

THE NEWS IN NEBRASKA

STATE NOTES.

The Y. W. C. A. of Lincoln has planned a \$30,000 structure.

A. F. Bailey of Gage county has just celebrated his 94th birthday.

The Humboldt band gives each Saturday evening a concert in the public park.

Fairmont has concluded to have a saloon for the first time in many years.

Hazel Reed, an inmate of the feeble minded institute at Beatrice, died last week.

Members of the Elks' club at Lincoln have decided to put up a \$30,000 building.

Much damage was done in Stanton county from high water in the Elkhorn river.

The Ashland High school had twenty-two graduates—fifteen girls and seven boys.

Oseola's grievance over bad mail facilities has been quieted by better railroad service.

The York auditorium was sold at sheriff's sale to Campbell Bros., of Lincoln, for \$13,500.

In many sections it has become necessary to replant corn by reason of the cold weather.

The agent of the Great Northern has been in Oakland securing the right-of-way through that town.

Mr. and Mrs. Bernard Ottens of Nemaha county, last week celebrated the fiftieth anniversary of their marriage.

The State Board of Education by a vote of 4 to 3 elected W. K. Fowler principal of the Kearney Normal school.

There is an element in Table Rock wanting a saloon and their wish is likely to be granted, as the license board is favorable.

A special stock train left Leitch the other day for Chicago. The train consisted of twenty-four cars of cattle and represented about \$38,000.

Some of Fremont's citizens have filed a protest against any more baseball on Sundays, and it is likely that their wishes will be complied with.

Henry Gallentine, charged with stealing hogs of F. Hittner, was bound over to the district court by Judge Byrne. In default of bail he is in jail.

Umball now boasts of an excellent telephone system, just completed by the Independent Telephone company. The automatic system is used and gives excellent satisfaction.

An enthusiastic meeting was held in Auburn, and it was decided that the town celebrate the Fourth of July.

Mayor McClay was made chairman of the meeting and he appointed working committees.

The District School association of Cuming county will hold its regular annual convention at West Point June 3. Deputy State Superintendent Bishop will deliver an address to the school officers present.

The first Burt county boys' and girls' school convention was in session at Tekamah last week. Each school had two regular delegates, one boy and one girl. The attendance was far greater than expected, nearly 700 being present.

Deputy Game Warden Smith, between 12 and 1 o'clock Sunday morning, arrested five men for fishing in a lake two miles west of North Bend. The men pleaded guilty and were fined \$15 each and costs, making a total of \$78.75.

At Red Cloud C. L. Fulwider and Nicholas Thomas came near meeting instant death. A scaffold on which they were working gave way and precipitated them to the floor joists below and several cement blocks, weighing 140 pounds each, fell upon them. Fulwider was only slightly bruised, but young Thomas received a broken breast bone and his jawbone was fractured, besides his being rendered unconscious for a short time.

Perry Myers for whom Governor Miley issued a requisition after one had been refused by Lieutenant Governor McGilton on the complaint of a young lady of Falls City, who very much desired to see her recalcitrant lover returned from Los Angeles, Cal., voluntarily after the governor determined to send for him, and is reported to have made a settlement by paying the young lady \$2,000.

At their recent meeting in Grand Island ladies of the G. A. R. elected the following officers: Mrs. Camille Elliott of Omaha, president; Mrs. Lov Hoagland of Loup City, senior vice president; Mrs. May Nay of Ord, junior vice president; Mrs. Gertrude Johnson of Crete, treasurer; Mrs. Christa Hoge of Kearney, secretary; delegates to the national encampment are Mrs. Wilda Nichols of Scribner; Mrs. Etta Tyler of Arapahoe; Mrs. Mary S. C. Matthews of Lincoln and Mrs. Anna Thompson of Hastings.

Carl Brock, a Johnson county farmer, jumped from the upper opening of his barn and broke is left leg in two places. His hurried exit was to stop a team that was about to run away.

