

REJECT RECALL OF JURORS

Allen Fails to Record Against Other Reforms.

WOODROUGH IN MILD DEFENSE

Halligan Heads State Bar Association—Ellick Secretary-Treasurer—Memorial Adopted for Judge Wakeley.

Opposition of the Nebraska State Bar association to the recall of judges and the recall of judicial decisions was recorded at Saturday afternoon's sitting of the association's state meeting. C. J. Smyth moved that the association record its opposition; former United States Senator William V. Allen fought for the same action regarding the initiative and referendum, but overwhelmingly was beaten.

The association elected officers and adjourned. "We should protect the constitution of the United States against the pernicious ignominy of the initiative, referendum and recall," said former Senator Allen.

"I had hoped," said Senator Allen, "that some one in this body would raise a voice against this anarchy, because the initiative, referendum and recall are anarchy. I believe the tenure of office of the judges should be even greater. I have no faith whatever in this namby-pamby doctrine of 'progress' that we hear so much about. If any one can tell me what this word 'progressive' means as applied to this government, I'd like to have him stand up here and tell me."

J. W. Woodrough said he did not believe the association should go on record as opposed to suggested reforms unless it should be ready to suggest reforms of its own to take their place.

T. J. Mahoney reminded Woodrough that the association had gone on record as favoring a lot of reforms the day before when Woodrough was not present. Mahoney then denounced the recall at length. He said it would bring about a condition under which no man could take the bench who had any reputation which he wished to retain before the eyes of his fellow men.

S. A. Searle and C. J. Smyth undertook to congratulate Senator Allen on the progress he has made since he raised his voice prominently in the interest of the populist party twenty years ago. Senator Allen calmly awaited his opportunity to gain the floor and then said:

"I want to say that no party to which I ever belonged has ever advocated these here reforms. I have never changed my devotion to the constitution of the United States since the day when as a boy of 15 I raised my hand and took the oath to support it."

Halligan Made President. Officers unanimously elected for the coming year are as follows: J. J. Halligan, North Platte, president; H. H. Wilson, Lincoln; W. P. Hall, Holdrege; and O. C. Anderson, West Point, vice president; Alfred G. Ellick, Omaha, secretary-treasurer; and W. M. Morning, Lincoln, member of the executive council.

The association went on record as favoring the Pomerene bill, now in the lower house of congress, providing for uniform bills of lading in interstate commerce. John L. Webster, as chairman of a committee, introduced a memorial on the death of the former president of the association, the late Eliezer Wakeley. The memorial follows:

Wakeley Memorial. On November 21, 1912, in the winter of his patriarchal age, there passed away from this mortal life to a spiritual existence our dearly loved and venerable friend, Judge Eliezer Wakeley, who from his long experience, wisdom and legal learning, had become commonly known to his associates and the general public as the Nestor of Nebraska state bar. The appellation was as becoming to him as a high military title is to the modest and successful soldier, or

as medals of honor are to those who have performed distinguished services. It was the name of a legendary king. From whom Homer described as the oldest and wisest of the Greek princes at the siege of Troy. Wakeley, which needed no inscription to inform us that it signified him as the oldest, the wisest and the most experienced of Nebraska lawyers. The distinction which he achieved was due to many strong personal qualities and mental characteristics. From his earliest boyhood he was a painstaking student of essential details, and searched every principle of law he announced by a list of authorities collected after the most diligent and recent investigation. He had the ability to fix his whole mind upon the subject under consideration with an unusual and remarkable power of concentration. He had the faculty of analyzing and reducing to elemental simplicity the legal propositions which he had occasion to present to the court in argument.

His opinions on the bench as a judicial officer, he spoke with extreme deliberation, but after the most thoughtful examination of the question, the fact and principles of law in its various shades and colorings, to the end that without prejudice or favoritism. He was always actuated by his own high ideal of the successful and indefatigable energy after all manner of knowledge that might be useful to him in his chosen profession. With him no question of law was ever taken for granted and up to his latest days in the active preparation of cases he aimed to support and amplify every principle of law he announced by a list of authorities collected after the most diligent and recent investigation.

