

## BUILDING AND LOAN REPORTS

Associations in Nebraska Show to Be in Prosperous Condition.

## SUPREME COURT RESENTS STRICTURES

Constitutionality of the Ramsey Elevator Law is Assailed in Brief Filed in Supreme Court—Official Returns Coming In.

(From a Staff Correspondent.)

LINCOLN, Nov. 16.—(Special.)—Secretary Royce of the State Banking Board has just received from the printer his report of the condition of the building and loan associations of the state for the year ending June 30. The report indicates a prosperous condition of the associations and a very gratifying growth. At the time the report was made there were sixty associations doing business in the state, or an increase of three over last year. The total resources of the associations reporting are \$6,277,494, being an increase of \$273,212.02 over the assets of the fifty-five associations reporting last year. By comparison important items are found to have been increased and diminished during the year as follows:

Loans, increase, \$250,000.00  
Stock loans, increase, 3,432.32  
Real estate, decrease, 8,884.94  
Furniture and stationery, increase, 2,548.11  
Cash, decrease, 1,596.24  
Delinquencies, decrease, 4,080.35  
Expenses and taxes, increase, 1,124.25  
Other assets, increase, 16,254.05  
Running stock, increase, 647,406.21  
Full paid stock, increase, 1,000.00  
Reserve fund, increase, 41,862.29  
Undivided profits, increase, 22,353.59

The receipts and expenditures of the associations for the year ending June 30, 1904, were \$4,693,824.57. In other words, these associations did a business of nearly \$4,500,000 at an expense for salaries of \$54,161.47, and other expenses of \$23,765 or a fraction over 2 per cent.

Of the \$5,068,115.57 in first mortgage loans now the small sum of \$147,110 are in the delinquent class and but \$36,821 in process of foreclosure.

There are 17,022 shares of stock in force, which is an increase of 20,598 shares over the number in force at the date of the last report.

There are 2,439 shareholders, of which number 800 are minors.

The associations made 2,322 mortgage loans during the year, of which number 1,061 were made for building purposes and 1,261 for payment of "homestead mortgages."

## Court Resents Strictures.

The court will, on its own motion, strike from the records a motion and brief which contains personal criticisms of a commissioner of this court and of his character and motives in the performance of his official duties.

So announced the supreme court today in answer to the criticism of an opinion written by Commissioner Glanville by ex-United States Senator W. V. Allen of the firm of Reed & Allen, attorneys for the Fred Krug Brewing company and Felix L. Gallagher, who asked for a rehearing in a case from Cumming county.

Senator Allen's motion for a rehearing was denied and his briefs on file were ordered stricken from the records of the court. The briefs on file contained very abusive matter and impugned the motives of Commissioner Glanville. The opinion striking the briefs from the records is not signed by any one judge, but is indorsed "by the court." It closes as follows:

"There are in the briefs unjust, querulous and unfounded criticisms of the reasoning and the motives of the commissioner who wrote the opinion. These criticisms are of a personal and offensive nature as to call for an expression of disapproval on the part of the court. The commissioner is an officer of the court. The opinion striking the briefs from the records is not signed by any one judge, but is indorsed "by the court." It closes as follows:

"The amendment to the depository law requiring county treasurers to give depository banks their prorata share of county funds, to be held on deposit, has been declared valid by the supreme court. In the case of the First National Bank of Atkinson against Daniel J. Cronin, treasurer of Holt county. A similar decision was given in the case of the First National Bank of O'Neill against Cronin.

**Ramsey Law Assailed.**  
For the first time a railroad company has specifically attacked the constitutionality of the Ramsey elevator law and has declared the Farmers' Grain and Elevator company a trust. This is set forth in the answer of the Kansas City & Northwestern Railroad company to the application of the Farmers' Grain company for a mandamus to compel the railroad company to lay a sidetrack to its elevator at Virginia.

