THE OMAHA DAILY BEE: FRIDAY, JANUARY 31, 1908.

GOVERNOR STUDYING BANKS Will Take Up Real Estate Exchange Resolution on Return to Lincoln.

OTHERS ARE TO BE CONSULTED

Senator Doran of Garfield County Says Delegation Should Be Unequivocally for Taft and of the Best of Timber.

(From a Staff Correspondent) LINCOLN, Jan. 30.-(Special.)-The resolutions passed by the Omaha Real Estate exchange asking the governor to call an extra session of the legislature for the purpose of enacting a law to guarantee bank deposits have been received at the executive office, but as the governor has

been out of the city since Tuesday he has not had time to go into the resolutions. clearly and emphatically contrary to what Since the recent panic Governor Sheldon the legislature had intended that at the has been spending a great portion of his very next session of the legislature the time looking into the banking business of ome recommendation to the legislature. communicate not only with the various for men and others. He is also studying the decrease is due to other causes. It is safe

posits as shown by the recent bank state-So far the investigations of the governor

further contended that the rule was pro- have led him to believe that probably mulgated for the purpose of raising reve- several causes have combined to decrease nue, and the state could not raise revenue deposits. He will be able to act with a even if authorized by the legislature. It more thorough knowledge of the questions was a taxing power plainly prohibited, as when he receives the next bank statement. the district, Judge Paul, to sit with him laid down in the case of McCullough It has been suggested that probably the deagainst Merrill. Again, in our own state, crease in the movement of crops may have under the decision in Baldwin against had a great deal to do with the decrease Douglas county, the right of a board to in deposits. Reports that are now coming Douglas county, the right of a board to adopted such a rule is denied, it having been decided in that state that the state or county could not collect from individual members of the asylum any money for the expense of maintenance or any part of it. In the Michigan case the order did not intend that the money be used for other

purposes, but that it be preserved, not di- week there were \$21 box cars loaded, while cars of grain shipped. In the December verted. In the case at bar there was no for the January week the report shows pretense that the rule was adopted as a there were \$88 cars loaded. Rate Clerk disciplinary one, but as a cool, calculating Powell is now figuring up the average number of cars used for the six months Judges Hanna and Paul indicated that from June to December, which compared

Thirteen for Primaries. So far thirteen counties have made application to the republican state committee for ballots upon which to vote their preference for a presidential candidate. These counties are Antelope, Cedar, Chevenne, Dixon, Dakota, Richardson, Rock, Seward,

Otoe, Webster, Thayer, Hitchcock and York. Hall county will hold a primary, but

order to compel the Burlington and North-western railroads to put in a transfer switch. The case will be resumed at Lin-coln next Wednesday, at which time the

BEATRICE-W. L. Terry, a civil war veteran, died at his home yeaterday morn-ing in West Beatrice. Deceased was born in Knox county, IIL, March 33, 1837, and served in the late wer as a member of Company B. One Hundred and Third Illi-nois volunteers. He was member of the Grand Army post at Hollenberg. Kan, where he resided before coming to Beatrice. fifteen years ago. He is survived by a widow and eight children. five sons and three daughters. BEATRICE - Michael McGuire, living land at \$15,000. In the meantime Coleman offered the state \$16,000 for the land. The state board thought the Shively appraisement too low and then three freeholders of the county were selected to pass upon the value of the land. They reported to-

day it was worth \$21,000 and that is what Mr. Coleman will have to pay. He has had the land leased for a number of

three daughters, BEATRICE - Michael McGuire, living near liberty, has even out a peace war-rant against Charley Mortimer, Garrison and Jesse Bridgford, also residents of the Liberty vicinity. In the petition Mr. Mo-Guire says he has reason to fear that defendants will assault him and kill him. his wife and six children, destroy his prop-erty and kill his stock. He asks that de-fendants be put under bonds to keep the peace and to prevent them from carrying out their alleged designs. Convention in Cedar County. HARTINGTON, Neb., Jan. 30.-(Special.) -A meeting of the Cedar county republican central committee was held here this afternoon. A county convention was called for February 11 for the purpose of electing delegates to attend the congressional convention at Norfolk, and the state conven-

tion at Omaha. The convention call provides that an expression of preference for president shall be taken in each precinct at the time delegates are elected to attend the county convention.