He was recognized by persons of all classes, both a man and as a lawyer, as possessed of an unimpeachable character and of unquestionable integrity. Exceptional instances there may be of ways courteous in intercourse and easy to approach. He possessed and exhibited the utmost integrity of character and lived the life of the simple virtues. He scorned the methods adopted by the modern scribblers and writers. He was intensely devoted, and to his oldest days loved with the fervor of youth his family and his country. He possessed all those sterling qualities of manhood which adorn the character and beautify the life of a noble and important man.

Your committee concurring in the foregoing expression of their sentiments touching the life and the character of Judge Eliezer Wakeley recommend that they be adopted and spread upon the minutes of this association, and that the secretary transmit a copy to the members of the family of one dearly beloved departed friend, who has long been remembered as the Grand Old Man of the Nebraska Bar.

SPARKLING TALK AT BANQUET Association Closes Annual Meeting with Feast of Reason and Wit. "Our present system of administering justice is cumbersome and archaic," shouted Judge W. D. Oldham of Kearney in his address at the annual banquet of the Nebraska State Bar association at the Rome hotel last night. "That is what has aroused millions of people to a criticism of the courts. We must change the method if we would do away with the dangerous criticisms and the dangerous propositions that are being made against the courts."

"We are wasting our time in common law indictments. The ghost of the seventeenth century school men haunt our courts today. We read lengthy and archaic indictments, setting forth that 'so and so with a shot gun, musket, rifle, revolver, or weapon, loaded with cartridges, containing gunpowder and leaden bullets, then and there, with malice aforethought, did shoot, kill and slay one so and so.' I tell you we must get away from such Seventeenth century procedure and must come out in good old plain Anglo-Saxon, and must modernize our system."

Judge Oldham repeatedly was applauded in the course of his fiery denunciation of our outgrown and cumbersome English procedure. He took valuable time in the administration of justice. Upwards of one hundred members of the association attended the banquet. They enjoyed the music of the orchestra and sang songs for over an hour, including everything from "America" to "Auld Lang Syne."

Kellogg Praises Bar. Frank B. Kellogg of St. Paul, president of the American Bar association, praised the Nebraska bar, saying he had been acquainted with General Manderson and Judge Wakeley, and their peers are hard to find anywhere in the country. He urged the members to join the American Bar association, because, he said, the bar association was the only logical place in which the lawyers effectively can work out their opposition to such dangerous measures as the pro-

posed recall of judges and judicial decisions. Arthur F. Farnam of St. Paul, secretary of the Minnesota Bar Association, read from "Mr. Doolley," on judicial procedure and the law's delay. He affected the Irish brogue in a manner so rich and placed the emphasis so well that the house was kept in a roll of laughter.

Good on "Pool Courts." Judge E. E. Good on "The Court Jester" made some puns on "court fools," then became more serious. He said if we wish to avoid dangerous recalls, we must in some way provide other means for the speedy removal of a judge who is found to be recreant to the sacred trust in him imposed.

J. Dean Ringer of South Omaha made some jesting remarks, lighting a candle on the table before him and threatening to speak until it burned out. He concluded by snuffing it.

Halloek, P. Hoos, speaking of the influence of the federal authority on local jurisprudence, reviewed attempts of the states to escape the federal supremacy and the ultimate cost of establishing it. He touched on the initiative and referendum in future legislation, when pernicious bills, cunningly framed to catch the popular sentiment, should be submitted directly to the people.

Judge Charles E. Letton, speaking of "criticism," said he was glad to note that the association saw the necessity of reform of the antiquated methods. Speaking of the recall, he said that was found in vogue 2,300 years before Christ. The fact that the law is delayed under present methods, however, he said, is plain and has been plain for years, as even Shakespeare made Hamlet speak of the law's delay. "But," he said, "those who claim for the recall and for a conviction, whether the defendant is guilty or not, are doing a dangerous thing, as they tend to weaken the confidence of the people in the government under which we live."

