

TESTING THE LAW OF LABEL

Case Comes Up from Custer County Involving a Novel Point.

LIABILITY OF OWNER OR LESSEE CONCERNED

Plaintiff Seeks for More Reparation Than He Secured at the Hands of the Lower Court.

LINCOLN, July 28.—(Special)—The newspaper libel law and the liability of the editor, writer and owners of the paper in which the libelous article appears is to be passed upon by the supreme court in an appeal case that comes from Custer county. E. O. Garrett brought suit against the Republican Publishing company and J. H. Chapman, because of the publication of a libelous article that appeared in the Broken Bow Republican on the 20th of April, 1896. At the trial in district court it was shown that the paper was owned by the Republican Publishing company, and that J. H. Chapman was operating under a lease, which contained a contract that he was to "manage it in the best manner possible for the best interests of all the parties," defray all its expenses and divide the profits of its publication with its owner, the publishing company. In the course of the trial a motion was made to discontinue the action as to the publishing company, which was sustained by the court. Then the jury brought in a judgment against Chapman for \$250.10 and costs. The district judge set aside the judgment as to the publishing company, and in his brief filed today he holds that he should have also judgment against the publisher of the paper, and says that he would rather take the chances of a new trial than to hold the judgment he now has. The point to be passed upon by the supreme court is as to liability of both the editor and the owners of a newspaper, where they are different persons.

GOSSIP FROM THE STATE HOUSE

Secretary Pickens of the State Board of Irrigation was out in the western part of Cheyenne county a few days ago, looking after irrigation matters, and a letter has just been received from him in which he says that he had just been caught out in a three and a half inch rain storm. He says that it is evident the weather bureau is not treating the irrigation department right, and he has concluded to send a letter to the county until the high water subsides. Secretary Nelson of the land commissioner's office returned yesterday from Lincoln county, where he had been to see about an auction sale of school land leases. The sale is to occur at North Platte on August 14. Commissioner Wolfe returned this afternoon from Lincoln county, where he had been holding a sale. The proof reading of the new session laws has been finished and it is promised that the new volumes will be issued the last of the week. A requisition has been issued for the return of Harry Knox from Brighton, Colo., to Lincoln, to answer a charge of stealing. An excellent horse was killed in York county. The crime was committed on May 29, and was entirely unprovoked. Knox has just been apprehended at Brighton, and S. M. Melick will go after him.

MALMO TAKES STEPS FORWARD

Will Have a New Town Hall and Better Fire Protection. MALMO, Neb., July 28.—(Special)—The town board met with the voters Monday and yesterday for the purpose of considering the advisability of erecting a new town hall and also for providing better means of protection against fire. The board received a letter from the fire insurance companies, which was read and discussed. It was decided to build the hall and to dig cisterns in various parts of the town, to have a pump at the Malmo Grain and Stock company elevator, and to have the cisterns filled with water, always ready for use.

New Cattle Disease Appears

NORFOLK, Neb., July 28.—(Special)—The disease of the eye which has been prevalent among cattle in other states and in parts of Nebraska has made its appearance in this vicinity. Mr. D. White, who lives a mile south of the junction of the river and whose presence in his herd. One of his animals is entirely blind and others seem to be suffering from the first stages of the disease. A veterinarian has been called in to examine the white's cattle, and has been very successful in coping with the disease thus far. It is said that the first indication of its presence is a redness of the eye, which, if neglected, will lead to blindness. It is a disease that is not yet known to its progress, though it is believed to be a form of the disease known as "Blebs of the Eye."

Man Held for Forgery

SIDNEY, Neb., July 28.—(Special Telegram)—Charles Martin, alias C. F. Hanson, alias Charlie Cole, alias C. W. Miller, who passed a forged check upon Oberfelder & Co., of Lincoln, Saturday evening, July 27, was held for \$10,000, and a part in cash, and who was afterward captured at Lexington, and his preliminary examination this morning before Judge Nye, returned and was bound over to the district court.

Committee Appointed to Entertain

GRAND ISLAND, Neb., July 28.—(Special)—The railroad men's committee appointed by the city council for the purpose of receiving and entertaining the members of the Union Pacific Pioneers' association has met and organized by the appointment of the following sub-committees: Finance, Makety, McLaughlin, Miller, Galloway, Schorpp, Fay and Ney; reception, enter employees and city council; entertain, J. H. Smith, W. Carpenter. At the Lincoln Hotel, J. P. Phelan, J. Dodds, Howard Kennedy, J. P. Phelan, J. Morrison.

