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BIG FINE CASE AGAIN

Rehearing is Begun in Federal Court in Chicago.

Legal Lights Representing Government and Defense in Retrial of Suit in Which Judge Landis Imposed Fine of \$29,240,000.

The retrial of the famous Standard Oil "big fine case" began Tuesday before Judge Albert B. Anderson of Indiana in the United States circuit court in Chicago.

The present proceedings constitute a rehearing of the case in which the Standard Oil company of Indiana, a subsidiary company of the Standard Oil company of New Jersey (the parent of all the Standard Oil companies) was fined \$29,240,000 by Judge Landis for rebating. The famous fine was imposed Aug. 3, 1907, and on July 22, 1908, the United States circuit court



JUDGE A. B. ANDERSON.

of appeals reversed the decision. On motion of the government the supreme court ordered a rehearing of the case.

A brilliant galaxy of legal luminaries represent the two sides in the famous case. The government's interests are in the hands of District Attorney Sims of Chicago, acting as special counsel, assisted by J. H. Wilkerson, Moritz Rosenthal, the head of the Standard's legal forces, who is frequently referred to as "the highest priced lawyer in the United States," and John S. Miller, with numerous assistants, have charge of the oil company's side of the matter.

Many Witnesses in Case.
Scores of subpoenas have been issued to witnesses in the case. One subpoena was issued for President Mofatt of the Standard Oil company of Indiana. Other Standard Oil officers who have been served are G. W. Stahl, treasurer; John C. McDonald, auditor, and Edgar Bogardus, traffic manager.

Other witnesses who are to appear are George Robert and C. Crossland, expert rate clerks for the interstate commerce commission; Secretary Kilpatrick of the railroad and warehouse commission, F. S. Hollands, rate clerk for the Chicago and Alton railroad, and J. S. Howard, formerly auditor of the Chicago and Alton railroad. Bogardus, Hollands and Howard were witnesses at the previous trial.

Life Test of Trust Curbing Laws.
The very life of trust curbing legislation is said by government officials to be involved in the retrial of the case. The new hearing differs from the old in one respect only—the government will not contend that each cartot constituted a violation of the law. The appellate court's decision precludes this. The government legal batteries will be trained in an endeavor to convince the judge and jury that each shipment, perhaps a cartot, perhaps a trainload, was an offense. If successful in this line of argument the judge may fine the defendant a maximum of \$10,000,000 or a minimum of \$5,000,000. The defense, on the other hand, will, it is said, claim that the settlements of freight charges constitute the alleged offenses. Of these, the government alleges, there were thirty-six, on which fines of from \$35,000 to \$720,000 may be inflicted. Even the maximum fine on this basis, the government declares, would render the law ineffective, as the maximum fines would be trivial compared with the supposed earnings of the defendant company. A no less vital question, to which careful attention will be given, is what constitutes proof of rebating. On this point the appellate court found fault with Judge Landis in the original case.

KILLS FOUR CHILDREN AND SELF
Wisconsin Farmer Butchers Family in Fit of Insanity.

While in a fit of insanity, Henry J. Hanson, a farmer of Strum, Wis., killed his four children in their home and later set fire to the house. The mad parent is supposed to have used either a butcher knife or crushed the children's skulls with a hammer, as a hammer head was found in the ashes near their bones. Hanson, after killing his children and a number of live stock, ended his own existence by cutting his throat.

The dead are: Hugh, aged fourteen years; Marel, twelve; Sadie, ten; Hannah, seven.
The oldest girl, Ella, alone escaped death at the hands of her crazed parent. Ella is employed in the village of Strum and was away from home at the time of the tragedy.

RAINEY TALK STIRS BURTON

Ohio Congressman Bitterly Arraigns Illinois Representative.

A second speech by Rainey (Ill.), reiterating his former statements concerning the Panama canal, and a bitter arraignment of Rainey by Burton (O.) furnished the principal incidents of the house of representatives.