After stating that the elevator accommodations at Virginia are sufficient for the public's business, now and prospective, the railroad contends in its answer that the farmers' company demands a portion of its right-of-way for private and spec-

**"To say a pleasant word to anyone was almost impossible."**

"I was troubled with female weakness for eight years, and suffered more than I can tell," writes Mrs. G. M. Moore of O'Connell, Davenport, Mo. "My doctor prescribed a medicine, but it did not do me any good. I was almost a wreck, and I was almost a wreck."

"I continued this treatment for three months, and to-day I am as healthy and well as a woman. I am a mother of four children, and I am a mother of four children."

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ulative purposes and not for the good of the public. The farmers' company is declared to be a trust, operating in violation of chapter 30 of the laws of 1897, and is not entitled to maintain an action.

The law is declared unconstitutional because it compels the railroad to construct tracks over and upon its own land at its own expense and to furnish labor and material therefor. Section 1 of the law especially is declared unconstitutional, because it attempts to grant a class operating elevators privileges, immunities and accommodations withheld from another class engaged in the same business, because it fixes the cost of the elevator to be constructed.

## World-Herald Appeals.

The World-Herald has filed a petition in error in the supreme court asking that the decision of the lower court be reversed in the case wherein that paper brought mandamus proceedings against Robert O. Fink, county treasurer, to prevent him from giving the printing of the delinquent tax list to any other paper than the World-Herald. The lower court found against the World-Herald, and in the petition it is stated that the lower court erred in allowing Mr. Fink to testify to the time it would take to correct the proof, and it states also that the court erred in allowing most of the exhibits in the case.

## Official Returns Coming In.

All but fourteen counties have in their official election returns and these give President Roosevelt a plurality of 62,914. Douglas, Lancaster, York and other big republican counties are still out and it is likely his plurality will reach over 80,000. Nine of the counties now out gave republican majorities two years ago.

## State Gets the Money.

The state is just \$3,840.12 to the good. This amount, of which there was absolutely no record in the treasurer's office, was paid to Treasurer Mortensen today by Captain Hill, receiver for a defunct Lincoln Savings bank. The money had been deposited by Joseph Bartley, at that time state treasurer, and no record of the transaction could be found by Mr. Mortensen. It represents the dividends paid by the bank.

## Crucifix in Evidence.

A wooden crucifix containing the text "Forgive us our trespasses as we forgive those who trespass against us" will probably cause a penitential sentence to be imposed on Dr. Philip A. Hubert, who claims to be a negro bishop. Some time ago he was arrested on a charge of assaulting Miss Little Harding, the adopted daughter of a colored mail carrier. He sent her a crucifix from Minneapolis. It was introduced in evidence and the text was declared to be peculiarly applicable to the case. Hubert was found guilty, but has not yet been sentenced.

## Benefit for Injured Player.

Half of the proceeds of Saturday's football game with Bellevue will be donated to "Chick" Shedd, the Nebraska end hurt in the game with Haskell two years ago. Shedd will never be able to work and is practically a cripple for life. Much interest is being taken in the contest, the Cornhuskers planning to break in several green men from the varsity second eleven.

## Search for a Father.

Mrs. Little Belle Meyer of St. Louis wants to locate her father, E. J. Hancock, who is supposed to be somewhere in Nebraska. In a letter to Governor Mickey asking his assistance in finding the missing man, she wrote that she had not seen her father for twenty years, he having left Lynchburg, Va., at that time.

## Call for Bank Statement.

Secretary Royce of the State Banking Board has issued a call for a statement of the condition of state banks on the evening of November 16. Mr. Royce is anxious that every bank respond at the earliest possible moment.

## NEW POINT IN SALOON LAW

**Man Who Gets Drunk and is Fined Recovers Damages.**  
FREMONT, Neb., Nov. 16.—(Special.)—In the district court yesterday Anton Wisulski received a judgment against Frank Vanek and others for \$40 in an action to recover for the unlawful sale of liquor. Plaintiff attended a picnic up in the country northwest of North Bend and drank more beer than was good for him, was arrested and fined for fighting. He brought this suit to recover his expenses for the criminal proceedings and for damages he sustained in the scrap. The case had been tried once before and a judgment rendered in favor of the defendants. The supreme court reversed the case. The case has attracted considerable attention as, according to the position of the plaintiff, saloons are liable for the costs of all criminal prosecutions and consequent damages where the defendants procured liquor from them. Edward Mapes, who was charged with the larceny of a team of horses from A. Bauman, sr., in 1894, and having been a fugitive from justice ever since, pleaded not guilty.