out their alleged designs. STOCK VILLE—The barn of George D. Chadderdon, located a mile northwest of this village, burned yesterday afternoon. The origin of the fire is not known. The barn was a good-sized frame with loft filled with hay at the time of the fire. containing over 200 bushels of corn, sev-eral sets of farm harness and one horse. A large number of citizens from this vil-lage responded to a telephone message for help, but were unable to save any-thing except a few bushels of corn. They did keep the fire from spreading to stacks of hay and cattle sheds. There was no insurance. BLUE HILL—The appearances of the Primary for Seward County. SEWARD, Neb., Jan. 30.-(Special.)-A republican county convention will be held at. the assembly room of the court house on February 29 at 1:30 p. m. to elect fifteen delegates each to the state and congres-BLUE HILL-The appearances of the

sional conventions. The advisability of holding a primary for the purpose of giving voters a chance to express their choice president was acted favorably upon and ballots will be ordered from the state lttes for that purpose.

Nebraaka News Notes.

YORK-Two revival meetings are in rogress in York and both are making SEWARD-A Demorest medal contest will be held at the Bedford school house on Friday night. COLUMBUS-The third-class postmasters of the Tihrd congressional district will hold a meeting here next Wednesday, February 5.

SEWARD-The warm winter is assist-ing in maintaining life and bringing into activity myriads of chintz, bugs and other SEWARD-A mass meeting will be held at the Congregational church on Sunday evening, February 5, in the cause of tem-

Was no insurance. BLUE HILL—The appearances of the main street promise to be greatly improved in the spring by the addition of a new brick building and modern front. W. E. Fraim is arranging to commence work on his new building on the lot where the bakery was destroyed recently, and he now has plans completed for the building. The First National bank on one side and Dr. Hawley on the other side of the proposed new building are contemplating leaving out the fronts of their buildings and plac-ing in modern fronts with preased brick. RLUE HILL—W. H. Hubler of this city and J. K. Kerr, who was formerly a resi-dent of Bladen, have purchased a general merchandise stock at Stamford and Mr. Hubler expects to move out there with his family as soon as the school term expires. BLUE HILL—Mike Durdin returned this week from a ten days solourn in the east-ern part of the state, where he went in quest of the party who took notes in ex-change for stock food and then failed to deliver the goods. Mike finally landed his man and the would-be stock food agent coughed up for a part of the notes. OPTION TRADING IS BRISK

BEATRICE – Eimer Orner of Blue Springs yeaterday purchased the eighty-acre farm of J. E. Kenworthy west of town for \$5,000. Million Dollars of Buying Half Recorded Before Eleven 0'clock.

PLATTSMOUTH-The mechanical de-partments of the local Burlington shops closed Wednesday evening for the re-mainder of the week. OXFORD-Workmen are engaged in sink-Option trading was resumed on the floor of the Omaha Grain exchange Thursday morning, and before 11 o'clock more than

OXFORD—Workmen are engaged in sink-ing a mammoth well for the water works system, which is expected to be in opera-tion early this spring. COLUMBUS—The ice man is busy these days in laying in his supply for the sum-mer and is gotting ice that is eleven inches thick and as clear as a crystal. OXFORD—Wolf hunts are more common than ever before this winter. Another nunt is on today and soveral more are scheduled for the coming week. BEATRICE—Mrs. L. E. Watson went to Assaria, Kana, yesterday, called there by

a large amount of business from the out-

aria, Kan., yesterday, called there by death of her sister, Mrs. E. N Mo-der, who died suddenly of pneumonia. ssaria, out over Nebraska. But Chicago is said COLUMBUS There were about 150 of the Knights and Ladies of the Maccabees rathered for the joint installation of offi-ers. Refreshments were served after in-eighth of a cent for members of the exto have reduced the commissions, while gathe eighth of a cent for members of the excers. Ref stallation

change. SEWARD-The new \$4,000 parsonage, the gift of Mrs. S. R. Douglass, was the scene of a happy meeting of Congregational church people and their friends this even-ing. A musical program was given. An attempted corner in corn caused some disputes on the Omaha exchange at one time, and option trading was brought to a sudden standstill. When it opened again a buyer bought heavily and demanded de-

