

M. F. HARRINGTON MAKES REPLY TO C. E. HARMAN

O'Neill Lawyer Says He Was Actuated Only by Good of the Party.

Tells of the Conversation He Had After Fremont Convention.

O'Neill, Neb., Aug. 4.—The following statement was given out today by M. F. Harrington:

To the Democrats of Nebraska: While delivering my address as temporary chairman of the state convention at Fremont, Neb., on August 1st, I was endeavoring to nominate in the August primaries the candidates on both the Republican and Democratic tickets, and that only the propriety of the question and chairman's property law restriction of that nature at that time that I endeavored to nominate in our primaries.

There are four men seeking the democratic nomination for the office of lieutenant governor. They are Mr. W. B. Furr, who is now serving as a railroad commissioner, and has been appointed by Governor H. H. Lehman; Mr. W. B. Furr, who is now serving as a railroad commissioner, and has been appointed by Governor H. H. Lehman; Mr. W. B. Furr, who is now serving as a railroad commissioner, and has been appointed by Governor H. H. Lehman; Mr. W. B. Furr, who is now serving as a railroad commissioner, and has been appointed by Governor H. H. Lehman.

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THE CIVIL WAR FIFTY YEARS AGO TODAY

August 5, 1861.—The Foreign Consuls at Galveston Protested to Commander James Alden, U. S. N., Against "Acts of Inhumanity" in Bombarding the City Without Notice—An Incident of the Blockade.

Fifty years ago today the foreign consuls at Galveston, Tex., sent to Commander James Alden, United States navy, on the blockade of that city, the following communication:

"Sir: The undersigned, consuls and vice consuls at Galveston, consider it their duty to enter their solemn protest against your bombardment of this city on the evening of the 3rd inst., without having given any notice so that women and children might have been warned, and also against your firing a shell into the midst of a large crowd of innocent bystanders, many of whom were women and children, causing thereby the death of an unoffending Portuguese and wounding boys and peacefully disposed persons, as acts of inhumanity unbecoming in naval warfare, and meeting the condemnation of Christian and civilized nations."

"The first signature on the document was that of the British consul, Arthur Lyman. "Good God, gentlemen," wrote Commander Alden in reply to the charge that he had fired into women and children, "do you think such an act would have been perpetrated or pronounced by any man of honor?"

"No one can regret the injury done to unoffending individuals more than I do." This correspondence reflected the state of mind on both sides over what the people of Galveston claimed was a deliberate bombardment, and which Commander Alden termed an exchange of shots with the shore batteries, following an attack on his ship.

"An account of the affair is of interest today chiefly as an illustration of the ease with which in war situations develop in which each side may think that it is wronged, and the other wholly in the right." Commander Alden employed on the blockade, beside his own ship, the steamer South Carolina, several tenders, or smaller vessels. One of these found herself near the shore on the morning of the 3d, and the batteries back of the city

opened fire on her, which was returned. There had been tacit understanding that the union vessels would not fire at the shore—the city being unprotected from them in the batteries—so long as they were not molested. Commander Alden and Colonel John G. Moore, commanding the batteries, had held a conversation on the subject.

Firing Began. Commander Alden expected a disavowal of the shots of the morning, but receiving none, stood within range of the batteries, which promptly opened fire on him. At the same time a large steamer, the steam tug, which had been trying to escape from the port, got up steam and made for the bar.

After chasing the steamer back into the harbor, the South Carolina stood once more in range of the batteries. The Galveston News thus described what followed: "Colonel Moore sighted No. 1 gun at her, and in a moment after the white smoke rose up above the breastworks, and the thundering report that shook the earth and filled the air announced that the contest had begun."

"All eyes now turned to the steamer. In a minute a puff of white smoke issued from her prow as she still continued to move slowly on, the heavy report rang out and then the sharp hum of a shell was distinctly heard. "Again, again, and again, this slow interchange of shots took place, the intervals pretty regular between each. Our first shots were delivered steadily, and evidently with care, they were in line and one struck so near her amidships that from various parts of the city, far distant from each other, as we have since learned, the remark was simultaneous: "That hit her!"

"His report on the engagement Commander Alden states: "The firing was extremely bad. "Several large shells exploded high in the air, the pieces flying in all directions, far and near. One piece traversed the roof of Mr. Tankersley's house, one square in the rear of Mr. Brown's and General Nichols' residence on Broadway.

ROADS CHARGED WITH RESTRAINT BY THE U. S.

