

Separate Hearing Granted One Defendant at Harrisburg.

Harrisburg, Pa., Jan. 28.—The feature of the trial of the capitol prosecutions in the Dauphin county court before Judge Knobel was the agreement of the commonwealth to a separate trial for Architect Joseph M. Huston. The commonwealth objected to the motions of Huston's four co-defendants for separate trials, which motions were overruled by the court. The action of the commonwealth in agreeing to a separate trial for Huston has given rise to a rumor that the archi-



JOSEPH M. HUSTON.

tect will turn state's evidence and tell all he knows of the alleged frauds in the furnishing of the new capitol.

Counsel for the commonwealth decline either to affirm or deny this rumor. George S. Graham of counsel for Huston said that it was not unusual for the court to grant a severance in conspiracy cases.

The alacrity with which the commonwealth agreed to a separate trial for Huston evidently was a surprise to the attorneys for the defendants, Contractor John H. Sanderson, former Auditor General William P. Snyder, former State Treasurer William L. Mathews and James M. Shumaker, former superintendent of grounds and buildings.

Neither Huston nor Shumaker appeared in court. Shumaker was excused on the plea of his counsel that his physical condition is such that he cannot stand the strain of sitting in the court room all day.

Sanderson, Snyder and Mathews were in court and consulted frequently with their attorneys while the jury was being selected. The entire day was taken up with the futile efforts of the attorneys for the four defendants to obtain separate trials and the completion of the jury.

DECISION ON UNION LAW

Act Prohibiting Railroads from Discriminating Unconstitutional.

Washington, Jan. 28.—The constitutionality of the act of congress of June 1, 1898, prohibiting railroad companies engaged in interstate commerce from discriminating against members of labor organizations in the matter of employment was called into question by the case of William Adair vs. the United States, which was decided by the supreme court of the United States favorable to Adair. The opinion was by Justice Harlan and held the law to be repugnant to the constitution.

The court held that Adair, as master mechanic of the Louisville and Nashville Railroad company, had a right to discharge an employe because he was a member of a labor organization just as it was the employe's right to quit such employment because of his membership in such organization. Such a course, the decision says, might be unwise, but regarded as a mere matter of right, there could be no doubt. Congress could not under the constitution authorize a violation of contracts under the guise of protecting interstate commerce.

Judge McKenna delivered a dissenting opinion favorable to the law, in which he said the court's decision is along very narrow lines.

Bryan Meets Senators at Dinner.

Washington, Jan. 28.—Senator Newlands of Nevada gave a dinner last night in honor of William Jennings Bryan, who is a guest of the senator at Woodley, his country residence. Those invited to the dinner were one-half of the Democratic members of the senate. Senator Newlands has arranged for a similar dinner this evening, when the other half of the Democratic senators will be invited. Senator Newlands said that no political significance attaches to the dinner. He added, however, that Democratic policies in matters of legislation might be discussed.

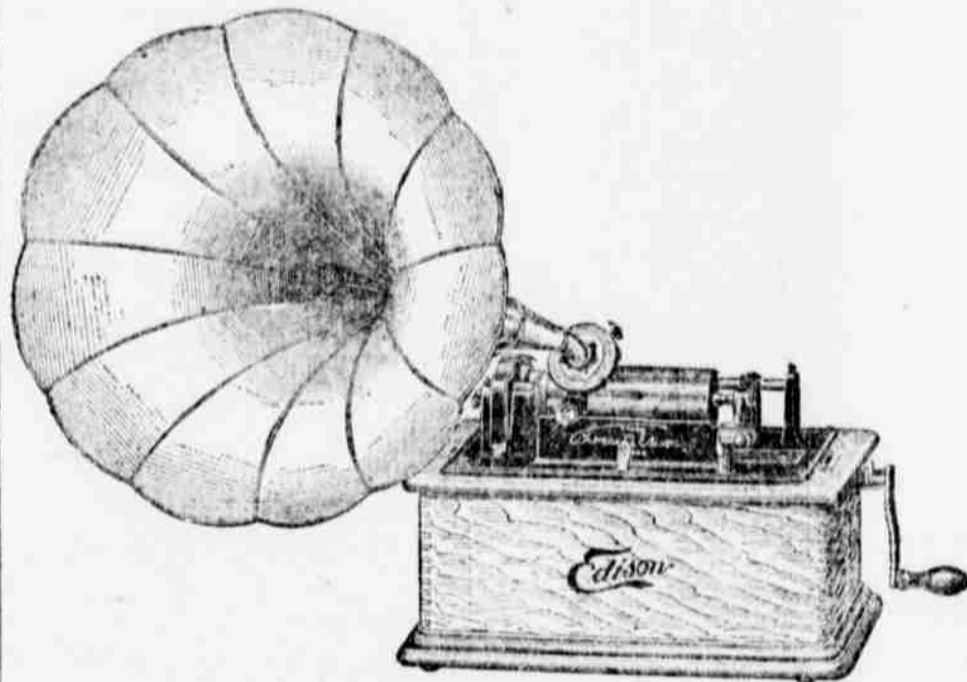
Sutton Defeats Morningstar.

