DOES DUNN DEFY THE COURT?

Lawyer Disbarred Files Petition and Signs Himself Attorney.

REGARDS HIS ACTION AS O. K.

Does Not Think the Supreme Court Will Take it as a Violation of Its Order Not to Practice Law.

Has Ignatius J. Dunn, assistant city attorney of Omaha who was indefinitely disbarred from practice by the supreme court for contempt, thrown down the gauntlet to that august body?

Mr. Dunn has entered a petition in county court and signed himself as one of the attorneys for the plaintiff.

Does this constitute "Practice?" Mr. Dunn thinks not and thinks he is safe.

"Oh no, I do not regard this as a violation of the court's order," said he. "Still, I don't know what the court will think of it. Oh, my name still appears on papers of record and in this case I am only appearing for a plaintiff who lives out of the city, at Hastings."

"I'll raise an issue," said Dunn as he handed in the petition to a clerk in the office of the county judge.

The suit is not an important one in itself, but at the close of the petition appear the words, "By his attorneys, John C. Stevens and I. J. Dunn." The names are in the handwriting of each signatory.

The suit in which Mr. Dunn thus appears is brought for Carl J. Miller, "doing business as the Queen City Steam Marble and Granite works," against M. M. Wisner, and is for $300 over alleged violation of contract.

Some attorneys express doubt that the supreme court will pay any attention to the matter because, say these lawyers, the county court is not a court of record. Dunn, they argue further, is not now an attorney at all and if he signs himself one, it is for the county court to determine whether or not he has thus offended. It is a question also whether a man must be admitted to the bar to appear before the county court.

Wiley's Poison Squad in Peoria.

PEORIA, Dec. 7.—Dr. H. W. Wiley, government chemist, with his entire "poi on squad," is in Peoria for the purpose of testifying in the case n the federal court in which the United States is testing the purty of preserved eggs, forty cases of which were seized by a government inspecter four months ago.

Some Things You Want to Know

The American Congress—Procedure in the House.

The legislative machinery of the house of representatives differs essentially in character and purpose from that of the senate. It is so constituted that measures involving no party opposition or other contest pass through it without any friction; measures opposed by the leaders of the majority party are killed even if supported by a majority of the whole house, and measures favored by the majority party are carried through without the slightest danger of mutilation at th hands of the opposition. Although open to many objections, it is nevertheless true that the house rules do operate to expedite the public business and reduce the danger of wanton or corrupt obstruction to the minimum. At the same time they give to that small minority composed of the house leaders the power absolutely to obstruct legislation even in defiance of a majority of the representatives.

After a bill is introduced and referred to a committee, and that committee makes its report, it may take one of several courses. If it is a privileged matter, having special rights under the rules of the house, it may be given immediate consideration. If it is simply an ordinary bill, it must go to one of the house calendars and there await its turn. If it relates to the expenditure of money under the big appropriation bills it will go to the committee of the whole house on the state of the union; if it is a public bill and makes no appropriations, it will go to another committee of the whole, and if it is a private bill, it goes to the committee of the whole; all are one and the same—practically a distinction without a difference—except in name.

After this stage comes the second reading, and then its passage to engrossment and third reading. Then it is ready to be put upon its passage. Here is where the tracks of legislation are cleared if there is a partisan fight on hand. It is done by that wonderful and powerful triumvirate, the three majority members of the committee on rules, and the "previous question" is its engine. This committee on rules, by a report which the three majority members may make, may shut every opening and make it impossible for any minority proposal or amendment to receive consideration and the measure as prepared by the leaders has a clear track to the senate.

One amendment made to the house rules at the beginning of the present congress was designed to give the minority one real opportunity to get a recorded vote on any subject it desired. It provides that after the previous question shall have been ordered on the passage of a bill or joint resolution, one motion to recommit shall be in order, and the speaker shall recognize a member who opposed the measure for the purpose of making that motion. The first opportunity to test the efficancy of this provision was on the passage of the tariff bill by the adoption of the conference report thereon. The minority had laid its plans with great care. Champ Clark had arranged to have Representative Mann of Illinois, a republican who opposed the bill on account of the duty on wood pulp, make the motion to recommit. But when the time came to recognize a member to make that motion, Speaker Cannon recognized Mr. Payne, the majority leader, who promptly moved to recommit and to lay that motion on the table.