Fred Miller, deputy secretary of state, said that the law requiring automobiles to have state registration would be strictly enforced when it goes into effect July 1. Every machine operated in the state will have to secure a new number before that time in order to permit its use on and after July 1 without danger of arrest and fine.

AS TO STOCKMEN'S PASSES

The Court Adheres to its Former Judgment.

The supreme court has adhered to its former judgment in the case of the C. B. & Q. R. R. company against David C. Troyer, error from Hamilton county, Judge Barnes dissenting.

Troyer while traveling on a stock shipper's pass sustained personal injuries. In the lower court judgment was given against the railroad. The supreme court holds that under the evidence the question of the alleged negligence of the company was a matter for the court to determine and the evidence is sufficient to warrant a finding that the defendant company was guilty of actionable negligence which was the approximate cause of the injury complained of. The court says that it cannot be said as a matter of law that the plaintiff was guilty of contributory negligence so as to preclude a recovery. The court holds that a person while traveling on a freight train on a stock shipper's pass for the purpose of attending to the live stock being shipped sustains the relation of the carrier of passenger, but in a restricted modified sense.

Such a person while so traveling assumes such risks and inconveniences as necessarily attend upon caring for such stock and such are incident to the means and methods employed by the company in the operation of its freight trains.

Judge Barnes dissenting says that the plaintiff's right to recover depend upon actionable negligence upon the part of the company and as he reads the record finds no such negligence is shown. The plaintiff was walking in order to reach the caboose at the end of a freight train and was struck by a switch engine on an adjacent track. Judge Barnes says the fact was clearly established that the space between the railroad tracks where the plaintiff was walking was wide enough for his safe passage if he had exercised ordinary care.

BAKER MUST HANG.

Little Hope Remains for Man Convicted of a Double Murder.

LINCOLN—The supreme court has overruled the motion for a rehearing filed by the attorneys for Frank Barker, the Webster county double murderer. The forty-day limit in which the motion could have been filed expired Tuesday. Counsel for Barker submitted an application for leave to file a motion for rehearing. The court allowed the application to be filed, but overruled it as intending to delay the carrying out of the former decision.

Since being confined in an isolated cell Barker has become gloomy and is a trifle despondent. June 16 is the date of the execution and the hanging will take place between the hours of 11 a. m. and 3 p. m.

MAN AND WOMAN HAVE GONE

Frank Hanscom and Mrs. Ortman Create a Scandal.

BEATRICE—Sheriff Trude and his deputies are scouring the country for Frank Hanscom and Mrs. Etta Ortman, who, it is alleged, have eloped. Both are married and have families residing north of this city. Mrs. Ortman came to the city and soon after Hanscom arrived. Neither returned home and no trace could be found of them. The sheriff is sending out cards and offering a reward for their arrest. This is the same couple that scandalized the neighborhood in a similar manner about a year ago, when they disappeared, finally coming back and resuming relations with their families.

Big Cattle Shipment.

STANTON—A special train load of fat cattle, consisting of twenty-six cars, owned by Louis Smithberger, Ed Zimler and Horton & Chace, left here for the Chicago market.

Given Three-Year Sentence.

AINSWORTH—Harvey Beloit pleaded guilty to grand larceny in district court and was sentenced to the penitentiary for three years. Beloit is the party who several weeks ago entered the residence of Rev. Mr. Tainter at Long Pine and purloined therefrom clothing and \$27 in cash.

Large Catalpa Grove.

AUBURN—Walrich Ubben of this city has been highly complimented by the bureau of forestry department of the national government. Last week he received a communication from Frank G. Miller, first assistant, Washington, asking for information concerning the catalpa grove on Mr. Ubben's farm, south of town. This is one of the largest artificial groves in the country and last year was inspected by a corps of government officials who measured the trees and collected information concerning their growth.

Gift to Deane College.

