WAIT! WATCH!

For Announcement
EXTRAORDINARY FIRE SALE

STORE NOW CLOSED AWAITING INSURANCE ADJUSTMENT

The entire stock of high grade groceries, canned goods, bottle wines, liquors, brandys, cordials, etc., will be sold at

50c on the Dollar

and less—some almost given away.
Labels soaked and smoked—that's all.

Formerly

The Hughes Grocery Store
14th and Douglas Sts.

HAVE YOU A DOLLAR TO SPARE?

Why don't you begin a savings account with it? You know the value of having money saved up. Don't wait for a large amount. Begin modestly and it will be easier. Our facilities are arranged for your convenience, and we respectfully solicit your account.

4% Interest Paid on Deposits

CITY SAVINGS BANK
Sixteenth and Douglas Streets

RUSSIA TO BUILD NEW FLEET

Admiralty Submits Program for Spending Billion Dollars.

EXTENDS THROUGH NINE YEARS

Fleet of Battleships is to Be Constructed at the Rate of Four a Year—Increased Taxation.

ST. PETERSBURG, Feb. 20.—Representatives of the Russian admiralty submitted today to the commission of national defense of the Duma the financial outline of the much-discussed naval program. The matter was discussed with open doors instead of in private, as had been expected. The program is to be completed in 1917 and includes not only the construction of a fleet of battleships, but also a certain amount of hydrographic work at several of the ports of Russia. The expense involved amounts to $1,078,000,000 and increases yearly from the $43,500,000 already included in the budget of 1908 for the laying down of four new battleships, to a maximum of $125,000,000 in the year 1914. The expenditure then increases to $85,000,000 in 1918 and the subsequent expenditures are to be maintained at this figure. One of the features of the program is a duplicate complement of guns for every ship to be constructed.

In reply to a question Admiral Wirenius, chief of the general staff of the navy, declared that the Russian yards would be able to handle and complete the entire program, including the installation of turbine machinery and other late developments in naval construction. The first ships called for are to be completed in four years and the others in three years after they are laid down.

The commission took no action and several members advocated that the matter be discussed at length before the Duma.

ONLY ONE "BROMO QUININE."
That is LAXATIVE BROMO QUININE. Look for the signature of E. W. GROVE. Used the world over to cure a cold in one day. 25c.

Hart in His Own Defense.

SIOUX FALLS, S. D., Feb. 20.—(Special.)—A young man named Edward Hart, who was arrested at Hawarden, Ia., a day or two ago and brought back to Sioux Falls on the charge of selling mortgaged property, as the result of his preliminary examination before Judge Wheelock in this city, has been released upon his own recognizance to appear at the next term of state circuit court to answer to the charge. The fact that he consented to return to South Dakota without a requisition has acted in his favor. Hart stoutly declares that the mortgaged horse in question was sold by him for another party named Warren, whose agent he was and that when he received the money in payment for the horse he promptly turned it over to his employer. The horse was purchased by a Sioux Falls business man, from whom the mortgagee subsequently took the animal.

Corn Syrup to the Correct Name.

WASHINGTON, Feb. 20.—An important question in the administration of the pure food law was settled February 14 in a decision made public by Secretaries Wilson, Cortelyou and Straus. It bears upon the labelling of syrup. The decision follows: "We have given careful consideration to the labelling of the thick viscous syrup obtained by the incomplete hydrolysis of the starch of corn and composed essentially of dextrose, maltose and extrine. In our opinion it is lawful to label this syrup as 'corn syrup' and if to the corn syrup there is added a small percentage of refiner's syrup the mixture, in our judgment, is not misbranded if labelled 'corn syrup with cane flavor.'"

Special Announcement Regarding the National Pure Food and Drug Law.

We are pleased to announce that Foley's Honey and Tar for coughs, colds and lung troubles is not affected by the national pure food and drug law, as it contains no opiates or other harmful drugs, and we recommend it as a safe remedy for children and adults. For sale by all druggists.

Democrats to Hold Primaries.

HURON, S. D., Feb. 20.—(Special.)—At a meeting of the democratic central committee yesterday it was decided to hold primaries in March for the selection of delegates to the county convention to be held here April 7. Resolutions deploring the action of the republican committee in calling the primaries and involving an expense of $1,500 upon the county were passed.

