

THE NORFOLK WEEKLY NEWS-JOURNAL.

NORFOLK, NEBRASKA, FRIDAY, DECEMBER 29, 1907.

ATTORNEY BARNHART SHOT BY HIS WIFE

BULLET TOOK EFFECT IN BARNHART'S LEFT LEG.

A CHRISTMAS NIGHT TRAGEDY

MRS. BARNHART WANTED HUSBAND TO GO HOME.

FOLLOWED HIM DURING EVENING

Leg May Have to be Amputated to Save Attorney's Life—She Did Not Intend to Kill Him, Just Wanted to Show That She Meant Business.

Attorney H. F. Barnhart is in his room in the Pacific hotel with a bullet wound in his left leg, the result of a "near-tragedy" Christmas night, which he and his wife were the principals. Mrs. Barnhart shot her husband during the evening, trying to make him go home. About 11 o'clock she saw him in the Walton saloon. Barnhart left by the back door but his wife met him at the corner of the Nebraska National bank. They crossed to the Bishop block. Then she fired two or three shots from a 32-calibre revolver. Barnhart started to mount the steps toward the second floor of the Bishop block. He was on about the fifth step when his wife shot him in the calf of the left leg.

Leg May Have to Amputate.

The bullet ranged upward and was thought Wednesday evening to be lodged in the knee bone. Dr. Salter, who dressed the wound, said that the injury might have serious results if infection set in, and that the limb might have to be amputated, always a dangerous operation under the circumstances.

Barnhart was taken to a room in the Pacific hotel. Mrs. Barnhart with one load still in her revolver held the stairs in the Bishop block for some minutes but was finally captured by a ruse and locked in the city jail. Thursday morning she was still in the city jail although Barnhart himself had desired to give bail for her a few minutes after the shooting.

County Attorney Jack Koenigsstein announced that Mrs. Barnhart would be prosecuted for shooting her husband. He said that the complaint would be drawn up Thursday and might charge assault with intent to kill.

Domestic Troubles.

The domestic infelicities of the Barnhart family have been generally known in Norfolk and have been brewing for a number of years. The outbreaks have usually been dramatic. It was so Wednesday evening.

Early Wednesday evening Mrs. Barnhart called on her husband at the Pacific hotel to insist on his accompanying her home. Barnhart got away from her and went to bed. About 10:20 p. m. Barnhart left the hotel. His wife followed ten minutes later.

When Mrs. Barnhart was seen looking through the open front of the Walton saloon, Barnhart was given a tip and left the saloon by the back way, passing down the alley. He and his wife met at the Nebraska National bank corner. They crossed over toward the Bishop block.

Shot in the Air.

Mrs. Barnhart threatened the attorney with her gun. She says she fired twice, once down the street and once in the air. The first shot went through the plate glass in the office building of Dr. H. S. Overocker.

Demonstrated She Was in Earnest.

Then Barnhart made for the stairs. That was where his wife wined him. "I shot to show him I was in earnest," said Mrs. Barnhart Thursday morning. "I shot to hit and of course I got him. I did not want to kill him or I would simply have shot higher. I wanted him to go home and I wanted to show him that I meant it."

The shots immediately attracted attention. Mrs. Barnhart mounted the steps beyond her husband, whom she permitted to be taken from the stairway.

Stood Officers Off.

Mrs. Barnhart had her own way on the stairs.

An officer started to arrest her. "Get out," she said, and she leveled her gun at him. The officer got.

A Norfolk councilman tried his hand. "Get under," she said. The councilman got.

As a ruse Dennis Crum impersonated a cab driver. "I want a cab to get home," Mrs. Barnhart said. She was told that a cab would be ordered. When the carriage for Barnhart appeared, Mrs. Barnhart opened the door to leave the building and was grabbed by an officer. She was taken to the city jail, where she spent the night.

Barnhart was taken to the Pacific hotel, where his wound was dressed about midnight. The bullet seemed to be lodged in the knee joint. It was said that the knee would be placed under an X-ray machine Thursday.

Well Known Attorney.

