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THE WEATHER
FAIR

ADAMSON EIGHT-HOUR RAIL LAW DECLARED VOID

United States District Judge Hook Hands Down Decision in Case at Kansas City.

TO CONSOLIDATE SUITS
Railroads and Department of Justice Will Press Appeal to Supreme Court.

FINAL DECISION HAD SOON

Kansas City, Mo., Nov. 22.—The Adamson eight-hour law was held unconstitutional here today by Judge William C. Hook in United States district court.

Judge Hook directed the receivers of the Missouri, Oklahoma & Gulf railroad, who brought the original action in this case to enjoin the law from going into effect, to assist the government in expediting the case to the supreme court of the United States for final decision and instructed them through their attorneys to invite the representatives of every railroad in this country to participate in the hearings before the highest court in the land. This was requested in the government's motion to dismiss the injunction petition of the railroad, the government desiring to avoid "prolonged, unnecessary and scattered litigation" through the hearing of countless similar suits filed by every rail system in every federal district in the United States through which their lines run.

It is expected the decision as to whether the law will go into effect January 1 will be handed down before that time. A transcript of the present case will be filed at the supreme court before it receives December 4.

Text of Decree.
The text of Judge Hook's decree follows:

"This is an independent suit to enjoin the enforcement of a recent act of congress, commonly called the Adamson law, upon the ground that it is contrary to the constitution. In the character of the averments, the plaintiff's bill of complaint is stated to be typical of a number recently filed by railroad companies in various district courts of the United States. A motion to dismiss has been presented on behalf of the defendant United States attorney. The sole question raised by it is of the constitutionality of the law. The court is informed that the other cases stand on application for temporary injunction.

"An appeal from an order granting or refusing a temporary injunction goes to the circuit court of appeals and not further by ordinary procedure, while an appeal from a final order or decree in such a case would go direct to the supreme court of the United States. In the former, a decision would be inconclusive; in the latter a decision would definitely settle the question for the whole country. The motion to dismiss the case here, however it is decided, will promptly result in a final decree from which an appeal will be taken to the supreme court.

"The assistance of this court has been invoked to facilitate a final and authoritative determination of the constitutional question. The case was presented yesterday, and a decision is expected today. It is far from being agreeable duty for a judge to record a judicial conclusion without the care and deliberation essential to a conviction that he would stand in every circumstance. Upon the merits of a case the government neither asks nor receives from a court greater consideration than is required by the essential rules and presumptions of law, but a request by the Department of Justice to aid the progress of a case consistent with the rights of every one cannot be declined, certainly not for personal consideration.

Decree for Plaintiff.
"Upon a consideration of the Adamson law and of what is said of its practical effect and what was intended to be accomplished by it, the judge

The Weather

For Nebraska—Fair.
Temperatures at Omaha Yesterday.

Hour	Deg.
5 a. m.	21
6 a. m.	22
7 a. m.	22
8 a. m.	22
9 a. m.	23
10 a. m.	23
11 a. m.	23
12 m.	23
1 p. m.	23
2 p. m.	23
3 p. m.	23
4 p. m.	23
5 p. m.	23
6 p. m.	23
7 p. m.	23
8 p. m.	23

Comparative Local Record.

	1916	1915	1914	1913	1912
Highest yesterday	31	44	45	45	52
Lowest yesterday	21	31	32	32	40
Mean temperature	22	35	36	36	46
Precipitation	0.44	0.00	0.00	0.00	0.00

Temperature and precipitation departures from the normal:

Normal temperature	25
Deficiency for the day	-3
Total excess since March 1	205
Normal precipitation	93 inch
Excess for the day	42
Total rainfall since March 1	147 inch
Deficiency since March 1	12.11 inch
Deficiency for six months	1.44 inch
Deficiency for year, period, 1914-1916	3.77 inches

Reports from Stations at 7 P. M.

Station and State	Temp.	High.	Rain.
Omaha, clear	23	44	0.00
Cheyenne, clear	28	46	0.00
Lincoln, clear	32	42	0.00
Denver, clear	38	44	0.00
Dodge City, clear	28	44	0.00
Lander, clear	28	44	0.00
North Platte, clear	30	40	0.00
Omaha, cloudy	23	44	0.00
Pueblo, clear	30	46	0.00
Rapid City, pt. cloudy	30	50	0.00
Salt Lake City, clear	28	44	0.00
Santa Fe, clear	24	44	0.00
Shenandoah, cloudy	34	44	0.00
St. Louis, cloudy	24	44	0.00
Valentine, clear	24	44	0.00

L. A. WELSH, Meteorologist.

The Aged Emperor Francis Joseph, Ruler of Austria-Hungary, is At Last Dead After His Long Reign of Nearly Seventy Years

ARCHDUKE CHARLES FRANCIS AND WIFE—Royal pair raised to throne by death of Emperor Francis Joseph.



