

NEBRASKA NEWS

FIRST CONVICTION UNDER PURE FOOD LAW.

RAYMOND DEALER CINCHED

Convicted of Selling Butter in Package Form Which Was Shy Two Ounces.—Other News of the State.

Food Commissioner J. W. Johnson is giving cold comfort to the concerns and individuals who desire to short-weight the consuming public. In many instances manufacturers have pleaded to be let alone on the theory that to conform to the provisions of the Nebraska law would mean that they would be put to large expense to change weighing machinery so that the net weight of the package would be found. The commissioner always replies that the law says the net weight must appear; that the consumer has the right to know exactly what he is getting. When a man lays down the "price" he has no way of "cheating." The money is in plain sight. It is only justice that he know to a certainty what he is getting.

The first conviction under the new law was made in Lincoln when Fred Schweitzer of Raymond was fined \$25 and costs for having stretched fourteen ounces of butter into a pound. Schweitzer, through his attorney, W. W. Morning, gave notice of an appeal, and offered an appeal bond of \$100.

This is the first time any one has been fined for violating the state pure food law that was passed last year. Heretofore all the time of the commission has been spent in investigation and in giving warnings to offenders.

The case was originally started on complaint of Commissioner J. W. Johnson who found through his inspector that this Raymond firm was making a pound out of somewhat less than that amount of butter. The case was prosecuted by the county attorney to try to put an end to the evasion of the law. It developed into a test case to see what the law in the case is. The attorney for the defendant declared that the law plainly said butter must be labeled correctly if labeled at all. The prosecution said that the construction of the law would have all butter labeled, and correctly. On this point the controversy hung. The defense admitted the truth of all the inspector charged. Schweitzer had sold short weight butter in plain wrappers. But was it a crime under the new law?

ACCEPTS THAYER MONUMENT.

Dedication October 27—General Cowin Will Speak.

The monument erected by the state to the memory of Gen. John M. Thayer has been accepted by the legislative commission and dedicatory services will be held at Wyuka, Lincoln, probably Sunday, October 27, at which time Gen. John C. Cowin will deliver an address. Governor Sheldon will also speak if he returns from the south in time.

Inspection of the monument was completed by the legislative commission comprising O. C. Bell, C. N. Baird, C. M. Parker, J. B. Strode and F. A. Truell. Major Ernest H. Phelps as a representative of the governor and Assistant Adjutant General A. M. for the department of the Grand Army were present. The inspectors were unanimous in agreeing that the work was according to contract and that the monument, while modest in expense and ornamentation, is one of the handsomest in Wyuka. Chairman Bell of the commission was instructed to report the acceptance to the state and to draw from the state treasury the money to pay the contractors.

Hayward Named as Chairman.

By a vote of 16 to 13 the republican state central committee selected William Hayward of Nebraska City chairman at a meeting held in Lincoln. J. Warren Kelfer, jr., his opponent was later chosen vice chairman. After three ballots for secretary, Frank P. Corrick of Lincoln, but recently of Cosad, Dawson county, was elected secretary. Harry Lindsay was chosen treasurer and financial agent.

Crop Conditions at Wilcox.

One inch of rain fell at Wilcox which puts the ground in fine shape. Most of the winter wheat has been sown and will now come up at once. Fully as large an acreage is being sown this fall as was sown last year. Corn is only fair but will make ten to twenty-five bushels per acre, but there is lots of old cold in the country yet, so farmers are in shape to carry through all of their stock. Alfalfa and hay are both good crops.

PRIMARY FIGHT IN COURTS.

Mandamus Case Started at Dakota to Place Names on Ticket.

