

MANY ARE AFTER OFFICES

State House Appointive Positions are in Exceptional Demand.

NOT MANY OF THEM ARE TO BE GIVEN OUT

Crippled Children in Hospital Suffer While Officials Dispute Over Where Funds are to Come From.

(From a Staff Correspondent.)

LINCOLN, Nov. 12.—(Special.)—Applications are rolling in on the newly elected and re-elected state officers for appointments as though the jobs to be let out are really worth the trouble of going after. To escape the avalanche of applications, Superintendent McElroy will leave tomorrow for the Ozark mountains down in grand old Missouri, where he first saw the light of day and from which place he emigrated with an ox team to Tremont in 1870. McElroy has been back only once since. He expects to be gone until November 24. He will make no announcements before that time, though it is very probable his office force will not be changed.

Land Commissioner Eaton will have to make one change in his office. Frank Fille has resigned and his place will have to be filled. The remainder of the office force will be the same as it has been during the last two years.

Attorney General-elect Thompson has already received numerous applications for places, but it is generally understood Mr. Thompson has offered the deputyship and that Mr. Rose and Frank Erwin, the stenographer, will remain in their old places if they can be induced to hold on.

This office will be the busiest office in the state house during the next two years, for all the important litigation started under Mr. Brown's administration will have to be carried on. There is on hand now and unfinished the Grain trust case, the State Journal suit, the Lumber trust case and the railroad tax cases. This latter case is in the hands of the United States supreme court, but it cannot be argued until after the first of the year, when Mr. Thompson assumes the head of the office. Practically nothing has been done in the lumber case, while the litigation in the Journal suit and the grain case is by no means ended. Because of this important work which has been cut out for him, Mr. Thompson is trying to get a lawyer of recognized ability and one in whom the people have the utmost confidence. Inasmuch as the salary is only \$1,800 a year many good lawyers who would make an ideal deputy will fight shy of the job. W. B. Rose, who has been in the office for a number of years, is recognized as a splendid brief lawyer, and no doubt he will remain if he desires his place.

Auditor Seale will make no change in his office.

Some Possible Changes.

By the election of George Sheldon and Treasurer Brian and Secretary of State Junkin the personnel of all the state boards change, and therefore the personnel in secretariats and deputies may also change. Under the new administration the important boards will be composed of the following:

Banking Board—Auditor Seale, Attorney General Thompson and Treasurer Brian. This board will select a successor to Secretary Royce, Chief Clerk Addison Wait and a stenographer.

Assessment and Equalization—Governor Sheldon, Secretary of State Junkin, Auditor Seale, Land Commissioner Eaton and Treasurer Brian. This board selects a successor to George Bennett, secretary.

Charities and Corrections—Governor Sheldon, Superintendent McElroy and Land Commissioner Eaton. This board has a secretary, Joseph H. Jones. Mr. Jones, who is also after this job, he having held it previously to the appointment of Piper.

Public Lands—Auditor Seale, Attorney General Thompson and Treasurer Brian.

Purchase and Supplies—Governor Sheldon, Secretary of State Junkin, Land Commissioner Eaton, Attorney General Thompson and Treasurer Brian.

Besides these boards the personnel of the State Board of Health and other minor boards will be changed. All of these boards have patronage at their disposal, except the Board of Purchase and Supplies and the Board of Public Lands and Buildings.

In the state house Governor Sheldon will have the following appointments to his staff: Adjutant general and an office force of three people; a state veterinarian; in addition to these appointments, of course, he will have to appoint superintendents and assistants at all the state institutions. Governor Sheldon has enough applications on hand. It is said, to fill the places.

On the State Normal board Treasurer Brian succeeds Treasurer Treasurer.

Bill for Telegrams.

And now the day of reckoning has come. Treasurer Mortenson, Auditor Seale, Land Commissioner Eaton and Superintendent McElroy want the state to pay for the telegrams they sent to the country papers asking them to get extra editions containing the constitutional amendment. The bill amounts to \$136.42. These telegrams were sent out in addition to the messages wired by Secretary of State Galusha asking for special editions because the regular editions in some instances did not give the required thirteen weeks' time for the publication of the amendments. Mr. Omaha did not put in his bill to the state for the messages he sent. The other state officers had no need to send any messages, but merely did so, they explained, to reinforce the requests of the secretary of state and to impress the country editors with the importance of acting. At that time the question of paying for the telegrams was raised and Mr. Mortenson was assured by some of the others who signed it that he would not have to pay. Today Auditor Seale was in favor of allowing the bill and this was agreed to by the attorney general, but later Mr. Brown suggested putting in the bill as a deficiency claim to the next legislature.

