

Nebraska

ISSUES JOINED ON THE JUDGESHIP

Dean Files His Answer to the Petition of W. D. Oldham Who Seeks Place.

DENIES LEGISLATIVE CANVASS

Only Abstract of the Votes Cast Ever Before That Body.

STANDS ON ACTION OF BOARD

Allegation That Body Alone Had Power to Declare Result.

NO FLAW IN LAW GRANTING SAME

Claim Is Made Appointment by Oldham and All Acts Leading Up to It Were in Accordance With Law.

From a Staff Correspondent. LINCOLN, March 8.—(Special.)—Issues are now joined in the supreme court between Judge W. D. Oldham as an appointee of Governor Stanbury and Judge J. B. Dean, as an appointee of Governor Shickler in the contest over the right to a seat on the supreme bench. Governor Stanbury in appointing Judge Oldham to the bench left off Judge Dean and Dean and the present case is really a contest to decide whether Judge J. B. Dean and Judge Oldham are entitled to their seats. Attorneys for Judge Dean are W. W. Morrison, J. F. Baxter and James H. Van Dyke of Omaha. The case will probably be argued in the district.

The powers of Judge Dean reside in the fact of the case that have been established, including his qualifications to hold the office to which he was appointed and the fact that the constitutional amendment was submitted to the people and duly voted upon and the vote canvassed by the county canvassing boards and the state canvassing board, the latter as provided by law.

Answer of Judge Dean. Continuing the contest says the defendant denies that the legislature of the state of Nebraska or any joint convention of the two houses thereof, authorized the appointment of the defendant to the office of judge of the supreme court of the state of Nebraska in 1938, and that the defendant is not entitled to the office of judge of the supreme court of the state of Nebraska in 1939.

Auto Company to Expand. BEATRICE, Neb., March 8.—(Special.)—The Jones Automobile Company of this city today filed a trust agreement for \$100,000 for the purpose of financing the purchase of bonds, which places the concern in good shape to go ahead and reorganize its automobile business, which will put quite a lot of men at work again.

Food Gallery is Gambling. BEATRICE, Neb., March 8.—(Special.)—Gus Childs, "Doc" Tibbitts,

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the Omaha Journal is silent on any matter on the house amendments. It is worth, however, that the senate committee on organized and enrolled bills reported to the senate as follows: Mr. President: Your committee on organized and enrolled bills would respectfully report that we have carefully reviewed and compared S. F. 20, a bill for an act to amend section 4 of chapter 2 of the compiled statutes of Nebraska, and we find the same correctly enrolled.

Blanket of Snow Covers the State From Three to Fifteen Inches Reported from Parts of Northern Nebraska and Wyoming.

NORFOLK, Neb., March 8.—A blanket of snow from three to ten inches deep covers northern Nebraska, southern South Dakota and northern Wyoming. From an inch at Norfolk the snow increases in depth westward and reaches two inches at Casper and Lander, Wyo., and David City, S. D. About three inches has fallen in the Rosebud country of South Dakota. There is an wind and the temperature is mild.

AINWORTH, Neb., March 8.—(Special.)—The great snow of the season reached here today. At 4 a. m. there was more inches of snow on the ground and it was still snowing.

Ice Nearly Out of Platte. NEBRASKA, Neb., March 8.—(Special.)—The ice has mostly gone out of the Platte river and no serious damage has been done near Fremont. No ice jams formed and the dyke and dam put in by the drainage district to confine the river to the channel south of the island did not have enough ice and water against them to afford much of a test. So much dynamite was used on the river that dykes, which were just beginning to fly, were saved away.

Small Fire Near. TEKAMAH, Neb., March 8.—(Special.)—This caused by a defective fuse partially destroyed the residence of W. E. Langford at 6:30 this morning. The fire company responded promptly and were able to confine the fire to one room. The roof being covered with two or three inches of snow and sheet helped materially in keeping the flames from spreading to other parts of the house.

Railroad Formally Transferred. FREMONT, Neb., March 8.—(Special.)—A deed was filed Saturday in the register of deeds' office conveying the Sioux City & Western railroad to the Chicago, Burlington & Quincy company. The Burlington has operated the road since it was completed between Ashland and Sioux City, but it now becomes a formal part of it.