Thomas Sullivan, jr., of Jackson, a former county commissioner of Dakota county and for years prominent in Dakota City democratic politics in the county, through his attorney, Paul Fizey, of Dakota City, has filed his application in the district court asking for a writ of mandamus to compel W. L. Ross, county clerk, to place the following names on the official ballot to be voted at the coming November election: Treasurer, John Kruger; clerk, Mike Boler; judge, J. J. McAlister; clerk of district court, Paul Fizey; commissioner, Charles Ostmyer; assessor, Carl Larsen. At the recent primary election the democrats had but two candidates—sheriff and county superintendent of schools—who complied with the provisions of the new primary law in filing their nominations with the county clerk and paying the prescribed fee with the treasurer. The democrats of St. John's precinct, in which Jackson is located, and which is the strong democratic precinct of the county, evidently caucused together and at the primary election wrote the above names on the tickets they voted to the number of about eighteen, which was a sufficient number to nominate them, provided the method was legal. County Clerk Ross refused the demand of Mr. Sullivan to place the names so voted for on the November election ballot as the democratic nominees, and it is now sought to compel him to do so by the courts. The matter is set for hearing October 7, before District Judge A. A. Welch, of Wayne, who is officiating as judge in place of Judge Guy T. Graves, upon request.

ASPHYXIATED IN BATH ROOM.

Mrs. Hiram Huntington Found Dead at Her Home in Lincoln.

Asphyxiated and lying in the bath tub at her home, 800 F street, Lincoln, the lifeless body of Dora Huntington was found by her husband, Hiram Huntington, who had just returned from his work. Gas was escaping from a faulty jet and so strong were the fumes in the little bath room that the frightened husband hurried out of the house almost immediately after making the discovery. Near neighbors were summoned and an examination of the woman was made, pending the arrival of Dr. Graham, who had been called. Efforts by neighbors were made to restore the woman, but she was dead.

Verdict Against Railroad.

For the third time the supreme court has handed down an opinion in the case of John F. Parkins versus the Missouri Pacific company and has again affirmed a judgment of \$7,468.09, obtained by the plaintiff in the district court of Sarpy county. This action was based upon a contract entered into in 1892 under the terms of which Parkins was to furnish to the defendant 50,000 cubic yards of gravel for ballast purposes, the same to be loaded on the cars at Springfield and approved by the defendant's superintendent. While there still remained 28,816 yards to be delivered, the defendant decided that the gravel which was being delivered was not suitable for ballast and declined to receive any more.

Golden Wedding Anniversary.

W. R. Smith and wife of Valentine celebrated their golden wedding anniversary at their home Oct. 3. Mr. and Mrs. Smith were married in Keokuk, Iowa, Oct. 2, 1857. They have lived in many places and made warm friends. This is the first time the Smith family has been together for twenty-two years. Mrs. J. C. North-up of Valentine is a daughter of Mr. and Mrs. Smith. The aged couple are still enjoying the best of health.

Wreck on Missouri Pacific.

One of the Missouri Pacific's extra work trains, which was on its way to Union, left the track at a small bridge south of Murray. The accident was due to a defective condition of the bridge, but none of the cars were dinged and none of the trainmen injured. The wreck blocked the line for over twelve hours.

Bill for Maps.

A bill for \$1,257 for 20,000 maps of Nebraska ordered by the railway commission has been presented to Clerk Frazier of the state printing board. The bill is according to contract and will be approved. The maps are in nine colors and the cost of preparing the copy or drawing is included.

Serious Accident at Ravenna.

John Huryta, a young farmer living south of Ravenna, met with a very serious and painful accident. He was driving a four-horse team which became entangled and overturned the wagon. The shin bone was torn loose at the ankle joint and it is very probable that he will lose the use of his leg permanently.

UNCLE SAM—"GREAT SCOTT! THERE'S THAT WU AGAIN! JUST AS I'M GETTING CARELESS AND COMFORTABLE!"



NO MORE KANSAS PASSES

Those Outstanding Will Be Honored But None Issued.

With the Advent of Two-Cent Fares the Deadhead List is to be Reduced.

Topeka, Kan.—In accordance with the announcement made some time ago orders are being issued by the Kansas railroads cutting off all free transportation after Saturday except that now outstanding. N. H. Loomis of the Union Pacific received the notice Friday that beginning Saturday his road would obey the Kansas anti-pass law as if it were in effect now instead of January 1.