CRETE—Doane's students and faculty members are rejoicing over the receipt of a \$10,000 gift to the college. Public announcement of the gift of that sum by James Whitecomb of Worcester, Mass., was made during the progress of the band concert on the campus and was received with cheers, college yells and a general jubilation. The gift came as a result of the solicitation of President Perry, who is at present in the east. It is to be used in the erection and equipment of the single conservatory.

FIGHT TO A FINISH

PROSPECTS OF PEACE IN TEAMSTERS' STRIKE DISAPPEAR.

EXPRESS COMPANIES OBDURATE

Strikers Demand That They Be Permitted to Return to Work in a Body—Expected that Strike Will Now Rapidly Spread.

CHICAGO—All prospects of peace in the teamsters' strike have disappeared and it will be open war from this time on. The last conference looking toward a peaceable adjustment was held at 6 o'clock Tuesday night between James B. Barry, business agent of the express drivers' union, and the local managers of the seven express companies. The conference had been set for an early hour in the afternoon, but owing to the failure of Mr. Barry to receive proper notice it was postponed until Tuesday evening. When the meeting finally took place the conversation was brief and pointed. Business Agent Barry opened the negotiations by saying:

"Our position is this: I want all the men reinstated except those who have been guilty of violence. I cannot do anything different. That is what the local union wants and that is what the local officers have told me to demand. That is all I can do. The men told me that they all want to go back in a body or they won't go back at all; that is the position of the union and the union officials."

The reply of the representatives of the express companies was brief. It was:

"Our opposition to the reinstatement of the men will be the same four years from now as it is today. We will not take them back under any circumstances."

This brought the conference to a close and all parties concerned in it immediately left the city hall.

The spread of the strike was not as large as was anticipated, it being understood in many quarters that there still is a chance of peace being reached. Four hundred and sixty-two drivers employed by twenty-eight firms belonging to the Lumbermen's association went out. In each case the men were ordered to make deliveries to boycotted houses and the usual strike followed. Other firms to the number of fifty-five belonging to the Lumbermen's exchange will make similar requests to their men and by night it is expected that the full number of 2,000 drivers employed by these lumber concerns will be on strike.

Edward Hines, president of the Associated of Wood Industries, said that the members of the organization proposed to stand together, and when asked if peace was in sight, replied:

"Peace, I am not looking for peace. I am in this thing now to fight it out. We may just as well have it over once for all. The Employers' Association of Wood Industries is affiliated with the Chicago Employers association, which has been fighting the strike thus far, and, of course, we will work in conjunction with them. The reason that more men did not go out today was because some of the orders to the boycotted houses had to be taken in rotation and it so happened that most of the orders were for firms not involved in the strike. The orders that were given for deliveries to strike-bound houses were met by the teamsters with refusal to do the work and the men were immediately discharged."

THE PRESIDENT IS ASKED TO ACT

WASHINGTON—An effort was made Wednesday to induce the president to take an active interest in the complications which have arisen in the affairs of the Equitable Life Assurance society. Clarence Whitman, president of the Merchants' association of New York, had a conference with the president on the subject. Details of the conference were not to be obtained, but it is believed that Mr. Whitman urged the president to take up the subject with a view either to ordering a government investigation or to making recommendations to congress on the subject of insurance legislation.

New York Company Fails.

NEW YORK—The Merchants' Trust company of this city was closed Wednesday by the order of the state superintendent of banks because it had made loans amounting to about \$1,250,000 upon which it had not been able to realize a sufficient sum to pay depositors and save the capital of the company from impairment.

Togo's Fleet at Mesampho.

LONDON—The Shanghai correspondent of the Morning Post says he learns from a trustworthy source that Vice Admiral Togo's fleet is still off Mesampho, on the southeastern coast of Korea.

Fuel Oil for Nebraska.