## MURDER TRIAL IS COMMENCED

**Man and Two Women Face Jury on Charge of Killing David Monette.**  
TEKAMAH, Neb., Nov. 16.—(Special.)—The Monette murder case is called for trial this morning. In this case a man and two women, transients, are charged with shooting David Monette, a half breed, near the Omaha reservation.

Yesterday F. M. Tarrant was found not guilty. Tarrant was charged with shooting at Andrew Young with intent to kill. In September Tarrant and another young man were invading the watermelon patch owned by Andrew Young, for the purpose of selling watermelons. Tarrant and Young came out after them with a pitchfork they started to run, but Young caught them before they could get through the wire fence. The defendant proved that Young ran the fork through his hat and that he shot a revolver loaded with blank cartridges, just to scare him.

## BEAMIS GIVEN FIVE YEARS

**Man Responsible for Condition of Girl Found in Omaha Pleads Guilty.**  
FAIRBURY, Neb., Nov. 16.—(Special.)—The trial of William C. Beamis in district court came to a sudden stop Monday evening. The jury was empaneled, but before any evidence was introduced Beamis concluded to plead guilty.

This is the case where he was charged with statutory assault upon Bertha Hutter, the 14-year-old girl who, after a long search, found at Omaha, where she had been sent by Beamis. He was sentenced to five years in the penitentiary.

## Roosevelt Reception at Alliance.

ALLIANCE, Neb., Nov. 16.—(Special.)—A Roosevelt reception and banquet was given at the Phelan opera house here tonight by Dr. F. M. Knight of the First National bank as a means of public jubilation over the stupendous vote of confidence recently received by the president from the people. A request contained in the invitation, and which was heartily complied with, was that each recipient should wear something that characterizes the various phases of the president's public career. The event was of the highest importance socially and was attended by the elite of the city.

## Episcopal Convention.

SCHUYLER, Neb., Nov. 16.—(Special.)—The sessions of the annual convention of the diocese of Nebraska opened here last night at Holy Trinity church, and will continue throughout Wednesday, Thursday and Friday of this week. The sessions are free, excepting the business sessions, and will be largely attended. Delegates have been coming in rapidly since early yesterday, there being a large representa-

tion of Episcopal ministers quartered in the homes of their friends here. Rev. Mr. Mills has labored hard and successfully to make the entertainment and sessions here all that could be desired.

## News of Nebraska.

GENEVA, Nov. 16.—John Boer, who killed his old father last Friday, has been found over for the sum of \$15,000 bail, which he has not yet secured.

BEATRICE, Nov. 16.—The board of directors of the Beatrice Chautauque association held a meeting last night at which the president announced that the standing committee for the coming year. It was decided to hold next year's assembly on July 6 to 14 inclusive.

BEATRICE, Nov. 16.—A novel wedding will take place in this city next Wednesday at high noon when Mr. Ed Camper and Miss Mae Conns, both colored, are to be married in one of the display windows of Klein's store. The ceremony will be performed by Judge Louis Werner and the music will be furnished by the Beatrice Military band.

PLATTSMOUTH, Nov. 16.—Joseph Tess and Robert Townsend, aged 14 and 15 years, respectively, were arrested in Lincoln at the request of the latter's father, who resides at Albion, Ia. The boys had started out with their school books and started out to see the world. The boys passed through Overland and arrived in Plattsmouth at Junction to Ashland.

NEBRASKA CITY, Nov. 16.—James Coffman, the Elmer E. Coffman, was accidentally shot in the right leg this afternoon by Jess Clegg. Young Clegg was practicing shooting with a .33-caliber rifle and one of the balls struck Coffman, passing through his leg above the knee. The wound is large one, but is not considered necessarily dangerous.

