ANOTHER OFFICE IS DEAD

Position of State Weighmaster Has No Longer Legal Existence.

OPINION OF ATTORNEY GENERAL PROUT

Supreme Court's Decision on the State Board of Transportation Law Carried the Minor Affair Down Also.

LINCOLN, Feb. 14.—(Special.)—Attorney General Prout today gave an opinion in which he held that the office of state weighmaster and his assistants have no legal existence. This opinion is based upon the decision of the supreme court, which declared the Board of Transportation act unconstitutional. He holds that according to the statutes the weighmaster can be appointed only by the transportation board, and as there is no board there cannot, therefore, be any weighmaster. The weighmaster in turn appoints his assistants and the same construction is placed upon their offices.

William Mach of Omaha was recently named by Governor Dietrich for the position of weighmaster, but since the opinion was rendered today the appointment has been withdrawn. Attorney General Prout holds:

I have received your recent letter informing me that there is a state weighmaster located at Omaha, with assistants at other places, and in this connection you submit the following questions:

"1. Are the present acting weighmaster and assistants legally holding their respective offices?

"2. Is there at the present time a state board of transportation which is qualified to appoint a state weighmaster and assistants?

"3. If there is no such board is there any authority under the law for the appointment of a state weighmaster and assistants?

"4. If so, who is the appointing power?"

The legislature of 1891 passed "An act to create and regulate public warehouses, and the warehousing, shipping, weighing and inspection of grain." See session laws of 1891, pp. 363-393. Section 1, page 392, of this act is as follows: "That there shall be appointed by the State Board of Transportation in all cities where there is state inspection of grain a state weighmaster and such assistance as shall be necessary."

Law Was Plain.

The appointment of state weighmaster and assistants was no doubt made under the foregoing provision by the Board of Transportation. The section quoted from the warehouse act of 1891 is part of a law "defining additional duties of the Board of Transportation in counties with public warehouses," and is one of the sections conferring such additional duties upon that board. The right of the weighmaster and assistants to hold and exercise their offices therefore depends upon their appointment by the Board of Transportation under the added powers conferred by the act of 1891. When that act was passed the Board of Transportation depended for its existence upon chapter ix, Session Laws of 1887. The validity of the act creating the State Board of Transportation was before the supreme court in the State against Missouri River Railroad Company.

It is clear from the decisions of the supreme court that the State Board of Transportation had no legal existence in 1891 when the legislature attempted to confer upon that board additional powers, among which was authority to appoint a weighmaster and assistants. There being no such board, and the act of 1891 not purporting to create one, that portion of the statute relating to added powers of the board was necessarily ineffectual.

The whole chapter ix, Session Laws of 1887, creating the State Board of Transportation, being void, it did not repeal chapter lxv, Session Laws of 1885, providing for a board of railroad commissioners, and the validity of the act of 1885 was not impaired by the void act attempting to repeal it. The law relating to such attempted repeals has been stated thus: "Where a repeal of prior laws is inserted in an act in order to insure the unobstructed operation of such act, and it is held unconstitutional, the incidental provision for the repeal of prior laws will fall with it." (Sutherland on Statutory Construction, section 175; Quinland against Rodgers, 12 Mich., 168.)

Law of 1885 Is in Force.

The act of 1885 creating a board of railroad commissioners if valid was in force when the law of 1891 clothing the Board of Transportation with new powers was enacted. In the two acts the names of the boards were different. Under the act of 1885 the board consists of three members. The law of 1887 provided for a board of five members, and the powers of the two boards differ in many respects. I am satisfied that these new powers did not fall to the Board of Railroad Commissioners as created by the act of 1885.

In my view of the law your questions should be answered as follows:

1. The present acting weighmaster and assistants are not legally holding their respective offices.

2. There is not at the present time a state board of transportation which is qualified to appoint a state weighmaster and assistants.

3. There is no board with authority to appoint such officers.

4. There being no office of state weighmaster there can be no officer with power to appoint one.

Free Labor Employment Office.

Senator Liddell of Douglas county introduced a bill in the senate today the object of which is to establish a free public employment office in metropolitan cities, and to provide for the appointment of a labor commissioner, and for licensing and bonding labor employment agencies. The bill provides for the appointment by the mayor of a labor agent to take charge at a salary of $100 per month to manage the free bureau. All other labor agencies are required to pay a license of $300 annually and give bond in the sum of $10,000.

