WORK FOR COMMISSIONERS

Alma Man Objects to Telegraph Rates Given to Newspapers.

E PRESS COMPANIES ANSWER

Governor Sheldon Discussing Plan to Have Brick for Use of State Made by Convicts and Other State Wards.

(From a Staff Correspondent.)

LINCOLN, Feb. 4.—(Special Telegram.)—Formal protest was filed by W. A. Myers of Alma before the State Railroad commission Tuesday against the telegraph companies operating in Nebraska making reduced or "press rates" to the newspapers when citizens are compelled to pay the full rate.

In his communication to the railroad commission Mr. Myers says that he bases his protest on the ruling recently made by the commission, making it unlawful for the Bell Telephone company to furnish telephone service to the Burlington railroad at reduced rates, or enter into any contract with the railroad people to install telephones in the state on other terms than made to the general public.

Whether Mr. Myers is acting for the railroad company or not is a matter of conjecture at the capital, but he insists that he intends to push the case against the telegraph companies and newspapers on the ground that if the railroad commission can issue such an order to a telephone company it has the same power to stop the discrimination between citizens of Nebraska and the privileged newspapers of the state.

Suit Alleged Ineffective.

The express companies against which the railroad commission brought suit some time ago to enforce the provisions of the Sibley law, requiring a 25 per cent reduction in express rates, have filed their answer in the supreme court. The companies allege that the law does not work against them, inasmuch as the Sibley law did not go into effect until July 5, 1907, while the attorney general brought the suit to enforce the law prior to the time it went into effect. The express companies hold that their rates were legally established at the time the suit was brought and that the present suit could not possibly effect them, owing to the time of filing, before the Sibley law was a law.

Hearing on Can Receipts.

The State Railway commission th's afternoon officially denied a rehearing asked for by the plaintiffs in the case of the centralized creameries against the various railroads of the state in which the matter of service was the issue, except in the request that receipts be given for empty cans returned by the railroad. The commission ordered the transportation companies to appear in Lincoln February 18, at 10 o'clock in the morning, to show cause why an order should not issue to require them to give receipts for the empty cans and other empty receptacles of a like nature, returned. This hearing is for the purpose of securing information upon which the commission can issue an order covering the whole matter of the return of empties and not merely to give relief to one class of shippers as in this instaance.

York Case Coming Up.

The commission will hear tomorrow the case wherein the Commercial club of York is seeking to get a transfer track put in by the Burlington and Northwestern railroads.

Brickyard for Penitentiary.

A brick yard owned and operated by the state and worked by state convicts and state wards is one of the possibilities of the Sheldon administration. Governor Sheldon said this morning he believed it possible for Nebraska to make all the brick it needs for the construction of state buildings. Early in the spring he intends to get the state geologist to visit the various state institutions and make an analysis of the soil owned by the state and if the investigation shows the clay is of such a nature that brick can be made from it of a good quality, he will urge an appropriation for the construction of a brick yard. Such a plant would afford employment for the convicts of the state penitentiary and for many of the inmates of the insane asylums. The employment would be conductive of good health for the convicts and at the same time it would save an immense amount of money for the state and permit of the construction of many buildings which are now delayed by reason of the heavy appropriations made against the state treasury.

Governor Sheldon is considering many things for the improvement and betterment of the state. While in Kansas he took particular notice of the state printing plant and investigated as thoroughly as his time would permit the working of convicts in the coal mines. While both of these Kansas propositions impressed him he is going to study the questions from every viewpoint before making any recommendation of public endorsement of them.

Law Too Drastic.

Attorney General Thompson has received from Congressman Clayton of Alabama a copy of the latter's bill to prevent the issuance of federal injunctions against the operations of state laws and a personal letter asking Mr. Thompson's opinion of the bill. This measure provides that no district or circuit judge of the United States can enjon the enforcement of a state law until the same has been tried and a decree entered to the effect that it is in violation of the constitution or treaties of the United States. In other words, that the federal court cannot issue a temporary injunction against the enforcement of any state law. In reply to the letter Mr. Thompson will state that in his opinion the law is toc drastic and he will advise that it be limited so that no federal judge can restrain a state officer from enforcing a state law in a state court until the matter has been tried in the state court and a final decree entered.