Suit Is Filed Against Six Railroads and Three Coal Mining Concerns.

Petition Asks That Organization Be Enjoined From Continuing Business Activity.

Columbus, O., Aug. 4.—Suit was filed by the United States government in the federal court here today against six railroad companies and three coal mining concerns, charging a combination in restraint of trade and asking that the combination be enjoined from continuing business.

The government charges that the Hocking Valley railroad's ownership of the capital stock of the Toledo & Ohio Central, the Michigan Southern & Eastern Railway and Western roads and its connection with the mining concerns named has crushed competition.

The defendant companies are: Lake Erie & Michigan Southern railroad, Clevelands & Ohio railroad, Hocking railroad, Kanawha & Michigan railroad, Zanesville & Western railroad, Sunday Creek Coal company, Continental Coal company, Kanawha & Hocking Coal and Coke company.

The government's petition alleges that the combine thus formed affects four of the great coal mining districts, not only in the states of Ohio, Virginia, the Kanawha Valley and the Hocking Valley. "The whole suit hinges upon the Hocking Valley railroad," says the petition. "The company it is alleged, were placed in offices corresponding to those held in the parent company soon after the Hocking Valley road gained control of the capital stock of its subsidiaries, and, as a result thereof, were instructed to operate the roads along the same lines as the parent company has been managed."

Company Got Control. The company then set about controlling the larger coal companies and succeeded in placing the Continental Coal company, which controls the great coal fields in the Hocking Valley district, on its list along with the Kanawha & Hocking Valley Coal company, The Sunday Creek Coal company was formed as a shield, the government says, to keep the Lake Shore & Michigan Southern railroad and the Chesapeake & Ohio, along with the four Ohio companies, to stifle competition by merging all the railroads with the companies in the hands of the state into one corporation, while still retaining their own individuality.

The majority of the capital stock of the Sunday Creek company was held by the Hocking Valley railroad at the time it was formed, according to the government petition, but was later turned over to the Central Trust company of New York in order to avoid prosecution under the Sherman law.

The consideration in this transfer was \$1 and a mortgage for the full value of the stock. Another allegation contained in the government's petition is that the creation of the Central Trust company, Sunday Creek Coal company were merely dummy directors and were instructed how they should vote and conduct themselves at all meetings of the board.

Another element entering into the government's case is that the Sunday Creek Coal company, which was formed in 1908 to 1910, dominated the Hocking Valley railroad through a majority ownership of its capital stock. "What stand the government will take regarding the syndicate is not made plain in the petition."

NINE GERMAN-AMERICAN REPUBLICANS AT MEETING

Everybody Invited, but Few Responded. Swede Balliff on Hand to Preserve Order.

Judge Day's court room was turned into a political arena last evening, when President John G. Kuhn of the German-American Republican club had a regular session scheduled for 8 o'clock.

Notwithstanding the fact that "everybody" was invited, there were only nine members present. John Norberg, Judge Day's balliff, was also present, but, as he is a Swede and the German language was used, he may have missed some of the genuine inspiration in translation.

After making ready for a friendly fashion for about an hour the nine members of the club ratified an executive committee previously agreed upon and adjourned for fear it might rain. The executive committee consists of: H. G. Timms, Robert O. Fink and Fred Schmale.

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ALL BANKS MAY HAVE TO PUT UP MONEY

Banks Which Have Nationalized Since Law Went Into Effect Assailed.

Special Dispatch to the World-Herald. Lincoln, Neb., Aug. 4.—The question of collecting guaranty fund assessments from banks that have nationalized since the guaranty law was passed will be put up to Attorney General Martin by Secretary Roysse of the state banking board as soon as the attorney general returns to Lincoln from St. Louis.

Secretary Roysse is not at all sanguine as to the result. The last legislature changed the date from which assessments are to be computed from 1909 to 1911. Banks which have nationalized are consequently relieved of the burden of the assessments accruing while the law was in the courts.

"Of course I did not see how the law itself could be held constitutional," said Secretary Roysse, "so I may be mistaken about the probable defeat of my efforts to collect these assessments. If a bank had failed prior to July 1 of this year assessments could not have been collected to pay the loss, however."

Former Attorney General Mullen believes that banks which sought national charters in order to escape the guaranty law can be made to pay the bank assessments.

"I would like to get half of the money, anyway, for my work in collecting these back assessments," he said, "confident of the success of the effort."