New York, Jan. 28.—George Sutton of Chicago defeated Ira Morningstar of New York for the championship of the world in 18.2 inch balk line billiards, in a sixty-seven inning contest, by a score of 500 to 309, at the Lenox Lyceum.

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NEWS OF NEBRASKA.

WAYNE OFFICERS ACCUSED

Governor Sheldon Asked to Remove Them Under Liquor Law.

Lincoln, Jan. 24.—Governor Sheldon has been called on to remove from office three councilmen of Wayne because they refuse to revoke a saloon license where the holder of the license has been convicted under the Slocumb law and fined. The law provides that where an offense of this kind is proved, a saloon man is entitled no longer to his right to do business. The governor is brought into the case through the new law which permits him to remove officers heretofore in duty.

Last June Peter Thomsen of Wayne was fined \$20 on each of six different counts for selling liquor to minors. The case was appealed, but was thrown out of the district court and the judgment stands against Thomsen. Jan. 13, the Anti-Saloon League requested the city council of Wayne to revoke the Thomsen license. By a vote of 3 to 2 the motion to revoke was tabled. Councilmen Craven, Chase and Neely, who constitute the majority of the council, are the members whose positions now depend upon the will of the governor.

The Wayne officials have sent in a request for a hearing, which will be granted them. Application to the governor was made by Elmer E. Thomas of Omaha.

ELEVATOR CASE IN COURT

Missouri Pacific Attacks Authority of Nebraska Railway Commission.

Lincoln, Jan. 24.—In the federal court, before Judge Thomas C. Munger, the Missouri Pacific railroad attacked the authority of the Nebraska railway commission to regulate the business of transportation lines. The question at issue is whether the commission can compel the railroad to provide elevator sites and build side-tracks and switches. The commission has claimed the power and has ordered construction. J. W. Orr of Atchison, of counsel for the railroad, asserted that the federal statutes gave the interstate commerce commission exclusive control over switches and terminals from which any interstate traffic moves. He said there could be no divided authority. The

State, through Attorney General Thompson, moved to vacate the temporary restraining order, but the argument was not completed.

HOMESTEADER DEAD IN WELL

I. W. Thomas, Found by Son, Victim of Mysterious Accident.

North Platte, Neb., Jan. 27.—I. W. Thomas, a homesteader living eleven miles southwest of here, lost his life while trying to thaw pipes in a well. In the morning he went out with a cloth saturated with kerosene. This he intended to light and throw into the well around the pipes to thaw them. He did not return and at noon his son went to the well and found him standing upright in the shallow well, with his head about even with the surface of the ground. His clothing and hair were burned and his body somewhat charred. A scar was found on his head. Just how he met death is not known. It is surmised he climbed down into the well, lighted the rags and then some board from a windmill struck him and rendered him unconscious.

Mohler Denies Political Move.

Omaha, Jan. 27.—Vice President Mohler of the Union Pacific railroad denied that the heavy reduction to be made in the railroad's mechanical force was a political move, directed at the present national administration. The conversation with him, quoted in a local paper, declaring that the president's "mania for reform" was responsible he declared to be only his personal opinion, not given out for publication. This conversation indicated that the company would work with a reduced force so long as the president's activity against corporations continues.

