JAMES E. KELBY AN EXAMPLE OF YOUNG MAN IN BUSINESS

Short But Convincing Story of the Rise of a Boy from Poverty to a Place of Prominence and Responsibility With a Very Comfortable Salary by Dint of Hard Work and Perseverance

ROM a plodding student of the law and a newcomer to this country in 1887 to the position of general solicitor of the Burlington road twenty years afterwards is the proud record of James E. Kelby. Born a little over forty-three years ago on the Isle of Man, known in the time of Tacitus as Mona Insula or Isle, or more anciently as Ubonia, Mr. Kelby has carved for himself a home and fame in the new world. The tight little isle, whose length does not exceed thirty miles and whose breadth is about seven miles and whose area is about 220 square miles, is nearly equi-distant from England, Ireland and Scotland, and parts of all three places can be seen easily from Sanefell's Mount, the highest point of the isle, on a clear day.

Manx Land, made famous by Hall Caine, has never been conquered, except at its invitation or consent, and is today the most independent of British possessions. It was ruled by Northmen for several centuries and afterwards by King Orry, the Dane, the Derbys and later the Atholes. The British crown in 1829 acquired the rights of the Atholes in the island and benevolently assimilated it.

The paternal grandparents of Mr. Kelby migrated from England to New Orleans about that time and both died there in 1847 of yellow fever. His maternal great-grandfather was a preacher and contemporary of John Wesley and rode the circuit with him. His paternal grandmother was a relative of John Wesley. Tiring of this country, his parents moved back to the Isle of Man, where Mr. Kelby was born.

The isle of Man is the one place of all the British possessions where the principle of home rule exists. It has its own Parliament, known as the House of Keys, which is the supreme legislative body, and a lieutenant governor representing the crown. It has been suggested the Garden of Eden was in the little Isle of Man. Consider the ancient name Ubonia and the names Man and Mona. From them you get the idea of man-bone, man's bone-woman, and Mona, her name. Manx Land is peculiarly the home of the fairy, or phonoderee, and the tailless cats and roosters. Its folklore and legend are, perhaps, unequaled in richness and teem with stories of the fairy and the witch. The inhabitants of the island are intensely religious, sincere, God-fearing people, the most of whose time is spent either at work or at prayer.

Doomed to Be a Preacher

Such were the early surroundings of James E. Kelby, who was brought up by God-fearing parents. In his earliest youth he was taught by his father and was able to read and write before he was 8 years of age. His father had a clergyman's career mapped out for the youthful James and nothing was left undone to hurry along his education to that end. He was sent to a private school for three years and then attended an Episcopal academy for two years. Not content with the usual methods of education, Mr. Kelby, sr., secured the services of a Prof. Brown, a noted educator of that period, to tutor his boy for college. His father's plan for a ministerial career was not to the liking of James, and when about to take his entrance examinations he left home and came to the United States, being at that time 16 years old.

In preparation for the ministry James had often been called upon to preach sermons and before he was 15 years old had preached many sermons and was looked upon as a youth with the brightest prospects in the future in the profession chosen for him by his father. The boyhood days of James at home were characterized by an enforced devotion to things spiritual-the more so as he was to become a minister-and Sunday school and church twice on Sunday, prayer meeting Wednesday and class meetings fremently were a regular diet. It is said that the Manx language is a branch of the Celtic language, known as "Gad-Helic," which, of course, is given as the reason and accounts largely for the gad and gab of the early years of James. The gift of gab has never left him. So on the eve of his final preparation for the ministry James set sail for this country and headed for Joe Davies county, Illinois, where he had an uncle, with whom he visited for some time. Tiring of the country life, he moved to Galena, Ill., where he clerked in a

general store, and then in 1887 moved to Omaha, and has lived here ever since. While in Galena he secured permission from Judge W. D. McHugh to read some of the law books of his office and in that way started on the road to the proud position he now occupies. Judge McHugh moved to Omaha about that time and Mr. Kelby read law in his office in Omaha for a short time. With no funds with which to attend a law school, he, with others, conceived the idea of forming the Omaha Law school, and this was done, Mr. Kelby being one of the promoters and organizers of the school. Within two years after his arrival in Omaha he had mastered enough of Blackstone and other noted writers of law books to take the examination for admission to the Douglas county bar and was successful in 1889.