Senator Currie has a bill which provides that graduates from all accredited colleges of Nebraska shall be entitled to state certificates the same as those who are graduated from the State university and State Normal schools. A bill amending the school law, by Senator Weber, provides that teachers shall be employed by the incoming instead of the outgoing board, and further, that no relative of any member of the school board shall be employed as a teacher by that board.

The meeting of the senate committee on medical societies, which was called for last night for the purpose of considering bills before it, was postponed until next Monday. The most important bills before it provide for the lawful practice of osteopathy and Christian science in Nebraska. The osteopaths have had a strong lobby here since the session opened and will make an earnest effort to have their bill favorably recommended, while the physicians of the state are just as determined that the bill shall not become a law.

The senate committee on labor met this morning to consider a bill which provides for state examiners of stationary engineers. A large delegation of stationary engineers were present from all parts of the state and urged the passage of the bill, but as only a part of the committee was present, no action was taken.

Cancer There are never any external signs of Cancer until the blood is polluted and the system thoroughly contaminated by this deadly virulent poison.

Then a sore or ulcer appears on some part of the body; it may be small and harmless looking at first, but as the cancerous cells form and are deposited by the blood near the sore, it increases in size and severity, with sharp shooting pains. No matter how often the sore is removed by the surgeon's knife or flesh destroying plasters, another comes and is worse. The real disease is in the blood, and the treatment must begin there. The poisoned blood must be invigorated and purified, and when this is done cancerous cells can no longer form and the sore will heal naturally and permanently.

Mrs. Sarah M. Keesling, 921 Windsor Ave., Bristol, Tenn., writes: "I am 41 years old, and for three years had suffered with a severe form of Cancer on my jaw, which the doctors said was incurable, and that I could not live more than six months. I accepted their statement as true, and had given up all hope of ever being well again, when my druggist, knowing of my condition, recommended S. S. S. After taking a few bottles the sore began to heal, to the surprise of the physicians, and in a short time made a complete cure. I have gained in flesh, my appetite is splendid, sleep is refreshing—in fact, am enjoying perfect health."

SSS overcomes this destructive poison and removes every vestige of it from the system, makes new, rich blood, strengthens the body and builds up the general health.

If you have a suspicious sore, or have inherited any blood taint, send for our free book on Cancer, and write to our medical department for any information or advice wanted; we make no charge for this service. Your letter will receive prompt and careful attention, and will be held in strictest confidence.

THE SWIFT SPECIFIC CO., ATLANTA, GA.

FUNERAL OF JUDGE MAXWELL

People from Many Places Flock to Fremont to Honor the Dead Jurist.

FREMONT, Neb., Feb. 14.—(Special Telegram.)—The funeral of Judge Maxwell was from his home this afternoon. Many attorneys and old acquaintances of the family from out of town were present. The heavy black casket containing the body was surrounded by elaborate floral designs, most conspicuous of which was a large broken wheel from the Dodge county bar. The hymn, "My Days Are Gliding Swiftly By," was sung by Messrs. C. M. Williams and M. Baldwin, Mrs. Shaw and Miss Fara Love. Prayer was offered by Rev. N. Chestnut of Kansas City, a former pastor of the deceased.

Rev. W. H. Bush of the Congregational church, delivered an eloquent eulogy. The secret of his success, he said, was intense industry, unswerving fidelity to duty and his Christian statesmanship. He spoke of the judge's success as a lawyer, a judge, a congressman and as a writer of law books, which are everywhere accepted as a standard, and have won for him a reputation not confined to his state. He also referred in glowing terms to his career in laying the foundation of our constitutional, legislative and judicial enactments, which have appeared in the territorial columns of our metropolitan dailies, and which have made him one of the most prominent men in the history of the state. Mr. Chestnut spoke of his Christian bounties.

He emphasized his exemplary conduct and adhesion to the ranks af Christianity, which shows by deeds more than by words the depth and sincerity of his conviction. He also spoke of the veneration and affection in which the judge was held by all who knew him. In closing he read a few extracts from a letter written him by the judge February 2, in which he wrote of his abiding faith in God's guidance and protection.

