

PIGSKIN GAME AT BOULDER

University of Nebraska Defeats Colorado Varsity Eleven.

SCORE RESULTS IN TWENTY-THREE TO TEN

At the End of the First Half the Score Stands Six to Five in Visitors' Favor.

BOULDER, Colo., Nov. 17.—(Special Telegram.)—The corn-fed heavyweight of the Nebraska university were too much for the foot ball experts of the Colorado university today and they were defeated by a score of 23 to 10.

The game was filled with good plays and exciting features. The Colorado men on the line averaged twenty pounds less than the visitors and they depended mostly on trick plays and end runs, rather than bucking the stone wall that the Nebraskans seemed to have erected. The first touchdown was made by Benedict in the second quarter.

In the second half Fuller made a long run right through Colorado for the next touchdown and Erwin kicked goal. Colorado punted to Nebraska's fifteen-yard line, where the ball was judged and carried over for a touchdown. The game was through tackle. After trying the Princeton goal Nebraska sent Benedict with magnificent interference three yards and then through tackle for twenty-one more. Erwin was pushed across and they kicked goal.

YALE PETS ON FINISHING TOUCHES

Practices at Kicking and Catching For the Game on the 20th.

NEW HAVEN, Conn., Nov. 17.—The Yale football eleven held a short practice of perhaps half an hour this afternoon on a rain-soaked field. The only play made and the only work done by the "varlet" players was running down the field in kicks and catching the ball. This was the only fault as that of the last big game, when the players were not ready to catch several times in their anxiety to get the pigskin.

Late tonight the definite picking of the Yale foot ball eleven was made. There were only three positions about which there was any doubt. Fullback, only one chance in a thousand of playing next Saturday. In his place, Townsend will doubtless go in. In punters and all kicking Captain Chamberlain will, however, act.

For halfbacks, Brown and Durston were picked out, with Eddy and Hubbell for ends, Ely at quarterback, Chamberlain and Stillman for tackles, Brown and Durston for guards and Cullen at center. Durston is put in despite his fumbling in the Princeton game because of his kicking. Will Chamberlain's post at tackle, when the latter goes into the kicking department of the game.

MR. BRIDEN, Conn., Nov. 17.—The Harvard foot ball team, which arrived here this afternoon, according to the substitutes and coaches, has captured the town. The team is expected to play the "Yale" eleven until Saturday's game in this city, and for the time being many of the citizens have temporarily forgotten the fact that the sons of Ed will give the crimson representatives of the "Yale" a good old-fashioned fight for the team for victory. The lineup for Saturday will not be announced until that day.

EVENTS ON THE RUNNING TRACKS

Four of the Races at Bennings Go to Washington, Nov. 17.—Undaunted by the disagreeable weather, a good-sized crowd made the trip to the Bennings track today. It was a day for long shots, no less than four of the races being decided by long odds.

In the fourth Trillo and Marsian were almost equally backed to win, with odds slightly in favor of the former, who passed under the wire with a lead of only a few inches. The tandem parade was the occasion of much excitement, as the horses were high-spirited and more or less wild.

The municipal police horses were the most attractive of the evening. Sergeant Egan, formerly of the Central park mounted squad, was riding a pair of horses. When the ring was cleared of other horses the gate was thrown open, and the policemen rode in by twos, the blue and orange of the police department being borne in front by an officer. The squad was divided into three platoons of a dozen men each, in charge of a sergeant and two lieutenants. The squad galloped through the ring, and then lined up in front of the judges' stand and saluted.

Cornell and Pennsy Preparing

ITHACA, N. Y., Nov. 17.—The competition for places on Cornell's varsity team which will line up against Pennsylvania, will be close and the work of the candidates who are trying for position is hard. The line is the best seen at Percy field this year. There were several hundred by the varsity men today and as a result they were able to score only one touchdown on the scrum. Short and tall are gradually improving and will be in the game on Thanksgiving day.

PHILADELPHIA, Nov. 17.—In the absence of Coach Woodson, Captain Woodson took charge of the University of Pennsylvania football team today. All the men were out except Overfield, who is recovering from an injury. Overfield is still confined to his bed with an attack of the grip and it is possible he may be able to play again this season. Should this be the case, McCloskey will probably take his place in the Cornell game on Thanksgiving day and Smith may be given a chance at back. McCloskey's ankle, which he wrenched while causing him much pain and if he should be unable to play again, the big game of the season will probably play left.

Testing Law on Horse Racing

WASHINGTON, Nov. 17.—There is to be a legal test of the status of horse racing and attendant speculation in the District of Columbia. All the officials of the Washington Jockey club will be notified to appear in the police court on Saturday morning for a preliminary hearing, and the case will be sent to the grand jury. The Washington Jockey club will carry the matter to the highest court in the land if necessary. There will be no interruption to the present racing season at Bennings.

