Nebraska

LIQUOR IN THE CLUB ROOMS

City Attorney of Lincoln Taking Steps to Have Pending Cases Tried.

CITY CLUB TO BE ORGANIZED

Proposed Profit-Sharing Contract with Traction Company is Subject of Criticism—Revival Meetings in Progress.

(From a Staff Correspondent.)

LINCOLN, Nov. 21.—(Special.)—If City Attorney Flansberg has his way about it, Lincoln is going to be dry for every one if it is dry for any one. When the town went dry the Elks, the Eagles and one or two other organizations promptly secured an injunction restraining the police from raiding the lodge rooms and they began or rather continued to serve drinks to their members. That injunction has been hanging ove the heads of the police since last May or thereabouts and so far as any one knows nothing has been done to make it perpetual or to try out the case.

The city attorney has been trying to force a hearing and get a judgment of the supreme cout on the matter for some time and he has now expressed the opinion that the injunction amounts to nothing as he doubts the right of the court to set aside a criminal statute.

However, he informed the district court last Saturday that while he would not recommend that the police violate the injunction, but he did insist upon a hearing of the case. If it can be brought about in no other way, then he will cause the arrest of some driver of a beer wagon en route to one of the clubs and get the case tried out in that way.

With several clubs and a lot of boot leggers serving drinks all the time the city attorney has come to the conclusion that Lincoln lacks a good deal of being a dry town and if the clubs have a right to serve drinks he wants that right O. K.'d by the supreme court as quickly as possible.

City Club Organized.

More burdens have been taken off of the rank and file of the common run of people of Lincoln. A city club has been formed by some of the "leading" citizens, the object of which is to give dinners at the Lincoln and pass upon questions affecting the city. Whether the club expects the ordinary citizen to take its judgment on public questions is not set out in its constitution. With its new City club and its new initiative and referendum club, both of which seem to have originated from the same source, it is very apparent that two or three "prominent" citizens are going to be kept busy this winter.

Opposition to Traction Plan.

The proposed profit-sharing agreement between the city of Lincoln and the Lincoln Traction company apparently has been knocked into a cocked hat. At a mass meeting held during the week there was so much opposition developed against the plan that its promoters have about concluded that the people here are not yet ready to go into partnership with a street car company.

A large number of citizens are extremely weary of the dillydallying tactics of the council and the officials of the traction company and their talk of agreements. The council has authority under the law, so former City Attorney Stewart and County Attorney Tyrrell both say, to regulate and supervise the Traction company, and also to levy an occupation tax to suit its own judgment, so there is little reason or excuse for the city to consider even for a moment the profit-sharing plan proposed.

Wedding Feast in the Desert.

Marked copies of Thayer county papers have been received by Governor Shallenberger telling of the marriage of a son of Representative Grueber and a Miss Peters. The account of the wedding shows that for the occasion two "fatted" calves were killed, 100 chickens were served to the guests with 200 loaves of bread and trimmings, including twenty kegs of the best German brew. And all of this on the place the children were taught is the Great American desert.

Revival Meetings.

Lincoln is having its share of revival meetings at this time. At the First Christian church a well known and better advertised evangelist is holding forth, while an electric sign clear over the top of the church announces his name. At Grace Methodist Episcopal church a meeting just closed and the evangelist there denounced the way the modern evangelist advertised himself with a brass band, meaning, it was supposed, his rival at the Christian church. Today came another preacher to the Unitarian church and preached his first sermon on the divinity of Christ. All the meetings have been extensively advertised and the street cars have carried placards announcing at least the one at the First Christian church.

Supreme Court Call.

Following is a list of cases which will be called for hearing at the session of the supreme court commencing Monday, December 6:

McCarthy against Hay, Lancaster; State ex rel Love against Cosgrave, on motion for rehearing, Lancaster; Rock Island railroad against Nebraska Railway commission, Lancaster.

For hearing Tuesday, December 7:

Clow against Smith, Franklin; Gardiner against City of Omaha, Douglas; Renak against Buxton & Vierling Iron Works, Douglas; Hall against Baker Furniture company, Douglas; Carlon against City Savings bank, Douglas.

For hearing Wednesday, December 8:

Birkel against Norton, on motion for rehearing, Butler; Perry against Bergs, Dawson; Lanham against Bovilby, Saline; Barr & Spencer against Kansas City Hay company, Dawson; Ayres against West, Butler.

For hearing Thursday, December 9:

Powersville against Central Irrigation district Scott's Bluff; McCook Water Works company against City of McCook, Red Willow; Ohio National bank against Gill Brothers, Holt; Miller against County of Holt, Holt; Burnett against State, Phelps.

For hearing Friday, December 10:

National Fidelity and Casualty company against County of Johnson, Johnson; McCollum against Central Granaries company, Harlan; Heddendorf against State, Harlan.

Proposed Call.

