

Nebraska CHAIRMEN EXCHANGE VIEWS Nebraska Railway Commission Gets Hot Letter from Maine.

SUPREME JUDGESHIP QUESTION Want a Man on the Bench Who is Free from All Corporation Influence or Feeling.

(From a STAFF Correspondent.) LINCOLN, April 30.—(Special.)—The State Railway Commission of Nebraska and J. D. Pease, chairman of the State Railroad commission of Maine, have just exchanged letters. The Nebraska commission, all three members signing the letter, requested the Maine commission to join in a resolution to President Taft asking that he appoint to membership on the supreme bench of the United States some one other than a man whose law practice has been chiefly confined to a defense of railroad corporations.

This is the reply. DUVENACK, Chairman, Nebraska Commission, Lincoln, Neb. Sir:—I have received today a communication from you in relation to the action of the Nebraska State Railway Commission in reference to the appointment of a judge of the supreme court of the United States in place of Hon. David A. Brewer and asking what my position is upon the question involved.

I regard the position of the Nebraska State Railway Commission as all advised, and I am in full sympathy with the position of the Nebraska State Railway Commission. I also consider it an honor to the profession of the law, and to the position of a man, to be called to the office of judge of the supreme court of the United States because he has had the largest experience with the very matters which will come before the court in its duty to pass upon the constitutionality of laws which have been enacted by the legislature.

Text of the Letter. Following is the answer of the railway commission: LINCOLN, April 30, 1910.—Hon. J. D. Pease, Chairman, Railroad Commission, Dover, Mass.—Dear Sir: We acknowledge receipt of your favor of April 23, 1910, in relation to the position of the Nebraska State Railway Commission in reference to the appointment of a judge of the supreme court of the United States.

We note that you "hope you have made yourself understood." While your letter at this point appears to have been made at some sacrifice of courtesy, we do not complain of this. However, that you do not comply with our request for the views of the members of the Railroad Commission of Maine at this question, and, in fact, that you do not refer to the people of that state as reflected by them, instead of giving your own personal ideas, controlled by the glittering personal pronoun "I."

You say "I regard the position of the Nebraska State Railway Commission as all advised." Why? Again, "I regard the position of the Nebraska State Railway Commission as all advised." Why? Again, "I regard the position of the Nebraska State Railway Commission as all advised." Why?

"I consider the action of the Nebraska State Railway Commission an insult to the profession of the law." Why? We should be glad to have you enlighten us further as to whether your conclusions lead you to believe that all railroad commissioners should be selected by the officers of public service corporations. Very truly yours, H. T. CLARKE, JR., Chairman.

Porter May Get Into the Race for Democratic Nomination for State Railway Commissioner. Mr. Porter was one time secretary of state and recently received considerable advertising by reason of his efforts to raise \$50 from among the people to file the name of Mr. Bryan as a candidate for the senate.

ROMANCE OF TWO CONTINENTS Danish Couple Married at Central City After Long Engagement. CENTRAL CITY, Neb., April 30.—(Special.)—Coming all the way from Denmark to redeem a promise of marriage made over twenty years ago, Sina Bertelsen arrived here this week, and shortly after her arrival a wedding by which she became the wife of the lover of her youth, Nels Jensen. Over twenty years ago in Denmark Jensen wooed and won the fair Sina. His hopes were high when he sailed for America to seek his sweetheart and make her his wife when he should have secured enough of this world's goods to make them comfortable. Fortune did not smile on his efforts, and it was not until this year that he was able to send for her. The wedding occurred yesterday at the office of County Judge Lewis Peterson. The groom is now 56 and the bride 42. They will reside on the green farm, a few miles northwest of town near the Ogallala ranch.