A question will be presented of whether banks which have nationalized since the supreme court of the United States held the guaranty law valid should have been sued or whether all banks which have obtained national charters since the enactment in 1909 should be made defendants.

Secretary Roysse recently sent out blanks to these nationalized banks asking for a statement of their average deposits during 1909 and the year ending July 1, 1910. Consequently the amounts to be sued for have been computed from the returns made to the secretary at the various periods when statements of bank conditions were furnished after the closing of the past assessments, banks which have nationalized since the first of this year are liable for a total of about \$25,000.

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DALLAS GETS THE NEXT AD MEN'S CONVENTION

G. W. Coleman, Boston, President, and Lequatte, Des Moines, Vice President.

Demonstration by Nebraska Delegation One of the Big Features.

Special Dispatch to the World-Herald. Boston, Mass., Aug. 4.—In a turmoil of excitement, rivaling a heated political convention, Dallas, Tex., was chosen as the next convention city and George W. Coleman of Boston was elected president at the closing session of the seventh annual convention of the Associated Advertising Clubs of America last night.

Dallas received \$65 votes, St. Paul 183, Quebec 5 and Richmond, Va., 1. In the election of a president, Mr. Coleman, who is head of the Pilgrimage Publicity association of Boston, received 243 votes, Herbert S. Houston of New York 176 and I. H. Sawyer of St. Louis 55. Other officers elected are: Vice president, T. W. Lequatte, Des Moines, secretary, S. F. Plummer, Indianapolis, treasurer, G. D. McKelvey, Minneapolis.

A motion that a committee of seven be appointed to take steps to organize a national organization of advertising agents, and that a convention be called not later than March 1, 1912, was carried. The Boston mileage banner was awarded to the Dallas club; the Printers' Ink club to the Chicago club; the St. Louis club to the President-elect Coleman.

Tonight the Pilgrimage association entertained a reception and banquet to the officers of the Associated Advertising clubs' delegates, foreign guests and friends. During the evening a dancing card was wheeled into the hall and presented to the retiring president, Samuel C. Dobbs of Atlanta, Ga. The car was given on behalf of the association at large.

The old bank yesterday was a revelation to the westerners. Leo Soukup and Leo Hall of Lincoln, Neb., were prominent figures and were snatched by the crowd in the act of dropping two luscious loaves into their mouths. "King Korn" and his bride, "Queen Korn," with about twenty attendants, were the central figure in the Nebraska demonstration, which was a handsome affair. Nebraska's cowbells, marched from headquarters to the Boston opera house.

F. A. Scherzinger, a Nebraska delegate, wore a nightgown, on which was printed the name of corn yellow kernels, and the words "Corn Is King." Scherzinger led the parade. The Nebraskans wore white felt hats with red, green and yellow hat bands, the colors of the Nebraska flag.

King Korn brought greetings to Bostonians from the great corn belt of Nebraska, a territory which produces more wealth than all the gold mines in Alaska and the United States.

Run Over by a Wagon. Clayton Carlisle, aged 7 years, of 1814 California street, was badly bruised about the face, when early yesterday afternoon he was run over by a corporation wagon. The accident occurred on Nineteenth street, between California and Webster streets. The boy was hanging to the rear of one wagon and dropping off failed to see the approach of the other. He was taken home and attended by a police surgeon.



THE ENGAGEMENT AT GALVESTON. (From a War-Time Sketch.) This Picture Fairly Well Illustrates a Type of Commercial Steamer of Which the Government Bought or Chartered a Considerable Number for Service on the Blockade.

TOMORROW: FRANZ SIGEL MADE A BRIGADIER

Special Dispatch to the World-Herald. Lincoln, Neb., Aug. 4.—Franz Sigel, a prominent German-American leader, will be made a brigadier general in the United States army tomorrow.

Sigel, who is now in command of the 1st Division of the 6th Army Corps, will be promoted to the rank of brigadier general in recognition of his services during the war.

CIGARET CAUSES THE DEATH OF MERCHANT LAX

Goes to Sleep While Smoking and Sets the Bedding on Fire.

M. Lax, a merchant residing at 111 North Twelfth street, last night went to sleep with a lighted cigar in his mouth and was burned so badly that he died a short time after being taken to St. Joseph's hospital.

Lax, who has suffered from tuberculosis for several years, was in the habit of being propped up in bed. He was an inveterate cigarette smoker and when he retired at 11 o'clock he lighted one, as usual.