HOSPITAL SHIP BRITANNIC IS SUNK

Former Big White Star Liner Victim of Mine or Torpedo—Fifty Lives Lost.

NEBRASKA FARMERS TO MEET HERE NEXT

Date Is to Be Determined by the Officers Later, But Likely November.

WOMAN SAW MEN NIGHT OF MURDER

Mrs. Alice Willard Testifies at Red Oak About Mysterious Meeting.

QUIGGLE IS CHOSEN BY MANUFACTURERS

State Association Wants Union of Nebraska to Broaden Extension Work.

HEIR TO ASSUME THRONE

London, Nov. 22.—The death of Emperor Francis Joseph has caused notable emotion in Vienna, says the Exchange Telegraph company's Amsterdam correspondent.

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Head of Dual Monarchy Taken Suddenly Worse and Expires at 9 O'clock Monday Evening.

TOOK COLD TEN DAYS AGO

Pneumonia Develops, but Condition Not Regarded Serious Until Yesterday.

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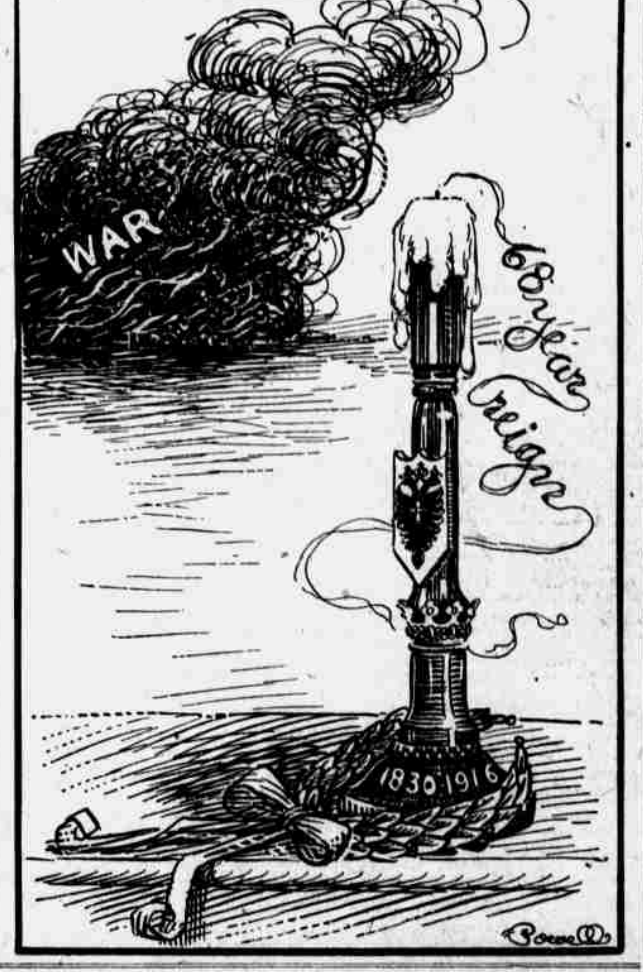
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Requiescat in Pace



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HUGHES SENDS HIS REGARDS TO THE PRESIDENT

Republican Candidate Congratulates Wilson on His Re-election to Office of Chief Executive.

MIXUP IN CALIFORNIA

Secretary of State Will Not Give Electors Certificates Unless Errors Corrected.

NOT TO AFFECT RESULT

Lakewood, N. J., Nov. 22.—Charles E. Hughes, republican candidate for president in the recent election, tonight sent to President Wilson a telegram congratulating him upon his re-election.

In his telegram Mr. Hughes said: "Because of the closeness of the vote I have awaited the official count in California and now that it has been virtually completed, permit me to extend to you my congratulations upon your re-election. I desire also to express my best wishes for a successful administration."

California Flareup

Sacramento, Cal., Nov. 22.—Secretary of State Frank C. Jordan predicted that unless certain mistakes and omissions discovered in returns of the election from Yuba county and Orange county are corrected, he will withhold the certificates of election to presidential electors from California.

