

# CAPITAL CITY NEWS

## ITEMS OF INTEREST AROUND THE STATE HOUSE.

## THE WORK OF THE LAW MAKERS

### Legislative Facts and Gossip—News of the State Capital.

#### Junkin After a Big Fee.

Has the Union Pacific Railroad company the authority to exercise the right of eminent domain in Nebraska?

When the company increased its capital stock \$100,000,000 at a meeting in Utah a year ago, it failed to file the amendments to its articles of incorporation in the office of the secretary of state of Nebraska.

Secretary Junkin is of the opinion that under the laws of this state the Union Pacific cannot exercise the right of eminent domain until after all of its articles of incorporation are filed here. Some time ago he wrote to the legal department of the railroad company calling attention to this little neglect, but so far has received no answer to his letter.

Informally Mr. Junkin has discussed the matter with the legal department of his state which sustains him in his contention. The company has the right to do business in Nebraska, but not to exercise the right of eminent domain. To file its amended articles the company would have to pay the state a fee of \$50,000. Naturally the secretary of state is anxious that the company get right with the law.

Should the secretary of state be right, in his judgment, any exercise of the right of eminent domain by the company in Nebraska since the amendment of its articles in Utah would be void and of no effect.

#### Unable to Name Football Captain.

The fourteen members of the university football team were unable to elect a captain at a meeting held Friday afternoon. The first ballot stood 7 for Collins and 7 for Frum, and five more ballots resulted in the same vote. When Secretary Clapp saw that the choice of a captain was practically impossible he consulted with the members of the board. It was decided that the members of the team should meet at 5 o'clock the Tuesday after Christmas vacation and cast one ballot for next year's captain. If there is no choice on the first ballot the athletic board will elect.

Should the football team fail to choose a captain and the athletic board select a man it appears probable that the choice would fall to Collins. Just why this is true cannot be ascertained except that those members of the board who are willing to express an opinion believe that this is true. The ballot was secret but it is said that the men voted as follows:

For Frum—Marvey, Johnson, Beltzer, Cooke, Kroeger and Chaloupka.  
For Collins—Birkner, Temple, Bentley, Minor, Harte, Collins and Ewing

#### Report of State Auditor.

The biennial report of State Auditor Searle, now being printed, will show that from December 30, 1906, to December 30, 1908, there were registered in the auditor's office, bonds of all kinds amounting to \$2,301,686.65. Of this amount \$75,000 was issued by counties, \$9,000 by precincts, \$886,500 by cities and villages and \$1,331,186.61 by school districts. While this large amount represents an indebtedness against the municipalities and school districts, it does not necessarily follow that it has all been contracted within the time stated, as a goodly amount of it is refunding bonds, issued to take the place of other bonds voted years ago, which have matured and have not been paid. From the school districts of many of the western and northern counties of the state many issues of bonds have been registered in order to provide school buildings in districts where none have ever before been erected.

#### Brown Gets the Seat.

Charles O. Whedon, who contested the nomination of E. P. Brown for state senator in Lancaster county, lost out in the supreme court and Mr. Brown, who was elected, will serve. The two were rival candidates at the republican primaries last September and Brown received a majority of six votes. He took the matter to the district court, which held against Whedon and that it had no jurisdiction in the matter. The opinion of the supreme court affirms that of the district court. Judge Root, who wrote the decision of the supreme court, said in his syllabus:

The district courts are without power to consider and determine an original action instituted for the purpose of contesting the nomination of a legislative candidate at the primary election.

#### Money for Public Schools.

The semi-annual school apportionment to be sent out during the coming week amounts to \$267,132.91. The apportionment is made on a basis of 72198 per pupil, there being 359,996 children of school age in the state. These figures were certified to State Auditor Searle by Superintendent McBrien this week, Treasurer Brian having certified the amount of the apportionment to Superintendent McBrien.

The aggregate amount is made up of collections as follows: State tax, \$227,26; interest on school and saline lands sold, \$29,912.29; interest on saline lands leased, \$95,975.89; interest on bonds, \$119,775.89; interest on state warrants, \$15,612.36; from fish and game license, \$5,288; discount on bonds, \$141.31.

#### Job Not Wanted by Gilchrist.

John M. Gilchrist of Omaha is No. 3 among the democratic politicians of Nebraska to decline an appointive state office since election. Gilchrist was offered the position of state accountant by Auditor-elect S. R. Barton. The job pays \$2,000 per year, with expenses and is held at the present time by E. B. Fairfield. Under the law, the auditor is permitted to name the accountant, but the governor must approve his selection.

