

TELEPHONE CASE IN COURT

Suit of the United States Against the American Bell Company.

INVOLVES VALIDITY OF BERLINER PATENTS

Judge Taylor of Indianapolis Opens the Arguments for the National Government—Arguments Will Occupy Three Days.

WASHINGTON, D. C., Nov. 9.—The case of the United States against the American Bell Telephone Company was argued in the United States supreme court today. In some respects the case is regarded as among the most important before the court, as it involves the validity of the Berliner patents, owned by the Bell company. Attorney General Harmon, Solicitor General Conrad and a number of attorneys, representing special interests, appear in the suit of the United States, while the Bell company has a heavy array of counsel, including Messrs. James J. Storrow, James H. Choate and Frederick P. Fish. The Standard Telephone company is represented by General James McNaught and Myron Francis Hill, who have filed a brief on two points in behalf of the government. The Standard company has no direct interest in the litigation, except as it affects the general use of telephones. It is said a decision in favor of the government will tend to open the telephone to public use.

Owing to the importance of the interests involved, the court granted nine hours for the argument, which will be completed for about three days. Judge R. S. Taylor of Indianapolis opened the argument today in behalf of the United States. The suit began in February 1893, when the attorney general filed a bill in equity against the American Bell Telephone company and Emil Berliner, asking for the annulment of the patent. An alternative prayer was made that if the patent was not declared wholly null and void it should be repealed in part as the court deemed proper. The Berliner application for patent was filed June 4, 1877, but the patent was not issued until fourteen years thereafter. The main points raised by the United States are: First, that the patent is void for illegality in its issue; second, that it is void on the ground that a prior patent was granted upon the same application to the same applicant for the same invention. The suit covers the telephone, the microphone, the telephone general bill set up that the Bell Telephone company designed and with intent to thereby prolong its monopoly delayed and prolonged the pendency of the application for more than thirteen years after its control of the patent. The Bell company in its answer points out that the United States officials from the time they had entire control of the application for the patent, and an express denial is made that there was any fraud, accident or mistake. The United States also claims that the Bell company had not designedly delayed the issue of the patent with a view to extending its rights. It is alleged that if there was any wrongness it was the act of the United States. The case was tried in the United States circuit court for the district of Massachusetts, where the contentions of the United States were sustained. The Bell company appealed to the circuit court of appeals, where the preceding decision was reversed on the ground that there was no evidence of delay on the part of the United States. The bill in equity of the United States was dismissed. The bill now comes before the supreme court on appeal by the United States. The same points are presented as to delay, are still foremost and the arguments of counsel today were directed mainly to these points.

GOLD IS PLENTIFUL ALL AROUND.

Subtreasuries Are Flooded with It and the Reserve is Climbing Up.

WASHINGTON, Nov. 9.—The treasury today led \$27,000 in gold coin and \$21,200 in bars, which leaves the true amount of reserve at \$121,556,364. The net gain in gold today was \$1,000,000. The resources of the treasury are being severely taxed to meet the demand for paper notes of all denominations in exchange for gold. In many cases the gold holders ask for United States notes of larger denominations in exchange, for the latter are as valuable for reserve as is the gold, but they express a willingness to accept Sherman notes if the government is unable to furnish United States notes. The demand for large denominations also is not imperative, the principal thing being the paper money. Reports from all parts of the country tend to show that nearly all of the gold withdrawn during the last several weeks was for the purpose of making paper money. The danger is passed the gold is being offered at the several subtreasuries or is being deposited in banks and so is finding its way into the government coffers. The rush of gold offers is so great that in New York at least the assistant treasurer has been compelled to refuse gold until such time as he was able to handle it and in a number of instances currency has been shipped from one subtreasury to another to meet the unusual demands. The reserve fund has been increased by \$1,000,000 and the officials have no doubt that it will reach a much higher figure before the close of the year. The increase in business generally predicted in the central Pacific region is greatly increased receipts from customs and from internal revenue, so that the present treasury deficit is likely to be reduced to some extent.

SPOILS A VERY PRETTY STORY.

Ex-Consul Ramon Williams Had No Misgivings.

WASHINGTON, Nov. 9.—The state department officials say that the story published today to the effect that Ramon Williams, ex-United States consul general to Cuba, was sent to Spain as a secret agent of the government to endeavor to secure the consent of the Spanish government to a project to sell the island of Cuba to the insurgents in the United States is a pure invention. Mr. Williams has no connection with the state department, either open or secret.

