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NEBRASKA'S SUIT AGAINST THE BELL TELEPHONE COMPANY

Of Nation-wide Interest and Constitutionality of the Law is Being Discussed—Various Sections.

Nation wide attention has been attracted to the suit which Attorney General Thompson has instituted in behalf of the state of Nebraska vs. the American Telephone and Telegraph company, better known as the Bell company. An eastern paper recently called attention to this suit, and discussed the constitutionality of a certain Nebraska law. Here is the manner in which the matter is being discussed in the east:

"It will be interesting if the case which the attorney general of Nebraska is preparing against the American Telephone & Telegraph company and its subsidiary, the Nebraska Telephone company, ever gets to the supreme court of the United States. The attorney general is seeking to have these telephone companies ousted from the state of Nebraska, on the alleged ground that they have violated the anti-trust laws of the state by purchasing competing plants from independent operators. What gives the case its peculiar interest is the fact that the law of Nebraska, in addition to other punishments for the purchase of the competing plans such as criminal liability and forfeiture of charter rights, provides that the interests thus purchased shall escheat to the state. If this law should be held to be constitutional, it would provide an answer—if an everdrastic and oppressive one—to all who contend that in the last legal resort there is no practical way of preventing great combinations or monopolies. But would it be held constitutional? Coming at just this time the evolution of the supreme court's doctrine concerning the limits to which fines, forfeitures and money penalties can be carried, the question is a particularly live one. In a number of cases decided by the supreme court during the last few years there has been rather a marked tendency to identify excessive penalties with confiscation of property and so to declare them beyond the power of a state to impose. Often, it is true,

these cases present certain other features that may largely account for the tendency of these decisions. For example, in the Minnesota rate case two years ago, the supreme court decided that:

"By reason of the enormous penalties provided in the state laws by way of fines against the companies and imprisonment of their agents and employees, the companies were in effect prevented from ever questioning the validity of these laws, as the risk of confiscation of property and imprisonment of agents in case the companies failed in their defense was too much to undertake in order to obtain a judicial decision on the question of such validity. Such laws are, therefore, held unconstitutional, as they prevented the companies from resorting to the courts, and therefore deprived them of the equal protection of the laws."

But while the qualifying features of such decisions cause doubts to rise in the mind, they do not dispose of the question as to whether the supreme court in the future will or will not identify excessive penalties with confiscation of property in anti-trust law cases or similar cases in which the wrong for which the penalty is imposed is a purely statutory wrong, one that is not a wrong in itself. If the Nebraska law provided that where competing plants were purchased they must be disposed of by the offending purchaser at a fair price, whether to the state or to private persons or corporations, the questions arising would not involve confiscation of property, whatever other matters they might involve. But when a law provides for escheat to the state without compensation to the offending owner of the property, it is not impossible many will regard it as probable that the supreme court when it drives into the logical corner and is compelled to answer the question whether a state can decree forfeiture for wrongs which are statutory and not moral wrongs, must say that such laws are confiscatory and therefore contrary to the constitution.

SERVICES AT PRESBYTERIAN CHURCH

Interesting Sermon by Rev. Gade on "Millions of Money."

One of the largest audiences that has yet greeted the new pastor of the First Presbyterian church was present Sunday morning to listen to the interesting discourse on "Millions of Money."

The speaker's plea to lay up treasures in heaven was listened to with rapt attention, and the indications are that next Sabbath's congregation will be even larger.

He took his text from Matthew vi, 20: "But lay up for yourselves treasures in heaven."

Among other things, Rev. Gade said: "While money is a great power in the world, Christ's kingdom is of far greater power. Money has to do with commercial and material things, while the cause of Christ has to do with love and Christian character and the redemption of humanity. Eternal life is offered without money and without price, yet the gospel of the Son of God in its world wide scope requires millions of money to make it a power among men. When a stranger enters St. Paul's cathedral and asks for the monument of Sir Christopher Wren, he is directed to a simple Latin inscription on one of the large stones of the temple—"If you ask for his monument look about you."

Look about you to see the influence of money. Our large cities, our great manufacturing industries, our mechanical achievements represents millions of money.

The making of money may be a great blessing. It is a civilizer and a transformer. It often overturns the false and the bad and sets forth the true and the good. But while money may be a great blessing to any community, yet it is not all.

If you stood on Jordan's stormy bank, millions of money could not pay your passage across the dark river of death. Millions of money will give no comfort or solace in the hour when you sigh, "Oh! for a touch of a hand that is vanished, oh! for the sound of a voice that is still."

When the man with his millions came to die he turned to his pastor and said "sing." What shall I sing asked the minister? He said sing:

"Come, ye sinners poor and needy,
Weak and wounded, sick and sore;
Jesus ready stands to save you,
Full of pity, love and power."

Whether rich or poor in this world's good, if you have laid up treasures in heaven, when you begin the life immortal, you will receive an inheritance, incorruptible, undied, and that fadeth not away.

Rev. Gade will speak next Sabbath morning on the "Memories of the Old Home."

Have Fine Time.

The hospitable country home of Mr. and Mrs. John Meisinger, Jr., eight miles northwest of this city was the scene of a very pleasant social affair yesterday afternoon when a number of friends assembled and did have a most delightful afternoon, interspersed with social conversation, music and the like, which caused considerable merriment and assisted in making the afternoon one of the most delightful the guests had ever enjoyed. The pleasures of the afternoon were further augmented when the guests were invited to the dining room where a sumptuous feast was in readiness for them to destroy, and to which they could not help but do ample justice. This jolly company returned to their homes late in the evening, having thoroughly enjoyed themselves and very much gratified

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