Woolmen Picnic at Stromsburg

STROMSBURG, Neb., July 28.—(Special Telegram)—A large fraternal picnic was held here today under the auspices of the Modern Woodmen of America, the Machanah and Home Forer assisting. Four thousand people were in attendance. Hon. C. A. Atkinson of Lincoln, and Hon. M. A. Makeover of Osceola delivered addresses among the amusements were a horse race and a base ball match between Clark and Stromsburg, which resulted in favor of Stromsburg—score 18 to 15. The amusement closed with a grand tug-of-war between Stromsburg and Osceola on Frawley's lake, the Osceola

Team being dragged through the lake.

This occurred at a great distance from the throngs that assembled on the lakeside.

GATHER A FINE CROP OF WHEAT

Harvest in Cumming County is Now Well Under Way.

WEST POINT, Neb., July 28.—(Special)—The harvest throughout the county is well under way. About half the grain is cut. The average yield is good. Farmers are very well satisfied both with the yield and the prospect for good prices for wheat.

INNATELLE, Neb., July 28.—(Special)—A

terrible rain, hail and wind storm passed over this place and west of here Monday evening. Not much damage was done near this town, but a few miles west and south-west the hail and wind destroyed much corn from the fields. Many of the best houses were blown over and some damage done to crops.

MENDEL, Neb., July 28.—(Special)—A

heavy rain fell here Monday evening, accompanied by a hail in the northwestern part of the county. A large amount of wheat has been cut and some thrashing has been done. Wheat is yielding from twenty to twenty-five bushels per acre and is of fine quality. Corn is in fine condition and the prospect is for a large crop. Fruit is also promising a very large yield.

Farmers Takes Paris Green in the

WAHOO, Neb., July 28.—(Special Telegram)—Erick Larson, a farmer residing seven miles northwest of this place, committed suicide yesterday by taking paris green. The poison is thought to have been taken in the forenoon and he died last night at 11 o'clock. Larson was thought to be unwell for some time, but he had been a heavy drinker and this is supposed to have been partly the cause of his suicide. After taking the poison, Larson asserted himself until the evening, when he came from his hiding place and told his wife what he had done. She sent for a physician, but he arrived too late to save him. Larson was 52 years old and leaves a wife and two children. He leaves considerable property.

PICNICS OF SECRET SOCIETIES

Members of Various Fraternities Meet Together in the Groves. HUMBOLDT, Neb., July 28.—(Special)—A union picnic participated in by the Knights of Pythias, Modern Woodmen, Old Fellows and Workmen secret societies was held in Nims' grove on the Nemaha yesterday. Owing to the busy season the attendance was below expectations. A parade of the lodges, headed by the City band, marched to the grounds at 10 o'clock. Grand Master Schultz of the Ancient Order of United Workmen delivered an address on secret societies and their purposes. In the afternoon Hon. George L. Loomis of Fremont delivered an oration. L. L. Combs of Table Rock, chairman of the secret societies, defended them against various attacks. Visitors were here from Dawson, Table Rock and Bern.

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QUINQUAGENARY

Quinquet thought he had a walkway, but "Cyclone" MUDER got him and he ran with his position. Considerable talk about "splitting up" in the party is heard.

NORTH LEARNERS at North Platte

North Platte, Neb., July 28.—(Special)—The third annual conference and school of methods of the Epworth league of this place and west of here Monday evening. The program was a four-day session. At the first meeting tomorrow evening Bishop Nindt, president of the Epworth league of the world, will deliver an address on "Urgent Needs of Christian Young People." On Friday morning at 7:45 Bishop Nindt will speak on "Secret of Power" and will also read a paper on "The Holy Communion." Friday forenoon the work of the various departments will be taken up.

FINED FOR Fast Driving

HOLDREGE, Neb., July 28.—(Special)—The driver of the bus of the Hampton house was arrested and fined Monday for reckless and careless driving. He was in the habit of driving to the depot with his horses on the run. The marshal warned him to desist, but no attention was paid to the warning. The fine and costs amounted to \$4.30.

TRY TO RAISE THE Price of Thrashing

HOLDREGE, Neb., July 28.—(Special)—There is a great protest here among the farmers to raise the price of thrashing. The thrashing machine men to raise the price of thrashing. The probabilities are that the old rate will be maintained, as the farmers threaten to club together and buy thrashing machines to do their own thrashing.

Reunion at Scribner Next Month

SCRIBNER, Neb., July 28.—(Special)—Scribner is preparing to give the old settlers a good time here August 12. The Flambeau club, consisting of the young men and women from here, were out drilling on the streets yesterday evening. The Scribner Cornet band is also being organized. A reunion is expected to be well attended.

