

## HEARING THIS WEEK IN CITY LIGHT CASE BY SUPREME COURT

### Appeal Against Omaha Council Involves Power to Terminate Franchise.

### ATTORNEYS NOW AT CAPITAL Suit Considered Notable One in Annals of the Court.

### TWO FACTORS WILL DECIDE IT Perpetual Franchise Terminated by Action of Company.

### RATE INCREASES FORBIDDEN Commerce Commission Denies Application of Milwaukee Railroad to Advance Iowa and South Dakota Tariffs.

(From a Staff Correspondent.)  
WASHINGTON, Jan. 28.—(Special Telegram.)—A distinguished section of the Omaha bar is temporarily sojourning in the national capital for the purpose of informing the supreme court as to the law and the fact in the case of the electric light and power company against the city of Omaha.

The suit is notable in the annals of the United States district court of Nebraska and also in the circuit court of appeals, for it raises some extremely interesting questions as to the rights of city councils to terminate franchises.

In 1908 the Omaha Electric Light and Power company brought suit against the city to restrain the council and mayor from their action to cut the wires of the company, thereby terminating what has been alleged to be a perpetual franchise. In due course the case reached the United States district court and later the circuit court of appeals, and it is on appeal from the latter court brought by the electric light company that the case is now in the supreme court docket and in the course of call ought to be reached Thursday or Friday of this week.

Two important factors appear in the case before the supreme court—whether the company had a perpetual franchise and whether the disfranchised company had the right to use the streets of the city of Omaha for lighting purposes only, or for light, heat and power.

### Second Suit Also to Be Tried.

As a sort of interlude the Old Colony Trust company of Boston, as trustee for the bondholders of the electric company, brought an action to enjoin the city from enforcing its recent resolution of the council, in which Judge Munger held against the trust company. The Boston company appealed direct to the supreme court and that case, as well as the one against the city of Omaha by the electric light and power company will be heard at the same time under agreement of counsel.

E. H. Scott appears for the Omaha Electric Light and Power company and Judge W. D. McHugh for the Old Colony Trust company of Boston. Judge Ben S. Baker, corporation counsel of Omaha, and W. C. Lambert appear for the city of Omaha.

### Rate Advance Refused.

The Interstate Commerce commission today denied the application of the Milwaukee railroad for permission to advance class rates between Sioux City, Ia., Sioux Falls, Mitchell and Aberdeen, S. D., Fargo, N. D., and other stations in North and South Dakota, in amounts ranging from 1 cent to 19 cents per 100 pounds. The Milwaukee road sought to establish the advanced rates for the purpose of negotiating a more general graduation of such rates. The South Dakota railroad commission objected to some of the intrastate rates.

## MINISTERS TESTIFY FOR ACCUSED LAWYERS

FREMONT, Neb., Jan. 28.—(Special.)—The state bar commission's session to hear the charges against Attorneys Dolezal and Cook closed this evening and adjournment was taken to February 14 at Lincoln, when argument will be heard.

Rev. I. W. Correy of the Baptist church and Rev. W. H. Frost of St. James' church testified this afternoon that Attorney Dolezal had tampered with the bloodstains, alleged to have been tampered with, in his closing argument. Rev. Mr. Frost, who was Rogers' spiritual adviser, testified that he discovered the bloodstains in the satchel and that they were even more distinct during the district court trial than they are now. Attorney Dolezal and Cook on the stand swore that they did not place any substance in the satchel.

## RETAILERS BLAMED FOR HIGH PRICE OF MEAT

CHICAGO, Jan. 28.—Blame for the present price of fresh beef to the consumer, in Chicago, at least, was placed on the retailer by President Everett C. Brown of the Chicago Live Stock exchange, talking at the exchange today.

## The Weather

For Omaha, Council Bluffs and Vicinity—Fair; warmer.

