

WOMEN WARDS OF THE STATE

Argument Made by Norris Brown in Nonpareil Laundry Case.

SUPPORTS THE FEMALE LABOR LAW

Attorney Holds State Should Protect Women from Overtaxing Physical Capacity for Welfare of Society.

(From a Staff Correspondent.)

LINCOLN, April 13.—(Special)—In an argument before the supreme court in support of the female labor law the State department of justice takes the position that women are wards of the state and for the future welfare of society, should be prevented by law from overtaxing their physical capacity. The constitutionality of the act is questioned in the case of the state against the Nonpareil Steam laundry, appealed from Douglas county. The brief is by Norris Brown, who says:

Conceding for the sake of argument, but not for the sake of the case, that the act is invalid which undertakes to limit the hours of labor for men, it does not follow that the act in question, which affects women, is invalid. It is a manifestly wise course to have no participation in the affairs of government, except to bear their share of its burdens and all of its financial defences. The people in determining its policies or expending its revenues, are graciously permitted, however, to pay the tax of taxation, and in this sense, they are wards of the state. While under the law of Nebraska they have the liberty and are competent to make the laws which regulate their physical incapacity to labor unreasonably, wisely limited their hours of toil to sixty hours per week. Women, however strong constitution man's unequal in the field of labor, the law was enacted for her benefit. The law was enacted for her benefit, as well as for the general health of her kind and through her the general health of society, and through it the general welfare of the state, defrauded of its power and justice by the legislature.

Bureau Without Statistics.

In another case Attorney General Prout suggests to the court that a bureau of industrial statistics, without statistics or means of providing them, would be a strange institution. The plan is made in the case instituted by Deputy Labor Commissioner Watson to test the validity of the law which requires county assessors to gather information for the State Bureau of Labor and Industrial Statistics. Hearing in the action will be before the supreme court next Tuesday. The law has been attacked on the grounds that it is unconstitutional and because it provides no compensation for the assessor performing the duties.

It is asserted by the state's attorneys that the collecting of statistics was one of the chief concerns of the legislature in enacting the law. The method provided by the original act was not effective and in 1897 the legislature by amendment provided a different method. It is contended that in the title to the amendatory act it was unnecessary to declare a purpose to impose additional duties upon assessors since the title of the original bill was sufficient to cover the subject.

As to the constitutionality of the act it is argued:

While there is no merit, in our judgment, in the contention that the law is invalid because no compensation is provided for the assessors, we think, under the general revenue act, full compensation is provided for the performance of all duties required of them, and that the act gives to the assessor a per diem for every day engaged in performing his official duties.

To collect these statistics is one of his official duties, and he can recover from the discharge of this duty he can recover from the county his pay. No valid objection to the amendment of 1897 has been suggested and the law should be enforced.

KILLED BY BURLINGTON FLYER

Man Believed to Be Nick Dettempo of Denver is Found Dead on Track.

FRANKLIN, Neb., April 13.—(Special Telegram)—A man about 35 years old was killed here by the Burlington eastbound flyer No 14 at about 2 o'clock yesterday morning. Papers found on his pocket would indicate that his home was at Denver, Colo., and his name Nick Dettempo. Other papers give the name and address of a sister or wife, Barbara Dettempo, at Altoona, Pa. He had two grips with him, which were filled with new and clean clothing. He was well dressed. He had a Knight of Pythias pin, also Knights of Pythias uniform rank charm and a good gold watch and chain were found on him. Several photographs were found in his grip of himself, one where he was dressed in a uniform of a Knight of Pythias. Not a cent of money was found on his person. A man who saw him at Red Cloud yesterday says he told of being robbed of his ticket and money at Platteville and that he was trying to get to Bloomington, where there was a Knights of Pythias lodge, to ask for help.

County Coroner Dr. Ella P. Summer was notified and is now arranging to hold an inquest at 9 o'clock tomorrow.

The same train also killed a horse and calf inside of the city limits last night.

ENDS LIFE WITH REVOLVER

Colored Man at Tecumseh, Despondent and Intoxicated, Shoots Himself in Wife's Presence.

TECUMSEH, Neb., April 13.—(Special Telegram)—Becoming despondent over business matters and from the effects of a drinking spell, Levi Young, a well known old colored man of this city took his life this afternoon. Young has been operating a lunch counter here for years and of late business was poor.