Western Wheelmen to Organize

ST. LOUIS, Nov. 17.—Charles W. Meers, official handicapper of the League of American Wheelmen for the state of Ohio,

COLLEGE FRATERNITY MEETS

All of the Chapters Are Represented at the Delta Kappa Epsilon Convention.

DETROIT, Mich., Nov. 17.—About seventy-five delegates possessed the necessary grip and password to pass the portals of the Russell house convention hall, and participate in the fifty-second annual convention of the Delta Kappa Epsilon fraternity today. All of the thirty-four chapters belonging to the order are represented by from one to three delegates. All the sessions are secret.

The election resulted as follows: President, A. L. Chickering, delegate from the University of California; secretary, Eberhard Walker, delegate from the Boston Institute of Technology. A number of applications for charters from unrepresented colleges are being considered. Festivities are freely interspersed with business by the "Deltars" and the afternoon session adjourning in time for the delegates to attend a reception given in their honor by Mrs. D. M. Ferry. This evening a ball was held at Harmonic hall.

DEATH RECORD

Pollitman and Newspaper Man.

NELSON, Neb., Nov. 17.—(Special.)—Peter Flaherty died at his home in this city yesterday morning. He had been prominently identified for a number of years with the business and political circles of the county. For several years he published the Locomotive at Lawrence and was still proprietor of the paper at the time of his death. In 1895 he was elected clerk of the district court as a fusion candidate. He was a member of Nelson lodge, Ancient Order United Workmen. The funeral will take place from St. Stephen's Catholic church, of which Mr. Flaherty was a communicant.

Former Iowa Congressman

HOT SPRINGS, S. D., Nov. 17.—(Special Telegram.)—Major Albert R. Anderson died at noon today after suffering with pyæmia for two months. He had been prominent for years in politics in Iowa and South Dakota, at one time having defeated Hepburn for congress in Iowa. He was elected state attorney for Fall River county at the recent election by the largest majority on the ticket. The remains will be taken to his old home at Sidney, Ia., for burial. His loss will be deeply mourned throughout the northwest.

Prof. George L. Osborne

KANSAS CITY, Mo., Nov. 17.—(Special Telegram.)—Prof. George L. Osborne, president of the State Normal school at Warrensburg, Mo., for twenty-four years past and once first vice president of the National Educational association, died here tonight at a hospital, to which he had been taken to undergo a surgical operation. He was 68 years of age.

Art Instructor at Vassar

POUGHKEEPSIE, N. Y., Nov. 17.—(Special Telegram.)—The Vassar college art instructor at Vassar college since its opening in 1865, died suddenly of angina pectoris at his home tonight, aged 65 years. He was born in Holland, where he received his education, and came to this country about 1861.

Thirty-Second Degree Mason

NORFOLK, Neb., Nov. 17.—(Special.)—Word has been received here of the death of W. H. Orcutt at his home in Marton, Kan. Mr. Orcutt was well known in northern Nebraska, having resided at the recent election for ten years and later in Norfolk, where he lived until removing to Kansas. He was a thirty-second degree Mason.

William McCallen

LYONS, Neb., Nov. 17.—(Special.)—William McCallen, who has resided for thirty-one years upon his farm near Lyons, died this afternoon at his home with lung fever.

American Dies Abroad

PARIS, Nov. 17.—Dr. Stephen H. Tyng, president of the American Chamber of Commerce, is dead.

THREE DOLLARS AT LASSIES

Unusual Experience of Salvation Army Corps at Pierre.

PIERRE, S. D., Nov. 17.—(Special.)—Two rounds found their way into the Salvation Army barracks Tuesday evening, and the services warmed up they began to show their spirit by throwing silver dollars at the lassies who were leading the meeting. They were encouraged in their work by the leader of the meeting, announcing to them, "There is no limit on this money." The device is very simple and if it proves the success claimed for it, will, without question, become a popular method of raising water from running streams.

Land is Tilled and Children Are Sent to School

CHEYENNE, Wyo., Nov. 17.—(Special.)—Captain H. G. Nickerson, United States Indian agent for the Washoe and Arapahoe and the Wind River reservation, who is here attending United States court, gives a very encouraging account of the progress of the Indians in his charge. During the present year the Indians have raised a larger crop of farm products by 33 per cent than ever before in their history. Early in the season there was a serious trouble anticipated because the Indian bureau at Washington refused to supply the Indians with seed grain as had been the previous custom. Captain Nickerson appealed to Senator Warren to aid him and the Senator made a personal effort with the Indian bureau and after some vigorous and hard work secured the seed.

WYOMING INDIANS PROSPEROUS

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ELECTION ROW IN OLD NEMAHA

Jones Thinks He is Entitled to the Seat Given to Swan.