After the Illinois member had spoken for an hour in further denunciation of William Nelson Cromwell, Burton took the floor to make reply. He vigorously defended Mr. Cromwell, C. P. Taft, President Elect Taft and others whom Rainey, on a former occasion, had made objects of his attacks. Rainey, he said, had furnished no proofs of wrongdoing in connection with the purchase of the Panama canal franchise, but instead had conjured up wrongs and buttressed them with slander and falsehood, thereby placing himself on a level with "the scurvy politician." He challenged Rainey to get from behind the protection afforded him by the constitution of the United States and rules of the house and make his charges in the open. Lovering (Mass.) joined in the discussion and insisted that Rainey had proved nothing.

The incident was closed by a declaration by Cockran (N. Y.) that persons whose reputations were attacked in the house should have an opportunity to defend themselves in the same place.

Following the sending of the army and Indian appropriation bills to conference, consideration of the sundry civil appropriation bill was resumed.

For two hours and a half the senate discussed the postal savings banks proposal, but an attempt to reach an agreement as to a day for voting on the measure that Senator Carter (Mont.) is urging failed. Senator Aldrich obtained the consent of the senate to a resolution continuing the committees of the senate as they now exist until their successors are chosen in the next session. The agricultural appropriation bill was taken up.

PRESIDENT MAKES REPLY.

Adds Another Chapter to Secret Service Controversy.

President Roosevelt added another striking chapter to the secret service controversy in a vigorous reply to the attacks made on this branch of the government in a report made recently by Senator Hemenway of the senate committee on appropriations. Senator Hemenway, in his report, upholding the limitation in the scope of the secret service, asserted that it never had been the intention of congress to build up a "spy" system and with evident reference to this part of the report, the president declared that if the limitation of the secret service had been in force when the sensational land frauds were unearthed a few years ago a senator, a representative and various men of wealth and high political influence, who at that time were convicted, would all have escaped punishment. The president's letter is addressed to Acting Chairman Hale of the senate appropriations committee. Characterizing as "inaccurate and misleading in various important respects" both Senator Hemenway's report and the debate which it aroused in the senate, the president presented a mass of facts and figures in defense of the secret service during the seven years of his administration. Some of the president's data is based upon information supplied by Attorney General Bonaparte and Secretary of the Interior Garfield in support of the efficiency of the secret service in the detection of crime, notably in the conviction of Bartlett Richards and others for land frauds in Nebraska. The president says that in no single instance has it been shown that their action jeopardized any man who was not connected with illegal transactions.

PAY HONOR TO FATHER GEORGE.

He is Not Forgotten in Enthusiasm Over Lincoln.

Although the celebration of the centennial of the birth of Lincoln has overshadowed this year the birthday of George Washington, the usual honors were paid Monday to the memory of the Father of His Country. As a legal holiday Monday was far more widely observed than Lincoln day, since the adoption of the latter day as a holiday has not become general in the greater part of the states. Washington's birthday is a legal holiday in every state except Mississippi. There as elsewhere, the day was observed with exercises in the public schools.

President Elect Taft delivered an address Monday at the University of Pennsylvania. Governor Fort of New Jersey spoke at the annual celebration of the Union League club of Chicago, and Governor Hughes of New York was the principal speaker at the winter convocation of George Washington university in the national capital.

Marshal Killed by Burglar.
In a hand-to-hand pistol duel at Olean, N. Y., with Nelson Dessler of Berlin, Ont., whom he caught in the act of burglarizing the office of the Drony Lumber company, Police Captain Timothy Hasset was killed by a shot through the head. Dessler was shot four times. He escaped, but was captured later.

Powder Trust to Have Competitor.
Backed by the interests headed by Senator William A. Clark of Montana a powder manufacturing company, beginning operations with a capital of \$3,000,000, will shortly erect a plant in one of the bay counties of California and engage in active competition with the powder trust, according to a statement made in San Francisco.

NEWS OF NEBRASKA

State Troops Ready for Duty at South Omaha.

Exodus of Foreigners from South Omaha—Flee from Scene of Violence to Other Places—Appeal for Protection and Will Seek Redress.

Omaha, Feb. 23.—Three companies of the Nebraska National Guard were called out at the instance of Governor Shallenberger and mobilized at the Millard hotel this morning. They are company L of the First regiment and companies I and G of the Second regiment, all three of Omaha, and were commanded by Major W. Baer of this city. The members of the three companies had been anticipating a call, with the result that they were all at their armories in a very short time after the call was issued and were soon fully accoutered for duty.