NEBRASKA CITY, Nov. 16.—Fred Kind had Main Wilson arrested on a report in the eastern part of the city, arrested this afternoon on a charge of petty larceny. King claims the woman robbed him of \$15, while he was asleep in the resort. She was taken before Judge Coffman and her case continued for thirty days. Her bond was fixed at \$100, which she gave.

BEATRICE, Nov. 16.—Judge Babcock yesterday in district court granted three divorces to these plaintiffs: Mattie E. Hoagland against John E. Hoagland, Secretary of State-elect Galusha Postmaster McCarthy of Nebraska City and Postmaster Baker of Gretna. Of the committee only five members were absent or unrepresented.

Reports from the secretary and treasurer show that the state committee closed the campaign with a known indebtedness of \$1,623.33, with more to come possibly, according to the chairman. The total cost of the republican campaign in Nebraska is shown by the reports, plus the indebtedness, to have been something like \$11,000. Of this amount about \$4,500 was spent for salaries, \$1,353 for printing and \$1,024 for postage.

## That Glorious Victory.

In opening the session democratic intrusion was baffled by the adoption of a motion admitting all republicans and the representatives of republican newspapers. After a single reporter had left the room Chairman Burgess read a brief report, principally about the sweeping victory and declaring that efforts had been directed toward electing the straight republican ticket.

## DR. DABNEY IS INAUGURATED

**New President of Cincinnati University Takes Charge of the Institution.**  
CINCINNATI, Nov. 16.—Dr. Charles W. Dabney was inaugurated president of the Cincinnati university today. Presidents of a number of universities and colleges and leading educators from all parts of the country were in attendance.

Dr. Dabney, in his inaugural address, discussed "Democracy and the Schools." He said in part:

"Men have, indeed, a right to govern themselves, but without education men have not the capacity. Education is not a natural right, but a privilege assigned to those who qualify themselves for it. Education is a standard with a standard fixed by the state. Democracy means self-government, self-government necessitates universal education, and universal education can only be accomplished by free public schools under the control of all the people."

Dr. Dabney spoke of the struggle between Russia and Japan, saying:

"Every believer in human kind, every lover of justice and truth, hails Japan today as a glorious example of what education can do for a people. Education is the best sense in the process whereby the human mind is developed and reaches the highest goal of power and service."

## Former Governor Is Ill.

NEW YORK, Nov. 16.—Former Governor Thompson Smith Thompson, who has been critically ill at his home in this city, was still in bed today, but his physicians said he would probably recover. Mr. Thompson is suffering from pneumonia growing out of an attack of grip last March.

## FORECAST OF THE WEATHER

**Fair Today and Tomorrow in Nebraska, Iowa, Kansas and the Dakotas.**  
WASHINGTON, Nov. 16.—Forecast of the weather for Thursday and Friday: For Nebraska, Iowa, Kansas, Missouri, Colorado and the Dakotas—Fair Thursday and Friday.

For Montana—Rain in the west, fair in east portion Thursday, Friday. For Wyoming—Fair Thursday and Friday except rain and colder Friday in west portion.

## Local Record.

**OFFICE OF THE WEATHER BUREAU.**  
OMAHA, Neb., Nov. 16.—Official record of temperature and precipitation, compared with the corresponding day of the last three years:

Maximum temperature	61	52	57	41
Minimum temperature	27	20	22	10
Normal temperature	49	24	23	20
Precipitation	0.00	0.01	0.00	0.00
Record of temperature	1893	1903	1904	1905
Excess for the day	14	28	34	21
Total deficiency since March 1	0.00	0.00	0.00	0.00
Deficiency for the day	0.00	0.00	0.00	0.00
Total rainfall since March 1	2.19	1.13	2.19	1.13
Deficiency since March 1	0.00	0.00	0.00	0.00
Excess for cor. period, 1905	1.92	1.92	1.92	1.92
Deficiency for cor. period, 1905	0.00	0.00	0.00	0.00