Counties to Have Primaries.

The following counties have asked the republican state committee for ballots on which to vote a preference for a presidential candidate:

County.	Del.	County.	Del.
Antelope	12	Lancaster	54
Butler	11	Lincoln	10
Cedar	13	Otoe	17
Cheyenne	5	Perkins	1
Dakota	6	Red Willow	9
Dixon	10	Richardson	17
Dodge	19	Rock	3
Fillmore	13	Seward	15
Hall	17	Thayer	13
Hamilton	12	Webster	11
Hitchcock	4	York	17
Total			288

News That is Not True.

A copy of the Omaha World-Herald received at the state house today contained evidence that it is still necessary to go away from home to get the news. The paper had a story about the Lancaster county republican committee refusing to endorse the candidacy of Secretary Taft by voting down a motion to endorse. No motion was made at the meeting of the committee to endorse the candidacy of Secretary Taft and no suggestion was made that such a motion should be adopted. Instead cards issued by the local Taft league were passed around to the committeemen, each of whom took a bunch home with him to get new signers. The endorsement of a presidential candidate was not even mentioned at the meeting, probably for the reason that practically every republican in the county is for the nomination of Secretary Taft and his endorsement formally was not thought necessary.

Ministers in Local Politics.

A meeting of delegates from the various churches of Lincoln will be held Friday night for the purpose of discussing the issues to be projected into the coming fight for the nomination of local officers. The question which will occupy most of the time of the meeting will be whether to make a fight for prohibition. The meeting will be public, though delegates will be sent by the several churches.

Census of Penitentiary.

The report of Warden Beemer for the month of January shows there are now in the penitentiary 402 convicts. The first of the month the roll showed 404; eighteen convicts were received, 9 were discharged, 2 were committed and 1 executed. There were 222 convicts employed under contract, 250 on full time, 5 on three-fourths time and 17 on half time. The warden paid to the state treasurer during the month $419.57.

Corn as Legal Tender.

Corn is corn in Nebraska—even in Douglas county, where the sky scrapers are as numerous as corn field—and the supreme court has been asked to say that 250 bushels of cohrn and not $50 settles a $50 account. Back in 1903 Peter Gravert loaned to John Goothard $50, and took his note for the same payable in sixty days at [illegible] per cent interest. Goothard, it being set out in the note, either to pay the money or give Gravert 250 bushels of corn. Gravert claims he received from Goothard several batches of corn and only by figuring the corn at 40 cents a bushel can Goothart have any ground for saying he paid the note. The lower court found against Gravert and the case has been appealed. The parties live at Benson.

Roast for Attorney.

The case of Lucy A. Colby against Mary J. Foxworthy in the supreme court on appeal from the district court of Lancaster county, being a suit over a mortgage, in which L. C. Burr, one of the attorneys, has been cited for contempt by the court, will be heard tomorrow on a motion for a rehearing, on a motion made by the attorney for Mary J. Foxworthy, former Judge Holmes, whose opinions in the case have been three times reversed by the supreme court. Flansburg & Williams, attorneys for Lucy J. Colby, in resisting the motion for a rehearing criticise Judge Holmes, who became an attorney in the case after leaving the bench, in the following language:

If counsel knew no more about the record when he decided this case as judge than his statements in the brief would indicate, it is not surprising that his decree was reversed by this court after examining that record and knowing its contents. And the purpose of this brief is to challenge attention to some of the misstatements of counsel.

Howell Appeal Argued.

The case of Samuel E. Howell plaintiff in error against the state of Nebraska, defendant in error, from Douglas county, was argued in the supreme court this afternoon. Attorneys Scott and Connell appeared for Howell and W. B. Rose for the state. This is the case wherein Howell was sentenced to jail for six months and to pay a fine of $1,000 for being a member of an organization in restraint of trade in violation of the anti-trust laws of the state.

Assistant Veterinarian.

State Veterinarian McKim today appointed a number of assistants. These assistants are paid under the law $5 a day for actual time worked. The appointees are as follows.