Frank Fille Resigns Place.

Frank Fille, bookkeeper in the office of Land Commissioner Eaton, resigned his position this morning and will at once go into business for himself in South Omaha. Mr. Fille has held his present position for six years and Mr. Eaton had tendered him the place for the coming two years. He will be the secretary and treasurer of a lumber company which has just been organized.

Mr. B. Rose, who temporarily resigned his position as assistant attorney general, will become chairman of the republican state committee, expects to resume his position.

THE Smiling Slugger COFFEE

Makes a Reason for POSTUM

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In the legal department today. During the time he was out J. B. Stride acted in his place. Stride quit the job Saturday.

Officials Quarrel, Children Suffer.

That the patients of the Orthopedic hospital are not given enough food or the right kind of food is said to be due to the superintendent of the Home for the Friendless refusing to allow the hospital authorities to draw on the funds for the home. As she was told to do by the State Board of Public Lands and Buildings. The report that the head nurse had not drawn her salary for some time, but was working on credit is false, because she has received her warrants regularly. The bill creating the hospital provided there should be no deficiency, but the board interpreted the appropriation for the Home of the Friendless to mean available funds that could be used for the hospital and if necessary a deficiency could be created in this fund. Mrs. Johnson, it is claimed, does not want a deficiency and for that reason she refuses to provide delicacies which the patients in the hospital need. In this it is said she has the backing of the governor, who appointed her, while the board wants her to furnish what the patients need in the way of food. A conflict probably will result between the board and Mrs. Johnson should it be shown conclusively that the children are not getting proper food. At this time there is something over \$3,000 available for the use of the hospital.

McElroy Files Expense Bill.

Superintendent McElroy has filed his election expense account with the secretary of state showing he spent to secure his reelection \$13,000. This amount \$100 went to the republican state committee and \$3 to the Fillmore county republican committee. He spent \$2.07 for railroad fare. Notwithstanding Mr. McElroy claims his office is non-partisan, his expense account does not show he gave the democratic state committee any money for the numerous democratic votes he got.

City of Omaha Appeals.

The city of Omaha has appealed to the supreme court to reverse a judgment of \$1,000 which has been rendered against it by the United States supreme court, but it cannot be argued until after the first of the year, when Mr. Thompson assumes the head of the office. Practically nothing has been done in the lumber case, while the litigation in the Journal suit and the grain case is by no means ended. Because of this important work which has been cut out for him, Mr. Thompson is trying to get a lawyer of recognized ability and one in whom the people have the utmost confidence. Inasmuch as the salary is only \$1,800 a year many good lawyers who would make an ideal deputy will fight shy of the job. W. B. Rose, who has been in the office for a number of years, is recognized as a splendid brief lawyer, and no doubt he will remain if he desires his place.

Capital Briefs.

The Paucett-Carney-Hager company of Norfolk has incorporated with a capital stock of \$10,000, paid up. The officers are M. M. Paucett, S. H. Carney and W. E. Hager.

Insurance Deputy John L. Pierce has refused to admit the Columbian Woodmen of Georgia, a fraternal order of which Hoke Smith is a leading officer. A small difficulty is presented in the charter of the company and it will probably be remedied to fit the laws of Nebraska.

The American Adjustable Window Shade company of Lincoln has filed its articles of incorporation with the secretary of state. It has a paid-up capital of \$25,000. Its directors are L. E. Wetling, George W. Marsh, A. D. Gilmore, D. C. Despain, L. P. Funkhouser, W. T. Thompson and C. A. Whyman.

Elmer Leiby of Thayer county, by his father, B. F. Leiby, has brought an appeal of his case to the supreme court. The boy was given an indefinite sentence to the industrial school at Kearney and he seeks to have this sentence reversed and his liberty granted him. He was convicted of burglariously entering the slaughter house of George Wilkinson. The attorney for Leiby alleges a number of technicalities which should reverse the case.

WILLIAM HILLIS HAS BAD RECORD

Had Row at Broken Bow Similar to One Which Cost His Life.