This was the latest development in the situation which arose as a result of the attack by a South Omaha mob on the Greek quarter of that place. During the day nearly all of the Greeks in the two cities gathered in Omaha and a mass meeting was held, attended by 1,500 of King George's subjects. It was then decided to ask the Greek minister to take action to secure redress for the spoliation of their property in South Omaha.

The Greeks were represented by A. B. Kokoris, known as "King of the Greeks," who is both wealthy and influential. Kokoris' property was the center of Sunday night's attack, possibly because of his prominence in the Greek colony, and he has taken steps to secure the action of the Greek authorities in the matter.

Absolute quiet reigned in South Omaha last night, doubtless because of an exodus of Greeks from the city. The assaults have had the effect of bringing about the condition the mob sought, at least temporarily, because not a Greek was to be found any place today. Many of them came to this city, others went to Council Bluffs and not a few left on outgoing trains.

The Greek colony has a mutual protective fund, said to exceed \$25,000, and this was immediately made available for the relief of hounded men. They were fed and housed and to those who wished to leave the city, money and tickets were furnished for that purpose.

It now appears that the federal government will be asked to take a hand, in fact that condition has already been brought about, and it is presumed the action of Governor Shallenberger in calling out the militia followed representations from Washington demanding that the Greeks be protected. Counsel has been retained here and Kokoris declares that nothing will be left undone to secure proper regard for his countrymen.

Warning was received by the Omaha city authorities that Greeks in this city might not be immune from attack tonight and the local police force was augmented to twice its normal size for a possible emergency.

Still After White Slavers.

Chadron, Neb., Feb. 23.—That the United States immigration authorities are determined to abolish the white slave traffic in the west is evidenced by the arrest of William Karlar at Crawford, on the charge of importing alien women into the country for immoral purposes. The woman in question this time is Jane Jones, who was with other women brought into Nebraska in May, 1908. Karlar was bound over in \$1,000 and, failing to secure bail, is locked up in jail here.

Alliance in Western Nebraska.
Blizzard is raging over Wyoming and western Nebraska. The snow is from ten to twelve inches deep and is drifting badly. It is feared that the storm will cause heavy loss to stock on the open range. Trains have been delayed, but the heavy snowfalls are in operation and traffic is still moving.

Perished in Storm.

Lynch, Neb., Feb. 23.—The body of Elmer Chaff, a young man who perished during the recent storm, has been found near Ponca creek. It is said he was under the influence of liquor and refused to go to a local hotel. He wandered away and was not seen again until his body was discovered.

Killed by Falling Tree.
Plattsmouth, Neb., Feb. 19.—Herbert Herold, an old resident, is dead at his home as the result of being struck by a tree, which he was cutting down, when it fell. He was seventy-four years of age, wealthy and leaves a large family of grown children, all prominent where they live.

Minnesota Defeats Nebraska.
Lincoln, Feb. 20.—In a game characterized by rough play, Minnesota defeated Nebraska at basketball by a score of 28 to 26. At the end of the first half Nebraska led by 16 to 10 and retained the lead until within three minutes of the close.

No Pardon for Wife Murderer.
Lincoln, Feb. 23.—Anton Christianesen, the wife murderer from Omaha, will not be released from the penitentiary right away. Governor Shallenberger turned down his application for a pardon.

Ex Governor Morrill Ill.
Topeka, Kan., Feb. 23.—Ex-Governor E. N. Morrill of Kansas is critically ill at San Antonio, Tex. He is seventy-five years old.

REPRIEVE FOR SHUMWAY.

Doomed Man is Granted Stay of Execution Until March 5.

Lincoln, Feb. 20.—With only an hour to live, under the terms of the death warrant read to him, R. Mead Shumway was reprieved by the supreme court and a stay of sentence granted until March 5. Shumway was condemned to die for the murder of Mrs. Sarah Martin, a crime committed Sept. 3, 1907. The reprieve was granted under the showing made in affidavits that one of the jurors who sat in the case committed suicide because of remorse over his acquiescence in the death penalty and a further affidavit that Shumway was struck on the head when a boy and that his mind was affected in consequence. F. G. Hamer, who worked for Shumway's reprieve, will seek a commutation of sentence to life imprisonment.