POSTAL INSPECTORS RIDE FREE.

Supreme Court Decides a Case Against the American Pacific.

WASHINGTON, Nov. 9.—The supreme court handed down its decision today in the case of the Central Pacific Railroad company against the United States, involving the question of the right of the company to compensation for carrying postoffice inspectors.

The court held that the company had waived any right of compensation that might exist. The government's right to secure free transportation for its inspectors was not directly covered, as the decision turned on the point that the railroad had freely given free transportation, not putting in a claim until long after.

Room in German Life Insurance.

WASHINGTON, Nov. 9.—A special report to the state department from Consul Manghan at Chemnitz shows that the German insurance companies have wonderfully increased their business during the last year, though how much of the increase is to be attributed to the fact that the most energetic and enterprising insurance companies have been forced to leave the country can only be conjectured. Last year the number of persons insured increased 134,725, representing an insurance of \$119,000,000. This is largely attributed to hard work on the part of the companies, although they are favored by the government in exemption from taxation on premiums to a certain extent, and it has been suggested that the insurance business has now reached its highest point, and that danger exists in the possibility of a prospective decrease in the number of those insured.

HOW TIPLING WAS KILLED

Coroner's Jury at Lincoln Inquires Into the Irish Special Wreck.

CALLS IT AN UNAVOIDABLE ACCIDENT

Verdict of the Jury Falls to Fix the Responsibility for the Disaster, but the Company Offers to Settle.

LINCOLN, Nov. 9.—(Special.)—Coroner Holbrook and a jury composed of George W. Haysport, W. H. Omaha, Chas. Beach, H. O'Neill, R. G. Merrill and O. G. Ritchey today held an inquest upon the body of John M. Tipling, the traveling man killed at Malcom a week ago last Monday, when the Irish special collided with a freight train. There were only a few spectators present, principally railroad men who were called as witnesses. Attorney N. Z. Snell, who is looking after the interests of the deceased's family, was present with his stenographer. At the conclusion of the testimony the jury retired and later returned a verdict to the effect "That said John M. Tipling came to his death from an unavoidable railroad accident at Malcom, Neb., at about 8:50 a. m. November 2, 1896, on the R. & M. railroad." It was currently reported today that the Burlington has offered to pay Mrs. Tipling \$3,000 in order to avoid a damage suit.

The literature department of the Woman's club met in the club room this afternoon and listened to a number of interesting papers. That of Mrs. Hilmer Jewett upon the editorial life of Mark Twain, read by Mrs. Stowe; Mrs. Johnson's work upon the works of the same author; and a paper by Mrs. Allen gave a delightful idea of the life and works of Ed. Mark Twain. The piano solo, organ and vocal solos were given by Miss Griggs and Mrs. Cotter.

PARDONS CALIFORNIA STRIKERS.

Cleveland Sets Three Men Free and Pardons 100 Others.

WASHINGTON, Nov. 9.—The president has pardoned W. H. Clune, Isaac Ross and Philip Stanwood of California, sentenced December 6, 1894, to pay a fine of \$1 and to be confined in the Los Angeles county jail for eighteen months, the offense being committed in the railway strikes at that time general throughout the country. The president has also pardoned 100 other strikers.

News for the Army.

WASHINGTON, Nov. 9.—(Special Telegram.)—Captain Francis Michler, Fifth cavalry, has been relieved from duty as aide-de-camp of General Miles and ordered to join his company at the expiration of his present leave of absence. Captain Edwin T. Cole, Sixth infantry, has been ordered to report to his company at Fort Grant, Ariz., to Chicago for temporary duty. Captain Edward S. Chapin, Fifteenth infantry, has been ordered to report to his company at Fort Grant, Ariz., to Chicago for temporary duty. The following transfers in the Sixth cavalry have been made: First Lieutenant John J. Ryan, troop M, to troop A; First Lieutenant John Ryan, troop M, to troop A; Lieutenant Colonel Joseph L. Haskell, Seventeenth infantry, Major Henry S. Eldridge, surgeon; Major Adam Kramer, Sixth infantry; Captain John M. Ballister, assistant surgeon; Captain William H. Carter, Sixth infantry; and First Lieutenant Richard B. Hadlock, Sixth cavalry, have been ordered to report to their companies. Captain John Q. Adams, First cavalry, has been placed on the retired list, after thirty years' service. First Lieutenant Edwin T. Cole, Sixth infantry, has been relieved from duty at Austin college, Sherman, Tex., and ordered to join his company.