The following is a proposed assignment of cases for hearing at the session commencing Monday, December 20:

Briggs against Royal Highlanders, on motion for rehearing, Dawes; Triska against Miller, Saline; Rathjen against Burlington railroad, Douglas; Crabtree, administrator, against Missouri Pacific railroad, Douglas; Wallenburg against Missouri Pacific railroad, Douglas; Wiese against City of South Omaha, Douglas; Anderson against Carlson, Cedar; Harmon against Barth, Deuel; Huber Manufacturing company against Elvers, Lancaster; Yearsley against Blake, administrator, Frontier; Furse against Lambert, Harlan; Nelson, administrator, against Wickham, Gage; Gilliam against Mann, Dawes; Peterson against Fisher, Sarpy; Heesch against Snyder, Sherman; Field against City of Lincoln, Lancaster; Trimble & Blackman against M. V. Corey & Son, Clay; Myers against Moore, Harlan; Stoddard against Baker, Harlan; Rock Island railroad against City of Lincoln, Lancaster; Leumann against Ancient Order of United Workmen, Lancaster; Berge against Sager, Lancaster; Blackburn against Moores, Douglas; Haynes against State, Antelope; Blue against State, Kearney; Masourides against State, Douglas.

New Telephone Franchise.

BROKEN BOW, Neb., Nov. 21.—(Special.)—The city council has passed the new telephone ordinance, a twenty-year franchise being adopted. This ordinance repeals that passed in 1905 and eliminates nearly all of the former one. The rates to be charged are the main features of the new franchise, $1 per month for residence 'phones and $1.50 for business 'phones is maintained on grounded lines. But a provision is made for $1.50 for residence and $2 for business 'phones on the metallic lines. It is possible that the ground circuit throughout the entire city will be replaced by the metallic system in the near future; the installing of an electric light plant, it is said, will make this necessary.

Street Fight with Thief.

BROKEN BOW, Neb., Nov. 21.—(Special.)—Night Marshal Draper had a lively experience Saturday night with a suspected thief, which resulted in several shots being fired and a possible wound for the "get away." The stranger was seen by the marshal in a pool hall and apparently became nervous under the close scrutiny of the officer and made for the door. Draper followed, but on reaching the outside, discovered the man to be sprinting full speed up the street. At first he paid no attention to the marshal's command to halt. At the second command, the stranger half turned and drawing an ugly looking gun sent a bullet whizzing close to the officer's head. He then cut across lots in the direction of the Burlington yards. Draper got one shot at him as he took to the lots and another as he passed a street light. It is probable that the fellow was hit, but he did not slacken speed and soon disappeared in the shadow of the yards. Later on, Sheriff Kennedy, Chief Towsley and the night marshal found the man's outfit, consisting of an overcoat stolen at Ravenna and a fine saddle, at a hotel on the north side, where he had registered under the single name of James. As a fast train was just pulling out for the east, when the fugitive reached the yards, it is presumed he caught that and doubled on his tracks as far as Grand Island.

Nebraska News Notes.

COLUMBUS—The jury for the November term of district court was discharged Friday and the equity cases will be tried next week. Two of the men who were tried at this term were sentenced, they being Bill Tyler and Ed Flynn, the former having pleaded guilty to assault with intent to kill, and the latter having been found guilty of assault with intent to do great bodily harm. Tyler was sentenced to five years and Flynn two and one-half years in the penitentiary.

YEAR'S WORK ON PANAMA CANAL

(Continued from First Page.)

the provisions of the eight-hour law were made applicable to the isthmus.

"The unit prices were therefore materially increased. Various changes had also been made in the adopted plan, increasing the quantity of work to be done. In addition, more detailed surveys and plans than were originally available had been made, and the work had progressed sufficiently to give reliable data relative to unit costs. This enabled a revised estimate to be prepared and submitted at a hearing before the committee on appropriations of the house of representatives in February, 1909.

"This estimate shows that nearly 50 per cent more work is necessary in order to complete the canal than was contemplated by the original estimate and that the unit prices, due to labor conditions, cost of materials and gratuities given the employes, have been increased about 20 per cent. The estimate, as prepared, shows that the total cost of engineering and construction alone sums up to $297,766,000, to which, if the purchase price and the estimated cost of sanitation and civil government be added, there results the sum of $375,201,000 as the total cost of the canal."

MRS. FLORENCE HANIKA'S GREETING TO RELATIVES

Pender Woman Takes Her Pen in Hand to Express Her Unmistakable Sentiments.