M. T. Bernard, Grand Island; Alfred Bostrom, Minden; J. C. Bowman, Tecumseh; W. H. Cole, Broken Bow; G. J. Collins, West Point; J. J. Drasky, Crete; J. L. Hoylman, Franklin; Roy Lowell, York; I. W. McEachen, Geneva; George A. Meixel, Aurora; James C. Myers, Norfolk; W. R. O'Neal, Wayne; E. K. Paine, Fairbury; V. Schaefer, Tekamah; D. C. Scott, Omaha; W. E. Severn, Randolph; J. D. Sprague, David City; W. H. Tueck, Sutton; George R. Young, Omaha; L. P. Carstenson, Columbus; Robert P. Smith, Edison; A. T. Peters, Lincoln; J. H. Gain, Lincoln; J. S. Anderson, Seward; Hans Jensen, Weeping Water.

Big Bonus to Evangelists.

MINDEN, Neb., Feb. 4.—(Special.)—The Hicks and Galoway revival meetings, which have been conducted by Evangelist Ira Evans Hicks, assisted by his singer, Emmett S. Galloway, during the entire month of Januaary in a specially built tabernacle seating 1,500 persons, were to have to come to an end yesterday. The total number of converts to date has been 343, coming from all classes, professions and trades. Sunday night sixty persons walked forward. Never before has Minden been so thoroughly aroused. People from all parts of the county have regularly attended the meetings, some coming as far ts eighteen miles. Today a collection was taken for the evangelists and in an hour's time $1,050 was contributed, this amount being in addition to the sum of $700, contributed during the month for running expenses, which have all been fully paid. Because of the great interest manifested the evangelists have consented to remain another week.

Former Iowa Man Injured.

STOCKVILLE, Neb., Feb. 4.—(Special.)—Greely McMains was thrown from a buggy in a runaway here Saturday and severely injured. Mr. McMains was driving through the village with Earl Morton when one of the bits broke and the team started to run. Mr. McMains, who is over 50 years of age and large, jumped, but struck heavily on his head and shoulders. He was carried to his home unconscious and has not recovered consciousness yet. Mr. McMains came here last fall from near Oskaloosa, Ia.

Convention in Richardson.

FALLS CITY, Neb., Feb. 4.—(Special.)—At a meeting of the republican central committee of Richardson county, held here Monday, it was decided to call a delegate convention at Falls City, March 2, 1908, to elect delegates to the district convention at Lincoln and for the state convention at Omaha. An opportunity will be given at the caucuses to vote for a presidential choice. A vote of the central committee here showed every vote for Taft, except one for Hughes.

Gage Convention Called.

BEATRICE, Neb., Feb. 4.—(Special Telegram.)—The republican county central committee met here today and fixed February 22 as the date for holding the primaries and February 25 the date for the county convention. A straw vote on presidential preference resulted: Roosevelt, 2; Taft, 12; Hughes, 2.

Nebraska News Notes.

BEATRICE—At a meeting of the Board of Education last evening Superintendent Fullmer read his monthly report showing the enrollment in the schools to be 2,925. This is an increase of sixty over last year. The art exhibit netted each one of the grade schools $5 worth of pictures. Within a year some $450 have been expended in pictures for the schools without expense to the district.

BEATRICE—Word was received here yesterday announcing the sudden death of Jesse Richards, a former Beatrice resident, which occurred Sunday at his home in Denver of appoplexy, aged 65 years.

BEATRICE—The county central committee of the democratic party met yesterday and selected February 27, as the date for holding the convention to choose delegates to the state convention. There was a strong sentiment for W. J. Bryan for the presidential nomination.

BEATRICE—Paul Witzki, a well known contractor of this city, and Mrs. Grace Clevinger of Kansas City were married at the bride's home in that city. They have returned to Beatrice where they will make their home.

BEATRICE—Announcement has been received here of the death of J. R. Graham, a former resident of Holmesville, this county, which occurred a few days ago at his home in Los Angeles, Cal., where he was engaged in the railroad business. He was 32 years of gae, and is survived by a wife and one child.