The other democrats who have refused appointive places are Judge J. J. Sullivan of Columbus, who turned down a seat on the supreme bench paying \$4,500 for one year, and W. F. Schwind of Lincoln, who considered a \$1,200 deputy oil inspectorship, with expenses paid on the side, not worth his while.

#### Advanced to Presidential Class.

The following fourth class post-offices will become presidential on January 1, and these are the salaries they will receive:

Bridgeport	\$1,100
Cedar Bluffs	1,100
Davenport	1,000
Elmwood	1,000
Howell	1,100
Keresaw	1,100
Litchfield	1,100
Long Pine	1,100
Louisville	1,000
Lynch	1,000
Mason City	1,100
North Loup	1,000
Orchard	1,000
Overton	1,100
Shickley	1,100

#### Lincoln Monument.

The Abraham Lincoln centennial monument association of Nebraska has decided to put a solicitor in the field to secure funds and pledges for the erection of the monument. The legislature will be asked to make an appropriation for the purpose. The public schools will celebrate the 100th anniversary of Lincoln's birthday, February 12, by contributing to the fund and members of the G. A. R. throughout the state will do the same. A special committee will be situated in Lincoln to increase the subscription in the city to \$3,000. During the campaign operations were suspended in all departments of work, but will be renewed now with energy.

#### New Game Bird Thrives.

Reports are being received at the office of Game Warden Carter to the effect that the Hungarian partridges which were planted in Nebraska a year ago are doing remarkably well. Captain Fuller, a banker of Merrim, who bought eight pair a year ago, wrote Mr. Carter that in his immediate neighborhood there were now at least 100. Around Gordon the reports received are to the effect that the foreign birds are as plentiful as quail used to be, and are just as gentle. These birds were imported a year ago at a cost of \$5.50 a pair, about 3,000 being planted out in the state by private parties. They are protected under the game laws.

#### Shumway Gets More Delay.

Owing to the fact that the new members of the supreme court have not had an opportunity to examine the record in the case of R. Mead Shumway vs. the State the date of the execution of the convict has been postponed from January 8, 1909, to January 29. There is now before the court a petition for a rehearing in this case.

Shumway was convicted of the murder of Mrs. Sarah Martin of Gage county.

The extension in the date of execution incidentally relieves Warden Beemer from a disquieting prospect of having the execution occur before the expiration of his tenure of office.

#### Governor Sheldon Leaves the State.

Governor Sheldon left Thursday morning for Greenville, Miss., where he will spend a week in looking after the business end of his cotton plantation there. Governor Sheldon will go back to Mississippi after the expiration of his term of office and will probably take his family with him. Aside from the business of the trip no program was outlined, as the governor must hurry back to clean up the pardon hearings now hanging fire, write his message and get matters and things in shape for the induction into office of his successor.

# NEWS OF NEBRASKA

## ITEMS OF GREATER OR LESSER IMPORTANCE OVER THE STATE.

## THE PRESS, PULPIT AND PUBLIC

### What is Going On Here and There That is of Interest to the Readers Throughout Nebraska.

#### Man Murdered at Decatur.

Elisha Ball is dead and Nick Farrens is in custody charged with murder as the result of a quarrel over a jug of whisky in the south part of Decatur, near the school house, at midnight Thursday night. Will Odell was the only witness to the tragedy, and as soon as word could be sent to the county seat, Sheriff Phipps went over to Decatur and placed Farrens under arrest.

At the inquest Friday it developed that Ball and Farrens quarreled and that Ball applied a vile epithet to Farrens, when the latter struck him in the face, supposedly with his fist. Ball staggered onto his feet and was struck again and fell to the ground like a log.

Odell managed to get the man up town, where he was taken to the South Side restaurant, the only place open at the time, and medical aid was summoned, but Ball died in half an hour.

#### Mountain Lion at Large.

H. S. Mahan, of Calloway, who just returned from the vicinity of Redfern Table, some fifteen miles south, brings in the report that a mountain lion, or some other large animal is killing calves and colts, and intimidating the people of that locality. The animal made its appearance about a week ago, since which time it has killed several head of stock, and has been seen at a distance by a number of people. However, no one has been fortunate enough to get close enough to it to be sure of what it is.

#### Winner of Gould Prize.

A former Central City boy has the honor of winning one of the four prizes awarded by Miss Helen Gould to men of the United States who should memorize 500 verses from certain specified portions of the Bible. The fortunate winner is C. E. Huff, son of Walter Huff of this city, and now connected with a college at Topeka, Kansas, as professor of penmanship. The prize awarded by Miss Gould consisted of a handsome Bible and a wall roll containing the matter memorized.