Hour	Temp.	Dir.
5 a. m.	27	N
6 a. m.	27	N
7 a. m.	27	N
8 a. m.	27	N
9 a. m.	27	N
10 a. m.	27	N
11 a. m.	27	N
12 m.	27	N
1 p. m.	27	N
2 p. m.	27	N
3 p. m.	27	N
4 p. m.	27	N
5 p. m.	27	N
6 p. m.	27	N
7 p. m.	27	N
8 p. m.	27	N

## Parties to Double Wedding Have Long Hunt for Minister

PIERRE, S. D., Jan. 28.—(Special.)—Marriage under difficulties on the frontier, is recorded in the troubles of two young couples, who had planned a double wedding in Perkins county. The contracting parties, Dan Meckling and Prudence Escott, and Emil C. Cubbins and Esther Escott, with the invited guests, gathered at the Escott home and waited most of one day for the coming of the minister who had agreed to be on hand for the occasion. But they waited most of the day in vain, while the wedding feast was losing its savor. A brother of the bride-to-be started out to find a justice, and after a ride of many miles found such an official, but he declined to act, and spent the rest of the day in the waiting of the next day the two couples, with their respective bridesmaids and groomsmen, arrived at that place found that the marriage licenses were issued in Perkins county, and that they couldn't be legally married at Faith, in another county. Then after another skirmish a minister was found, and the whole party headed for the Perkins county line. The first house reached proved to be that on a deserted farm, but the situation had reached such a point that the contracting parties decided that there would be no further delay so far as they were concerned, so an adjournment was taken to the tumble down barn on the premises, and with the wind driving snow through the cracks of the old shanty, the two couples lined up for the final ceremony, which was presided over by the minister while wrapped in his coat and mittens, and the whole shivering party made a quiet run for home before the sun had set, as they were certain that there had been legal ceremonies performed.

## Wealthy Man Makes Trip Across Country While Unconscious

SAN DIEGO, Cal., Jan. 28.—A remarkable story of a trip across the continent while unconscious is told by a recent arrival here who says he is Alexander Chambers, mine owner of Newton, Pa., who disappeared January 10 from the Broad street station in Philadelphia.

According to his narrative, he lost consciousness at that time, and when he came to his senses he found himself on a lonely island off the Lower California coast. That was last Friday. He was taken ashore by Mexican fishermen and made his way to this city. Chambers says that he had \$1,500 on his person on January 10 which now is missing, but that he still has \$5,000 worth of diamonds and jewelry which he had with him on that date. He expresses the belief that he was drugged in Philadelphia.

## Man With Long Hair Asks Front Seat at the Inauguration

WASHINGTON, Jan. 28.—Although the first balls in the inauguration grand stands have not yet been driven, Representative George A. Neeley of Kansas called on the inaugural committee today to reserve him one seat that must be within view of the spot where President-elect Wilson will be sworn in on March 4; must be easy to escape from immediately after the ceremony and must be easily accessible to a barber's shop.

## Arizona Electoral Returns Heard From

WASHINGTON, Jan. 28.—W. T. Webb, the missing Arizona messenger, appointed to bring the electoral returns of Arizona to Washington today, telegraphed Secretary Ashurst from New York, saying he was on his way to Washington.

## FORTY MILLIONS FOR RIVERS AND HARBORS

### House Passes Bill Submitted by Committee Without Any Important Amendments.

### CALLOWAY MAKES PROTEST Objection to Intercoastal Canal Project is Voted Down.

### CLARK WRITES TO LEADERS Speaker Urges Democrats to Attend Sessions Regularly.

### JONES ON THE PHILIPPINES Author of Independence Bill Describes Actions of Gov. Forbes as Tyrannical—Many Millions of Dollars Spent.

WASHINGTON, Jan. 28.—After days of spirited debate the house today passed the river and harbors appropriation bill carrying \$40,000,000 without an important amendment.

A motion by Representative Calloway to recommend the bill with instructions to limit expenditures for the Atlantic intercoastal canal project was voted down, 100 to 82.

"This measure," said Calloway just before the vote on the bill, "is a scheme to rifle the treasury of the United States, and if the people knew of it they would kick the men responsible out of this house."

Representatives Humphreys of Mississippi and Sparkman of Florida defended the committee which framed the bill. Speaker Clark has addressed letters to democratic members of the house appealing to them to attend sessions regularly and aid in getting through important business before March 4. The speaker declares it would be a reflection upon the democratic majority if the great supply measures should go over to the ext's session.

