

SUPREME COURT'S PROGRAM

Three Important Cases to Be Decided at Its November Sitting.

POINTER FOR THE NEW LEGISLATORS

Their Certificates Are to Be Filled with the Clerks of the Senate and House and Not with the Secretary of State.

LINCOLN, Nov. 11.—(Special.)—The supreme court is expected to hand down decisions in three cases of unusual importance in its next sitting, which begins November 21. On one decision depends the future of the State Board of Transportation, on another the collection of over \$75,000 of delinquent taxes assessed against the Lincoln traction company and the third will probably settle the controversy over the legality of several provisions of the Nebraska anti-trust law. It was semi-officially announced last week that the opinions in all these cases had been written, but for some unexplained reason they were withheld when court adjourned.

The case involving the anti-trust law is the one pending against the Standard Oil company, which is before the court on a motion filed by the attorney general for an order authorizing him to inspect and copy the private records of the defendant. It is contended by the attorneys for the Standard Oil company that this proceeding is an attempt on the part of the attorney general to enforce a penalty or forfeiture for acts declared by the statute to be a crime and that the allowance of the motion would be an invasion of the constitutional right of the defendant to be secure in his papers and effects against unreasonable searches and seizures, and further that an order of the nature asked for by the attorney general would be a violation of the constitutional protection of the defendant against being compelled in a criminal case to give evidence against himself. These contentions are based on the ground that the act under which the case was instituted is a penal statute, which makes a violation of its provisions a crime by specifically designating such violation as a misdemeanor.

Where to File Certificates.

There is a misconception regarding the filing of certificates of election by the part of members of the legislature. A number of these are laboring under the impression that the certificates must be filed with the secretary of state. As a matter of fact the law provides that they shall be filed with the clerk of each house before the opening of the legislature. It reads as follows: "The clerk of each house shall file the certificates presented by members each for his own house and make a list of the members who thus appear to be elected members of the house to which they are respectively entitled as may be required for the time being."

Under the law the clerk of the last house and the secretary of the senate are officers of the legislature until their successors are elected and qualified, and the duty of making out the roll legally devolves upon them and not upon the secretary of state, although the practice for several years past has been to allow the secretary to submit a roll when the two houses assemble.

Make Organization Permanent.

Members of the Traveling Men's Republican club of this city have formed a permanent organization. The membership roll contains the names of 215 bona fide republican traveling men. At a meeting last night the following officers, who served during the campaign, were re-elected and installed: President, C. A. Diamond, secretary, J. M. O'Neill, treasurer, I. P. Stone, during the campaign the organization was known as the Nebraska Traveling Men's Republican club, but as nearly all of its members reside in this city it was thought best to rename it as a Lincoln organization and afterward open its membership to all republican members of the party. The new organization was organized at a meeting last night at the Lincoln hotel. President Diamond has been appointed by Chairman Weaver of the Iowa state republican committee that a poll of the traveling men of Des Moines shows that the republicans outnumber the democrats three to one.

Slender Suit at York.

YORK, Neb., Nov. 11.—(Special.)—What has fair to be the biggest, longest and most bitterly contested lawsuit ever tried in York county in a case where an action was brought by William P. Hager against William Otto for slander. There are twelve counts claiming damage in each in the sum of \$2,500, aggregating a total sum of \$30,000. This is supposed to be the outgrowth of a hog suit, wherein Hager was one of the witnesses whose testimony was against Otto. W. P. Hager lives near Charleston and is one of York county's most successful farmers. William Otto lives near Charleston and owns an elevator here and owns over 3,000 acres of land in this county. Attorneys from outside of the county have been employed to assist.

Swedes at Nehawka Celebrate.

NEHAWKA, Neb., Nov. 11.—(Special.)—Last night the Swedes of Nehawka celebrated the election of McKinley in a very enthusiastic manner. They formed a procession and marched through the streets with torches and transparencies with republican sayings on them, they marched through the town, stopping occasionally to sing Swedish songs. They marched to Poland's cold storage warehouse, where Isaac Pollard ordered refreshments in an elevator here and owns over 3,000 acres of land in this county. Attorneys from outside of the county have been employed to assist.

Funeral of James P. Mallon.

FREMONT, Neb., Nov. 11.—(Special.)—The funeral of the late James P. Mallon was held at 2 o'clock this afternoon from the family residence on F street and was very largely attended, many of his former business and political associates from this county and from Omaha and Lincoln being present. The services were conducted by Rev. W. H. Busch of the Congregational church. The pallbearers were: A. G. Buchanan of South Omaha, M. Dowling of

Bridge Carpenter Hurt.

YORK, Neb., Nov. 11.—(Special.)—A. L. Burdino, a Northwestern bridge carpenter, had yesterday a very narrow escape from instant death. Workmen were shifting heavy bridge timber and one large piece fell, striking Burdino on back and should-

Car Burn Burns.

