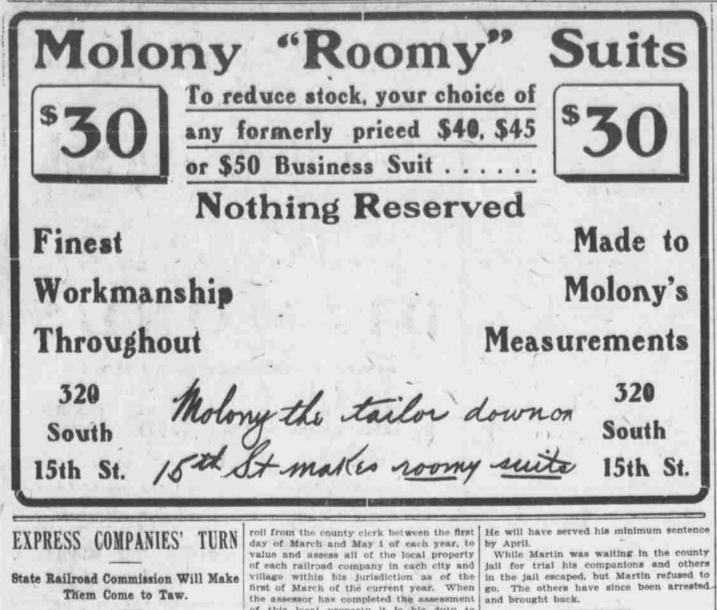
### THE OMAHA DAILY BEE: TUESDAY, DECEMBER 24, 1907.



POULTRY MEN GET RECOGNITION

Recent Raise in Rates for Shipping Exhibits Has Been Canceled-Return Will Be Made Without Charge.

(From a Staff Correspondent.) LINCOLN, Dec. 22 .- (Special Telegram.)obliged to report their busines condition to the State Railroad commission or defend themselves in the courts. The board today sent out notice to this effect, and in case of refusal to comply the attorney general will be directed to proceed against them under the commission law.

When the express companies filed their reports recently, they were not in full. Few gave the interstate business and some did not include the salaries paid officials. It is with a view of ascertaining actual conditions that the commissioners have taken action. The American refused to give interstate business and the Wells-Fargo company refused to give salaries paid. The Pacific and United States companies did not report the interstate Business, either, that originated in Nebraska or that entering. The United States company failed to give the earnings of the entire company.

Concession to Poultry Men. Poultry men will be able to ship exhibits The efforts of former County Attorney to Omaha's poultry show and return them Slabaugh to secure the release of Paul free of charge, as has been usual. An in- Clacyomb have been successful, and the crease in the rate recently established by young man will leave the penitentiary in This is a result of an investigation made by the railroad commissioners within the gave him a conditional pardon this after-

of this local property it is his duty to forward the same to the state board at GOOD DAY FOR WALLAGE DEFENSE the capital at Lincoln on or before May 1 of each year.

Testimony Shows Relations of the Hillis Family. The law provides that on the first Mon-GRAND ISLAND, Neb., Dec. 23 .- (Spe day in May of each year the state board cial Telegram.)-This was practically the shall proceed to assess for the purpose of defense's own day in the Wallage trial, city and village taxation all the property. Wallage himself being the last witness and taxable under the provision of the terminal the defense probably eliminating in contax law except local property. The term local property as used in the act includes siderable degree the unwritten law feature of the case. Through the mother and stepall the tangible property of a company in Express companies, of Nebraska will be any city or village except rolling stock. father of the dead man's wife, as also the divorce petition against the dead man, to Local property shall not include any part which he made no answer, but silently asof the franchise of any company. It is the sented, proof was brought that long before duty of the board to equalize and so fix the the defendant ever became acquainted with values of the various properties returned Hillis or Mrs. Hillis he had grossly misthat the companies assessed shall stand as treated her, struck her, chocked her and knocked her down. It was also testified to near as may be on a basis of equality with other tax payer in the same cities and that trouble originally arose between Mr.

