

RAILROADS HINT TO CHANGE RATE STATUS DISLOYAL

Whole Theory of State and Federal Government Rig's Involved in Rail Question Discussed.

From a Staff Correspondent. Lincoln, July 1.—(Special.)—Warning of dire consequences to some persons is given in a brief filed with the State Railway commission by the railroads of the state in the complaint brought by Sunderland Brothers company and others of Omaha in a case involving rates on building material in connection with the commission's order, No. 19. The railroads say it would be sedition to follow the request made of the railway commission.

The brief states that on September 6, 1914, order No. 19 of the State Railway commission made substantial changes in the relationship of state and interstate rates from and to the principal distributing centers on the Missouri river and in Nebraska which competed for the trade of this state. Thereafter complaints were filed with the Interstate Commerce commission complaining of the discrimination created by order 19 and a prayer granted that the railroads be required to remove the same. In compliance therewith the railroads increased the rates from the Nebraska jobbing centers, of which Omaha was one. The rates have since been continuously in effect.

Made By Government. "It is immaterial for the purpose of this discussion as to what the future rate may be of these rates in any pending legislation," says the court, "as by general order No. 28, made by Director of Railroads W. G. McAdoo, the rates effective on that date were the rates which by that order were increased upon the initiative of the president of the United States and as a part of the program of the operation of the railroads of the United States by the federal government in the exercise of its war power which is based upon that part of the constitution which provides that congress shall have power to lay and collect taxes, imports and excises, to pay the debts and to provide for the defense and general welfare of the United States; to declare war, grant letters of marque and make rules concerning captures on land and water, etc." Also to "make laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by the constitution in the government of the United States or any department of officer thereof."

Harks Back to Past. According to the brief this last provision was the subject of fierce attack when the constitution was submitted for adoption. It was vigorously defended by members of the constitutional convention and especially by the committee of 11 of that convention. "Among such supporters of course were Hamilton and Madison. Hamilton with his prophetic vision was peering through the future, 131 years and perceived the clamor of 1861 for state rights and its mirage of the 20th century reflected in national conventions of State Railway commissions the exact conditions now confronting us."

Would Be Sedition. The brief closes with the following: "If the complainants in this case were to ask individuals to do that which they are asking this commission to do, the doing of it by the person asked would be violation of the sedition act passed by the last legislature, and with an emergency clause and which became effective April 9, 1918, in which interfering with the mobilization of or movement of troops or obstructing the activities of the state or federal government in the prosecution of the law would subject such persons to penalties prescribed by such law. It would also be a violation of the federal sedition act."

Pioneer of Fairbury Is Stricken With Paralysis. Fairbury, Neb., July 1.—C. C. Boyle, a pioneer resident of Fairbury and county judge of this county for 25 years was stricken with paralysis Saturday morning. He lives at his home alone, where he was found sitting in a chair in an unconscious condition. Physicians hold out little hopes of his recovery. Judge Boyle is 80 years old, coming to Nebraska in the 60s. He freighted with oxen before the days of railroads. Later he studied law and has practiced his profession in Fairbury since 1870. One of his daughters, Mrs. Ed Allen of this city is reported to be the first girl born in Fairbury.

Nonpartisans Scored by Defense Council of Gaggge. Beatrice, Neb., July 1.—(Special.)—At a meeting of the defense council Saturday night a resolution was passed denouncing the Nonpartisan league as detrimental to the best interests of the people of Nebraska and as unpatriotic, and asking all loyal members to withdraw therefrom. Sam McKelvie of Lincoln addressed the meeting along patriotic lines. Addresses were also delivered by A. H. Ridd, J. C. Emery, Samuel Rinkner and others. Steps will be taken to oppose the meeting of the league to be held here next Tuesday.

Marsh Files for Auditor. (From a Staff Correspondent.) Lincoln, Neb., July 1.—(Special.)—George W. Marsh of Lincoln has filed for the republican nomination for state auditor. Mr. Marsh filled the position of secretary of state two terms, was deputy for a couple of terms and was a candidate for state auditor at the last election, but was defeated by the present incumbent, W. H. Smith.

SENATOR SHUMWAY DIES AT LINCOLN

Member of Legislature in Three of Its Sessions Passes Away After Long Illness, Member Many Orders.