BEATRICE—The Union Pacific motor car, which has been in service between Beatrice and Lincoln for some time, has been out of commission for the last few days. It was taken to Omaha, Sunday, to undergo repairs in the shops there.

PLATTSMOUTH—A few changes have recently been made among the Burlington storekeepers. Clark Roth of Alliance, succeeds G. H. Ritter in Galesburg, Ill., and the latter returns to Lincoln. T. Berryweather of West Burlington goes to Alliance. The office at McCook is to be consolidated with the one at Denver and Thomas Kempster, formerly of this city, will have supervision of both.

PLATTSMOUTH—The two day's session of the Cass County Farmers' institute closed this evening. Twenty-five prizes were offered for the best twelve ears of corn. The meetings were held in the district court room in the court house.

PLATTSMOUTH—The Cass county democratic convention will be held in this city on Saturday, February 22, for the purpose of electing delegates to attend the state convention in Omaha, on March 5, and also to name delegates to attend the congressional convention in Lincoln on March 4.

PLATTSMOUTH—Mrs. Jane Clark, aged 82 years, slipped and fell on the icy sidewalk and fractured the bones in one arm.

PLATTSMOUTH—The bar docket of the district court shows that there are for trial eleven law cases, eight criminal, thirty equity and five tax cases.

NEBRASKA CITY—According to the January report of the county recorder there were filed in his office during that month ten farm mortgages amounting to $15,884.71, and twenty released of the value of $34,490. Of town and village mortgages nine were filed of the value of $4,645, and six released, valued at $2,806.25.

HUMBOLDT—The body of the late Lukas Herdlitcka, who died at Oklahoma City from an attack of the grip, was brought to this city yesterday for interment near his old home. Mr. Herdlitcka was one of the pioneers of this section, having settled on a homestead in southeastern Nebraska in 1862. He was born in Bohemia in February, 1839, hence he was in his ninetieth year when death came.

NEBRASKA CITY—Albert H. Schultz and Miss Mattie M. Albusen, two prominent young people, were united in marriage today, at the home of the bride's parents, near Berlin.

NEBRASKA CITY—Ora N. Baker and Miss Nellie A. Tomson, two well known young people of Palmyra, were united in marriage this afternoon at that place, at the home of the bride's grandparents.

NEBRASKA CITY—This morning, at the home of the bride's parents, near Talmage, Alpha B. Yoder and Miss Ella M. Tangeman were united in marriage in the presence of a large number of friends.

NEBRASKA CITY—J. A. Galbraith, assistant superintendent of the National Surety company, is here trying to get a settlement out of Charles Mack, the defalting clerk of Elm camp No. 29, Woodmen of the World, who was found to be short several hundred dollars in December last and deposed and another clerk elected in his stead. The young man has promised to settle with the head camp on several occasions and the bonding company have been notified and the officers has given the defaulter until tomorrow morning to settle up or criminal proceedings will be started against him. This company is the one that bonds all camp clerks to the head camp and looks after them. The downfall of the young man was caused by fast company.

NEBRASKA CITY—The ice men begun thier harvest yesterday and the ice is about eight inches thick.

NEBRASKA CITY—Mrs. Mary Heye, wife of the late Henry Heye, died at her home near this city yesterday, aged 75. She was married in Iowa in 1857 and came to this county in 1861, and has since made her home on the farm which they secured at that time. She leaves five children—Mrs. Maggie Bremer, Mrs. August R. Roos, Frederick, Henry and George, all of whom reside in this county. She leaves two brothers, Chris and Fred Oelke. The funeral will be held Wednesday afternoon from the Bethel Evangelical church. She was one of the wealthiest land owners in the county.

NEBRASKA CITY—Word was received in this city last evening of the serious illness of Charles Dittebrandt, at Portland, Ore. He is 75 years of age and no hopes are entertained for his recovery. He was for many years a resident of this city.

CENTRAL CITY—The Academy of Music of this city, which has one of the largest and finest dance floors in the state, will shortly be turned into a roller skating rink, as roller skating has become poular in Central City.

KENNARD—Rev. A. F. Shaffer of this place was called to preach in Omaha Sunday.

