

# NEBRASKA NEWS

## FEDERAL COURT RULES IN FAVOR OF THE STATE.

## IN THE EXPRESS RATE CASE

Issues Are Joined and the Injunction Suit May Now Be Tired On Its Merits—Other State News.

Judge W. H. Munger of the federal court has overruled the expectations of express companies to the answer of the state in an injunction suit which the companies instituted to prevent the Nebraska railway commission from enforcing the Sibley act which reduces charges on merchandise and money. This joins the issues and the injunction suit may now be tried on its merits. A suit filed by the state to prevent express companies from violating the Sibley act is pending in the supreme court of Nebraska.

In the injunction suit pending in the federal court at Omaha Attorney General Thompson's answer contained the allegation that the express companies pay unreasonable rates to railroads for carrying goods, that the stockholders and officers of the railroads and express companies are in some instances the same and that the officers receive unreasonable salaries. To this the express companies filed exceptions, but these are overruled by Judge Munger.

## FATAL ACCIDENT AT STANTON.

### Rabbit Hunter is Killed by Explosion of His Shotgun.

George Brierton, a farmer living in Spring Branch, near Stanton, Neb., called at the home of his neighbor, D. W. Lycan, and proposed a rabbit hunt. Mr. Lycan assented and he and his son equipped themselves and joined him. The course of the hunt lay over the farm occupied by Brierton.

As he was going along with Lycan and his son Brierton thought he saw a rabbit under some earth or brush. Taking his shotgun by the muzzle he struck at the projecting dirt intending to scare the rabbit, stating to Mr. Lycan: "You take him if he gets away from me." The projection under which the rabbit was supposed to be hiding proved to be hard frozen ground. The shotgun Brierton held in his hand was discharged by the blow, the load taking effect in his body at the waist band. Lycan at once sent for help but Brierton died within fifteen minutes after the shooting.

## State Treasury Flourishing.

State Treasurer G. L. Brian's report for the month of December, shows no effect of the recent financial flurry. A big increase in collections and cash on hand indicates that the last trace of the flurry has disappeared. The treasurer has collected enough money to make up all of the state warrants that were bought by him and held as cash items and only the \$60,000 of Idaho bonds purchased by him last fall remain in the "cash item" list. There is \$106,331 in the permanent school fund left over for good measure. The \$346,800 in the temporary school fund is not all velvet because not a great deal of the \$264,000 semi-annual apportionment that is to come from this fund has yet been paid to the counties. The item that counts is one of \$509,518 cash on hand in state depositories. The total amount of cash, including \$60,000 of Idaho state bonds, which the treasurer is accountable for and has on hand is \$561,998.16.

## Morning Fire at Edgar.

Fire was discovered in the large store building on the corner of C and Third streets, Edgar, Neb. The fire company succeeded in confining the fire to the building in which it started. The building was owned by Captain William Saxton of Hastings and was occupied by J. W. Roomer as a store room for farm machinery and automobiles. The building and all its contents were destroyed. The loss on building and contents will be about \$10,000 to \$12,000. There was \$1,000 insurance on the building and \$6,000 on the machinery and automobiles. The origin of the fire is not known.

## New School for Valentines.

A special election was held at Valentine, Neb., to determine whether or not the district would issue \$5,000 bonds to build a two-story addition to the school house, and make it possible to add a twelfth grade and become a first class four-year high school under the new law. The vote was 201 for and sixteen against. The building will be started in the spring and will probably be ready for the next fall term in 1908.

## LIBRARY FOR FAIRBURY.

### Carnegie Promises \$10,000 to Start One, With Conditions.

According to a letter received in Fairbury from James Bertram of New York City, Andrew Carnegie contemplates giving Fairbury a donation of \$10,000 to build a public library building.