From a Staff Correspondent. Lincoln, July 1.—(Special.)—Herbert P. Shumway of Wakefield, who had been quite ill for several months at the Bailey sanitarium in this city, died last night and the body, accompanied by Mrs. Shumway, a brother and sister and other relatives who were present when he died, was taken to Lyons today for burial. Senator Shumway came to Nebraska in 1880 and settled soon after on a farm near Wakefield in Dixon county. He was a graduate of the University of Minnesota. He was born in Caledonia, Minn., in 1856. Soon after coming to Nebraska he engaged in the lumber business at Lyons and Wakefield. In 1901 to 1904 he was associated with others in the building of a line of railroad to Mexico. He was a member of the state senate of Nebraska in 1901 and again in 1913 and 1915. Senator Shumway was a member of the Masons, Shriners, Elks, Odd Fellows, Modern Woodmen, United Workmen, Eastern Star and Sons of Veterans and was on the staff of Governors Crouse, Mickey and Sheldon. He was a candidate for lieutenant governor on the republican ticket at the last election, but went down with the rest of the ticket in the democratic landslide. He had filed for the republican nomination for the same office this year.

McMullen for Congress Club Formed at Beatrice. Beatrice, Neb., July 1.—(Special.)—A number of republicans held a meeting here Friday night and organized a "McMullen for Congress" club. Dwight S. Dalbey was elected president and F. E. Lenhart, secretary. Mrs. Ida Tracy of this city was married yesterday at Nevada, Mo., to Rinehardt Brooker of Kansas City. The couple will reside at Kansas City. S. B. Moore Saturday filed for the re-election nomination of sheriff. Others filing are F. E. Wheeler and J. Q. Reed. Charging desertion and cruelty, Raymond Walker, a member of the fire department, Saturday brought suit for divorce against Emma Walker. The Farmers Elevator company of Clatonia Saturday filed suit for \$450 damages against G. Schmidt, a farmer who is charged with refusal to fulfill a contract for the delivery of 1,000 bushels of corn, according to his agreement with the company. Four hundred South Dakota draft men were entertained at breakfast yesterday morning which was given in the Methodist church parlors by the ladies of the Methodist church. Corporal "Muck" Kyle of the 134th regiment stationed at Camp Cody, arrived in town yesterday for a brief visit with his parents. He says that all of the members of old Company C of this city have gone to eastern training camp with the exception of about thirty. Lieutenant Verne Ayers of this city, who has been critically ill at the aviation field near Fort Worth, Tex., from an attack of pneumonia, is reported much better. Patrick Moore, an old resident of Wymore, died yesterday. He was formerly in the employ of the Burlington at that place, but was engaged in the grocery business at the time of his death.

Baby Girl Comes to Home of Governor and Mrs. Neville. Lincoln, Neb., July 1.—(Special Telegram.)—A girl baby today was born to the home of Governor and Mrs. Neville. There are no boys in the family, but this is the fourth girl that has been born to the governor and his wife.

Jones in State Berth. (From a Staff Correspondent.) Lincoln, July 1.—(Special.)—O. L. Jones of Lincoln has been appointed assistant attorney general to fill the vacancy caused by the resignation of John Cutright jr., who has entered the military service of the United States. Mr. Jones is a well known attorney of Lincoln and was a candidate for the democratic nomination for county attorney, but will withdraw his candidacy.

Soldiers and Their Vote. (From a Staff Correspondent.) Lincoln, Neb., July 1.—(Special.)—Governor Neville and Secretary of State Pool are desirous that a correction should be made of a statement made by the newspapers that the War department will not be able to furnish lists of Nebraska soldiers in France in time for them to vote at the primary. The Nebraska law does not provide that soldiers out of the United States can vote at the primary.

Obituaries

MRS. ISABELLA MORGAN died Monday morning at the Old People's home on Fontenelle boulevard. She was 89 years old. She is survived by one son, Joseph. The funeral will take place from the home at 2:30 p. m. Tuesday.

MISS ERICA AMANDA, aged 41 years, daughter of Mr. and Mrs. John Lundberg, 3304 Blondo street, died Sunday. The funeral will be held Tuesday at 2 p. m. from N. P. Swanson's parlors to Swedish Mission, Twenty-third and Davenport streets, with interment at Forest Lawn cemetery.

MRS. MARY LOGSDON, wife of E. G. Logsdon, died Monday. She is survived by her husband and three sons, Michael and Emanuel, of Omaha, and four daughters, Mrs. William Haughton, Mrs. Mary Davis and Mrs. Margaret and Claire Logsdon. The funeral will be held Wednesday from the residence, 2561 Ames avenue, at 2:30 a. m. to Holy Angel church, with interment in Holy Sepulcher cemetery.