### Attack on Philippine Government.

American administration in the Philippines was described as tyrannical in a speech today by Representative Jones of Virginia, chairman of the insular affairs committee, and author of the Philippine independence bill.

Denouncing the action of Governor General Forbes in expending public revenues "as in his sole judgment seemed desirable," Mr. Jones declared "many an official has been impeached for less than this."

Mr. Jones spoke in reply to a speech by President Taft at the Ohio society dinner in New York last Saturday. In which he was quoted as saying that passage of the Jones bill would result in a "mess and a mess," and that the United States should treat the Philippines as Great Britain treats Canada and Australia.

### Many Millions Spent.

Mr. Jones said that naval and military operations on account of the Philippines had cost the United States probably never would be known, but that \$900,000,000, the estimate of the late Senator Hoar, probably was nearer correct than recent official estimates.

The opposing view of some democrat of the house was voiced by Representative Sherley of Kentucky, who argued the Philippine people were not ready for independence, and he did not believe congress could set any date when they would be. He declared that if the charges made by Representative Jones were true, officers of the American and Philippine governments should be dealt with for violation of the trust reposed in them.

## Warren is Elected Senator Fifth Time

CHEYENNE, Wyo., Jan. 28.—Senator Francis E. Warren received his fifth election to the United States senate at the hands of the Wyoming legislature today when both houses gave him a majority over his democratic opponent, John B. Kendrick. The vote in the senate was 18 for Warren and 11 for Kendrick; in the house 28 for Warren and 17 for Kendrick. Representative E. H. Mansson, who has championed the progressive cause, refused to cast his vote for either candidate.

LITTLE ROCK, Ark., Jan. 28.—W. A. Kavanaugh, president of the Southern Base Ball league, was chosen United States senator for Arkansas for the short term today by separate votes in the house and senate.

COLUMBIA, S. C., Jan. 28.—United States Senator Benjamin Tillman was re-elected today at sessions of both houses of the general assembly. This is his fourth consecutive term. Last night there was a current of opposition to him, but it disappeared and he carried the entire membership present.

TOPEKA, Kan., Jan. 28.—Judge William H. Thompson of Garden City, a democrat, was chosen United States senator to succeed Charles Curtis, republican, by the Kansas legislature in separate session today. Judge Thompson will be formally elected at an afternoon session tomorrow.

TRENTON, N. J., Jan. 28.—The two houses of the state legislature, voting separately today, elected former congressman William Hughes, democrat, United States senator to succeed Frank O. Briggs, republican, whose term expires March 4 next. Mr. Hughes won the democratic primaries last fall.

## FRIENDS RAISING FUNDS FOR GENERAL SICKLES

NEW YORK, Jan. 28.—Friends of General Daniel B. Sickles, arrested and released under bail yesterday in connection with a \$25,000 shortage in funds of the state monument commission, said today that in their opinion he would never be tried. So many offers of contributions to make up the deficit have already been received, they said, that they believe the shortage will be wiped out. The general remained secluded in his home.

## Disnotice is Served on Turkey



Turkey: "I Wonder Where I Can Borrow Some Money!"

## FARMERS' VIEWS ON MONEY

### Grange Official Protests Against Aldrich Bank Scheme.

### UNION PRESENTS POSTAL PLAN Organization Suggests that Deposits in Postal Banks Be Landed to Farmers for Long Terms.

WASHINGTON, Jan. 28.—Farmer's opposition to the national monetary commission's plan was voiced today by W. T. Creasy, master of the Pennsylvania State Grange, before the house currency reform committee. Mr. Creasy told the committee that he believed farmers generally were "bitterly opposed to the Aldrich scheme."

"We believe," he said, "that the big financiers are much more interested in gaining control of the currency than they are in any effort to obtain its elasticity."

