

FASTS TWENTY-ONE DAYS

Beatrice Man Has Eaten No Food Since Good Friday.

SAYS HE HAS CALL FROM CREATOR

Traces Nothing but Bontecio Water and Announces His Intention of Living on It for the Full Forty Days.

HEATRICE, Neb., April 26.—(Special.)—Henry Cordes of this city, began a forty day fast on Good Friday, and so far he has not partaken of food of any kind, and has drunk scarcely any water. Mr. Cordes is a member of the Methodist church, and tells his friends that he has received a message from God asking him to fast the full forty days. He is 32 years of age, and was born in Indiana, and it is said he has a brother now living at Sycamore, Ind. For some time prior to Good Friday he resided at Ellerbeck & Smith's restaurant, on Court street, and is rooming there now. They are alarmed, lest he should die on their hands. He has fasted practically rapidly during the last week. When he began the fast on Good Friday he weighed 160 pounds. Today he is some

thirty pounds lighter. So far this matter has only been known to a few of his most intimate friends, but the facts leaked out this morning, and caused a great deal of comment. No medical aid has been summoned.

BANK DEPOSITS BREAK RECORD

Heavier by Over Three Million Dollars Than Ever Before in Nebraska.

LINCOLN, April 26.—(Special Telegram.)—Secretary Royce of the State Banking board has completed a comparison of all reports of the condition of state banks issued since the organization of his department. The comparison shows that the general deposits in the state banks on March 15, the date of the last statement, were \$2,214,585.75, greater than in any previous year in the history of the department. In 1902, when the high water mark was established, the deposits amounted to \$2,891,112.25. This year the deposits amounted to \$2,106,952.84.

Sues His Guardian.

HASTINGS, Neb., April 25.—(Special.)—Arthur Campbell has filed suit in the first district court for judgment of \$745.05 from John B. Campbell, who has been officiating as his guardian for fourteen years. The plaintiff alleges that on or about June 26, 1887, John B. Campbell was appointed guardian of Arthur Campbell, a minor, and that the said John B. Campbell thereupon

gave a bond for \$500, conditioned upon the proper discharge of his duties as guardian and for the payment to plaintiff of money that might come into his hands while acting as guardian. The plaintiff further says that April 15, 1901, a final accounting was had and it was found there was still \$745.05 in the hands of the guardian which belonged to plaintiff. As the money was not turned over on demand Campbell brought suit for same.

AUBURN YOUTH RAMPANT

Shoots at His Brother-in-Law and Threatens to Take His Own Life.

AUBURN, Neb., April 25.—(Special.)—Reuben Brot, a young man, is in the county jail to await the action of the district court on a charge of shooting with intent to kill. He got a gun and called at the home of his sister and asked for her husband, declaring that he was going to kill him and then take his own life. Later he got sight of the brother-in-law and fired, but missed him, and did not carry out the balance of the program.

Mrs. Ellen S. Judson desires to hear from her son, Fred I. Judson, who left Fullerton, Neb., in August, 1889. His father, Hosea P. Judson, died some months ago and Fred Judson is needed at Fullerton in order to close up settlement of his father's estate. Kansas City and Galveston papers please copy.

SUSTAINS PROUT'S ATTITUDE

Decision of Judge Sanborn in Rock Island Railroad Action.

HISTORY OF CASE GOES BACK EIGHT YEARS

Nebraska Stock Growers Soon to Meet in Alliance—Striking Journey-men Plumbers Refuse to Compromise.

LINCOLN, April 25.—(Special.)—The decision of Judge Sanborn of the federal court in the Rock Island railroad case sustains in every particular the position taken by Attorney General Prout in the supreme court. The district court held that a preliminary restraining order of the federal court to restrain the attorney general from collecting penalties from the railroad company for violations of the maximum freight rate law was "utterly and absolutely null" for the reason that it was not a restraining order. On that question Judge Sanborn in his opinion holds that the enforcement of the rule, that the court which first takes jurisdiction must retain and exercise it to the exclusion of all proceedings in other courts until its jurisdiction is exhausted by its effective execution, is indispensable to prevent unseemly conflicts between courts and their officers and "confusion worse confounded."