BEATRICE-Richard Williams and Miss Bessie Husband were married at the Chris-tian parsonage yesterday, Rev. J. E. Davis officiating. They will live on a farm south-cast of the city. livery by 11 o'clock, holding that under the rules of the exchange the grain had to be delivered at that time, but the board of di-

 that county will devise its own plans and has not called upon the state committee for ballots.
Investigating York Request.
J. A. Williams returned tonight from York, where the commission has been listening to testimony on the application of the Commercial club of that town for an order to compet the Burlington and Northrectors held that it could be delivered any time during the day of buying, and the grain was delivered at so high a pride that it meant almost financial ruin to the purchaser. This discouraged option trading

again, and it has amounted to practically nothing since the big deals. But the reputation of the Omaha ex-

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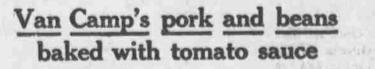
That is why beans must be factory cooked. That is why Van Camp's beans are better for you than yours.

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They are 23% nitrogenous-84% nutriment. They are even more nutritious than wheat.

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GRAND ISLAND, Neb., Jan. 30 .- (Spetial.)-The entire day was occupied in the district court today in an argument on the demurrer filed by the State Board of Public Richard B. Howell, that a writ of injunction issue against the board, restraining

them from enforcing a rule that would take from the members of the soldlers' homes at Grand Island and Milford any part of the pension paid to such members by the national government, Deputy Attorney General Rose appeared for the state board and Attorneys W. H. Thomppleads for himself, but also represents sev-eral hundred other members of the home in this city directly and a number in the Milford home, both institutions being included in the temporary injunction that was granted by Judge Mullin of the county court of Hall county in October. The court will make a ruling next week. Judge Hanna invited his colleague of in the case and both judges occupied the bench.

versy is Submitted.

Thompson for Complain-

ing Veterans.

Attorney Rose pleaded in support of the demurrer that the applicant for the injunction had other means of redress and that it was unusual that the arm of the county court reach out over the state away to the capital and restrain officials intend that the money be used for other from doing their duty. The rule adopted by the board, taking certain percentages of pensions amounting to \$12 or over per month, on a sliding scale, up to the amount of \$30-in which case the board would take cash proposition.

they would rule upon the demurrer next with November and December shipments lating to admittance to the home and the week, and it is likely that the state board will throw some light on the question of management of the institution. He thought will rest upon the argument made here, how much of the crop has been shipped. there could be no question as to the right instead of filing an answer and insisting

of the board to make such a rule if it upon further hearing and the presentation were within reason. Whether it was rea- of any facts, as the demurrer has comsonable or unjust might have been ascerpletely brought out the issues involved. tained by an appeal to the board, a re-YORK MEN ARE GIVEN A HEARING

quest that the rule be held in abeyance until a hearing be had and then, if the Demand Track Scales and Connecting complainant still believed he was wronged,

a complaint could issue in the district Tracks. YORK, Neb., Jan. 30.-(Special.)-Citizens court.

of York attended in force the hearing Rose Quotes the Law. wherein the Commercial club petitioned In the statute providing for admission the railroad commission setting forth reato the home, Mr. Rose contended, it was sons why a track scale and a track be specified that the applicant must be dependent upon public or private charity and Inid connecting the two ratiroads at York. unable to earn for him or herself a living. The Burlington officials and attorney and the Northwestern officials and attorney As the compininant received a pension of \$30 it could not be held that he was de- arrived in a special car. Promptly at 10 pendent upon charity or was unable to get o'clock this morning the meeting was along. As to the plea that the federal called to order by the commission, Mezars. statutes protected life member's pension Winnelt, Williams and Clark. Ex-Supreme

was, at least in great part, the payment of an obligation. His client received \$20 PENSION QUESTION IN COURT a month. Most of it was expended by him in the maintenance and support of some "Brand Island Soldiers' Home Contro- grandchildren. Not a dollar was riotously

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spent and there was absolutely no need for the rule, if such rule was drafted as a displinary measure. **BOSE GIVES ARGUMENT OF STATE** Argument of State Opposed.