BROKEN BOW, Neb., Nov. 12.—(Special.)—William W. Hillis, who was shot and killed by J. F. Wallace at Grand Island last Saturday, seemed to have acquired an unsavory reputation in more places than one. In November, 1895, he came to Broken Bow and rented rooms for tenement purposes of I. A. Renou, a well known real estate man of this city. As he traveled with a sports bunch, and had no visible means of support, he was but a short time before suspicious rumors began to circulate. However, he succeeded in lying close to shelter until the latter part of December of the same year, when rumor and suspicion became bolder than ever, and the officials determined to make a thorough investigation. He laid upon his apartment was accordingly made, but Hillis had been "lipped off" by some of the "inner circle" and succeeded in making a strategic "get away" by procuring one of the best liveries in town and taking a midnight drive across the line into Buffalo county. The captives yielded up a complete "lay-out," however, and enough evidence secured to convince the town that he had been running an illegitimate game, with the assistance of a few "bloody" who made it their special business to keep strictly in the background. It afterward came out that Hillis had had a serious row with one of his patrons, who had it not been for timely interference, would then and there have robbed Mr. Wallace of his opportunity of putting the gambler underground.

Burglars Visit Valley.

VALLEY, Neb., Nov. 12.—(Special.)—The general merchandise store of F. H. Clark was broken into Saturday night. The burglars effected an entrance through a door in the rear of the room used for dry goods. Besides some clothing, the entire supply of razors and cutlery, just received for the Christmas trade was taken. Although some suspicious looking characters were seen on the streets during the evening, no definite clue has been found.

Rock Island Man Promoted.

BEATRICE, Neb., Nov. 12.—(Special Telegram.)—Announcement was made today that Q. P. Linton, for the last twelve years station agent at Beatrice for the Rock Island, had been transferred to Lincoln as agent for that company. He is succeeded by F. G. Hurt of Plymouth, Neb.

News of Nebraska.

BEATRICE—The Louie Moschel farm of 160 acres was sold today for \$50 per acre. The apartments yielded up a complete "lay-out," however, and enough evidence secured to convince the town that he had been running an illegitimate game, with the assistance of a few "bloody" who made it their special business to keep strictly in the background. It afterward came out that Hillis had had a serious row with one of his patrons, who had it not been for timely interference, would then and there have robbed Mr. Wallace of his opportunity of putting the gambler underground.

RUO—Considerable excitement was aroused when Mrs. Futscher, a very old woman, who lived here for many years, was found dead in her bed Friday night, when word was received that she was found unharmed on the streets of Falls City Saturday morning.

RUO—The artificial ice factory of Falls City was torn down last week and taken to Omaha. The Flege Ice company has its excavating nearly completed for a lake from which the water will be pumped to the ice house. The ice will be from pure spring water and if the winter is favorable Falls City hopes to be amply supplied with good ice next season.

RUO—Tice Adams and Louis Fulton each bushel 25 bushels of corn in five days, or 15 bushels each per day. They received 3 cents per bushel for labor and were not racing. Corn is excellent all over and much of it runs from sixty to seventy bushels per acre. Tice Adams holds the record of husking 10 bushels of corn in seven hours last year. He would like to test the matter with any champion husker who wishes to risk \$5 on his ability.

Mangum & Co., Ltd., R. SPECIALISTS.

MISSOURI RATE LAW UP

Burlington Alleges that New Tariffs are Unprofitable to Railroads.

FIGURES TAKEN FROM COMPANY'S BOOKS

Rates are Higher Than in Illinois and Iowa, and Carrying are Higher Than in Other States.

KANSAS CITY, Nov. 12.—E. M. Fisher, expert accountant of St. Paul, Minn., employed by the state of Missouri to examine the books of the Chicago, Burlington & Quincy railway, before F. L. Schofield, special master in chancery, who in the federal court is hearing testimony as to whether the freight rates fixed by the maximum freight rate law passed by the last legislature in Missouri per mile were 50 per cent greater than in any other state in which the Burlington operates, and the witness declared that the Burlington freight rates were from 25 to 35 per cent higher in Missouri than in any other state of the Missouri river. Fisher had statistics to prove his assertions.

Fisher went to Chicago on June 15 of this year and began an examination of the Burlington books and he has worked unceasingly since that time. He is still employed in inspecting the waybills turned in at the auditor's office.

High Earnings in Missouri.

"The method of keeping accounts adopted by the Burlington is not fair in showing the apportionment in Missouri earnings," Fisher testified. "Rates here are from 25 to 35 per cent higher than in Iowa or Illinois, and the earnings are 50 per cent greater. Two reasons may be assigned for this. First, the higher rates; second, the density of population and traffic."

"What were the net earnings per mile on the entire system in 1904?" asked Attorney General Hadley.

"They were \$3.45."

"What were the net earnings per mile on the entire system in 1905?"

"They were \$3.45."

"In Missouri?"

"They were \$4.23 a mile."

Fisher will be cross-examined by the attorneys for the road tomorrow.

Contention of Railroad.