## Reports from Stations at 7 P. M.

Station and State	Temp.	Wind	Rel. Hum.	Bar.	Remarks
Omaha, cloudy	58	W. 10	60	30.00	
Valentine, clear	48	W. 10	60	30.00	
North Platte, clear	44	W. 10	60	30.00	
Cheyenne, clear	41	W. 10	60	30.00	
Rail Lake City, clear	30	W. 10	60	30.00	
Rapid City, clear	40	W. 10	60	30.00	
Huron, clear	42	W. 10	60	30.00	
Williston, clear	42	W. 10	60	30.00	
Chicago, clear	52	W. 10	60	30.00	
St. Paul, cloudy	48	W. 10	60	30.00	
Davenport, clear	54	W. 10	60	30.00	
Kansas City, clear	54	W. 10	60	30.00	
St. Louis, clear	54	W. 10	60	30.00	
Galveston, clear	64	W. 10	60	30.00	

T indicates trace of precipitation.

L. A. WELSH, Local Forecaster.

## Has your boy plenty of pluck?

Does he hold out? Grit, courage, strength, finishing power are essential these days. The reason why doctors so often order Ayer's Sarsaparilla for thin, pale, delicate children is because it supplies these essentials. It makes the blood pure, rich.

J. C. Ayer & Co., Lowell, Mass.

## NO INQUIRY IS PERMITTED

Investigation of Chairman Burgess' Conduct Prevented by His Friends.

## HEADQUARTERS WILL GO TO LINCOLN

Meeting of State Republican Committee Consumed Largely in Tossing Bonquets Over the "Glorious Victory."

The expectation of an inquiry into the current complaints of mismanagement of the campaign on the part of Chairman Burgess brought a large attendance of both insiders and outsiders at yesterday's meeting of the republican state committee. To make sure that nothing disagreeable to the reigning powers should transpire, all the big and little gruns who had participated originally in investing Mr. Burgess with the chairmanship, were called in and lined up to make sure that the prearranged program for scattering bonquets broadcast should go through.

Among the skirmishers were noted former National Committeeman R. B. Schneider of Fremont, Postmaster Ed Sizer of Lincoln, former Postmaster Ross Hammond of Fremont, Frank Harrison and William Whitaker of the Union Pacific tax bureau and W. H. Harrison of Grand Island, who brought a proxy with him to enable him to play spokesman inside the committee.

Others on the spectators benches included Congressman Burkett and Hinchman, State Senators-elect Haller of Blair, Good of Peru, Representatives-elect Jahnke of Blair and Kaley of Red Cloud, Secretary of State-elect Galusha, Postmaster McCarthy of Nebraska City and Postmaster Baker of Gretna. Of the committee only five members were absent or unrepresented.

Reports from the secretary and treasurer show that the state committee closed the campaign with a known indebtedness of \$1,623.33, with more to come possibly, according to the chairman. The total cost of the republican campaign in Nebraska is shown by the reports, plus the indebtedness, to have been something like \$11,000. Of this amount about \$4,500 was spent for salaries, \$1,353 for printing and \$1,024 for postage.

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A motion to receive the report was interrupted by a request that the reports from Secretary Allen and Treasurer Hennings be heard first. These reports were read and then W. H. Harrison moved that an auditing committee of five, with Frank Reavis as chairman, be appointed by the chairman to check the chairman's accounts. This precipitated a lively discussion, which ended in adopting a motion by Byron Clark instructing the auditing committee to check the accounts and report immediately.

The committee retired and was in session for about thirty minutes. Chairman Burgess called in National Committeeman Schneider to corroborate certain statements and to verify for non-compliance transactions. He also lodged in and out of the room to consult with W. H. Harrison and Ed Sizer.

## Some of Burgess' Oversights.

As a dissenting member of the committee Victor Rosewater presented and offered the following minority report:

The undersigned member of your executive committee begs to report as follows: First and foremost, for non-compliance with the treasurer's report, showing a deficit of \$1,123.33 and the correctness of the checks drawn against his creation, the ledger of the treasurer, we find nothing to criticize.