KENNARD—The last three mornings the thermometer registered from 5 to 7 degrees below zero.

KENNARD—Cattle and hogs are being rushed to market; very little grain is moving.

KENNARD—Nels Anderson started today for a trip to Sweden, where he expects to remain for a year or two, visiting relatives.

FULLERTON—Mrs. Hannah Sturtevant, wife of Sanford L. Sturtevant, died at her home in this city last Sunday evening at the age of 66 years. Mrs. Sturtevant came to this city with her husband and family from Ogdensburg, N. Y., in 1878 and has since made this her home.

FULLERTON—The evangelistic services that have been in progress here for the last three weeks, conducted by Rev. Lincoln McConnell with the music in charge of Prof. L. G. oJnes, closed last Sunday evening. The large tabernacle built purposely for the meetings was well filled the entire time, but Sunday it was crowded with people from the city and from many miles out into the surrounding country to hear Mr. Jones and his choir sing and listen to the three sermons by Mr. McConnell. At the evening service 123 went forward and expressed a desire to lead a better life. The interest has been great throughout the meetings and there have nearly 200 conversions.

TECUMSEH—Dillon & Buerstetta, the local icemen, with a large force of workers, commenced the ice harvest on the Nemaha river here today. The ice is ten inches thick and of excellent quality. Three good-sized houses wil be filled.

TECUMSEH—The annual Johnson county farmers' institute will be held in Tecumseh on Tuesday, Wednesday, Thursday and Friday of next week. Six speakers from over the state will participate in the program. There will be a corn contest and a girls' domestic science contest. A big time is anticipated.

FREMONT—F. N. Vaughn, a bridge carpenter o nthe Northwestern, living here, met with a serious accident at Irvington yesterday. He was standing in the caboose near the stove when the engine backed against the train, throwing him against the stove, cutting his head and burning him quite seriously. He was brought to the hospital for treatment and will soon recover. "Brass" Vaughn, as he is generally called, played professional base ball for a number of seasons and would likely have landed in the Western league had he not given up base ball for carpentering.

FREMONT—The Burlington has a force of men at work today blasting the sand bar west of its bridge in order to divert the water from the north side to the new channel. Work of filling in the ends of the bridge is progressing and will be finished before the river breaks up in the spring. The drainage company's dam across the north channel of the Platte at the west end of the big island is finished and the piles for the diversion dyke a half mile west are mostly driven. With the exception of a few channels here and there the river is frozen over.

Brother Shoots Brother.

MILBANK, S. D., Feb. 4.—(Special Telegram.)—Joseph Ehrmayer of Twin Brooks camp to this city this morning and gave himself up to Sheriff Murray. He said his brother, George, and John Peschow attacked him in his room. A scuffle ensued, a revolver was discharged and George cried out. He did not know whether he had shot his brother or not. The prisoner walked to this town, four miles, bareheaded. He was nearly frozen. He is badly bruised up from the encounter.

Conservation of Resources.

PIERRE, S. D., Feb. 4.—(Special Telegram.)—Governor Crawford has appointed Bartlett Tripp of Yankton, C. G. Sherwood of Clark and T. S. Everitt of Redfield as delegates to the national convention to consider the conservation of the natural resources of the country which will meet in Washington May 13 to 15.

PLANS FOR BIG SPEED MEETS

Nebraska Association Has Revised Some Dates and Classes.

FIRST MEET AT WYMORE IN JUNE

Running Races on All Tracks for Purses of $100, While Harness Races Have Purses of $300 Each.

Members of the Nebraska Speed association held a meeting in the Rome hotel Tuesday afternoon for the purpose of reconsidering the action taken at the annual meeting held in Lincoln January 10 regarding dates and classes. Those present were: F. E. Kimball, president; H. V. Riesen, secretary, both of Beatrice; M. J. Ronin of Fremont, Bud Latta of Tekamah, B. H. Robinson of Columbus, C. N. Buck of Auburn, Walter W. Scott of Beatrice and J. T. Stephens of Wymore.