C. S. Barrett of Union City, Ga., president of the National Farmers' union, an organization with branches in twenty-one states, and 3,000,000 members, appeared heading a delegation including J. D. Brown, Arlington, Ore.; O. F. Darrblauer, Brunswick, Neb.; Peter Radford, Fort Worth, Tex., and A. F. Swift, Baker, Ore. The spokesman for the delegation said farmers objected to the present monetary system because it led to undue speculation. A system of incorporated clearing houses was suggested.

## Steel Corporation Declares Dividend

NEW YORK, Jan. 28.—The United States Steel corporation today declared its regular quarterly dividends of 1 1/2 per cent on the common stock and 1 1/2 per cent on the preferred stock. The earnings of the steel corporation for the quarter ending December 31 were \$3,185,557; the net income for the quarter, \$2,764,926, and the surplus, \$4,410,979.

These returns compare with earnings at the end of the previous quarter of \$3,062,512, net income of \$2,777,866 and a surplus of \$4,434,960.

The total earnings for 1912 were \$19,178,297, as compared with \$19,302,425 in 1911; the net income for the year, \$7,099,359, a decrease of \$7,296,387 over 1911, and the total surplus \$4,616,129, a decrease of \$1,125,323.

## Garment Workers in Chicago May Be Asked to Strike

CHICAGO, Jan. 28.—Leaders of the union garment workers in this city today continued their preparations to call a general strike should the controversy in New York be not ended within a day or two. It was stated in labor circles that more than 20,000 organized garment workers in Chicago probably would walk out in the event of an unsatisfactory culmination of the negotiations for peace now pending in the east.

A special meeting is scheduled to be held this evening, at which time arrangements for raising funds to finance the proposed strike will be made.

Joseph J. Ektor, who was prominent in the strike of the Lawrence, Mass., mill workers recently, is reported to be in consultation with various leaders of the garment workers here.

## Chicago Bandit Shot Three Times by Man He Attempts to Rob

CHICAGO, Jan. 28.—Peter Boore, a young bandit who was shot three times and possibly fatally wounded by Clarence McSweeney, a police telephone operator, Monday night, made a statement in which he admitted having participated, with his brother, Albert, in more than twenty holdups on the south side during the last six weeks. The wounded bandit died a few hours after making this confession.

## The National Capital

Tuesday, January 28, 1914.

**The Senate.**  
Went into executive session to consider nominations.

**The House.**  
Resumed debate on rivers and harbors bill.

National monetary committee's plan of currency reform opposed by farmers before currency committee.

Woolen tariff hearing concluded before ways and means committee.

Cum gratia committee urged by state railroad commissioners to push Kenyon bill for uniform freight classification.

"Shiping trust" in senatorial committee heard testimony in the "half v. pool."

Passed rivers and harbors appropriation bill carrying \$40,000,000.

Representative Jones of Virginia denounced American administration in the Philippines.

Chairman Pugh of the "money trust" investigating committee began preparation of his report.

Representative Rothermel chosen member of appropriation committee.

## SUFFRAGETTES RESUME WAR

### General Mrs. Drummond Sends Ultimatum to Chancellor.

### DUBLIN CASTLE IS ATTACKED Three Women Who Break Windows Are Given Month at Hard Labor—Fourteen Days.

LONDON, Jan. 28.—The suffragettes lost no time today in opening their militant campaign. In Dublin they made a concerted attack at noon on the windows of Dublin castle and smashed several. Three suffragettes were arrested.

In London, too, the suffragettes displayed great vigor. "General" Mrs. Drummond sent an ultimatum to David Lloyd-George, chancellor of the exchequer, after he had refused to receive a deputation of women on the ground that he had other engagements. She wrote:

"I and other members of the deputation intend to wait upon you in the House of Commons this evening. We trust you will make the necessary arrangements to receive us."

### Mrs. Despard Sentenced.

Mrs. Despard, one of the most prominent leaders of the militant suffragettes, and two of her companions were sentenced to fourteen days' imprisonment today on the charge of resisting the police when the latter disrupted a meeting in Trafalgar Square last evening.

