DAKOTA CITY, NEBRASKA, FRIDAY, MAY 19, 1911.

NO. 37.

GOMPERS GOES FREE

SUPREME COURT HOLDS LABOR CHIEF, MORRISON AND MITCH-ELL NOT IN CONTEMPT.

LOWER JURISTS REVERSED

Highest Tribuna! Holds Jail Sentences in Bucks Stove Company's Boy. cott Suit as Invalid and They Are Set Aside.

Washington,-Setting aside the sentences of imprisonment imposed by the supreme court of the District of Columbia for alleged disobedience to a boycott injunction, the Supreme court of the United States held that Samuel Gompers, John Mitchell and Frank Morrison, president, vice-president and secretary, respectively, of the American Federation of Labor, had been erroneously sentenced to jail on a charge of contempt of a local court.

The justices unanimously held that fines were the only sentences that could be imposed on the labor lead-

In so holding, the Supreme court of the United States found that the court of appeals of the District of Columbia and the supreme court of the district erred in treating the contempt proceedings as a criminal case and not a civil one. The effect of holding the proceedings a civil one was to make jail sentences impossible. Hence the jail sentences had to be set

To correct the error the case was sent back to the local courts, with direction that it be dismissed. At the same time the court expressly made it possible for civil proceedings to be instituted against the labor men.

The court was led to hold that the contempt proceedings in this case must be civil in nature because criminal punishment is exercised by courts to force persons to do acts commanded. In the present case the court took the view that the labor men were being sent to jail not to make them do something the court ordered but because of "something they had done."

Inasmuch as all the differences be SAVES LIFE OF GEN. NAVARRO tween the labor men and the com plainant have been adjusted, including the "boycott" case out of which the contempt proceedings arose, the decision is probably the last heard of this famous action.

The charges of contempt against Messrs. Gompers, Mitchell and Morrison arose out of a bitter labor war

preme court of the District of Colum- sioned by a clash between the milibia to prevent, by injunction, the tary and political authorities. American Federation of Labor and its officials from boycotting its own prod- during which the lives of Madero and ucts or the business of those who his chiefs were in danger, and Gendealt with it.

The company claimed that the federation was trying to unionize the company's shops. The labor leaders of the provisional cabinet, the capital urged that the company was "unfair" to labor. The head of the company was J. W. Van Cleave, president of eral commander, whose life was the National Manufacturers' associa- threatened by angry mobs of insurtion, which had often come into con- rectos, was spirited away by Francisflict with the federation. He was co I Madero himself to the American charged with having been opposed to side of the Rio Grande and is safely organized labor.

Justice Gould of the district su- El Paso. preme court issued the injunction prayed for by the company, and con- statement charged that General Oroztinued publication of the Bucks firm's name in the federation "we do not interested in bringing about disunion patronize" list led to the contempt charges.

Justice Wright found the union officers guilty and sentenced President Gompers to one year in jail; Vice-President Mitchell to nine months, and Secretary Morrison to six months.

It was further charged that in the succeeding number of the Federationist Gompers, Mitchell and Morrison building and Madero determined to joined in an appeal to organized labor for funds to carry the injunction case to the higher court. It was contended Madero stood bravely before the that this appeal was used as a vehicle to continue the boycott. The charges stated that the appeal

referred to an editorial in the same number of the magazine as setting forth the attitude of those making the appeal. This editorial was attributed to Mr. Gompers.

In addition to the "urgent appeal." in which Mr. Mitchell joined, he was accused of having acted in contempt by presiding over the United Mine Workers' convention when it adopted a resolution to fine any member who bought a Bucks stove.

Woman is Brutally Murdered.

Elgin, Ill.-Elgin and the entire country roundabout here are aroused over the discovery of the unidentified body of a woman, brutally murdered. her skull battered in three places, her throat slashed and her clothing set on fire, resulting in the burning of her body. The dead woman was discovered under the Illinois Central railroad v'aduct, about four miles south of here.

Hofstott on Trial Again,

Pitisburg, Pa.-Frank N. Hofstott, banker and president of the Pressed Steel Car company, was placed on trial in criminal court on a charge of bribery growing out of the councilmanic graft investigation. In his first special concession from the treasury trial the jury disagreed.