Meddlesome "elations" were to blame, it seems, when Mrs. Florence C. Hanika of Pender was recently reported to the police of Omaha as missing. In one of her home papers Mrs. Hanika delivers a firm little curtain talk to these relatives. The Pender paper says:

"Mrs. Florence C. Hanika was caused a very annoying experience last Friday in Omaha. She and her little daughter had just arrived from Rock county, where Mrs. Hanika had been viewing some land she is thinking of buying when upon looking over an Omaha newspaper she saw an item about how Mrs. Hanika weighing 165 pounds (should have been 240) who was 'lost, strayed or stolen' and had disappeared from her babies near Pender. One can appreciate her feelings. The article also stated that the police were on the lookout for her. She promptly 'phoned them that she was safe and able to take care of herself. She says:

"'I was only gone ten days and had told not only my banker at ePnder, but Mr. Herman Freese and others that I was going away and for what I was going. I didn't get out hand bills or publish it in the papers as I didn't think it any one's business, but it seems that some of my relatives are never satisfied except when causing me trouble. Just what they figure on doing, I can't say unless it is to get me placed where they can get their hands on my property. Up-to-date, I have done very well looking after my own affairs. I have three cars of fat cattle and two cars of hogs to market and a crop yet unharvested that will require four good lively corn huskers to keep a rustling to pick. It seems strange that a woman capable of managing these matters should not be able to go away for ten days on business, without being "bawled out" through the daily papers. I intend to have a sale, rent my big farm, and buy up western land where I will engage exclusively in the stock business. I wish you would just tell the people that Some people have looked so hard after me, that they have been compelled to have an oculist fix their eyes.'

"Mrs. Hanika is a bright business woman who has been very successful in managing her own affairs. She has been a resident of this section for twenty-five years, and she has the confidence of the business people of Pneedr."

If you have anything to sell or trade and want quick action, advertise it in The Bee Want Ad columns.

MOVEMENTS OF OCEAN STEAMSHIPS.

Port.	Arrived.	Sailed.
NEW YORK	Minnetonka	Stt. Louis.
NEW YORK	Philadelphia	K. A. Victoria.
NEW YORK	Carania	Celtic.
NEW YORK		Minneapolis
NEW YORK		Prinzess Irene.
NEW YORK		Perugia.
NEW YORK		California.
NEW YORK		Estonia.
LIVERPOOL	Victorian	Mauretania.
LIVERPOOL	Caledonia	
NAPLES	Carmania	
CHRISTIANSAND		Hellig 'Olav.
ANTWERP		Kroonland.
SOUTHAMPTON		St. Paul.
BREMEN		Rhein.
LISBON		Lusitania.
HAVRE		La Touraine.
LEGHORN	Calabria	
GLASGOW		Furnessia.

ALL CORNHUSKERS SOUND

Not One Man of the Team Was Hurt in Denver Game.

GAME WAS A TRYING ONE

Nebraskans Stood Test Better Than Opponents and Will Practice Hard for Thanksgiving Day Contest.

LINCOLN, Nov. 21.—(Special.)—The Nebraska foot ball team returned from Denver this afternoon, with every player who took part in the game against the Ministers yesterday in fine physical condition. Not one of the men received an injury that will keep him out of practice for the Haskell game.

In some respects the Denver contest was a hard battle, but the Cornhuskers went through it better than in any of the previous contests. The altitude had no effect on the players, and "King" Cole did not have to make a substitution during the two thirty minute halves. Koehler of the Denver eleven, however, had to put two fresh men in his lineup during the second half.

The Cornhuskers stood the grueling play better than their opponents, and when the game ended they were playing just as good ball as they did in the first half. They could have played winning ball for an additional thirty minutes.

Before the players left the train as it pulled into Lincoln "King" Cole ordered all of them to report for practise at 3 o'clock Monday afternoon, when preparations for the Haskell game will be started. The Cornhuskers are determined to win from the Indians, and they are ready to work overtime in order to get into shape.

Surprises Reserved for Indians.

Coach Cole has in reserve several plays for the Thanksgiving day game, and they will be drilled into the men during the next three days. At Denver the Cornhuskers did not expose all their plays. One of these, which is certain to gain ground and which Cole had expected he would have to show up, was not demanded and will be used for the first time this fall on Thursday.

"King" Cole is not entirely satisfied with the play of the Cornhuskers in the Denver game, and he intends to make his pupils remedy three grave defects in their work.

The fumbling by the Nebraska players was about the worst that any Cornhusker eleven has been guilty of in several years. It cost the team at least three touchdowns. Once Captain Beltzer muffed the oval at the Denver one-yard line on first down, when he was being shoved across the goal for a touchdown. Left End Johnson, after carrying the ball to the one-yard line on a forward pass from Captain Beltzer, fumbled it there, giving the Denver eleven a chance to kick out.

In the second half the ball was fumbled twice on the Denver forty-yard line after the Cornhuskers had carried it from the Nebraska twenty-lard line on straight line smashes and end runs.

Outside the fumbling the Cornhuskers had the Denver eleven outclassed and should have defeated them by a score of 20 to 5. This was the opinion of the officials who had charge of the game and of the Denver foot ball experts.