MRS. EVA M. BURSTALL, 71 years old, died at the home of her daughter, Mrs. H. P. Van Arsdale, 2864 Bristol street, yesterday. Funeral services will be held at 2:30 o'clock in the home. Mrs. Burstall came to Nebraska in 1882, making her home in this state for 36 years. She is survived by her sister, Mrs. Will Adams of Omaha, and five daughters, Mrs. Van Arsdale, Mrs. O. W. Auchmoedy, Mrs. H. T. Whitman, Mrs. T. H. Holden, all of Omaha, and Mrs. Vint of Los Angeles. One son, Burt Burstall, resides in Oxford, Cal.

NONPARTISAN MAN AFTER WITNESSES THROWN IN JAIL

Walter E. Quigley Given Warm Reception When He Goes to Saunders County to Dig Up Testimony.

From a Staff Correspondent. Lincoln, Neb., July 1.—(Special Telegram.)—Trouble between the State Council of Defense and the Nonpartisan league became more acute today when it became known that Walter E. Quigley, Nonpartisan league organizer, who had gone to Saunders county to obtain witnesses for the hearing today in which the league had appealed to the Lancaster county district court for a restraining order to prevent the council of defense from interfering with meetings of the league, had been arrested by Saunders county officials and thrown into jail.

In its answer for a prayer for a restraining order against the council asked for by the league, the former set out that the court had no jurisdiction over a matter which was purely a political affair, neither had the league any legal capacity for the reason that it has no company or association for the purpose of carrying on any trade or business or holding property in the state.

On the other hand the council of defense is a body created by the legislature is invested with quasi-judicial functions and is beyond the power of the district court to enjoin. The answer further states that the league is engaged in discouraging the people from backing up the government and that its organizers have been placed under arrest for seditious acts. The answer further sets forth that the league meetings in the state have been the cause of disturbances and riot and controversies between citizens, and that the organization of the league tends to destroy the effectiveness of the citizenship of the state toward the prosecution of the war.

Most of the afternoon was passed in argument, Strode and Beightol appearing for the council for defense, and Flansburg and Sorenson for the league. The case was continued until tomorrow morning.

Fremont Pioneer Dies in Douglas, Wyo., 85 Years Old. Fremont, Neb., July 1.—(Special Telegram.)—William B. Lee, last of the little band of pioneer settlers who came to Fremont in 1856, died at the home of his daughter, Mrs. John Flynn, Douglas, Wyo. The body will be brought to Fremont for burial. Where he resided for 62 years. Mr. Lee, a native of Ireland, was 85 years old. A month ago, following the death of his wife, he went to Douglas to reside with his daughter. He came to America in 1850, locating in Pennsylvania. Three years later he removed to Wisconsin, and in 1856 came to Fremont. He helped lay out the townsite of Fremont and was prominent in community affairs in the early days. Two daughters, Mrs. John Flynn and Mrs. A. R. Merritt of Douglas, and two sons, Ed, of Brownlee, and Frank, of Oregon, are the close surviving relatives.

100 W.S.S. Societies in Dodge. Fremont, Neb., July 1.—(Special Telegram.)—Over 100 war savings societies have been organized in Dodge county, according to reports received by the county superintendent, J. W. Matzen, director for Dodge county. Scores of committees are yet to report.

Miss Templeton to Saratoga. (From a Staff Correspondent.) Lincoln, July 1.—(Special.)—Miss Charlotte Templeton, secretary of the state traveling library commission, has been called to Saratoga, N. Y., to a meeting of library secretaries to discuss war libraries for the soldiers across the water which meets in that city this week.

LEMON JUICE TAKES OFF TAN
Girls! Make bleaching lotion if skin is sunburned, tanned or freckled
Squeeze the juice of two lemons into a bottle containing three ounces of Orchard White, shake well, and you have a quarter pint of the best freckle, sunburn and tan lotion, and complexion beautifier at very, very small cost.
Your grocer has the lemons and any drug store or toilet counter will supply three ounces of Orchard White for a few cents. Massage this sweetly fragrant lotion into the face, neck, arms and hands each day and see how freckles, sunburn, windburn and tan disappear and how clear, soft and white the skin becomes. Yes! It is harmless—Adv.

A DRUGGIST SAID:
I have traded with one cleaner for about 25 years and they have always "made good." I have heard that the Carey Cleaning Co. do excellent work, but I have no reason to change. No room for argument there. But remember, if you do make a change, that the Carey Cleaning Co. does excellent work.
Neckties Cleaned 10c

The Inn at Okoboji
Fifteenth Season Under Same Management. Special Attention to Automobile Parties.
Callender & Jaquith.