Gets Damages from New York World.

WASHINGTON, Nov. 9.—The United States supreme court today affirmed the judgment of the lower court awarding Harriet Monroe \$5,000 damages against the company publishing the New York World for alleged premature publication without her authority of the World's Fair ode, composed by her.

De Lome Recall is Denied.

WASHINGTON, Nov. 9.—Senator Dupuy de Lome, the Spanish minister, would not be interviewed concerning the report published here today that he was to be recalled, but sent word to a reporter that there was no truth in the report, which was also denied at the state department.

Condition of the Treasury.

WASHINGTON, Nov. 9.—Today's statement of the treasury shows: Available cash balance, \$239,394,915; gold reserve, \$121,019,364.

Grain Dealers' National Association.

CHICAGO, Nov. 9.—The Grain Dealers' National association was organized this morning at the Saratoga hotel. After the appointment of a committee to draw up a constitution and by-laws a number of interesting papers on the grain business were read. The object of the grain men in forming the association is to secure uniform legislation and to keep the irregular grain elevator men at central points.

USEFUL BOOKS GIVEN AWAY.

Mrs. Nella Daggett of Boston has recently written a book, "Fancy Work and Art Decorations," that gives practical instructions for making table covers, scarves, try cloths, cushions, etc., etc., with fifty illustrations. This book, together with "Successful Home Tying," will be given away to any reader who forwards a name and address to the attached coupon. A successful answer and a 2-cent stamp to Wells, Richardson, Vt. The above liberal offer is made to advertise the reliable Diamond Dyes and to get their book upon home dyeing into the hands of women who want to dress well by making their old clothing look new. The fact that Diamond Dyes have been the standard for many years, and that their sale increases from year to year, is proof positive that they have never had a rival.

Over \$411,000,000 Paid to Policy Holders

in Fifty-three Years!

THE MUTUAL LIFE INSURANCE CO. of New York

RICHARD A. McCURDY, President.

ARE YOU POOR?

Who will pay that mortgage on your home if you die before it's lifted?

A life insurance policy will do it, and the cost to you is only the annual premium paid to the company. It is like paying a little extra interest on your mortgage to insure its release if you die.

Security---

The resources of the Mutual Life of New York exceed the combined capital of all the national banks of New York City, Chicago, Boston, Philadelphia, St. Louis, Cincinnati and Baltimore.

INSURE NOW IN THE MUTUAL LIFE.

A Policy of Insurance in the Mutual Life is the quickest asset you can leave.

FEBRUARY 1st 1843

ARE YOU POOR?

Who will pay that mortgage on your home if you die before it's lifted?

A life insurance policy will do it, and the cost to you is only the annual premium paid to the company. It is like paying a little extra interest on your mortgage to insure its release if you die.

Security---

The resources of the Mutual Life of New York exceed the combined capital of all the national banks of New York City, Chicago, Boston, Philadelphia, St. Louis, Cincinnati and Baltimore.

INSURE NOW IN THE MUTUAL LIFE.

A Policy of Insurance in the Mutual Life is the quickest asset you can leave.

Over \$411,000,000 Paid to Policy Holders in Fifty-three Years! THE MUTUAL LIFE INSURANCE CO. of New York RICHARD A. McCURDY, President.

ARE YOU RICH?

How much will your administrator have to sacrifice your estate to force quick assets?

An Installment Policy for \$100,000 will leave your family \$5,000 yearly income for 20 years, in any event, and if your stated beneficiary is then living he or she will be paid \$5,000 yearly during life. A 5 per cent Debenture for \$100,000 will leave your wife \$5,000 yearly income either for 20 years or until her death if prior thereto; then \$100,000 will be paid in one sum. A possible return of \$200,000.

Has paid its members in all over \$411,000,000

to the extent of \$165,000,000.

Has been the benefactor of women and children

IN TWO GENERATIONS—1843-1896—

The Mutual Life Insurance Co., of New York, has paid \$246,000,000 to its living members.

THE BEST COMPANY IS THE COMPANY THAT DOES THE MOST GOOD.

Has paid its members in all over \$411,000,000

FLEMING BROS. Managers,

FOR IOWA and NEBRASKA.

FIRST NATIONAL BANK BUILDING, SIXTH AND LOCUST STREETS, OMAHA. DES MOINES.

Agents Wanted in Every County.