Indians Sue for Land.

Lincoln, Jan. 27.—Seven persons, claiming to be descendants of Margaret Murphy, a member of the Sac and Fox Indian tribe, began suit in the federal court here to establish their claims to Indian lands located in Richardson county, Nebraska, and Brown county, Kansas. The claimants, in a previous effort, were excluded by an order of the interior department, largely because they were unable to prove their relationship. The plaintiffs allege they are part blood Indians and that their claim is valid.

Upholds Deficiency Judgments.

Lincoln, Jan. 24.—The Nebraska supreme court rendered a decision that deficiency judgments can be enforced in this state. The court holds that the legislative enactment at the session of 1897, to prevent deficiency judgments, was illegally passed and is void. There has been much litigation since the passage of the act, brought largely by eastern security holders.

Voter Will Be a Candidate.

Hartington, Neb., Jan. 25.—Hon. Frank H. Voter of Laurel, a member of the state legislature from Cedar county in 1904, has announced his intention to be a candidate before the convention of the Third congressional district for delegate to the Chicago national convention. Mr. Voter is strongly pro-Taft in his sympathy.

Nebraska Wins at Basketball.

Lincoln, Jan. 24.—The University of Nebraska defeated Highland Park college of Des Moines at basketball by a score of 51 to 23.

State Kills Charity Board.

Omaha, Jan. 28.—That the Nebraska board of charities and correction, created by law, has been chloroformed by the legislature and state administration, was the news brought to the session of the eleventh annual conference of charities and corrections, which was held at the Rome hotel, by Rev. Joseph Reusing, president of the conference.

Nebraskan Found Dead in Room.

Chicago, Jan. 24.—O. E. Cummings of College View, Neb., a publisher, was found dead in his room in the Briggs house. Death is believed to have been caused by heart disease.

Charles W. Seymour is Dead.

Nebraska City, Neb., Jan. 25.—Charles W. Seymour, one of the best known attorneys in the state, died at his home in this city, aged sixty-nine years.

Uprising in Honduras.

Washington, Jan. 28.—Rumors of an uprising or invasion in Honduras have reached the state department. Details are lacking, but it is believed that the leaders of the movement are persons who were driven out of Honduras into Guatemala during the last revolutionary outbreak.

GOMPERS DEFIES COURT ORDER

Criticises Editorially Decision in Buck Stove and Range Case.

Washington, Jan. 25.—Although enjoined from making any reference to the controversy between the American Federation of Labor and the Buck Stove and Range company, President Samuel Gompers, in an editorial in the current issue of the American Federationist, comments on Justice Gould's recent decision at great length and declares a purpose not to comply with all its terms. "It is an invasion of the liberty of the press and the right of free speech," declared Mr. Gompers. "We would be recreant to our duty did we not do all in our power to point out to the people the serious invasion of their liberties which has taken place. That this has been done by judge-made injunction and not by statute law makes the menace all the greater.

"The matter of attempting to suppress the boycott of the Buck Stove and Range company by injunction, while important, yet pales into insignificance before this invasion and denial of constitutional rights. We discuss this injunction and feel obliged, as a matter of conscience and principle, to protest against its issuance and its enforcement, yet we desire it to be clearly understood that the editor of the American Federationist does not consider himself thereby violating any law of either state or nation nor does he intend or advise any disrespect toward the courts of our country. And yet inherent, natural and constitutional rights and guarantees must be defended and maintained."

Mr. Gompers states that the services of some of the foremost lawyers in the country have been secured and that the case will be carried to the United States supreme court.

Second Receivers Appointed.

Chicago, Jan. 28.—For the second time within a month receivers have been appointed for the Chicago and Milwaukee Electric Railroad company. Judge Grosceup, in the United States district court, made the appointments on application of interests which are said to be favorable to the present management of the company. A receiver was also named for A. C. Frost & Co., a banking firm which has financed the road's bond issues.