

**UNITED STATES SUPREME COURT
RENDERS SWEEPING DECISION.**

MINNESOTA LAW HELD INVALID

**Enormous Penalties of Act Cause of
Its Undoing—North Carolina Rate
Law Also Declared Unconstitutional
on Same Grounds.**

Washington, March 24.—In refusing to grant to attorney General Young of Minnesota a writ of *habeas corpus* releasing him from the penalty imposed by the United States district court for the district of Minnesota on the charge of contempt of court in instituting a proceeding in a state court for the enforcement of the railroad rate law after the federal court had prohibited such a course and in affirming the decision of Judge Pritchard of the United States circuit court for the western district of North Carolina, discharging from imprisonment James H. Wood, a ticket agent of the Southern railway at Asheville, after he had been sentenced by the Asheville police court to serve a term on the rock pile on the charge of collecting for a ticket on that road a greater price than was permitted by the state railroad law, the supreme court of the United States added another to the series of decisions which have rendered notable the present term of that court.

Judge Harlan Dissents.

In both cases the right of the states to fix rates for railroad transportation was the issue and both involved conflicts between the federal and the state courts. The decision in each case was opposed both to the states and to their courts. The opinion of the court in both cases was announced by Justice Peckham and, with the exception of Justice Harlan, all the other members of the court stood behind him in the announcement in the court's finding. Justice Harlan read a dissenting opinion in the Young case, in which he took the view that the suit was practically a proceeding against the state and therefore not permissible under the Eleventh amendment to the constitution. He therefore characterized the opinion as *errata* in the history of the court; said it had the effect of closing the courts of a state against the state

both practically were decided in one opinion. The principal pronouncement was made in the Minnesota case.

Justice Peckham's Opinion.

Justice Peckham's opinion was outlined as follows: "The court has decided: That by reason of the enormous penalties provided in the rate laws, by way of fines against the companies and imprisonments of their agents and employees, the companies are in effect prevented from ever questioning the validity of those laws, at the risk of confiscation of property and imprisonment of agents in case the companies failed in their defense was too much to undertake in a judicial decision of a question of such vitality. 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.

"The question of the sufficiency of the rates to enable the company to obtain some return to its stockholders for their investments has for many years held to be one for the courts to decide, as it would be a violation of the constitution of the United States to fix rates so low as to be confiscatory if enforced.

"The laws providing rates for the transportation of passengers in the two cases under consideration have been held by the court below to be so low as to be substantially confiscatory, and should therefore not be enforced until after further trials. The courts had jurisdiction to make such an order."

LABOR LOSES BOYCOTT FIGHT

**Final Order in Buck Stove Case by
Justice Clabaugh of Supreme Court.**

Washington, March 24.—The American Federation of Labor and President Gompers and others of that organization were permanently enjoined from "conspiring, agreeing or combining to restrain, obstruct or destroy" the business of the Buck Stove and Range company in a decision rendered by Chief Justice Clabaugh of the supreme court of the District of Columbia, making permanent the temporary injunction of Justice Gould against the federation in that case.

The federation's counsel immediately noted an appeal to the district court

company, or its business or products, and also bars the federation from placing the company on the "unfair list," or from stating that the company's products should not be purchased, either in Missouri or anywhere else.

Bishop Fowler's Funeral.

New York, March 24.—With impressive honors, befitting the obsequies of a great churchman, the funeral services for Charles Henry Fowler, twenty-four years a bishop of the Methodist Episcopal church, were held at the Madison Avenue Methodist Episcopal church. The most prominent clergy and laymen of the church attended the ceremonies. After the church ceremonies the body of Bishop Fowler was taken by special train to Woodlawn cemetery, where committal services were conducted and the body was placed in a receiving vault.

RELIEF FOR ORGANIZED LABOR

Civic League Anti-Trust Bill is Introduced in the House by Hepburn.