CHARGED WITH STARTING FIRE Nerve Trotter of Broken Bow Accused of Criminal Carelessness. BROKEN BOW, Neb., April 30.—(Special.)—A warrant was sworn out yesterday for Nerve Trotter, charging him with criminal carelessness in setting fire to the Buckeye ranch and neighboring properties last Sunday while the wind was blowing at a forty-mile clip. About 1,000 acres of the pasture land and a number of fine posts were destroyed, the loss being estimated at \$100. When taken before County Judge Holcomb, Trotter explained his conduct by saying that he wanted to burn the timber on his place, and that the wind, he thought, would do it. Fire guards were not thought necessary and he failed to take the wind into consideration. He also failed to give due notice to the surrounding property owners that he intended starting a fire. The accused asked for time to prepare his case and Judge Holcomb extended the hearing to May 12, placing the defendant under \$200 bonds.

Harvard Man Promoted. GRAND ISLAND, April 30.—(Special.)—Dr. S. B. Wolbach, son of Mr. and Mrs. S. M. Wolbach of this city, and who was born and reared in Grand Island, has been elected to the position of assistant professor of bacteriology of Harvard college for a term of five years. He has been an instructor at Harvard for a number of years, a professor at Albany Medical college and was at the time of his recent election assistant professor at McGill university at Montreal. Dr. Wolbach is only 32 years of age.

Nebraska Men Fall to Fife Bands. NEBRASKA CITY, April 30.—(Special.)—The city council met Thursday evening for the purpose of hearing the remonstrance filed by the ministers against four of the applicants for a saloon license. The council met, but found that three of the applicants had not filed any bond or a certified check for \$100 as required by the ordinance, and that the fourth one, A. G. Schuman, had withdrawn his bond, applicant and forfeited his license.

WANTED A FLOUR MILLER!! This town wants a cannery and wants it badly. If you are a cannery man of experience you can come to this place and make a stake. The country is ready for you. YOU CAN COME HERE AND THE RAPID SETTLEMENT OF THE COUNTRY WILL MAKE A FORTUNE FOR YOU.

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Nebraska Good Roads for Otoe County

Joy Morton Offers to Make Substantial Donation to Supplement Funds Already on Hand.

NEBRASKA CITY, Neb., April 30.—(Special.)—Joy Morton, son of the late J. Sterling Morton, who owns Arbor Lodge and much of the fine land and orchards hereabouts, will donate to the good roads and improvements at the Home Products banquet given by the Commercial club last week, before leaving the city not only offered to donate the right-of-way through his magnificent estates west of the city for a direct road, not only section lines, but also the county offered to give \$200 for every mile of brick road built in this county.

The road is to be bricked sixteen feet wide, and the remainder of the road made of nine grass sod and higher than the brick roadway so that in muddy or wet weather the wheels will drain on the sods and be carried away without injuring the roads. He offered another thing, and that was if the citizens would raise \$5,000, and add it to the \$2,000 which the county has in hand from the inheritance tax, that he would give \$3,000 additional, so as to make a total of \$10,000 with which to start building these roads. Then he wants to interest the farmers along the line where the roads are to be built and have them contribute their share, so that all will bear the burden alike.

SUIT TO TEST BRIDGE FARE AT NEBRASKA CITY Right of Burlington to Charge Fifty Cents to Be Determined in Court.

NEBRASKA CITY, April 30.—(Special.)—Mrs. Estella E. Warden, through her attorney, W. F. Moran, has filed a suit in the district court against the Burlington railway, asking \$200 damages for injuries. She alleges that she was jerked from a passenger train of that corporation by a brakeman at Hamburg, Ia., on February 15, 1910. The complaint states that the train was in motion and that she received injuries which confined her to her bed at that place for eight weeks and is still suffering from the injuries received at that time.

She also seeks to recover 5 cents overcharge for a ticket from this city to Hamburg, a distance of less than four miles. The fare from here to Hamburg is 70 cents, the biggest part of it being the toll for crossing the bridge at this point. She alleges that the company has secured judgments from the courts setting forth the fact that the bridges are part of its right-of-way or track, and that under the laws of Nebraska and Iowa it is not allowed to charge more than 2 cents a mile. This matter is something the citizens here have been wanting brought up for some time, because the company charges 50 cents to each passenger crossing this bridge on the river, the people not feeling justified in paying such excessive tolls, as they claim, to come here and do their trading.

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Nebraska Program Arranged for Annual Meeting to Be Held in Lincoln.