H. F. Barnhart has been a well known attorney in north Nebraska. He was county attorney of Pierce county

before coming to Norfolk and secured the conviction of Niegenfeld, one of the few men who have been hanged in Nebraska in recent years. Barnhart was the democratic candidate for county attorney of Madison county a year ago last fall. He is especially well known in north Nebraska along the Homestead line, where a good deal of his practice lies.

Norfolk people who have been familiar with the affairs of Barnhart and his wife and the threats that have been interchanged between them have been fearful of a serious collision between them.

BOYS ESCAPE IN MACHINE

PILFER LOS ANGELES STORE, THEN GET AWAY.

POLICE FOLLOWED, SHOOTING

Two Los Angeles Youths Pilfered a Big Department Store in That City Christmas Afternoon and Then Escaped in Stolen Automobile.

Los Angeles, Cal., Dec. 26.—Two boys, after pilfering a large amount of plunder from a large department store late Christmas afternoon, stole an automobile and started to escape through their booty.

Police, in another machine, followed the robbers. A chase lasted many miles, during which fifty shots were exchanged. The boys finally left the car and escaped in the darkness.

TWO RAILROAD COMPLAINTS.

York Commercial Club Files Charges Against Two Roads.

York, Neb., Dec. 26.—Special to The News: The York Commercial club filed complaints against the Northwestern and Burlington railroads today, alleging that track scales are not furnished as provided by law.

A hearing will be granted in a few days.

A MEMORABLE NEW YEAR'S

Big Celebration Planned for the Day at Gregory.

Gregory, S. D., Dec. 24.—Special to The News: The management of the new Gregory roller mills together with the Commercial club are planning to make Dec. 31 a memorable day. On that day the mill will be started and formally thrown open to the inspection of the public. It is planned to have a roast ox and to feast the farmers and others who come to Gregory to look over the new mill, on roast beef, and biscuits made from flour ground at the mill. That the affair will be a grand success in every way and will prove an advertisement to the town of the most desirable character is a foregone conclusion, since the Gregory business men have taken hold of it, for they have gained a wide reputation as belonging to the finest of the live ones, who never do things by halves.

The new mill is thoroughly up-to-date in every way, being constructed of the very best materials throughout, and of large capacity and the most convenient arrangement of machinery known in modern milling. It is a credit to the owners who have staked so much money on their faith in the future of Gregory. That their hopes will be fulfilled seems assured, since three years of bumper crops have given the Rosebud country a reputation far and wide as one of the best wheat and grain countries to be found anywhere.

FIRE BOYS' DANCE.

Eighteenth Annual Ball of Neligh Fire Department.

Neligh, Neb., Dec. 26.—Special to The News: The eighteenth annual ball of the volunteer fire department of this city took place in the auditorium last evening. The members each year endeavor to make their annual dance one of the most enjoyable events of the season.

They certainly did themselves proud in their efforts at this time by furnishing excellent music, which was not only enjoyed by the large number of spectators, but by the dancers as well. The auditorium was in a crowded condition until a late hour.

Revising Freight Classifications.

Lincoln, Dec. 26.—Beginning with the first of the year the state railway commission intends to get down to serious business and revise freight rates by classification. In practically every one of the hearings which have been heard on an increase or decrease of rates on a commodity, it has been the contention of the railroads that it is impossible to tell the cost of shipping any one commodity, and therefore unjust for the commission to change any rate on any commodity. They have argued that the commission should take up the matter of rates by classes.

Dyer for Department Commander.

Mason City, Ia., Dec. 26.—The Mason City C. A. R. post has passed resolutions endorsing Hon. M. A. Dyer of that city as a candidate for department commander of the Iowa C. A. R. He served as a private in company C of the Twenty-first Iowa for three years during the civil war.

Miner Killed by Fall of Rock.

Lead, S. D., Dec. 26.—John Roth, a miner employed on the 600-foot level of the Homestead mine, was instantly killed, being crushed to death by a mass of rock falling upon him.

PRESIDENT OFF FOR REST

HE AND FAMILY LEAVE FOR PINE KNOT, VA.

