BURNS RESIDENCE IN DOUBT

Senator from Lancaster Says "Don't Ask Me Any Questions."

AFFIDAVIT IN FEDERAL COURT

Treasurer Gives Out Statement Showing Where the State's Cash is Kept—Democrats Juggle Primary Results.

(From a Staff Correspondent.)

LINCOLN, Sept. 30.—(Special.)—The publication of the fact that a vacancy existed in the Lancaster county delegation to the state legislature owing to the removal to Colorado of the Honorable Joseph Burns, state senator, brought the irresistable and irrepressible Joseph back to Lincoln by the first mail. He answered the question, "Are you a resident of Nebraska or Colorado?" by saying: "Don't ask me any questions." The removal of the vigilant senator to Colorado became known when he filed a suit in the federal court against a city out in the state and in his petition it was set out that he was a resident of Colorado. But a little thing like a sworn statement in a law suit doesn't feaze a Lancaster politician, besides the courts haven't passed on the case yet and the Hon. Joe may be overruled.

Where Cash is Kept.

Owing to a rush of business incident to a call for state warrants the monthly report of the state treasurer was not made up today. The money on deposit is in the following banks:

National bank, Ashland	$ 3,000.00
Alliance National	1,000.00
Citizens State, Arapahoe	1,000.00
Citizens State, Ainsworth	3,000.00
First National, Blue Hill	1,000.00
Battle Creek Valley bank	1,000.00
First National, Bazile Mills	1,500.00
Citizens State, Blair	5,000.00
Bloomington State	1,000.00
Custer National, Broken Bow	1,000.00
Security State, Broken Bow	1,000.00
Central City National	1,000.00
First National, Chadron	1,000.00
State bank, Cornlea	2,000.00
Craig State bank	2,500.00
State bank, Curtis	1,000.00
Dannebrog State	1,000.00
First National, Dodge	3,000.00
Elgin State bank	3,000.00
Bank of Glenville	1,000
Greeley State bank	2,000.00
Union State, Harvard	2,100.00
Harvard State bank	1,500.00
Farmers & Mechanics, Havelock	1,000.00
First National, Henderson	2,000.00
First National, Holdrege	2,617.48
Bank of Commerce, Hastings	3,000.00
State bank, Jansen	1,000.00
Central National, Kearney	1,000.00
Lexington bank	1,000.00
City National, Lincoln	14,467.90
Farmers and Merchants, Lincoln	4,433.00
Nat. Bank of Commerce, Lincoln	15,020.00
First National, Loomis	1,000.00
Loup City State bank	2,072.23
Security bank, Meadow Grove	1,500.00
Newport State bank	1,500.00
Norfolk National bank	3,000.00
Nebraska National, Norfolk	1,000.00
First National, North Bend	2,500.00
Anteloupe County bank, Oakdale	3,000.00
Citizens State, Ogalalla	1,000.00
I. L. Brandeis & Sons, Omaha	3,991.32
Farmers State, Orchard	1,500.00
Bank of Petersburg	3,000.00
Pierce State bank	1,000.00
Rising City bank	1,000.00
South Omaha National bank	13,433.00
First State bank, St. Paul	1,000.00
Silver Creek State bank	2,500.00
First National, Spalding	4,000.00
Spalding City bank	2,500.00
First National, Scott's Bluff	1,308.98
First National, Superior	1,000.00
Sutton National bank	2,000.00
Bank of Syracuse	1,234.16
First National, Valentine	1,000.00
Valentine State bank	1,000.00
Saunders County Nat'l, Wahoo	1,000.00
Farmers & Traders, Wakefield	1,000.00
First National, Wayne	1,000.00
West Point National	1,000.00
First National, Wisner	1,000.00
First National, Wolbach	1,500.00
First National, Wooming Water	1,000.00
Farmer State bank	1,000.00
City National, York	1,000.00
First National, York	1,000.00
Total	$154,570.44

Winnett Goes to Washington.