GRAND ISLAND, April 30.—(Special.)—Secretary C. C. Johns of the Nebraska Press Association has issued the program for the thirty-eighth annual meeting of the association at Lincoln on May 23, 24 and 25. The program is one of the best that has ever been prepared for the association. Therefore the meetings of the newspaper men have been held in the winter, but this year it was decided to have a summer session and make the meeting a sort of a chauntiqua for the newspaper workers alone. A record breaking interest is looked for for the secretary reports unusual interest in the meeting and many new members joining.

President N. J. Ladd of Wahoo has just returned from a trip in the southeastern part of the state where he has been working up interest in the meeting. One of the features of the program is the offer of \$500 in cash as prizes by the Lincoln Commercial club for the best article appearing in the country papers on the subject of "The Future of Lincoln as Viewed by Present Conditions."

Monday evening there will be a reception at the Lindell hotel followed by a theater party Tuesday evening the members will be the guests of the Lincoln Commercial club of Lincoln at a banquet at the auditorium.

Nebraska News Notes. BEATRICE—There are fourteen cases of typhoid fever at the Debevoise Institute here.

NEBRASKA CITY—Miss Emma Morton, sister of the late J. Sterling Morton, is quite ill at Arbor Lodge, her home, with pneumonia.

BEATRICE—Rev. M. Fulcomer, a United Brethren minister, died yesterday morning at his home at Blue Springs. He was 70 years of age.

BROKEN BOW—Alvin Dair, ex-county commissioner, was badly injured in a run-away at his home here, thirty miles northwest of here.

BEATRICE—W. P. Norcross, owner of the block which was burned yesterday, announces that he will not attempt to repair the building, but will erect a modern structure to replace it.

SUTHERLAND—The Sutherland High school is to have two substitutes at the state field meet at Lincoln May 10. They are Harley Bohman and Roland Cooke, the former a jumper and the latter a long distance runner.

SUTHERLAND—Prying two locks from the front door, burglars Thursday night gained entrance to the Bates clothing store. The proprietor claims that his losses amount to about \$65. Several watches and some money were taken.

BROKEN BOW—The Commercial club today a committee was appointed to solicit money for the building of a sidewalk reaching from the city limits to the cemetery. The distance is about 1,500 feet.

BEATRICE—The Young Men's Christian association base ball team of this city played the Fairmount team of that city at Fairbury yesterday and won by the score of 10 to 2. Fairbury was unable to do anything with the catchers, Beatrice's pitcher, who twirled good ball.

NEBRASKA CITY—Coroner C. N. Karsens and his assistants yesterday and tonight held a coroner's inquest on the body of Berlin left last evening for the old home in Germany, where they expect to spend six months. The body of the gentleman here was back to their old home for over forty years and expect to find many changes.

BEATRICE—Mrs. Rebecca A. Fair, wife of Robert P. Fair, died at the family home in this city Thursday. Besides the husband she is survived by seven children, Mrs. Fair is survived by Mrs. A. Ashbury of Hiawatha, Neb.; George E. Fair, Mrs. Edward Gibb, Wallace Park, Mrs. E. W. Cook, Mrs. J. M. Corson and Edgar Fair, all of this county.

TECUMSEH—After a brief period of retirement the jury in the case of the State of Nebraska against Dr. J. G. Neff of Sterling, on an indictment returned by a verdict of acquittal at 3 o'clock this afternoon. At the conclusion of the taking of testimony the case was submitted to the jury without argument, by agreement by both sides.

VALENTINE—The town board had a special meeting and decided to call a special election in regard to the request of the state to give forty acres of land to build permanent buildings for the state experimental farm, as the state only has a lease from the county for land, and it does not want to erect permanent buildings on leased ground.

HOUSE, HOTEL AND OFFICE FURNISHERS ORCHARD & WILHELM 414-16-18 South Sixteenth Street.