Head Gallery is Gambling. BEATRICE, Neb., March 8.—(Special.)—Gus Childs, "Doc" Tibbitts,

This Beautiful Teaspoon full sized, silver plated of exclusive rose pattern, in French style, the newest style, made and suggested by Wm. Rogers & Son. IS YOURS - If you send ten cents and the top of a pair of LIEBIG Cutlery's Crown of Steel. Contains two fine spoons. We want you to know that this is the best spoon made. It is made of the finest steel and is guaranteed to last for years. For 10 cents and a Liebig top we mail this fine fork, full size, to match spoon. No advertising on either. Address, Dept. 5, CORNELL DATUM CO., 123 EAST 10th St., New York.

James Tibbitts and George Gamble, four of the men arrested here yesterday, pleaded guilty to police order today to the charge of gambling. "Doc" Tibbitts was fined \$50 and the other three \$25 and each. James Workman and Louis Kinnerman, two others caught in the police net on a similar charge, pleaded not guilty, and their cases were set for hearing tomorrow.

Boys With Guns Cause Death of Four in Week

Unusual Series of Accidents Among Children in Nebraska Since Spring Hunting Season Begins.

CURTIS, Neb., March 8.—(Special.)—The second victim of the combination of small bore and firearms in this neighborhood is Willie Ham, who accidentally shot himself while hunting ducks on the lake near here. The contents of a single barreled gun were driven into his abdomen, exposing several ribs and fatally wounding his hand to pieces. He lived several days, but finally succumbed Friday morning.

Hunter Loses Life Near Peru. The day of the accident Ernest Conrad of Fremont had been shot by a boy companion, while young Conrad was running bases in a ball game. Conrad died almost immediately and the coroner's jury exonerated the boy that held the gun. The two accidents near Curtis increase the death toll among boys in that in Nebraska last week as the result of the handling of firearms by boys. In addition to the two deaths mentioned above, Louis Nichols of Leigh shot and killed himself while cleaning a shotgun and Harry Taylor of Belvidere was accidentally shot and killed by a boy companion while hunting.

Harahan Looks for Little Building by Roads This Year

President of Illinois Central Says it Depends on Volume of Traffic—Goes to Meet Harriman. "Business is to the increase all over our line," said J. T. Harahan, president of the Illinois Central lines, who was in Omaha Monday morning on his way to California with Mrs. Harahan. Their private car was attached to the last mail train of the Union Pacific that they might make a last trip through Nebraska. Mr. Harahan may meet E. H. Harriman in California.

WELL KNOWN RANCHMAN SHOT FROM AMBUSH

Came Believed to Be Work of Ranch Hand or Opponent in Litigation. "NOGALER, Ariz., March 8.—Don Lee Frost, a well-known ranchman, was shot and killed by a man who was believed to be a ranch hand or an opponent in litigation. The victim was shot in the back while on his way to his ranch near Magdalena, N. Mex. The murderer was wounded, but escaped to reach the ranch with the news. Frost had trouble recently with ranch hands and also had engaged in lawsuits regarding his big ranch. It is supposed he was killed for revenge on the Illinois Central is one of such reasons.

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was received half frozen after Agnew had given the alarm. NEBRASKA NEWS NOTES. GENEVA.—Burr, Stone and Silver, 1902 building, 10th and S. streets, was recently purchased by the Omaha and Lincoln Trust Co. of Lincoln.

PLATTSMOUTH.—R. O. Walters, wife and two children have returned from Grand Island, where they were on a business trip. GENEVA.—Al Murray, while in the stock yards Saturday afternoon, was arrested in the face by a burglar, bringing the burglar in the hands of the S. D. A. M. WINDEN.—Nels Olson died here Wednesday. Mr. Olson is one of the pioneers of Kearney county and Nebraska. He resided in Winden for 50 years and was a fine farmer. He leaves a large and respected family.

HUNTLEY.—A. C. Furr sold his street and gray business to Mr. Shaffer of Columbus. Mr. Furr left for Lincoln, Neb., with a car and a horse. Frank Arnold, whose residence property was also sold to Mr. Shaffer. TEKAMAH.—Several of the bandits from the recent hold-up of the Western Union office at Tekamah, Neb., were arrested at a few days ago in the town of Tekamah. Several of the bandits were arrested at a few days ago in the town of Tekamah. Several of the bandits were arrested at a few days ago in the town of Tekamah.

PLATTSMOUTH.—Subway opening at Plattsmouth, Neb., was closed for several days because of the heavy snow. Dr. A. P. Barnes for lodging and was shown in a room. Early in the morning the heavy snow was cleared away and the street was open to traffic. PLATTSMOUTH.—In the face of the new law of bonds for the improved lighting at Plattsmouth, which issued the chance of the city, the city council has decided to issue \$25,000 of water bonds. This amount was taken from the sinking fund.