TO SPEND HOLIDAYS THERE

The President, His Wife and Her Sister Left Washington for the Virginia Retreat to Enjoy Rest and Recreation for a Week.

Washington, Dec. 26.—President and Mrs. Roosevelt, accompanied by the latter's sister, left here this morning for Pine Knot, Va., to spend the balance of the holidays.

The train was scheduled to arrive in Pine Knot at 2:30, after which the presidential party must take a ten-mile drive through the country.

The party was due to reach Mrs. Roosevelt's cottage at about 5 o'clock this afternoon.

AN EPIDEMIC OF WEDDINGS

Victims of the Disease Are Many in Brown County.

Ainsworth, Neb., Dec. 26.—Special to The News: An epidemic of weddings has struck Brown county. Here are a few of the victims:

Will H. Metcalfe, deputy county treasurer, and Miss Bessie Gould were married Christmas eve at the home of the bride's parents in this city by Rev. T. W. DeLong.

Alonzo Monroe and Miss Nettie Stearns were married at the home of the bride's parents some twenty miles south on Christmas day by Rev. Mr. Adams.

W. A. Anderson and Miss Cora Calver were married Thursday at the home of J. Raven, Esq., twenty miles south of town.

Walter Allen and Miss Clara Alpha Jennings, adopted daughter of B. M. Chase and wife, were married Christmas eve at the M. E. parsonage in Johnston by Rev. Mr. Carpenter.

Owen Rickard of Long Pine and Miss Pearl Hoke of Johnston were married Christmas evening at the Siall hotel in Johnston.

J. C. Jensen, an old Norfolk boy who married Miss Amy Brown, an Ainsworth girl, some months ago, and his wife are spending the holidays with his parents near Pilger.

Elections in Portugal April 5.

Lisbon, Dec. 26.—Following the promises of the government to terminate the dictatorship and hold the elections for the chamber of deputies at an early date if the calm in the political atmosphere was maintained, a decree was issued fixing the elections for April 5.

Fatal Fight at Christmas Dance.

New Franklin, Mo., Dec. 26.—It was learned here that during a fight at a Christmas dance in the western part of the county, George Beard was killed and four persons were seriously wounded. No arrests have been reported.

DECREASE IN FLOUR SHIPMENTS

Falling Off at Minneapolis Not Entirely Due to Financial Flurry.

Minneapolis, Dec. 26.—Flour shipments from Minneapolis for 1907 will fall short of the totals shipped during 1906 by nearly 1,000,000 barrels. This decrease apparently has not been entirely due to the financial flurry, as the figures for each month show that only in three months for the entire year have the shipments for 1907 exceeded those for the same months in 1906.

The number of barrels of flour sent out from Minneapolis by the various mills so far this year have been 13,825,375, while for a corresponding period in 1906 there were 14,573,123 barrels shipped, a difference of 747,748 barrels.

Despite the recent financial stringency the sales of flour for use in the country or for export did not suffer so much as was generally expected. The shipments for October this year were 1,499,082 barrels, against 1,593,097 barrels last year. In November this year the greatest falling off is shown, with shipments of 1,067,976 barrels, against 1,318,648 barrels a year ago. For the trading days in December up to the present 679,271 barrels have been sent out, as against 979,494 barrels for the corresponding days last year.

MAN SPENDS NIGHT IN SEWER

Left for Dead by Thugs Who Chucked Him in Big Drain Pipe.

Omaha, Dec. 26.—Albert Heit, watchman at the Cudaby packing plant, was assaulted by thugs and thrown through a manhole, and spent the entire night in the big sewer which drains the Union stock yards. He escaped by crawling a mile to where the sewer empties into an open ditch.

The unfortunate man was found, more dead than alive, by the crew of a stock yards switch engine, who heard his feeble groans as he lay in the half frozen mud. He was dying from exposure when found. When taken to the hospital it was found he had suffered a severe beating before being thrown into the sewer by his assailants, who evidently supposed they had killed him.

Physicians fear the freezing mud in which he must have lain an hour or more may cause severe congestion of the lungs. Heit has not yet recovered sufficiently to give a coherent account of the affair.