Renewing Old Acquaintances

STROMSBURG, Neb., July 28.—(Special)—Dr. B. S. Peck of Galva, Ill., a former citizen of this place, is here looking after business interests and renewing old acquaintances. Mr. Peck was a successful merchant and banker in Galva. He is now owner of a bank at Galva, Ill.

Make Brick at West Point

WEST POINT, Neb., July 28.—(Special)—The West Point brick yards commenced operations on Monday morning with eighteen employes on the payroll. Over 25,000 bricks were manufactured on Monday and 30,000 yesterday.

Preliminary Hearing Today

BEATRICE, Neb., July 28.—(Special)—The preliminary hearing in the case against Frank L. Whitney, for attempting to murder T. B. Fulton will be held tomorrow.

Survey Work in Deuel County

CHAPPEL, Neb., July 28.—(Special)—A United States geological survey party is at work near here. They expect to be in camp here for about three weeks longer.

NEBRASKA'S IMMENSE GRAIN CROP

Illinois Man Writes in Growing Terms of What He Has Seen. M'COOK, Neb., July 28.—To the Editor of The Bee: I have just made a trip from Peoria, Ill., to McCook, in the southern western part of Nebraska. Crops here are the best of any I have seen. I never saw shocks standing and the wheat and corn some fields. Thousands of acres of wheat are good for twenty-five to thirty bushels per acre. I think some oats will yield 50 bushels per acre. Corn is simply immense. The highest hills are covered with crops that promise a yield of seventy-five to eighty bushels per acre. I have raised corn in Illinois over thirty years, but I never saw such a crop. The farmers will have to pile it on the ground, for they can never build a crib enough to hold it. The alfalfa just "takes the cake." Three crops of alfalfa have been cut in some fields this season already. I thought there was no grass equal to red clover here. One acre of alfalfa will pasture more stock than three acres of red clover. More stock can be kept here on sixty acres than on a hundred acres of red clover. I kept thirty head of cattle all summer. Four acres have kept 175 hogs. With hogs to eat a crop of alfalfa is worth \$25 per acre a year, though it will produce a large yield of alfalfa. I have seen a fine patch, where it is over 200 feet in water. It has cut the alfalfa and is already. He will answer letters in reference to the country if postage is sent. His address is McCook, Neb. I will be glad to see you under the best of circumstances. There are thousands of acres of wheat on which the crop this year is worth more than the land it grows on. I will be glad to see you today for home, but will speak a good word for Red Willow county, Nebraska.

REPUBLICAN STATE CONVENTION

The republican electors of the state of Nebraska are requested to send delegates from their several counties to meet in convention in the city of Lincoln, Nebraska, August 28, 1907, at 10 o'clock, a. m., for the purpose of placing in nomination candidates for the following offices: One judge of supreme court, two justices of the state university, and to transact such other business as may properly come before the convention. The several counties are entitled to representation in the convention according to the following basis: One delegate for each county. The vote of each county is to be based on the number of electors. A large and one for each 125 votes and major fraction thereof.

BOSTON BRACES UP AGAIN

Takes a Hitch in the Suspenders and Defeats St. Louis.

PLAYING TAKES A GAME BY SUPERIOR PLAYING

Baltimore Trounces Washington and Cincinnati Meets Chicago While the New York Aggregation Lies Down at Cleveland.

Boston, 8; St. Louis, 1. Baltimore, 14; Washington, 7. Philadelphia, 6; Pittsburgh, 5.3. Cleveland, 1; New York, 3. Cleveland, 6; Kansas City, 3. Indianapolis, 5; St. Paul, 1. Milwaukee, 4; Columbus, 3.

ST. LOUIS, July 28.—The Boston won from the Browns today by superior playing. Lucid was benched in the sixth inning and Grimes pitched a new twirler from the defunct Central league, took his place and acquitted himself very favorably. Attendance, 3,500. Score:

Table with columns for ST. LOUIS and BOSTON, listing players and their statistics.

WASHINGTON, July 28.—The Senators lost the game today through fielding and a bad batter. The Senators were defeated by the Senators of the defunct Central league, who took his place and acquitted himself very favorably. Attendance, 3,500. Score:

Table with columns for WASHINGTON and BALTIMORE, listing players and their statistics.

