

IT IS A GOOD MEASURE

Fixing the Liability of Common Carriers, Introduced by Sheldon of Dawson County.

AN AMENDMENT SUGGESTED

To Fix a Minimum Amount to be Recovered in Case of Death.

The Law in Other States.

The bill (House Roll No. 103) recently introduced by Representative Sheldon of Dawson county, to repeal that part of the statute relating to damage for death by wrongful act, limiting the recovery to \$5,000, is a move in the right direction and deserving consideration.

While it is true the law covers all cases of death by neglect or wrongful act, still the great majority of cases arising under it are cases affecting railways and common carriers of persons and the bill will therefore, probably meet with vigorous opposition from their friends. The populist party will be charged with trying to overturn a long established law of the state, and with advocating revolutionary measures and unjust and unreasonable legislation against corporations, but it now has it within its power to remedy an evil of long standing, and should not be deterred by any such clamor.

But the proposed measure does not go far enough. It should also provide a minimum amount of damages, about one thousand dollars, which might be recovered in all such cases against the person, company or corporation liable for such death and permitting the jury to consider in its verdict the culpability of the party liable as well as the injuries resulting from such death to the widow and next of kin of such deceased person.

As the law now stands it really affords no protection to the aged passenger upon railways, or to the passenger who may, through bodily infirmity, have no prospect of ever earning and accumulating property since the damage which his family may recover in case of his death by negligence of the carrier, is limited to his ability to earn money had he lived.

The life of the aged and infirm, under our present law, must be calculated by a jury on the "pecuniary injury," or dollars and cents injury resulting to his estate by reason of his death, and, if he is not earning, or is not capable of earning more dollars and cents than is sufficient to support himself, a verdict for more than one cent damages is likely to be set aside by the court as not supported by the evidence. Thus we see the passenger who needs the greatest care and attention may be neglected with impunity, and his death thereby entails no liability for damages on those who are responsible for it. All this is radically wrong and should be remedied.

The legislation proposed in the pending bill and the amendments we have suggested is not without precedent. Of the forty-five states in the union thirteen including Nebraska, limit amount of recovery in case of death to \$5000; three states, Ohio, Kansas and Utah place the limit at \$10,000, and twenty-nine states have no limit whatever by statute.

Connecticut for fifty years has had a minimum limit of damages fixed at \$1,000, and Massachusetts a minimum of \$500 for nearly the same time. Maine also has a minimum limit of \$500 and Colorado one of \$3,000.

No limit is placed by statute in this state to the amount of damages which may be recovered by the person injured where death does not ensue. It is consequently, from a pecuniary standpoint, often better for the party liable that death does ensue where a person is badly injured, and it is sometimes charged perhaps wrongfully, that a permanently injured and maimed passenger is neglected to his death. However unjust or untrue this charge may be there should be nothing in the law which might give rise to such suspicion. To exact from carriers of persons the highest degree of care and diligence by increasing their liability for negligence is not imposing on them additional, or unreasonable burdens but is only affording to the public that protection which right and justice demands.

We hope the legislature may amend the bill on the lines we have suggested and we have no doubt of its ultimate success in the house with the energy of purpose of Mr. Sheldon, its author, behind it, and his eminent standing among his colleagues.

"I was taken down with typhoid fever which settled in my neck and caused a large lump under my ear. After taking Hood's Sarsaparilla I was cured of this trouble.—Mr. Fred Hoesbough, Hazard, Neb.

Hood's Pills cure all liver ills.

The Porker Toasted.

The state swine and improved stock breeders association met yesterday in joint session. The main feature of the meeting was a paper on veterinary sanitation by Dr. Gibson, state veterinarian of Iowa. The doctor made some excellent suggestions to the association. He said in part: "Cleanliness is next to godliness, and necessary to health in the domestic animal as well as in the human family. We live in an age of agitation as to pure food for human consumption, but we are apt to forget that pure food is just as good for the animal as a man and that if we would have the animal and its products pure, we must not feed it impurities. This applies to the nursing mother in the different species and always to the dairy cow or beef steer or heifer. The question is so often asked me, is the milk of a cow in some way diseased fit for use? and my answer is always that it is not. The milk is created or extracted from the blood as it is by the udder must necessarily be

sample of the life and health conditions of the animal.