Dark Days for Youngster

During the time Mr. Kelby was reading law and subsequently, after being admitted to the bar, he passed through the usual starvation period, many a time "carrying the banner" and longing for some quiet nook where he might lie down and sleep, and the strains of "Home, Sweet Home" on some nearby piano brought tears and dejection. His principal source of revenue during this starvation period was the few dimes he earned by keeping the justice docket of Justice of the Peace Richard Dean Arden Wade and singing in the Westminster Presbyterian church choir. During the year after he was admitted to the bar Mr. Kelby entered the law firm of Switzler & McIntosh, but the business in his line did not pick up very fast, if this story of Carl Smith, formerly of Omaha, is taken to be true, and Mr. Kelby admits that it is "substantially correct:"

"Reading with great interest the series of articles relating to the chances of a young man for success in life, I am impressed by the recurrence of the statement that to the ambitious person an opportunity will always come, and if that ambitious person is wise enough to grasp that opportunity and make the most of it success is very largely his from that time on.

"Well, it depends, "Success is bound to come, of course, if our beginner in his ambition does the right thing at the right time, but if his action is all calculated for the advancement of himself, rather than the proper performance of the work before him, he is just as likely as not to fail, don't you think? If the young man basn't gumption he is likely to attempt to do too much at one breath, and by so attempting to fall utterly. It was Alfred Vargrave, was it not, who

was a man who achieved so little because of the much he conceived? "Let us take a case in point. A study of it will show that success came to one young man, not because he attempted wonders, but because he was modestly anxious to keep from bounding forward into the full view of the spectators. It is the case of Jim Kelby, and Jim Kelby's address is, 'Assistant General Solicitor, Bur- love, to go to work with? A shade of hesitation lington & Missouri Railway Headquarters.' Ten years ago Jim was a hungry law student, battling around trying to fill all his head with law and some of his stomach with food. He was a student in the justice shop of R. D. A. Wade-that same alphabetically after all? named Wade who created somewhat of a sensation last spring by doing something or other-probably very important, but most mysterious-in the matter of theosophy. Keiby's lines were reasonably hard, and he ate sometimes and many times he did not, but he always pounded away at Wade's law books. After awhile he, with a drove of other quaking culprits, appeared before the examining committee of the bar and in panicky distress he passed with high ings. This seeing, speaking stranger could never

Becomes a Real Lawver

"He renounced Wade and the evil of his vagabond justice shop tap on her head, indicated that her companion and secured permission from the law firm of Switzler & McIntosh, would have her put on her coat and hat. Ah, the and not at all like the joyous and impecunious Wade-Jim, I say, friend did know how to speak to her, after all. obtained permission from this law firm to do all its bad debt col- She would trust herself to her guidance, then, and



JAMES E. KELBY.

Walk In.' Jim went in debt for the sign, but it was a good invest- although there was no chance of either getting back in time. ment, for it paid him a compound interest of pleasure on the obligation to the painter. But nobody who 'walked in' ever asked for J.

were entrusted to him, but he had heard somewhat of this case and that case would win a great deal of credit.

"Now, you think this story is going to end in the regulation life. way, but it isn't.

"Kelby told Baxter of the impossibility of Switzler or McIntosh" appearing to try their side of the action, but Baxter was obdurate the chief local counsel of the Burlington and Baxter's superior, and night. told of the Switzler-McIntosh absenteeism. Mr. Greene, however,

lecting for nothing, in return for which he was allowed access to had been disappointed several times in the trial of the cause and the firm's library, and (great delight of his soul) a little sign was declined to consent to continue. It was none of Kelby's business, painted on the glass of the door, 'J. E. Kelby, Lawyer.' It was a but he was loyally desperate and excited just the same. He had modest little sign, away toward the bottom-even below the words, no money or he would have wired one of the members of the firm,

Night of Work for Him

"He had access to the files, so he hunted out the papers in the "Once toward the close of a court term it happened that both case and pored over them. He devoured them; he consumed them. Switzler and McIntosh were dignifiedly, magnificently out of town. Then at 10 o'clock at night he went, supperless, on a search for the Jime was sitting in the office when Baxter, assistant local counsel Switzler-McIntosh client and hurried him down to the office and against both Switzler and McIntosh. He also had a notice to leave. and at 9 q'clock in the morning he had two affidavits prepared. One The notice was to the effect that a certain very important cause, the client signed and one he signed himself. Then, without breakmany times continued, was to be called peremptorily to trial on the fast, he hurried into court and took his place at the lawyer's table, morrow. Jim was not a member of the firm and none of its secrets and when the court called this case he stiffened back for the fight.

"'Defendant's ready, your honor," remarked eminent counsel, he knew it was a most important one. The man who would win Mr. Greene, from the other side of the table, just as though this were a very small affair and not the turning point in Jim Kelby's

> " 'Is plaintiff ready?' inquired the court. "This was that turning point of Kelby's.