H. S. WINSTON, Special Representative, Omaha.

The true business man acts promptly. Get our rates at once.

AMUSEMENTS.

Mr. Whiteside presented "The Merchant of Venice" at the Creighton last night, appearing as Shylock. He has been seen in the part before in Omaha, but has essentially modified his conception of the character and considerably toned down the representation of it since his last appearance here.

Wedding at Schuyler.

SCHUYLER, Neb., Nov. 9.—(Special.)—On November 7, in the office of County Judge Everett, there occurred a marriage of a class seldom known of in this county, the contracting parties being colored. The bride was Miss Melissa Johnson, daughter of Rachel Johnson, and Green Allen, formerly of Kentucky, aged 17 and 25, respectively. Miss Johnson is the young woman who is under arrest by the federal authorities for removing mail from postoffice boxes in Schuyler last February, and whose trial is set for early in the present month at Lincoln.

Talks of Social Reform.

NORTH LOUP, Neb., Nov. 9.—(Special.)—Dr. A. H. Lewis concluded his series of four lectures at the Baptist church last evening, closing with a stirring appeal to young people on the subject of reforms which you must carry forward in the Twentieth Century. The subjects of ballot reform, woman suffrage and social purity were learnedly discussed and the large audience present was held in eager silence while the speaker pleaded for the downtrodden and denounced liberalism in every form. He left this morning for Hammond.

Tekamah Merchant Falls.

TEKAMAH, Neb., Nov. 9.—(Special.)—The general merchandise store of E. P. Worcester of this city has been closed over chattel mortgages held by the First National bank of this city and M. E. Smith & Co. of Omaha as principal creditors. Worcester is one of the oldest merchants of this city and conducted one of the best stores in the county. Slow collections are the cause of the failure. It is estimated that all creditors will be paid in full.

Appoint a County Commissioner.

TEKAMAH, Neb., Nov. 9.—(Special.)—Hon. W. R. Barton of this city was today appointed county commissioner from the Second district to fill the vacancy caused by the death of J. T. Hedrick. The appointive power was with the county clerk, county treasurer and county judge.

Schuyler Couple Weds.

SCHUYLER, Neb., Nov. 9.—(Special.)—Sunday afternoon there occurred at the

AMUSEMENTS.

Mr. Whiteside presented "The Merchant of Venice" at the Creighton last night, appearing as Shylock. He has been seen in the part before in Omaha, but has essentially modified his conception of the character and considerably toned down the representation of it since his last appearance here.

Wedding at Schuyler.

SCHUYLER, Neb., Nov. 9.—(Special.)—On November 7, in the office of County Judge Everett, there occurred a marriage of a class seldom known of in this county, the contracting parties being colored. The bride was Miss Melissa Johnson, daughter of Rachel Johnson, and Green Allen, formerly of Kentucky, aged 17 and 25, respectively. Miss Johnson is the young woman who is under arrest by the federal authorities for removing mail from postoffice boxes in Schuyler last February, and whose trial is set for early in the present month at Lincoln.

Talks of Social Reform.

NORTH LOUP, Neb., Nov. 9.—(Special.)—Dr. A. H. Lewis concluded his series of four lectures at the Baptist church last evening, closing with a stirring appeal to young people on the subject of reforms which you must carry forward in the Twentieth Century. The subjects of ballot reform, woman suffrage and social purity were learnedly discussed and the large audience present was held in eager silence while the speaker pleaded for the downtrodden and denounced liberalism in every form. He left this morning for Hammond.

Tekamah Merchant Falls.

TEKAMAH, Neb., Nov. 9.—(Special.)—The general merchandise store of E. P. Worcester of this city has been closed over chattel mortgages held by the First National bank of this city and M. E. Smith & Co. of Omaha as principal creditors. Worcester is one of the oldest merchants of this city and conducted one of the best stores in the county. Slow collections are the cause of the failure. It is estimated that all creditors will be paid in full.

Appoint a County Commissioner.

TEKAMAH, Neb., Nov. 9.—(Special.)—Hon. W. R. Barton of this city was today appointed county commissioner from the Second district to fill the vacancy caused by the death of J. T. Hedrick. The appointive power was with the county clerk, county treasurer and county judge.

Schuyler Couple Weds.

SCHUYLER, Neb., Nov. 9.—(Special.)—Sunday afternoon there occurred at the

AMUSEMENTS.