The hymn, "Comfort Me," was sung by the choir. The closing prayer was by Rev. N. Chestnutt. An opportunity was given to view the body and as the large crowd of people, which filled all the rooms downstairs and the front porches, slowly filed through the darkened parlor where rested all that remained of him they delighted to honor the eyes of many were suffused with tears. The body will be taken to Plattsmouth tomorrow morning for burial. The bearers are: C. M. Williams, F. W. Vaughn, F. W. Button, A. K. Dame, A. H. Briggs and S. S. Sidner.

Faith in Captain Dorrington.

CRAWFORD, Neb., Feb. 14.—(Special.)—General rejoicing over the western part of the state is manifesting itself over the recommendation of Senator Thurston of Captain L. A. Dorrington for appointment in the regular army. Dorrington is the only soldier in the Philippines from western Nebraska, and since the declaration of war with Spain has been in continuous service among the volunteers. His record as a soldier is reported as second to none during the occupation of the Philippines, and Senator Thurston has acknowledged his worth and pleased all his friends in this part of Nebraska. Everybody is Al Dorrington's friend and all believe he will make one of the best military men in the army. Brave, manly, temperate and educated, with all his firmness he has a heart in his breast as big as Crow Butte. People here feel that the army should be made up of just such men.

Court in Session at Dakota City.

DAKOTA CITY, Neb., Feb. 14.—(Special.)—The spring term of district court for Dakota county is now in progress, Judge Guy T. Graves presiding. The case of the state of Nebraska against James C. Riddle and James Flynn, charged jointly with the illegal sale of liquors at Crystal Lake, resulted in Riddle being acquitted and Flynn being found guilty. William Leach, a Covingtonite, also accused of illegal sale of liquors, was declared not guilty.

Nebraska and Nebraskans.

Lynch expects to erect a brick school building to accommodate its growing school population.

Gage county farmers are losing a large number of hogs from some unknown disease, one farmer losing his entire herd.

Norfolk complains of a scarcity of dwelling houses, but a large number are expected to be erected during the coming season.

North Platte Methodists are conducting a very successful revival and already many conversions have resulted. They intend to keep it up until all the unregenerate are brought in or take to the sand hills.

During January the grass started on the range in many places in the western part of the state. It is now buried under a nice blanket of snow, but has a good start for spring, when the weather concludes to warm up again.

A report that the North Platte women contemplated "Nationizing" some of the saloons of that place caused consternation for a few days recently. It develops that they only decided to see that the Sunday closing law was enforced.

Company K of the National Guard at Columbus recently purchased a building for an armory. Being a few hundred dollars shy the members gave an amateur theatrical performance to raise the funds. A large audience finally escaped on the payment of 50 cents each.

Dr. Love of Wilber went away on a visit and when he returned built a fire in the cook stove. He forgot all about the water connections. But soon had occasion to remember them. One of the stove lids has been recovered and a few days' work by carpenters, painters and glaziers will make the house as good as new.

A number of farmers who formerly lived near Clarkson moved to Wisconsin a couple of years ago and purchased land from which the pine timber had been cut. They found grubbing out pine stumps a much more laborious task than breaking Nebraska prairie and a majority of them intend to return to Nebraska.

Iowa Man for Theft of Mail.

SIOUX FALLS, S. D., Feb. 14.—(Special Telegram.)—Alva L. Towne of Council Bluffs, Ia., who was indicted by the United States grand jury recently in session at Deadwood for stealing a mail sack from the postoffice at Piedmont, S. D., was today taken before Judge Carland of the United States court and pleaded not guilty. In default of bonds he was placed in the county jail until the April term of federal court.

Ex-Sheriff Arrested.

PIERRE, S. D., Feb. 14.—(Special Telegram.)—Ever since the Blassingame case at Fort Pierre there have been intimations of other cases in the same line. This morning W. P. Oakes, an ex-sheriff of Stanley county, was arrested on a warrant charging him with horse rustling. He was given a preliminary hearing and placed under bond for his appearance in court.

"I was in bed five weeks with the grip—nerves shattered, stomach and liver badly deranged. Was cured with Dr. Miles' Nervine and Nerve and Liver Pills."—D. C. Walker, Hallsville, O.

SHOT THAT KILLED ZAHN

Four Witnesses Declare They Saw Rhea Aim Revolver at Him.

ONE-ARMED MAN IMPRESSES JURY

With an Easy Smile and a Drawling Voice John Kemnitz Reports the Dramatic Eloquence of Attorney for the Defense.