Should this be done there will undoubtedly be a delay if not a serious situation possibly affecting even the re-election of President Wilson, since the election depends on the votes of the thirteen presidential electors from California.

Jordan's Statement

Following is a statement issued by Jordan concerning the situation: "Under the provisions of Section 1313 of the political code, it is the duty of the secretary of state to compare and estimate the votes given for electors. Such comparison and estimate is to be made as soon as returns are received from all the counties in the state."

"In Marysville precinct No. 3, twelve democratic electors are credited with ninety-six votes each, but the votes received by Loren A. Handley, democratic elector, have not been credited because the election clerks failed to include the vote in their returns to the supervisors, the supervisors could not ascertain such vote and therefore the county clerk was unable to include it in the returns to this office. The returns from this county are incomplete."

More Glaring Case

"In the county of Orange a more glaring case of disfranchisement is presented. All the voters of Orange Thorpe precinct have been denied an expression of their wishes, as indicated by their votes. Because the tally lists are in the sealed envelopes containing the ballot the board of supervisors could not ascertain the vote in that precinct, and the returns certified to this office are not complete because of such omission."

"If these mistakes are not corrected, if these partial returns are accepted, if the will of the voters of these precincts is to be disregarded, even the vote of one elector, why can not other mistakes be permitted to occur in other counties and precincts and thus the will of the voters be thwarted and confusion result."

"It is the duty of the democratic and republican state central committees to take immediate steps to have these mistakes corrected, even if the aid of the courts must be invoked, otherwise the secretary of state may deem it his duty to withhold certificates of election to presidential electors in order that an evil precedent may not be established."

Won't Affect Situation

San Francisco, Cal., Nov. 22.—O. K. Cushing, chairman of the democratic state central committee, said today that, in his opinion, no action contemplated by Secretary of State Jordan could possibly affect the situation as it stands—that President Wilson's lead in the state is safe.

Statistics gathered by republicans and completed at noon today, showed that the lowest democratic elector in California was 1,242 votes ahead of the highest republican, making the electoral delegation solid for Wilson.

Figures Unchanged

Los Angeles, Cal., Nov. 22.—Canvass of Los Angeles county's vote in the presidential election was completed today by the board of supervisors and it was expected the official certified records would be sent to Sacramento late today. There were no changes from announced semi-official figures.

No Difference in Results

Oakland, Cal., Nov. 22.—Totals on Alameda county's election returns were completed today, showing practically no difference over the unofficial figures. Next to Los Angeles county Alameda county cast the heaviest republican vote in the state.

You are as close to the

Bee

Want a Department as your phone is to you.

Tyler 1000

Lowest Rate, 1c per word.

Best Results.

Best Service.

Heir to Austrian Throne a Soldier

Vienna, Nov. 21.—Archduke Charles Francis, grand nephew of Emperor Francis Joseph, became heir to the throne of Austria-Hungary by the assassination of Archduke Francis Ferdinand prior to the outbreak of the war. He has been in command of the Austrian army on various fronts during the past two years.

Archduke Charles Francis was born on August 17, 1887. His wife was Princess Zita of the Bourbon house of Parma. His father was the Archduke Otto, who was the younger brother of Francis Ferdinand.

EMPEROR OF AUSTRIA-HUNGARY, WHO IS DEAD.



Francis Joseph

Goes to the Pen for Theft of the Savings of a Poor Working Woman

Clark Money Note and Secures Flees, but is Brought Back Here.

WAS IN MARINE BARRACKS

It will cost Francis R. Clark his liberty for from one to twenty years for forging a note and gaining possession of a poor working woman's savings. Clark was sentenced to the state penitentiary when he pleaded guilty to a charge of forgery before Judge Sears.

On January 15 of this year Clark cultivated the friendship of Mrs. Margaret Jung's young son, and, by giving the lad with pennies and gifts

of candy, persuaded him to get his mother's bank book, which was hidden away at home.

The mother was at work, and the following note, written by Clark and presented at the bank by the boy, together with the bank book, was honored.

"Dear Sir—Would you please let bearer, my son, have \$40, as I am sick in bed and need the money very bad. I also send the bank book along. Oblige, (Signed)

"MRS. MARGARET JUNGE."

Clark fled from the city after the boy handed the money over to him. The local police finally located him at Port Royal, S. C., where he was serving a sentence in the United States marine barracks. Upon the termination of his sentence, November 4, he was brought back to Omaha to stand trial on the forgery charge.