Attorney General Thompson has received and Mrs. Hillis because, as Mrs. Hillis had alleged, Hillis had gone out riding with a letter from the clerk of the United States Miss Mercier, whom Mrs. Hillis' parents circuit court at St. Louis that the Burlinghad sent out of their home where she had ton injunction case is the second case or the calendar for January 6. This is the been boarding. Wallage made a good witness for himself sult brought by the Burlington railroad and, according to his story, had never in the United States court here to enjoin threatened Hillis, had no intention of seekthe railway commission from reducing grain ing trouble and when the trouble arose in rates. The commission filed a demurrer the poker game and Hillis attacked him to the petition in the federal court here with a beer bottle he was constantly givand the demurrer was sustained. The ing way, not being able to recover and railroad appealed. Inasmuch as the com-

overcome his antagonist. The latter he mission intends to take a new tack on swore was choking him so that he could making grain rates, it is likely the attorney scarcely breathe. He did not know what general will ask that the suit be diselse to do and placed the revolver against-Hillis' body while Hillis lay on top of him and pulled the trigger. The cross-exam-

ination was withstood well by the witness. Little rebuttal testimony was taken and the argument began early this evening and the express companies will not be enforced, time to cat his Christmas dinner at his will be finished tonight. The case is likely to go to the jury about midnight.

last day or two. They discovered the com-panles were trying to enforce a 50 per cent ernor monthly and is not to use intoxi-

of the river will last. The object of the diversion dike is to turn the water into the south channel. The Burlington is shortening the bridge across the Platte by filling up the north end and have a big gang loading sand and gravel at the bluffs across the river to do the filling. At present the strongest current is where the filling is going on.

## CORONER'S INQUEST . DELAYED

Farmers Living Near Smith Home Are Avoiding the Process Server. SEWARD, Neb., Dec. 23 .- (Special Telegram.)-The coroner's inquest over the body of Mrs. Frank Smith, who was killed by an unidentified assailant near Milford, will not be held until tomorrow. The coroner went to the scene of the crime Saturday and empannelled a jury and then postponed the inquest until tomorrow.

In the neighborhood are many Menno nites, who are greatly opposed to getting in the tolls of the law, and their peculiar religious belief has made investigation of the crime difficult. One of this faith is on the jury. There is no further clue to the perpetrator of the assault.

District Court at Chadron. CHADRON, Neb., Dec. 23 .- (Special.)-District court has adjourned until January 21.

James Williams pleaded guilty to shooting with intent to kill and was sentenced to the penitentiary for eighteen months Robert Burns pleaded guilty to the charge of larceny and was sentenced for

two years. Harry Thomas, after a long drawn out

fight, was convicted of shooting with in-tent to kill and was sentenced for twelve rears

David Standing Bear was convicted and found guilty of stealing a horse and sentenced for two years.

Mrs. Smith's Skull Not Crushed. MILFORD, Neb., Dec. 23,-(Special.)-The post mortem examination of the body of Mrs. Frank Smith disclosed the imprint on the skull of the irons on the single tree, but the skull was not crushed in as supposed. On conclusion of the examination the coroner impaneled the following jury Ell Cartright, Thomas H. Healey, Andy Welsh, William Rannels, Harry Lipply and L. O. Howard. The jury was called to meet at Milford today, but the absence of Sheriff Gillen necessitated another adjournment until Friday at 2 p. m. No new developments have zeen made.

#### Nebraska News Notes.

BEATRICE-Royal A. West and Mrs. Eliza West, both of Des Moines, Ia., were married here today by Judge Spafford. BEATRICE-John Kuhl and Charles Ford were sentenced to ninety days each in the county jall at hard labor for resisting an officer.

AINSWORTH-Dennis Collins, one of Ainsworth's oldest settlers, had a paralytic stroke last Tuesday morning and he died at 3 a. m. Sunday morning. H leaves a wife and two brothers. The funeral will be held at the residence Tuesday forenoon.

at the residence Tuesday forenoon. BEATRICE—William Caseley, who stole an overcoat here Saturday belonging to E. E. Hoin, a traveling man, is under arrest at Tecumseh for a similar offense. He will be brought here when the Tecumseh au-thorities get through with him. GUIDE ROCK—Last night occurred the death of George Garber from heart trou-ble, following a long illness with inflamma-tory rheumatism. Deceased was a relative of the late ex-Governor Silas Garber. A wife and five small children are left to mourn a husband and father. HASTINGS—George W. Maxwell of

mourn a husband and father. HASTINGS—George W. Maxwell of this city is returning from the New England championship trap-shooting con-test at Wellington, Mass., with a record of high gun, his score being 99 out of 100. Mr. Maxwell lost one arm some years ago, but there are only a few men in the country who are more expert with the shotgun. He stands within a few places of the top of the list in the all-American standing and there never was a one-armed shot who had a better rec-ord. ord.