The history of the case dates back to 1893, when the federal court issued an order restraining the Rock Island Railroad company from reducing its rates to those prescribed in the maximum freight rate law and prohibiting the attorney general and other state officials from attempting to enforce the provisions of the act. The injunction was never vacated. During his last term of office ex-Attorney General Smyth instituted proceedings against all of the principal railroads, excepting the Burlington, to recover together over \$1,000,000 in penalties. Some of these cases were for violation of the maximum freight rate law and others were for violation of an order issued by the State Board of Transportation. The supreme court of the state subsequently declared the law creating the Board of Transportation to be unconstitutional and all cases brought for violation of the board's order were therefore dropped.

A few weeks ago the case against the Rock Island was called for hearing before the supreme court, and at the hearing the defendant company appeared with the injunction issued by the federal court back in 1893. The supreme court then held that the restraining order was null. It is this ruling that the federal court has overruled. It is likely that the attorney general has read it that to vacate the injunction the federal court would have to reverse its own decision. If these cases are dropped all of the penalty litigation against the railroads, instituted by the popocratic attorney general at a time when the fusion party of Nebraska was badly in need of campaign capital, will have been swept from the calendar. As to the ruling of the state supreme court on the question of jurisdiction, Judge Sanborn says:

**Concludes All Discussion.**  
"The opinion in Smyth against Ames concludes all discussion of this question. We are all bound to abide by that decision, because it is the supreme law of the land. That case presented the same constitutional law, the same pleadings, the same issues of fact and the identical question of law upon the determination of which this suit hinges. The supreme court of the United States there decided that this court had jurisdiction to issue, and that it rightfully issued its writ against the attorney general of the state of Nebraska, and from bringing and trying and aiding in bringing any suits or proceedings to enforce the provisions of the maximum freight rate law of Nebraska. In view of this conclusive adjudication of the very question here in issue it would be an idle task to attempt to review other cases wherein other questions, such as the power of a court of equity to enjoin criminal proceedings, were involved, as in Fritz against McGee, 172 U. S. 518, 531, and Harckrader against Wadley, 172 U. S. 148, 169, 170, and refrain from further consideration of the question. It is enough that the highest court in the land, the court by whose decisions courts, counsel and citizens alike are bound to abide, has authoritatively determined the very issue involved in this case, and here we must leave it."

**Impugnment Still in Force.**  
"This suit, then, was commenced in 1893; this court at that time obtained jurisdiction of the subject matter of this litigation, of the issue whether or not this law of Nebraska was constitutional and enforceable and of the parties to this suit; the railway company and those who were then acting as officers of the state. It rightfully enjoined the company from reducing its rates to those prescribed by the law, and it lawfully prohibited the attorney general of the state, and its other officers, from enforcing its provisions. The injunction has never been vacated or modified and it still remains in force. Vulcanite Company against Folsom, 3 Fed. 508. The defendant, Frank N. Prout, is prosecuting actions commenced in 1900, six years after this suit was begun, to recover of defendant railway company penalties to the amount of \$450,000, because it obeyed the injunction of this court and failed to reduce its charges to those specified by the unconstitutional law.

**Improperly is Manifest.**  
"The impropriety, the inadmissibility of such a proceeding in the light of the fundamental rules of our judicial system, to which we have now adverted, is so manifest that we have no doubt that the learned attorney general, when his attention is once directed to them, will at once perceive the propriety and necessity of suspending all actions in other courts involving the constitutionality of this law and the right and duty of this railway company to reduce its charges to those prescribed, until this court, which first acquired jurisdiction of the issues and the parties, has finally determined the questions presented."

The court of appeals has frequently required the federal courts of this circuit to stay their hands and to hold their suits in abeyance until the final determination by the state courts of issues of which those courts first acquired jurisdiction. Cases against Buckeye, 33 Fed. 961; Zimmerman against Sorrellie, 30 Fed. 417, 419. If the state courts had first taken jurisdiction of the issues involved in this suit we should have gladly followed the foregoing decisions, but the rule applies where the federal court first acquires jurisdiction as well as where jurisdiction is first acquired by the state court.