LaGrippe and Pneumonia.

Foley's Honey and Tar cures la grippe coughs and prevents pneumonia. Refuse any but the genuine in the yellow package. For sale by all druggists.

Omaha Firm Gets Contract.

YANKTON, S. D., Feb. 19.—(Special Telegram.)—The contract for the construction of Clay Creek ditch was awarded to the Pollard-Campbell company of Omaha and Missouri Valley, Ia.; price 8 cents per cubic yard. The contract will not be signed until February 27, pending an investigation of the firm. The ditch is to be constructed jointly by Clay and Yankton counties.

Red Cross -|- Cough Drops.
Make the throat feel glad. 5c per box.

By using the various departments of The Bee Want Ad Pages you get quick returns at a small expense.

STOMACH IS SEAT OF HUMAN LIFE

New Theory Advanced by Young Man is Spreading Over Entire Country.

L. T. Cooper's theory concerning the human stomach, which he claims to prove, with his new medicine, is being given more respect and comment every day.

Cooper claims that 90 per cent of all ill health is due to stomach trouble. When interviewed about his theory recently he said: "Stomach trouble is the great curse of the 20th century so far as the civilized races are concerned. Practically all of the chronic ill health of this generation is caused by abnormal stomachic conditions. In earlier days, when the human race was closer to nature, and men and women worked all day out of doors, digging their frugal existance from the soil, the tired, droopy, half-sick people that are now so common, did not exist.

"To be sure, there was sickness in those days, but it was of a virulent character, and only temporary. There was none of this half-sick condition all the time with which so many are afflicted nowadays.

"I know positively that every bit of this chronic ill health is caused by stomach trouble. The human stomach in civilized people today is degenerate. It lacks tone and strength. This weakness has gradually come through a sedentary existence. I further know that few people can be sick with the digestive apparatus in perfect shape. The sole reason for my success is because my New Discovery medicine tones the stomach up to required strength in about six weeks' time. That is why I have had more people come and thank me wherever I have gone to introduce my medicine, than I have had time to talk with."

Among the immense numbers of people who are now strong believers in Cooper's theory and medicine is Mrs. M. E. Delano, a prominent resident of the suburb of Brookline, Boston, Mass. She says: "For several years I was broken in health, caused primarily by stomach and nerve troubles. I gradually became worse until recently I was compelled to go without solid food for days at a time. I had sour stomach, palpitation of the nerves of stomach and heart, dyspepsia, and extreme nervousness. I suffered terribly with insomnia, and my liver, bowels and whole system gradually became deranged. I felt instant relief the first day I began this Cooper medicine. I now feel like a new being. Today I walked all over town, shopping—something I have not done for years.

"I make this statement wholly from a sense of duty. I feel I owe it to anyone who might find relief and renewed happiness as I have done."

The record made by the Cooper medicines is astonishing. We will take pleasure in discussing it with anyone who wishes to know about them.—Beaton Drug Co.

EIGHT TEAMS IN WESTERN

Kansas City, Kan., and St. Joseph Added to Circuit.

LEAGUE HAS ANNUAL MEETING

Louis C. Connor and Ted Sullivan Are Tendered Respective New Franchises—Meeting Genuine Love Feast.

The Western league held its annual meeting Wednesday at the Schlitz hotel in Omaha, awarded the pennant of 1907 to Omaha, and voted to add Kansas City, Kan., and St. Joseph to the circuit, making eight instead of six teams. It voted to give the Kansas City franchise to Louis C. Connor, who lives in Kansas City, Kan., and conducts a commission house in Kansas City, Mo., and the St. Joseph franchise to Ted Sullivan, the veteran who is at home wherever there is a base ball team. Each man must plank down $2,500 before he secures his franchise. Mr. Connor offered to produce his yesterday; Mr. Sullivan has until Saturday. The circuit committee meets in Chicago Saturday to confirm the action of yesterday. The schedule committee will then meet.

"We will have the eight teams, I feel certain, and if Mr. Sullivan does not take the St. Joe franchise somebody else will. Of Mr. Connor's taking the Kansas City franchise there is no doubt."