After drinking some during last night he went to his home in the southeastern part of town, entered the kitchen where his aged wife was at work, and drawing a 22-caliber revolver from his pocket, informed her he was going to leave this old world with all its troubles. His wife tried to persuade him the suicide route was a poor one to take, but with the expression, "It's the shortest way," he placed the revolver to his right breast and fired. The bullet entered just above the nipple and went clear through. He expired immediately.

Mr. Young was born in Virginia and was over 70 years of age, he was married in Georgia. He was in slavery during his boyhood days and located here some twenty years ago.

The authorities consider it not necessary to hold an inquest.

Horse thief Gets Two Years.

STOCKVILLE, Neb., April 13.—(Special)—Sheriff Adams returned today from Lincoln, where he had been to place Thomas Shirley in the state penitentiary for horse stealing. Complaint was filed here the theft of two horses, March 19. The sheriff arrested him in Webster county Tuesday. District court being session he was bound

over by the county judge to appear forthwith, having pleaded not guilty and waived preliminary examination. Thursday Shirley entered a plea of guilty, the evidence being strong against him, and was sentenced to two years in the penitentiary. The sheriff started for Lincoln with him the same day. He had sold the horses at Arapahoe, to a dealer by the name of Benjamin.

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YOUNG MAN ACCIDENTLY SHOT

Antone Hubka Meets Strange Death on Sunday at Virginia, Nebraska.

BEATRICE, Neb., April 13.—(Special Telegram)—About 9 o'clock yesterday evening Charles Clark, charged with giving three mortgages on imaginary chattels, held.

PLATTSMOUTH, Neb., April 13.—(Special)—Sheriff J. D. McBride returned from Sioux City, Ia., last evening, bringing with him Charles Clark, who was arrested there.

Clark is 50 years of age and formerly resided in this county. Last fall, it is alleged, he gave a mortgage to the Bank of Cass county, in this city, on five head of cattle to secure the payment of a note for \$320. An investigation revealed the fact that Clark did not own the stock, and about that time he disappeared.

Although diligent search was made in surrounding towns nothing was heard from him until a few days ago, and requisition papers were secured from the governor of Iowa. Clark now lies in the county jail. He bought some furniture from L. Pearson of Plattsmouth and gave a mortgage on a half-interest in thirty-four acres of corn to secure the payment of \$72.55. Clark also gave a mortgage to the Dullenty Plow company of Nebraska City on two horses. It has since been learned that Clark did not own the corn or the horses.

The young man is a brother of Frank Hubka, who committed suicide about two years ago. His parents are prominent Bohemians of that section of the country.

SNOW SIX INCHES IN DEPTH

Fall Continues in Western Nebraska, with High Wind and Low Temperature.

KIMBALL, Neb., April 13.—(Special Telegram)—A very wet snow commenced falling here this morning. About six inches has fallen today and still continues, with rising wind and falling temperature.

Uses Shovel on Workingman's Head.

PIERCE, Neb., April 13.—(Special)—While working on the brickyard Thursday morning Floyd Miller walked up behind Fred Nichols, who was seated on a truck, and struck him on the head with a shovel, knocking him off the truck and rendering him insensible. Nichols was left to lie on the ground for about half an hour, when the workmen sent to town for a team. He was taken to his mother's house. Friday it was thought that he could not recover, but today he is much better.

The reason given by Miller for committing the act is that the two went fishing last Sunday and agreed to sell the fish caught and divide the proceeds. He says that Nichols took the fish and sold them and pocketed the proceeds and refused to divide as they had agreed to do.

Decomical Contestants at Ulysses.

ULYSSES, Neb., April 13.—(Special)—The second of a series of four declamatory contests was held in the Methodist church here Saturday night. Miss Vera Tower received the highest grades. Miss Blanche Cathcart of Gresham second, and Miss Kirby third. In a previous contest, Miss Ethel Cathcart of Gresham received first grade, Miss Ruth Montgomery second and Mrs. Pearl Brigham of Lamore third. Another contest will take place within two weeks, after which a final one will be held. The winners in the previous contests will compete for prizes of \$20, \$10 and \$5.

Insane Farmer Runs Amuck.

RED CLOUD, Neb., April 13.—(Special)—Frank Smith, a well-to-do farmer, living southeast of town, was adjudged insane today and will be taken to Lincoln tomorrow. He attacked his son with a pitchfork and assaulted the sheriff in the same manner. It is believed his insanity is the result of a sunstroke which he suffered a few years ago.