**Enforcement is Indispensable.**  
"The enforcement of this rule, that the court which first takes jurisdiction must retain and exercise it to the exclusion of all proceedings in other courts until its jurisdiction is exhausted by its effective execution, is indispensable to prevent unseemly conflicts between courts and their officers and 'confusion worse confounded.'"

court which first takes jurisdiction must retain and exercise it to the exclusion of all proceedings in other courts until its jurisdiction is exhausted by its effective execution, is indispensable to prevent unseemly conflicts between courts and their officers and "confusion worse confounded." The maintenance of this rule requires that the defendant, Frank N. Prout, acting as attorney general of the state of Nebraska, shall not bring or prosecute in any other court any actions or proceedings involving the constitutionality of the maximum freight rate law of Nebraska and the rights and duties of this railroad company thereunder to reduce its rates to those there prescribed until the final determination of this suit, and that the jurisdiction and power of this court to determine those issues, to render and enforce its decrees in this case shall be left unlimited and unweakened by any such proceedings.

"The supreme court decided in Smyth against Ames that this court rightfully issued its injunction to this effect against the then attorney general of the state of Nebraska upon the same facts which the applicant in this case alleges, and the applicant admits condition the rights and remedies of the parties to this suit.

**Decision Elaborately Dissected.**  
Attorney General Prout argued along the same line before the supreme court a few weeks ago and the federal court sustains him. When the case was argued at Omaha before Judge Sanborn the attorney general presented the decision and opinion of Justice Sullivan of the Nebraska supreme court, together with all the authorities therein cited, in resistance to the application of the railroad company for an injunction against him. The decision was elaborately dissected and held not to state the law by Judge Sanborn.

**Nebraska Stock Growers.**  
Members of the Nebraska Stock Growers' association will meet in alliance on May 13 for a two day annual session. Besides the usual number of lectures and papers on stock raising subjects, the program arranged by the officers of the association contains several new features, among them a ball and reception to be given by the citizens of Alliance to the visiting stockmen and their families. Prof. Burnett of the department of animal husbandry of the University of Nebraska will lecture on "Beef Cattle" and Prof. Peters of the United States experiment station will speak on the "Advances in the Combating of Contagious Diseases." Regent E. Von Forrell and Mr. H. F. McIntosh of Omaha are also named in the program for addresses. Prof. Peters and Burnett will speak at the opera house in the evening on the "Diseases of Cattle" and will illustrate their remarks with stereopticons. Reports of officers will be received the second day of the session. Election of officers will close the formal part of the meeting.

**Strikers Refuse to Compromise.**  
The striking journeymen plumbers of this city met last night and refused to compromise with the master plumbers. They agreed to stand by their original demands. Speeches were made by several of the leaders in the strike, and they expressed the opinion that the masters would soon be compelled to accede to their demands, as the real heavy work of the spring is not yet under way.

**Sues Post Stockholders.**  
The Mergenthaler Linotype company has brought suit for \$3,000 against Henry F. Rocky, Milton Schwind, Frank D. Eagar and William F. Schwind, stockholders of the Post Publishing company. Because of failure to publish the obligations of the corporation the Mergenthaler company insists that the stockholders are personally liable for the debt.

**Theater Banking Board Today**  
The McLean State bank of McLean, Neb. is capitalized for \$100,000 and incorporates under the laws of Nebraska. Theodore Hoopner and Cliff A. Smith. Auditor Weston today issued state warrants to the Cudahy Packing company of Omaha for \$5,000 and W. J. Bryan for \$1,200, these amounts representing the amounts contributed for the transportation of the first regiment from San Francisco to Nebraska.