M. A. Hall, president of the Omaha Bar association, was toastmaster. Mr. Kellogg and Arthur F. Farnam left for St. Paul last night.

LOSS TO STATE OVER MILLION

Deaths of Twelve Thousand Horses Due to Epidemic Last Fall.

BOSTROM FILES HIS REPORT

State Veterinarian Believes Fatal Disease is Not Caused by Forage, but is of an Infectious Nature.

(From a Staff Correspondent.) LINCOLN, Dec. 29.—(Special.)—According to Dr. Bostrom, state veterinarian, Nebraska lost by the epidemic among horses last fall over \$1,500,000. He bases this estimate upon reports received which place the number which died at over 12,000. He put the value of \$125 as the average worth of the animals.

At the time that the disease was at its worst and government experts were working upon the cases, it was generally supposed that the direct cause of the disease was through the feeding of green, second growth, foliage and the use of stagnant water, but Dr. Bostrom in his report to the governor denies this and says he believes it to have been an infectious disease, as he says that the malady was prevalent where all kinds of feed was being used.

Only six mules died of the disease, which leads the state veterinarian to believe that as a general thing the mule is immune from the disease which was so fatal to horses of all ages and conditions.

In the beginning of the appearance of the disease nearly all the horses which died succumbed in about two days. The disease disappeared in about forty days, going as suddenly as it came. Dr. Bostrom says that a great many experts believe that the disease was in the nature of cerebro-spinal meningitis, indicating an inflammation of the brain and spinal chord, though he does not say that he is willing to embrace that idea.

Altogether 216 horses, mules and colts have been killed on account of glanders. Of this number 197 were paid for according to law, the average compensation to the owners of the killed animals being \$50.47. Before the indemnity was allowed twenty-five were killed for which the owners have received no compensation. Thirty-nine more had been in the state less than a year and three were less than a year old on which no indemnity was paid. Ninety cases proved not to be glanders and six cases are still pending.

Of the \$25,000 appropriated for the payment of claims on glandered horses killed by the department and under its orders, there is \$11,353 left, which will be sufficient for the balance of the biennium and will probably show over \$5,000 to the good at the close of the biennium, April 1.

The biennium was remarkable for large losses among horses and hogs, while cattle fared better than usual and sheep came out in good shape as far as losses were concerned. At South Omaha 4,677 head of cattle were tested for tuberculosis and 288 were found to be afflicted with the disease. Shipment of live stock into the state during the biennium which came under state inspection numbered 5,822 cattle and 8,213 horses and mules. The inspection on outgoing interstate shipments numbered 4,621 cattle and 2,967 horses and mules. Fourteen of the cattle were rejected.

Three horses and twenty cattle died of anthrax and 1,008 horses and cattle were vaccinated against it. The disease is in-

CONTRACT FOR DAWSON COUNTY COURT HOUSE LET LEXINGTON, Neb., Dec. 29.—(Special.)—The contract for building the new court house for Dawson county was let Friday afternoon to the Falls City Construction company of Louisville, Ky. The bid was \$90,139. The contract calls for the court house to be complete by December 1, 1913. The county commissioners appointed an advisory board to assist them in selecting the bidder and the erection of the court house. Two men were selected from each commissioner district and are as follows: M. C. Doughett, Overton; Dr. Bush, Sumner; James P. Carr and H. H. Mills of Lexington, Charles Ward of Cozad and H. L. Williams of Gothenburg.

Wilson Tells Hopes for Administration (Continued From Page One.) gle to the top and who must, therefore, be looked after by the force of society, for they have no single force by which they can serve themselves.