Nebraska's superior execution of onside kicks and forward passes, plays in which Denver was supposed to be adept, bewildered the Ministers. The Cornhuskers failed only once on an on-side kick, and were successful with all their forward passes. Denver, however, did not get off a single successful pass or short kick, although everal were attempted.

Magor Wins High Praise.

Magor of Nebraska, by his individual playing and line plunging, won praise from the Nebraska coach and players. His work was of a high order, and he established himself as one of the best halfbacks the Cornhuskers have had in several years. He carried the ball many times and never failed to gain. His charges at the Denver line were terrific. His work yesterday showed that he has many possibilities for next fall.

Since the defeat of Denver Nebraska's stock has gone up several points, and the indications are that Cole's men will be the favorites in the betting against the Haskell Indians. At Denver the home eleven was picked to win and odds were given against the Cornhuskers.

The game yesterday was witnessed by several hundred Nebraska alumni, who were gathered on the south side of the field, where they rooted for the Cornhuskers.

Creston Team Wins.

CRESTON, Ia., Nov. 21.—(Special.)—Red Oak High school played a return game with the Creston High school yesterday on the local field and met with defeat by the score of 17 to 6. The Creston team defeated the Red Oak boys earlier in the season on their own field also. This places Creston in the lead for the championship of southwest Iowa high schools up to date. It is hoped a game with Shenandoah may be arranged for Thanksgiving here. The Creston team had made all plans to go to Chariton for that date, but learned that Chariton was not in the high school league, so the game was canceled, as the local boys are out for honors, and will only play with teams where the score will benefit them.

Irish Champions to Wrestle.

NEW YORK, Nov. 21.—Con O'Kelly and Pat Connolly, both of whom claim the championship of Ireland, will meet here tomorrow night in a finish match, catch-as-catch-can, best two out of three falls. The winner, it is likely, will meet Frank Gotch, the world's champion, in the near future.

PROMOTER PATTERSON GONE

(Continued from First Page.)

have a position given him by the association, but was always put off by Patterson. Lehr's application was dated November 9.

The association had elaborate by-laws printed, together with considerable stationery, membership applications and membership cards, while the furniture in Patterson's private office was new and of the latest type.

What action will be taken by the creditors of the concern has been undetermined, but the Guarantee Clothing company will take action towards securing the cost of the overcoat said to have been secured by Patterson.

Foley's Kidney Remedy will cure any case of kidney or bladder trouble that is not beyond the reach of medicine. Cures backache and irregularities that if neglected might result in Bright's disease or diabetes. Sold by all druggists.

Drainage Overshadows Irrigation.

PIERRE, S. D., Nov. 21.—(Special.)—The people of the southeastern part of the state are certainly playing the drainage game "for keeps" at the present. The last summer the drainage propositions in that part of the state have given the state engineer's department far more work than has the irrigation work in the western part of the state, and now nearly every day brings a new proposition in the drainage line to be considered by that department. Yesterday eight different petitions for drainage projects in Clay county alone were filed in the department, and practically every county in the southeastern portion of the state is at present interested in some of the drainage projects, either under way or being petitioned for.

Bureau of Soils Finishes Work on South Dakota

Report on Data Collected is Now Being Prepared—Will Survey Western Nebraska Next Year.

(From a Staff Correspondent.)

WASHINGTON, Nov. 21.—(Special Telegram.)—An important work of the government bureau of soils in investigations of soil conditions of western South Dakota has just been completed and a report is now in preparation by M. N. Coffeey, in charge of the work. The work is known as the continuation of the reconnoissance survey of the semi-arid belt authorized in 1908 by Secretary Wilson. During the summer of 1908 the western part of North Dakota was surveyed and in the winter of 1908-09 the southern part and part of the Panhandle district of Texas were surveyed, the party going from North Dakota to winter quarters in Texas. At the beginning of summer the party was moved from the Panhandle district to South Dakota, covering all told in the neighborhood of 14,000 square miles.

The great plains reconnoissance party is now assembling at Victoria, Tex., for a continuation of the work during the winter months along the gulf coast immediately north of Corpus Christi. The work in the Panhandle section of Texas will be completed during the early spring of 1910. On completion of this work the parties will proceed to western Nebraska and Kansas, which will be covered by surveys during the summer of 1910 as western North Dakota and western South Dakota have already been covered.

Within the next eighteen months there will thus be completed rapid reconnoissance of all the soils and agricultural conditions in the eastern portion of the great plains region, extending from the Canadian line southward far into Texas, together with a considerable amount of very important work in the plains section of southwestern and western Texas.

GOOD SAMARITAN IS STUNG

Ungrateful Daniel H. Foster Taken to Jail by Police as He is Boarding Train.