PECULIAR USE OF THE BLANK BALLOT

Fusionist Votes for a Popular Republican Candidate Precipitate a Possible Contest that May Result in Ousting One of the Combine.

LINCOLN, Nov. 17.—(Special.)—There is a curious election row down in Nemaha county. The fusion candidates for the legislature were Jones and Swan. Jones was a populist of republican antecedents and was running for re-election. Swan was a democrat of the old school. Through the campaign there was not the best of feeling between the men. Swan claimed that Jones' record in the last legislature was better than the ticket, but Jones was turning the Swan was losing votes for everybody by his method of campaigning and his style of speeches. After election the official count showed that one republican was elected by a good majority and that Swan was the other successful man leading Jones by one vote. The friends of Jones have discovered that in one precinct Swan got credit for twenty votes that should not have been counted. It was in a precinct where Armstrong, the republican, was opponent, and twenty fusionist who voted practically straight tickets also made a cross after the name of Armstrong. Owing to the complication of the ballot law the judges of election decided that the votes should count for Armstrong and Swan, although there were no crosses after the name of Swan on any of the scratched ballots. The law is explicit on this point, the judges of election acknowledge that their ruling was wrong and everybody knows that Jones was legally elected. It is said that there are more regularities down there that would result in the seating of Jones would corrections be made, and it is probable that the "allied forces of reform" in Nemaha county are likely to get into a contest, should the case be brought into the courts, which would furnish further incentive to the amendment of the present ballot law.

Lets the Governor Out

The supreme court today made the following holding in the case brought by Victor Rosewater to compel Governor Holcomb to act in the Fire and Police Board matter: "This action was to compel the respondent to perform certain duties as a member of the board by virtue of his office. In State ex rel Smyth against Moore, 78 N. W. Rep. 175, it was held that the act of the legislature of 1897, insofar as it assumes to confer authority upon the governor to appoint or remove certain members of the board, is unconstitutional. The duty of which it is now sought to compel the performance depends for its exercise upon the force of the statute above referred to, and as the statute is void no such duty exists, and therefore its performance cannot be compelled by mandamus. The court further held that the court handed down an opinion in the Irvine case, affirming the judgment of the district court, the case arose out of a dispute between Commissioner Irvine and Auditor Cornell. Irvine put in a bill for pay for lectures delivered at the university and Cornell refused to pay the bill. Irvine was prompted by the celebrated opinion written by the attorney general, which held that an employee of the state at a specified salary 'owed all his time to the state.' The fact that employees of the offices of the auditor and the attorney general are drawn entirely from the ranks of the state and that the attorney general himself had taken additional pay whenever possible, made this ruling a subject of much sport during the campaign. The Irvine case was tried in the district court, and the verdict was against the auditor. The attorney general's decision by the supreme court allows Irvine to draw his pay. There is a precedent in the matter, although it is not exactly in judicial form. While on the supreme bench Judge Maxwell entered into a contract with the regents and drew extra pay for lecturing at the university. The syllabus of the opinion is as follows: 1. An incumbent of a state office, of which the duration and salary are definitely fixed by statute, is not accountable to the auditor of public accounts for the salary received in which as such incumbent he has discharged the duties of his office. 2. Where a state officer has rendered services outside of and incompatible with his duties as such officer, it is not proper for the auditor of public accounts to refuse to refund the salary received by the said state officer's salary, already paid, for the period during which the said extra services were rendered. 3. A statute created the office of commissioner of the supreme court, prescribed his duties, provided for his salary, and quarterly, and only forbade, during his term, his engaging in the practice of law. Held, that neither upon principle nor upon statutory grounds was the auditor of public accounts denied compensation for lectures delivered to a law class of the State university, since such lectures were not incompatible with or included within the scope of his duties as such commissioner. STOCKVILLE, Neb., Nov. 17.—(Special.)—Judge G. W. Norris adjourned court at court just before the trial of Andrew Hawkins in this case enforces a claim entirely meritorious. I think, however, the contract which is the basis of the action contravenes sound public policy and that the decision will prove to be a mischievous precedent."

Examined for the Hearing

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QUESTION BROATCH'S TITLE

Point Raised in Supreme Court He Cannot Retain Office Even if Moores is Ousted.

LINCOLN, Nov. 17.—(Special Telegram.)—A supplemental petition was filed in the supreme court today, in the case of Broatch against Moores, in which the point is raised that the term of office of Broatch having expired when his successor was elected and qualified he cannot maintain the action now before the court, holding in effect that he cannot retain office until the court has decided the matter under advisement.

DEAD MAN WINS IN HALL COUNTY

County Clerk in Quandary Regarding Issuance of Certificate.