Chairman Winnett of the State Railway commission left this afternoon for Washington, where he goes to attend the meeting of the National association of Railway Commissioners, which begins there October 8.

Democrats Juggle Primary Results.

Senator Epperson of Clay county is here today preparatory to appearing in supreme court tomorrow in a case from his county. Senator Epperson brought the information that the democrats out in his county had no fight between candidates for nomination, but immediately after the primary they decided who had to withdraw. So far he said the leaders in the county had pulled off three of the democratic nominees and filled their places with old-time warhorses, consequently he expects a big fight in the county over the election of county officers. The democrats agreed to this way of doing business before the primary to prevent contests.

Bill for Maps of State.

The voucher for the 20,000 maps issued under the direction of the State Railway commission was filed today. The cost of the maps was $.257. This is the first map of the kind issued in Nebraska since the days of the old Board of Transportation. The present map is printed in nine colors and contains much information regarding the valuation of Nebraska products and shipments, as well as the lines of all railroads.

McBrien's Expenses Heavy.

Out of the $15,000 appropriated by the recent legislature for the support of junior normal schools, Superintendent McBrien has spent $10,061, and still has a year to go on. Out of $13,000 appropriated for office expenses or the biennium he has spent $6,906 and he has eighteen months yet to go on. McBrien's extra expense came with the employment of special examiners to examine the papers of teachers who were trying for certificates. Inasmuch as the governor has said he will not recommend the payment of deficiencies it is probable McBrien will have to fly low during the rest of the biennium, though his most expensive work is done.

Bills with University Vouchers.

A big bunch of university vouchers with bills attached have been filed with the state auditor, the first of the kind filed here in the memory of any of the present state house attaches. Each bill shows just what the money was used for and the signature of the head of the department shows that the goods were delivered. The regents also made out the regular certificate upon which they use to to draw money.

Expense Account Paid.

Auditor Searle has allowed himself $136 for expenses to the meeting of the insurance commissioners at Richmond, Va., and has announced he will allow the expenses of state railway commissioners who attend meetings out of the state. There is no specific appropriation for this kind of expense and the general rule has been to allow traveling expenses only within the state. The auditor drew his warrant today.

Difference Over Cream Rates.

The Wells Fargo Express company has notified the railway commission it cannot comply with its cream order because a federal judge in Chicago has granted an injunction against an increase in cream rates and the company holds until this order is modified it can do nothing. The commission has not yet discovered where a federal judge in Chicago has anything to do with cream rates in Nebraska.

Will Maupin will file articles of incorporation tomorrow with the secretary of state of a company which proposes to erect a labor temple in Lincoln. The company will be incorporated for $50,000 and no person will be permitted to own more than $1,000 worth of stock. It is the intention to secure a good location and erect a building large enough for an auditorium, bath and rooms for the various unions.

SHUMWAY DENIES ALL GUILT

Says He Fled Because He Was Afraid He Would Be Accused.

BEATRICE, Neb., Sept. 30.—(Special.)—County Attorney Terry has returned from Lincoln, where he secured a statement from Robert Mead Shumway, who is in the penitentiary awaiting trial for the murder of Mrs. Sarah Martin. Shumway stoutly denied his guilt and repeated the story previously told by him, that upon his return from the field, and after entering the house, he found bloodstains on the floor. Fearing a murder had been committed and that he would be held for the crime he escaped by stealing a horse and buggy from the barn. Shumway admitted that he deserted the regular army and escaped after being placed in the federal prison near Chicago. County Attorney Terry learned much of Shumway's past life, and secured other information which he does not care to make public at this time. He will visit the scene of the murder in a few days with a view of making preparations for Shumway's preliminary hearing.

STEAMER SUSAN STILL SINKING

Vessel Filling with Sand and Current is Cutting Bar from Under It.