"I understand your honorable executive, Governor Holcomb, has recommended the enactment of laws, establishing a state veterinary board, with an annual appropriation sufficient to carry on the work successfully. A proper amount appropriated to hire the best of service will prove a greater benefit than a stingy amount to employ inferior men to carry on the important work of weeding out disease of contagious character. The state veterinarian should receive a good salary and have his office in the capitol building with the state board of health, of which he should be a member. He should have a few commissioned assistants throughout the state whom he could call into service when necessary, their remuneration being a per diem and expenses while actually engaged in state work."

The speaker called the attention of the association to senate bill No. 1532, and urged them to pass resolutions condemning the bill and forward the same to our congressional delegation at Washington. He thought that unrestricted vivisection should go on so long as practical in the interests of humanity and our domestic animals.

Resolutions were offered by E. H. Elmendorf and passed, endorsing the Omaha exposition and providing for the reservation of \$10,000 for premiums.

A committee consisting of J. V. Wolfe, Elijah Filley and C. H. Elmendorf were appointed to push the resolutions in the legislature.

Mr. W. G. Whitmore of Valley was re-elected president of the Improved Stock Breeders' association, and Mr. Foster secretary and treasurer, Messrs. Sullivan, Mandelbaum, Ballinger, Wheeler and Elmendorf.

The Banquet.

The banquet tendered by the swine breeders' association at the Grand hotel last night was a very happy finale of the annual meeting of the association. If one can judge from the success of the banquet it must be admitted that when the swine breeders undertake to do anything they do it right.

A little past ten o'clock the guests filed into the dining room. It was very tastefully decorated. The tables were adorned with flowers and were so arranged as to form the letter H, presumably to typify that species of animal life so dear to the guests of the evening.

The tables were loaded down with an abundant supply of good things to delight the cravings of the inner man. After partaking of the bounteous refreshments the intellectual feast was proceeded with, Chancellor MacLean acting as toastmaster. The chancellor is happily gifted to act in this capacity. In bright, well chosen words by way of introduction he announced each of the following speakers, who responded to appropriate sentiments: Governor Holcomb, C. H. Elmendorf, A. L. Bixby, J. V. Wolfe, H. C. Dawson, Z. C. Branson and W. G. Whitmore.

After the responses the chancellor took occasion to congratulate the association upon the success of their meeting, and assured them in their effort to build up the agricultural interests of our state they would have the hearty support and co-operation of the university. The banqueters adjourned a little after midnight, all happy at having the privilege of attending, and fondly anticipating the next gathering of a similar nature.

CHICKEN FANCIERS.

Last Evening's Meeting of the State Poultry Association.

About a hundred chicken fanciers assembled at the first formal session of the state poultry association last evening at the university. Rev. L. P. Ludden spoke entertainingly of the past, present and future, giving a history of the organization in this state, detailing its present work and its hopes and possibilities. Dr. Testers gave an instructive talk on the diseases of the chicken, and answered many questions suggested by it to the members. In the absence of Chancellor MacLean, who was to have delivered an address of welcome, but who was talking to the breeders' association in another hall of the university, the secretary, I. L. Lyman, made his excuses and announced that the chancellor will be at the meeting this evening. The secretary also read a paper by Mrs. Ira Draper, of Geneva, who was ill and could not attend, on how to produce eggs in winter when the mercury is at zero.

John M. Fairfield, of this city is making a stenographic report of the proceedings to be incorporated in the annual report. The poultry show is coming up to the highest expectations of those who had it in charge. It is, in point of excellence, by far the finest exhibit ever held in the west.

The public seemed to appreciate this fact, as they are attending it in greater numbers than ever before. Superintendent Pegler is well pleased over the success of the enterprise and appreciates the kindly interest taken by the Lincoln people.

The following were prize winners in the Plymouth Rock contest: W. A. Irvin, Tecumseh; Cosper Dice, Roca; Frank Patton, Surprise; L. W. Garoutte, city, and Dr. Gaiser, Tecumseh.

Light bramahs, E. A. Pegler, city; Mrs. Talbott, Omaha, and Casper Dice, Roca. Brown Lechorns, George Osterhout, David City; H. C. Young, city; David Larson, Wahoo.

The ribbons will all be awarded by tomorrow noon and a complete list of the prize winners will be published in The Post of that date.

Prosperity's Ripples in Henri's Town.

LOUISVILLE, Ky., Jan. 20.—The Germania Safety Vault & Trust company went into the hands of a receiver this afternoon. The failure is caused by a suit in which it is claimed the trust company had not invested funds as required by law, and it has on deposit with the Chicago German National bank, now in the hands of a bank examiner, about \$100,000.