Of course, the minority strenuously objected to this procedure as being in direct contravention of the recently adopted rule. But Asher Hinds, the house parliamentarian, informed the speaker a conference report is not a bill or a joint resolution, and that therefore the minority could not claim the right of preferential recognition. It was a splitting of hairs, but the minority concluded that the reputed usefulness of the new rule was over-estimated, if it is to be subjected to interpretation by Asher Hinds and application by "Uncle Joe" Cannon.

It is a favorable declaration of Speaker Cannon that there never is a time the majority cannot legislate and even depose the speaker if it wills to. While theoretically this is true, in actual practice there would be so many parliamentary fences to climb between the desire and its accomplishment that a house probably would prefer at all times to travel the long highway to the expiration of the speaker's term to cutting across lots to depose him. No speaker ever has been deposed, and none has resigned under fire. Henry Clay resigned twice, and Andrew Stevenson once, but in neither case was it because of adverse sentiment.

The "unanimous consent calendar" is one of the new features of procedure inserted in the rules of the house as a result of the fight last spring. It was claimed that it would go along way toward overcoming what many representatives have considered the unpleasant necessity of a personal intercession with "Uncle Joe" to allow a favorite bill to come up. Under the old rule the speaker could tell the member he would see him in some warmer climate before he would recognize him for the purpose of calling up that bill, sometimes placing a few forceful adjectives ahead of the bill. If the speaker had no objections to its coming up, however, the member could ask for unanimous consent once, and if it was refused, he could ask again at a more opportune time.

Under the "calendar Wednesday" rule a bill which is favorably reported by a committee of the house may be placed on this calendar, and take its turn in being called up from the calendar. It so happens that if it is a measure the speaker objects to, a nod of the head or a wink of the eye will produce an objector instantly. If it appears to him a harmless measure it might stand some chance were there not a few Robert Bruce Macons whose sole opportunity for participating in the real affairs of the house is to declare, "Mr. Speaker, I object." If any one of the chronic objectors is present, the bill called up from the "unanimous consent calendar" has about as much chance of slipping past him as an icicle has of surviving a melting pot. And when objection is once made the bill's chance of passage under unanimous consent is past and gone forever; for the rules so provide. Under the old method there was just as good a chance of its getting past the speaker as there is now. And there was a slight chance that the Robert Bruce Macons might be caught napping. Now they are always on notice when unanimous consent is to be asked, and their efforts will transform this rule from the bread of hope for relief into a stone of unfulfilled promise.

The speaker of the house has entrenched himself absolutely in his power of recognising whom he will. In 1880 the rules committee decided that discretion in the matter of recognition ought to be reposed in the speaker, and the very next year the then speaker declined to entertain an appeal from his decision on a question of recognition, although the rules specifically say that "he shall decide all questions of order, subject to an appeal" to the house by any member. All of the speakers since Randall have denied the right of the house or its members to question their decisions in recognising whom they will. In the senate there can be no such procedure. Recognition goes to the first man who addresses the chair, and the senate reserved the right to determine who that individual is whenever it desired to do so.

The committee of the whole house on the state of the union is the step in the house procedure, where the member from Wayback comes into his own. While there is always a particular measure before this committee when the house transforms itself into such a body by the speaker's handing the gavel to another whom he designated as chairman, yet everything from Dan to Bercheeba, from Alpha to Omega, from a postoffice at Podunk to a half million dollar appropriation for deep waterways, may be discussed. In the beginning of a session of congress where there is little real work to be done, this committee becomes the greatest scene of talking "for buncombe" the world has ever witnessed. Indeed, that very expressive phrase itself originated in that comittee. It happened that a member from Buncombe county, North Carolina, was speaking in this committee when he was chided for his prolonged stump speech. He replied that he did not give a continental for the house, but was talking for Buncombe.