Last August a letter was addressed to Mr. Carnegie by the Commercial club of Fairbury asking for a donation for a library building. Nothing was heard from the request until about a month ago when a letter was received stating that Mr. Carnegie had just returned from abroad and was ready to act upon the request. The letter also contained a list of questions relative to the status of the present library and the willingness of the city to maintain a library after it was built. The answers to these questions were forwarded to Mr. Carnegie over the signature of Mayor Kavanaugh, and a letter just received from New York City from Mr. Bertram, M. Carnegie's agent, signifies that the donation of \$10,000 will be forthcoming as soon as the council by resolution votes a maintenance fund of \$1,000 a year and the city buys a site.

Mayor Kavanaugh is of the opinion that it will be easy to comply with the demands made by the man of public library fame which undoubtedly means that work will be started on the building not later than spring.

## NEW HISTORICAL SOCIETY.

### Mississippi Valley Association is Formed—C. S. Paine, Secretary.

C. S. Paine, secretary of the Nebraska historical society, was elected secretary of the Mississippi Valley Historical Association when that organization was formed at Madison, Wis., last week. The society as formed grew out of the movement started in Lincoln last fall when the secretaries from state historical societies in the Mississippi valley were called together to take over the work of historical societies. It was found at the meeting at Madison that there was a real demand for the middle western society and so a division of the national historical society was made. The object of the new society is to write and keep records of the Mississippi valley. Meetings are to be held semi-annually, the next one taking place June 25, at Lake Minnetonka, Minn. Any one interested in the history of the valley can become a member of the new society. Other officers were elected as follows: President, Dr. Thomas M. Owne, Birmingham, Ala.; vice president, Professor Clarence W. Alvord, University of Illinois, Urbana; secretary, C. S. Paine, Nebraska historical society, Lincoln; additional members executive committee, Colonel George W. Martin, Topeka, and Dr. Rueben G. Thwaites, Madison.

## BLACK BASS BEING SAVED.

### Thousands Taken From Ponds Near Crystal Lake.

Game Warden Carter received word from W. J. O'Brien, superintendent of state fish hatcheries, that he has secured ten thousand black bass from the ponds and sloughs near Crystal lake in Dakota county. These bass are taken from the shallow sloughs and ponds along the Missouri river bottom and placed again in Crystal lake. In one haul with a net Mr. O'Brien reports eighty-nine black bass being caught, weighing from one to five pounds each.

## THREE FIRMS LOSE BY FIRE.

### Early Morning Blaze at Aurora, Neb., Starts in Barber Shop.

Fire on the north side of the square at Aurora cleaned out three business firms. The fire originated in the rear of Tony Henriksen's tailor shop and spread rapidly to adjoining buildings. The tailor shop and barber shop adjoining were totally destroyed. Most of the furniture was removed from the barber shop before the flames reached there.

## Will Shorten a Long Bridge.

Twelve spans of the present big steel bridge of the Burlington at Fremont will ultimately be removed for the use at another point when the road finishes its river channel diversion scheme. By this scheme it will turn all the water of the Platte into a narrow channel near the south end of the bridge. Work on the dyke is now in progress. Two trains and fifty men are employed on the job and it is the intention to get it finished before spring.

## Loaded?—Oh, Yes.

The three-year-old daughter of Herman Winter, living north of Sweetwater about four miles, was very seriously if not fatally wounded by the accidental discharge of a target rifle in the hands of a neighbor boy named Meyer. Although the child is alive, her recovery is very doubtful since the bullet penetrated the stomach and other vital organs.

## WHEN THE NAVY PUTS DOCTORS IN COMMAND OF THE HOSPITAL SHIPS.

[By McCutcheon, in Chicago Daily Tribune.]



'Tis a fearful thing in winter To be shattered by the blast, And to hear the trumpet thunder! "Amputate the man!"

## FLEET MAY KEEP THE PEACE

### A German Authority Affects to Believe Conditions Are Critical.

### Transfer of Tremendous Naval Power to the Pacific Thought to Insure Peaceful Relations.

Berlin.—The next two months are regarded by the German foreign office and the admiralty as constituting a critical period in the relations between the United States and Japan. If they pass without witnessing a break in the relations, high government officials are convinced that the United States and Japan will then enter upon an easier and safer basis of agreement.