a one-armed shot who had a better rec-ord. GUIDE ROCK — Officers of the Royal Neighbors of America for the ensuing year, recently elected, are: Mrs. Cora Coplen, oracle; Mrs. Ruth Olmalede, vice oracle; Miss Lena Sar-gent, chancellor; Eva Fowler, recorder; Mrs. Lois Evans, receiver; Miss Etta Stedman, I. S.; Mrs. Elizabeth Brehm, O. S.; Geo, Thompson, managar; Dr. Red, physician. Officers of the Degree of Honor are: P. C. of H. Mrs. Mary Lam-bert; C. of H., Mrs. Maggie Robinson; J. of H., Mrs. Jennie Campbell; C. of C., Miss Sadie Vaughan; recorder, Miss Fila Van Woert; financier, Mrs. Della Watts; receiver, Mrs. Mary E. Douding; usher, Miss Ethel Woodward; I. W., Miss Mae Robinson; O. W., Geo. Britton; adviser, Mrs. Anna Mason; maids of. honor, Gen-eva Robinson and Lena Sargent; team captain, Mrs. Elsvia Hendrickson. HASTINGS — Holiday shopping in eva Robinson and Lena Sargent; team captain, Mrs. Elzvia Hendrickson. HASTINGS — Holiday shopping in Haqtings has been fully up to the av-erage of the last two or three scanons and many of the stores report a large increase. It is quite likely, if an accu-rate report were available, that the to-tal volume of Christmas shopping in Hastings would be found to be greater than ever before. The postoffice has never done so large a business as within the last ten days. Banking operations are being conducted practically on a normal basis. The year just closed has undoubtedly been the most prosperous in the history of the city. For a time, fol-lowing the inauguration of the limited cash payment plan by the banks, a few merchants noticed a slight falling off in trade, but no such effect is apparent now. During the twelve months over \$250,000 of residence property has been built in Hastings and a number of new business blocks have been erected.



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# **January Records Out Today**

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New Records mean new entertainment. You will never



charge of the first class tariff for returning cating liquor. Judge Slabaugh said Cla- Officers Return With Him to Rosalie poultry exhibits from the show after charg- cyomb was not a bad man at all, but had ing double the first class rate to send the gotten in with a fast crowd of boys and

guilty and got five years.

villages.

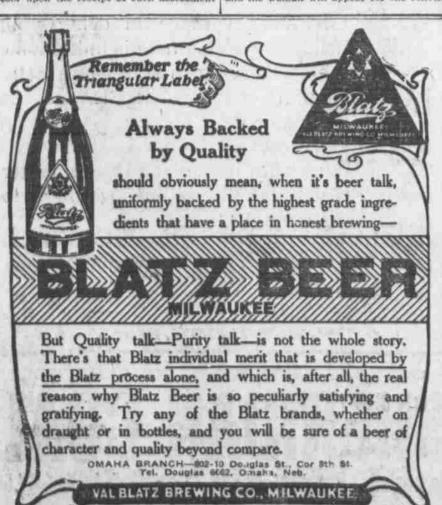
missed.

chickens to Omaha. Under the law such went wrong. a rate may not be enforced without the permission of the commission, hence the intestigation. The express companies when consulted today, agreed to ship the exhibits and return them as they have done is now working day and night for the previously and later they will be granted a of the proposed increase in charge.

The State Railway Commission has re ceived a complaint from Orr Bros. of Clay fashioned padlock game on an unsuspect-Center against the action of the railroads. in increasing the minimum capacity of cars from 24,000 to 30,000 pounds. The Orr Bros. said they were notified of this increase October 15, after they had shipped out many chrloads under the old ruling on capacity, and consequently the charges to them will be increased about \$8 a car. The commission can do nothing for the Clay Center firm. At the time the proposition was up to the commission permission was refused the rallroads to put in this rate in Nebraska, though the commission had no jurisdiction over interstate business and the other. Then they separated. The could not prevent the railroads from making its rulings on interstate shipments.

As provided by section 8 of the terminal the work may be uniform throughout the blanks for the guidance of the clerks and to Governor Sheldon for executive clem- the plaintiff's side. will forward them at an early date, to- ency. Statements have been secured by gether with two copies of senate file 161, which is the terminal tax law.