Efforts made by Victor Rosewater to have the state headquarters retained at Omaha were unavailing. Mr. Rosewater had discovered that arrangements had been perfected to remove the headquarters to Lincoln without reference to the vote of the committee fixing them at Omaha. W. H. Harrison put before the meeting an adjourned, offered a motion leaving it to the chairman and secretary to decide on future location. Mr. Rosewater's amendment to retain the permanent headquarters in Omaha but to permit the officers to establish temporary headquarters at Lincoln during the legislative session was defeated by a vote of 14 to 12. The Harrison motion prevailed. Chairman Burgess was at some pains to point out that inasmuch as he

was in charge of every department of our distillery. During the entire process of distillation, after the whiskey is stored in barrels in our warehouses, during the seven years it remains there, from the very grain we buy to the whiskey you get, Uncle Sam is constantly on the watch. We dare not take a gallon of our own whiskey from our own warehouse unless he says it's all right. And when he does say so, that whiskey goes direct to you, with all its original strength, richness and flavor, carrying a UNITED STATES REGISTERED DISTILLER'S GUARANTEE OF PURITY AND AGE, and saving the dealers' enormous profits. That's why HAYNER WHISKEY is the best for medicinal purposes. That's why it is preferred for other uses. That's why we have over a quarter of a million satisfied customers. That's why YOU should try it. Your money back if you're not satisfied.

Arrest Alleged Robbers.  
HURON, S. D., Nov. 16.—(Special.)—A telephone message from Sheriff Peterson of Kingsbury county Monday night said that

## Uncle Sam says it's all right

Uncle Sam, in the person of ten of his government officials, is always in charge of every department of our distillery. During the entire process of distillation, after the whiskey is stored in barrels in our warehouses, during the seven years it remains there, from the very grain we buy to the whiskey you get, Uncle Sam is constantly on the watch. We dare not take a gallon of our own whiskey from our own warehouse unless he says it's all right. And when he does say so, that whiskey goes direct to you, with all its original strength, richness and flavor, carrying a UNITED STATES REGISTERED DISTILLER'S GUARANTEE OF PURITY AND AGE, and saving the dealers' enormous profits. That's why HAYNER WHISKEY is the best for medicinal purposes. That's why it is preferred for other uses. That's why we have over a quarter of a million satisfied customers. That's why YOU should try it. Your money back if you're not satisfied.

## Direct from our distillery to YOU

Saves dealers' profits. Prevents adulteration.

## HAYNER WHISKEY

PURE SEVEN-YEAR-OLD RYE

4 FULL QUARTS \$3.20

EXPRESS CHARGES PAID BY US

## OUR OFFER

We will send you FOUR FULL QUART BOTTLES of HAYNER'S SEVEN-YEAR-OLD RYE for \$3.20 and we will pay the express charges. Try it and if you don't find it all right and as good as you ever drank or can buy from anybody else at any price, then send it back at our expense and your \$3.20 will be returned to you by next mail. Just think that offer over. How could it be fairer? If you are not perfectly satisfied, you are not out a cent. Better let us send you a trial order. We ship in a plain sealed case, no marks to show what's inside.

Orders for Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington or Wyoming, must be on the basis of 4 Quarts for \$4.00 by Express Prepaid, or 20 Quarts for \$16.00 by Freight Prepaid.

Write our nearest office and do it NOW.