Passes will be issued to employees of the company and of other companies and to the families of the employees, to persons hurt in accidents, to physicians going to wrecks or calamities and to the members of the board of railroad commissioners. The order says that all annual, time and trip passes will be honored until the expiration of the pass, as shown on the pass itself. The attorneys and officers are given strict instructions not to issue other passes after October 5. Since the roads decided to put the two-cent fare into effect all passes issued since then have been dated to expire October 5.

LAKES TO THE GULF.

Deepwaterways Convention Developed Enthusiasm for "Fourteen Feet Through the Valley."

Memphis, Tenn.—W. K. Kavanaugh, of St. Louis, president of the Lakes-to-the-Gulf Waterways association, called the second annual meeting of that body to order here Friday.

Delegates from all sections of the South, North and West were in attendance, and several notable addresses were made. The slogan, "fourteen feet through the valley," has become popular and every speaker went on record for a deep water channel up the Mississippi river.

Among the delegates are governors of 14 states, United States senators and representatives.

Friday's sessions were taken up with organization and speeches. Besides the address of President Roosevelt, W. K. Kavanaugh, of St. Louis; Lyman E. Cooler, of Chicago, and Congressman Joseph E. Ransdell, of Louisiana, delivered speeches. Mr. Ransdell, who is president of the National River and Harbors' congress, said that the deep channel was a necessity, but the only way to get it is to build up a wise, generous national policy of public improvements which will rapidly develop to their utmost capacity all our waterways on the seaboard, on the lakes, and in the interior.

New Mexico Wants Statehood.

Cairo, Ill.—Gov. Curry of New Mexico, who spent Wednesday night on the boat with President Roosevelt, said Thursday: "The president authorized me to say that he is for statehood for New Mexico alone and will do all he can to secure the passage of a single statehood bill." The governor added that the bill will be introduced and crowded at the next session of congress.

North Dakota Bank Looted.

Fargo, N. D.—The state bank of Dickey, Lamoure county, was burglarized early Friday morning by yeg-men who secured \$3,900 in cash from the safe.

CUBANS ARRESTED.

Generals Parra, Ducassi and Miret Charged With Leading Conspiracy to Start Revolution.

Havana, Cuba.—The secret police early Thursday arrested Gen. Masso Parra and a little later took into custody Gen. Juan Ducassi and Gen. Lara Miret, charged with conspiring against public order.

Gen. Parra is the alleged leader of the conspiracy to start a revolution against the Americans in Cuba with the use of funds supplied through some form in New York. Simultaneously with the arrival of Parra at Havana three Santo Domingans, well known on account of their previous revolutionary records, also arrived.

It is known that the conspiracy was hatched in New York by Americans whose names, it is said, are in the possession of the United States government and it is stated that the leaders here were professional revolutionists hired for the job, which it is believed will result in a fiasco.

Gov. Magoon, however, is amply prepared with 5,000 American soldiers and 6,000 rural guards to crush any movement.

Telegraph Companies to Court.

New York.—The Western Union Telegraph company and the Postal Telegraph company were ordered Wednesday by Justice Ford of the supreme court of New York state to show cause on Friday why the state attorney general should not be permitted to sue them for forfeiture of their charters on the ground that they have formed a combination to increase telegraph tolls. Attorney General Jackson, in his application alleges that the combination was made January 1, 1907, and that a new and increased schedule of rates was put into effect and that the companies agreed to maintain joint offices, at certain points and divide the profits of business received therein.

No War With Japan, Says Taft.

Tokio.—Secretary of War Taft aroused the wildest enthusiasm and loud cheers when, in the course of his speech at the banquet given in his honor by the municipality of Tokio and chamber of commerce, he declared that war between the United States and Japan would be "a crime against modern civilization and as wicked as it would be insane," adding that neither people desired it and that both governments would do their utmost to guard against such an awful catastrophe. The secretary spoke with intense earnestness, after careful deliberation and preparation.

Dust Carries Disease.

Atlantic City, N. J.—Improvement of public highways was recommended by the American public health congress Thursday as the most important step toward the elimination of disease, disseminated through the agency of dust germs. Assistant Director A. L. Cushman of the public roads bureau department of agriculture declared the introduction of the automobile has tremendously increased the death problem. Methods of preserving country macadamized roads by a cheap emulsion of tar oil and chemicals was recommended.

