

MAXIMUM FREIGHT CASE

Railroads and State Board of Transportation Before Judge Munger.

DOES LAW OF 1893 REPEAL LAW OF 1887?

Hearing on Application of Plaintiffs to Have the Board Apply for Modification of Order Before Enforcing New Rates.

In the United States court Wednesday before Judge Munger, the injunction case against the 1893 law of the Board of Transportation was called for argument.

In the original case Henry L. Higginson and other stockholders of the Burlington road instituted suit against that company to restrain it from putting into effect the freight rates required by an act of the Nebraska legislature in 1893.

After the decision of the supreme court citizens of the state sent to the State Board of Transportation protests against the stock and grain rates charged by roads in this state with the result that the board, after considering the case, made an order reducing rates on cattle and hogs 10 and 5 per cent respectively from the charges in effect at the time the order was issued.

Plaintiffs' Statement.

W. D. McHugh made the opening statement for the plaintiffs, who made the following points: The right of the state to fix rates within the constitutional limitation is unquestioned. The theory of the law of 1887 and of the law of 1893 is radically different.

Under the first law the state adopted the plan of regulating rates by a board known as the Board of Transportation, and under the law of 1887 the board was empowered to investigate and determine the reasonableness of rates, and after investigation to establish such rates as the members deemed just and right.

The State's Argument.

W. D. Oltman, deputy attorney general for the state, argued substantially as follows: The contention of the plaintiffs is that the law of 1893 repeals the law of 1887 by implication. Courts do not favor repeals by implication where both laws can stand.

FEW GAMBLING CASES LEFT

Two Defendants Are Acquitted in Justice Altstadt's Court—His Honor's Reason for So Ruling.

Two more of the South Omaha gambling cases were disposed of Wednesday.

Justice Altstadt's court Charles Nortonberg and John Larson were acquitted. Only five remain of the original sixteen cases, and none of the hearings thus far have resulted in a conviction.

BOOSTING CORN IN EUROPE

Charles J. Murphy Will Talk to the Commercial Club About the Maize Propaganda.

Dudley Smith is in receipt of a communication from Colonel Charles J. Murphy, who has been in charge of the maize propaganda in Europe for the past fifteen years.

Our supply of pictures is being rapidly diminished. If you have not seen "The Defense of Champigny" and "The Balloon," call at the Bee office.

NO MAYOR FOR ONE SUNDAY

City of Omaha Must Get Along Without Councilmen for a Week.

NO COUNCIL MEETING ON TUESDAY NEXT

Plan Adopted by the Present Incumbents and Officers-Elect to Avoid the Lapse in Government Caused by the Charter Provisions.

For one day Omaha will be without a mayor, and for one week the city will have to get along the best it can without a council.

This conclusion was arrived at by the city attorney after studying the charter with a view of seeing if there is any emergency which Omaha would have in her city government. The charter provides that the officers first elected under its provisions shall hold their office until their successors are elected and qualified.

LOCAL BREVITIES.

The members and friends of Court Monday night entertained Wednesday evening at Foresters' hall, Fourteenth and Douglas streets, a very enjoyable social affair.

FORESTERS ENTERTAINED.

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LAUREL HIVE NO. 9.

Laurel Hive No. 9, L. O. T. M., will meet this evening at 8 o'clock at Foresters' hall, 14th and Douglas streets.

THE YOUNG MEN'S REPUBLICAN CLUB.

The Young Men's Republican club of the Sixth ward will meet this evening at Twenty-fourth and Jackson streets.

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SOUTH OMAHA ANNEXATION

Proposition to Dissolve the South-west Improvement Club—Other Matters.

At a meeting of the Southwest Improvement club Wednesday night, at the corner of Twenty-fourth and Leavenworth streets, the matter of the proposed annexation of South Omaha was taken up and discussed at considerable length.

The discussion resulted in the appointment of a committee, comprising Abner Waggoner, T. M. Moore, J. M. McCreary and W. H. Greene, to act in conjunction with a similar committee from the Omaha Commercial club.

The committee were also appointed to look after the placing of a temporary fence at Twenty-fourth and Horan streets, another light at Twenty-fourth and Woolworth, and to secure the repair of Leavenworth street at Twenty-fifth, where there is a depression because of breakage of a water main.

SOUTH OMAHA NEWS.

When the sun went down last night one of the most bitterly contested political fights in the history of South Omaha was brought to a close. It was a fight at the primaries under the new regulations and considerable inconvenience was caused the democrats on account of the restrictions placed on voters.

CADET OFFICERS OBJECT

Do Not Like the Rule Which Makes Them Keep Up with their Classes.

The recent adoption of a rule by the Board of Education to the effect that promotions of officers in the Cadet corps at the High school should depend in a measure upon their standing in their classes has raised a loud protest upon the part of the officers of the cadets, who profess to believe that the standing in the classes should have nothing to do with their promotion as officers of the cadets.

FREE TO THE RUPTURED

Dr. W. S. Rice the Well Known Authority, Sends a Trial of His Famous Method Free to All.

Out of the chaos of old-time fallure comes a new and startling cure for rupture. Dr. W. S. Rice, 215 N. 10th St., Adams, N. Y.

ANNEXATION QUESTION.

It is presumed that a committee of the Omaha Commercial club will soon confer with the members of the South Omaha Commercial club on the subject of annexation, the idea being to combine North and South Omaha prior to the twelfth census.

REPUBLICAN PRIMARIES TODAY.