**THIEF ROBS WHOLE FAMILY**  
Helps Himself to Money from Every Body, Not Excepting His Red Girl.

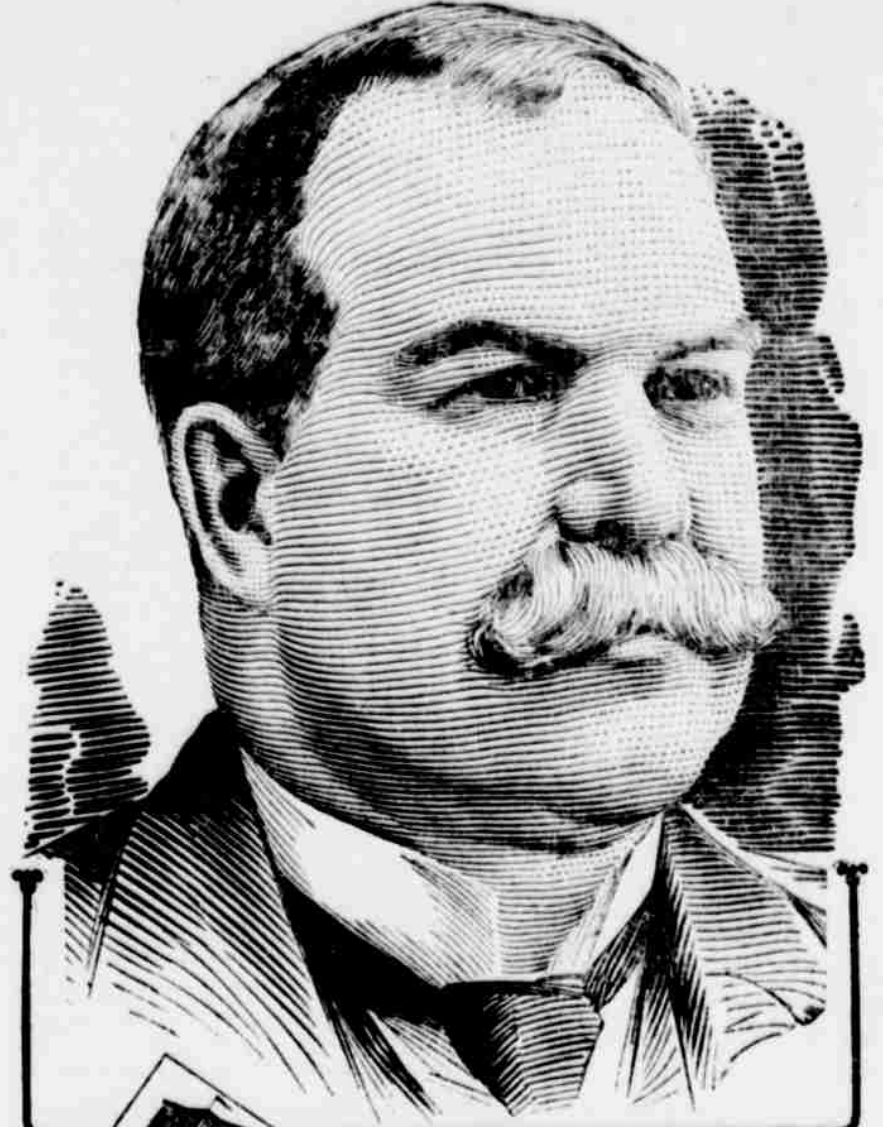
AUBURN, Neb., April 26.—(Special.)—The home of Benjamin Thompson was entered last night by a sneak thief through the window. Money was taken from Mr. Thompson's trousers, and a \$40.00 pocketbook, the hired girl's pocketbook and the little boy's money bank. About \$10 was taken. The home of County Judge Neul was also entered and Mr. Neul's watch taken. Mrs. Neul awoke and got sight of the thief and the description she gives leads to the belief that he will be arrested.

**Sale of Thayer County Land.**  
HERBON, Neb., April 26.—(Special.)—At referee's sale Tuesday a quarter section of Thayer county land was sold for \$4,000. This is a sample of the way land in this community has been selling. More farms have changed hands since the first of the year than ever known in the same period of time.

**Adams Teachers Chosen.**  
ADAMS, Neb., April 26.—(Special Telegram.)—At recent meeting of the Board of Education these teachers were re-elected: Harry F. Hooper, principal; Mrs. Hooper, grammar department; Miss Lillian Bowles, primary. This leaves a vacancy in the intermediate department, caused by the resignation of Miss Ada Shaw, who has accepted a similar position at Brainard.

**Ella Give Full Dress Party.**  
HEATRICE, Neb., April 26.—(Special.)—The Benevolent Protective Order of Elks No. 619 of this city gave its first full dress party Thursday night in its new hall on Ella street. The hall was beautifully decorated with roses and smiles. Coffee, sandwiches and olives and punch were served.

PERUNA ALWAYS WINS. Some Remarkable Cures of Catarrh of the Stomach and Neuralgia.



Edwin A. Frost, Manager Windsor-Clifton House, Chicago, Ill.

Hon. E. A. Frost, manager of the Windsor-Clifton House, corner of Monroe street and Washburn avenue, Chicago, Ill., says in a recent letter to the Peruna Medicine Co. of Columbus, O., the following words in praise of their catarrh remedy, Peruna: "The Peruna Medicine Company, Columbus, O. Gentlemen:—Before taking Peruna I had suffered for twenty years from malaria to the extent that I had chronic neuralgia of the stomach, and could not sit out in the night air without suffering the next day. I had tried many so-called remedies but with only partial and temporary relief. It has been two years since I used Peruna but I am satisfied that my cure is complete and permanent.—Edwin A. Frost."