SAYS COAST IS HELPLESS.

Seattle, Wash., Dec. 26.—Colonel Woodburn, acting commander of the Department of the Columbia, U. S. A., in a statement, said that the Pacific coast would be helpless in case the navy would prove unable to prevent a force of 20,000 Japanese or other foreigners landing along the coast. He said there are not two thousand regulars on the coast to resist an attack by land while 150,000 infantrymen are needed.

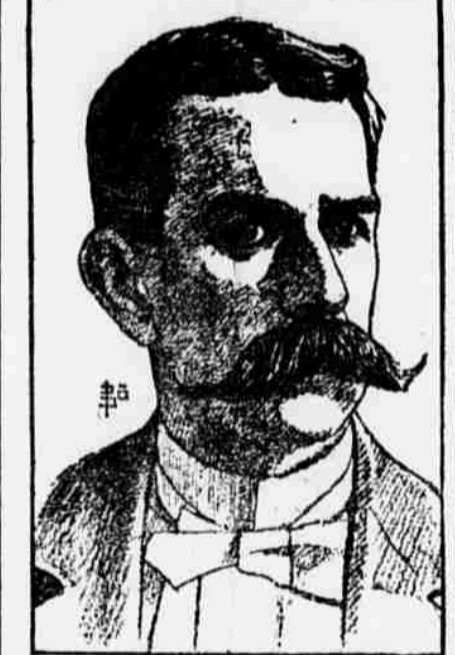
SERIOUS BREACH IN NAVY

CLASH BETWEEN NAVIGATION AND MEDICINE BUREAUS.

RIXEY REVIEWS CONTROVERSY

Surgeon General of Navy Wants Doctors to Run Hospital Ships—Why Admiral Brownson Resigned Post as Chief of Bureau of Navigation.

Washington, Dec. 26.—That a serious breach exists between the bureau of navigation and the bureau of medicine of the navy, involving the question of the responsibility of the latter bureau, was made apparent in a statement issued by Surgeon General Presley M. Rixey of the navy, in which he touches upon the circumstances leading up to the probable selection by the president of a medical officer to command the hospital ship Relief over the protest of Rear Admiral Willard H. Brownson, chief of the bureau



SURGEON GENERAL RIXEY.

of navigation, who Tuesday sent his resignation to the president. While disclaiming exact knowledge as to the cause of Admiral Brownson's resignation, the surgeon general's statement leaves little room for doubt that the controversy he reviews was a potent factor.

DOCTORS COMMAND HOSPITAL SHIPS.

Surgeon General Rixey maintains that hospital ships, as a rule, always have been commanded by medical officers, with a sailing master and civilian crew for purposes of navigation. This particular vessel, he says, formerly belonged to the army and always was commanded by a medical officer when used as a hospital ship. In attempting to unify the medical services of the army and the navy, he says that a joint army and navy board of medical officers, which was convened by executive order more than a year ago, recommended that hospital ships should be commanded by medical officers and that that recommendation was approved by both the secretary of war and the secretary of the navy in general orders. Since the civil war, he says, all hospital ships and medical transports of the army had been placed under the surgeon general of the army. He says further that Japanese naval hospital ships were commanded by medical officers, after having tried line officers. These ships, he says, are simply floating hospitals, properly under the control of the medical department, and should be conducted in peace exactly as in time of war. This is especially so, he adds, because during war time line officers cannot be spared and do not, and should not, desire the command of these ships.

DOUBT AS TO NEUTRALITY STATUS.

He maintains that it always has been a doubtful question if the Geneva and The Hague agreements could guarantee the neutrality of these ships if combatant (line) officers and crews were aboard, and it was this doubt which prevented the Japanese during the recent war with Russia from using line officers on hospital ships.

"The internal administration of the bureau of medicine and surgery," he says, "has been, in my opinion, too much interfered with by the bureau of navigation. This interference has at times caused grave concern as to how I could meet the needs of those under our care."