Platt Formally Elected.

ALBANY, N. Y., Jan. 20.—Thomas C. Platt was elected United States senator by the legislature in joint convention today. The vote stood, Platt 147, D. B. Hill 42, Henry George 4.

Wanamaker Wasn't Wanted.

HARRISBURG, Pa., January 20.—Boies Panrosey was formally elected to the United States senate by both houses of the legislature in joint session.

AT THE STATE HOUSE

(Continued from First Page.)

Murphy's resolution suggesting the removal of the state normal from Peru to Beatrice came upon the regular order. Murphy explained that the committee need incur no extra expense to visit Beatrice.

Lee suggested that only the dormitory had been burned at Peru and that the remaining property is worth \$250,000, while but \$20,000 is asked to replace the building destroyed. That being the case he could see no good reason for removal.

McGinn moved to insert Albion instead of Beatrice in the resolution. Halter arraigned the majority for dilly-dallying with important affairs. He thought it absurd to send a committee to Peru to look at some burned sheds.

Graham favored sending the normal school committee, and Mutz moved to lay the whole matter on the table, which was agreed to by a vote of 21 to 9.

Dearing renewed the motion by moving that the committee on university and normal be authorized to visit the normal at Peru and report to the senate.

During the discussion ex-Lieutenant Governor Majors entered and sat beside the presiding officer, and Murphy remarked that he knew something good would come out of the discussion. Majors had come.

And the motion for the junket at once prevailed. Ransom moved to have his Thurston resolution endorsed for a third reading, and it was so ordered.

House roll 53, for a \$90,000 appropriation for payment of legislative salaries, was passed, and a recess taken until 2 o'clock.

A large number of bills were introduced, among them being two by Gonder for the protection of game and fish; by Mutz, for inspection of live stock; by Beal, regulating redemption of property sold at forced sale and deficiency judgments; by Talbott, to prevent body snatching; by Canaday, to grant university graduates equal privileges with graduates of other educational institutions in the state; by Dearing, to abolish the cigarette; by Caldwell, for the purchase and display of flags by public schools; by Ransom, to authorize corporation directors to hold meetings outside of the state; by Ransom, defining statements made in insurance policies and applications; by Foltz, a joint memorial to congress to submit a woman suffrage amendment.

Yesterday Afternoon in the Senate.

The special order for yesterday afternoon in the senate was the consideration of the governor's message, but as the message had not yet been printed its consideration was delayed until 2 p. m. next Tuesday.

Chancellor MacLean extended to the members a cordial invitation to attend charter day exercises, February 16. The charter day oration will be delivered by President Franklin Carr, of Williams college.

Wooster Was There.

Representative hall was crowded last evening with members of the legislature to hear the discussion of the trans-Mississippi appropriation bill before the committee on ways and means. The gallery was crowded with spectators. G. W. Waitles, president of the exposition association, detailed the history of the movement, told of the bills introduced in Illinois, Colorado, California and other states in aid of it, and how the action in that state would affect the fate of bills in other states. Hon. G. M. Hitchcock dwelt upon the objects of the exposition. They were to bring immigration and capital to the west and the state. He thought the exposition will bring at least 3,000,000 visitors, who will leave not less than \$3 each. He said that the friends of the exposition had not asked for more than is needed, and he thought the people of the state did not want the amount pared down.

Representative Wooster of Merrick county, appeared for the opposition to the bill. He said he came to represent his constituents and was not ashamed of his position in opposition to this appropriation, as he was not alone in it. If all present opposed to it were to stand up it would surprise the friends of the measure. He declared that the trans-Mississippi congress that started the movement was a job lot of politicians who were irresponsible and non-representative. It was not a popular movement. It is an Omaha project, and out of fifty directors chosen, only one was from outside that city. The men who were putting up the money were not doing it without the hope of return. It will not benefit the farmers, and it would make trade dull everywhere in the state except in Omaha. The best thing for the state to do would be to pay her debts and then give half a million for an exposition that will do her credit. He protested that while a legislator has to pay his warrant to get money to pay his board it is not a good time for such an appropriation. Nebraska needed to get money into the treasury rather than out of it.

Mr. Hitchcock closed by saying that over 350 of the country editors of Nebraska favored the exposition and Mr. Wooster should have more respect for the judgment of his colleagues. The appropriation would only amount to 30 cents for each person in the state. If taxes are heavy he favored bringing in more people to help pay them. What is good or bad for Omaha is good or bad for the whole state. The directors were Omaha men because Omaha had subscribed the funds. Omaha helped the needy during the drought and pays one-seventh of the taxes. If the world's fair drained the country of wealth, carrying it to Chicago, the proposed exposition will do the same thing for Nebraska.

