

STATE COMMISSION BALKS

Objects to Application of Constructive Mileage in Apportioning Earnings.

OIL COMPANY PROTESTS ON FREIGHT RATE

Corporations Notified They Must File Articles in This State if They Expect to Transact Business Here.

LINCOLN, May 25.—(Special.)—While offering no suggestion how to apportion the earnings and cost of operating a railroad to the various states for the purpose of making up the value of the various roads, the Interstate Commerce Commission has written a letter to the Interstate Commerce commission protesting against the "constructive mileage" mentioned in the letter by the Interstate commission. This constructive mileage, it was explained in the letter, was allowing one state more mileage than it really had because of the expense of construction or cost of maintenance and operation. Dr. Winnett figured that it would be all right to give railroads an added value in states where construction costs more than in other states, but when it comes to earnings, he is opposed to the constructive mileage. He is of the opinion that Nebraska should lose none of the earnings to which it is entitled because of its mileage, to help some other state whose railroads run through a mountainous country. In a prairie state like Nebraska, he figures the trains can haul much more tonnage at the same cost and that that more than makes up for the extra cost of roads in a state full of mountains and hills. He suggests that the constructive mileage be eliminated when it comes to apportioning the earnings of railroads on interstate business.

Protest on Oil Rates. An informal protest was received from the Marshall Oil company today by the commission over the high freight rate on oil. It was told to the commission that owing to the high rates, the company has only three distributing points in the state—Omaha, Lincoln and Hastings. The local rates are so high that this company cannot compete with the Standard Oil company, which uses wagons which run to most of the small towns.

Must File Incorporation Papers. Unless someone brings a suit to test the matter the supposed "joker" in the King bill providing for the appointment of an agent by foreign corporations doing business in the state upon whom service may be had will not allow these companies to do business here without filing their articles of incorporation. A. Walte, deputy secretary of state, notified a number of foreign companies this morning that if they contemplated doing business in Nebraska they must first file their articles of incorporation as well as the name of an agent.

Kaley Goes to Europe. Colonel Charles Kaley of Red Cloud was in Lincoln today on his way to Ohio to visit relatives. June 18, accompanied by his two sisters, he will make a tour of Europe to rest up before his annual visit to Washington next winter.

Plan of Assessment Halted. The State Board of Assessment is still figuring on a plan of assessment which can be applied to all railroads and do justice to both the people and the corporations, a plan that can be explained and thoroughly understood, but so far the satisfactory method has not been discovered. Various plans have been worked out, but none of them have yet satisfied any of the members and therefore it may be some time before the final assessment is made. Secretary Bennett of the board and Henry Seymour of the auditor's office have about completed the work of certifying out the value of the various companies to the various counties. These companies this year were assessed at \$14,000, and last year at \$11,000.

Inlet Oil Was Doctored. Four barrels of oil shipped from Kansas to Weeping Water have been rejected by the oil department because the oil failed to come up to the test of 112 degrees. Each of the barrels tested 107 degrees by the inspection of D. W. Hoyt, deputy under former Oil Inspector Church, and when the oil was returned to Kansas the shippers tested it 107 degrees and then said it had been doctored before shipment by some business man. The oil was shipped by the Uncle Sam Oil company.

Federal Court Adjourns. Federal court adjourned yesterday afternoon, with the report of the jury in the Koeller-Burlington railroad damage suit. Fred Koeller was injured by a hydraulic machine in the sawmill shop, losing an eye. He brought suit for \$15,000 and the jury last night brought in a verdict for \$25 for the plaintiff. The defendant company had pleaded contributory negligence on the part of Koeller. The next term of federal court at Lincoln will be in October.

Message Company Sued. A jury in the district court has returned a verdict for \$100 in favor of W. A. Abbott, who sues the American District Telegraph company for damages caused by the failure to deliver a parcel of medicine in time, causing serious results to the patient. It was stated that Abbott had purchased some medicine of a certain kind and entrusted it to a messenger boy to deliver to his father, who suffers from a peculiar malady which requires special treatment. The medicine was delivered at the wrong place, he asserted, and the sufferer had a relapse because of the non-receipt of the medicine. He sued for \$500 damages.

Typographical Union Memorial. Lincoln Typographical union No. 208 will hold its annual memorial exercises at the First Christian church, Fourteenth and M streets, Sunday afternoon at 2:15. William J. Bryan will deliver the memorial address. The general public, especially members of trade unions and their families, are invited to attend. At the conclusion of the church services the members of the union and of Capital auxiliary will take a special car at Fourteenth and O streets and go to Wynka cemetery, where decoration services will be held on the burial lot owned by the Typographical union. At the cemetery Richard L. Metcalf will speak, his subject being "The Invisible Platoon."