#### Big Lawsuit at Seward.

The November term of the district court is in session at Seward, with Judge Good on the bench. The case of the Des Moines Bridge & Iron company vs. Marxen & Rokahr, the court house contractors, was tried to a jury who returned a verdict in favor of the plaintiff, for judgment in the amount of \$12,134.12. Final payment for material used in the court house is involved in the suit.

#### Accident Near North Bend.

William Watt, a farmer residing seven miles northeast of North Bend, was the victim of an accident as a result of which he is laid up suffering with a broken leg.

Watt was in the hay loft of one of his barns when he slipped and fell through one of the openings into the loft, landing in no gentle manner fifteen feet below, with the bone in his right leg broken.

#### Installing New Power Plant.

The York Gas and Electric company is now installing a 2,300-volt alternating current generator for the purpose of running the motor at the water works pumping station, which is to supersede steam power. The improvement will be completed within the next week.

#### Hughes Goes to Colorado.

W. W. Hughes has tendered his resignation as secretary of the Central City Y. M. C. A. and it has been accepted by the board of directors. His successor has been chosen in the person of R. L. McMillan of Crete, a graduate of Deane college and one of the assistant state secretaries.

#### Accused of Pilfering.

Two men who gave the names of Thomas Vogel and Theodore Cole, were arrested at Uteca at midnight Saturday night on the charge of pilfering from three stores. The merchants identified their goods.

#### Scarlet Fever at Geneva.

Scarlet fever has broken out in the girls' industrial school at Geneva, and the city officers have established a quarantine over all inmates and employees.

## NEBRASKA HAPPENINGS.

### State News and Notes in Condensed Form.

Cortland is to have a public library. A new bank is soon to open at Albion.

Norfolk has twenty-two miles of cement walk.

The Falls City Journal has started a daily edition.

Rev. Father O'Laughlin is the new priest at Fairbury.

An electric theater has been established at Neligh.

Humboldt will hold a farmers' institute December 30 and 31.

Five new stalls have been added to the round house at Wymore.

District court at Madison has on its docket five big damage suits.

A long-wished-for and modern hotel will be built at Crawford soon.

The people of Chadron held a mass meeting and public rally in the interests of a public library.

The Chadron school publishes a paper called the "Booster," and everybody boasts the booster.

The members of the Welsh congregation at Wymore are building a new church which will cost \$5,000.

A pile driver and force of men are at work on the new bridge to be constructed across the river near Gering.

Bladen wants some man with spare money to build a number of small houses which can be rented reasonably.

C. F. Livoni threshed 27,000 bushels of grain with his outfit in the vicinity of Sidney, and then went into winter quarters.

John Schwarzhopf has sold his eighty acre farm east of Kearney to Frank Lamphere of Hastings, for \$80 per acre.

W. H. Fellers, of Table Rock, has sold his 160 acre farm southeast of Humboldt to Frank Hynek for \$55 per acre.

Sherman Butler has sold his eighty acre farm two miles from Octavia to J. W. Demuth, of Bellwood, for \$150 per acre.

August Hinzman has sold his 160 acre farm in Jefferson county for \$11,000. The land lies five miles west of Fairbury.

Charles Campbell, who pleaded guilty at Butte to stealing a horse, was given a sentence of three years in the penitentiary.

J. D. Graves has purchased twenty acres of land from Bert Patterson just east of the cemetery at Peru, paying \$1,200 for the tract.

Joseph Fleming has been appointed postmaster at Mead, vice Marica Williams, resigned. The new official will begin his duties about January 1.

Walter Barton is laid up at a Gering hospital with a broken leg. A horse fell on the member while he was driving cattle a few days ago.

The International Harvester company is excavating for a big office building it will erect at Crawford. The structure will be 40x150, and cost \$10,000.

Gottlieb Echtenkamp has purchased the Fred Lallman two hundred acre farm in Washington county, for which he paid \$22,548, or a fraction over \$112 per acre.

H. E. Schofield has started the Boyd County News at Anoka. This gives that town two newspapers. Both are operated by druggists, and strong rivals in business.

H. O. Brown, of Fremont, has a gun one hundred years old. It was made by his grandfather at his home in Portland, Maine, in 1809. It is a unique family heirloom.

Farmers should all have telephones. Write to us and learn how to get the best service for the least money. Nebraska Telephone Company, 18th and Douglas streets, Omaha. "Use the Bell."

Wild game in Nebraska has been increased by several thousand Hungarian partridges as the result of planting of 250 of that species in various parts of the state during the past year or two.