Delgado Died in Prison. WASHINGTON, Jan. 20.—Consul General Lee has telegraphed the state department that Henry Delgado, correspondent for the New York Mail and Express, who has been confined in a Spanish prison at Havana for some time, died last night.

North Carolina's Senatorship.

RALEIGH, N. C., Jan. 20.—Pritchard was elected United States senator, receiving eighty-eight votes, more than a majority of both houses. Thompson, populist, received forty-three and Dough-ton, democrat, thirty-three.

Ripans Tabulee cure bad breath.

"I was taken down with typhoid fever which settled in my neck and caused a large lump under my ear. After taking Hood's Sarsaparilla I was cured of this trouble.—Mr. Fred Hoesbough, Hazard, Neb.

Populists in Next Congress.

The following people's party congressmen have been elected and will represent their respective districts for two years, commencing the fourth of next March: Alabama, M. W. Howard; California, C. A. Barlow and Dr. C. H. Castle; Colorado, J. C. Bell; Idaho, James Gunn; Illinois, Jehu Baker; Kansas, Mason Peters, J. D. Botkin, E. R. Ridgley, W. D. Vincent, N. B. Mcormick and Jerry Simpson; Nebraska, Samuel Maxwell, Wm. L. Stark, R. D. Sutherland and Wm. L. Green; North Carolina, Harry Skinner, John E. Flowers, Wm. F. Stroud, C. H. Martin and A. C. Shuford; Oklahoma, J. Y. Callahan; South Dakota, John E. Kelley and F. Knowles.

It will make a strong representation of men who were with the early reform movement and were identified with the work at Omaha in 1892.—Ex.

THE FADED ROSE.

The faded rose I hold, love,
In fancy bloom to-day,
In gardens sweet and old, love,
With memories of May,
So, the frail flower you gave, love,
And friends forever part,
This withered bloom is laid, love,
Immortal in my heart!
So the frail flower you gave, love,
Shall subtle fragrances shed,
A spirit from the grave, love,
A breath above the dead!
And while this life shall last, love,
Though wintry snows may fall,
This bloom that links the past, love,
Shall bless and brighten all.
—Joseph W. Humphries

HUMOR OF THE DAY.

"Hello, Brown! How's the real estate business? Selling much?" "Yep, Lots."—Harper's Bazar.

Hubby—"You are worth a million to me." Wify—"Can I get an advance of \$2 on that million for a new hat?"—Up-to-Date.

"There's one great drawback to a fat." "What's that?" "You have no attic to put things you don't want in."—Chicago Record.

"And this one?" "Ah, that is a hopeless case of water on the brain. He labors under the impression that he is a milkman."—New York Press.

This impetus to industry Meets everybody's likes; The wheels of commerce soon will be As busy as the bikes. —Washington Star.

Mrs. G. (as her husband departs for a club meeting)—"If you're any later than midnight I shan't speak to you!" G.—"I hope you won't, dear!"—London Figaro.

Merritt—"Man was made to mourn, son know." Cora—"And what was woman made for, pray?" Merritt—"To make him do so, I suppose."—New York Truth.

The Tenor—"Miss Hysee, you are simply talking through your hat." The Soprano—"Maybe I am, sir, but I don't sing through my nose."—Chicago Tribune.

"John, Mamie complained that you tried to kiss her. Is that true?" "Way, dear, didn't you tell me you wanted aer treated just like a member of the family?"—Judge.

Mamma—"Where's papa?" Flora—"He's down stairs." Mamma—"What's he doing?" Flora—"His bicycle is out of bread and he's giving it some more."—London Figaro.

And then they both began to sing, The key was, I think, B flat, Sue took the alto, May the air, And I—well, I took my hat. —New York Town Topics.

Ethel—"Do you think Uncle John's estate will be divided according to law when he dies?" Cousin Tom (just admitted to the bar)—"Not at all—I drew his will for him yesterday."—Judge.

Departing Boarder—"I'm sorry we couldn't get along, but I hope you are willing to let bygones be bygones." Landlady—"Does that include your board bill, Mr. Jones?"—Boston Courier.

"Johnny, is your brother back at college?" asked the girl who is deeply interested in the subject of her inquiry. "Naw; he's a quarter-back" proudly answered the youngster.—Detroit Free Press.