This statement was made by President Norris L. O'Neil at the conclusion of the meeting. It was voiced as the sentiment of all the magnates.

These men were at the meeting: President O'Neil of the league; President Rourke of Omaha; George Tebeau and R. R. Burke of Denver; Ducky Holmes of Sioux City; Guy W. Green and John Dey Smith of Lincoln; Joe Cantillon for Des Moines, Ted Sullivan and Louis C. Connor. The meeting lasted from the middle of the afternoon until about 8:30. It was pronounced by all as a veritable "love-feast," harmonious in every respect.

Net Results of the Meeting.

The directors of the league, Tebeau, Holmes and Cantillon, held their executive session and then the other magnates joined in the deliberations. Aside from the expansion of the circuit, the constitution was revised in such manner, President O'Neil said, as to modernize but not vitally change its provisions, and arrangements were made for the meetings of the circuit and schedule committees in Chicago. Most of the time was taken up with routine work on the constitution. In discussing the schedule a popular sentiment developed favoring April 15 as the beginning of the season.

President Rourke of Omaha was placed on both the circuit and schedule committees. The others of the circuit committee are Mike Cantillion, George Tebeau and O'Neil; the schedule committee, Mike Cantillon and Tebeau. The old board of directors, Holmes, Tebeau and Joe Cantillon, was re-elected.

The magnates all tried to get out of town last night. President O'Neil left on the Northwestern for Carroll, Ia., on base ball business. Mr. Cantillon had to hasten to Chicago where his mother was believed to be dying. Ted Sullivan went to Chicago, where he hopes to be able to cinch his entrance into the league. Pueblo had no representative present. Mr. Burke held its proxy. Frank Selee is again in extremely poor health.

Rourke is Well Pleased.

"I am pleased with the outcome of the meeting," was the statement of President Rourke of Omaha. "Omaha received fair treatment and steps taken indicate a prosperous and harmonious season for the league. The meeting really was a love-feast, the best Western league meeting ever held."

Mr. Rourke's sentiments were those generally expressed.

"I feel certain we did no one an unfairness," said President O'Neil. "We are facing a good year. I have done my best to expand to eight teams and am convinced of the success of my efforts. If Mr. Sullivan does not take St. Joe—but I think he will—someone else will."

"I want to get into St. Joe," said Ted Sullivan, the old patriot whose name has been familiar in base ball since the latter part of the '70's. "I know the town has not had the best of records as a money-maker, but I have certain assurances of co-operation there and believe I can make it go. I will go back to Chicago and make my final decision by Saturday."

The magnates chose to give Mr. Sullivan only a one-year franchise. This he vigorously objected to.

Tebeau is Turned Down.

Mr. Connor encountered the most stubborn opposition of George Tebeau to the admission of Kansas City, but Tebeau was voted down. Mr. Connor admitted he "made concessions." The fact is Mr. Connor is apparently a clean-cut business man, doing business on business principles and he made Mr. Tebeau "see" things. He made Mr. Tebeau see that a team in Kansas City, Kan., would not injure, but benefit the American association team in Kansas City, Mo.; that Kansas would permit Sunday base ball and afford a place for Tebeau to play his Sunday games. He also made Mr. Tebeau see that sentiment in both Kansas Citys was not pro-Tebeau, but favorably disposed toward Mr. Connor. He also made Mr. Tebeau see that the Western league was no longer a one-man affair.

Kansas City, Kan., comes in with the clear understanding that schedules will be so arranged that neither Western league or American association teams will suffer, conflict being avoided. This was mutually satisfactory. Another vital consideration to which Mr. Connor had to agree was that his park should be five miles from the Missouri state line. This caused no excitement. Mr. Connor had taken the precaution to supply himself with two parks, one in the heart of Kansas City, Kan., the other at Wyandotte, the required distance from the Missouri line.

Something of the Teams.

"I haven't much time to line up players, but if money will do it I will get a championship team," Mr. Connor promised. "I will at least not finish below second place. I have a manager in mind, but as he is under contract somewhere else I cannot disclose his name. You will have no cause to regret the admission of my town."

"If I complete the deal I will put in a good team, one that will play ball and draw crowds," said Ted Sullivan.