KANSAS CITY—F. Dumont Smith, one of the attorneys of the Kansas Oil Producers' association, said on Sunday: The Atchison, Topeka & Santa Fe railroad is going to give the Kansas Oil Producers an interstate tariff which will enable them to sell their oil in competition with coal in the states of Missouri, Iowa and Nebraska. E. P. Ripley, president of the Santa Fe, has told me that the Santa Fe will put in the interstate rates just as soon as the statutes can be compiled."

HEARING WITNESSES.

Fifer and Cockerell Before Senate Committee.

WASHINGTON—Interstate Commerce Commissioners Francis M. Cockerell and Joseph W. Fifer were among the witnesses before the senate committee on interstate commerce, whose investigation of railroad rates has almost drawn to a close. Commissioner Fifer spoke of rebates and rate cutting and said they were induced by railroad men distrusting each other. Rates, he said, should be made by the railroads in the first place, but should be subject to revision. He said that the commission would adjust a rate complained of in accordance with rates on like commodities in other sections under like conditions. He thought the adjustment of the long and short haul difficulties should be left to the commission. He believed that the power of rate regulation if given to the commission would not be exercised very often, as the roads would be careful not to get into trouble with the commission when changing rates. The commission, he added, would have power to lower or raise rates or prevent discriminations. Commissioner Fifer spoke of the danger of government ownership unless there were just laws justly administered.

Former United States Senator Cockerell of Missouri, now a member of the commission, said he would leave the origination of rates to railroads, giving the commission power to condemn a rate found to be unreasonable and to fix another rate in its place, to take effect immediately. The railroads, he contended, should have the right of appeal to the courts, and the latter should determine whether the railroad rate was unreasonable or the commission's rate unreasonable. If congress should enact a law to this effect, he said, the courts would take jurisdiction of rates to the extent of deciding such questions. He would make the railroads responsible for icing and other charges of private car lines.

Commissioner Cockerell cited a number of cases where decisions of lower courts sustaining the commission in rate matters have been reversed by the supreme court. He did this to show that the judiciary was divided on these rate cases. In one case he pointed out that Secretary Taft was a member of the court of appeals which sustained the commission.

S. H. Cowan, representing the live stock shippers of the southwest, also appeared. He controverted statements by other witnesses as to the satisfactory rate conditions and claimed that the cattle rates were too high.

TOKIO HEARS OF JAP VICTORIES

TOKIO—Imperial headquarters, reporting, says:

The Russian cavalry which detoured toward Fakumen from the right bank of the Liao river was frequently defeated by our rear guards. On May 20, after their failure in the vicinity of Tafangshen, they camped with the main strength at Siatatzu, twenty-six miles from Fakumen, and on May 21 they retreated to the right bank of the Malien river.

In the meantime a few companies of the enemy's force remaining on the left bank of the Malien river were defeated and retreated northward in disorder.

STRIKES AT PUBLIC SCHOOLS.

Federation Promises to Stand by the Parents and Children.

CHICAGO, Ill.—The arrest and prosecution of parents and children connected with school strikes following the use of colored non-union teamsters in delivering coal at public schools has aroused bitter feeling among members of labor unions. The Federation of Labor has adopted resolutions as follows:

Resolved, That the Federation pledges itself to stand by these children, and, if necessary for their vindication, to hold ourselves ready to withdraw all our children from the corporation controlled schools.

Resolved, That if these victims of servile and misdirected zeal are not immediately released we pledge the services of this organization to both children and parents who have been arrested or prosecuted by officials who are so easily blinded to the doings of sweat shops and trust factories, but who are so ready to cast a stigma on the highest type of childhood today, and we promise to secure their freedom and their rights, even if it be necessary to go to the supreme court of Illinois to accomplish it.

Resolved, That a committee of five be appointed by the president of the Federation, with power to take such steps as may be necessary to give effect to these resolutions.

Senate Committee Adjourns.

WASHINGTON—The senate committee on interstate commerce held an executive session and adjourned subject to the call of Chairman Elkins. It is expected that the committee will meet early in the autumn.