"Oh, Mr. Smyth, your newspaper jokes are so funny I always read them twice." And, after Smyth had departed with his bump of self-esteem considerably extended, she told the other girls that she had to do so in order to see the point.—Texas Siftings.

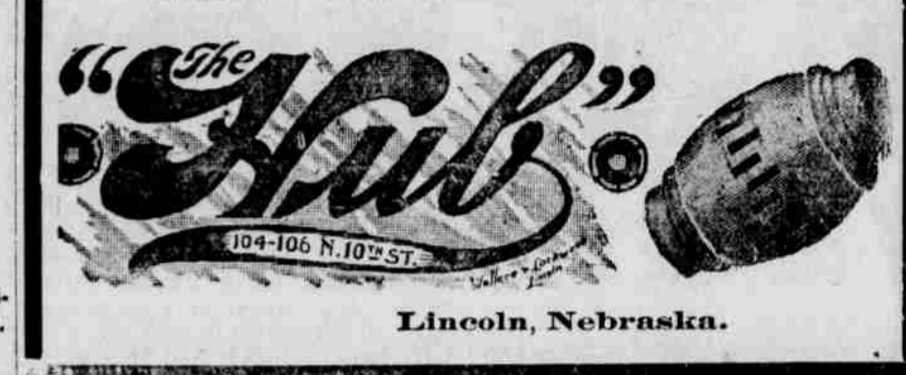
About Catarrh Cures. There is no question but that there are many cures for the very common ailment known as catarrh. In speaking on this subject the INDEPENDENT will not assume to inform its readers as to the nature of that prevalent disease, nor advise as to what is the best to do in seeking relief. While it is undoubtedly true that catarrh exists in nearly every family to a greater or less extent, working serious inroads on the lives of every one of its victims, the average physician is not successful in treating disease and people must look to specialists for a cure. In this connection the INDEPENDENT refers with pleasure to Drs. Copeland & Shepard of Omaha and the success they have attained during their five years' residence in Omaha. Drs. Copeland & Shepard will use the INDEPENDENT for advertising their methods and their advertisements are nearly all made up of testimonials of their patients. A great number of testimonials from well-known Nebraska people, hundreds if not thousands of them living in this state and many of whom are our most prominent citizens, will justify our calling particular attention to these physicians. The doctors devote their attention to all diseases of a chronic nature. The treatment is not expensive, and if you are interested, write to them, New York Life Building, Omaha, for blanks and testimonials.

Look over our ads before you buy. Patronize our patrons; it helps you and I.

FURS DOWN!

WHOLESALE PRICES ON FUR COATS. We are bound to close out our entire stock of fur coats by February 1, and to this end quote prices we have ever named on fur ulsters. Goods sent by express C. O. D., on receipt of \$1 to guarantee express charges. The prices are so low that there is hardly a man in Nebraska who cannot afford to own a fur coat. Order at once, before the lots are closed out.

Table with 2 columns: Fur coat description and Price. Includes items like Extra Heavy Grey Chinese goat, Dark Natural Siberian Doeskin, etc.



HYGIENIC HINTS.

Aromatic sulphuric acid is a very good remedy for excessive perspiring at night in case of one who has lung trouble. The dose is ten drops, to be taken in water at bedtime.

The mission of a cold water bath is not to cleanse, but to harden and invigorate. Take a warm sponge bath at night, using alcohol in the water, then you are clean and ready for the invigorating cold one in the morning.

The following solution may be used with good effect on tonsillitis: Oil of peppermint, ten drops; pure carbolic acid, one dram; alcohol, three drams; use ten drops to a glass of hot water and gargle several times a day.

If the hair is dry and brittle, with a tendency to fall out, an English restorative is a simple one of a free application of coconut oil, with daily brushing. This treatment, continued for a few weeks will it is said, accomplish the best results.

If the skin is kept clean and fresh and the diet is well regulated and laxative, the complexion will take care of itself. All the skin ointments in existence will not do as much toward beautifying the face as will a sufficient amount of fruit, such as grapes, berries, oranges and peaches.

The idea is apparently widely entertained that sidewalks and the floors of public conveyances and buildings are a sort of ever-ready cuspidor. The habit of ubiquitous expectoration—always disgusting unnecessary in health—becomes dangerous when practiced by consumptives. Sweeping trains catch a surprising amount of filth, and tubercle bacilli as well as other germs have been found in the skirts of ladies' dresses, whence they may be introduced into houses. How often do we see a consumptive shivering over a register and dropping the scourgings of the cavities of his lungs down the hot air pipe, to be dried and disseminated throughout the building? The expectation should take place in a cup that can be readily disinfected, or into a water proof paper receptacle that can be burned.