U. S. Sells Indian Lands.

Wewoka, Okla.-A government auc tion sale of 2,000 tracts of unallotted land in the Seminole, Creek and Cherokee nations began. Not more than 160 acres were sold to one person.



REBEL LEADER QUELLS MUTINY IN ARMY AND WINS SOL-DIERS BY BRAVERY.

Provisional President, Ordered Under Arrest by Orozco, Declares Uprising Incited by Persons Desirous of Bringing About Disunion.

Juarez, Mexico.-Francisco I. Ma-Bucks Stove & Range company of St. situation here after the provisional with him, were acquitted. The concern had come into the su- had been put to a severe test occa-

After a day of thrilling incidents. eral Orozco in a moment of passion ordered the arrest of the little rebel leader and demanded the resignation of the provisional government is quiet.

General Navarro, the defeated fedensconsed in the home of friends in

Provisional President Madero in a co's actions were incited "by persons among us."

General Orozco called on Madero and the two men talked alone for some time. Suddenly their voices were raised and the other rebel olitical chiefs rushed into the room only to find themselves held back by some of Orozco's men. A throng of soldiers had gathered outside the appeal to them. Six-shooters had been drawn and rifles leveled, but crowd and, slapping his breast, shouted, "Shoot me, shoot me, if you

dare." General Orozco was at his side. His men had been summoned to take part in the coup d'etat, but as Madero stepped forth among them and talked tion which has been ripened among his men since the revolution began crystallized in a mighty shout, "Viva

Madero!" It is aparent that dissention among the military chiefs was the basic cause of the disturbance. Colonel Villa was said to have insisted on General Navarro's life, while General Orozco also was said to have been displeased with the naming of a civilian as minister of war.

Aaron Burr's Home to Go.

New York.-The Aaron Burr manyears old. Sold at auction to a builder, it will be torn down. James Madison, president of the United States, occupied it from 1804 to 1806.

U. S. to Get 60,000 Cattle

Nogales, Sonora, Mex .- A roundup of 60,000 cattle on ranches in the vicinity of Cananea, Nogales and Naco has been ordered. The cattle will be shipped into the United States on

Kills Father-in-Law With Ax. Carlyle, Ill.-William Hall, Jr., tilled his father-in-law, Mat Barber, with an ax because he believed Barber vas responsible for his unhappy mar-

ROUGH ON THE DOVE

LIFE TERM FOR DIETZ IS FOUND GUILTY OF FIRST DE

GREE MURDER. Jury Acquits the Wife and Son of

the "Outlaw of Cameron Dam." Hayward, Wis .- John Dietz, the "out-

law of Cameron dam," was found guilty of murder in the first degree by a jury for the killing of Deputy Sheriff Oscar Harp at the final battle at the Dietz homestead on October 8 He was sentenced by Judge Reid to

life imprisonment at hard labor in the penitentiary at Waupun. Dietz' wife between organized labor and the dero, Jr., is complete master of the and son Leslie, who were on trial government which he has established | The "outlaw," following the an-

nouncement of the verdict, made a dramatic protest that he was a victim of the "lumber trust" and that the death of the deputy sheriff was but an incident in the "trust's" war upon

There are other complaints pending against the other members of the Dietz family, but is thought they will not be prosecuted by the state.

TWO DEAD IN TRAIN WRECK

Twenty-Five Others Injured When Coaches Are Derailed on Denver and Rio Grande.

Denver, Colo.-Two killed and at least twenty-five injured, several seriously, comprise the casualties result ing from the derailment of west-bound Denver & Rio Grande passenger trains near Mintern, 30 miles west of Leadville.

The wreck was caused by spreading rails. The rails gave way after the engine and baggage car had passed and the weight of the heavy Pullman cars caused the day coach and tourist sleeper to buckle up and roll down the 15-foot embankment into the Eagle

JOHNSON IS GUILTY

Jury Awards John M. Ward \$1,000 in His Suit Against American League President.