NORFOLK, Va., Nov. 11.—The car sheds and electric plant of the Norfolk Railway and Lighting company in Huntersville, a suburb of Norfolk, were totally destroyed by fire today. Fifty-two cars and the electrical machinery were destroyed. The loss is \$150,000, covered by insurance. The street car system was badly crippled today. A fuse from a car in the barn is supposed to have started the fire.

Blaze in Cotton.

NEW YORK, Nov. 12.—Four alarms were sent out at 2 o'clock this morning for a fire in the building at 48 and Walker streets, the ground floor of which is occupied by D. & E. L. Mayer, importers and dealers in cotton baling. The fire was extinguished with \$70,000 loss.

ALL OF THE VOTERS AS SHOWN BY FIGURES Every Republican Candidate on the State Ticket Has a Safe Plurality and the Redemption of Nebraska is Made Complete.

The Bee has complete returns on governor from every county in the state except McPherson and the vote in the county is less than 100. Two years ago it gave a plurality of one for Haywood. Of these returns seventy-eight are official and eleven unofficial. On the face of these returns Dietrich has a plurality of 1,921. One of the minor state officials The Bee has returns from eighty counties, seventy-two of which are official and eight unofficial. The counties embraced in the totals for minor

state officials this year gave Poynter a plurality of 70 and the same counties the pluralities of the republican officials range from 914 for Savage to 2,237 for Prout for attorney general. Marsh for secretary of state has 1,971. Weston for auditor, 1,680; Stuefer for treasurer, 2,025; Fowler for superintendent of public instruction, 2,092. Pollmer for commissioner of public lands and buildings, 1,745. Douglas and Lancaster are not included in totals of minor state officials.

There is no change in the legislative situation. The republicans have eighteen in the senate, the fusionists twelve and three in doubt. In the house there are fifty-four republicans, forty-three fusionists and three in doubt. It will require the official count to settle the doubtful ones. In the sixth congressional district the plurality of Neville is so small that the official count may change the result. Below are the figures:

Table with columns: COUNTY, Governor, Lieut. Gov., Sec. of State, Auditor, Treasurer, Supt. of Instruction, Atty. General, Com. Lands and Buildings. Rows list counties from Adams to York and Totals.

Poynter's plurality in counties included in totals of state officials other than governor, 70.

North Bend, Wallace Wilson, C. H. Coman, N. W. Small and W. H. Turner of this city. Triumph lodge, Knights of Pythias, attended in a body. The remains were taken to their last resting place in Ridge cemetery by the longest procession ever seen here.

GOVERNOR DIETRICH'S PLANS

Spends Sunday in Lincoln and May Come to Omaha on Business Today.

LINCOLN, Nov. 11.—(Special Telegram.)—Governor-elect Charles H. Dietrich arrived in Lincoln this morning and has been busy all day at the Lindell hotel receiving callers and listening to the appeals of countless office-seekers. He came from Fairbury, where he was the guest of honor last night at a republican ratification, and tomorrow he will leave for either Omaha or his home in Hastings. At the depot he was met by several hundred members of the Nebraska Traveling Men's and Union Veterans' Republican clubs, who escorted him to the hotel.

Hurt in a Runaway.

TECUMSEH, Neb., Nov. 11.—(Special.)—A. J. Manley, an old gentleman living in Cook, was the victim of a runaway accident one day last week. His horse became frightened at a thrashing machine engine on the highway, ran away and threw Mr. Manley out of the buggy. His shoulder was dislocated and he was otherwise bruised.

DEATH RECORD.

NEW McNeill. (Special.)—Neal McNeill, one of the oldest settlers of Monona county, died last night at his home two miles south of Onawa, aged 74 years. Mr. McNeill was born in Somerset county, Pennsylvania, April 2, 1856, and came to Onawa in 1887. He was one of the largest farmers in the county and leaves seven children and a large estate.

MYSTERIOUS MARY'S METHODS

Woman Now Under Arrest in New York Has Great Divorce Record.

NEW YORK, Nov. 11.—The district attorney's office, which has in hand the alleged divorce trial of Madison and Zeimur, have been tracing the antecedents of Mary H. Tompkins, who figured in divorce cases as a witness and is now under arrest. The authorities say the woman comes from reputable parentage. Her mother is said to be a woman of excellent character and it is on account of her mother and not her father who is employed in a responsible position in one of the large dry goods stores of the city that the police have decided to allow the woman's real identity to remain in the dark. She will be allowed to figure in the case as Mary Tompkins, the name under which she accepted employment from Mr. Zimmer. It has been learned by the police that Miss Tompkins was at one time in the employ of a private detective agency.

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HOOTS FAITHLESS HUSBANDS

Chicago Woman Ends a Domestic Quarrel by Using a Revolver Energetically.

CHICAGO, Nov. 11.—May Teresa Josephine Schmitt shot and almost instantly killed her husband, Peter, late tonight, at their home, 1228 North Marshfield avenue. After the shooting, which occurred in the parlor of the house, Schmitt staggered out through the front door and fell dead in the yard. Mrs. Schmitt made no attempt to escape. She admitted the shooting, but declared her husband had driven her to desperation by his acts. For some time the woman declares she had been neglected by her husband, who was drinking heavily and paying attention to other women. When he entered his home late tonight, his wife declares, he was intoxicated, and she upbraided him for his acts. A quarrel and the shooting followed.