In this committee is produced the grandiloquent section of that widely circulated periodical, the Congressional Record. And in it are delivered most of the speeches that are franked out to the constituents back home. Leave to extend one's remarks in the Record is a favorite request in the house, although it is not recognized in the senate.

To sum up the house procedure it may be said that the whole purpose of the rules is to enable the majority to drive legislation through under bit and spur when that is desirable, and to let it go through of its own accord when there is no serious opposition. To use another figure, the rules form a bridge whereby the majority may cross the stream of opposition without getting its feet wet.

By FREDERIC J. HASKIN.

Tomorrow — The Advertising Convention—Evolution of House Rules.

Annapolis Man Charged With Forgery Here

Alfred C. Owens, Member of Good Family, Accused of Using Brother's Name.

Alfred C. Owens, a graduate of the Annapolis Naval academy and apparently a retired naval officer, who has been in Omaha for several months, during a portion of which time he worked in the Union Pacific shops, is locked up at the police station, charged with the forgery of his brother's name to a check and passing it on Mrs. Templar, a widow who keeps a rooming and boarding house at 1815 Capitol avenue.

An investigation made by the police resulted in their securing the information that Owens comes from a good family in the east. Through local friends who knew of these facts the ex-naval man was enabled to secure a position at the Union Pacific shops. About two weeks ago he lost his job.

Mrs. Templar charges that Owens owed her a month's board, $30, and that a day or two ago he tendered her a check in the sum of $37 on the Girard Trust company of Philadelphia and signed by Owens' brother, who, it develops, is a prominent physician and surgeon in Philadelphia. Mrs. Templar says she gave Owens her personal check for $7, that being the difference between the board bill and the amount of the bogus check tendered her. The check for $7 was cashed by Owens at the Hotel Loyal, where he was seen last evening, a short time prior to his arrest.

The police have sent word to Philadelphia, pending an answer to which no action has been taken against Owens.

EXPLOSION STILL A MYSTERY

Karbach Thinks it Was Nitroglycerin that Caused the Trouble.

"I have not the slightest idea who could want to injure me or my tenants by attempting to blow up the building," said Charles Karbach, proprietor of the Karbach block, which was the scene of a mysterious explosion at 5:45 Monday evening, "but of one thing I am convinced, that it was nitroglycerin which caused the damage. On the walls and casements where the explosion occurred are evidences of some liquid being spilled and everything seems to point to some explosive contained in a bottle being thrown against the rear of the building. I feel certain now it did not come from one of the upper floors of the building, but that it was thrown from some point in the alleyway."

SPECIAL CARS FOR AUTOS

Burlington to Carry Buss Wagons on Steel Freight Cars.

FIVE HUNDRED ARE ORDERED

Automobile Dealers Are in Happy Humor Over Prospect of Having New Equipment in Operation by Spring.

Recognizing the extensive growth of the automobile trade in the west, the Chicago, Burlington & Quincy railroad has placed an order for 500 steel freight cars to be devoted exclusively to the shipping of automobiles. A circular from the Chicago offices of the company has just been received by local officials and the Omaha dealers in motor cars.

The big order calls for 300 cars fifty feet long and 200 cars forty feet in length. The big freighters will be specially constructed to handle automobiles and will be equipped with wide doors at both ends and at the sides. It is specified that the order be delivered for the spring trade.

Omaha dealers in motor cars are elated over the order. There has been difficulty in receiving orders at times, especially in the spring when shipments are large. There has been a crying need, too, for cars specially equipped for carrying automobiles, as there has been difficulty in loading and unloading the big ones, because of the small doors in freight cars.

The Burlington route is the first road operating west of Chicago to recognize the importance of the automobile industry. Like other roads it has in the past furnished its largest freight cars to the trade and the enormous furniture cars have also been pressed into service. There has been car shortage at times which has delayed manufacturers in delivering orders on time.

Such Equipment Sadly Needed.

"The new freighters will fill a long-felt want," commented a local dealer in touring cars. "We have experienced much difficulty at times in unloading the big fellows from the ordinary freight cars because of the narrow doors and the necessity of turning a car about in order to get it out the door. With doors at the ends of the cars, automobiles may be loaded and unloaded freely without trouble and without scratching or marring the machines in any way. It will mean a big boost to the trade."