### Profits on De Luxe Editions Are Large

CHICAGO, Jan. 28.—That the sale of \$90,000 worth of "valuable art objects" to E. P. Clark of Los Angeles netted the Tomlinson-Humes company, dealers in "de luxe" books and bric-a-brac, a profit of more than 75 per cent was averred in a petition filed today in the superior court of Cook county. Ira Eaton, a partner in the concern, sought to enjoin its associates from disposing of any property until a settlement of partnership accounts can be effected.

## CORPORATIONS SEND COUNSEL TO APPEAR; LOBBY HESITATES

### Disposition to Let Nebraska Legislature Exhibit Fairness Toward State's Big Interests.

### JUDGE ROOT FOR RAILROADS Registers as Representative to Appear Before Committees.

### EARLY FOR USUAL STRATEGY Lee Herdman on Deck, but Says He Seeks Jobs for Omahans.

### LIQUOR DEBATE ON TODAY Resolution Submitted to Put off All Such Measures on Theory Subject Will Be Handled by Referendum.

(From a Staff Correspondent.)  
LINCOLN, Neb., Jan. 28.—(Special.)—A feature of this legislature is the absence of a big lobby to manipulate and control legislation, even though the lobby is being invited to show its head or hand nearly every day, since the session opened. The railroads which in years gone by maintained a lobby of generous proportions, have contented themselves with employing Judge Jesse L. Root, to represent them before committees and his duties do not require him to mingle with the members and try to use personal influence to secure what the railroads want.

Edson Rich, counsel for the Union Pacific, who was here the first of the week, said:

"We believe it is better to make argument before committees to which bills affecting railroads are referred and trust to the legislature to see that no unjust legislation is enacted against us, than to maintain a big lobby."

So far the stock yards has no lobby here though parties believed to have this company's business at heart have been in and out of town. A stock yards bill has been introduced, however, and this may cause a hurrying to the capital of a lobby. The telephone companies have no big lobby on hand. A. D. Lane has registered with the secretary of state as the representative of the Bell people, but he is doing very little mixing with the members.

Lee Herdman drops down every few days, but his business seems to be with the governor more than with the legislators. Herdman insists that he has been trying to get to the governor to talk over places to be allotted to the Omaha faithful and is not interested in legislation. George Rogers has spent considerable time with the governor on different days the latter part of last week and was very well pleased with his interview.

If the lobby fails to show up this winter it will not be because of a lack of opportunity, for bills have been introduced to regulate and change the present laws of practically every corporation in the state.

## SIMON HAS LOAN SHARK BILL

### Douglas Member Would Chip Pina of This Class of Persons.

(From a Staff Correspondent.)

LINCOLN, Neb., Jan. 28.—(Special Telegram.)—Simon of Douglas, who on several occasions has been published as the enemy of the loan shark, will introduce a bill in the house tomorrow embodying his ideas of the way to take the teeth out of the body snatchers. Except by agreement the loan shark is permitted to charge only 7 per cent interest. On loans under \$50, however, he may charge 10 per cent annually. He may also charge \$1 as a fee to investigate statements made to him by the prospective borrower, or for examining the chattels.

A license must be secured by the shark from the secretary of state before he can do business. His books must be open to the inspection of the secretary and helpers he may employ at \$10 a day, to be paid by the shark. Examinations are to be made twice a year.

## KANSAS WARDEN GIVES TALK

### J. K. Coddling Advocates Change of Site of State Prison.

(From a Staff Correspondent.)

LINCOLN, Neb., Jan. 28.—(Special Telegram.)—In joint session this afternoon the house and senate listened to J. K. Coddling, warden of the Kansas penitentiary, who advocated the establishment of a reformatory. In answer to questions, Mr. Coddling said the Nebraska prison could never be made satisfactory in its present location, which he said was a slough. He opposed contract prison labor and favored working good prisoners on the roads.

The way he got rid of dope in prison he said to fire suspended employes. The employer who could not prevent dope coming into the prison, he said was not fit for the place. He was loudly applauded as he knocked contractors run-

Mr. Merchant: Did you know that many of Omaha's most successful advertisers use both the display and the classified columns of The Bee. They find it profitable to keep a little Want Ad working for them all the time. It's a business getter—that small ad back in the classified pages—so inexpensive, too.

Start your ad tomorrow.

Tyler 1000.