The hospital ship Relief, he says, should now be with the battleship fleet on its cruise, but he adds, "the bureau of navigation thought otherwise, and the fleet of 15,000 men, with its auxiliaries, is without a hospital ship and will be until it arrives at Magdalena bay, more than three months from now."

He adds that he cannot understand how Admiral Brownson should be specially interested in the officering of hospital ships, as his duties lie in another direction, and that he should not interfere in a matter pertaining entirely to the bureau of medicine and surgery, and therefore to be decided by the secretary of the navy.

CONGRESS TO LOOK INTO

NAVY BREACH WILL BE SUBJECT OF INVESTIGATION.

AN ARMED TRUCE NOW EXISTS

The Feeling Between the Navigation and Medical Departments of the Navy Has Reached an Acute Stage and Internal Disruption May Follow

Washington, Dec. 26.—The feeling between the navigation and medical departments of the navy has reached the acute stage and it is feared that unless the matter can be permanently settled in some manner, it may result in internal disruption.

Congress is expected to make the matter one of official investigation, pending which the two departments are working under armed truce.

SUIT AGAINST FEDERATION

MINE OWNERS WILL CARRY FIGHT INTO FEDERAL COURT.

REIGN OF TERROR ALLEGED

Will Ask Not Only for Injunction Against Picketing, but for Final Dissolution of Goldfield Miners' Union. Troops May Be Retained.

Goldfield, Nev., Dec. 26.—To carry the fight into the federal court will be the next move of the Goldfield Mine Owners' association. Today a suit will be filed in the circuit court of the district of Nevada, asking not only for an injunction against picketing and interfering with, but for the final dissolution of the Goldfield Miners' union.

The suit is to be filed by the Goldfield Consolidated Mines company against the Goldfield Miners' union, the Western Federation of Miners, the local union, and nineteen other officers of the same. The complaint sets forth the alleged vast extent and richness of the mining interests involved, and the large number of persons holding shares in the mines in various states and territories; alleges that the Goldfield Miners' union and the Western Federation of Miners are unincorporated associations and that it is claimed to be a part of another larger organization, known as the Industrial Workers of the World, also unincorporated, which has the same principles and seeks to accomplish its results by the same alleged unlawful methods, and has in its ranks as members of these associations, not only the miners of the Goldfield district, but other laborers, such as waiters, clerks, cooks, barbers and barkeepers.

CLAIM UNION IS CRIMINAL SOCIETY.

It is further alleged that the Western Federation of Miners is organized for the destruction of property and creating "endless strife, disorder, bloodshed and rioting." The Goldfield union is charged in the bill with "intimidation" and of being guilty of "wanton destruction of property, murder of innocent citizens, lawlessness and anarchy to such an extent that it has instituted a reign of terror in the Goldfield district." It is further alleged that the Goldfield union is a "criminal society."

The court is asked to cite the defendants before it to answer the allegations of the complaint, and to issue a writ of injunction restraining the defendants from obstructing the business of the Consolidated Mines company by threat, intimidation or picketing. An injunction against boycott is further asked for. The court is asked to enjoin the Goldfield union from holding any more meetings. Watchers or examiners are asked for, with full authority to enter on the property of the defendants and to carry out the orders of the court and to arrest any person violating them. Finally, it is petitioned that the injunction be made permanent and that the Goldfield Miners' union be abated and forever dissolved as a nuisance and perpetually enjoined from any further meetings or action of whatever kind or nature. The complaint is signed by George Wingfield, vice president of the Consolidated Mines company.

One effect of the filing of this, it is said, may be to induce President Roosevelt to order a portion of the troops now in Goldfield to remain on the ground to assist in the enforcement of the mandates of the federal court, if necessary.

NEBRASKA TEACHERS MEET.

Lincoln, Dec. 26.—More than 1,000 Nebraska teachers were enrolled for the state association convention. The opening program was given, comprising a concert at St. Paul's Methodist church. A. H. Waterhouse of Omaha, president of the association, delivered a welcoming address at the Temple building.

MISSISSIPPI IS FOR TAFT.

Jackson, Miss., Dec. 26.—L. B. Mosely, Republican national committeeman for Mississippi, has held conferences recently with leading Republicans throughout the state. The sentiment clearly expressed is that Mississippi will instruct its delegates for Taft.