The several county clerks must furnish



But Make no Arrest. FREMONT, Neb., Dec. 23 .- (Special Tele-

gram.)-Sheriff Young of Pender and Olof Olson arrived here about 3 o'clock this For love of a man Inga Anderson, a native of Finland, has learned the English afternoon and met Sheriff Bauman at his language, sold a claim in the Klondike. office at the jail. He told Olson that he traveled half way across the country and had had him brought down here to talk with him and showing him what he had release of the object of her affections from found under the haypfle; he told him that hearing by the commission on the justness the state penitentiary. The man is John the doctors said it was a child's tongue B. Martin. He is serving a five years' and probably that of the missing girle sentence for assisting in working the old-

Tears were in his eyes and he replied: 'How can that be?" ing traveler named Miller, who, while going They remained in the sheriff's office for

through Lincoln to the coast, fell in with ome time discussing the situation, but no the evil ones and lost \$50. Martin pleaded new facts weer brought out and the location of the missing child's body is as great Miss Anderson arrived in Lincoln several a mystery as ever. Olson and the two sherdays ago and soon her story was pretty iffs returned to Rosalle by train over the well known. She was working in a restau-Burlington at 4 o'clock this afternoon. rant out in Idaho, and Martin boarded Whether he has any special clue to follow there. He could not speak her language he declined to state. All sorts of rumors and neither could she speak his, he being were afloat here this afternoon, one being a native of Norway. But in that mysterious that Olson had made damaging admissions way known only to Cupid it was not long to the sheriff, but those in a position to before each was confident of the love of know say they are not true.

Litigation Over small Amount.

woman went up in the Klondike and staked out a claim. Martin's mind worked differ-HASTINGS, Neb., Dec. 23, (Special.)ently, and some two years ago he landed The Chicago & Northwestern railroad has tax law the several county and city clerks in the penitentiary of Nebraska. It was appealed to the supreme court from a judgshall prepare separate assessment rolls for just recently that the girl discovered his ment for 1 cent awarded Joseph A. Gardithe assessment of local raifway property whereabouts. Then letters were exchanged. her by Judge Adams in the district court. in the cities and villages. In order that Both began studying the language of this John M. Ragan, former commissioner of country and now both can speak it. The the supreme court, is attorney for the raffstate George D. Bennett, secretary of the woman then sold her claim and came on road and J. C. Stevens is associated with State Board of Assessment, has prepared to Lincoln, and has made her application Mr. Gardiner, who is also an attorney, on

This momentous litigation resulted from the woman from the court officials and the refusal of the local agent to deliver to today Detective James Malone, who ar- Mr. Gardiner a parcel of freight, consistrested Martin, and secured his conviction, ing of two cartwheels and one axie, without necessary bianks for the listing of this said he would not resist the application. first seeing the bill of lading. Mr. Gardiproperty. It shall be the duty of the as- The hearing will be set for a later date ner instituted ah action in replevin in the sessor upon the receipt of such assessment and the woman will appear for the convict, county court and judgment for 1 cent was entered in favor of the defendant railroad

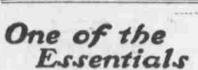
corporation. Mr. Gardiner appealed to the district court, where the case was tried on the same points of law, and the judgment of the lower court was reversed. The cartwheels and axle are valued at \$10.30 and the railroad has a claim for a little less than \$1 for storage. The court costs up to date amount to about \$30.

County Will Collect Tax. HASTINGS, Neb., Dec. 23. (Special.)-County Judge Dungan has decided in favor of the county in the suit to collect an inheritance tax from the estate or helrs of the late William Kerr, who died last April. In January Mr. Kerr transferred a large amount of real estate to his only child. Thomas Kerr, and the latter decded a one-half interest in each piece of the property to his mother. The widow and the n are the only heirs. County Attorney Snider brought suit on the ground that the transfer was made by William Kerr in contemplation of death, and this contention was sustained by Judge Dungan. The legal question involved in this action has never been passed upon by the supreme court of this state. Mr. William Kerr's wealth was estimated at upwards of \$1,000,000. Judge Dungan will appoint an appraiser to determine the value of the property for which the ! per cent inheritance tax may be

collected. Gorge Forms in Platte River. FREMONT, Neb., Dec. 28.-(Special.)-Yesterday morning a gorge of ice formed in the Platte river west of where work is in progress on the diversion dike, completely stopping the flow in the north channel and turning all the water into the channel south of the big island. People were able to waik over to the island, A special soap which energizes the whole

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