Bryan to Talk in Kansas. William Bryan, mayor of Girard, Kan., and chairman of the democratic state central committee of Kansas, who has been visiting W. J. Bryan at his home here, today secured Mr. Bryan's consent to attend the annual banquet of Kansas democrats at Topeka. He will make the principal address.

Wave Strikes Oakland. OAKLAND, Neb., May 25.—(Special.)—Mayor Burnetford has issued a proclamation ordering all slot machines removed by Monday morning and all stores closed on Sunday with the exception of drug stores, which may open for the sale of medicine only. Meat markets may open until 8:30 a. m. and hotels and restaurants open for the serving of meals only.

China Killed by Lightning. NORTH PLATTE, Neb., May 25.—(Special.)—On Tuesday evening, on the J. W. Payne ranch near Uniontown, William Cohn was killed by an electrical shock. Cohn was returning from the field, and in opening a gate, partly made of wire, light-

ning struck the wires and Cohn received a shock which instantly killed him. The only mark that could be found on him was in the palm of one hand, which had been burned by the shock. The body was the property of a blind father and crippled mother. The funeral was held yesterday at Cottonwood.

CHANCELLOR ANDREWS AT HEBRON

Graduating Exercises of High Schools in Nebraska Towns. HEBRON, Neb., May 25.—(Special.)—The twenty-third annual commencement exercises of the Hebron High school were held in the opera house Friday evening. E. Benjamin Andrews, chancellor of the University of Nebraska, delivered an impressive address on "Educational Privileges," which was well received. Dr. Andrews presented the diplomas. Miss Grace E. Cooley won the class honors and received the free scholarship to the University of Nebraska.

HEBRON, Neb., May 25.—(Special.)—Commencement exercises of the high school were held at Tyler's opera house Friday evening. At the conclusion of appropriate exercises a class of three girls and two boys received their diplomas.

SUTTON, Neb., May 25.—(Special.)—Commencement exercises of the high school were held Friday evening. The graduating class numbered ten. The baccalaureate was preached by Rev. T. E. Taggart of Michigan, who has been called to the pulpit of the Sutton Congregational church. All the teachers have been elected to fill their places for the ensuing year. The number of pupils is increasing so fast that it will be necessary to add two departments.

HOLDREGE, Neb., May 25.—(Special.)—The graduating exercises of the Holdrege High school were held in the opera house Thursday evening. Rev. I. P. Roach of Lincoln gave the commencement oration, his subject being "Higher Education a Duty." There were sixteen graduates, five boys and eleven girls, most of whom have made arrangements to pursue their studies in higher schools of learning. Superintendent S. H. Thompson, who has been here the last three years, will be succeeded by Superintendent C. W. McMichael of Arapahoe. Mr. Thompson will leave for New York, where he has received a scholarship in Columbia university and he will prepare himself for work along higher lines of education.

HEBMAN, Neb., May 25.—(Special.)—The graduating class of the Hebronia High school gave the class play, "The Merchant of Venice," Friday night at the Hebronia opera house. The roads were bad, it having rained nearly all day. The evening was a success. Lloyd Burdick, as Shylock, Charles Cameron, as Bassanio, and Grace Kepler, as Portia, were all that could be expected. The play will be repeated during the coming week.

CHADRON, Neb., May 25.—(Special.)—Commencement exercises of the eighth grade of the Chadron public schools were held Thursday evening, in charge of Prof. G. H. Williams. The diplomas were presented by Superintendent C. N. Walton.

SIDNEY, Neb., May 25.—(Special.)—The commencement exercises of the Sidney High school took place this evening at Tobin's opera house. The auditorium was packed to its capacity. The diplomas were presented to the graduates by J. L. McIntosh, president of the Board of Education. There was one of the strongest graduating classes that has ever left the Sidney High school, their averages being close to the 100 mark.

CLARKES, Neb., May 25.—(Special.)—Friday evening the senior class of the Clarkes school presented the class play, "The Wizard of Oz," to a large audience. Next Friday evening the commencement exercises will be held and A. R. Dea Jardens of Pawnee City will address the graduates.

SHOULDERS AND BIG CROPS. Wheat Bulls and Calamity Howlers Find Faults Against Them. WEST POINT, Neb., May 25.—(Special.)—Copious rains have fallen for the last three days to the great benefit of all growing crops, especially of wheat and oats and pastures. The condition of the crops generally is much better than was anticipated. Practically no serious damage having been done. With a favorable season coming county will secure the average crop. Corn is sprouting freely and shows a good thirty stand.