Daniel H. Foster, whose residence is in Pittsburg, but who has been in Omaha for the last week or so, bit the hand of the man who fed him, literally speaking. Thomas Cook, who lives here, rooming at the Peoples lodging house at 112 North Thirteenth street, found Foster distressed Saturday night, without a place to sleep, although it was later discovered he had money in his pockets, and took him to his room. Early Sunday morning Foster, it is alleged, stole from the room, at the same time stealing Cook's best suit. He headed for the Union station, where he was about to take a train east when the officers arrived, having been summoned by Cook. Foster is now in jail with a larceny charge pending against him.

DEATH RECORD.

Henry C. Hinckley.

HURON, S. D., Nov. 21.—(Special Telegram.)—Attorney Henry C. Hinkley died suddenly at home here this morning, aged about 60 years. He was one of the most prominent members of the State Bar association and resided in Huron for twenty-five years. He represented this district in the state senate and held various positions of trust. He was a well known Mason and the funeral will be under the direction of that fraternity. His death resulted from heart failure.

Chauncey Stewart.

ST. PAUL, Neb., Nov. 21.—(Special.)—Chauncey Stewart died last Tuesday at his farm home five miles southwest of here, at the ripe old age of 92 years, and was buried yesterday afternoon. Mr. Stewart settled in Howard county in 1880, and remained on his homestead until the day of his death. He was born in Herkimer count, New York. He leaves ten children. A year ago his wife died, also at a very advanced age.

James Elliott Defebaugh.

CHICAGO, Nov. 21.—James Elliott Defebaugh, editor and proprietor of The American Lumberman, died here today. Mr. Defebaugh was one of the leaders of lumbermen in their fight for a higher duty on lumber during the recent tariff revision by congress. He was 55 years old.

Iowa News Notes.

MARSHALLTOWN—The 16 months' old unnamed babe daughter of Mr. and Mrs. Gus F. Weber was fatally scalded this morning when it overturned a boiler full of hot water with which its mother was doing the family washing.

LOGAN—Though 1,000 hunters' licenses have been issued by the auditor of Harrison county, yet a large deer with antlers was sen at large on the Westcot farm one mile east of Woodbine a few days ago. Deer have been reported in different groves in Shelby county this fall, but the deer on the Westcot farm is the first of the season in Harrison county.

LENOX—Irrespective of denomination, a large crowd of Lenox people gathered at the home of Father Glen, who has been the pastor of the local Catholic church for the last four years, and presented him with a purse of over $150 on the eve of his departure for the new field of work at Mechanicsville, to which he has been recently assigned. He succeeds Rev. Father Gillespie at that place, Father Gillespie being transferred to the work at Keokuk.

DUNKERTON—According to the will of Joseph Easha, a rich veteran of the civil war, who owned much farm land near Waterloo, S. D., which was filed in Waterloo yesterday, the entire estate is to go to the charitable institutions of Iowa. The property, in addition to the South Dakota real estate, consists of residence property here and in Waterloo. It has an estimated total value of $54,000. D. R. Weaver, a comrade of Eash's in the civil war, is named administrator to distribute the property.

STORM LAKE—Miss Emily Hampton, a well known young woman of this city, was given a verdict of $3,700 in a breach of promise suit brought against George Slade, a wealthy old bachelor, by the jury which returned late last night. The verdict returned was $900 more than the young woman sought in her suit. This was the second trial of the case, the first hearing having resulted in a disagreement of the jury. Oen of the peculiar features of it was that Miss Hampton was gowned and ready for the wedding, but Slade did not appear.

CRESTON—When the patrons and friends of Ilura Carrier Frank Boylen, who carries the mail on route No. 1, out of Villisca, heard of his recent marriage to Miss Ellen McQuil of Chicago, they planned to give him a surprise on his return to delivering mail. Consequently the first trip out after his return with his bride he was loaded down with presents of every description. He could not haul them all home the first day, but was obliged to make the second trip for them. Apples, potatoes, chickens, canned fruit, dishes and grain were some of the gifts bestowed upon him by his admiring friends.

MOUNT PLEASANT — Rev. Benjamin Staunton, pastor of the Congregational church at Mount Pleasant, has just been granted a certificate by the Iowa supreme court, permitting him to practice law in all the courts of the state. Rev. Mr. Staunton is already a member of the federal bar and qualified to practice in any of the federal courts of the state and his certificate now permits him to practice in the district courts as well. As there is prospect of considerable litigation ahead of the Congregational church at that place this action gives Rev. Mr. Staunton good opportunity to look well after the church's interests and will minimize the amount of lawyer's fees.

If you have anything to sell or trade and want quick action advertise it in The Bee Want Ad columns.

FAMED SCIENTISTS MEET HERE

Men Coming Who Have Investigated "Heredity," Newest of Branches.

PROMISE BILLIONS TO WORLD

Greater Results to Mankind from Investigations of American Breeders' Association Than from Discoveries in Electricity.