GRAND ISLAND, Neb., Nov. 17.—(Special Telegram.)—In Hall county, Nebraska, there were two candidates for assessor—James Haldeman, fusionist, and Mr. Richard, republican. Early on the morning of election day Mr. Haldeman, an aged man, died. He received the majority of the votes cast in the precinct, however, and was declared elected. County Clerk Menck has not as yet issued a certificate of election to Mr. Haldeman, but intends to do so. He maintains that he would not be acting according to the provisions of the statute if he issued the certificate to Mr. Richard, for another law in effect in Hall county provides that the regularities down there that would result in the seating of Jones would corrections be made, and it is probable that the "allied forces of reform" in Nemaha county are likely to get into a contest, should the case be brought into the courts, which would furnish further incentive to the amendment of the present ballot law.

Lawsuit for Funeral Charges

Friend Claims He Advanced Burial Money and Asks Return.

FREMONT, Neb., Nov. 17.—(Special Telegram.)—The time of the district court for the past two days has been taken up with the case of Ashley Parks against Lucina Mullison, which is an action to recover from defendant money which plaintiff alleges he advanced to perform certain funeral expenses for the remains of her son, Smory A. Mullison, traveling man who lost his life in a fire at Fort Scott, Ark. The case has been tried once before and a judgment rendered for plaintiff. Owing to the circumstances of the plaintiff's death and defendant's financial ability the case has occasioned considerable comment.

Shops Undergo Repairs

The Burlington shops undergoing some extensive repairs, which is taken here as an indication that they are to remain here instead of being removed to Endicott. The shops have been enlarged, repainted, new stock of machinery and tools added, and new smokestacks added. A rumor was currently reported a short time ago that the Burlington had purchased the St. Joseph & Grand Island line and that the shops and division headquarters were to be removed to Burlington. It is stated that the Burlington Grand Island was to be used as the main line into St. Joseph. The story, however, is denied.

Six Out of Twenty

GRAND ISLAND, Neb., Nov. 17.—(Special Telegram.)—Of the twenty applicants for registration as pharmacists examined at the recent meeting of the board of examiners of the State of Nebraska, six of the following named examination and were granted certificates: Charles Davidson, Hastings; Albert Geyer, Grand Island; R. L. Harrison, Jr., Grand Island; Mary C. Wuester, Oketo, Kan.; W. C. Whitliss, Plattsmouth, Neb.; S. C. Wilson, Lincoln. The term of Grif J. H. Hasting, Jr., Grand Island, expires on December 12. H. Schmidt of Omaha was elected a member of the board.

Tate Convicted and Sentenced

VALENTINE, Neb., Nov. 17.—(Special Telegram.)—Judge Kinkaid, presiding, closed the fall term of court here tonight. The docket was very light, the only case attracting any special attention being that of Charles Tate for selling liquor to Indians. Tate made a stubborn defense but was convicted and sentenced to the penitentiary for two years. People generally are very much pleased at this conviction and punishment and are determined to break this traffic up.

Hawkins Tried for Murder

STOCKVILLE, Neb., Nov. 17.—(Special.)—Judge G. W. Norris adjourned court at court just before the trial of Andrew Hawkins in this case enforces a claim entirely meritorious. I think, however, the contract which is the basis of the action contravenes sound public policy and that the decision will prove to be a mischievous precedent."

Admitted for the Hearing

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MEETING IS POORLY ATTENDED

Republican College League is Apt to Abandon its Annual Sessions.

INDIANAPOLIS, Ind., Nov. 17.—The seventh annual convention of the American Republican College League, which was postponed in May last on account of the war, convened in this city this afternoon, when about twenty college men were in attendance. Inability to secure reduced railroad rates, the members allege, prevented a much larger attendance. The address of welcome was delivered by Albert J. Beveridge of this city.

President Arnold L. Davis of Michigan university delivered his annual address, and other addresses were delivered by F. B. Whitney and L. Brent Vaughan of Chicago. Judge H. DeWitt of Grand Rapids, who was to have spoken, was kept away by sickness, and his paper was read. Tonight an informal reception was given the delegates at the Columbia club. The convention will close tomorrow afternoon.

Funeral of Mrs. Liewer

EMERSON, Neb., Nov. 17.—(Special.)—The funeral of Mrs. N. Liewer, who died Tuesday of cancer of the abdomen, occurred today from the Catholic church. She was an old resident of Dixon county and the attendance at the funeral was one of the largest ever seen here, the procession to the grave being over a mile long.

Workmen's Lodge Entertains

TECUMSEH, Neb., Nov. 17.—(Special.)—The local lodge Ancient Order of United Workmen held a very pleasant entertainment at its hall last evening in honor of the thirtieth anniversary of the order. A number of invited guests were present, a good program carried out and refreshments served.

Good Wheat Yield

YORK, Neb., Nov. 17.—(Special.)—Elopp Lincoln, a farmer south of York, threshed his winter wheat crop of