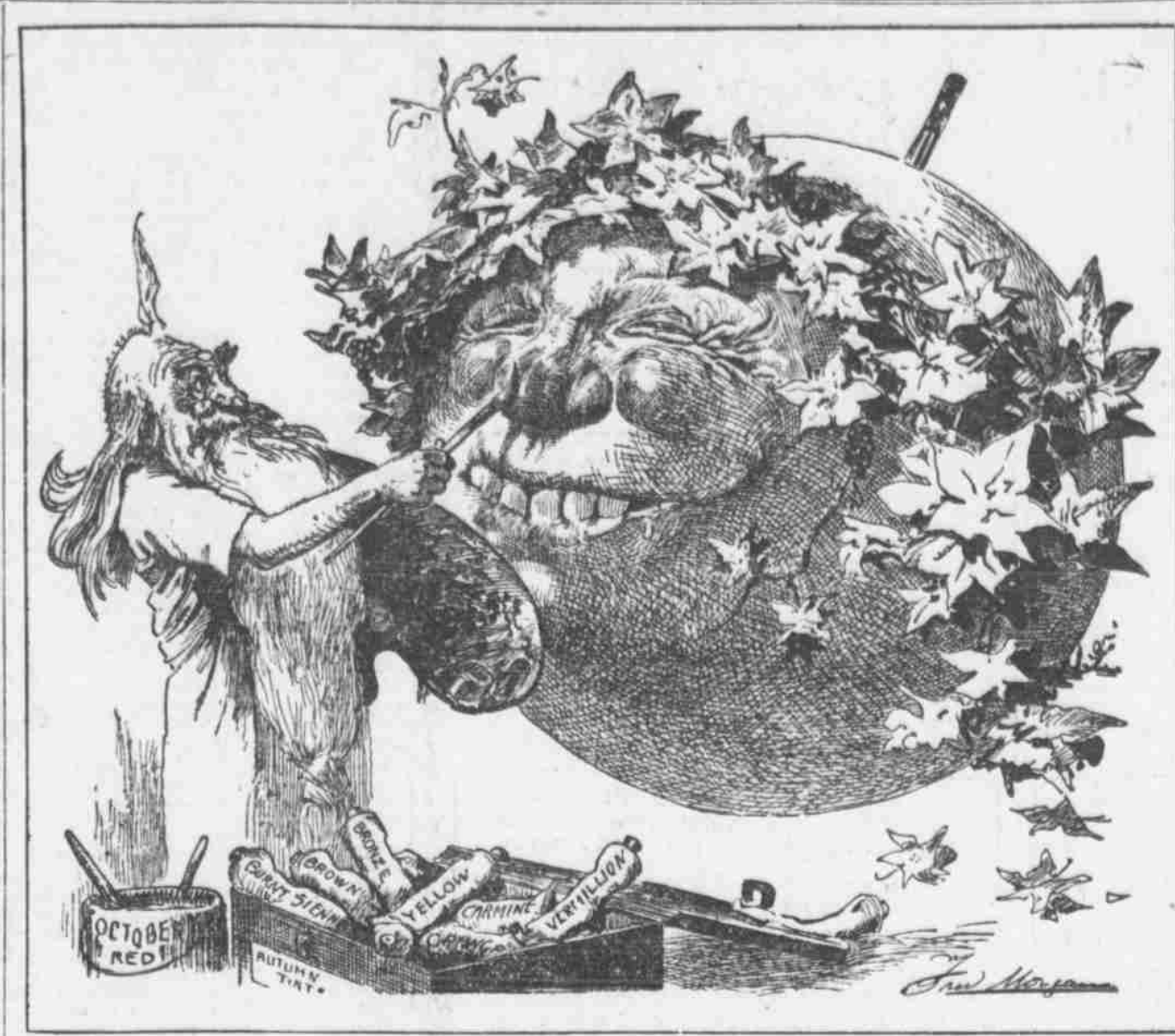
George W. Mason, Chicago manager of The Bee, was elected a director of the club, following his one-year term as secretary. Following are the officers elected: President, J. R. Woltz, president Farm Life Publishing company; first vice president, Charles E. Heller, advertising department Marshall Field & Co.; retail; second vice president, A. G. Langworthy, advertising manager Fairbanks, Morse & Co.; third vice president, Frank J. Reed, general passenger agent Monon road; financial secretary, M. B. Hart, auditor Long Critchfield corporation; recording secretary, H. Walton Hegstra, advertising manager Marshall Field & Co., wholesale; treasurer, Charles H. Taylor, advertising manager Directors-S. W. Barnes, Paper Mills company; Seth Brown, editor Commercial union; Richard S. Wood, western manager Street Railways Advertising company; William Black, president Black Manufacturing company; George W. Mason, secretary.