MISSOURI RIVER STILL OPEN.

Pierre, S. D., Dec. 26.—The Missouri river refuses to form the usual ice bridge at this city this year, and without a decided change in temperature the stream will be open until after the 1st of January this winter.

THE CONDITION OF THE WEATHER

Forecast for Nebraska.
Conditions of the weather as recorded for the twenty-four hours ending at 8 a. m. today:
Maximum 40
Minimum 22
Average 31
Barometer 29.40
Chicago, Dec. 26.—The bulletin issued by the Chicago station of the United States weather bureau gives the forecast for Nebraska as follows:
Partly cloudy and colder tonight and Friday.

CHRISTMAS IN NEW YORK

SANTA CLAUS CARRIES MIRTH TO ALL STRATAS OF LIFE.

CHEER ENOUGH AND TO SPARE

Good Things Distributed with Lavish Land—Brokers Raise Fund of \$12,000 for Stock Exchange Employees—Many Dinners for the Poor.

New York, Dec. 26.—There was no spirit of depression in this city on Christmas day. From the Bronx to the Battery and over into Brooklyn to the point where Coney Island points its nose into the sea, there was merry-making that must have satisfied the jolliest soul and those who had no cheer of their own were bountifully supplied by those who had enough and to spare. Those in a position to know, say that never before have the good things been distributed with so lavish a hand or so many of the less fortunate made happy with gratuities.

The Salvationists, Volunteers, Young Men's Christian association and a hundred other public and private humanitarian organizations vied with each other in supplying to all who would accept, bountiful repasts, surprise gifts of clothing and toys, with music and bright lights and well wishes thrown in. Even at the Stock exchange the scene of recent financial disaster for many, the walls were hung with holly and mistletoe and the brokers proved they were not broke by making a pool of \$12,000 for the 360 exchange employees. Nearly every public school had its Christmas program.

ERIE'S ACT MAY START WAR

Railroad Withdraws New York-Chicago Passenger Rates.

Chicago, Dec. 26.—The Erie railroad has announced the withdrawal of all its passenger rates now published in the Chicago rate sheet and a rate war of no mean proportions will be precipitated unless the other Chicago-New York roads bring enough pressure to bear to stop it. The new rates which the Erie proposes to establish will be announced Jan. 1, and if filed with the interstate commerce commission then will become effective Feb. 1.

This action by the Erie has aroused all the other trunk lines, and it is not improbable that several more will cancel their rates in the Chicago rate sheet.

NEGROES LEAVING HENRIETTA

Blacks Given Forty-Eight Hours in Which to Get Out of Town.

Muskogee, Okla., Dec. 26.—Negroes are rapidly leaving Henrietta, where the lynching of James Gaden, a negro, occurred Tuesday, following the murder of Albert Bates, a prominent white business man. The blacks were given notice to get out of the town within forty-eight hours. A second attack was made on the jail early this morning by a mob of citizens, who sought a one-eyed negro named Bill Smith, charged with inciting Gaden to commit the crime. Sheriff W. F. Robertson spirited the man away from the mob and took him to Okmulgee. Jim Johnson, a negro who gave Gaden a rifle, was also taken to Okmulgee.

Business of Iowa Towns.

Des Moines, Dec. 26.—In an effort to help along the entire state of Iowa on the theory that what helps Iowa helps Des Moines, the Greater Des Moines committee is busy gathering statistics that will boost the towns of Iowa. The statistics pertain to the amount of business done, the accessibility to transportation and other features that make them suitable for factory sites.

President Goes to Pine Knot.

Washington, Dec. 26.—President Roosevelt left for Pine Knot, Va., this morning at 8 o'clock over the Southern railroad. He was accompanied by Mrs. Roosevelt and Theodore Roosevelt, Jr., and will remain at the cottage until next Tuesday, devoting much of his time to horseback riding in the Virginia hills.

Slain by Her Husband.