New York.-The jury in the case of John M. Ward, who sued Ban Johnson, president of the American League, for \$50,000 for slander, rein his calm, reassuring way the affect turned a verdict in Ward's favor of \$1,000. The case grew out of the alleged statements of Johnson when Ward was a candidate for the presidency of the National league two years ago.

Forty-Seven Additional Saving Institutions Are Designated by Postmaster General.

Washington. - Postmaster General Hitchcock has designated 47 additional savings depositories making sion is to go before the advancing line a total of 176 that have been creof modern apartment houses. It is 140 ated to date. The offices named will be made ready to receive deposits on Monday, June 12.

Among the designations are Canton. Ill.; Sullivan, Ind.; Red Oak, Iowa.

Bayard's Son Is Dead. Washington.-Nine hours after he had fallen or jumped from the third story to a veranda below at the Garfield hospital, Philip Bayard of Wilmington, Del., a son of the late

Thomas F. Bayard, who was secretary

of state, died here.

Abyssinia Has a New Emperor. Addis-Abeba, Abyssinia, - Prince Lidj Jeassu, grandson of Emperor Menelik, was proclaimed emperor of Abyssinia. The coronation ceremonies will take place later.

RESIGNS THE ANTI-GIFT BILL DICKINSON

HENRY L. STIMSON IS APPOINT ED SECRETARY OF WAR.

Member of Taft's Cabinet Retires to Devote His Attention to Personal Business.

Washington.—The president an nounced the resignation from the cabinet of Jacob M. Dickinson as sec retary of war and the appointment of Henry L. Stimson of New York as his successor. Mr. Dickinson was the Democratic member of the cabinet and Mr. Stimson was the candidate of the Republicans of New York for governor at the last election.

In the letters exchanged between private affairs, is given for the secretary's retirement.

Mr. Dickinson will go to his Tennessee home immediately upon the qualification of his successor. He expects to devote his attention to business and will not return to the practice of law. in which he was engaged when President Taft appointed him in March, 1909. He is the second member of Mr. Taft's cabinet to retire to private life, Secretary of the Interior Ballinger having severed his connection with the president's official family only a few months ago.

Coincident with the announcement of Mr. Dickinson's retirement came that of the appointment of C. S. Millington of Herkimer, N. Y., to be assistant treasurer of the United States in New York. Mr. Stimson was the Roosevelt candidate for governor, while Mr. Millington was a former member of the house for the Twentyseventh New York district, and is a close friend of Vice-President Sherman and other leaders of the old guard in the state, having succeeded Mr. Sherman in the house when the latter became vice-president.

325 LIVES ARE IMPERILED

Truit Steamer Rams and Sinks Liner Merida, But All on Board Are Saved.

Norfolk, Va.-The passengers and crew of the New York and Cuban Mail Steamship company's liner Merithe food, drug and dairy commission da, sunk after a collision with the United Fruit company's steamship Ad- reference to packages containing miral Farragut off Cape Henry, ar- gifts, premiums or prizes. This lease rived here safe, after being twice of time will give dealers an opportransshipped.

person, a woman passenger, was ing this notice that all may be preslightly injured.

speed in opposite directions through tioned. a fog bank about fifty-five miles east of the Virginia Capes when the Ad-

miral Farragut rammed the Merida. A great hole was torn in the side of the Merida, which carried 197 passengers and a crew of 128, and it was instantly realized by the officers when the sea began to pour into the vessel's hold that she could not live.

in five hours the Merida was at the bottom of the ocean, but her passengers and crew were safely aboard the

Admiral Farragut. By wireless telegraph the Old Dominion Steamship company's steamship Hamilton, bound from New York to Norfolk, was summoned by the Admiral Farragut, took aboard the rescued passengers and crew of the Merida and landed them in Norfolk.

WIFE OF PRESIDENT

Mrs. Taft Suffers From Nervous At tack While Accompanying Husband on Speaking Tour.

New York .- Owing to the Illness of Mrs. Taft the president was obliged to shorten his visit to the convention of the Brotherhood of Railway Trainmen at Harrisburg, Pa., and return to

Mrs. Taft is now at the home of Mr Taft's brother, Henry W. Taft, where she is suffering from a mild recurrence of a nervous malady that appeared in a more serious form two years ago.