The family has a little notion store and Mrs. Lax, who cannot talk much English, remained down stairs to put things in order and had the store. She detected smoke and finally located it in the family apartments over the store. When she reached the sleeping room she found that her husband was enveloped in flames. He was unconscious and badly burned when his wife reached his side. She extinguished the flames with a blanket and the police were notified.

AVIATOR SMASHES HIS MACHINE AT KEARNEY

Charles Walsh Has a Narrow Escape From Death—Sends for New Biplane.

Special Dispatch to the World-Herald. Kearney, Neb., Aug. 4.—Aviator Charles Walsh, who had contracted with the Kearney Commercial club to make an airplane flight in this city, narrowly escaped death when his machine struck a tree after a flight of about 600 yards.

Walsh gave an expert demonstration of the possibilities of the machine, explaining its construction in detail, before making the flight that almost proved fatal. The airplane, a biplane, was flying at a height of about 100 feet when it struck a tree.

The machine was destroyed, but the aviator was uninjured. Rain checks were issued to the 6,000 people present at the flying Monday. A machine of especially heavy construction will arrive in the city from Portland Sunday and a number of flights are planned for that afternoon.

GOV. ALDRICH HAS 14 DATES DURING AUGUST

Special Dispatch to the World-Herald. Lincoln, Neb., Aug. 4.—Nebraska's governor is an itinerant being this month, being scheduled for thirteen speaking dates. This will leave him very little time to spend in the executive office. He is scheduled to speak at following places: August 15, but if this date is filled the governor will not be able to vote at the primary election and in the November election will be compelled to state whether or not he will accept re-election.

Gov. Aldrich and Secretary of State Watt went to an old soldiers' gathering at Ashland today. The remainder of the governor's speaking engagements for the month follow: August 15, Epworth, assembly; August 17, Central City; August 18, Eagle and Touchette; August 19, Hickman; August 21, Bloomington; August 21, Colner and Lincoln, Capital Beach; August 21, Nebraska City; August 21, Mead; August 24, Fortner; August 25, Dakota City; August 31.

Georgia Melodies at Manawa. Ark seats are filled each afternoon and evening at Manawa. The popular singing club, the Manawa Singers, will give a concert at Manawa on Sunday afternoon and evening. Shady Grove, with its free tables and large hall, will be a favorite place for big and little folk.

MINNESOTA DIPS INTO WOODMEN CIRCLE ROW. Special Dispatch to the World-Herald. Lincoln, Neb., Aug. 4.—The state insurance commission received word today that Minnesota has also decided to dip into the affairs of the Woodmen Circle, the internal troubles of which have engaged the attention of the Nebraska department for some time.

Auditor Barton has not yet made a finding on the testimony recently taken on the charges against Mrs. Emma B. Manchester. He has given the attorneys for the prosecution until next Tuesday to file their briefs. If they are not ready at that time, the insurance department will go ahead with the preparation of its report anyway.

FARMER FRANK FRUNDL FOELS FOOLISH FOOTPAD

Special Dispatch to the World-Herald. Marshalltown, Ia., Aug. 5.—Frank Frundl, a farmer residing near Grand Rapids, was held up last night when he disregarded the order to throw up his hands and rode over him. Frundl was riding home from LeGrand on horseback, and when about a half mile from his home a highwayman sprang out of a thicket of bushes and ordered him to throw up his hands. Instead of complying Frundl struck his horse sharply and ran the man down. The bandit was toppled over by the horse and Frundl escaped unhurt. Frundl's horse was killed and whether or not the man was badly injured, being that the safest thing to do was to get home as quickly as possible. During the night a tent occupied by the highwayman's family at LeGrand, and a sleeping quarters during the summer months, was entered and Mr. Switzer's trousers, a silver watch and about \$1 in change taken.

NORRIS GETS GLAD HAND BUT NARY ONE FOR BROWN

Special Dispatch to the World-Herald. Lincoln, Neb., Aug. 4.—L. O. Jones, who introduced Congressman Victor Murdock to the Epworthians at the assembly grounds Thursday afternoon, seems to have made an unintentional test of political sentiment. In introducing Murdock Mr. Jones said: "Nebraska has contributed its share to the onward march of the new political regime in this country. We have an example of our class leadership distinguished congressman from western Nebraska." There was a burst of applause that lasted for several seconds. "—and Senator Brown," concluded Jones in a murmur broken only by a few handclaps. Murdock later referred to the fight against Cannonism led by a Nebraskan.