Mr. Whiteside presented "The Merchant of Venice" at the Creighton last night, appearing as Shylock. He has been seen in the part before in Omaha, but has essentially modified his conception of the character and considerably toned down the representation of it since his last appearance here.

Wedding at Schuyler.

SCHUYLER, Neb., Nov. 9.—(Special.)—On November 7, in the office of County Judge Everett, there occurred a marriage of a class seldom known of in this county, the contracting parties being colored. The bride was Miss Melissa Johnson, daughter of Rachel Johnson, and Green Allen, formerly of Kentucky, aged 17 and 25, respectively. Miss Johnson is the young woman who is under arrest by the federal authorities for removing mail from postoffice boxes in Schuyler last February, and whose trial is set for early in the present month at Lincoln.

Talks of Social Reform.

NORTH LOUP, Neb., Nov. 9.—(Special.)—Dr. A. H. Lewis concluded his series of four lectures at the Baptist church last evening, closing with a stirring appeal to young people on the subject of reforms which you must carry forward in the Twentieth Century. The subjects of ballot reform, woman suffrage and social purity were learnedly discussed and the large audience present was held in eager silence while the speaker pleaded for the downtrodden and denounced liberalism in every form. He left this morning for Hammond.

Tekamah Merchant Falls.

TEKAMAH, Neb., Nov. 9.—(Special.)—The general merchandise store of E. P. Worcester of this city has been closed over chattel mortgages held by the First National bank of this city and M. E. Smith & Co. of Omaha as principal creditors. Worcester is one of the oldest merchants of this city and conducted one of the best stores in the county. Slow collections are the cause of the failure. It is estimated that all creditors will be paid in full.

Appoint a County Commissioner.

TEKAMAH, Neb., Nov. 9.—(Special.)—Hon. W. R. Barton of this city was today appointed county commissioner from the Second district to fill the vacancy caused by the death of J. T. Hedrick. The appointive power was with the county clerk, county treasurer and county judge.

Schuyler Couple Weds.

SCHUYLER, Neb., Nov. 9.—(Special.)—Sunday afternoon there occurred at the

AMUSEMENTS.

Mr. Whiteside presented "The Merchant of Venice" at the Creighton last night, appearing as Shylock. He has been seen in the part before in Omaha, but has essentially modified his conception of the character and considerably toned down the representation of it since his last appearance here.

Wedding at Schuyler.

SCHUYLER, Neb., Nov. 9.—(Special.)—On November 7, in the office of County Judge Everett, there occurred a marriage of a class seldom known of in this county, the contracting parties being colored. The bride was Miss Melissa Johnson, daughter of Rachel Johnson, and Green Allen, formerly of Kentucky, aged 17 and 25, respectively. Miss Johnson is the young woman who is under arrest by the federal authorities for removing mail from postoffice boxes in Schuyler last February, and whose trial is set for early in the present month at Lincoln.

Talks of Social Reform.

NORTH LOUP, Neb., Nov. 9.—(Special.)—Dr. A. H. Lewis concluded his series of four lectures at the Baptist church last evening, closing with a stirring appeal to young people on the subject of reforms which you must carry forward in the Twentieth Century. The subjects of ballot reform, woman suffrage and social purity were learnedly discussed and the large audience present was held in eager silence while the speaker pleaded for the downtrodden and denounced liberalism in every form. He left this morning for Hammond.

Tekamah Merchant Falls.

TEKAMAH, Neb., Nov. 9.—(Special.)—The general merchandise store of E. P. Worcester of this city has been closed over chattel mortgages held by the First National bank of this city and M. E. Smith & Co. of Omaha as principal creditors. Worcester is one of the oldest merchants of this city and conducted one of the best stores in the county. Slow collections are the cause of the failure. It is estimated that all creditors will be paid in full.

Appoint a County Commissioner.

TEKAMAH, Neb., Nov. 9.—(Special.)—Hon. W. R. Barton of this city was today appointed county commissioner from the Second district to fill the vacancy caused by the death of J. T. Hedrick. The appointive power was with the county clerk, county treasurer and county judge.

Schuyler Couple Weds.

SCHUYLER, Neb., Nov. 9.—(Special.)—Sunday afternoon there occurred at the

PEN PICTURES PLEASANTLY AND POINTEDLY PUT.

Advertisement for John Hussie Co., Aloe & Penfold Co., Omaha Carpet Co., A. Hospe, Jr., and Drexel Shoe Co. featuring illustrations of a dog and a cat.