It was the intention that Mrs. Taft should accompany the president to Harrisburg. When she was taken ill it was feared that he would be obliged to cancel the engagement, but later Mrs. Taft's condition was such that he was able to make the trip.

At Harrisburg the president spoke on the right of government employes to organize labor unions and to affil-OPEN MORE POSTAL BANKS tate with the American Federation of

Trust Law is Valld,

Chicago.-The demurrers of the Chicago packers in the "beef trust" case were overruled by Judge Carpenter in the United States district court, Judge Carpenter declared that the Sherman anti-trust law, which had been attacked by the packers, is constitutional. He also held that the indictment charging J. Ogden Armour and other packers with violating its provisions is valid.

"Skyline Highway" Dedicated.

Canon City, Colo.-Another of Amer ica's great scenic wonders was made accessible to the public when the "Skyline Highway," extending six miles from here to the top of the Royal gorge, was dedicated with elaborate ceremonies in which Gov F. Shafroth and three former governors of Colorado took part.

Gold Struck Near Fulton, Mc. Fulton, Mo.-Gold assaying class dollars to the ton was struck near here by well diggers.

FOOD COMMISSIONER PROPOSES TO ENFORCE THE SAME.

This is Done that They May Get Rid of Goods Before Enactment Becomes Effective.

Food Commissioner W. R. Jackson has given notice to both jobbers and the president and Mr. Dickinson no merchants over the state that on and reason, other than that of pressing after July 1 his department will rigidly enforce the recently enacted Housh bill which provides that no food products in packages containing gifts, premiums or prizes shall be sold in the state. The notice given in advance will allow deslers sufficient time, Commission Jackson believes, to dispose of all such goods they may have on hand. The food commission er, who took the matter up with Gov ernor Aldrich, received assurance from the executive that he would have his support in the matter. The letter sent out reads as follows:

> My attention is called to the fact that a number of jobbers are furnishing the trade with food products in packages containing gifts, premiuums

> or prizes. While there was a case in the district court of the judicial district corresponding to Lancaster county, in which the district judge held that the law was unconstitutional, it has not been passed upon by the supreme court, and therefore we are disposed to hold that the law is effective in all of the state outside of Lancaster county.

We feel all the more sure of the reasonableness of enforcing this law since the last legislature enacted a law known as H. R. No. 107 providprises and to provide punishment for violation of thee same." This bill received the signature of the governor and will be operative in July. Upon consultation with Governor Aldrich it was decided that on and after July 1 would rigidly enforce the law with tunity to dispose of such stock as they Not a soul was lost and only one may now have on hand. We are givpared for the strict enforcement of titles were transferred to Elred. Both vessels were steaming at full the law after the date above men-

> Governor Names New Optometrist. Governor Aldrich has appointed Edward H. Flitton of Omaha to succeed J. C. Huteson of Omaha as a member of the State Board of Optometry, vhose term expires June 30.

Flege Given His Liberty.

Though warned by Attorney Kingsbury of Cedar county and Deputy At torney General F. E. Edgerton that if William Flege, convicted for the murder of his sister in Dixon county was admitted to ball a lynching or murder would occur, the supreme court issued an order, that upon the execution of a \$25,000 bond the man could have his liberty. The bond was furnished.

Moodys File Appeal.

Albert and Joseph Moody of Nemaha county have appealed to the supreme court from a decision which gives Mrs. Belle Moody possession of a \$3,000 tract of land which was owned by her husband. Mrs. Moody has four children. Her husband, John Moody, left her. She had no means of livelihood and tried to get posses sion of the farm. There were three adverse claims, but the lower court held in favor of the deserted wife.

Report on State Buildings.

Burd F. Miller, supervisor of construction of state buildings, has reported to the governor and board of public lands and buildings that the Kearney industrial school is in bad sanitary condition, that it is infested with rats and that repairs must be made. He reports the Norfolk asylum in good sanitary condition, but he finds much fault with the planning of the hospital building, which remains unfinished, and says the contractor was either grossly incompetent or willfully negligent.