"We have been constantly reminded of the growing trade in automobiles," said a Burlington official. "We need new cars anyway, and while we are about it, we are going to have some specially made to handle motor cars. Shipments into Omaha have grown at lengthy strides in the last two years.

"Our attention has often been called to the faults in the ordinary freight car for handling automobiles. We are going to correct the principal objection—the matter of doors—by placing roomy doors at the ends of the cars. All the freighters will be of all steel construction; they will be of ponderous construction and strongly built to guard against wreck."

James Morrison Causes Worry

Young Wife and Montana Friends Wonder at Absence of Rich Ranchman.

Where is James Morrison, a wealthy ranch owner of Harlem, Mont., who is supposed to have come to Omaha to attend the hearing of the Wisconsin Cattle company case against the railroads? This is a question that is puzzling his 19-year-old wife and witnesses who expected that Morrison would be present at the trial.

Mrs. Morrison believes her husband disappeared from a sleeping car in the local railroad yards, for, when she awoke, he was not on the train. Thinking at first that he may have gone on to Chicago and Cincinnati without her, Mrs. Morrison left for the east, but found no trace of her spouse. He had talked of going to Cincinnati before returning to their Montana home.

The youthful wife is now returning to Montana without her husband. She inquired at local ticket offices to see if Mr. Morrison had purchased a ticket for the east, but found no trace of him. She had no explanation to offer for his mysterious disappearance and fears he may have met with an accident.

"He was always a model husband and has never acted like this before," she said. "I don't know what to do."

The forty or more witnesses in the trial discussed the matter at the Paxton hotel. They were unable to solve the mystery and left for their homes in the west without gaining knowledge of the absent witness.

MILLS TALKS OF CITY IN THE LIFE SAVING BUSINESS

Advocates Cleveland Golden Rule System of Dealing with the Erring.

Benjamin Fay Mills was the guest of honor at the regular luncheon of the Social Service club Tuesday at the Young Men's Christian association and made the principal address. Judge A. L. Sutton presided and introduced the speaker. Mr. Mills' subject was "A City in the Life Saving Business." He said in part:

"The administration of the Cleveland criminal system is remarkable. The chief of police is called 'Golden Rule Kohler,' and the police department is governed by the following rules:

"'First. Juveniles are never placed in prison. They are taken home or the parents sent for and the child turned over to them for parental correction.

"'Second. The members of the force use their kindly efforts in easing the friction and ill temper between man and man, wherever and whenever it makes itself manifest.

"'Third. That the best policeman is the one who manages the offender with the least show or display of authority.

"'Fourth. That some men fell through some unfortunate circumstances and are not criminal at heart and should be treated accordingly, in which case results might be obtained with a well applied reprimand.

"'Fifth. Officers should have sufficient evidence of a competent character to secure conviction before even considering the imprisonment of a person on any charge whatever.

"'Sixth. Any apparent violators who were known to be of good character and reputation were to be accompanied to the precinct station where the matter would be carefully inquired into by the officers in charge and the proper action, as specified by the common sense policy, taken.'

"The system has been in operation for eighteen months and in that time there has been a decrease of 10,000 arrests from the record of 1907. Better than that, there has been a decided decrease in the amount of crime and stolen property and an increase in the number of real criminals apprehended and punished. 'Arrestless days' and 'criminless days' are now matters of frequent occurrence.

"The chief says: 'The good results are too widespread to be indicated in a column of statistics; there has been a general tooning up of atmosphere in police station and courtroom, which is appreciable even to the casual observer. We have been able to do away entirely with the backsliding professional gambler, who made money out of the unfortunate placed in prison. Under our system graft and blackmail and extortion are impossible. The citizens, as well as the courts and the public press, know exactly what they can expect, provided they comply with the rules laid down, which are well known. We have saved on an average of 1,000 persons from the police court records, which means that we are not causing needless suffering or manufacturing second offenders. Weeping wives and relatives no longer throng the police station, the court dockets are kept free for the consideration of more important cases and the police have more time and are consequently more effective.'"