Quotes Michigan and fown Cases in Support of Contention-W. H.

Addresing themselves to the cases cited y Attorney Rose, Attorneys Thompson and Abbott contended that in one of the cases the construction by the court was so

law relative to the maintenance and man- the state and studying the advisability of agement of the Soldiers' home of the state was so amended as to make any interfer- Before he comes to any decision he will ence with any pendion a plain violation. Lands and Buildings to the petition of They urged upon the court that the "other bankers of the state, but with business redress" suggested by opposing counsel was no redross under the circumstances, bank reports for the last ten years and for there was nothing to prevent the state analyzing the same, with a view to deboard, in the event their client would not termining whether a lack of confidence on comply with the order in the meantime, the part of the people is responsible for a to shut him out from the home, until such decrease in the deposits or whether the time as the action of the board could be reversed by the court. Furthermore, the to predict that the executive will not call proceeding was the better, for it obviated an extra session of the legislature unless son and O. A. Abbott, sr., for Howell, who a multiplicity of suits. The order affected he is convinced that it is a lack of confipossibly 400 of the 452 men in the local dence which has caused the slump in dehome

The State and Revenue. Counsel for the members of the home

Proceeding Most Unusual.

apecial action-for the maintenance of the

home, was a valid one, Mr. Rose contended. He read the provisions in the statutes re-

udge S. E. Sedgwick and W from such a rule, that did not clearly apply, as had been decided in other cases. of this city are attorneys for the Com-The Michigan supreme court reports con- mercial club and business men of York. tained a case similar to the one in question, urged Mr. Rose. The board man-

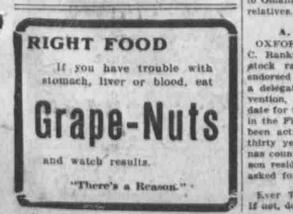
aging the Soldiers' home of that state each pensioner to turn over to the authorities of the home any amount in excenn of \$5 to be held by the authorities. The rule was adopted in the interest of discipline. The court held that there was nothing in the order that would not be statements. warranted. The supreme court of Pennsylvania passed upon a similar case. The authorities of that state's Soldiers' home torney would here say that the board of much more than a block of track. F. P. this state had been more liberal than that | Van ickle, Charles Carpenter, F. E. Lloyd, ever arisen-and the court sustained the management of the home, the rule not being unreasonable and, upon that ground, not untenable. The reasonableness of the role was at issue here and he did not believe it could be contended that, compared to the benefits received at the home and the expense to the taxpayers of the state, the rule in question was unreasonable.

Case from lows.

Mr. Rose further quoted an Iowa case in which twenty-six members of the Marshalltown home had applied for an injudiction restraining the commandant from the retaining that portion of their pensions exceeding \$6. In this case the excess was to be paid, had the pensioners such dependents, to the family of the pensioner; otherwise it was to be placed to the credit of support fund. The lowa court held that there were two questions-the authority of the hoard to pass such a regulation and the reasonableness of the rule. The tended the session of the Kansas legislacourt found that there were many appli- ture, although in fact he has been in casts to the home who, owing to its Beaver City the greater part of the time, crowded condition, could not be admitted but has not claimed this to be his home and it was held authorative and reasona- He returned here this week from Topeka, ble from the standpoint of the taxpayers. terference by the district court would tend regard to his candidacy for governor. He to deteriorate the discipline of the home said that while he was not very favorable another, the general opinion being that and that, while none of them desired in to accepting the nomination, if it were the least to do the slightest injustice to offered to him, that he felt it his duty to any member, the members of the board respond to the call of his party. owed it as a duly to the rest of the state, imposed by the stututes, to adopt such a rule as is in controversy.

Denich Politics Involved.