Secs Solemn Responsibility. "This is the solemnity that comes upon a man when he knows that he is about to be clothed with the responsibility of a great office, in which will center part of the example which America shall set to the world itself. Do you suppose that that gives a man a very light heart at Christmas? I could pick out some gentlemen, not confined to one state, gentlemen likely to be associated with the government of the United States, who have not yet had down upon their intelligence what it is that government is set up to do. There are men who will have to be mastered in order that they shall be made the instruments of justice and of mercy."

"The word that stands at the center of what has to be done is service. The one thing that the business men of the United States are now discovering, some of them for themselves and some of them by suggestion, is that they are not going to be allowed to make any money except for a quid pro quo that they must render a service or get nothing; and that in the regulations of business the government, that is to say, the moral judgments of the majority, must determine whenever what they are doing is a service or is not a service, and that everything in business and politics is going to be reduced to this standard."

"Now, society has always had its revenges. Society has never consented to remember with honor the men who thought only of themselves. The honors of the world have not been distributed upon the basis of wealth. They have been distributed upon the basis of moral worth."

Best Cough Medicine for Children. "I am very glad to say a few words in praise of Chamberlain's Cough Remedy," writes Mrs. Lida Dewey, Milwaukee. "My children have used it for years both for my children and myself and it never fails to relieve and cure a cough or cold. No family with children should be without it as it gives almost immediate relief in cases of croup." Chamberlain's Cough Remedy is pleasant and safe when a medicine is given to young children. For sale by all druggists.—Advertisement.

Arctic Brotherhood Facing Civil War

VALDEZ, Alaska, Dec. 29.—Every lodge of the Arctic Brotherhood in Alaska and Yukon territory will send delegates to a convention in Juneau, March 12, to consider secession from the grand lodge, which has permitted the formation of subordinate camps in Seattle and other cities in the Pacific coast states. Action will be taken in the courts to prevent camps outside using the ritual or name of the Arctic brotherhood.

DEATH RECORD.

Mrs. Tiekler. HARVARD, Neb., Dec. 29.—(Special.)—Mrs. Tiekler, an early settler of this community, died at the home of her son, Harry Tiekler, in this city about 1 o'clock this morning from a decline of some weeks duration from causes incident to her age, just 88 years. Three sons and two daughters survive her, most of whom have been with her as needed in the care during her illness.

Services were held at the late home of Mrs. Theodore Griess this morning, where many friends conveyed to pay respects to her departure, and the high estimation she has held by all classes of the community. The body was taken to Sutton, where public service will be held today.

Mr. Griess is president of the Union State bank of this city and one of the Sutton banks, and Sutton was formerly the home of the family.

Miss Mary Hally. Miss Mary Hally, a dominican teacher, known in the order as Sister Gertrude, a teacher at the Sacred Heart school, died Sunday morning at St. Joseph's hospital, after a month's illness. Solemn

Funeral services will be held at 10 o'clock Monday morning at St. Joseph's hospital. Burial will be in the Sacred Heart cemetery.

WILSON TELLS HOPES FOR ADMINISTRATION

(Continued From Page One.)

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POSTOFFICES MERGE JAN. 1

Washington Authorities Have Not Heard of Delay in Consolidation.

FACTS ARE CORRECTLY GIVEN

Victor Rosewater Says There Was No Misrepresentation of the Matter to the Washington Officials.

(From a Staff Correspondent.) WASHINGTON, Dec. 29.—(Special Telegram.)—So far as is known about the postoffice department the consolidation of the South Omaha postoffice with the Omaha office and the appointment of Mr. Elmer as superintendent will take place on January 1, instructions for said consolidation having been sent. Postmaster Wharton shortly after the postmaster general announced the consolidation would be made.

While Senator Hitchcock and Representative Lobeck have exerted themselves to bring about a postponement of the order "for the purpose of giving business and professional interests an opportunity to be heard against the proposed consolidation," as they ingeniously represented to First Assistant Postmaster General Grandfield, and who prepared a memorandum for the postmaster general, the first assistant to Mr. Hitchcock said today that he had not been advised of any change in the order authorizing consolidation, and so far as he knew, it was to be carried out as originally planned.