"Your honor, said the breakfastless, sleepless, supperless against a continuance. The thing had hung fire too long already, youngster. I desire to present a motion for a continuance and to he said, and went away. Then Jim hurried to the office of Greene, offer two affidavits in support. And he handed up the work of the

He talked about the sin of continuing this case further and the annoyance and vexation of counsel going away and trifling with the court. It was reprehensible of counsel, infamous of counsel. Then he talked about Plato, Mars and the beautiful land of Valhalla. And he moved that the case be dismissed at plaintiff's cost.

"The court looked down on Kelby then. Up rose Jim.

"'May it please the court,' he said, 'I don't know anything about Plato or Mars or the land of Valhalla, for I haven't seen any of 'em mentioned in these pleadings. But I do know that I haven't had any breakfast or any sleep or any supper on account of fixing up those affidavits, and if they ain't strong enough, why, with eminent counsel's permission and your honor's sanction, I'll withdraw 'em temporarily and amend 'em by putting in something about Plato and Mars and Valhalia. Begging your honor's pardon, I desire to say there's nobody on earth who can properly try plaintiff's case but Mr. Switzler or Mr. McIntosh, and they're both out of town, and I ask for a continuance.'

Plea Wins the Court

"The judge looked thoughtfully amused and eminent counsel stared across the table as Jim, all earnestness and without a thought of having said anything but what was exactly right, collapsed into his chair with the tears springing to his eyes, " 'Case is continued until next term,' said the court.

"Eminent counsel, Mr. Greene, caught Jim at the door. 'Young man,' he said, 'I wish you'd come up to my office this afternoon. I want to see you.' Jim called, and from that day forward the little sign, 'J. E. Kelby, Lawyer,' on Switzler & McIntosh's door told an inferential falsehood. For Jim's office wasn't there any more, but was with Charles J. Greene, and his allowance from the Burlington road was always sufficient for him to buy breakfast or send telegrams if he wished, and when General Solicitor Marquette died and Senator Manderson succeeded him, the first thing the senator did was to steal the local counsel's young man and make him assistant general solicitor.

"Of course it would have been quite natural for most young men to rush into court and try to prosecute that case and surprise Switzler & McIntosh with a fine, big, fat verdict on their return home, and that is, perhaps, what you expected. But James E. Kelby, lawyer was bright enough to put his chance for making a hit away from him, and in so doing he made a greater hit than he had dreamed of."

Since he has been in the employ of the Burlington road cases have come thick and fast enough to satisfy the most indefatigable worker, and especially since the passage of the Hepburn and other bills by congress, since which time scarcely a move is made by any of the officials of the road until after it is submitted to the legal department for approval. Times have changed in railroading. Formerly a road would do anything to get the business, but now the rules as laid down by congress and the Interstate Commerce commission are followed implicitly, and woe unto the official who varies from the rules and law.

Busy Man of Law Now

As general solicitor of the Burlington lines west of the Missouri Mr. Kelby must look after the legal end of the business in six states, nearly all of them having recently passed new laws for the government of railroads. For over a year the heavy work of the office has fallen upon the shoulders of Mr. Keiby because of the indisposition of General Manderson.

Mr. Kelby was married in 1894 to Miss Eugenie De Haven of Council Bluffs and they have one child, 3 years old, Miss Aulta Kelby. Love of nature is one of the dominant features of Mr. Kelby's life, and the boy who was not permitted in his youth to whistle on Sunday and who never saw a playing card until coming to this country now often puts in his Sunday in communing with nature. He often makes fishing excursions to the northern lakes and occasionally shoulders a gun in search of the game with which western Nebraska abounds. To the end that he might the more readily satisfy his love for-nature Mr. Kelby a few years ago bought a 160-acre improved farm two miles northwest from Florence and here he moved his family. During the summer just passed Mr. Kelby received a flattering offer for his farm, and, taking into consideration the time lost in reaching his office, he concluded to sell. He now lives at 3436 Lincoln boulevard, which is a more specific address than saying Bemis park, where the home is located.

Modest to a degree that he does not take credit to himself for for the Burlington railroad, walked in. Baxter had a grievance talked the matter over with him. At 3 o'clock he began writing, the many things he does, Mr. Kelby has forged his way to the front by hard work. "Volumes could be said of the good characteristics of James E. Kelby, but nothing can be said of his faults, as he has no bad ones," said a lifelong friend and associate in talking over the recent promotion of Mr. Kelby. "He is a true friend, and that is about the best thing you can say about any man, for true friendships are the finest things in this life."

With the reorganization of the legal department of the Burlington road and the placing of more responsibility on the Omaha office, the officers of the road did not look farther than Mr. Kelby in their search of a man to take the place of General Manderson, who was given the position of consulting solicitor of the lines west of the Missouri river. The boy with training for the ministry is now advising the employes of the great Hill line to live up to the laws.