Washington, March 24.—The bill prepared by the National Civic Federation after conferences with the president and representatives of capital and of labor to remove the stringency of the Sherman anti-trust law, was introduced in the house by Representative Hepburn of Iowa, chairman of the committee on interstate and foreign commerce. It was referred by Speaker Cannon to that committee for consideration and report, and it is understood that President Roosevelt will, in a message to congress, make a recommendation concerning it.

One of the most interesting sections of the federation bill is that which seeks to relieve organized labor from the suppressive effects of the recent supreme court decision declaring labor unions to be conspiracies in restraint of trade and therefore unlawful. The bill, broadly speaking, aims to restore to the unions their right of peaceable existence, including the right to strike, but leaving them still amenable to the Sherman act in the matter of boycotts, picketing and similar coercive practices. The section is as follows:

"Nothing in said act approved July 2, 1890, or in this act is intended, nor shall any provision thereof hereafter be enforced, so as to interfere with or to restrict any right of employees to strike for any cause, or to combine

any containing from employees satisfactory terms for their labor, satisfactory conditions of employment, or so as to interfere with or to restrict any right of employers for any cause to discharge all or any of their employees, or to combine or to contract with each other or with employees for the purpose of peaceably obtaining labor on satisfactory terms."

SAGAN FOLLOWS MME. GOULD

**Dines With Her in New York and
Goes to Washington.**

New York, March 24.—Prince Hicte de Sagan, who is a suitor for the hand of Mme. Anna Gould, is believed to have arrived in New York within a few days, with the object of renewing his attentions to the American heiress. The man who is believed to be Prince Hicte registered at a New York hotel as "W. H. Thompson" and gave no address. He reached New York two days after Mme. Gould and dined with her last evening at the home of Mr. and Mrs. Tyler Morse.

DYNAMITE WRECKS NEWSPAPER

**Rock Island Daily News' Plant is
Blown Up.**

Rock Island, Ill., March 24.—Dynamite exploded at the printing plant of the Rock Island Daily News about 2:30 a. m. destroyed the machinery and practically ruined the building. The News was founded thirty years ago by John Looney, a lawyer and politician, and has lately given attention to saloons and a certain gambling element in Rock Island and Chicago. Looney was indicted last June on numerous counts for alleged conspiracy, extortion and criminal libel, but has not been convicted on counts that have so far come to trial.

"Do you approve of working Sunday?" "Certainly not," replied the man addressed. "Why make an exception of Sunday?"—Philadelphia Ledger.

bandits who held up Edward Hoffman and secured \$47,000 belonging to the Coalition Mining company, made their way to Schurz during the night, stole a haulcar and made their way into the Walker Indian reservation. They are now being pursued by former members of the Walker Indian police.

Handwriting Expert Testifies.

Kansas City, March 24.—In the trial of Mrs. Sarah Morasch, charged with poisoning four-year-old Ruth Miller, it was established by expert testimony that the defendant wrote the top and bottom lines of the address on the box of poisoned candy which was mailed to the dead girl's sister.

Big Damage by Tornado.

New Orleans, March 24.—A severe wind and rain storm, accompanied by loss of life and much property damage, prevailed in portions of Louisiana, Mississippi and Alabama.



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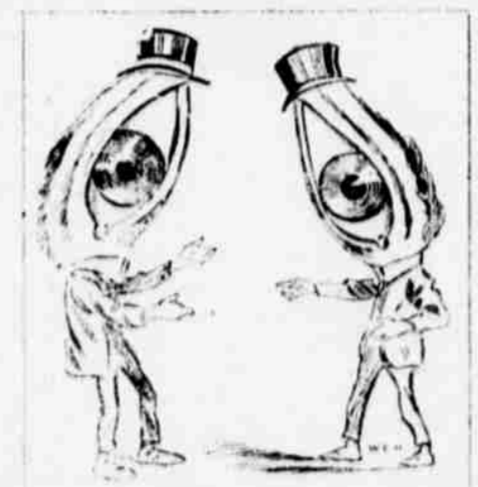
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