STERLING, Neb., May 25.—(Special.)—This section of the county has not received its share of the copious rains that have been so general in other parts of the state. The precipitation here has been less than one-quarter of an inch, nevertheless crops are in good condition, the wheat weather being forced forward rapidly. Many fruit trees are budding the second time and there will be a fair crop of apples, some peaches, currants and gooseberries. Strawberries will yield a pretty full crop.

CHADRON, Neb., May 25.—(Special.)—Forty-eight hours of steady rain, though thoroughly soaked any ground that was left dry from last week's snow. The range is now in first class condition.

REPUBLICAN CITY, Neb., May 25.—(Special Telegram.)—The long drought was broken last night by a good rain, the first for a long time. Most of the corn is planted, alfalfa and wheat has not been doing well, but there is a good fair crop of wheat.

Child Eats Poison for Candy. UTICA, Neb., May 25.—(Special.)—Little James Allen, aged 3 years, while playing in his mother's bedroom found some anti-septic tablets in a box in her dresser. Thinking they were candy he swallowed two of them. Mrs. Allen discovered the child had the room, and seeing what the child had done immediately picked him up and rushed him to her husband's drug store, where Dr. F. E. McDonough attended to him with a stomach pump. He relieved the child of the suffering and he is getting along nicely. The poison which the tablets contained is one of the worst known, and had not Mrs. Allen discovered them when she did he would almost certainly have been dead within an hour.

One Dollar Damages for Slander. SCHUYLER, Neb., May 25.—(Special.)—The May term of district court commenced yesterday, Judge Hollenbeck presiding. The first important case which came up was the Chiebow-Krikac slandered suit of Clarkson, which started Monday and continued until today, when the jury brought in a verdict awarding \$1 damage to the plaintiff.

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Carpets Visit our Carpet Department before buying your spring carpet. Here you will find the best selections from the best known manufacturers. The patterns have been chosen with great care and we guarantee the durability of every yard.

- Axminsters, per yard \$1.20
Wilton Velvets, yard \$1.25
Quaker Axminster, yd \$1.35
Ingrain Carpets We are showing the largest and most complete line of Ingrains in the west. Our standard Heavyweight looks like Body Brussels on the floor. A yard, 75c to \$2.00

- Porch Rugs Now's the time to make your selection, before the large assortment is broken and picked over. American Grass Rugs Made from the Minnesota wire grass, with fringe on the ends. Good color combinations, quite effective and inexpensive. They come in almost any size. A few prices: 1-6x3 Grass Rug \$49c 1-10x4 Grass Rug \$59c 2-3x5 Grass Rug \$55c 3x6 Grass Rug \$1.35 4x7 Grass Rug \$3.00 6x9 Grass Rug \$4.50 8x10 Grass Rug \$7.00 9x12 Grass Rug \$8.50

- Mourzouk Rugs Imported direct from Calcutta. Made from the best India fiber with purely vegetable dyes, giving the incomparable Oriental Colorings. These are very strong, and will out-wear any porch rug made. 3x6 Mourzouk Rug \$3.95 4x7 Mourzouk Rug \$6.50 6x9 Mourzouk Rug \$12.00 8x10 Mourzouk Rug \$17.00 7-6x12 Mourzouk Rug \$18.50 9x12 Mourzouk Rug \$24.50

- Mattings We import our Mattings ourselves. By so doing, save you the jobber's profit. A large variety of designs and colorings now on display. China Mattings, yard, up from 10c Japanese Mattings, up from 25c

CURTAIN MATERIALS So many Curtains are being made to order now that curtain goods, by the yard, is of as great importance as the ready made ones. Anticipating this, we bought early, and now give you the advantage of prices made before the advance on all cotton fabrics.

- 36-inch Curtain Swiss, in dots of all sizes, per yard \$1.1c
42-inch Curtain Swiss, in figures, dots and stripes, per yard \$1.19c
48-inch Curtain Swiss, imported patterns, slightly soiled on edges, regular 50c values, special, per yard \$27 1/2c
45-inch Bobinet, white or Arabian, per yard \$20c
48-inch Fancy Nets, in 15 styles, white and Arabian, per yard \$25c

- Pantasote We are western agents for Pantasote, the best substitute for leather made. It will not croch, peel or burn. 36 inches wide, per yard \$1.00 54 inches wide, per yard \$1.50 Black, dark green, maroon and tan. Guimp, nails and buttons to match.

Summer Furniture Now on display a most complete assortment of Porch and Lawn Furniture of all kinds. The new and novel as well as the staple and substantial. All moderately priced.