Omaha will be called upon to be the host to some of the best known men in the world, when the American Breeders' association comes here December 8 to remain four days. It is estimated that 1,000 men will be here who have given the world more knowledge of heredity than all the libraries contained before this century, these, including scientists from this country, Canada and Hawaii will be here.

A dozen years ago even the universities did not teach much on the subject of heredity because not enough was known about it to justify instruction.

Divided into more than a score of committees, the leaders of the American Breeders' association have been making a sweeping investigation of the laws of nature as applied to heredity. While one committee is investigating fish breeding, another experiments with roses; still another committee of scientists seeks information on breeding fur-bearing animals that they might be improved, while David Starr Jordan heads a committee on "eugenics," and will investigate and report on heredity in the human race.

Two Billions Added to Farms.

At the meeting to be held in Omaha next month these committees will report. They will show how heredity, like electricity, is coming rapidly into man's hand to increase production. They say it is an energy, which when harnessed will give the United States $2,000,000,000 of new wealth each year on the farms of the country alone. Electrical energy has given the world billions—heredity is a force capable of giving the world more wealth than electricity, says the committees of this association.

Secretary of Agriculture James Wilson, heads this organization, while Willet M. Hays, the assistant secretary, is one of the organizers and its executive secretary. William George of Aurora, Ill., gives it his influence and financial support; Luther Burbank contributes to the reports, while James J. Hill, builder of the northwest, is one of the speakers at the coming meeting.

These are some of the committees which will report and the men who will be in attendance to give the reports to the association:

"The Breeding of Corn," Dr. L. S. Klinck, Quebec, Canada.

"Hereford-Shorthorn Crosses," P. E. Fogle, Jefferson, N. C.

"Bibliography of Animal Hybrids," Dean F. B. Mumford, Columbia, Mo.

"Cow Testing Associations," Collin C. Lillie, Copersville, Mich.

"Breeding Milking Shorthorns," Dr. Andrew Boss, St. Paul, Minn.

"Facts About Breeding for the 200-Egg Hen," Dr. Raymond Pearl, Orono, Me.

"Types to be followed in Breeding for Meat Production," Prof. W. R. Graham, Guelph, Canada.

"Some Principles in Heredity," Prof. W. J. Spillman, Washington, D. C.

"Problems in Plant Improvement," Dean H. J. Webber, Ithaca, N. Y.

"Influence of Nuirition on Animal Type," Dr. H. J. Waters, Manhattan, Kan.

"Breeding of Barley," Prof. J. H. Shepherd, Fargo, N. D.

"Plan for Breeding and Use of Tree Crops," Prof. J. Russell Smith, Philadelphia, Pa.

"Grape Breeding," Dr. T. V. Munson, Denison, Tex.

"Hybridization Methods in Corn Breeding," Dr. George H. Shull, Santa Rosa, Cal.

"Breeding of Cotton," Dr. D. N. Shoemaker, Washington, D. C.

"Methods of Tree Seed Selection," Raphael Zon, Washington, D. C.

Meetings Open to Public.

All meetings of the association are to be open to the public, and one of the objects of holding the meeting in Omaha at the time is to spread the information to as many farmers as possible. For this reason the meetings will be held in the Auditorium of the National Corn exposition, which will run from December 6 to 15 and attract more than 150,000 farmers to the city, as it brought 105,000 last year.

At this exposition the members of the American Breeders' association will show exactly how science has made better grains and grasses, large exhibits being prepared showing the parent stock and the improved varieties some of which have pedigrees running back fourteen years.

OIL COMPANY WILL APPEAL

(Continued from First Page.

same hands, even if it is split up into its constituent properties. This has been the case in every suit in the past in which the law has compelled the dissolution of combinations. They have simply been put into different shape and have gone along more compactly than ever."

OPINION OF JUDGE HOOK

He Holds that All Monopolies Exist in Violation of Law.

ST. PAUL, Nov. 21.—Judge Hook, in a concurring opinion, expressed strong views on the case, in part, as follows:

"The principal conclusions, upon which we are all agreed, may be briefly stated as follows:

"A holding company, holding the stocks of other concerns whose commercial activities, if free and independent of a common control, would naturally bring them into competition with each other, is a form of trust or combination prohibited by section 1 of the Sherman anti-trust act. The Standard Oil company of New Jersey is such a holding company. The defendants who are in the combination are enjoined from continuing it and from forming another like it. The holding company is enjoined from exercising the rights of a stockholder in the subordinate companies and they are enjoined from allowing it to do so or to benefit therefrom in the way of dividends.

"It is thought that with the end of the combination the monopoly will naturally disappear, but lest, instead of resulting that way, the monopoly so wrongfully gained and perpetuated by the aggregation of the physical properties and instrumentalities by which it is maintained in the hands of a member of the combination and the liquidation and retirement from business of the other members it is held that such a course would violate the decree. * * * * * *

"The extent and limitations of the first section have been pretty well defined in the many adjudged cases.