The Burlington, contending that it cannot adhere to the rates on furniture, live stock, agricultural implements and lumber and make a profit, secured a temporary injunction from the federal court restraining the state officials from enforcing the law. Two weeks were spent hearing evidence in the case in Chicago recently, when Attorney General Hadley attempted to show that the rate fixed by law is reasonable.

C. L. Sturge of Chicago, general auditor of the Burlington system, testified as to the cost and maintenance of the system and gave figures to show that if the maximum freight law had been enforced against his road that it would have greatly cut its earnings.

E. M. Fisher of St. Paul, an expert accountant, who aided United States Senator LaFollette of Wisconsin in the latter's railway investigation, was called to testify in the afternoon.

Mr. Sturge declared that taking into consideration the cost of constructing the railway, the cost of maintenance and equipment, the freight rates were in general low, and in some cases where they were affected by the Missouri maximum rate law, almost prohibitive. Mr. Sturge estimated that the decrease which would have been occasioned by the rate law been in effect in 1904 and 1905 would have been more than \$20,000,000.

BIG FIGHT ON FINE POINT

(Continued from First Page.)

Commissioners, though not in cases identical to the one now before the court.

Judge Munger has taken the matter under advisement and will pass upon the question this morning at 9:30.

"Should Judge Munger decide for us," said R. S. Hall, "the effect will be to invalidate every act and indictment returned by the grand jury since these conditions prevailed."

Should the plea in statement be denied, the attorneys for Richards and Comstock will present and argue a motion to quash the indictments against their clients on various technical grounds, including the recent decision of Judge Carland in the South Dakota land cases, wherein it was held that so-called widows could file on the lands by agents and that they were not required to make a physical settlement on the lands.

It is regarded as certain the cases are to be a battle royal from the array of lawyers employed by the defendants. They are Hall & Stout, Gurley & Woodruff, Brone & Burnett of Omaha and Judge Crites of Chadron.

OTHER CASES IN FEDERAL COURT

R. M. Allen Files Demurrer to Land Indictment Against Him.

A demurrer to the indictment found against R. M. Allen, a prominent ranch and cattleman, charged with illegally fencing approximately 60,000 acres of public lands in Cherry county, was argued before Judge Munger in the United States district court Monday morning by J. C. Kinsler, attorney for Allen.

The demurrer is based on the grounds that the allegations of the indictment are not sufficient to constitute an offense against the laws of the United States and that the defendant is not bound to answer and the dismissal of the indictment is prayed for. The Allen enclosure comprises 60,000 acres of public lands, including about 60,000 acres of government lands and school sections. The demurrer holds that Allen did not knowingly obstruct free passage over the lands in question, nor did he undertake by any means of threats or intimidation, or otherwise, to prevent settlers from coming onto and entering the lands and that his offense, if any, was nothing more than a misdemeanor and not a felony, and the proceedings against him should have been brought in a civil court and not a criminal court. Several other points are raised in the demurrer, including the statement that many of the sections of lands are school sections and cannot therefore be included in the category of public lands; that these school lands be eliminated from the general indictment, which will thereby constitute an amendment to the indictment and thus nullify the indictment under a decision of the United States supreme court. The school lands, it is held, are inseparable parts of a township, and do not belong to the United States. Judge Munger has taken the case under advisement.

Charles Stewart of Council Bluffs, a large owner of Nebraska lands and ranches and who was indicted at the last term of the federal grand jury at Lincoln for conspiracy in seeking to defraud the United States out of large tracts of lands by procuring fraudulent entries and filings, appeared before the United States district court Monday morning and gave bond in \$5,000 for his appearance. F. T. Hamilton of Omaha went on his bond as surety.

Demitt Cochran of Stouville, Frontier county, appeared before Judge Munger in the United States district court Monday afternoon and entered a plea of guilty to selling liquor without license. Sentence was deferred. Cochran was indicted at the last term of the federal grand jury at Lincoln with having liquor delivered into Frontier county by express and thus delivering it to his thirsty clients.

VERDICT IN HOTEL COLLAPSE

Coroner Finds Fall of Bixby House Due to Premature Removal of Props.

LONG BEACH, Cal., Nov. 12.—The coroner's jury, investigating the cause of the collapse of the Hotel Bixby last Friday, which resulted in the death of ten men and the injury of a score of others, today returned a verdict that the accident was caused by the premature removal of the supports of the fifth floor and proceeding with the construction of the roof before the supporting cement had time to harden sufficiently. The jury decided that no individual was criminally responsible.

Contractor Spalding said that the exact cause of the collapse had not been disclosed. He declined to say what in his opinion caused it. He said that the steel construction of the floors and beams for the floors were faultless and had nothing to do with the collapse of the building. These were supplied by a Detroit firm, and were also the computation of strain on the floor, but these features did not contribute in any way toward the accident. The Detroit firm had nothing else to do with the construction of the building.