FREMONT, Neb., Feb. 14.—(Special.)—In the Rhea murder case today four witnesses swore that they saw the defendant aim his revolver and fire the shot that killed Herman Zahn. Each was subjected to a severe cross-examination by Mr. Gray or Mr. Maynard, which has only strengthened the case for the state. The evidence so far fails to show that Darrell had much to do with the affair.

Fred Koeppen, bartender, testified that he heard some talking in front of the saloon. Oxley and Albert Schneider came in, closely followed by Gardner and Rhea. He said, "Rhea pushed his gun in my face and I dropped down behind the bar. Then I heard the foul words, and a shot fired. I got and saw Herman just falling. Rhea came around behind the bar and I skipped out the back way. There was between $70 and $80 taken from the safe."

On cross-examination he testified that Zahn was sitting at a table on the north side of the room when the men came in. Rhea and Gardner stood in front of the bar, side by side. He did not see the shot fired. Both men had revolvers. Zahn pressed his hands to his side as he fell, and lay five feet from the door, with his head to the east.

Leaps Through Window.

John Schwanka saw defendant and Gardner outside. When Gardner and Rhea came in he was standing in front of the bar talking with Koeppen. As soon as he saw the guns pulled he vaulted over the bar and stood on the back side of it and saw the fatal shot fired. He then dropped down behind the bar. Rhea came around, called him a vile name and told him to "Git!" He jumped right through the window, landing flat on the sidewalk. Almost the instant he struck the planks Gardner grabbed him by the collar, shoved a revolver against his head, marched him back into the saloon and seated him in a chair near the stove. He left him there with his hands up and Rhea came over and struck him on the head with the butt of his revolver. On cross-examination he said that he passed the three strangers on the walk in front of the saloon and heard no angry words or loud talking whatever. Zahn got up from the table when the men picked up his chair, but quickly set it down and took a step or two toward the men, at the same time saying: "Boys, don't—" At that instant, with a word still on his lips, he was struck by the bullet from Rhea's revolver and fell to the floor. He denied having had any trouble with any of the three men earlier in the afternoon or of hearing of any trouble between them and the Schneider boys. Schwanka is a man weighing over 200 and the saloon window was well smashed when he jumped through it.

Mild-Spoken Man's Telling Evidence.

John Kemnitz, a mild-spoken one-armed man, was the next witness. He was standing near the stove when he saw Rhea and Gardner come in and heard the order, "Hands up." He didn't comply, because physically unable to do so. He, too, saw the fatal shot fired and corroborated the testimony of Schwanka as to the actions of Zahn. He was cross-examined for nearly an hour by Mr. Gray, who tried in every way to break the force of his testimony, which appeared to have had great weight with the jury. He was asked in regard to the location of the furniture in the saloon and all the movements of the men. He denied having heard any quarrel between the Schneider men and the strangers.

Mr. Gray became much excited and, grasping a chair by the side and back, raising it in the air and taking a step toward the witness, he asked in a loud, high-pitched, excited voice: "Didn't Zahn grab that chair this way and start for Rhea?"

"No, sir," came the answer, in slow, mild tones, accompanied by a smile on the witness' face.

"And if any man," Mr. Gray continued, with the chair still in the air, "comes in here and testifies so he is testifying to what ain't so? Do you swear to that?"

Smile Grows Broader.

"Yes, sir," was the answer, in the same tone, and with the smile a little broader.

John Kemnitz was playing cards with Zahn and three others. His testimony was the same as that of the others. On cross-examination by Mr. Maynard he got a little confused about the location of the tables, stove and bar in the saloon, but adhered to the main facts. He was evidently so excited the night of the shooting that he did not know exactly where things were.

At 2:30 court adjourned to 4:30 to attend the funeral of Judge Maxwell.

W. A. Schwichtenberger was the first witness called after adjournment. When he heard the first shot he came out on the street and looked into the window of Zahn's place and saw the men there with their hands above their heads. Rhea was just going around back of the bar. He went into his barber shop and got two revolvers and also got some cartridges from a hardware store, and coming back to the back door of the saloon, which he found open, he looked in. He saw Rhea behind the bar and Gardner walking up and down in front. Rhea was trying to smash the cash register with his revolver.

Schwichtenberger Shoots.