"Really, while we are always expected to boost our own towns, I never had as good an outlook as I have at Sioux City; it makes me want to smile all the time," was Ducky Holmes' testimony.

"Lincoln will be right up and coming all the time," quoth Mr. Green.

"We will have much the same team at Denver," said Mr. Burke, "and I believe that with the association of last year the men will be able to do better work. We are getting an old-timer, a major leaguer, for field captain, but I cannot name him now. Eddie Wheeler played good ball, but lacked experience for the position of manager. Of Pueblo I cannot speak with authority, but I learn that Patterson, who managed Oskaloosa, Ia., last year, will play first and manage the team. I think they will have a good club."

Joe Cantillon said of Des Moines:

"Certainly we do not mean to dispose of Des Moines. Why should we? It's a good town and we are going to make it better. We will have a good team. I want Charley Dexter for manager; I think he is the best man we can get for the place, but my brother, Mike, opposes my ideas somewhat. However, I think Dexter will be our manager."

Ducky Holmes will field captain and manage his own team and Fox will captain Green's Lincoln bunch. Omaha will, of course, be led by Buck Franck.

Tebeau is Sat Upon.

Certainly George Tebeau, if events of the meeting are as reported and as they seem to be, was "sat upon." In the early part of the day, when asked about the expansion proposition, he said with a self-complacent smile:

"There's nothing to that eight-team talk. The league will continue with six teams."

In the evening after the meeting he said:

"The meeting was harmonious and I am satisfied with the deliberations."

The league was expanded. There is a firmly-grounded belief that Mr. Tebeau was not satisfied, but, being a diplomat, would not admit it.

Mr. Connor, the Kansas City man, made an excellent impression upon all. He impressed the magnates with the fact he meant business and was able to lay down his hand with Mr. Tebeau in Kansas City.

CHANCE REPLIES TO FOXY NED

Cub Manager Explains the Facts of the Overall-Wicker Trade.

Though it is getting to be an ancient event in base ball history the Overall-Wicker deal between Chicago and Cincinnati continues to be a matter of discussion. Here is a story from the Chicago Tribune that must be of interest.

"I would trade a bat bag for Mike Mitchell if the other side was agreeable."

In these words Manager Chance of the champion Cubs yesterday took exception to the criticism recently leveled at him by former Manager Ned Hanlon of the Cincinnati team anent the trade of Pitcher Bob Wicker for Pitcher Overall and a bonus of $2,000.

"The reflections cast on Overall and myself by Mr. Hanlon are entirely without foundation," said Chance, "and his statement as published is incorrect. Before Overall had ever played with Cincinnati I had played against him out on the coast, and when I heard he had been signed by the Reds, I suggested to Manager Selee that he should try and trade Wicker for him. Mr. Selee approached Garry Herrmann on the matter and the deal was settled, subject to the consent of Joe Kelley. Kelley at once said that any pitcher good enough for Chance was good enough for him and squelched the trade.

"Overall accordingly went to Cincinnati, where Manager Hanlon made the great mistake of trying to overwork him. It does not follow that because a man is big he can stand as much work as a smaller man. Hanlon insisted that Overall was overweight and forced him to take five mile spins around the park after practice, with the result that Overall was overworked and unable to do himself justice. He would pitch three or four innings and then would tire, with the result he was criticised both by Hanlon and the Ohio papers.

"At the time I did not think Wicker was giving the Cubs the best service he was capable of, and for that reason was ready to trade him. Up to the time a trade of pitchers was broached with Cincinnati I did not know if Overall would be willing to come to Chicago, and asked Hanlon if it was agreeable to him to have me approach Overall on the subject, to which proposition he agreed.

"I have never made it a practice of tampering with the players of other teams, as, naturally, I have objections to other managers tampering with mine. I told Hanlon that Wicker's record for the preceding season stood for itself, and he himself knew how successful Bob had been. The trade was on the level, and had it been possible to get more money to boot we would have been quite justified in taking it. Hanlon is trying to cover up his mistakes by laying the blame where it does not belong.

"Overall, when he came to the Cubs, told me his arm was weak, and I turned him loose to report when he felt his arm was in shape. There is no harder worker on the team than Overall, and he is left to use his own judgment in the matter of the work he does. This rule, I may say, applies to most of my players. If a player has not sufficient brains to look after himself in this respect I do not want him on my team.