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NEW PLAN FOR BRITISH ARMY

Proposed Changes That Are Intended to Make the Private a Trained Soldier.

LONDON, Nov. 11.—According to the Daily Mail, a scheme of army reform of a very sweeping character will come into operation early next year. "The scheme," says the Daily Mail, "will make the British private a trained soldier. Instead of a system giving the recruit mainly a house servant's work and about his more than six weeks of military training, he will in future get ten months' of scientific drilling, all fatigue and orderly duties being performed by a special corps of time-expired men. The first four months will be devoted to common drill, including marching, scouting, trenching, bridging and taking cover. The second four months will be used in battalion maneuvers, attacking and defending positions and field firing. Two months will be given to grand maneuvers on a war scale. The remaining two months of the first year will be occupied by furloughs. "The greatest attention will be devoted to marksmanship, and the allowance of ammunition will be greatly increased. Artillery training will also be improved. The war office is now acquiring control of large tracts of land in various parts of the country for training grounds."

AMERICAN SHIP GOES ASHORE

Reported from Hong Kong That the Benjamin Sewall Was Struck by Typhoon.

LONDON, Nov. 11.—According to the Hong Kong correspondent of the Daily Mail the American ship Benjamin Sewall, Captain A. M. Sewall, which arrived at Fremantle, where it was left August 9, was driven ashore during the typhoon Friday night. "Encourage Immigration from Spain," Havana, Nov. 11.—The Havana papers are now generally commenting upon the action of the government in the matter of quarantining immigrants and a movement is on foot among the Spaniards to form an association in encouraging immigration with the government in conjunction with the government in encouraging immigration to provide for immigrants on their arrival. Today the feast of the Virgin of the Afflicted, patron saint of firemen, was celebrated with elaborate religious services, which were attended by General Wood and his staff. This evening there was a procession of 2,000 firemen and numerous religious societies.

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MILLIONS FACING FAMINE

Failure of Rice Crop in North China the Latest Complication in the Situation.

YACOMA, Wash., Nov. 11.—Oriental advice received by today's steamer state that 4,000,000 in 4,000,000 Chinese north of Peking are in danger of starving, their crops having been a total failure. One million piculs of tribute rice were to be dispatched from Shanghai and distributed among these hungry hordes from Tien Tsin and Peking, but the military officers at Shanghai gave orders that no rice should be sent out of central China. There is great danger that an immense swarm of robbers will be sent out of the famine districts, as usually happens. Many shipping disasters happened last month on the Atlantic coast. The steamer Matsunaga caught fire and sank in Esashi bay. Her passengers were rescued just in the nick of time. The steamer Tadatosu and bark Kawata collided near Yokohama, badly damaging both. The steamer Hokushu Maru will be occupied by typhoons. The greatest attention will be devoted to marksmanship, and the allowance of ammunition will be greatly increased. Artillery training will also be improved. The war office is now acquiring control of large tracts of land in various parts of the country for training grounds."

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Dr. Lyon's Perfect Tooth Powder. An elegant toilet luxury. Used by people of refinement for over a quarter of a century.

DR. McCREW. THE MEDICAL SPECIALIST. In the treatment of all forms of RHEUMATISM, GOUT, GRAVEL, NEURALGIA, MIGRAINE, SCIATICA, BRUISES, SWELLINGS, etc.

VARICOCELE AND HYDROCELE. A permanent cure guaranteed in a few days without cutting, pain or loss of time. THE GUARANTEED AND MOST NATURAL CURE FOR THESE AFFECTIONS.

WHAVER'S NERVE LOSS OF MANHOOD, NERVOUS DEBILITY, LOSS OF VIGOR AND VITALITY, IMPURITIES OF THE BLOOD, etc.

CHARLES L. W. Consultation free. Treatment by mail. Medication sent every week free from cost of postage, ready for use.

Dr. Seaples & Seaples, Omaha, Neb. No cure, no pay. Men's health. Dr. Seaples & Seaples, Omaha, Neb.

Great Rock Island Route. Buffet Library Cars. Best Dining Car Service.

MEN NERVE BRANS. Weak nerves, make men weak. Dr. Seaples & Seaples, Omaha, Neb.

Opheum. Nails were driven in the wall yesterday for people who could not get even standard. TONIGHT - 8:15.

BOYD'S. Woodward & Burgess, Mgrs. TONIGHT, Tuesday and Wednesday Mat. "A Female Drummer".

THE LITTLE EGYPT. Extravaganza Co. Of Seelye dinner fame. Big vaudeville acts.

Hood's Pills. Do not gripe nor irritate the alimentary canal. They act gently yet powerfully, cleanse effectually and Give Comfort. Sold by all druggists. 25 cents.

FREE SCHOLARSHIP VOTING COUPON. CUT IT OUT - VOTE IT. Help some deserving boy or girl get a practical education FREE.