Witness emptied one revolver at him without effect. Gardner then came out of the back door and called out to the defendant: "Come on, Bill; now's your time," at the same moment firing directly at the witness, who was about forty feet away. The bullet whizzed past his ear and he returned the fire. Gardner dropped to his knees and, taking deliberate aim, fired at the witness several times without effect. The next time he saw Gardner was at Crowell, when he was under arrest. While firing at Rhea the witness stood about twenty feet from the open back door and rested his gun against the corner of an outhouse.

On cross-examination Mr. Gray tried to make out that the witness could not have seen Rhea from where he stood, but the witness insisted he could see him plainly working at the cash register. On re-direct examination he said he saw the three men in Kingbaum's saloon between 2 and 3 the afternoon of the shooting; that Gardner had a rather swaggering appearance and told a man sitting at the stove that he (Gardner) was a bad man. Chris Hoelke was one of the four playing cards with Zahn. After Zahn was shot the two men made him sit down on the floor by the pool table with his legs stretched out flat. The balance of his testimony was substantially the same as that of Kemnitz, who was at the same table with him. He also said that Rhea took Zahn's watch while he lay on the floor. On cross-examination by Mr. Maynard he was not so sure about the watch and was unable to give the location of the tables and chairs in the saloon. Like all the other witnesses so far he emphatically denied that there was any trouble or quarrel between the three strangers and any of the Snyder people before the shooting, and was sure that if Orley and August Schneider had had a quarrel with Gardner and Rhea in front of Zahn's place he would have known it.

TELLS OF FINDING THE BODY

Will Groat Testifies at Broken Bow That Fullhart Always Carried a Weapon.

BROKEN BOW, Neb., Feb. 14.—(Special Telegram.)—Eight more witnesses were on the stand for the state in the Fullhart murder case today, which is just half the number subpoenaed in behalf of the prosecution. The principal witnesses were Will Groat, a ranchman living near the Fullhart ranch at the time of the tragedy, and Sheriff Armstrong. Groat is the last one to have seen Fullhart alive, and the first to have found him dead. He testified to having been at the home of the deceased November 15 after his dog. Oxley was stretching wire on the posts and Fullhart was forty rods distant watering his stock. When he found the body November 24 he was but a short distance from where Oxley was stretching the wire on the 15th. About forty rods of posts had been set and two rods more wire stretched.

He testified that Fullhart always carried a weapon. He and Fullhart had trouble last August and Fullhart pulled his revolver on him and he overpowered him and took it away from him and kept it until he promised not to shoot. Fullhart had the same revolver with him the last day Groat saw him. He told of going with the neighbors to identify the cattle Oxley had sold at the Tierney ranch and those he left at the Gamble ranch.

Sheriff Armstrong's evidence gave in detail his examination of the body, from which he secured $7, and the search of the house where he found three or four guns and a sword.

He testified that two tracks accompanied the sled out to where the fence was being built and told of tracking Oxley from Arnold, by the way of Gothenburg, to Omaha and Louisville, where he captured him. He stated that a few days after Oxley's arrest he told him he would soon be able to clear the matter up, as his brother, George, and one of the Parks boys had gone to Merna to telegraph Charles C. Crawford, from whom he had bought the cattle, to meet them at Anselmo. There is said to be no such ranchman in that part of the country.

Trailing the Cattle.

James Judge, foreman of the Tierney ranch and the man who bought four head of the Fullhart cattle of Oxley, told of trailing the cattle back from his ranch to within a mile of the Fullhart ranch. He was assisted by H. B. Andrews of Anselmo and B. E. Kellenberger of Merna. Andrews and Kellenberger corroborated his evidence.

Louis Filley, an old man who lives within three miles of the Fullhart ranch, testified to seeing two of the cattle left at Gamble's at Fullhart's place November 15. As this was but four days before they were taken to Gamble's ranch it indicates that the old man was killed between the 15th and 19th.

B. A. Elder of Anselmo told of driving a real estate man by the name of Barnes to the vicinity of Fullhart's November 22, the Thursday before the body was found on Saturday. They drove to the Fullhart house, but he was not there, but they saw a dog and a horse half a mile away, where the body was found later. Groat accompanied them to the land, from where they could see the dog and horse, but did not go on with them to the Fullhart house.

The friends of Oxley from Arnold, who are attending the trial in great numbers, still persist that Oxley is not guilty of the murder, but do not intimate what the defense will be, except to say Oxley bought the cattle.