"In addition to this I might add that Mr. Hanlon, in the presence of President Murphy and myself, said the Overall was muscle bound and could not raise his arm higher than his shoulder when pitching."

President Murphy yesterday received the signed contract of Blaine Durbin, who is at Hot Springs, Ark. Overall was around headquarters yesterday and is suffering from granulated eyelids, for which he may have to undergo a slight operation.

WITH THE LOCAL BOWLERS.

Last night on the Metropolitan alleys Remington's Colts won a match game from Traynor's Colts. It was very close and interesting all the way through. Wiley had high totals with 594, and Hull had high single game with 228. Remington took the booby prize for low game with 120. Tonight Byrne-Hammers and Daily News. Score:

REMINGTON'S COLTS.

	1st.	2d.	3d.	Total.
Remington	184	129	149	453
Gernandt	205	172	172	549
David	149	133	144	426
C. Pimeau	190	189	190	567
Hull	228	158	201	587
Totals	956	770	856	2,582

TRAYNOR'S COLTS.

	1st.	2d.	3d.	Total.
Smith	187	161	179	527
Johnson	211	135	159	505
Tompkins	130	145	177	452
Wiley	216	188	188	594
Traynor	168	126	185	479
Totals	914	755	888	2,557

The Green Rivers and Tigers played an interesting game last night, the Tigers getting three straight and are again looking toward the league leaders. A continuance of their present form will make them dangerous contenders for the pennant. Score:

TIGERS.

	1st.	2d.	3d.	Total.
D. Paxton	163	157	135	460
Stafford	161	170	159	490
Solomon	185	180	200	565
Totals	514	507	494	1,515

GREEN RIVERS.

	1st.	2d.	3d.	Total.
Adkins	100	137	103	330
Straw	131	157	165	453
Coffee	129	152	166	447
Totals	440	446	434	1,290

Sporting Gossip.

White Wings appears to have lost some of that power.

President O'Neil has a sweet little habit of roasting the "d—d newspapers." He's such a kidder.

The All-Omaha bowling team got its picture in the Cincinnati papers, if it was not able to bring home the bacon.

Jiggs Dohahue was reported badly injured in an automobile wreck in Chicago, but it turns out he was scarcely hurt.

The fact that "Papke once worked for ten a week" has no bearing on his hitting ability, nor does it indicate that he may not have to do it again.

Farmer Burns knows that Omaha is the best wrestling town on the map and will do all in his power to have his match with Beell pulled off at the Auditorium.

The time is soon at hand when the recruits drafted into the big leagues will be on the anxious seat, wondering whether they will be retained or sent back to the bushes.

The day of the fan will soon be at hand and what is base ball without a fan. None is more fickle than he, but he is a pretty good sort at that. He is quick to criticise and quicker to forgive.

The Omaha High school basket ball team goes to York for a game with the York High school team for Friday night, and to Lincoln for a game with the Lincoln High school team Saturday night.

While in Omaha Joe Cantillon was in the best of humor and went so far as to say that stranger things have happened than that he might land the Washington team at the top of the American league.

Chicago is now claiming that its Cub team has the best infield in the National league. "Peaceful" Chance, first; Tinker, short; Evers, second, and Steinfeldt third. Probably none will dispute the claim.

Every old manager in the Western league is confident that he has a bunch of winners and both the newcomers say they will have winners, so they will all be winners, and the Western league will have winning ball this summer. What is what all the fans like to see.

The Yellow Peril.

Jaundice—malaria—biliousness—vanishes when Dr. King's New Life Pills are taken. Guaranteed. 25c. For sale by Beaton Drug Co

METZ BROS. FIVE SIXTH

Omaha Bowling Team Makes Good Showing in Cincinnati.

SET FAST PACE AT START

Score of 1,019 Made in First Game, but it Did Not Last—New Bowling Association Organized.

High Scores to Date.