The development of the American-Japanese situation is being studied here day by day because from it there may issue events which might change the present international balance and deeply affect Europe as well as America. The Marine Rundschau, the principal naval magazine of Germany, says in its January number:

"If war does not come between Japan and the United States, the Union may thank the preponderance of its fleet for the maintenance of peace. This fleet already is sufficiently strong to restrain Japan from the hazard of war."

In conclusion the magazine says the threatened conflict may now be entirely avoided as a result of the transfer of the fleet to, and other defensive measures in the Pacific.

## Tournament of Roses.

Pasadena, Cal.—Wednesday was Pasadena's annual tournament of roses. It is the festival of flowers. Buds and blossoms of every hue and color; foliage and ferns of countless kinds, plants, shrubbery, twigs, vines of all variety, floral beauty of every sort and description have been gathered together to make this the greatest day in the history of the city. It is estimated 50,000 visitors have poured into the city from all over Southern California.

## Cracker Trust Quits Nebraska.

Lincoln, Neb.—The Lincoln agent of the National Biscuit company Thursday afternoon notified the retail grocers of the city that the concern would quit selling package goods in Nebraska. This action, it was stated, was taken as a result of the attitude of Food Commissioner Johnson, who insisted that all cracker packages be branded to show net weight and contents.

## Anti-Futures Act Upheld.

Little Rock, Ark.—Judge Triebner, in the federal court Thursday upheld the constitutionality of the anti-futures act. The court declares that the state did not exceed its power in enacting the statute as a police regulation to protect the morals of the public. The suit was begun by a Chicago brokerage firm.

## Work for 1,200 in Sedalia.

Sedalia, Mo.—Seven hundred persons will resume work at the Missouri Pacific shops Thursday after a ten days' lay-off. At the Missouri, Kansas & Texas shops 500 will go back to work after a week's lay-off.

## HOPE FOR SETTLEMENT.

### Administration Would Secure Assurances From Japan Making Action By Congress Unnecessary.

Washington.—Further information relative to the contents of the communication from Ambassador O'Brien dealing with the Japanese reply on the immigration question was refused at the state department Friday. This is the invariable rule in cases where negotiations are still in progress and the inference is that Mr. O'Brien regards the Japanese answer as evincing a satisfactory disposition towards the American desires, but that the reply is not conclusive.

It is expected that the Japanese government will in some formal manner register its purpose of preventing the further immigration of coolies to the United States and when the assurance on this point has taken satisfactory form the administration will see to it that congress is acquainted with the facts and thereby relieved from the necessity of enacting any legislation looking to the exclusion of Japanese immigration as a whole. Attempts in that direction already have been made by the Pacific coast representatives and if the president is able to convince congress that the Japanese government is in good faith endeavoring to do by internal regulation what it is proposed to do here by statutory law, namely, stop the influx of Japanese coolies, he will not find it necessary to recommend any such legislation.

## A LARGE DEFICIT.

### The Government's Expenditures Are Exceeding Receipts By Amounts That Are Noteworthy.

Washington.—The monthly statement of the government receipts and expenditures shows that for the month of December, 1907, the receipts were \$47,283,825 and the expenditures \$55,912,873, leaving a deficit for the month of \$8,535,000. The receipts fell off as compared with December, 1906, about \$8,530,000 and the expenditures increased by about \$9,281,000. The receipts from customs for December, 1907, were \$21,744,672, which is a decrease for the month of about \$7,000,000.

Internal revenue also showed a marked decrease, the receipts falling from \$23,583,969 in December, 1906, to \$20,115,224 in December, 1907.

For the six months of the present fiscal year a deficit is shown of \$9,303,000, as compared with the first half of the last fiscal year, the receipts for the last six months show a decrease of about \$1,000,000 and the expenditures an increase of over \$23,000,000.

## Moving the Earth at Panama.

Washington.—The average amount of earth excavated on the Panama canal for each working day during December was 88,000 cubic yards, or a total of 2,200,530 yards for the month. This is an increase of about 360,000 cubic yards over the previous month and nearly 750,000 yards over the month of September last.