BLAIR, Neb., Sept. 30.—(Special.)—The excursion steamboat Susan, which recently sunk in the Missouri river on its trip from Omaha to Sioux City, still lies almost submerged in the Big Muddy about two miles east and half a mile south of Desoto Station. A small part of its upper deck and smokestack are all that is visible. A diver was here today and found the boat rapidly filling with sand and the river cutting the bar away from under it. The government dredgeboat McPherson went to the wreck yesterday to try and render assistance, but there is little hope of saving the vessel. The wrecking crew of the dredgeboat remained there until 9 o'clock this morning, when they left for Omaha. The owners of the sunken boat will endeavor to take the boat apart and save what they can of it.

Kearney Hog Man Wins Prize.

KEARNEY, Neb., Sept. 30.—(Special Telegram.)—L. W. Hamilton, the Poland-China hog breeder, returned this morning from the International Live Stock show held at St. Joseph, where he won first on junior yearling boar and grand champion on his hog, Nebraska Special. He naturally feels elated over his success, considering the fact that this is a very fine stock show, in which he had ot compete against hogs from Michigan, Iowa, Missouri, Kentucky and Kansas in his class.

Nebraska News Notes.

EDISON—A new opera house, 50x100, is being planned for here.

EDISON—Wesley Martin, a prominent citizen, died very suddenly and was buried Wednesday.

GENEVA—W. D. Martin of the Geneva Gazette is confined to his home with a threatened attack of typhoid fever.

GENEVA—Mr. Irving W. Fellows and Miss Maud Stevenson were quietly married at the Christian parsonage at 7:30 p. m. Sunday by Rev. Johnson.

TABLE ROCK—E. J. Gibbs of this place has sold his pump and windmill business here to the Rhoden Bros., who have already taken possession of the business.

TECUMSEH—Mrs. B. F. Allen will soon break up housekeeping in this city, which has been her home for many years, and go to Lincoln to live with her son, State Oil inspector A. B. Allen.

TABLE ROCK—J. G. Adams, who lived in this vicinity for many years but removed from here to Seneca, Kan., some four or five years since, died recently at his home near that place.

HUMBOLDT—Typhoid fever claimed a victim yesterday in the person of Leland, the 5-year-old son of C. C. Pollard, living on a farm several miles north of the city. Funeral services were held on Sunday, interment taking place at the Lynch cemetery.

TECUMSEH—William A. Borland of Auburn has gone to Sterling, where he has become associated with Hon. L. A. Varner in the publication of the Sterling Sun. Mr. Varner's son, E. W. Varner, has bought the Globe at Adams and has taken charge.

HUMBOLDT—Charles Burgett, one of the wealthy pioneers of this county, died suddenly at his farm home down near the Kansas line from an attack of neuralgia of the heart. Deceased was 76 years of age, and leaves seven grown sons, besides numerous other relatives.

TECUMSEH—Dr. C. K. Chubbuck, one of the pioneer settlers of Tecumseh, is quite sick at his home in this city. Dr. Chubbuck has practiced medicine in this community continuously for thirty years or more. Rev. P. C. Johnson, chaplain of the Nebraska penitentiary, is his son-in law.

HUMBOLDT—The ladies' auxiliary to the farmers' institute drove yesterday into the country to the farm home of Peter Gergens, where they had an interesting session. One feature was the preparation by each lady of two of her favorite recipes, and the entire company, with their husbands invited, sat down to a splendid repast.

TECUMSEH—Arthur J. Newby of Tobias, the young man who was the victim of an accident while engaged in bridge work on the Burlington here, was in Tecumseh a day or two last week. Mr. Newby was struck in the eye with a flying piece of steel. It was thought he would lose his eye, but he has retained the ball and expects to preserve the sight.

TECUMSEH—Joseph Lamb of Tecumseh, seh, who has been at the head of one of the departments at the State Experimental farm, Lincoln, for some time, is moving his family to Colorado. The move is made necessary on account of Mr. Lamb's health, which has been poor for some time. The family will go first to Denver, but may not locate there. Other parts of the state will be visited.