The total amount of food needed for repair, for growth and for heating, physiology teaches us, is much less than is generally imagined, and it impresses us with the truth of that great surgeon, Abernethy's saying, that "one-fourth of what we eat keeps us, and the other three-fourths we keep at the peril of our lives." In winter we burn up the surplus food with a limited amount of extra exertion. In summer we get rid of it literally at some extra risk to health, and, of course, to life. We cannot burn it. Our vital furnaces are banked, and we worry the most important working organs with the extra exertion of removing what would better never have been taken into the stomach.—British Medical Journal.

English Priests and the Beretta. Ought Anglican priests to wear the beretta? This, in the absence of greater problems, is the momentous question agitating the minds of a good many churchmen just now. It is contended, on the one hand, that the old English square cap is the correct clerical head-gear, while on the other the beretta has the advantage of sanction in the western church, and, moreover, can be conveniently folded up and carried in the pocket. Meanwhile, the controversy rages, and one popular divine has found himself in somewhat of a dilemma over it. Asked to preach at a village church, he was informed on his arrival that there was to be a procession from the vestry through the churchyard to the eastern door. "It is raining heavily," he pleaded, "and I have to return to town to-night." The vicar was absent, but the curate in charge of the service asked: "Shall I get you a beretta?" "No," was the prompt reply, "but if you have an old umbrella about the place I shall be glad of it."—London Telegraph.

Watering a Horse. He Can Live a Long Time Without Food but Must Have Drink. A horse can live twenty-five days without solid food, merely drinking water, seventeen days without either eating or drinking and only five days when eating solid food without drinking. An idea prevails among horsemen that a horse should never be watered oftener than three times a day or in twenty-four hours. This is not only a mistaken idea but a brutal practice. A horse's stomach is extremely sensitive and will suffer under the least interference, causing a feverish condition.

Feeding a horse principally on grain and driving it for hours without water is like giving a man salt mackerel for dinner and not allowing him to drink until supper time—very unsatisfactory for the man.

If you know anything about the care of horses and have any sympathy for them water them as often as they want to drink—once an hour, if possible. By doing this you will not only be merciful to your animals but you will be a benefactor to yourself, as they will do more work; they will be healthier; they will look better and will be less liable to coughs and colds and will live longer.

A horse is a great deal like a man. Let him get overworked, overstarved or abused, and particularly for the want of sufficient drink in warm weather, and the consequences will always be injurious. Sensible hostlers in large cities are awakening to the advantage of frequent watering. Street-car horses are watered every hour, and sometimes oftener, while they are at work. It is plenty of water that supplies evaporation or perspiration and keeps down the temperature.

Twenty years ago a person having a fever of any kind of pneumonia was allowed but little water to drink, and then it had to be tepid. To-day practitioners prescribe all the ice water the patient can possibly drink, and in addition cold bandages are applied to reduce and control the temperature of the blood. What is applicable to man will never hurt a horse. Use common sense and human feeling.

Don't think it is a horse and capable of enduring any and all things. A driver who sits in his wagon and lashes his worn-out half-curried, half-fed and half-watered team should never complain of any abuse he may receive from his master or employer, for he is lower in character, harder in sympathy and less noble than the brute he is driving, and deserves, in the name of all that is human, the same punishment as a criminal.

Cycling for the Insane. It is announced in European medical journals that French lunatics are to be supplied with bicycles. Certain Parisian specialists in mental disorders intend, it seems, to try the influence of bicycling upon a mind diseased, in the hope that the exhilaration of rapid motion, combined with the call upon the nerves which is needed to control the flying wheel, should have good results.

As long as the patient keeps within his asylum grounds, he may, no doubt, obtain benefit and can do no harm. The interest will culminate when, half-healed, he seeks a wider field. Should he slip his attendant—a not impossible contingency—a series of adventures might well ensue.

FRUIT TREES Forest SHADE

All kinds of Small Fruits, Ornamentals and Shrubs. Everything for the large or small planter at LOW PRICES. Large Shade Trees for Street, Park or Cemetery. Write for Price List. Address YOUNGERS & CO., Geneva, Neb.

McNorney & Eager have moved their law office to room 8, Newman block, 1025 O street.