Happy Pioneer Breaks Down

Then Joseph Redman was called for, and started to read a manuscript telling of what he has seen in fifty or more years of close acquaintance with the lake and its surroundings. He told of the pioneer steamer Omaha bringing to that very shore a ready-made house half a century ago, and of how they brought out teams down from the village to haul it to a proper location for the residence of a justice of the supreme court of Nebraska. Several incidents of early days that have been long forgotten were given life again by Uncle Joe, much to the delight of a lusty band of pioneers who had gathered for the launching.

Presently the veteran started to speak of Mrs. Carter and her donations and plans, but the perspective of the years that are some since he first saw the scenes before him overcame the old pioneer. He endeavored to go on, but could not, finally folding his paper and muttering, "Well, that's all, boys."

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From the Philadelphia Inquirer.

NEW LIFE FOR OLD LAKE

Pioneers Gather on Banks of Cut-Off to See Boat Launch.

MAYOR DAHLMAN CONGRATULATES

Joseph Redman Christens Homely Hull that is Aid Strenuously in the Great Work Planned for Beautification.

An old man stood on a log holding in his right hand the end of a piece of line. The other end of the line was fastened to a blank wall of red and drab, and in the middle of the line, between the old man and the blank wall, there swung a slender bottle of wine. With the glee of a boy, the old man joked with those about him, and every now and again he would do a half picon-pong on the log and yell, "Let 'er go!"

Spreading out before the crowd that surrounded the old man lay a sheet of water, calm and glittering in the sunlight, with here and there a rowboat splashing along. The far shore was pastoral in every detail, with pastures and trees, and here and there a house peeping out. In the immediate foreground of the crowd about the jubilant veteran was a big hulk of a boat twenty feet long and thirty feet wide, from keel to deck line probably ten feet. Workmen were busy knocking blocks from under the stern of the brightly painted scow, which was about to be sent into the water with all the honors of a formal launching.

Two United States flags were flying aboard the boat, fastened between stanchions, and soon they were extended for perhaps a minute as the ungainly looking craft began to slide along the ways, and then slowly for her length out into the lake.

Wine Besspatters Name

Just as the receding boat began to pull the line taut, the old man raised his head and then let go with a mighty heave that smashed the bottle into fragments, spilling the wine over the circle on the stern of the boat within which appeared the words, "Big 5, Omaha."

"You forgot the words, Uncle Joe, you forgot the words!" somebody yelled, good naturedly.

"Well, I don't know as much about the kind of thing as you do," replied Joseph Redman, with a smile, as he stepped off the log and began shaking hands with everybody near him.

This was launched the big dredge that the generosity of Mrs. E. J. Cornish had loaned to the city. It was the great dredge that is to be used in the work that is to make Carter lake and park one of the show places of the western country. She gave \$50,000 outright for acquiring land and is giving \$10,000 a year for five years to see the work through to a finish.

WESTERN MATTERS AT CAPITAL

Rural Carriers and Postmasters Appointed in Iowa—One Clerkship Filled.

(From a Staff Correspondent.) WASHINGTON, Oct. 16.—(Special Telegram.)—Rural carriers appointed for Iowa routes: Kalona, route 2, John A. Kirkpatrick, carrier; no substitute. Muscatine, route 2, Albert L. Dream, carrier; no substitute. St. Charles, route 2, Arthur V. Bean, carrier; no substitute. Ansonia, route 1, Porter C. Hoffa, carrier; Milton H. Gibbs, substitute.

George B. Garrison has been appointed postmaster at Quasqueton, Buchanan county, Iowa, vice Kittie Johnson, resigned.

Harry E. Roberts of Webster county, Iowa, has been appointed a clerk in the Southern Ute Indian school in Colorado.

CITY EMPLOYEES ARE OVERPAID

Auditor of Des Moines Makes Report on Result of Checking City Books.

(From a Staff Correspondent.) DES MOINES, Oct. 16.—(Special Telegram.)—A report by Auditor Hawks, filed with the city council today, shows that eight men have been overpaid in the department of Councilman J. Wesley Ash and that \$19.50 has been collected by cemetery employees more than has been turned into the city treasury. Complaint is also made that the appropriation book prepared by the auditor has not been used. A former report charged that the city had been defrauded of \$20 by John M. Stewart of the same department, and was turned over to claim agent Fred Williams, who advised that the suit be started to recover the money.

Mrs. Harry Olsen, aged 22, swallowed a quantity of carbolic acid, thinking it was medicine. She will probably recover.