TABLE ROCK—Mrs. G. W. Myers, who with her husband joined the "Israelites," otherwise, "The House of David," a few months since at Benton Harbor, Mich., has recently written a letter to a friend in Table Rock, which states that she and her husband are perfectly happy and contented with their new home. She attributes the opposition of our people to that corporation to the fact that they know so little about what is being taught by that sect.

NEBRASKA FROM DAY TO DAY

Quaint and Curious Features of Life in a Rapidly Growing State.

Ed Morey has distinguished himself as one of the most accomplished young gentlemen in this city this week, having filled the position of jeweler, milliner and general housekeeper during the absence of his parents and the milliner, who were pleasuring at Merriman.—Valentine Republican.

That Cow and Calf—That black cow and calf that strayed from Art Howe's place about the middle of August has not yet been returned. Reward is offered for information as to their whereabouts. Craig and Howe have reason to believe that the animals are not being returned with the rapidity that a Republican-Faber local warrants.—Stockville Republican-Faber.

Nature Fake—Rats in some localities of Friend are so numerous and destructive as to become a general nuisance. Since most of the corn has been shelled and shipped they have fallen upon the gardens and eaten up the sweet corn, cabbage and tomatoes, and in some instances have climbed upon the house and demanded the seed sweet corn that was hung up for next spring. A steel trap set at most any place with a few grains of corn underneath is pretty sure to catch a rat. In many instances where rats have been caught they were eaten up by their more lucky fellows. The time has arrived when rats ought to emigrate from Friend.—Friend Telegraph.

Catering to the Women—The Mallery storeroom has just had a new steel ceiling placed therein this week, the counters moved back, the walls are to be made spotless, and with the splendid building made by the extension and handsome exterior, makes a business home that any merchant might well feel proud of. Oh, yes, by the way, and John—the sly old rascal—used to be a passenger conductor, and is planning to have the ladies make that headquarters by putting a big mirror several feet along one of the side walls.—Alliance Times.

Strike Helped Her—An Auburn young man stepped into the telegraph office, just before the operators' strike went into effect, and wired a proposal of marriage to a girl "out west." He hung around anxiously all day but received no reply. Next morning he called and found that an affirmative answer had been received during the night. With a beautifully illumed face he exclaimed: "That girl is simply all right; any girl who will wait until the night rates go on before answering that kind of a message is economical enough for me." This actually did happen.—Auburn Granger.

Howard's Fish Story—At the risk of being attacked by President Roosevelt and other nature-fakers I am determined to tell a true fish story. Scientific writers have long contended that no species of snake ever eats fish. I am in position to refute the claims of the scientists. One evening recently I was fishing in a little lake near Columbus, with Judge Reeder as my instructor. We had anchored our poles and were eating supper. Suddenly there was much agitation of the water near one of the poles. I ran to the spot and drew in the line. There was something on the hook, and it fought like a four-pound bass. But it wasn't a bass. It was a big black snake, about four feet long. The snake had swallowed a four-inch minnow, hook and all, and the hook had fastened in his belly a foot below his head. That's all there is to this fish story. Snakes do eat fish, no matter what the scientists may say. At least this one did, and so certain am I of the fact that I shall repeat the story on every occasion, as long as Judge Reeder shall stand by me, no matter if the emperor of all the fakers shall issue an order of banishment.—Columbus Telegram.

HYMENEAL.

Sammons-Burger.

KEARNEY, Neb., Sept. 30.—(Special Telegram.)—A quiet wedding was solemnized at St. Luke's Episcopal church Sunday, when Walter F. Sammons and Miss Georgia Burger were married, Rev. Archdeacon Cope officiating. The young people are well known, the groom being the sheriff of Buffalo county, a major in the Second regiment, Nebraska National Guard, and an ex-soldier who saw active and distinguished service in the Philippines. The bride is the daughter of James H. Burger, who has grown to womanhood in the city. The happy pair departed for Omaha and other eastern points for a weeks' trip and on their return will mack their home in this city.

LETTERS FROM BEE READERS

Beriah F. Cochran Calls for Moral Cleaning Up of the City.