The new dates were fixed as follows: Wymore, June 17, 18, 19; Beatrice, June 24, 25, 26; Tecumseh, July 2, 3, 4; Auburn, July 8, 9 10; Tekamah, July 15, 16, 17; Fremont, July 22, 23, 24; Columbus, July 29, 30, 31; Grand Island, August 5, 6, 7.

Classes Are Fast.

The classes for Wymore, Beatrice, Tecumseh and Auburn will be: Pacing, 2:12, 2:17, 2:22; all for 3-year-olds. Trotting, 2:18, 2:25, 2:35; 3-year-olds.

The classes for Tekamah, Fremont, Columbus and Grand Island will be: Pacing, 2:10, 2:14, 2:20, 2:25; 3-year-olds. Trotting, 2:15, 2:22, 2:27; 3-year-olds

Running races will be held at all the towns of the circuit in one-half mile, five-eights mile and three-quarters mile spurts.

The harness races are $300 for each class and for the running races $100.

A number of other minor matters were taken up and the meeting adjourned. The meeting was harmonious and the action taken was practically unanimous on every question. The prospects point to one of the best series of meetings this year since the circuit was organized.

Militia Basket Ball League.

FORT DODGE, Feb. 4.—(Special.)—Captain Philipot of Company G, Iowa National Guard, of this ciey, is working up a basket ball schedule with many of the other companies in the state. February 12, company G players go to Ida Grove for a game and the week following a return game will be played here. At present about twelve companies are being negotiated with. It is probable that a militia league will be fomed..

Basket Ball at Central City.

CENTRAL CITY, Neb., Feb. 4.—(Special.)—In a fast game the local Young Men's Christian association basket ball team defeated the Hastings Five in one of the regularly scheduled Young Men's Christian association games by the decisive score of 27 to 19. The Hastings team recently defeated Lincoln on the latter's own floor and is considered a fast combination. The game was marred by a slugging bout between the centers of the rival teams which resulted in both being put out of the game. Central City is now in third place in the league race and has a fair prospect of gliding into the second notch if Crete lets up at all in its good work.

Track Men Down to Work.

DES MOINES, Ia., Feb. 4.—(Special.)—Doc Pell's bunch of track men out at Drake university are hard at work on the preliminary indoor stunts the past week. Of the bunch of men who made the Grinnell team go their limit last year to win the coveted state meet, only three of the point winners will be absent when the bunch gets out on the cinders. Drake has an unusually hard schedule this year, and will meet the best teams west of the Mississippi river. Iowa will come to Des Moines in a dual meet, and probably a dual meet will be pulled off with Ames. Besides these, will be the state meet, the meet of the Missouri Valley conference, and the cream of the Drake team will be sent to the Big Eight meet in Chicago. Haggard, in the pole vault, will try out for the Olympic game, and if there are other men of his class in the squad, they also will be given a chance at the big event. Captain Conaway, who broke the state record in the shot put last year, will probably be an extremely classy man this season. McCord and Wilder will at least take points in the state meet. There is an abundance of green material to pick from, and a number of indoor meets will be held in the near future to give these men a chance to show their merits.

Victim from Sioux Falls.

SIOUX FALLS, S. D., Feb. 4.—(Special.)—It has developed that one of five or six victims of a recent fire at Kansas City, Mo., was Miss Mary Ziska, daughter of Adolph Ziska of this city, who holds the position of custodian of the Germania hall and is one of the well known German-Americans of Sioux Falls. The name of the unfortunate girl was given in press dispatches as Mrs. Mary Porter, and not even her father would have known of her death had it not been for the information given by a Sioux Falls girl friend of Miss Ziska, who, after seeing the press dispatch stated that herself and the dead girl had been in communication with each other and that in the letters Miss Ziska used the name of Mary Porter. If she married since leaving Sioux Falls the fact was unknown to her relatives here.

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Cattle Wintering Well.

SIOUX FALLS, S. D., Feb. 4.—(Special.)—Reports from western and northwestern South Dakota, where large herds of range cattle yet are grazed, are to the effect that cattle on all parts of the range are in excellent condition. Owing to the fine winter thus far, but little if any feeding has yet been done, although many of the cattlemen have immense quantities of hay standing ready in the stacks for use whenever it becomes necessary.