Individuals—
Wingler, Cleveland 699
Pairs—
Kiene and Chalmers, Chicago 1,254
Fives—
Bonds, Columbus 2,927

CINCINNATI, O., Feb. 20.—(Special Telegram.)—The Metz Bros. of Omaha looked like possible winners last night in the five-men event in the eighth annual tournament of the American Bowling congress, starting off with a total of 1,019, but in the last two games the pins did not fall so easily, and the boys ended up in sixth place with a total of 2,794. "Dad" Huntington missed the No. 5 pin in the last frame, which cost the club fifth position.

A few Omaha bowlers rolled in the two-men and individuals events in the tournament this afternoon, but none of them managed to record a total that will land in the prize list. The best work done in these events was the total of 670 rolled by J. W. Lippert of Chicago in the individuals, which took third position, shoving Menninger of Detroit, the former leader, down one more place. Wingler of Chicago retains the lead with 699. In the two-men event L. Bowning and R. F. Matak of St. Paul rolled into sixth place with a total of 1,229. Bowning counted 684 for his three games and made seventeen strikes in a row, finishing the second game with seven and beginning the last with nine. His 272 in the last game is second to Wingler's 277 on the books of the American Bowling congress.

Much interest was shown in a special match between Dave Woodbury of the world's champion Colts from Chicago and Louis Franz of Cleveland. The match was for nine games, but the Cleveland man had such a lead that Woodbury gave up after the eighth game, when the score stood 1,669 to 1,539 in favor of Franz.

New Bowling Association.

The Middle Western Bowling association was formed today here and will hold its first tournament at St. Joseph, Mo., next month, at which time a meeting of the bowlers of all of the states in a radius of 500 miles of Omaha will be held and plans laid to form an auxiliary organization to the American Bowling congress. The association will not take rank with the American Bowling congress, but will be an auxiliary body and merely aim to supply the wants of players who cannot travel the long distances forced on them by the big association. Ten new alleys will be opened in St. Joseph next month and the tourney will be the first event to be held on them. Des Moines, St. Joseph, Omaha, St. Paul, Marshalltown, Kansas City, St. Louis, Lincoln, Minneapolis and other cities were all represented at the gathering today at Garry Herrmann's office.

Scores of Omaha Bowlers.

METZ BROS.

	1st.	2d.	3d.	Total.
Neale	223	202	177	602
Sprague	209	202	193	604
Denman	189	156	148	488
Blakeney	210	146	216	572
Huntington	197	182	153	532
Total				2,794

Two-men teams:

	1st.	2d.	3d.	Tot.
Bengele	178	211	144	
Zimmerman	166	165	174—	1,041
Chandler	183	161	154	
Johnson	179	169	170—	1,026

Individuals:

	1st.	2d.	3d.	Tot.
Reynolds	140	152	204—	496
Zimmerman	168	157	169—	494
Bengele	150	144	189—	483
Johnson	158	156	167—	481
Chandler	103	173	147—	428

Two-Men Scores.

On the first three shifts of the two-men teams bowled during the morning, other high scores wade were:

Lott and Peterson, Columbus	1,188
Denny and Gayman, Philadelphia	1,179
George and Price, Philadelphia	1,156
Biermaier and Fesl, Chicago	1,146
Kruse and Allison, Washington	1,145
Medwitzky and Zimmerman, Chicago	1,156
Elger and Feles, Chicago	1,143
Waters and Brosnad, Washington	1,121

The high scores on the fourth and fifth shifts of two-men teams were as follows:

Bowning and Mattak, St. Paul	1,229
Kaufman and Sanders, Fort Wayne, Ind.	1,203
Moos and Reilly, Philadelphia	1,172
Meshoffsky and Hindorer, St. Paul	1,147
Selbach and Collins, Columbus, O.	1,141
Ray and Herschman, Wheeling	1,136

Individual Scores.

The high scores of the early afternoon games of the individual contests were:

George, Philadelphia	607
Acil, Philadelphia	596
Fest, Chicago	582
Biermer, Chicago	556
Frazier, Philadelphia	550

Other high scores among the individuals were:

J. W. Lappert, Chicago	650
C. Elger, Chicago	616
W. H. Davies, Chicago	615
C. A. Bartholomew, Peoria	614
E. Kneer, Peoria	602
A. Leverenz, Chicago	601
J. Graff, Chicago	590
C. A. Cole, Minneapolis	598
George Flood, Philadelphia	594
William Gehman, Philadelphia	591
J. Moss, Columbus	586
M. Barrick, Peoria	585
A. C. Olson, Minneapolis	585
H. Stemmiller, Chicago	582

High individual scores:

G. Kluskins, Chicago	646
H. Siegel, Chicago	638
W. Doescherman, Fort Wayne	637
O. Tonkel, Fort Wayne	603
P. A. Byren, Chicago	579

Scores of Women Bowlers.