Contributions on timely topics invited. Write legibly on one side of the paper only, with name and address appended. On request names will not be printed. Unused contributions will not be returned. Letters exceeding 300 words will be subject to being cut down at the discretion of the editor. Publication of views of correspondents does not commit The Bee to their endorsement.

A Specimen of Moral Stupefaction.

OMAHA, Sept. 24.—To the Editor of The Bee: If the information given by the newspapers about the matter is correct, the officers of the juvenile court, or some of them, have entered upon a course of removal of families from a certain section of the city where the surroundings are such as to make a very immoral atmosphere and vitiate the children of these families.

Now, I call attention to the fact that, although this matter has been publicly mentioned repeatedly, it seems not to have occurred to anyone that the sane, sensible, legal and practicable thing to do is to remove the evil, instead of driving people away from it.

Think of it, a large number of children, perhaps 200, subjected to that deadly moral poison, and the matter publicly discussed; and everybody accepting the idea that the only thing to do is to try to drive away the people who have a right to stay there, and let those who have no right to a habitation anywhere in the state of Nebraska control the region, and remain.

No court has any more right to require these families to move than I have to go down there and drive them away with a club, because there is abundant authority for removing the evil.

What a sickly and disgusting notion, that through illegal and unauthorized action of the city officers the devil has an indefeasible title to a certain part of the city and a seat on the bench beside the judge of the juvenile court.

Now, perhaps, some moral mossback will read this, and set up a whine about "moral spasms." A moral spasm is the effort of nature to cast out of the body politic the poison that the mossbacks have put into it.

BERIAH F. COCHRAN.

Naming South Omaha Parks.

SOUTH OMAHA, Sept. 27.—To the President and Members of the Park Board, City of South Omaha—Gentlemen: I read that the naming of the parks recently purchased is somewhat of a conundrum to your honorable body. As this is an era of commercialism, I firmly believe it is your duty to give the subject matter careful consideration lest any names should be chosen but those of honest, honorable, patriotic Americans.

By way of illustration, I read where the name of a Chicago public school, bearing the name of Henry George, was changed to that of Pullman. Where are we drifting to? Is the patriotism of the fathers to be forgotten?

At the solicitation of several patriotic citizens, I am requested to suggest to your honorable body the naming of Syndicate park after the father of the American navy, Commodore John Barry.

JEREMIAH HOWARD.

Nestor.

OMAHA, Sept. 28.—To the Editor of The Bee: Will you please publish in The Bee where the origin came from to the word "Nestor," as used to describe the leaders of any particular line of business, such as "The Nestor of the bar," or "He is the Nestor of commerce?" Yours truly,

T. J. CROCKER.

Ans.—Nestor appears in Homerian epic as a wise and vigorous old man, whose counsel was of great value and assistance to the Greeks. Hence the term is used in a complimentary sense.

Words of Want-Ad Wisdom.

When you want work do you ask for it, or do you try to hide away from it? Do you go where work is to be had, or where there isn't any? When you advertise for work do you advertise where nobody expects you to, or where the people who want work don't always look for help? The Bee want columns are the recognized go-between of those who want and those who want to fill wants. Whatever you want, let it be known in the columns of The Bee, and the want will be filled.

IOWA TO SUE FOR PENALTY

Attorney General Will Commence Suit Against Western Union.

WILL TEST INCORPORATION LAW

Defect Found in Child Labor Law Which May Render It Ineffective—Government Paper.

(From a Staff Correspondent.)

DES MOINES, Sept. 30.—(Special.)—Early this week, probably Tuesday, the attorney general will file the suit of the state of Iowa against the Western Union Telegraph company for violating the laws of the state by doing business in the state without first having filed with the secretary of state a certified copy of its articles of incorporation. This suit, when started, will be one of the most important and interesting the courts have had for many years, because of the fact that the amount involved is so large. The penalty is $100 a day. In the case of the Western Union Telegraph company the total amount runs into the vicinity of $1,000,000.