Attorneys Thompson and Abbott, an-Attorneys Thompson and Abboit, and swering, denied that the jurisdiction of the county court, in the absence of the dis-trict judges, did not extend to the state capital, around the heads of the officers of which there was no greater halo than about the beads of ordinary beings. Speak-ing for timeeit, Mr. Thompson desired at While he was hitching the team the upabout the heads of ordinary beings. Speak-ing for higher home and the granting of an immediately went after him and placed and immediately went after him and placed at the formation after the second and immediately went after him and placed at the formation after the second and immediately went after him and placed at the formation after the second and immediately went after him and placed at the second after the second and immediately went after him and placed at the second after the second after the second after the second and the granting of the second at the second view of counsel for the board, only the him in the county jail. The man gave his feeling of charity. It was a work of duty that the people today gave shelter and care to the soldier. The payment of a pension three months. Sheriff Phipps took Kunci



the proposition. Dealers testified to the amount of business being sufficient to justify the putting ber of several legislatures, and who is now in of scales and to cars of coal being short being mentioned as a delegate to the naadopted a rule and enforced it compelling a large amount when received, and that tional convention from the Big Sixth, beby reason of the absence of scales the dealer had no redress except to pay for lieves the republican state convention in the coal which was not delivered and also selecting the four delegates-at-large and

One Man Who Dies Hard.

A. C. Rankin for Delegate.

the four alternates should take into conthe freight on the same. sideration first the loyalty of the dele-The companies sought to disprove these

gates to the candidacy of Secretary Taft Evidence was taken on the petition that and then the integrity, ability and aca track be built connecting the two rail- quaintance and positions of the candidates. He believes it is to the best interest of roads. Owing to the roads crossing to, retained all over \$1-not \$12, and the at- to build a connection would require not the republican party of the state to send men of such standing not only in the state, but in the councils of the national party. of any state in which the question has D. J. Barkeman and others were on the that they will be able to influence other delegates to that convention to promulgate stand testifying as to the necessity of a platform in keeping with the progressive connection between the two roads. republican party of the state, and to in-NEBRASKAN WHO IS KANSAN

fluence them in the interest of Secretary Taft, who more than any other candidate, Beaver City Has Candidate for Govhe says, represents what Nebraska repubernor of Sunflower State. licans stand for. After volcing the above sentiment Mr. Doran discussed the makeup

BEAVER CITY, Neb., Jan. 30.-(Special.) -Beaver City occupies the unique position of the delegates as follows; "I think Governor Sheldon, Senator Norof having a candidate for governor of its sister state of Kansas. Instead of this ris Brown and Victor Rosewater should be

seeming to be paradoxical it is a fact. R. S. delegates to the national convention for the reason that they are ploneers in the Hendricks, who was elected a member to progressive republican move. I was in Kansas, legislature from Rawlins county, Kans., and who came to Beaver close touch with Senator Brown and Gov-City and established the Bank of Beaver ernor Sheldon in the twenty-ninth and thirtieth sessions of the legislature and City, last year, and of which he is presithey came out and took a stand for the dent, is talked of for the democratic nomination for governor of his home state. people at a time that it took courage to do so. The positions occupied by the three While Mr. Hendricks has been in Beaver men give them preatige above that of al-City for the last year, yet he has retained his interests at Atwood, Kans., and atmost any other set of men in Nebraska."

State Temperance League. The Nebraska State Temperance league held an all day seasion in representative hall and closed its meeting with an address tonight by Attorney General Thompson, who defined the rights of the saloons where he attended the session of the legis-Rose urged that the precedent of in- lature, but would not commit himself in under the law. The subject of discussion to draft a letter to be published defining

TEKAMAH, Neb,, Jan. 30.-(Special.)-When Al Dinehart, who works for L. J. Mason, a farmer living west of this place, adopted calling the attention of the people | Fuller Lumber company.