No Misrepresentation. "There seems to be a studied effort by those opposed to it to create the impression that the order merging the Omaha and South Omaha postoffices was made under misapprehension of the facts by the authorities at Washington," said Victor Rosewater, who brought the matter to the attention of the department at Washington.

"I can say that the postmaster general, who issued the merger order, was fully and correctly informed of all the conditions. It was not until after the order had been issued that he discovered the democratic senator and democratic congressman had been consulted. It is he who is in error."

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SHE LOST HER HAIR.

But she found it again. That is the good part of the story. It cost her a lot of pride to lose it, and just a dollar to find it. You see, the dollar is the price of a bottle of Hall's Hair Renewer. No coloring of the hair. First of all, she talked it over with her doctor. This gave her confidence to go ahead.

AMUSEMENTS.

Orpheum Phone—Douglas 494. Mat. Every Day, 8:15; Every Night, 8:15. ADVANCE SEATING. The Week—NAT. M. WILLES Leonard Gaultier's Animated Torsion, E. Frederick Hawley & Co. Melville & Higdon's Franks, Daniel & Co. Mary Elizabeth—Atkins—Whitman Trio, Father's Weekly Review, Frisco, Nat. Gallery, 10c, best seats 15c, except Saturday, Sunday and Holidays, Night, 10c, 25c, 50c, 75c.

Think of all the delicious things you can make with Cranberries

Cranberry Jelly, Cranberry Sauce, Cranberry Pies and Tarts—you can make all these any day in the year, just as good as can be, with

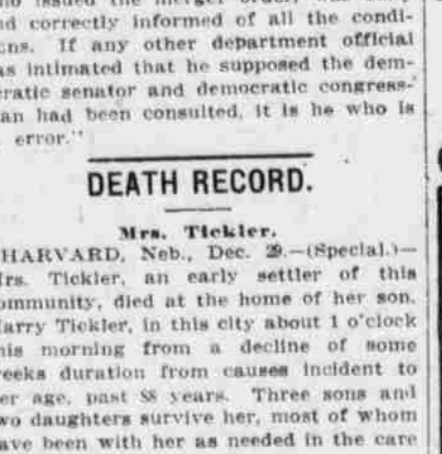
MAKEPEACE Evaporated Cranberries

These are the finest cranberries that grow, large and plump, ripened on the vine till red and juicy, picked by hand and thoroughly sterilized—with only the water evaporated. Add the water again and you have cranberries just as fresh and good as when they were picked. You don't have to "pick them over"; there is no waste; they will keep indefinitely.

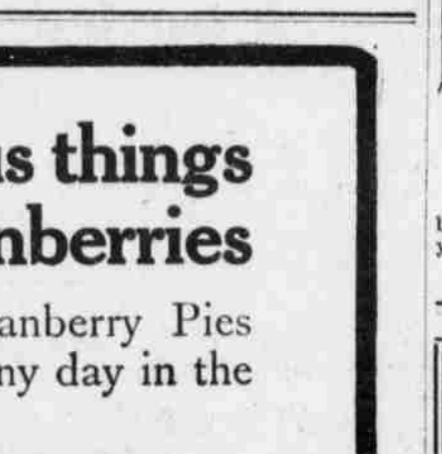
All the great cooking experts and pure food authorities endorse Makepeace Evaporated Cranberries. Janet W. Hill, of the Boston Cooking School, says they are especially good. They have a flavor you can never find in ordinary cranberries sold in bulk from barrels.

Ask your grocer today for Makepeace Evaporated Cranberries. Cooking receipts inside the package—just follow directions—then if you don't say they are better than any cranberries you ever bought—simply take them back to the dealer and he will cheerfully refund your money. Comparison is the real test. You be the judge.

In the unlikely event of your dealer not having Makepeace Evaporated Cranberries, tell him to get them for you from his jobber. A. D. MAKEPEACE CO. - Wareham (on Cape Cod), Mass. CAMPBELL & WEST, Distributors, Omaha.



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