"The second section of the act provides:

"'Every person who shall monopolize, or attempt to monopolize, or combine to conspire with any other person or persons to monopolize any part of the trade or commerce among the several states or with foreign nations, shall be deemed guilty of a misdemeanor.'

"Manifestly this section is quite distinct from the first and was not intended to cover precisely the same ground. To say otherwise would be to impute to congress the doing of the unnecessary and useless. Though the natural tendency of a combination in restraint of trade declared illegal by section 1 may be and generally is towards monopoly, denounced by section 2 and may even accomplish it, yet the scope of the latter section is far broader and was designed to extend also to monopolies secured by other means than by contracts, combinations and conspiracies in restraint of trade, which, as those terms necessarily imply, require concert between two or more persons or corporations.

"One person or corporation may offend against the second section by monopolizing, but the first section contemplates conduct of two or more. A cursory reading of the act shows this:

"That it was the intention of congress to condemn monopolies not based on illegal combinations among several, but secured by single persons, natural or artificial, by other means, also appears from the history of legislation. To offend the act, the monopoly must have been secured by methods contrary to the public policy as expressed in the statutes or in the common law.

"The modern doctrine is but a recognition of the obvious truth that what a government should not grant because of injurious to public welfare, the individual should not be allowed to secure and hold by wrongful means.

"The baneful effect is the same, whether the monopoly comes as a gift from a government or is the result of individual wrong doing. Nor can arguments of reduced prices of product, economy in operation or the like have weight.

"During the discussion of the amendment above referred to apprehension was expressed over the broad language of the second section of the proposed act and inquiry was made whether the committee having the bill in charge intended it should make it an offense if an individual engaged in interstate and foreign commerce 'by his own skill and energy, by the propriety of his conduct generally shall pursue his calling in such a way as to monopolize a trade.'

"Assurances were given that the term 'monopoly' had no such significance, but that it contemplated the employment of means which prevented others from engaging in fair competition, the engrossing of trade and the like. Undoubtedly this view prevailed at the passage of the law."

TEXT OF FORMAL DECREE

Defendants are Enjoined from Continuing Conspiracy by Any Means.

ST. PAUL, Nov. 21.—In its formal decree the court reviews at length the government's charges against the Standard Oil company. Reaching the penalty, the court says, in section 6:

"That the defendants, their officers, directors, agents, servants and employes, are enjoined and prohibited from continuing or carrying into further effect the combination adjudged illegal hereby and from entering into or performing any like combination or conspiracy, the effect of which is, or will be, to restrain commerce in petroleum or its products among the states, or in the territories, or with foreign nations, or to prolong the unlawful monopoly of such commerce, obtained and possessed by defendants as before stated, in violation of the act of July 2, 1890, either (1) by the use of liquidating certificates or other written evidences of a stock interest in two or more potentially competitive parties to the illegal combination, but causing the conveyance of the physical property and business of any of said parties to a potentially competitive party to this combination, by causing the conveyance of the property and business of two or more of the potentially competitive parties to this combination to any party thereto by placing the control of any of said corporations in a trustee or group of trustees, by causing its stock or property to be held by others than its equitable owners, or by any similar device, or (2) by making any express or implied agreement or arrangement together, or one with another, like that adjudged illegal hereby relative to control or management of any of said corporations, or the price or terms of purchase, or of sale, or the rates of transportation of petroleum or its products in interstate or international commerce, or relative to the quantities thereof purchased, sold, transported or manufactured by any of said corporations which will have a like effect in restraint of commerce among the states, in the territories and with foreign nations to that of the combination the operation of which is hereby enjoined.

"Section 7—The defendants named in section 2 of this decree are enjoined and prohibited, until the discontinuance of the operation of the illegal combination, from engaging or continuing in commerce among the states or in the territories of the United States.

"Section 8—The United States shall recover its costs herein, to be taxed by the clerk of the court, and shall have execution thereof.

"Section 9—This decree shall take effect thirty days after its entry, in case no appeal is taken from it. If an appeal is taken from this decree by the defendants, or by any of them, and a bond in the amount of $50,000, conditioned to operate as a supersedeas, approved by one of the circuit judges, is given within thirty days after the entry of this decree, then this decree, unless reversed or modified, shall take effect thirty days after the final decision of the case by the supreme court upon the appeal."

NEBRASKA FORESTERS ELECT

High Court of Independent Order in Nebraska Holds Biennial Session.

The high court of the Independent Order of Foresters of Nebraska held its seventh biennial convention in Mueller's hall, with delegates present from all subordinate courts of this jurisdiction. A very pleasant and profitable meeting was held. The order now boasts a surplus fund of nearly $15,000,000.