ESTABLISHED 1860

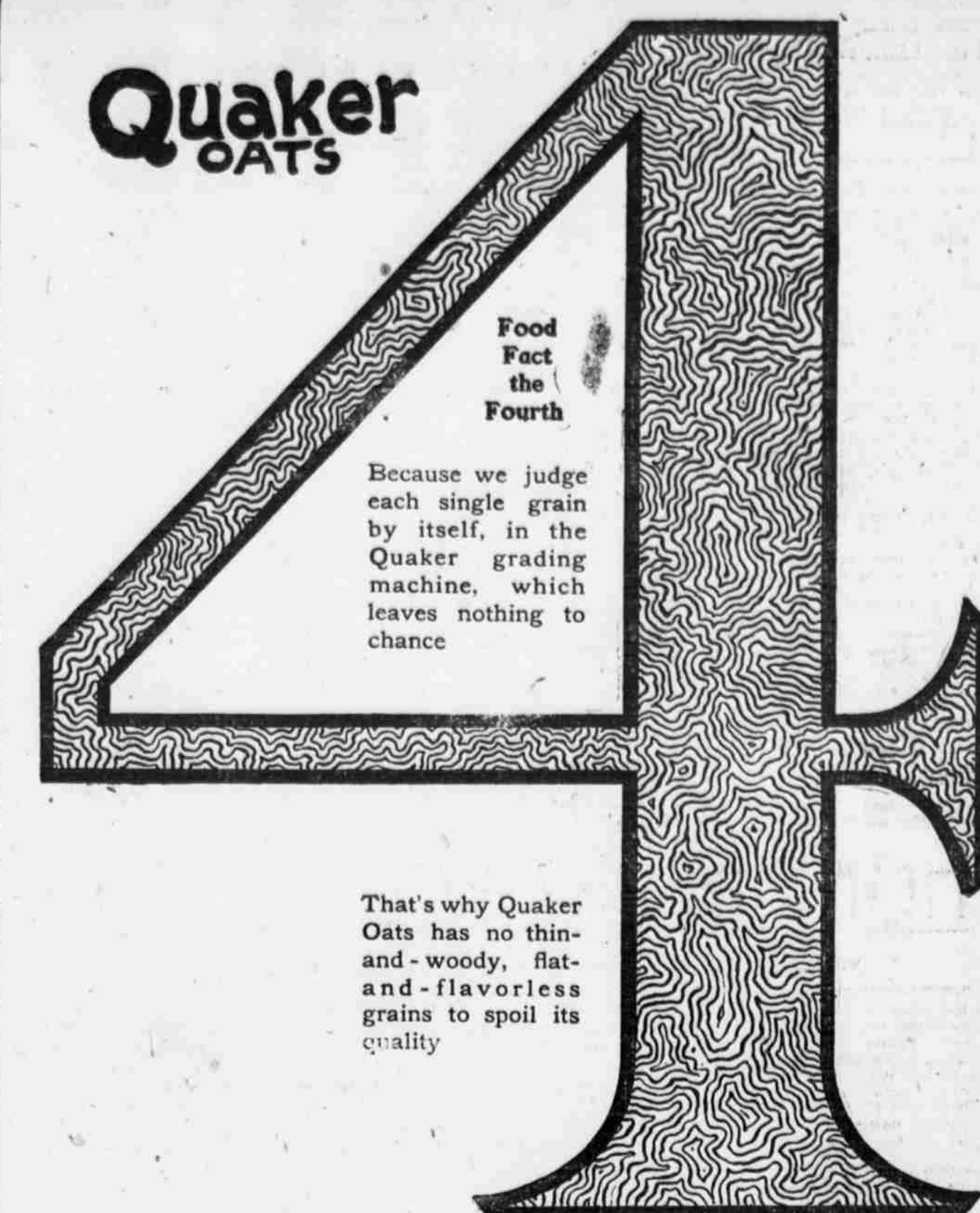
ST. LOUIS, MO.

DAYTON, OHIO

ST. PAUL, MINN.

THE HAYNER DISTILLING COMPANY

DISTILLERY TROY, O.



with in disposing of it. He denied emphatically that any money had been sent into the state to be spent in the interest of certain candidates or sets of candidates and declared any and all statements of this character absolutely false. He said the national committee had hardly assisted Nebraska at all, but regarded the work of the state committee as particularly satisfactory.

## NEW LIVE STOCK ASSOCIATION

**Organization of National Body on a New Basis.**

DENVER, Nov. 16.—A special committee has been appointed to draw up a plan of reorganization for the National Live Stock Association. President Hagenbar