Will Call Convention.

Memphis, Tenn.—President Roosevelt in his speech here Friday announced that he would call a convention to be held in Washington, January 3, next, to advocate the preservation and conservation of the natural resources of the country including coal, water power, oil, etc.

SENATOR BORAH NOT GUILTY

He Was Acquitted at Boise of Conspiracy to Defraud.

The Case Was Submitted Without Argument by the Defense and Jury Took But One Ballot.

Boise, Ida.—United States Senator William E. Borah Wednesday night was acquitted of the charge of conspiracy to defraud the government out of valuable Idaho timber lands. The case was submitted without argument on the part of the defense and the jury was out just long enough to take one ballot. The verdict was greeted by cheers and applause which the court officers made no effort to restrain. This demonstration in the court room served only as a beginning. As soon as the news reached the outside bells were rung and the city fire department made a spectacular run through the principal streets, stopping eventually at the Idaho hotel where Senator Borah, surrounded by several hundreds of his fellow citizens, was escorted.

A brass band appeared as if by magic and as the senator reached the hotel steps, played "hail to the chief." The streets about the hotel were blocked by the cheering throng, whose shouts mingled with the screech of the fire engine whistles and clang of trolley car bells. Senator Borah thanked his hearers for their demonstration and the confidence they had reposed in him throughout the trial.

At the Indiana hotel a demonstration for Senator Borah was introduced by James B. Hawley, counsel for the defense. Mr. Hawley declared the indictment and trial of Senator Borah on the flimsy evidence brought before the jury was "the most damnable outrage and iniquity ever perpetrated in the guise of justice."

Purchase Tickets in Kansas.

Topeka, Kan.—G. F. Grattan, attorney to the railroad board Friday issued an appeal to the traveling public to purchase tickets before boarding trains. It also contained a veiled threat that unless this is done the board will authorize the roads to charge more per mile when cash is paid. The board fears the payment of cash fares on trains will tend to lessen the roads receipts under the two-cent fare and give them a chance to claim it is unreasonable. The roads Friday withdrew their request that they be allowed to charge the three-cent fare when tickets are not purchased.

Ohio School Teachers Strike.

Columbus, O.—The board of education of Syracuse, Meigs county, reported Tuesday to State School Commissioner Jones that the teachers employed there are out on strike. The law requires that teachers shall be paid not less than \$40 a month, but the board of education of Syracuse having made a maximum school levy of 12 mills finds itself unable to pay more than \$25 a month. Although the teachers accepted their positions with this amount of money in sight they now refuse to perform their work unless the board pays the legal salary.

He is Off to the Hunt.

Memphis, Tenn.—President Roosevelt's special train which left Memphis early Friday night, was run over the line of the Missouri Pacific-Iron Mountain railways system. The train will be run direct to Lake Providence where a short stop will be made at 10 o'clock Saturday. The train then will proceed to Alsatia, La., a small way station where the cars will be sidetracked. Here horses and guides will be awaiting the visitors and the trip to the camp will be begun immediately upon arrival.

Burning Railroad Bridges.

Pueblo, Col.—Two bridges on the Denver & Rio Grande railroad, but a short distance from the scene of the famous Eden wreck of August 11, 1905, in which 108 persons lost their lives in consequence of the destruction of a bridge by flood, were destroyed Tuesday night by fires believed to have been of incendiary origin, and a wreck of a passenger train would probably have resulted but for the prompt discovery of the fires. Five bridges on the road have been burned in the last two weeks.

Railroads Will Fix Penalties.

Topeka, Kan.—The railroads have withdrawn the application made Thursday to have the board of railroad commissioners fix a penalty which would compel people to buy their railroad tickets before boarding a train. The railroads are now at work preparing a schedule of penalties which they will put into effect on their own motion.

Spain Objects to Immigration.

Madrid.—The Spanish government, alarmed at the increasing immigration of Spanish laborers, has entered upon a vigorous campaign to put a stop to the exodus.