J. B. Seidler and brother of Cuba, Kan., who are half-brothers of the deceased, are attending the trial.

"My stomach was affected by grip and I could eat nothing but crackers and milk. I began taking Dr. Miles' Nervine and Pain Pills and the trouble disappeared."—Mrs. J. Lindsey, Montrose, Minn.

Injured in Coasting Accident.

LAFAYETTE, Ind., Feb. 14.—A serious coasting accident occurred here last night in which many were injured. A bobsled filled with coasters ran into a tree. The most seriously injured are: Oliver Martin, internal injuries; Edward Martin, leg broken; Mrs. Frank Snyder, ankle sprained; Robert Hamilton, bruised; Miss Sina Haller, injured in chest.

JURY IN GENTLEMAN CASE

More Than One Hundred and Fifty Men Examined Before Twelve Are Chosen.

COLUMBUS, Neb., Feb. 14.—(Special Telegram.)—At 6:10 this evening a jury was secured in the Gentleman murder case. All day the sheriff and deputies had been scouring the hedges and highways for talesmen, and with few exceptions they had been excused for cause. Including the regular panel, over 130 men were examined before the twelve good men and true were chosen. As soon as the last challenge had been exhausted and the next juror passed for cause they were duly sworn and empaneled and then court adjourned until 9 o'clock tomorrow morning, when the state will put on its first witnesses. The state has something over thirty witnesses and the defense even more, and it is not probable that the case can be given to the jury before Tuesday.

Following is the jury: Nicholas Adamy, farmer, German, Sherman township; Otto Kahlweil, farmer, German, Grand Prairie; Charles S. Easton, merchant, American, Columbus; William Swartsley, farmer, American, Columbus; Fred Asche, merchant, German, Columbus; H. C. Newman, merchant, American, Columbus; Jay Stevens, liveryman, American, Columbus; Otto Meuller, farmer, German, Shell Creek; John Schram, farmer, German, Columbus; Robert Herschbrunner, laborer, German, Columbus; Joseph Henggler, farmer, German, Bismarck; Frank Morse, painter, American, Columbus.

The court room was crowded all day and standing room was at a premium. Many women were present. It was noticeable again today the large number of jurors who swore they could not return the death penalty, even though the evidence warranted and the law instructed it. There is no change in the demeanor of Gentleman. He looks about him but little and when not consulting with his attorneys seems to pay strict attention to what is going on, yet tries to conceal himself from view as much as possible. What defense will be offered in his behalf is not known, but it is freely intimated that it will be a plea of emotional insanity.

A Chicago Boy says he would rather have Dr. Caldwell's Syrup Pepsin than maple molasses.

COLE COLLINGS

COLE COLLINGS, of Chicago, Ill., went to Bloomingdale, Ind., for his health. They kept Dr. Caldwell's Syrup Pepsin in the house and Cole, being completely run down with stomach troubles until he could scarcely eat anything, began taking it.

The results of the remedy were not only phenomenal in their immediate cure of the stomach troubles, creating an appetite, aiding digestion and keeping the bowels regular, but they created a desire on Cole's part for "Syrup Pepsin" to such an extent that every time he came in the house he wanted to take a dose.

Dr. Caldwell's Syrup Pepsin is a remedy that every family should keep in the house. It is an all the year around medicine, a sure cure for stomach troubles, a pleasant and certain laxative.

SOLD BY

All Druggists, Wholesale and Retail.

UNCLE SAM MAY GET THEM

Sale of Danish West Indies an Immediate Possibility.

RIGSDAG IS TIRED OF APPROPRIATING

King Christian Would Prefer to Retain Them, but is Willing to Do Whatever Seems Best.

COPENHAGEN, Feb. 14.—Important developments in regard to the sale of the Danish West Indies are expected shortly. It is said in well informed circles that the foreign office is unable to send a definite and favorable reply to the United States.

King Christian, it is understood, gave assurances that while he preferred the islands to remain Danish, if the circumstances could be improved, he would do nothing to prevent their transfer.

The Rigsdag has apparently concluded that enough expenditures have already been made for the West Indies, so it is unwilling to give the further appropriations necessary to retain them.

FOR BUILDING DEFICIENCY

South Dakota Legislators Prepare to Pay Bills Which Predecessors Have Accumulated.