FURNITURE We are offering some splendid values in excellent quality medium priced furniture. The assortment is unusually large, besides the newest selected for the season's selling



Dining Table (Like illustration.) Very pretty Colonial pattern pedestal center, fitted with lock device, round top 48 inches in diameter, made of full quarter sawed white oak and polished golden finish. 24.50



Leather Couch (Like illustration.) This couch is made specially for us and according to our specifications. It is strictly high grade and as good in every respect as though we had made it in our own work shop. Genuine leather upholstered with seamed diamond tufted top, ruffled side, sanitary construction. 39.00



Dining Chair (Like illustration.) This chair is full box frame constructed, quarter sawed golden oak polished finish, has genuine leather upholstered seat, each 2.75



Brass Bed (Like illustration.) Has heavy, 2-inch post; finished in best English lacquer; and comes either in the bright or satin finish—an excellent value. 12.75



Rocker (Like illustration.) Is a very pretty mission style design; comes in soft, brown, fumed oak finish; thoroughly constructed of quarter sawed oak—good, generous size—each 7.00



Refrigerators This cut shows the method in which the air circulates in the Herrick Refrigerator. There is no question about the Herrick giving satisfaction. There are over 2,000 in use in Omaha, South Omaha and Council Bluffs. They maintain dry cold air circulation, that insures the proper keeping of provisions; no tainting or contaminating odors in the Herrick. They come in various sizes, and spruce, white enamel, opal glass lined. Prices, up from 14.00



Ostermoor Mattress We are sole state agents for this well known, sanitary brand, slatless, felt mattress. A large shipment just received. For Monday we offer the Ostermoor, made in striped ticking, satin finish ticking or art twill ticking, at \$15.00—Full size, one part, regular price up to \$18.00. In this shipment we received another large lot of Ostermoor French edge mattresses, weighing 60 pounds each. These come in fancy art ticking, in one or two parts, sell regularly at \$3.00—By special permission from Ostermoor, we are offering them Monday, at each 18.50



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WHY OMAHA WAITS ON WATER Water Board Gives Reasons for Not Taking Any Action. QUESTION OF INTEREST POINT Unwilling to Pay for Use of Money Expended on Main—Supplying South Omaha Another Issue.

completed, the actual cost of such improvement, with 4 per cent interest, in addition to what would otherwise be the purchase price." The Water Board evades question. "The Water Board did not, according to the officers of the water company, reply to this offer in any way. Later, on October 2, 1906, the company sent another letter, in which occurred this language: "In the light of the chance for prolonged litigation, the board of directors of the water company deems it imperative that provision for the early laying of an additional main be now made," and went on to say, "There is no purpose of prejudicing the city with respect to pending litigation."

Mr. Howell says of the possibility of an agreement at this time: "Personally, I have never believed the water company showed good faith in its offers. In one sense, the South Omaha service is the key to the situation. Not that I or any other man wants to cripple South Omaha on water, but that service off and the city of Omaha could be amply supplied with all the water it needs for any purpose. So, you see the second Florence main is wanted for the purpose of enabling the company to properly meet its contract with the packing center, where the companies are getting water very cheap. Now, why should the water company desire the citizens of Omaha to pay interest on the cost of work necessary for the good conduct of the company's own business?"

Proposes Another Suit. "Extensions have been ordered time after time, and the orders have been ignored by the company. And in that connection, every man capable of common understanding knows that if the company should go ahead with extensions and betterments so badly needed and the court should command the city to take over the plant at the valuation of \$2,250,000, the company could still collect all legitimate expenditures made after the assessment, to conserve the plant, and with interest. There is really nothing in the way of the Omaha Water company giving our citizens the relief they demand and deserve, if it wants to; but all its maneuvers have been along the same line as the trick of ignoring into its brief to the supreme court the fact that the city has voted bonds to take over the

plant. That point never entered into the litigation in any shape." Dr. A. H. Hipple said he is willing to do anything in reason as well as correct what he considers "the almost intolerable condition" existing at present.

"The board has always stood ready to meet the water company half way on any business proposition," said Dr. Hipple, "and I believe the members feel the same way now. But, take the matter of extensions of Omaha. There is no question but that something ought to be done, and as soon as possible; but just what can be done, unless the company voluntarily makes good on its declared intention to better the system, I do not know. Let someone advance a definite proposition and put it in business shape, and I believe the Water Board will be found ready to act promptly and in a way to satisfy the citizens."