Cuban Liberates Adopt Platform.

HAVANA—The national convention of the liberal party adopted a few additions to the platform, including a proposition for establishing a national militia and changing the provisions covering the functions of cabinet officers. A secret session will be held tomorrow to consider campaign plans. It is expected that a presidential candidate will be nominated tomorrow night. General Maso has telegraphed to the eastern delegates not to present his name and to support José Miguel Gomez.

Calumet Baking Powder Health-Economy

Test of Good Breeding. To find out how much genuine good breeding a man has, just watch him when he is angry. This is a sure test, as any fool can be agreeable when everything comes his way.

RAILROADS AND PROGRESS.

In his testimony before the senate committee on interstate commerce at Washington on May 4, Prof. Hugo R. Meyer of the Chicago university, an expert on railroad management, made this statement:

"Let us look at what might have happened if we had heeded the protests of the farmers of New York and Ohio and Pennsylvania (in the 70's, when grain from the west began pouring to the Atlantic seaboard), and acted upon the doctrine which the interstate commerce commission has enunciated time and again, that no man may be deprived of the advantages accruing to him by virtue of his geographical position. We could not have west of the Mississippi a population of millions of people who are prosperous and are great consumers. We never should have seen the years when we built 10,000 and 12,000 miles of railway, for there would have been no farmers west of the Mississippi river who could have used the land that would have been opened up by the building of those railways. And if we had not seen the years when we could build 10,000 and 12,000 miles of railway a year, we should not have to-day east of the Mississippi a steel and iron producing center, which is at once the marvel and the despair of Europe, because we could not have built up a steel and iron industry if there had been no market for its product."

We could not have in New England a great boot and shoe industry; we could not have in New England a great cotton milling industry; we could not have spread throughout New York and Pennsylvania and Ohio manufacturing industries of the most diversified kinds, because those industries would have no market among the farmers west of the Mississippi river.

And while the progress of this country, while the development of the agricultural west of this country, did mean the impairment of the agricultural value east of the Mississippi river, that ran up into hundreds of millions of dollars, it meant incidentally the building up of great manufacturing industries that added to the value of this land by thousands of millions of dollars. And, gentlemen, those things were not foreseen in the '70's. The statesmen and the public men of this country did not see what part the agricultural development of the west was going to play in the industrial development of the east. And you may read the decisions of the interstate commerce commission from the first to the last, and what is one of the greatest characteristics of those decisions? The continued inability to see the question in this large way.

The interstate commerce commission never can see anything more than that the farm land of some farmer is decreasing in value, or that some man who has a flour mill with a production of fifty barrels a day is being crowded out. It never can see that the destruction or impairment of farm values in this place means the building up of farm values in that place, and that that shifting of values is a necessary incident to the industrial and manufacturing development of this country. And if we shall give to the interstate commerce commission power to regulate rates, we shall no longer have our rates regulated on the statesmanlike basis on which they have been regulated in the past by the railway men, who really have been great statesmen, who really have been great builders of empires, who have had an imagination that rivals the imagination of the greatest poet and of the greatest inventor, and who have operated with a courage and daring that rivals the courage and daring of the greatest military general. But we shall have our rates regulated by a body of civil servants, bureaucrats, whose besetting sin the world over is that they never can grasp a situation in a large way and with the grasp of the statesman; that they never can see the fact that they are confronted with a small evil; that that evil is relatively small, and that it cannot be corrected except by the creation of evils and abuses which are infinitely greater than the one that is to be corrected."

Wealth may not bring happiness, but most of us think we could get next to it if we had the money.

More Flexible and Lasting, won't shake out or blow out; by using Defiance Starch you obtain better results than possible with any other brand, and one-third more for same money.

Many a man who thinks he is frank is considered impudent by others.

It's as cowardly to speak ill of a man behind his back as it is dangerous to say it to his face.