WINDEN.—The home taken over in the night by the bandits under the name of the "Dixie" was the home of the late J. C. White. The bandits were seen to enter the house and to take the money. The bandits were seen to enter the house and to take the money. The bandits were seen to enter the house and to take the money.

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John Lewis Thinks Methodist Clergy is Falling Short

Laymen Criticize Preachers for Failure of Methodism to Rise to Opportunities in Omaha.

Methodist ministers of Omaha were not spared by John Lewis, who spoke before the Methodist Preachers union at the Young Men's Christian Association building Monday afternoon and declared the requirements of the rising spirit of the times on the ministers, to which he talked, because they had permitted laymen to become preachers of Christian doctrine. Mr. Lewis spoke as a representative of the Methodist laymen, an inevitable of the ministers, who had under discussion the question whether Methodism is meeting the requirements of the times in Omaha.

Rev. E. E. Hoffman represented the Methodist clergy. Mr. Lewis said that he was disposed to answer the question in the negative. He gave four reasons. First—Because so small a per cent of the population of the city profess to be Christians. Second—Because so large a per cent of those who profess to be Christians fail to attend the church services. Third—Because there is such a pessimistic attitude from certain sections of citizens and the people. Fourth—Because there is an enormous amount of sin in all the forms allowed to exist in every corner of the city.

"Can it be that our preachers of today have quit preaching the Bible as of yore, and instead, are preaching some fashion of their own?" asked Mr. Lewis. "Can it be that our pulpits are filled with educated preachers who are filled with the spirit of the times, and are being filled with the best of the best? Can it be that our clergy stand in their pulpits they are only a narrow few, the men who are largely to their support, and that they preach to them and to their kind, instead of preaching to their congregations? Can it be that the men who have been commissioned to preach the gospel, and upon whose heads the hands of the laity have been laid, are preaching the doctrine of righteousness, the preaching of which God has honored in days gone by?"

PROMINENT CHICAGOAN'S SON SHOT FOR HIGHWAY ROBBERY

Body Found in Street After Barkeeper Had Reported Battle with Holiday Man.

CHICAGO, March 8.—Hugh Hopkins, 17 years old, son of J. J. Hopkins, superintendent of stations of the South Side Elevated railroad, was found slain early today in a doorway at 216 Westmoreland avenue, after John Laterra, a bartender, had reported to the police by telephone that he had exchanged shots with a holdup man in a South Side saloon. Laterra is detained by the authorities pending an investigation of his story. He says that Hopkins pounded on the door of the saloon after closing hours and when the door was opened drew a revolver and fired. Laterra returned the fire and Hopkins died. His body was found a block from the scene of the shooting.

STOLE FUNDS TO FURTHER HOMESTEAK EXTENSION PLAN

Officers of New York Savings Company Given Indefinite Sentences by Court.

NEW YORK, March 8.—Continued of the officers of the New York Savings and Loan company of Brooklyn, Colonel Edward E. Britton and Quarantine Commissioner Edward H. Schneider, formerly president and second vice-president, respectively, of the institution, were given indefinite sentences to Sing Sing prison today by Justice Jozef in the supreme court, Brooklyn.

CATHOLIC BAN ON SOCIALISTS

Members in One Parish Meet Choice Between Church and Party.

MILWAUKEE, Wis., March 8.—An Evening Wisconsin special from Milwaukee, Wis., says: Members of the Roman Catholic church who are affiliated with the Socialist party must choose between the party and their church. This was made plain by Rev. Knappevsky of St. Mary's Polish Catholic church Sunday in an address to the parish.

MACVEAGH TAKES THE OATH

New Secretary of Treasury Enters Upon Duties of Office at Once.

WASHINGTON, March 8.—Franklin MacVeagh took the prescribed oath of office this afternoon and entered upon his duties as secretary of the treasury. At the conclusion of the ceremony Mr. MacVeagh was presented by the secretary of the department with a large silver loving cup of classic design.

Taft May Visit Salt Lake

President Contemplates Trip Through South and West and May Attend Encampment.

WASHINGTON, March 8.—That President Taft contemplates a general trip through the south and west this autumn was indicated by him today when he said he would try to attend the annual encampment of the Grand Army of the Republic, to be held in Salt Lake City, August 12 to 14. The invitation was extended by Senators Hiram and Ethelbert of Utah, who also represented the executive committee of the Grand Army of the Republic. President Taft said he would like very much to attend the meeting and it might be quite possible for him to do so in view of his intended trip through the south and west.