The following officers were elected to serve two years: High chief ranger, Nathan Roberts; high vice chief ranger, C. Reiner; high secretary, H. H. Farmer; high treasurer, A. L. Hunter; high counselor, M. A. Hall; high physician, Dr. Aberly; past high chief ranger, F. M. Henderson; high auditors, F. W. Hoffman and H. A. Hanson; supreme court delegate, John Franck.

Woman Sues Mother-in-Law.

CRESTON, Ia., Nov. 21.—(Special.)—Mrs. Emma E. Hall of Bedford has filed suit in the Taylor county district court, charging her mother-in-law with alienating the affections of her husband, A. P. Hall, for which she asks damages amounting to $10,000 from her mother-in-law, Mrs. E. R. Hall. She also charges defendant as being to blame for the divorce proceedings which have been begun by plaintiff's husband against her on the grounds of cruel and inhuman treatment. The notice states that plaintiff will ask for temporary alimony in the sum of $300 and permanent additional alimony amounting to $1,500.

A Fierce Attack

of malaria, liver derangement and kidney trouble is easily cured by Electric Bitters, the guaranteed remedy. 50c. For sale by Beaton Drug Co

CHIEF WANTS WORKHOUSE

Donahue Would Have City Buy Lot Adjoining Station.

COULD THEN WORK PRISONERS

City Council Meets This Afternoon to Consider Request of Fire and Police Board for $10,000.

Destruction of the Omaha police patrol barn by fire has moved Chief Donahue to again bring forward the proposition for the purchase by the city of the lot adjoining the police station and new county jail.

"If the city owned that lot," said the chief, in talking with the fire and police commissioners, "we would not only have room for a modern police headquarters, but also for a fireproof barn and workhouse. The lot runs to the alley, where there is trackage, and stone could be hauled for the workhouse prisoners to break while serving their time, which is now done in idleness and in perfecting themselves in viciousness. The broken stone could be utilized right here in the city, and on the miles of roads that are to be built in Douglas county by the money realized from the inheritance tax."

The commissioners were not prepared to express an opinion on the chief's proposal, but indicated that it will be given consideration at some later time, when money is in sight.

Council Meets this Afternoon.

An adjourned special meeting of the city council is to be held at 2 o'clock this afternoon, when action will be taken on the request of the Board of Fire and Police Commissioners for an appropriation of $10,000. It does not seem likely that this amount will be allowed, because of the fact that the burned automobile was insured for $4,000, which will serve to replace it with as good a machine. The intention of the board is to purchase a second automobile, and instead of having six horses to have only two, for use on a new emergency wagon, and possibly on the extra wagon patrol in case of need. The balance of any money allowed will be used to put the gutted barn in shape for use, pending its entire rebuilding into a fireproof structure without an upper floor, or the erection of a new barn, with possibly a city toolhouse and storage place in connection.

The fire at the police patrol barn has brought up again for discussion, among councilmen and city officials, the desirability of insuring all city property. No insurance is carried by the city of Omaha on any of its buildings except school houses, which are partially insured. The Board of Education carries a fund of $25,000, and has for some years, to which is added yearly what would be paid in insurance premiums if all the buildings were insured for full value. President Harding and others have advocated insuring all school houses, the same as business buildings, but the old policy is still adhered to.

Mayor Ingledue Again Indicted.

MARSHALLTOWN, Ia., Nov. 21.—(Special.)—The federal grand jury, which reported late yesterday afternoon in Des Moines, returned new and additional indictments against Mayor O. L. Ingledue of this city and Deputy Sheriff C. B. Nason, Deputy Marshal Michael Clark, Police Desk Sergeant R. G. Goodale, Patrolman Frank Haas, and Same and Fritz Wenger, saloonists; Leo McNamara, bartender, and Same Jones. They are charged with interfering with a federal officer while he was in the act of performing his duty.

These indictments, like the first, which were returned in Davenport early in October, are the outgrowth of the arrest of E. E. Van Wert, a special officer of the Department of the Interior; J. J. Talbot, an Indian farmer; Rev. R. G. Smith, an Indian missionary, and R. G. Holt, a Fox Indian, while Van Wert was trying to get evidence that the Wenger saloon sold liquor to the Indian, Holt.

An effort will be made by Ingledue's attorneys to have the indictment quashed.

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Paze Ointment is guaranteed to cure any case of Itching, Blind, Bleeding or Protruding Piles in 6 to 14 days or money refunded. 50c.

More **Quaker Oats** and less greasy foods.

Better health, better complexion, greater strength.

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AMUSEMENTS.

Orpheum PHONES DOUGLAS 494 INDEPENDENT

ADVANCED VAUDEVILLE

Daily Matinee, 2:15—Daily Night Performance 8:15. This Week—Julius Singer, "Bathing Girls," Rose Royal, Laura Buckley, Barry & Halvers, Nevins & Erwood