Shumway was prepared to die. He had put on his death suit, had eaten his last dinner, had heard the death warrant read to him while he held the electric light so that Clerk Helleman could see plainly, had told Sheriff Trude, who guarded him when the trial in the lower court was in progress, that he would not be in prison if he had had a fair trial, and had listened to the ministrations of a man of the cloth. Everything was set for his death, a crowd of 150, the largest crowd ever gathered within the prison walls to witness an execution, waited in the broom corn warehouse, and the hangman was leaning against the scaffold waiting for his victim. Then the warden ran across the court crying out the reprieve, and Shumway for a time was saved.

The decision of the supreme court in the last appeal for a rehearing was evenly divided on the question, Judge Rose not sitting. The evidence on which Shumway was convicted was purely circumstantial.

SEWARD WOMAN ENDS HER LIFE

Mrs. Edward Wehn Hangs Herself After Setting Fire to House.

Seward, Neb., Feb. 19.—Mrs. Edward Wehn dramatically killed herself. Setting fire to her house in several different places, she went to the garret, lighted her own clothes and hanged herself to a rafter. The firemen quickly put out the flames and after a search, found the woman's partly cremated corpse. She was a sister of the late Tobias Castor of Wilber, Neb., one of the early railroad builders of Nebraska. Her husband is a druggist. Sudden insanity is the only explanation given.

Rambadt is Under Arrest.

Fremont, Neb., Feb. 19.—Few men in this part of the state have made pretenses at juggling high finance in a more business-like manner than George H. Rambadt, who is now under arrest on the charge of passing a bad draft for \$500 on a local real estate firm, as part payment for farm land. He was negotiating for farm lands valued at more than \$50,000 in this section and his arrest occurred while he was eating his dinner in a Schuyler hotel, having gone to that place and begun negotiations for the purchase of a \$20,000 farm near there. When he left Fremont he borrowed a valuable fur overcoat. Only a few dollars were found in his possession when he was arrested. The local authorities believe is partially insane.

Marquis Denies Criminal Intent.
Hastings, Neb., Feb. 19.—Benjamin Marquis, brought here on requisition from Kansas City, declares there is nothing criminal against him and that his indebtedness to the banks which have made the complaint is the result of their permitting him to overdraft his account, which in reality made loans of his overdrafts. He admits he owes about \$16,000 on these overdrafts, but says the banks knew his account was overdrawn when they honored the checks.

Green Sole Owner of Lincoln Club.
Lincoln, Feb. 19.—Guy W. Green today bought the half interest of his partner, John Y. Smith, in the Lincoln Western league baseball franchise and becomes sole owner of the club. Along with this announcement, Owner Green said he had called off all negotiations looking to a sale or transfer of the club.

State Y. M. C. A. Elects Officers.
Hastings, Neb., Feb. 22.—The Young Men's Christian association in state convention unanimously re-elected the following officers: W. J. Hill, Lincoln, chairman; W. O. Henry, Omaha, vice chairman; E. C. Stabeck, Omaha, secretary; M. C. Steele, Omaha, treasurer. York is the leading competitor for the next convention.

Fire Destroys Express Car.
Gretna, Neb., Feb. 22.—An express car on the westbound Burlington train caught fire while the train was between the towns of Chalco and Gretna and burned, with practically all its contents. The two express messengers escaped by crawling around the side rail of the burning car to the coach in the rear.

Rifle Range Near Ashland.
Lincoln, Feb. 22.—Senator Alex Laverty received information from Colonel Gardner of Fort Crook that the government would lease a tract of land three miles north of Ashland for the purpose of a rifle range. This is the range used by the state troops.

Beatrice Pioneer Passes Away.
Beatrice, Neb., Feb. 19.—N. C. Myers, a pioneer real estate dealer and wealthy resident of this place, where he has resided thirty years, is dead. He was a prominent Mason and well known in business circles of the state.