In the women's doubles scores were as follows:

Mrs. Wachtendorff and Mrs. Vanderlius	655
Mrs. Emil Schmitt and Mrs. Carter	631
Miss Siever and Mrs. Dieringer	605
Miss L. Snider and Miss Schumaker	556

Five-Men Scores.

The following were the five high scores of the five-men events:

Metz Bros., Omaha	2,794
MacWats Dolon Co., Cleveland	2,774
Delmont No. 1, Louisville	2,731
Eagle Tea, Chicago	2,727
Casino, Dubuque, Ia.	2,701

Women Will Play Chess.

NEW YORK, Feb. 20.—Mrs. S. R. Burgess of St. Louis, holder of the women's chess championship of the United States, who is in New York on a visit has received a challenge for a chess match from Mrs. Charles Edward Nixdorff, of Cambridge, Mass. Mrs. Nixdorff came to New York yesterday and called on Mrs. Burgess who agreed to the match and play will begin this afternoon at the Martha Washington hotel. Play will continue on succeeding days, Sunday excepted, until one player has won four points. Mrs. Nixdorff is a new comer in chess circles but it said to be a brilliant player.

Iowa to Meet Gophers.

IOWA CITY, Ia., Feb. 20.—(Special.)—The Hawkeye track team will meet the Minnesota squad in a dual meet this year, some time in the early part of May. The meet will be conducted after the fashion of last year's, each first counting one point and first and thirds being disregarded in the final score. Coach Cullin has little hope of taking the meet from the Gophers, as there are less than a half dozen old men on the team who can be relied on to win their events.

Sick Boy Burns to Death.

KANSAS CITY, Feb. 20.—Wardie Hanahan, 20 years old, an invalid, was burned to death in the home of his mother in Kansas City, Kan., early today. His clothing caught fire from an overheated stove. He was unable because of his malady to speak or move any part of his body and when his mother found him he was a mass of flames. The flames were smothered with a blanket, but he died without regaining consciousness.

FISH LOSES POINT

(Continued from First Page.)

been the same, and its executive officers, with one exception caused by death, have remained the same from that day to this. The relations between the Union Pacific and the Illinois Central are now what they were when Mr. Fish was in power and assisted in shaping, and consented to such relations. Nor is any change intended, if the affidavits of well-known and reputable men may be considered as true. The bill, however, charges many things which may happen to the detriment of the Illinois Central and its stockholders if the Union Pacific and the Securities company be permitted to vote at such meeting; but no facts are alleged or proved which even tend to bring about such results. Courts of equity act on facts alleged and proved, and not on fears, or supposed prophesies. If it were not for the fact that the name of Harriman is a name to conjure with these allegations would not be taken so seriously. There are many things stated in the bill as to the intention of the defendants which if put in force, or even attempted to be put in force, would call upon the court to intervene; but a diligent search of this record fails to show that such things exist in any form.

The complainants say that if the Union Pacific and the Securities company are permitted to vote at the coming election, the hold of Mr. Harriman upon, and his domination over, the Illinois Central will be strengthened and that finally the Illinois Central will be reduced to a servient position and will be given the lean end of the carrying trade. But they fail to allege and prove facts supporting these allegations.

While Mr. Fish may rightfully desire to remain a director of the Illinois Central, and to that end may use every lawful means in the power of himself and his friends, he has no right to that office unless he is legally elected thereto. Hence, his defeat, if it comes from the lack of valid votes, is no legal injury to the civil or property rights of Fish or those of his fellow complainants.

Not Keepers of Conscience.

As private citizens the complainants are not keepers of the public conscience, nor are they the conservators of the rights of the public. To sustain this bill it is not sufficient for them to show merely that the act complained of is a public wrong; they must also show that by the doing of such act they will suffer a special injury to their civil or property rights. This election of directors at the coming meeting can work no legal wrong to the complainants and no special injury to any of them is proved which calls for the interposition of this court.