Miss Allie E. Davis, principal of the high school at Tekamah for three years, has been named by Mr. Abbott as matron of the state asylum for the blind at Nebraska City after he takes charge of that institution.

The Hebron board of education went to Fairbury during the past week to look over a school building at that place with the view of copying after it in the construction of a new one to be built in Hebron.

Ditching on the drainage district north of Peru is about completed. The channel has been cut to both Duck creek and Buck creek and these streams both turned into it. The improvement is looked upon as a good one.

The state association of mutual insurance companies at its last annual meeting, fixed Hastings as the point for the convention, 1909. Owing to the fact that the legislature will be in session in Lincoln at the time of this convention the meeting place has been changed to the capital city. A. C. Hull, a member of the legislative committee which made this change, has been assured that the meeting will be held in Hastings the following year.

## BRYCE TO COME WEST.

### British Ambassador Expected to Speak at Omaha.

Ambassador Bryce, British ambassador in this country, has practically promised Senator Brown to go to Omaha for a speech to the McKinley club, during January or February. The senator, accompanied by Isador Ziegler, of the Omaha bar, called on Mr. Bryce and urged him to go to Omaha. He has recently refused invitations to Boston and New York, but expressed himself as anxious to go to Omaha, and said he would make the arrangement to do so, and set a date which would be convenient to himself just as soon as possible.

### Steamers Run Into Storm.

With December on the North Atlantic at its stormiest, trans-Atlantic shipping has been experiencing a severe buffeting. Not one of the westward liners has kept anywhere near schedule, while the Teutonic, from Southampton, which should have headed the fleet into port on Wednesday, is three days behind time. When heard from early Friday, she was about 300 miles east of Nantucket.

Strung along, further up the coast, all far behind their ordinary records, were La Province, from Havre; the Baltic, from Liverpool; the Campania from the same port; the St. Paul from Southampton, and the Minneapolis from London. All are a day or more late.

### Shoots a Fleeing Prisoner.

John Lawrence, alias John Brown, was arrested at Waterloo, Iowa, Friday on a warrant held by Detective H. C. Webster of Indianapolis for defrauding banks at Corydon, Ind. On the way to the Security Savings bank, where Lawrence got the alleged worthless check for \$310 cashed, the prisoner broke away and ran. City Detective Houston gave pursuit, firing wild and commanding Lawrence to halt. When he continued running Houston shot at him, one bullet entering his lungs and one hitting him in the leg. His condition is precarious. Brown is said to have defrauded banks in Illinois, Indiana and Iowa of many thousands of dollars.

### Opening for Agriculturists.

An opportunity for some highly educated and thoroughly practical American agriculturist is offered by the government agricultural society of Bessarabia, Russia, which wants such a man to take charge of an experiment station which it proposes to establish. The purpose of the station is to demonstrate the possibility of corn as a profitable crop for South Russian farmers. Special Agent Dennis, in a report to the bureau of manufactures says that the society will pay the right man \$4,000 a year and furnish him gratis a comfortable home to live in.

### Illinois Murderer Hanged.

Frank Bryant, twenty-six years old, was hanged in the Sangamon county (Illinois) jail Friday for the murder, on August 24 last, of Thomas Brady, a seventy-year-old man out of whose trunk, after the murder, Bryant stole a small quantity of money with which to go to Chicago to visit his sweetheart. In the statement upon the scaffold Bryant thanked Sheriff Werner for the kindnesses extended during his imprisonment. He then said to the 200 witnesses assembled: "Farewell to all, gentlemen," and the trap was sprung.

### Allen Wants an Increase.

An earnest plea for an increase of the army signal corps is made by General James Allen, chief signal officer, in his annual report. He recommends improvements in the telegraph and cable systems for Alaska, the Philippine islands, Cuba and the United States. The need of standard fire control installations for coast defense, the development of wireless telegraphy and telephony and improvements in military aeronautics are also discussed.

### No Tender of Good Offices.

There is no truth in the report telegraphed to London from Buenos Ayres that Great Britain has tendered her good office to compose the differences between Argentine and Brazil arising in part from the activity of each country in increasing its naval power. It is, however, a fact that in informal conversations with the diplomatic representatives of the two powers the foreign office points out the risks attending increases of armaments.

### Country Life Commission.

The members of the country life commission held the second and last New England hearing at the state house in Boston, Friday. Farmers, teachers, ministers, physicians and others from country districts in Maine, New Hampshire, Rhode Island and Massachusetts attended the meeting and expressed their opinions concerning possible improvements in the agricultural conditions now existing in their sections.