A. H. Critchfield, a deputy game warden name as August Kuncl and says he has of Lancaster county, secured a verdict been working around here for the inst against the county this morning for \$36.50. the same being one-half of the amount of to Omaha tonight, where he is said to have a fine levied on a violator of the game laws. When the fine was paid into the school fund the county com moners re-

used to give Critchfield his half, as pro-

A. C. Rankin for Delegate. OXFORD. Neb. Jan. 20.-(Special.)-A. C. Rankin, an extensive land owner and stock raiser of this vicinity, has been andorsed by a number of district papers as a delegate to the national republican con-vention, and although he is not a candi-date for the bonor, he had many supporters in the Fifth congressional district. He has been active in local and state politics for thirty years, has presided over more Fur-nan county conventions than any other per-son resident to the county, and has never askeed for a public office Kver Try The Bee want Ad. Columnat If ust, do so, and get satisfactory results. A. C. Rankin, an extensive in local and state politics for the state board rejected it. Deputy Land Commissioner Shively then appraised the guilty parties to justice, if possible.

as, and get satisfactory results. Commissioner Shively then appraised the guilty parties to justice, if po

Burlington will introduce testimony against Doran Dilscusses Delegates. T. H. Doran of Garfield county, a mem-

daughter. TEKAMAH-Tekamah's municipal elec-

Bortenlanger, the contractor, says he will be ready to turn on the lights about Feb-ruary 5. This will be one of the most up-to-date plants in the state. BEATRICE. The BEATRICE-The glee club of the Young Men's Christian association has elected these officers: Walter Springer, president; J. R. Quein, secretary and treasurer: Harris Hilbourn, manager. The club will give a minstrel performance here soon. WOOD RIVER-Harry Miller of Harrison township was seriously injured by a horse falling on him yesterday. He was carried into the house in an unconscious condition and remained in this manner for several house. This results he is the several

bours. This morning he is much improved. PLATTSMOUTH—In the absence of the mother from the room the 4-year-old child of Mrs. L. Murray stepped back-ward and tumbled into a boller contain-ing hot water and was badly burned be-fore she could be rescued from her posi-tion

BEATRICE—The Board of Supervisors met yesterday and appointed the deputy assessors for the various townships, and let the printing of the tax list and board proceedings to the Daily Sun and Daily

Express. An adjournment was taken to February 4. By using the various departments of The

OXFORD—William Mackey, an old resi-dont living north of town, was buried today under the auspices of the Ancient Order of United Workmen lodge. He was a native of England and left no relatives here other than a brother, his wife hav-ing died a few weeks ago.

BEATRICE-The Burlington announced yesterday that it would lay off all the machinists in the shops at Wymore for three days, beginning Thursday. This is done to economize, and it is understood the entire Burlington system will adopt

this plan for the present. STELLA-Lloyd Mason died this morning under the law. The subject of discussion today was prohibition in one form or another, the general opinion being that within a very few years Nebraaka will be a dry state. A committee was appointed to draft a letter to be published defining the attitude of the league toward various candidates for office and showing them what they had to subscribe to to get the temperance vote. Another resolution was adopted calling the attention of the people

OXFORD—Jehn Quiggle of Hastings has associated himself with G. A. Feter-son in the grocery business, in connec-tion with which they will also operate a first-class bakery. They are installing up-to-date fixtures in their new building on Ogden avenue and will be prepared for business in their new quarters the last of the week. the week

that trading in options would be BEATRICE-J. A. McCallum was called to Lincoln yesterday by the death of his brother, A. L. McCallum of Hoxie, Kan. who was taking treatment at Balley's hos-pital there. He leaves a widow and one



sand Dollars.

Sheriff Brailey and members of the county board have agreed on a plan for the remodeling of a part of the county jail, which, it is believed, will relieve the crowded conditions, at a cost of about \$3,000. This plan was devised after it was learned the original plans for a general overhauling of the building would cost over \$13,000. While the old plan has not been entirely abandoned and bids are being re ceived on it, it is believed the new plan will suit the purpose of the board and will be the one finally adopted.

tion. OXFORD—The Burlington Railway com-pany has just finished filling their mam-moth ice house at this place. Owing to the open winter, a local supply was not available, consequently they are making shipment from the Campridge lake this into cell rooms formerly occupied by the jailer into cell rooms and the installation of some new cages. The principal item of expense in this plan is the steel work and, it is believed, the cages can be utilized it is believed the traces a new iall is built in the future. in case a new jail is built in the future. Bids will be opened February 8 and several contractors are now figuring on the

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