Charles R. Sherman, also a member of the Water Board, said: "As I view it, this is the most inopportune time that could be chosen to settle the questions now bothering the people of Omaha concerning their water supply. I have been holding my breath on the subject for some time, and have often felt I would like to do something to break the deadlock that is hurting Omaha very seriously, but consideration convinced me there was nothing that could be done except wait the outcome of the suit in the United States supreme court. Now that the argument has been made and

the case is in the hands of the judges, I believe we can well be patient a little longer. But if any arrangement or agreement is possible that will start things in the proper direction, I will gladly cooperate with the other members of the board to make it effective." City Attorney Burnham, while disclaiming any investigation of the legal phase of a possible agreement, said he did not believe there is any legal difficulty in the way if the two bodies concerned can get together.

Why Omaha Waits on Water Water Board Gives Reasons for Not Taking Any Action. QUESTION OF INTEREST POINT Unwilling to Pay for Use of Money Expended on Main—Supplying South Omaha Another Issue.

stand the question of interest money should be paid, as well as the principal, for water works extensions and betterments in Omaha? That seems to be the main point for the citizens to pass judgment on, if anything it is to be done preceding the decision of the United States supreme court, the date of which no one can forecast, even approximately.

R. Beecher Howell of the Water Board insists there are correlated questions of considerable importance, but, like others, he admits that the interest question has been the larger of all stumbling blocks. Dr. A. H. Hipple makes the same admission. For almost four years the water company has been offering, according to its officers, to put in the second main from Florence, provided the Water Board would agree on behalf of the city, that interest should be paid, as well as the principal, if the company proceeded to build this main. Likewise, on extensions ordered by the city council before the creation of the Water Board, and on extensions ordered by the Water Board after its creation the company has been insisting that interest should be guaranteed on any outlay while the question of city purchase was being agitated.

On July 2, 1906, President Woodbury of the water company addressed a letter to the Water Board, which in effect offered to build "as much of a new main as may be necessary, provided the Water Board will enter into an agreement, binding upon the city, to repair to the company, when

Vudor —the best colors— Admits air without closing out view from the inside.

4 feet wide.....\$2.50 6 feet wide.....\$3.25 8 feet wide.....\$4.50 10 feet wide.....\$6.00

Crochet Bed Spreads, in white, plain edge—each, at.....\$1.65

CRETONNE BED SPREADS, with bands on top of spread and valance; also bolster cover. Plain spread colors; blue, pink and cream, each, at.....\$8.75

PORCH SHADES —the best colors— Admits air without closing out view from the inside.

4 feet wide.....\$2.50 6 feet wide.....\$3.25 8 feet wide.....\$4.50 10 feet wide.....\$6.00

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CURTAIN NETS—We are showing the most complete assortment of nets ever shown, in the newest styles—per yard—

at.....9c up to \$3.00 30-inch Mesh Nets, in Arab colors, yd. 9c 40-inch Fancy Nets, white or Arab—per yard.....15c 45-inch Fancy Nets, white or Arab—per yard, at.....19c 50-inch Fancy Nets, white or Arab—per yard, at.....35c

BRASS HAMMERED JARDINIERS In Three Sizes— 5 inches.....\$1.19 6 inches.....\$1.65 8 inches.....\$2.35

MATTING COVERED SHIRTTWAIST BOXES —Many new styles at \$2.75 up to \$12— Special Monday; box 30 inches long, with turned feet—\$3.00

BED SPREADS—Crochet covers, in white with plain edge or fringe, each, \$3.95

CRETONNE—Figured, all colors, with bolster cover and valance, complete \$6.50

SUN FAST Fabrics for over curtains, in all colors; 30 inches and 50 inches wide, per yard.....\$1.00 \$1.15 up to \$2.00

Suits to Order \$25.00 You can take that parlor stove down now. Winter's order V-E-S, it is!

And you can wisely get in with your Summer Suit order right away. This smiling hot wave that we are going to run into during the next few days will simply pack our order books. If you wait you'll have to wait for your suit—and sweeter and strew while waiting.

So—get in today with that order.

MacCarthy-Wilson Tailoring Co.

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