Pierce Bank Cashier Resigns.

PIERCE, Neb., April 13.—(Special)—At a recent meeting of the directors of the Pierce State Bank L. A. Pohlman resigned his position as cashier in that bank and will devote his attention to the land and loan business. M. Inhelder has been chosen as his successor. Mr. Inhelder has been engaged in business in Pierce for nearly ten years.

Rain Welcomed at Franklin.

FRANKLIN, Neb., April 13.—(Special)—A light steady rain has been falling here all day and it is still raining at 8 o'clock tonight with indications that it will continue throughout the night. Alfalfa and wheat are both growing in good shape and the present rain will be of great benefit. The pastures are in much better condition now than at the same time last year.

Work on County Buildings.

GRAND ISLAND, Neb., April 13.—(Special)—The work of excavation for the new court house and jail buildings is almost completed, and tomorrow the brick masons will start to work on the foundation of the jail, and the concrete foundation for the court house structure will be begun.

HANGS HIMSELF WITH A TOWEL

Woman Demented Over Account of Unnatural Death Takes Her Own Life.

CHEYENNE, Wyo., April 13.—(Special)—Mrs. Jane Coughlan, wife of Michael Coughlan, a machinist's helper in the Union Pacific shops here, committed suicide at noon today by hanging herself to a bedpost. Mrs. Coughlan had been slightly demented for some time and it is believed that in reading the account of the death of the unknown man, who was found in an outhouse in West Cheyenne last evening, she became mentally unbalanced and took her own life.

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CHEYENNE, Wyo., April 13.—(Special)—Mother Lode Mining company, at Deadwood, \$2,000,000; Incorporators, R. G. Wheeler, John F. Thorndyke, O. W. French.

Dexter Creamery association, Dexter township, Codington county; capital, \$5,000; Incorporators, R. D. Hale, Joseph Darrington, A. Putman, L. J. Olson, W. D. Hale.

Farmers' Co-Operative Company of South Dakota, \$100,000; Incorporators, F. O. Grady, John H. Neogard, Gust Nelson.

International Oil Producing Company of South Dakota, at service capital, \$1,500,000; Incorporators, John F. Thomas, Almon W. Bulley, W. G. Cheney.

United States Oil Gasoline and Fuel companies at Pierre capital, \$50,000; Incorporators, Charles F. Droege, H. H. Hardy, T. E. Etes.

Two Rivers Manufacturing company, at Sioux Falls, capital, \$100,000; Incorporators, Alvord M. McLean, William B. Sloan, Turner A. Milton, U. S. G. Cherry, R. L. Welliver.

Mystery Not Solved.

CHEYENNE, Wyo., April 13.—(Special)—All efforts to learn something about the unknown man who was found dead in an outhouse in the west part of the city last night have thus far failed. The county physician is out of town and an autopsy will not be held until his return. The coroner's inquiry will not be held until Monday. Indications point to suicide.

Burke at Gibraltar.

GIBRALTAR, April 13.—The United States cruiser Brooklyn has arrived here and is taking coal.

ALLEGED SWINDLER IS JAILED

Charles Clark, Charged with Giving Three Mortgages on Imaginary Chattels, Held.

RENO, Nev., April 13.—(Special)—Sheriff J. D. McBride returned from Sioux City, Ia., last evening, bringing with him Charles Clark, who was arrested there. Clark is 50 years of age and formerly resided in this county. Last fall, it is alleged, he gave a mortgage to the Bank of Cass county, in this city, on five head of cattle to secure the payment of a note for \$320. An investigation revealed the fact that Clark did not own the stock, and about that time he disappeared.

Although diligent search was made in surrounding towns nothing was heard from him until a few days ago, and requisition papers were secured from the governor of Iowa. Clark now lies in the county jail. He bought some furniture from L. Pearson of Plattsmouth and gave a mortgage on a half-interest in thirty-four acres of corn to secure the payment of \$72.55. Clark also gave a mortgage to the Dullenty Plow company of Nebraska City on two horses. It has since been learned that Clark did not own the corn or the horses.

The young man is a brother of Frank Hubka, who committed suicide about two years ago. His parents are prominent Bohemians of that section of the country.

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