Thanks from Mrs. Hopewell. W. H. Smith, secretary of the state senate, has received the following letter of thanks from Mrs. Hattie Hopewell, widow of the late Lieutenant Governor M. R. Hopewell, "I wish, through you, to express my very sincere thanks for the beautiful emblem which the members of the Nebraska state senate had the thoughtful kindness to send at the time of my husband's burial. I also wish to thank you for the kindly thoughts expressed

in your letter of May 2."

The first bundle of copy for the senate journal has been sent to the printer, T. E. Sedgwick of York, by Secretary W. H. Smith of the state senate, and the latter expects now to spend most of his time in Seward, although he will retain his office in the state house for a few weeks, "Gene" Walrath of Osceola, assistant secretary, will do the index work and most of the other work to be done on the volume will be undertaken by Smith in his home town. It will take some time for its accomplishment.

Copy Sent to Printer.

NAB A CONSPIRATOR.

In the arrest of John Theodoropulos,

S. L. Whitfield, United States emigration ispector, believes he has brought into court a member of an immigration conspiracy, which the government has tried vainly for some time JOBBERS ARE GIVEN NOTICE to einch.

Theodoropulos waived examination before United States Commissioner C. C. Marley in this city and in default

of \$2,000 bail was committed. It is said this Greek with others STORY A SENSATIONAL ONE have contracted with their countrymen to bring them to this country and to provide them with enough ready money to get through the immigration ports, taking excessive mortgages on all their property at home to cover this expense and afterwards practically selling the men under contract to labor employers on this side of the

The same methods have been used with shoeshining boys, it is said, although the present action does not include the boys who work at shoeshin-

The three immigrants named as the victims of the conspiracy are Nicholas and Louis Jiannopulos and John Asimakopulos. Hundreds of men have allegedly been handled in the same way that the complaint states this trio was contracted for, but the government agents have been unable to 'get the goods" in the other cases.

Flege Admitted to Ball.

The supreme court admitted Wilhelm Flege to bail in the sum of \$25,-000. He was convicted of killing his sister, Louise Flege. Two brothers, Fred and Henry Flege, and a brotherin-law, Herman Freevert, offered to go on the bond. These three men own 800 acres of land in northern Nebrasska, worth \$125 an acre, and have \$15,000 or more in money and personal property. J. J. McCarthy asked the court to admit the prisoner to bail. The application was resisted by County Attorney Kingsbury of Dixon county and Assistant Attorney General Eding "for an act to prohibit gift enter- gerton. Flege, the prisoner, is himself worth about \$75,000.

> Fenced Government Land. A jury was impaneled in federal court for the trial of the case of the United States versus Everett M. Elred of Deuel county. Elred is charged with violation of the land laws. At one time he had a large area of government land fenced in Deuel county. It is said that he agreed with old soldiers, living at De Witt and Wilber, to homestead part of this land. As soon as they had proved up on the land the

Must Pay or Stand Trial. Governor Aldrich has given T. E. Stewart, former bookkeeper at the institute for the feeble minded at Beatrice, the alternative of making up the entire amount of the shortage revealed on the books of the institution or stand prosecution.

Woman Case in Supreme Court. Robert W. Porter of Alma has appealed to the supreme court from the mandamus issued by District Judge Harry Dungan to compel Porter to turn over to Miss Jean McKee the moneys and books belonging to the office of treasurer of the city of Alma.

Crete and Beatrice Complain A complaint alleging discrimination of coal rates in favor of Crete and Beatrice against Wilber has been filed with the State Railway commission by State Senator Frank Bartos and his brother, who are attorneys at the

Permission to Issue Bonds. The Union Stock Yards company, Ltd., of South Omaha, through Frank Ransom, made application to the state

railway commission for permission to

Saline county seat.

issue \$5,000,000 of bonds. May Cut Interest Rates.

The law seeking to obviate the double taxation of mortgages and mortgaged lands has already had considerable effect upon dealers in that class of securities in that it has caused a reduction in the interest rates formerly charged. Under the old system mortgaged land was taxed for its real value and the tax assessed against the owner. The mortgage was also taxed at its face value at the residence of the holder. In cases where the securities were held in this state a consequent double tax ing resulted.