The court then asserted that the findings and opinion of the Interstate Commerce commission are not evidence in this case and declared that he had no power to enforce the Sherman act, and quoted numerous legal decisions in support of his assertions. The decision then continued:

There is but one ground upon which this bill can be maintained. If the Union Pacific had no right to buy, hold or own stock in the Illinois Central or in the Securities company, or either of them, and is intruding in this election wholly without right, then I think bona fide stockholders without alleging irreparable injury may ask the court to throw them or it out.

This brings us to the question, is there in the public policy of this state a prohibition against the voting by a foreign corporation of stock in a domestic corporation, which stock it purchased and paid for and holds under an express power granted to it by the state of its creation.

The court declared that corporations per se are not debarred from buying and holding the stock of other corporations and said that the fact that the purchaser might be a foreign corporation and the stock that of a domestic corporation could not change the rule of law.

Foreign Corporations No Different.

He said:

The reason why purchase of the stock of the Illinois Central by the Union Pacific and the Railroad Securities company are invalid, if they are invalid, must be found elsewhere than in the fact that they are foreign corporations.

The court denied that there is any rule of the American common law prohibiting one corporation from holding stock in another corporation when the first corporation has in its charter specific power to do so. In this case, he said, it was proved and not denied that the Union Pacific and the Railroad Securities company each has express power granted to it by the state of its creation to buy, own and hold stock in other corporations.

The court then entered upon a long and extensive discussion of various statutes regarding the holding of stock by corporations in other corporations, declaring finally that such holdings are not prohibited by law, nor opposed to public policy. He then said:

The right of the Railroad Securities company to vote its Illinois Central stock is unimpaired by the fact that the Union Pacific owns practically all of its stock. So long as the voting power of the Securities company is used in a lawful manner and for lawful purposes, it is immaterial who owns the stock.

The decision further declared that the Union Pacific and the Illinois Central are not competing, but connecting lines, and that the Union Pacific, under its charter and the laws of Utah, has a clear right to own shares of stock of Illinois Central which is purchased in 1906, and that it has the essential right to vote that stock at meetings of the stockholders of the Illinois Central, unless the right is forbidden by the laws or public policy of Illinois.

Law is Not Specific.

The court said, in conclusion, on this subject:

Such prohibition does not exist unless it affirmatively appears. It is not established by the mere lack of legislation upon that subject.

In concluding his decision Judge Ball said:

The usual office of a preliminary injunction is to continue the status quo until the final hearing. To sustain this preliminary injunction and thus prevent the Union Pacific and the Railroad Securities company from voting their stock at the coming election, would be to change the status quo before the right of these corporations to own and vote such stock has been fully and finally determined by the court. With these conditions barred out, the meeting might result in an entire change of management of the Illinois Central. To dissolve the injunction and to let the action of the court in regard to the ownership and voting power of this stock await the final hearing, means no more than the continuance of the present management with the change of one director only, and he, eight of the director defendants swear, will be an able, competent man, neither controlled nor connected by or with the Union Pacific.

I am of the opinion that the Securities and the Union Pacific have full ownership of the shares they hold in Illinois Central, including the right to vote that vote at the coming meeting of the stockholders and that such right to vote is not forbidden by the statutes of this state nor by decisions of our supreme court nor by the policy of Illinois.

The motion to dissolve the injunction is allowed.

The attorneys for Mr. Fish agreed that the opinion of Judge Ball could not be appealed from.

"It is a nonappealable order," said Attorney Farrar, between puffs from a large black Havana, "the merits of the case must now be tried, a decree entered and then we will be able to take an appeal."

"Will you go ahead to try the merits of the case?" was asked.

"Yes," replied Attorney Farrar.

"When?"

"As soon as the matter is reached. There are issues reached in this proceeding which can be heard at any time."

NEW YORK, Feb. 20.—E. H. Harriman declined today to comment on the Illinois Central decision until he had time to read the decision in full.

"I hope it is so clear cut as to remove all doubt," he said.

At the office of Stuyvesant Fish it was said that Mr. Fish would make no comment on the case until he had seen the text of the decision.

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