HALF-MINUTE STORE TALK. THE NEW STORE. King-Swanson Co. THE HOME OF QUALITY CLOTHES. There is considerable chance attending the wearing of Patent Leather footwear unless you come to this store and get a pair of Guaranteed Patent Leather Shoes and Oxfords. Then you will find the stock in our store and we're willing to replace with a new pair any pair that is worn through before the first wear through. 7 styles of Shoes and 7 styles of Spring Oxfords... \$4. THE BURT & PACKARD CORRECT SHAPE.

Economy Nut Coal--\$6.50. The most serviceable, economical, reliable cooking coal offered at any price. Ask some questions and take your choice of these answers. No. 1—Economy Nut lights easily and makes a quick fire. No. 2—Economy Nut does not make any clinker. It burns right down to a fine ash. No. 3—Economy Nut contains no slate, stone or other useless bulk. No. 4—Economy Nut is full of heat, lasting quality, service and real fuel value. No. 5—Economy Nut is one of the dry Sunderland coals and a ton is 2,000 pounds—exactly. No. 6—Yes we furnish the lump size of same quality for same price, \$6.50 a ton. Forty (40) Big Yell-o Wagons That Means Prompt Delivery, Always. SPECIAL NOTE TO YOU: Our patrons are benefited by a thorough knowledge of coal qualities. We have sold coal to Omaha buyers for 25 years and know the needs as well as how to supply them. Sunderland Bros. Co. Main Office - 1614 Harney Street. COAL YARDS IN VARIOUS PARTS OF OMAHA.

Gooch's Best Flour. Not How Cheap But How Good, AT ALL GOOD GROCERS TRY IT. Gooch's Best Flour. Gooch's Best Flour. Gooch's Best Flour.

Several Hurt in Strike Riot. Four Hundred Men Attack Dozen Who Refused to Quit—Douglas Trouble Settled.

WOODSIDE, N. J., March 8.—Several persons were injured today in a riot growing out of a strike at the hat factory here when a crowd of about 400 set upon a dozen men who had refused working in the hat shop. Stones, bricks and other missiles were thrown.

Fight Over Will Has Sudden End. Mrs. Mary Conroyer Appointed Executor of Husband's Estate Without Promised Struggle.

Mrs. Mary Conroyer, widow of Charles M. Conroyer was appointed executor of her husband's estate without a struggle Monday morning. The petition filed by her step-daughter was suddenly withdrawn and Smith & Smith, attorneys for the petitioner, began the hearing without knowledge of the action and expecting a hard fight. Mrs. Conroyer had charged her step-daughter with exercising undue influence and with driving her from her father's house.

Death from Blood Poison. Mrs. Mary Conroyer, widow of Charles M. Conroyer was appointed executor of her husband's estate without a struggle Monday morning.

Official Forecasts. FOR OMAHA: OCCIDENTAL BREEZES AND LIGHTLY BUMPY; Partly cloudy Tuesday; much change in temperature. FOR NEBRASKA: Partly cloudy Tuesday.

FOR IOWA: Snow Tuesday, possibly heavy, much sleet. FOR NEBRASKA: Partly cloudy Tuesday.

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The Weather. Official Forecasts. FOR OMAHA: OCCIDENTAL BREEZES AND LIGHTLY BUMPY; Partly cloudy Tuesday; much change in temperature. FOR NEBRASKA: Partly cloudy Tuesday.

Facts for Weak Women. Nine-tenths of all the sickness of women is due to some degeneration or disease of the organs distinctly feminine. Such sickness can be cured—it is cured every day by Dr. Pierce's Favorite Prescription. It Makes Weak Women Strong. Sick Women Well. It acts directly on the organs affected and is at the same time a general restorative tonic for the whole system. It cures female complaint right in the privacy of home. It makes unnecessary the disagreeable questioning, examination and local treatment so universally resented upon by doctors, and so abhorrent to every modest woman. We shall not particularize here as to the symptoms of these peculiar affections incident to women, but these wanting full information as to their symptoms and cause of positive cure are referred to the People's Case Medical Advertiser—1908 pages, newly revised and up-to-date Edition, sent free on receipt of 21 cent stamps to cover cost of mailing only; or, in cloth binding for \$1 stamps. Address Dr. E. V. France, Buffalo, N. Y.

Habits Stick Like Tar. One is easy to "clear off," (the Coffee habit.) The Way? In place of Coffee, use well-mnde POSTUM. brewed a deep, rich seal brown which turns to golden brown when good cream is added. The flavor is all its own, similar however, to the mild flavor of Java. A few days after the change is made from Coffee to Postum, one notices a distinct advance in health. "There's a Reason." POSTUM CEREAL COMPANY, LIMITED, Battle Creek, Mich.