BELL-ANS
Absolutely Removes Indigestion. Druggists refund money if it fails. 25c

Bloody Criminal Is Delivered to T. Flynn; It's Big German Flag

A large German flag hangs in the office of United States Marshall Flynn. The big flag is nailed into a long, bare wooden coffin and never will be unfurled in the land of the free and the home of the brave. It will be dumped into a dishonorable grave for the red is stained with the blood of Belgium; the white suggests the "scraps of paper" of a double crossing government; the black is a bit of the heart of Germany. The flag is said to be the largest in captivity and was sent to United States Marshall Flynn by W. A. Brown, sheriff of Stanton county, who decided that "no more bloody criminal was ever delivered to the custody of United States officials."

Omaha Headquarters For One of Plants For War Industries

Manufacturers in Omaha and heads of the larger industrial plants throughout Nebraska today appeared in Kansas City for a conference with Franklin D. Crabbs, regional industrial director. To enable the government to determine what the factories of this trade zone can produce and how many plants can be turned from nonessential to essential war production, representative manufacturers from Kansas, Nebraska, Oklahoma, Utah, Colorado, Wyoming, Northern New Mexico and western Missouri are in session there. Omaha was made the headquarters of one of the subregional districts, including Nebraska.

Iowan One of Two Killed When Plane Tumbles in Flames

Fort Worth, Tex., July 1.—Lt. William De C. Ravenall, jr., of Washington, D. C., and Corp. Ray L. Banning of Cresco, Ia., stationed at Hicks aviation field here, were killed today when the airplane in which they were ying fell in flames. Minneapolis Newspapers Make Advance in Prices. Minneapolis, Minn., July 1.—The Minneapolis Journal, the Evening Tribune and Daily News, today increased prices of their papers from 1 to 2 cents. The Minneapolis Morning Tribune recently increased its price from 1 to 2 cents. The Sunday issues of the Journal and Tribune will be 6 cents instead of 5 cents, hereafter.

Grand Island Headquarters From St. Joe to Marysville

St. Joseph, Mo., July 1.—(Special Telegram.)—The general offices of the Grand Island railroad were moved tonight from St. Joseph to Marysville, Kan. This announcement was made today by W. M. Jeffers of the Union Pacific and Grand Island roads. Marysville will become the central point for all business of the two roads in this section. The reason for the change is the demand for efficiency and the necessity of combining the branches of the two roads under a central head. The loss to St. Joseph is a heavy one.

President Nominates Tedrow U. S. Attorney in Colorado

Washington, July 1.—President Wilson today nominated Harry Tedrow of Denver as federal attorney for the district of Colorado.

BURGESS-NASH COMPANY

"EVERYBODY'S STORE"

Monday, July 1, 1918 STORE NEWS FOR TUESDAY Phone Douglas 137

You Will Find These WASH SKIRTS

Wonderful Values at \$1.47



MANY pretty styles to select from, made from such materials as gabardine, either plain or self stripe, piques. Also white and tan grounds, with colored figures and stripes. Regular sizes 23 to 30 waist measure. Smartly trimmed with buttons; some have pockets, some without. Remarkable values at \$1.47.

Burgess-Nash Co.—Main Floor Burgess-Nash Co.—Down Stairs Store

Continuing Our Clearaway Sale Of SPORTING GOODS

Featuring for Tuesday goods that will be of interest to those preparing for the "Fourth"—a day of fishing, tennis, golf, base ball, croquet, etc.

 Tennis Rackets 20% Off A wide assortment embracing tennis raquets, nets, balls and raquet covers.	 Fishing Tackle About 25% Off Everything a fisher needs. rods of all kinds, tackle boxes, baits, lines, hooks, etc.	 Golf Clubs 25% Off Of great interest to golfers is this sale of clubs, including all kinds, balls and golf bags.	 Croquet Sets 25% Off Everyone likes to play croquet, and sets of 4, 6 and 8 balls have been reduced one-fourth off regular price.
--	--	--	---

THRU the NEW ERA CLUB Plan We Will Deliver a "Standard" Rotary Sewing Machine for a Five Cent First Payment.

The plan is simple, safe and helpful. It gives you the best Sewing Machine in America at less than usual cash price and in the easiest way yet devised.

The Standard Rotary is the lightest, the fastest and the easiest-running Sewing Machine to operate in the world. It has a score of advantages such as the "sit-straight" idea, lock and chain stitch device. Every woman should have one NOW.

Cash Dividends
Anticipating the final payments, pay them in advance, and for each final payment you pay or take up in advance you get a 10% cash dividend.

In this way you can save for yourself \$3.80 extra on this \$39.00 Standard Rotary in cash dividends alone. You can pay as much cash as you please.

Six-drawer style—the world's best machine, lock and chain stitch—central needle style.

STANDARD ROTARY \$39.00

5c



First payment—immediate delivery—then every week you pay 5 cents more than the previous week's payment.