Iowa Militia Invited. Adjutant General Phelps has re ceived an invitation, supplementing one sent some time ago by Governor Deneen of Illinois, from H. A. Wheeler, head of the Chicago Association of Commerce, to send either the Nebraska National guard as a whole, or several companies, to the national military tournament, which will be held in that city July 23 to 30. The invitation cannot be accepted, because of the fact that the expense would be too heavy and only a small

proportion of the men could leave. More Prisoners Received.

Prisoners received at the state penitentiary for committment during the month of April mark a decided increase in numbers over any previous months. Twenty-seven came in during Aprile exclusive of three alleged bank robbers who were brought here from Hamilton county for safekeeping. At the end of the month there were 443 convicts at the institution. Eleven were discharged during the month and two were paroled. The present roll shows, all told, 443 pris- of curing a slight illness. Two years

Uncle Sam Gets Hold of a Man Lone WOMAN IS FREED BY UNWRITTEN LAW

rexas Jury Acquits Her of Charge of First Degree Murder.

For Two Years Woman Prayed for Her Victim, Then Shot Her When Prayer Did Not Prove Efficacious-Dead Woman Stole Her Husband.

Fort Worth, Tex.-The unwritten law in Texas applies to women as well as men, acording to a jury at Fort Worth, which cleared Mrs. T. M. Brooks, charged with first degree murder in slaying Mrs. Mary Binford whom she charged with trying to break up her home. Insanity was the grounds she was freed on, but there was not a word on insanity mentioned in the trial. It was a plain case of the unwritten law and it was enough to

free the woman. Mrs. Brooks is the wife of a Fort Worth attorney. During the busy part of the day of January 16 last, she went to a large department store where Mrs. Binford was employed and shot her to death. She left a prayer meeting at her own home to

socomplish the deed. The story of how Mrs. Brooks, always prominent in Methodist church circles, prayed every day for two years that the Lord would make a better woman of Mrs. Binford, and how, after hearing, unwittingly, a telephone conversation between her husband and Mrs. Binford, Mrs. Brooks gave up the struggle and resolved to kill the woman who had spoiled her life, made one of the most sensational

murder trials Texas has had for years. It was Mrs. J. W. Boyd, formerly & next door neighbor of the Brooks', who declared that she knew of her own knowledge that the defendant had prayed for the redemption of Mrs. Binford, change her husband's disposition and end her troubles. Mrs.



Shot Her to Death.

mently as to what course should be pursued to end matters so everybody would be satisfied and they decided that prayer alone could accomplish

this.

moved to Fort Worth," said Mrs. Brooks on the stand. Then she told how Mrs. Binford came into her life nearly five years ago. She said: "She came to my husband's office to g t a divorce, and Mr. Brooks called me up and said: 'Mamma, there is a

"We were very happy until

woman in my office who wants me to do a little legal work for her. She has no friends in the city and little money. What do you say if I bring her up tonight?" "She came. That was the begin-

ning. Welcoming her as a friendless young woman in a strange city and with a desire to give her a good start, I fostered the cause of my wrecked happiness, stood it as long as I could and then killed her.'

GAVE AWAY CHICKEN LUNCH

Leads to Discovery of Ancient Cold Storage Poultry-Twenty Thousand Pounds Condemned.

Cincinnati.-What amounted to practically a raid on cold storage poultry was completed by Doctor Blume, the city meat inspector. Within the month he and his assistants have condemned 20,000 pounds of cold storage poultry. Doctor Blume says he found meat that had been in cold storage for five years, some venison

actually being stamped 1905. Doctor Blume said that what first attracted his attention and suggested the investigation was the fact the cheap restaurants were selling a chicken dinner for 15 cents and that some saloons were supplying chicken in their free lunches. "I conjectured." Doctor Blume said, "that something must be the matter with poultry that could be sold at that figure."

Dies in Fasting for Cure. Toronto, Ont .- Herbert Deverell is lead here as the result of a 15-day fast which he undertook in the hope ago he successfully fasted for three

weeks.