Hyde Park, Mass., Dec. 26.—Dr. Walter R. Amesbury of Milford shot and instantly killed his wife, Anna, a teacher of music in Roanoke college, Danville, Va., as the family were about to sit down to their dinner at the home of Mrs. Jennie Reese, Mrs. Amesbury's mother.

NEW TELEGRAPH

STRIKE IN JUNE?

OPERATORS REPORTED PREPARING TO RENEW WAGE WAR.

SCHEDULED FOR NEXT SUMMER

PLAN STRIKE AT TIME OF REPUBLICAN NATIONAL CONVENTION.

WAGES HAVE BEEN REDUCED

A Chicago Paper Says That the Telegraph Operators Are Preparing for Another Strike Because Strikers' Wages Were Cut.

Chicago, Ill., Dec. 26.—The Commercial Telegraphers union is reorganizing its scattered forces with the view of again striking against the two big telegraph companies, according to the Chicago Record-Herald of this morning.

That paper today prints an interview with Secretary Russell saying that the movement has already begun.

He is quoted as confirming the report that another strike is being prepared for.

It is stated that the union will hold a convention in Milwaukee June 8 and that the strike will probably be called between that date and the holding of the national republican convention in Chicago in June.

Mr. Russell says that there has been plenty of provocation by the companies, who materially reduced the wages of all strikers who returned to work after the strike was called off.

BANKER M'CONNELL IN CUSTODY

President of Smelter City Bank Under Arrest at Durango.

Durango, Colo., Dec. 26.—Charles E. McConnell, president of the Smelter City bank, which closed its doors Dec. 17, was placed under arrest. The warrant upon which he was arrested was sworn to by Harry Jackson, a depositor of the bank, who had \$3,400 on deposit when the institution closed its doors.

The committee which has charge of examining the affairs of the bank found that on Dec. 12 Mr. McConnell had borrowed \$10,000 in cash from the First National bank of Durango and had given securities from his bank for the money, but the books of the Smelter City bank did not show that the \$10,000 had been placed on deposit there.

The committee sent for Mr. McConnell and questioned him for several hours as to what he had done with the \$10,000. After the conference Mr. Jackson swore out the warrant and the sheriff placed Mr. McConnell in jail.

GREAT WESTERN IS SUED

Action Brought for Keeping Stock Too Long in the Cars.

Des Moines, Dec. 26.—In a suit filed in the federal court, in which the Great Western railway is defendant, the first prosecution is begun in Iowa under the federal statute putting a limit on the time that live stock can be kept in a car without feed and water. It is charged against the Great Western that a car of twenty-nine head of cattle was shipped from Stewartville, Minn., Dec. 3 to Eldridge & Dreier at Van Meter, Ia., and that the car did not arrive till Dec. 5, and the cattle were without food and water for thirty-nine hours and thirty-five minutes.

The suit is brought in the name of the United States and the penalty on conviction is a fine of \$500. The law was put on the statute books some years ago, after a hard campaign by the Humane society. At the last session of congress the railroads made an effort to get the minimum time limit raised, but without success.

TOGA FOR WILLIAM JAMES BRYAN

Appointed United States Senator to Succeed Late Stephen R. Mallory.

Jacksonville, Fla., Dec. 26.—Governor Broward appointed William James Bryan of this city to be United States senator, vice Stephen Russell Mallory, deceased, for the balance of the term, expiring March 4, 1909. Mr. Bryan is a prominent young attorney, only thirty-one years of age and now holds the position of county solicitor for this (Duval) county. He was born in Orange county, Florida, Oct. 10, 1876. He is the son of John M. Bryan, who served fourteen years as state senator and afterwards as a member of the state railroad commission. He is not related to William Jennings Bryan of Nebraska.

Powers Trial Nears End.

Georgetown, Ky., Dec. 26.—The defense in the Caleb Powers trial expects to close today and it is said the commonwealth is prepared to go on with its rebuttal testimony. It is also said that Henry Youtsey will be brought back to contradict Powers' testimony. Judge Jere R. Morton of Lexington, formerly counsel in the Powers case, testified that he was in the court of appeals room when the shot was fired that killed Goebel.