PIERRE, S. D., Feb. 14.—(Special Telegram.)—Neither house did much business today, as they were all prepared for their holiday, which is to last until Tuesday.

In the house bills were introduced to appropriate $45,000 for building and fuel deficiency, providing for resurvey of townships and for meeting the expense of the same. The house judiciary committee reported favorably on the senate negotiable instrument bill and while it may pass the house the chances are considered against it. Willmarth called up the Ninth judicial circuit bill and it only failed by one vote, securing 57, while another was needed for the required two-thirds. He secured another reconsideration and it is again a special order for Thursday. The house passed the senate bill in regard to the manufacture, sale and use of airguns and cannon crackers, only five members voting against the bill, which had a rocky road in the senate and goes back amended. It prohibits crackers of more than three inches in length, but puts no limit on the diameter.

The senate transacted nothing except the consideration of committee reports and the adoption of a resolution memorializing congress to increase the annual amount allowed for each pupil in the Indian schools. One of the witnesses notified to appear before the investigating committee made his appearance this morning and all will now be subpoenaed in regular form. The witnesses notified were ex-Governor Lee, Public Examiner Taylor and Private Secretary Ayres. The testimony required from them is to sustain the charges made in the reports and in the message of Lee.

Gasoline Victim Dies.

PIERRE, S. D., Feb. 14.—(Special Telegram.)—Ulrika Hegglund, victim of a gasoline explosion, died at the hospital from the effects of her injuries.

W. L. Yancy, Paducah, Ky., writes: "I had a severe case of kidney disease and three of the best physicians in southern Kentucky treated me without success. I was induced to try Foley's Kidney Cure. The first bottle gave immediate relief and three bottles cured me permanently. I gladly recommend this wonderful remedy." Myers-Dillon Drug Co., Omaha; Dillon's drug store, South Omaha.

SNOW AND COLDER IS THE TIP

Weather Man Warns Nebraska and South Dakota to Prepare for a Wintry Day.

WASHINGTON, Feb. 14.—Forecast for Friday and Saturday:

For Nebraska, North and South Dakota—Snow and colder Friday; Saturday fair; northwesterly winds.

For Iowa—Rain or snow Friday; Saturday fair in western, clearing in eastern portion; colder; southeasterly winds.

For Missouri—Rain or snow in northwest, fair in southeast portion Friday; Saturday rain or snow and colder; southeasterly winds.

For Kansas—Generally fair Friday, except snow and colder in northern portion; Saturday fair in northern, rain or snow and colder in southern portion; northerly winds.

For Wyoming and Montana—Snow and much colder Friday; Saturday fair; northerly winds.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Feb. 14.—Official record of temperature and precipitation compared with the corresponding day of the last three years:

	1901.	1900.	1899.	1898.
Maximum temperature	43	6	44	52
Minimum temperature	22	2	16	30
Mean temperature	32	4	30	41
Precipitation	.00	.25	T	.07

Record of temperature and precipitation at Omaha for this day and since March 1, 1900:

Normal temperature	24
Excess for the day	8
Total excess since March 1	1330
Normal precipitation	.03 inch
Deficiency for the day	.03 inch
Total since March 1	31.19 inches
Excess since March 1	.32 inch
Deficiency for cor. period, 1900	4.42 inches
Deficiency for cor. period, 1899	4.68 inches

Reports from Stations at 7 P. M.

STATIONS AND STATE OF WEATHER.	Temperature at 7 p. m.	Maximum temperature	Precipitation
Omaha, clear	38	42	.00
North Platte, partly cloudy	38	46	.00
Cheyenne, cloudy	36	40	.00
Salt Lake, clear	32	34	.01
Rapid City, cloudy	46	52	.00
Huron, clear	42	48	.00
Williston, partly cloudy	36	38	.00
Chicago, clear	22	30	.00
St. Louis, clear	50	52	.00
St. Paul, clear	26	28	.00
Davenport, clear	36	32	.00
Kansas City, clear	42	46	.00
Helena, clear	44	46	.00
Havre, clear	42	50	.00
Bismarck, clear	42	52	.00
Galveston, cloudy	50	52	.00

T indicates trace of precipitation.

L. A. WELSH,
Local Forecast Official.

L. P. Hollander & Co.

of Boston, New York and Newport, announce an exhibition at

The Paxton, Omaha

February 16-18,

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