

### Nebraska NORMAL BOARD CASE WAITS

#### Supreme Court Too Busy to Advance It on the Docket.

### PREPARING FOR RATE HEARING

#### Omaha's Striking Street Car Men Ask the Governor to Intervene to Settle the Differences with Company.

(From a Staff Correspondent.)  
LINCOLN, Sept. 21.—(Special.)—The attempt of Attorney General Thompson to get the case involving the contest between the old State Board of Education and the new Normal Board of Education advanced for hearing tomorrow was not successful. In support of his motion the attorney general told the court that there was a considerable sum tied up until the decision was rendered as to who the real board is and also that he was scheduled to appear Thursday in federal court at Omaha in the important rate case, where he would be for several weeks. The court refused to say it would listen to the arguments at this sitting, saying the docket was full and there was little hope of weighing it in. T. J. Majors, around whose right to sit on the new board the chief fight centers, is here interested, he says, in his fate.

Rate Expert U. G. Powell and L. E. Wetling, expert accountant, are putting the finishing touches on their statistics to be presented at the hearing before Commissioner Pearson at Omaha, beginning Thursday, in which the constitutionality of the 2-cent rate law and the commodity freight rate law is to be attacked. Attorney General Thompson will be aided by C. O. Wheldon of Lincoln in support of the state's side of the case.

Assistant Attorney General Grant Martin is reminded that the railroads have another 2-cent rate law to be attacked even if they should be able to knock out the regular one. The second is the mileage book law, whereby the railroads must sell 1,000-mile books on demand for \$30, which books are good any time for two years, in anybody's hands and for any number of persons. He believes that except for the regular 2-cent law the traffic in these books, partly used, would be heavy.

### Shallenberger Sends Condolences.

From Bladen Governor Shallenberger sent the following telegram of condolence to Mrs. John A. Johnson, wife of the dead executive of Minnesota:

"I extend to you and the people of Minnesota my deepest sympathy in the hour of your great grief. The country mourns a great man gone."

### ASHFORD C. SHALLENBERGER.

Commenting briefly by telephone concerning the death of Governor Johnson, the Nebraska executive said: Johnson was one of the strong men of the nation, and the country was looking toward him as a future leader. Democracy mourns the loss of one of its greatest citizens."

### Street Car Men Ask Intervention.

Two members of the striking Omaha street car men were in Lincoln last night to confer with Governor Shallenberger concerning executive intervention in their behalf. Governor Shallenberger was not in the city and the delegates returned to Omaha with Deputy Labor Commissioner Maupin, leaving a petition for the governor. Following is the petition:

Hon. Ashton C. Shallenberger, governor, Dear Sir:—Acting for and in behalf of the locked-out street car men of Omaha, we respectfully petition you to authorize the state labor commissioner of Nebraska to make an official investigation of the differences that exist in this city in accordance with sections 4825 and 4826 of the compiled statutes of Nebraska.

"Thanking you for an early compliance with the request, we are very sincerely yours."

P. L. LEMIHAN, Pres.  
W. B. ADAMS,  
W. J. JOBE,  
PAUL C. STEIN,  
O. J. RANDALL, Sec'y.

It is supposed that the petition refers to the deputy state labor commissioner, since

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#### the governor himself is the labor commissioner and need not authorize himself to investigate. The sections of the statutes referred to are in the code of civil procedure which give the governor power to name a commissioner to take depositions under oath, and to summon witnesses the same as a court.

### Echo of Mosher Crash.

Charles W. Mosher, of evergreen memory, was named as defendant in a suit instituted in district court this morning. The plaintiff is Susie Broadwater, who alleges that she some time ago became owner of lot 122 in the village of Waverly. In 1883 this property belonged to Harrison C. Rose, who borrowed \$200 from Mosher and gave a mortgage on the lot. For some reason his wife did not join in the instrument and later she gave another mortgage to secure the same debt. The mortgage was paid, but Mosher neglected to release it and it still stands as a lien upon the property. The plaintiff asks to have the cloud on her title removed. Service on Mosher will be had by publication, as it is stated his whereabouts is unknown.

### Supreme Court in Session.

The opening day of the session of the supreme court after the summer vacation was spent entirely with arguments and the hearing of the incidental motions that had accumulated during the summer. The court room was crowded with attorneys from all parts of the state during the forenoon, but these were perceptibly diminished by afternoon. Four cases were argued and submitted.

### Secretary of Pharmacy Board.

The State Board of Pharmacy met this afternoon and chose D. J. Killen of Adams a member of the Board of Secretaries. His opponent before the board was J. L. Bradshaw of Lincoln.

### Child Mangled by the Cars

#### Wanders on Track and Switching Crew Backs Cars Over the Little One.

GRAND ISLAND, Neb., Sept. 21.—(Special.)—The little 2-year-old son of Mr. and Mrs. Hodgins, residing near the Burlington road, wandered on the track today and was run over. One leg was so badly mangled that it had to be amputated immediately; one arm is crushed. There is a skull wound and the nose was badly hurt and the bones broken.