In reporting to the Lutheran synod today the committee on colleges recommended that no young man be ordained if he married before his ordination. The report was adopted. Four years of college and three of seminary are required and during that time the young man must eschew all love affairs.

Rev. H. M. Leech of Dubuque was elected president of the Iowa Lutheran synod. Other officers were elected as follows: Secretary, Rev. W. Luther Bright, Fairfield; treasurer, W. H. Bailey, Iowa City; statistician, G. W. Snyder, Council Bluffs. The retiring president, Rev. J. A. McCulloch, yesterday recommended that a laymen's movement be started in connection with the English-speaking Lutheran churches of the state to hold annual conference with the synod.

NEW TRIAL GRANTED IN NIGHT RIDER CASE

Federal Judge Orders that Henderson Case Come Before Jury for Second Time.

CINCINNATI, O., Oct. 16.—Federal Circuit in Covington today granted the motion for a new trial in the so-called "Night Rider" case of W. S. Henderson, formerly of Bracken county, against Vachel Jordan and others. Henderson sued for \$50,000 damages against the men who are alleged to have forced him from Kentucky.

RUMOR OF ASSASSINATION PROVES TO BE UNFOUNDED

No Confirmation at London of Report at Paris of Death of King Alfonso.

LONDON, Oct. 16.—There is no confirmation whatever here of rumor telegraphed from Paris, that King Alfonso has been assassinated.

POSSES PURSUE ROBBERS

Men Who Dynamited Kansas Bank Are Fleeting From Officers in Automobiles.

SCOTTSVILLE, Kan., Oct. 16.—Robbers here today dynamited the State bank and escaped with \$1,500. Posses with bloodhounds took up the pursuit in motor cars. AYOON, Minn., Oct. 16.—Three robbers entered the Bank of Ayoon early today and blew open the safe. They secured \$1,700, stole a team and drove to the village of Huldendorf, where they boarded a freight train and made their escape.

WILL TEACH BIBLE BY MAIL

Sunday School Workers Plan Correspondence Instruction.

DR. BLAKE SAYS LOOK TO BOYS

Youth Must Be Used to Plug Up Leaky, Says Speaker at Conference Who Advocates Gymnasiums and Sports.

The establishment of a correspondence school for the training of Sunday school teachers is the latest enterprise undertaken by the Board of Sunday Schools of the Methodist Episcopal church.

Dr. Edgar Blake touched upon this matter briefly during his address at the First Methodist church yesterday morning, but it was elaborated upon by Dr. D. G. Downey, secretary of the board, at the afternoon session. The plan embraces a series of text books for the training of teachers. These books are published by the Board of Sunday Schools and are now being introduced into the various Sunday schools of the Methodist church.

Dr. Downey's address dwelt largely upon the elaboration of the adult Bible class, which he felt should be made a great and active power in the church and should remain an integral part of the Sunday school as an inspiration to maintain the integrity of the Sunday school and thus prevent its leakage.

Men's Classes Give Best Results. "The Bible is, and ought to be, the main text book of the adult Bible class and of the Sunday school," said he. "The Barcan movement has nothing to offer that the adult Bible class of the Methodist Episcopal church does not offer. As a general rule the men's classes give the best results, though I would not wish to be understood as discouraging the mixed adult classes."

Rev. H. W. Mahood of Sioux Rapids, Ia., presided at the afternoon session, and President Freeman conducted the Bible exposition, his theme being "Fellowship."

"There can be no fellowship between two human beings whose essentials are unlike," said he. "You can have fellowship with God, because we are like God. We cannot lift ourselves up to Him, but He can adapt Himself to us."

The afternoon session closed with a short address by J. R. Orr, field representative of the northwest agency of the American Bible society, who told briefly of the work of the society in this territory.

Kindergarten Work Shown. Miss Edna Dean Baker gave an interesting class demonstration of "The Kindergarten at Work" in the lecture room at the close of the session. The class consisted of about fifty children of ages from 3 up to 10. The exercises were varied, including music and object lesson queries and answers from the children. In the class were representatives from all walks of life, and the same gentle and kindly interest was shown the lowliest that was given to the highest.

The preacher must take off his collar and get down with the boys if he expects to reach them. "The gymnasium and athletic sports, honestly and cleanly conducted, offer the best opportunity for the church to get hold of the youth."

BANK GUARANTY LAW KNOCKED OUT

Federal Court Says Bill Enacted by the Last Democratic Legislature is Void.

VANDEVENTER AND MUNGER SIT

Injunction Restraining Governor and Board is Permanent.