Republican primaries occur today. The Kelly and Slabaugh forces will fight for delegations in the First ward. In the Second ward there is no contest. The Third ward delegation is conceded to Trainor, while the Fourth ward is for Kelly.

MASTER CARPENTERS ORGANIZE.

The master carpenters of South Omaha have perfected an organization with N. E. Carter, president; Theodore Schroder, vice; George E. Mannard, secretary; Carl Benizer, treasurer. A board of directors appointed by President Carter was approved by the members, and the names follow: N. E. Carter, Theodore Schroder, Carl Benizer, George E. Mannard, D. J. Farrell. By-laws were adopted and the charter will remain open until March 19. The next meeting will be held on the evening of March 19, at the office of Building Inspector Duncombe.

POST WINS THE BIKE.

Lloyd Post, son of Walter M. Post, Twenty-seventh and Madison streets, a carrier of the Bee, has been elected the latest of the cycle to carry the largest number of subscribers in one month. Young Post went to the work in earnest and by making a thorough canvass of his route succeeded in increasing it 100 names, the majority being paid in advance.

THE OMAHA DAILY BEE: THURSDAY, MARCH 15, 1906.

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JAP ROSE SOAP.

A Transparent Glycerin Soap. Delicately Perfumed. Clear as Crystal.

The perfection in the art of soap making obtained only by long research in the laboratory, designed especially for toilet and bath.

JAS. S. KIRK & CO., Chicago.

Best whisky on the market, 10c. at Wylie's, 1513 Farnam.

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Ravenous La Grippe! Ravens—Furiously voracious, hungry to rage, rapacious! No weaker word can describe the terrible ferocity of La Grippe. Have you a cold—your lungs sore—dull headache—limbs aching—feverish? Take care! La Grippe is stealing toward you! La Grippe's effects are terrible. It leaves you with shattered nerves, disordered stomach, clogged bowels, sloughing liver and weakened kidneys. No part of the system escapes its corrosive influence! La Grippe is banished by Dr. Kay's Lung Balm. It soon destroys every minute La Grippe germ that lurks in your blood and removes the itching, lung-tearing La Grippe cough. The use of Dr. Kay's Renovator Tablets then clears the system of all the drugs left by La Grippe. Brightens the terrible headache, builds up and invigorates the parts weakened by La Grippe, stimulates the liver, cleans up the stomach, kidneys and bowels, restores to you the clear skin, the bright eye and buoyant step which are the marks of sound health and brings you out COME! COMPLETELY CURED. HERE'S UNREFUTABLE PROOF! MISS MARION ST. CLAIR, of Ash Ridge, Wisconsin, writes: "My St. Clair and myself had a very bad attack of La Grippe last January, and we both were that bad it not been for your Dr. Kay's Lung Balm and Dr. Kay's Renovator Tablets, we would not have lived!" REFUSE SUBSTITUTES—Remedies "Just as good" as Dr. Kay's Lung Balm and Dr. Kay's Renovator are not made or sold by any one anywhere. At druggists or from us by mail, postage prepaid. Dr. Kay's Lung Balm, 50c and Dr. Kay's Renovator, 25c and 50c. Address us for Free Medical Advice, Sample and Book. Dr. B. J. Kay Medical Co., Saratoga Springs, N. Y.

HAYDEN'S PIANOS. Our spring stock has all arrived. If you visit our piano department, you will see the grandest assortment of magnificent pianos ever exhibited under one roof. You can compare here, side by side, the leading brands and makes of the world's foremost piano manufacturers. Among this grand stock of instruments is found one piano that the sun never sets upon—the Chickering. It is used in every clime and in every country, where music finds its highest expression. You find it in the leading homes of the land, in the leading conservatories, in the convent hall and upon the stage—wherever there is a demand for a perfect piano. You will also find the Fischer; in their most elaborate cases, Lester, Doll, Franklin and 19 other makes to select from. All instruments sold on easy payments, if so desired. Pianos slightly used going at their actual value. New pianos for rent. We handle Burdette and Newman Bros' organs. Pianos moved, tuned and repaired. Telephone 1683.

PERFECTION AT LAST IS REACHED IN THE PATHFINDER 5¢ CIGAR. PROF. THEO. KHARAS begins a new class today in THE NEBRASKA SCHOOL OF MAGNETISM, 1515-1517 Chicago street. Students may enter at any time, but it's convenient to have them come in classes. Tuition, \$100, payable in advance; after April 2, \$200. THE NAME OF SWIFT On Lard, on Ham, on Bacon is a guarantee of purity. Swift and Company, Chicago, Kansas City, Omaha, St. Louis, St. Joseph, St. Paul. Your Dealer Sells Them. DISTRIBUTORS: ROBERTSON BROS., For Omaha and Vicinity. ROTHENBERG & SCHLOSS, For State of Nebraska.

Don't Bundle Your Throat. You can cough yourself into bronchitis, pneumonia and consumption. Bandaging and bundling your throat will do no good. You must give your throat and lungs rest, and allow them to heal. A 25 cent bottle of the Pectoral is enough to cure a ordinary cold. In harder cases a larger bottle is more economical. Acker's Cherry Pectoral. It's the best remedy in the world for hoarseness, bronchitis, croup, asthma, sore lungs, and consumption. "One of my daughters had a very bad case of asthma. We tried all kinds of remedies, but without relief. Three and one-half bottles of Acker's Cherry Pectoral cured her. I think it is a most wonderful remedy." EMMA J. FENNELL, Langsille, Ohio. Jan. 2, 1899. Three sizes: 25c, 50c, and \$1. All druggists.