The child was still living this afternoon and the doctors were doing all they could to relieve its sufferings.

The train men picked up the child under the car and gave it to the 15-year-old sister of the unfortunate child who carried it home. The accident was witnessed by Mrs. Buchfink, a neighbor, who waved her hand to draw the attention of the trainmen, but without success. A switching crew was backing up on the track and one car ran over the little one.

The child is the youngest of a family of ten children. The father is a laboring man.

### Burbank Walnut at Peris.

PERIS, Neb., Sept. 21.—(Special.)—There is growing on the Normal grounds what is known as a Burbank walnut tree, and it certainly is a remarkable plant. It is well known that the walnut is a tree of remarkably slow growth. Luther Burbank has succeeded by some method of plant breeding in producing a walnut tree which he says will grow to suitable size for sawlogs in ten years. Not only that, but the wood is said to be commercially just as valuable as its slowly growing cousin, the common black walnut. Two years ago President Crabtree secured one of these plants and had it set out on the Normal grounds. At the same time he had some other walnuts set out on his grounds adjoining the Normal. These last are now two feet high, while the Burbank tree is at least ten feet high, and has made a growth of five feet this summer.

### Nebraska

#### Methodists Are Indignant at Shallenberger

### West Nebraska Conference Protests Against Removal of Dr. Johnson as Prison Chaplain.

KEARNY, Neb., Sept. 21.—(Special Telegram.)—The West Nebraska conference adopted the following resolution Saturday, giving it as its main object:

Whereas, it has been reported that the governor of the state of Nebraska has removed Dr. F. A. Johnson, eminently respected as a member of the state legislature; and whereas, we, members of the West Nebraska conference, of the Methodist Episcopal church, protest against such action, especially against the appointment of a Methodist minister, Dr. Johnson, as prison chaplain, it being an insult to intelligence and the morality of our fair state.

On motion of J. F. Hageman it was ordered that the secretary of this conference send a copy of this resolution to Governor Shallenberger.

The list of appointees was given out as follows:

Holdrege District, C. C. Wilson, District Superintendent; Holdrege, Alma, Raymond Stubb, Astell, J. E. Lewis, Aradale, H. J. Crain, Atlanta, M. L. Gardner, Barley, C. A. Norlin, Beaver City, B. F. Eberhart; Seneca, H. E. Crippen; Box Elder, supplied by F. S. Tyler, Cambridge, W. T. Bailey, Calmar, H. E. McFarland; Danbury and Lebanon, W. J. Miller; Edison, C. S. Hawley; Franklin, George F. Cook; Grant, supplied by J. A. H. Clifton; G. S. Pouch; Hendy and Sprink Creek, J. A. May; Holdrege, W. J. Cargo; Holdrege, S. E. Newman; Hudson, J. C. Harter; Mason City, Burnett, Indiana, A. D. Burris; Lowell and Newark, C. W. Muir; Logan and P. View, supplied by J. A. H. Clifton; M. S. Satchell; McCook, Bryant Howe; Minden, M. D. Carman; Normal and Hartwell, supplied by J. A. H. Clifton; O. S. Powell; Oxford and Frank Taylor, R. E. Gilpin; Pagan and Sacramento, R. S. Rutledge; Redwood, R. E. Haskings; Riverton, J. W. Custer; Stratton and M. C. C. J. D. Hollister; Trenton, J. L. Murr; Tripp, supplied by J. A. H. Clifton; Wilcox, and Boardman, G. H. Chader; Wilsonville and Tyrone, J. G. Haribret.

Keary District, L. H. Shumate, District Superintendent; Alameda, Albert Elliott; Amberst, Earl Pray; Anselmo, J. A. Seabrooke; Anselmo, W. S. MacCallister; Arnold, V. E. Bottom; Aradale, A. A. Raymond; Roseville, (E. E. Pickering); Summit, C. C. Swartz; Sargent, W. E. Matthews; Shelburne, Link, C. E. Berrington; Sherman, J. W. Morris; Gibbon, Alfred Gilson; Kearney, First church, G. W. Abbott; Tripp, supplied by J. A. H. Clifton; Union English, Litchfield, to be supplied; Union City, supplied by J. A. H. Clifton; (Kent Clifton); Merna, G. West Thompson; Miller, Max Jeffords; North Loup, A. H. H. Chapman; Ord, J. H. Elliott; Ord, M. Bamford; Ord circuit, E. H. Maynard; Ravenna, A. J. Clifton; Ravenna circuit, J. A. H. Clifton; Ravenna circuit, Roseville, (E. E. Pickering); Summit, C. C. Swartz; Sargent, W. E. Matthews; Shelburne, Link, C. E. Berrington; Sherman, J. W. Morris; Gibbon, Alfred Gilson; Kearney, First church, G. W. Abbott; Tripp, supplied by J. A. H. 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