STATUTE VOID ON TWO POINTS

Cannot Prohibit Private Banks from Conducting Business.

GUARANTY FUND IS ILLEGAL

Contravenes Constitution in Taking Property Without Owner's Consent and Without Just Compensation.

(From a Staff Correspondent.) LINCOLN, Oct. 16.—(Special.)—The federal court has made perpetual the temporary restraining order against Governor Shallenberger and members of the State Banking board, preventing them from enforcing the provisions of the guaranty banking law enacted by the recent legislature at the urgent request of Mr. Bryan. Circuit Judge Willis Vandevanter and District Judge Thomas C. Munger filed the decree late this afternoon, holding the law unconstitutional, being in violation of the constitution of the United States and of the state of Nebraska.

The court holds the provisions which forbid an individual from engaging in the state banking business without incorporating in violation of the fourteenth amendment to the federal constitution, and section 3, article 1, of the Nebraska constitution as it is the enforced contributions to the guaranty fund.

Inasmuch as these two features of the law were inducements to the passage of the act, the court held the entire act is invalid. The decree makes the temporary injunction perpetual and taxes the costs of the case to the defendant. Governor Shallenberger and the members of the State Banking board and the secretary to the banking board appointed by the governor, Samuel Patterson, who never served.

Syllabus of the Case. The syllabus in the case is as follows: 1. Constitutional Law. Due Process of Law. Banking. Guaranty Fund. The Nebraska act of March 22, 1909 (Law No. 100), which prohibits individuals from engaging in the banking business, unless they do so through the agency of a corporation, and which also enforces contributions from time to time to a depository's guaranty fund to be employed in the payment of the claims of depositors of any bank which shall become insolvent, is in conflict with section 1 of the fourteenth amendment to the constitution of the United States, which provides: "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law," and in conflict with section 3, article 1 of the constitution of Nebraska, which declares: "No person shall be deprived of life, liberty or property without due process of law," and therefore is void. 2. Same. Void provision, when inducement to passage of act, renders entire act invalid.

The provisions of the Nebraska act of March 22, 1909, supra, which prohibit individuals from engaging in the banking business, unless they do so through the agency of a corporation, and also condition the right to enforce that constitution in that form upon the making of enforced contributions from time to time to a depository's guaranty fund, are in conflict with that section of the constitution of the United States, which provides: "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law," and in conflict with section 3, article 1 of the constitution of Nebraska, which declares: "No person shall be deprived of life, liberty or property without due process of law," and therefore is void. 3. Same. Void provision, when inducement to passage of act, renders entire act invalid.

The late democratic legislature and it was the real feature of the Bryan campaign in Nebraska. When the legislature convened it was soon discovered that the members realized their inability to frame a law which would stand the test of the courts and Mr. Bryan was called upon for assistance. He filed with the governor his ideas of what should be embodied in the bill and then left the state.

The legislature finally employed Judge J. L. Albert of Columbus at a cost to the state of \$20,000. When the bill was passed Judge Albert had done the work a banking committee of the house and senate proceeded to make several changes in the measure over the objection of Judge Albert, who, it was said at the time, had remarked: "I have stretched the constitution as far as I dared stretch it."

It was only by making a compromise with Frank Hanson, the democratic boss of the senate, in which the stock yards was left out of the physical valuation bill, that the democratic bosses were able to whip the bill through the upper branch of the legislature.

It finally received the signature of Governor Shallenberger, who appointed his bank examiners and a new secretary to the board. When the time arrived, however, for these officials to take their positions, the First State bank of Holstein and others secured a temporary injunction to prevent the enforcement of the law.

While a demurrer was filed to the petition of the plaintiffs the court heard the case on its merits, John L. Webster and William V. Allen, former populist United States senator, opposing the law and L. H. Albert and C. G. Weldon, defending, these attorneys having been employed by some of the bankers who desired the law upheld. Attorney General Thompson assisted the defense.

No Extra Session. Governor Shallenberger, after reading the decision, said he saw no recourse except to appeal the case to the supreme court of the United States. Under the decision, he said, the legislature could not pass a guaranty bill which would meet the test and therefore there was nothing to be gained by calling an extra session.

When the case was under consideration the governor said if the opinion went out the weak spots in the law providing it was held unconstitutional, in such a way they could be corrected in a new act, he would call an extra session. Since then the democratic state convention recommended the calling of an extra session for the ratification of the income tax amendment to the federal constitution.

WEBSTER DISCUSSES DECISION. Attorney Pleaded, but Not Surprised, He Says, by Railing John L. Webster, the attorney representing the Nebraska bankers opposing the