In its statements to the executive council the Western Union claims to be losing money on its Iowa business. Last year it claims it took in $329,000, and its expenses were $420,000, and the year before its expenses were $374,000 and its receipts but $318,000.

The Postal Telegraph company is an Iowa concern, with its articles of incorporation filed here.

The policy that has been followed by some former officials in relation to foreign corporations may not be followed by Attorney General Byers in relation to the corporation laws. Lawyers disagree as to the meaning of the statute requiring foreign corporations to file in this state and pay the filing fee, or be subject to the penalties of $100 a day. As interpreted by some, section 1637 of the code exempts all corporations doing business in the state before September 1, 1886. One sentence in that section says:

"Any corporation transacting business in this state prior to the first day of September, 1886, shall be exempt from the payment of the fees required under the provisions of this section."

Some lawyers interpret this as a sort of immunity bath for all corporations doing business in the state at the time the law was passed. They interpret it that corporations doing business before that date not only are exempt from paying the filing fee, but are exempt from all the provisions of the law; are exempt from filing certified copies of their articles of incorporation and from paying any fine of $100 a day if they don't.

Other lawyers interpret it that while they are exempt from paying the original filing fee, they are not exempt from filing certified copies of their articles of incorporation and are not exempt from paying the $100 fine if they do not. It is argued by them that the essential purpose of the law was to have on file information concerning the corporation for the benefit of the citizens of the state. That in case a citizen desired to bring action against such a corporation he ought to have some source of authoritative and official information concerning the corporations, their officers and purposes, and that a citizen of the state has this right as to corporations doing business in the state before September 1, 1886, as well as to those entering the state after that date.

Hole in Child Labor Law.

In the report of Prof. Loos of the Iowa child labor committee to the national committee just issued, it is stated that the one weakness in the Iowa child labor law is the insufficiency of proof as to the age of a child and it is understood that the next legislature will be asked to strengthen the law in that respect. The report states that while the weakness was known before the last legislature met, it was thought best to ask for no changes at that time as the law was new and it was thought best that it have a thorough trial first.

The question as to the age of a child is the one recognized difficulty in every state, according to those having information on the subject. It is difficult for the factory inspector to tell whether the child is telling the truth or not, and parents, otherwise very truthful, think it no crime at all to instruct their child to say that it is two or three years older than it is. When a factory inspector enters a factory he is adsolutely certain to find that every child there is over 16 years old—according to the word of the child and that of its parents as well. The factory owner falls back on the word of the child and the word of its parents, and otherwise truthful parents will not hesitate at times to make sworn affidavits to false age as to their children. The law becomes thus a sort of immunity bath for the factory operator. He refers to the statement of the child or its parents and that relieves him.

Factory inspectors become trained to be pretty good guessers on the age of children. They resort to the records on file with the city clerks and often are able to find the real age of the child in that way. Practically all of the prosecutions brought have to be based on some such information as that. In some states resort has been had to a provision of law that requires a certificate from the city clerk or other official with whom the birth statistics are filed. This would still be an immunity for the factory operator, but it would be quite likely to be accurate. With a law requiring that every birth be filed with the city or township clerk, and a further law, requiring that before a child can work in a factory there must be filed a certificate from the clerk giving the date of its birth the work of the factory inspector would be much easier and it would be possible to guard against children working in violation of the age provision.

Cities Want Taxes.

It is understood that at the next session of the legislature the Iowa League of Municipalities will ask that the law relating to railroad assessments be changed. This subject has been agitated before. It is probable, however, that at the next session the question of taxation generally will be gone into quite deeply, either to provide for commission to study the problem or else to amend the laws during the session, and this proposition will be handled with the rest.

The action of the league grows out of the address of Mayor Macrae of Council Bluffs, at the last convention of the league, in which he maintained that the cities should have all the benefit of the railroad property in them. Under the present system the executive council assesses the entire railroad property and then divides it by the number of miles of road in the state. Each county then gets as much as the mileage in its own borders. But the property inside of cities is worth more per mile than that in the country and the country districts thus gain while the cities lose.