CHICAGO, July 28.—The Cubs gave a good exhibition of how not to play ball today, piling on as many errors as they could. The Cubs were defeated by the Cubs of the defunct Central league, who took his place and acquitted himself very favorably. Attendance, 4,200. Score:

Table with columns for CHICAGO, CINCINNATI, and ST. LOUIS, listing players and their statistics.

NEW YORK, July 28.—The Giants fall on Young for eight hits in the first inning of today's game. Seven runs was the record. The Giants were defeated by the Giants of the defunct Central league, who took his place and acquitted himself very favorably. Attendance, 1,200. Score:

Table with columns for CLEVELAND, NEW YORK, and PITTSBURG, listing players and their statistics.

PITTSBURG, July 28.—The only interesting event in the two games today was in the first game, when Pittsburgh made a rally in the ninth and came within one of being the score. The Philadelphia players were the last game near being a force. Attendance, 4,500. Score:

Table with columns for PHILADELPHIA, PITTSBURG, and CINCINNATI, listing players and their statistics.

PHILADELPHIA, July 28.—The Colonels played stupid ball and the Trolley Dodgers won without the least effort. The Colonels were defeated by the Colonels of the defunct Central league, who took his place and acquitted himself very favorably. Attendance, 500. Score:

Table with columns for PHILADELPHIA and PITTSBURG, listing players and their statistics.

STANDING OF THE TEAMS

Table with columns for Played, Won, Lost, P.C., listing various teams and their records.

SCORES OF THE WESTERN LEAGUE

Table with columns for Detroit Fall Upon Abbey Very Hard, listing scores of various games.

Table with columns for ST. LOUIS, BALTIMORE, and WASHINGTON, listing scores of various games.

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GRAND CIRCUIT AT CLEVELAND

Good Program For Trot for Lovers of CLEVELAND, O., July 28.—There was a good program at the Grand Circuit races today, and 10,000 people saw the splendid racing. A tie from the unbroken 2:25 pace, there was the 2:28 pace, the 2:11 trot and the 2:30 trot. The first event was the unbroken 2:25 pace, in which the heat

to decide, the Satin Slippers winning easily, with Elmore second. In the third and fourth heats, the Satin Slippers, second to Benbow, in the third heat and fourth to Elmore, in the fourth heat. The Satin Slippers, second to Benbow, in the third heat and fourth to Elmore, in the fourth heat.

A WONDERFUL MEDICINE

BEECHAM'S PILLS. For Bilious and Nervous Disorders, such as Wind and Pain in the Stomach, Sick Headache, Giddiness, Flatulency and Swelling after Meals, Distention and Drowsiness, Cold Chills, Flushing of the Face, Loss of Appetite, Shortness of Breath, Costiveness, Bloating on the Stomach, Disturbed Sleep, Frightful Dreams, and all Nervous and Trembling Sensations, etc., when these symptoms are caused by constipation, as most of them are. THE FIRST ONE WILL GIVE RELIEF IN TWENTY MINUTES. This is no fiction. Every sufferer is earnestly invited to try one Box of these Pills and they will be acknowledged to be A WONDERFUL MEDICINE.

Weak Stomach Impaired Digestion Disordered Liver

they act like magic—a few doses will work wonders upon the Vital Organs, strengthening the muscular system, restoring the long-lost complexion, bringing back the keen edge of appetite, and arousing with the Rosebud of Health the whole physical energy of the human frame. These are facts admitted by thousands, in all classes of society, and one of the best guarantees to the genuineness of the Largest Sale of any Patent Medicine in the World.

WITHOUT A RIVAL

Annual Sales more than 6,000,000 Boxes. As to Druggists, or will be sent by U. S. Agents, B. F. ALLEN CO., 305 Canal St., New York, post paid, upon receipt of price. Do not stop upon application.

DOCTOR

Searles & Searles' SPECIALIST IN NERVOUS, CHRONIC AND PRIVATE DISEASES. WEAK MEN SEXUALLY. All Private Diseases & Disorders of Men and Women. Consultation Free.

OMAHA MEDICAL

and Surgical Institute. Chronic, Nervous and Private Diseases. Ladies given careful and special attention for all their ailments.

AMUSEMENTS

HUMMEL, HAMILTON & CO'S BIG RAILROAD SHOWS. The World's Best, Largest and Finest Exhibition at Popular Prices. OMAHA, Thursday, JULY 29 and 30.

MR. WILLIAM SELLS

The World's Champion Rider, the Most Renowned of all Backward Equestrians. William Dutton, James McElroy, Howard Queen, James Barry, Miss Katie Dutton, Miss Mollie Murray and other Famous Riders.

THE MILARD

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