NO MONEY FOR HERO OF WRECK

Greek Fireman Denied Part of Carnegie Fund Because He Exhibited Himself in Theater.

SEATTLE, Wash., Nov. 12.—John Segaloe, the Greek fireman who made five ineffectual attempts to swim ashore with a life line just before a vessel went to pieces on Vancouver rocks in January last, and who has since been hailed as a hero and honored in medals by various associations and churches of this city, has been refused participation in the Carnegie fund.

The sum of \$10,000 was recommended by Special Agent Crapper, who spent several weeks here investigating the case, but the commission refused on the ground that Segaloe had allowed himself to be exhibited by a theatrical manager for several weeks subsequent to the wreck.

COUNTY BRIDGES ARE CHEAPER

By Buying Material and Doing Work Richardson Saves Money.

RULO, Neb., Nov. 12.—(Special.)—The Rulo county bridge was done last week and shows a remarkable saving to the county. The county was busy repairing the bridge near Jacob Hunkers' farm, northeast of Falls City. The work being completed and the expense figured up at \$12.58. The same bridge, if it had been repaired by the Gilliland Bridge company, under the contract offered would have cost the county \$126.47. In this one bridge alone there was a clear saving of \$113.89 in face of the fact that this timber was bought at local yards in the county and paid for at retail prices. When the county bridge gang is running steadily the lumber can be bought cheaper and by buying in quantities larger savings can be realized. It is estimated that the county can save \$1,000 each year by building its own bridges.

Electric Light for McCool.

MCCOOL, Neb., Nov. 12.—(Special.)—At a meeting of the town board an ordinance was passed Friday granting Clark R. Burnham of Grand Island rights and privileges to maintain and operate an electric light and power plant and a system of water works. Mr. Burnham expects to put in the light plant at once and thinks some of using water power from the stone mills.

FOOT-SCHULZE SHOES

the shoes for men

MAIDWELL the shoes for women

\$4

The very best dealers show them

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MORE CRIME IN PITTSBURG

Two Murders Followed By Robbery of Woman in Crowded Street.

PEOPLE ALL BECOMING PANIC STRICKEN

Board of Trade Appoints Vigilance Committee and Everybody Is Asked to Carry Arms.

PITTSBURG, Pa., Nov. 12.—Emboldened by the apparent helplessness of the police and detective forces of the city, the highwaymen and burglars that have terrorized this city for the past ten days have apparently extended their operations into broad daylight as well as working under cover of darkness of darkness.

At 4 o'clock this afternoon at the corner of Sixth avenue and Wood street, one of the most crowded spots in the heart of the city, and within a few hundred feet of police headquarters, Mrs. A. G. Boykin was assaulted and robbed by two men who made their escape. The men had been following the woman, according to her story, and as she turned the corner they separated. One hurried in front of her while another walked immediately behind. The latter grabbed her about the waist while the man in front wrenched her muff and purse from her hands and made off. She was thrown to the sidewalk and sustained severe bruises.

In the meantime trade and business organizations are holding meetings and drawing up petitions to the mayor and police officials. The murder of Harry Smith in the east end by the burglar yesterday morning has aroused that section and tonight a meeting of the east end board of trade was held at which a vigilance committee was appointed. A resolution warning citizens to arm themselves and recommending the purchase of several bloodhounds was presented to the board and this was referred to the newly appointed committee for action.

The regular meeting of the Pittsburgh board of trade which was to have been held next week, was put forward to tonight. This organization discussed the rising tide of crime in the city and a committee will call on the mayor and city officials in order to secure safety.

Newspapers are offering rewards of a thousand dollars for the arrest of each or any of the slayers of James A. McMillen, who was killed a week ago, or of Harry F. Smith.

Omaha Ill in Good for Any Pain that can be reached externally. Trial 10c.

FORECAST OF THE WEATHER

Cloudy and Warmer in Nebraska Today, Rain at Night or Tomorrow.

WASHINGTON, Nov. 12.—Forecast of the weather for Tuesday and Wednesday: For Nebraska—Cloudy and warmer Tuesday; rain at night or Wednesday; cooler Wednesday in west portion.

For Iowa—Fair and warmer Tuesday; Wednesday, rain.

For South Dakota—Rain in west, rain or snow in east portion Tuesday; warmer in central and east portions; Wednesday, rain or snow and colder.

For Missouri—Fair and warmer Tuesday; Wednesday, rain; warmer in the east portion.

For Colorado—Partly cloudy Tuesday