Mr. Kelby is a member of the American Bar association, of the "Then, indeed, was the eloquence of eminent counsel displayed. Omaha club and of the Masonic fraternity.

Out of a Dark and Silent World Into a Brighter One

Blind, Deaf and Dumb Anita Now a Wage Earner and No Longer Shut Off from Rest of Humanity as She Was for Sixteen Years

ERE is a friend, Anita. She has come go with her. to take you to work." A friend? That is a new word. meaning of the word work, but she had never yet known the name friend.

Cautiously her arm extended, carefully the delicate finger tips stroked the shoulder, the arm, the wrist of another girl. The other girl grasped the slender fingers in both her hands, patted them gently, squeezed them lovingly and a thrill of responsive appreciation swept through the blind A friend. Was this a friend? Someone to

clouded the brow of the blind girl. If this friend was to lead her through the streets she must be unlike herself, therefore could she understand her

Those who cannot see or hear or speak may not be trusted outdoors alone. Those who can see and hear and speak do not understand the sightless silent ones.

No, she must have been too hasty. Only her mother could comprehend her thoughts and feelhave anything in common with Anita.

A sudden hug and kiss broke in upon her doubts. A swift touch of her shoulders, a quick

This little scene was the beginning of a friendship existing between two girls employed by the Anita had learned only yesterday the Matilda Ziegler Magazine for the Blind at the new printing plant at 306 West Fifty-third street, New

Shut in from the world had been Anita for sixteen long years, ever since she was a baby of 2. Every avenue of usual communication has for her been closed; only by a code of signs evolved by necessary interchange of ideas can she communicate with her mother, the one person who can make herself understood by the deaf, dumb and

As a blue-eyed baby Anita toddled prattling from one room to another of the flat where she was born, while her father and mother tolled and saved toward the little farm which was to be their home. Hardly had the country home become a reality when disaster followed upon disaster.

The cottage burned, the father died and the mother returned to the city to earn a living for herself and her daughter. One malady after another visited the child, each robbing the little one of some essential faculty. The ears refused to bear intelligence to the brain, the tongue soon forgot its few words, the eyes no longer beheld the giories of the world. The little maid was shut in to a life of silence and darkness.

A few years' attendance at school saved the brain from atrophy and motherly love suggested light tasks to be performed at home to occupy mind and hands. The child learned to wash and

flowers of colored papers.

"The burden of the blind is not their blindness, but their enforced idleness," says Helen Keller. And so Anita's days offered scarcely enough variety to make their recurrence a joy.

"Who can blame her for not wanting to get up in the morning?" says her mother. "I'm sure I says to myself, 'Let the poor thing sleep,' and I don't disturb her. But now it's so different. Lor. she can't stay in bed o' mornings now, she's so afraid Lily'll come for her unexpected. She's up and drawed and her room in order so to be ready to go in case they send for her."

The employment of this girl by the managers of the Ziegler Magazine has opened the door wide to a new existence. To earn money, to save every to cause her to drop the paper. cent of it, too, is a delight never dreamed of during all the many years of quiet solitude.

Now for eight days of each month does she find herself busy, walking slowly down the length of a table piled with sheets of paper, each plainly numbered by raised figures in the corner to be sorted for the magazine, and placed on another table for the cover. Back and forth, back and forth, dependent wholly upon the sense of touch, does the girl walk and work all day, receiving at the end of the eight days eight crisp dollar bills, whose rattling vibrations are music to her

A sense of entity possesses her as never before. No longer a cumberer of the earth, but one

fron, to wash the dishes, to tidy the rooms and to who is in some degree self-supporting, she wears sew. Recently she acquired the skill to make an expression of self-respect and dignity never before characterizing her.

> The bright expression flitting over her face and obliterating the usual air of self-repression when her new-found friend approaches shows the change that has come into her life. Until this new experience came into her life no person save her mother had entered the fastnesses of this girl's heart.

"How do they communicate?" asks the observer, who notices the girls together during the noon hour.

When the whistle blows the girls, of course, stop work, all but Anita. There are several other blind girls employed in the same loft, but none of them are deaf. Anits works on until Lily comes

Slipping her arm caressingly around the blind girl's waist, the fair-haired companion leads her to a table in a corner apart from where the other girls are eating. Daintily she spreads the luncheon from their two baskets, carefully she assists her friend to enjoy the bread and butter and jam with an occasional cookey or sweetment for a surprise. Not a word is exchanged. No glance, no whisper, no laughter, no interchange of girlish confidences mark this midday meal. Yet a look of serene happiness is visible on each countenance, as by unexplainable telepathic correspondence messages of good will, comradeship and comfort transmit themselves from one to the