- Mission Clock (Like cut) Quartered oak, weathered finish; 17 inches wide, 72 inches high. Strikes every half-hour. A good bargain at \$11.25

- Box Spring Mattress Special THE OSTERMOOR—Upolstered Spiral Spring for metal beds, covered with best quality ticking with Ostermoor hand laid felt on top. Comes in full or 3/4 size. Regular price \$22.00, special for three days, Monday, Tuesday and Wednesday, each \$17.50

- Kitchen Cabinets The Hoosier quality. Saves time and labor. The most complete kitchen cabinet made. Call and see full line. \$21.00 up.

- Refrigerators We're agents for the Herrick high grade, perfect dry air circulation, solid oak refrigerators. Let us show you its special advantages. White enamel, spruce and opal glass lined. Up from \$14.00

- Mission Rocker (Like cut) Constructed of solid oak, weathered finish; has upholstered seat in Spanish leather, each \$7.50

- Window Shades Let us measure your house, make and hang your shades. We give you the best material, best workmanship and prices as low as consistent with first class goods. 54-inch Bobinet, white ivory and Arabian colors, French triple thread net, per yard \$50c 42-inch Madras, white or ecru, new patterns, serviceable for summer curtains because it washes well, per yard \$35c 48-inch Madras, light and dark colors, stained glass effect, regular \$1.50 goods. Special \$95c 50-inch Fancy Nets, white, ivory and bregre color. Per yard \$95c

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was bound over to district court in the amount of \$1,900. Both belong to good families.

SIDNEY—Colonel Robert S. Otterfelder, accompanied by his wife, Arthur Otterfelder, is on a three months' trip to Europe visiting his native city of the continent.

NORTH PLATTE—The commencement exercises of the high school were held last evening. The exercises were held in the gymnasium of the high school.

SCHUYLER—Rev. Mr. McKee of the Methodist church and Mrs. McKee left for Montreal, Canada, to visit their old home and family on their way to Europe.

BEATRICE—The slaughter-house of Goble Bros., located in the southwest part of the city, was destroyed by fire yesterday evening. Loss, \$200, with \$500 insurance.

BEATRICE—Rev. U. G. Brown of this city delivered the baccalaureate address before the graduating class at Odell Friday night.

MILFORD—Mr. Hassell, an old veteran of the Soldiers' Home, died at the home hospital. He had been an inmate for ten years.

UTICA—The schools are closed on account of smallpox.

MILFORD—The senior class of the State university visited the Soldiers' Home on Friday.

SEWARD—The synod of the Evangelical church is in session here with a large attendance.

SCHUYLER—Honorable Otto Zuelow, deputy oil inspector of this district, commenced his work of inspecting oil Friday.

SCHUYLER—Prof. E. B. Sherman of Columbus will speak at the special meeting of the Commercial club Monday evening.

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MILFORD—Mr. Hassell, an old veteran of the Soldiers' Home, died at the home hospital. He had been an inmate for ten years.

STRETCHER and the doctor summoned. He sustained some injury to his spine, but it is not thought that he is seriously hurt at this time.

SCHUYLER—Rev. Charles A. Arnold, formerly pastor of the Presbyterian church here, who recently returned from his trip through Europe, Egypt and the Holy Land, will give a lecture at the church Friday evening, June 17, entitled, "Pebbles From Many Shores."

WEST POINT—Sheriff Malchow went out to the Bancroft neighborhood this week and brought in Martha Schock, who is charged with insanity. John Voehl of Bismarck township was also arrested on the same charge. Both cases are now before the insanity board.

BEATRICE—Word has been received here that Watson Pickrell, a former resident of Beatrice, is conducting one of the largest ostrich ranches in the country near Phoenix, Ariz. Mr. Pickrell has about 1000 of these birds and sells the plumes at from \$5 to \$25 each.

NORTH PLATTE—The senior class of the North Platte High school, rendered their class play, "A Crazy Idea," before a large audience at the opera house Wednesday evening, in honor of the local Grand Antiques. William Walcott and Gladys Selby took the leading parts.

PAPILLON—Saturday was gala day for the Papillon High school here. The school gave a large entertainment at the opera house. The large platform in the auditorium was crowded and the music of the citizens made it a gala day.

BEATRICE—Miss Mattie Bonbright of the Waterloo High school Friday evening at the opera house. A class of nine graduated from the tenth grade. Following the concert the school gave a large annual banquet of the high school alumni at the opera house, which was held at 11:15.

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a banquet to the graduating class of this year in the high school rooms. Plates were laid for forty. George W. Smith is president of the organization and Miss Edna Gardner secretary. E. J. McDermott acted as toastmaster.

(Continued on Fifth Page.)