## Stubbs Will Be a Candidate.

Topeka, Kan.—W. R. Stubbs of Lawrence announced Friday he will be a candidate for the republican nomination for governor.

## THE "DRY" DISTRICTS GROW

### Large Additions Were Made to Prohibition Territory in 1907.

### Forty Million People in This Country Are Living Without Saloons—There Are More to Follow.

Chicago.—There is joy among prohibitionists over the bumps that have been received in the last 12 months by "King Alcohol" and "Old John Barleycorn," and the new year will mark large additions to "dry" districts throughout the country.

Local leaders in the "dry" camp point out that Georgia and Oklahoma now have passed into the prohibition column, while Mississippi is waiting for its legislators to keep their pledge to pass a prohibition act for that state. The new year, they say, will see 40,000,000 persons living in prohibition territory in the United States, and party leaders predict that the "white flag soon will wave over states where opposition to the temperance movement heretofore has been keen.

"The two latest acquisitions to the prohibition ranks are Oklahoma and Georgia," said Alonzo E. Wilson at Chicago prohibition headquarters Wednesday. "Alabama has voted against liquor and Mississippi will follow next month. In Illinois we have a good start in four counties."

## To Oust Leavenworth's Mayor.

Topeka, Kan.—F. S. Jackson, attorney general, and his special assistant, Charles D. Shukers, filed in the supreme court here Wednesday an ouster suit against Peter Everhardy, mayor of Leavenworth, and a citation for contempt for Captain J. T. Taylor. Captain Taylor is the man charged with being the go-between for the jointists and the city. He was the collector who secured the money from the jointists and then paid it to the city. The ouster suit is brought against Mayor Everhardy because he has violated his oath of office in allowing saloons to run and in not furnishing the evidence that the prohibitory law was being violated to the county attorney.

## Another Kentucky Raid.

Russellville, Ky.—Night riders 100 strong swooped down on Russellville, Logan county, early Friday morning, and after overpowering the three policemen and providing against the giving of an alarm, dynamited and burned the two independent tobacco concerns in the city and several other establishments and rode away out on the Hopkinsville and Clarksville pike. Three men were wounded and the telephone girls and police were held prisoners for nearly three hours.

## Adulterated the Sausage.

Lansing, Mich.—Circuit Judge West Friday afternoon in an opinion held that the use of cereal and water in sausage is an adulteration of the product and brings it within the scope of the state pure food law prohibiting adulterations. The decision was made in the application of Armour & Co. for an injunction to restrain the state dairy and food department from interfering with the sale of their sausage because cereal and water are used in its manufacture.

## Another Mrs. Eddy Suit.

Boston, Mass.—Disputing the power of Mrs. Mary Baker Glover Eddy, head of the Christian Science church, to make disposition of so large a part of her fortune, formal notices, have been served upon trustees McClellan, Fonnald and Baker, having in charge Mrs. Eddy's estate, ordering them not to make the \$1,000,000 to found a charitable institution recently announced or any other appropriation from Mrs. Eddy's estate, pending the outcome of litigation.

## Col. M. M. Murdock Dead.

Wichita, Kan.—Colonel "Marsh" M. Murdock, postmaster of this city and editor of the Wichita Eagle, died Thursday morning at 1 o'clock, after an illness of two weeks. He suffered from cirrhosis of the liver and catarrh of the stomach. During the last two days he could not recognize even his most intimate friends. His son, Congressman Victor Murdock, arrived Wednesday from Washington. "Marsh" Murdock was 70 years old.

## A Woman Ambulance Surgeon.

New York.—Brooklyn had its first glimpse of a woman ambulance surgeon Wednesday when Dr. Mary Merritt answered calls from the Williamsburg hospital. Dr. Merritt is a prepossessing young woman of 23 years, who won the post of ambulance surgeon after a competitive examination in which 34 men fresh from college entered.

## Passed the Famine Appropriation.

St. Petersburg.—The council of empire Friday passed the famine appropriation of the douma and then adjourned for the Russian Christmas holidays.