**Doctors Surprised.**  
N. E. Bunker, Newman, Cal., writes: "I was sick for nine years with one of the worst cases of catarrh of the stomach possible. All that time I did not have a natural taste in my mouth. Could not eat, barely kept life in me by nibbling—could eat nothing of any substance, only soft foods, and little of that. I got as low as 108 pounds. The first cause was la grippe. By accident I used Peruna. Began it last February. I have now been well six or seven months—entirely well. Am heavier than for thirty years. Doctors are surprised as are all my friends. I have advertised Peruna extensively in many parts of the state; personally, many are helped. I am very thankful.—N. E. Bunker."

**"Never Felt Better."**  
Mrs. T. E. Frech writes from Essex, Tenn., as follows: "Having been afflicted with catarrh and stomach troubles for seven years I tried four different doctors. They only relieved me for a little while. I gave up all hope of being cured, having been reduced to 120 pounds. I was so weak I could scarcely get out of the room. I was induced to try Peruna and to my great surprise I am now entirely well. My weight is now 158 pounds and I never felt better in my life. I shall always praise Dr. Hartman and his remedies.—Mrs. T. Frech."

**Peruna Strikes the Source.**  
All diseases, including neuralgia, that depend on a want of proper nutrition are curable by a course of Peruna. Peruna strikes at the foundation of all chronic diseases by increasing the nutritive

The Best of Everything THE NORTH-WESTERN LINE Chicago and East. St. Paul-Minneapolis. Hot Springs-Deadwood.

You Can Buy Brains at a meat market, or you can hire other people to think for you, or a nimble-fingered girl to write your letters, but do you know a good dictionary is a great help in writing or speaking correctly! Probably you have a decrepit old dictionary in your office. It is so tattered and dirty that you seldom use it. Throw it in the waste basket and get a Standard Dictionary. It is the latest out and scholars everywhere pronounce it the best. Containing over 250,000 words and having a corps of 240 editors, specialists and educated men, costing nearly a million dollars before placed before the public, it ought to be a valuable book. It is a valuable book—by far the best dictionary before the English-speaking people. CALL ON OR WRITE THE WORTHINGTON BOOK CO. 136 FAHMAN STREET. IN REGARD TO IT.

A Great Labor Leader Speaks. EDWARD CARROLL, Former President of the National Building Trades Council, Is Well Again. Left in a Worn-out and Exhausted Condition by the Grip, His Kidneys Became Seriously Affected, But He Was Completely Cured by That Wonderful Remedy, Warner's Safe Cure.

CHICAGO, Feb. 26, 1901. WARNER'S SAFE CURE CO., Rochester, New York. Gentlemen: I feel that Warner's Safe Cure certainly deserves a word of praise from me, because I have been benefited by it to an extent unlooked for when I began using it. The effects of the "Grip" left me in a wornout and exhausted condition, affecting my kidneys, but two bottles of your medicine made me feel so much better that I decided to use the third, which practically completed a cure for me.

EDWARD CARROLL, Ex-President National Building Trades Council.

All Persons who are suffering from after effects of the Grip, or whose kidneys are diseased in any way, should go to-day to the nearest druggist and get a bottle of Warner's Safe Cure. Free Sample of Warner's Safe Cure sent on application. Address Sample Department, Warner's Safe Cure Co., Rochester, N. Y.

\$1,500 IN PRIZES. To those guessing the correct or nearest correct number of dots The Bee will give the following prizes: 1st Prize—A \$100.00 Emerson Piano—value \$400.00 2nd Prize—1 "Dunsmuir" Typewriter, value 100.00 3rd Prize—1 lot in Council Bluffs, value 100.00 4th Prize—1 Wheeler & Wilson Sewing Machine, value 60.00 5th Prize—1 Business College Scholarship, value 50.00 6th Prize—1 Tailor-made Suit, value 45.00 7th Prize—1 Ladies' Tailor-made Suit, value 40.00 8th Prize—3 Ladies' Custom-made Shirt Waists, value \$10.00 9th Prize—1 Standard Dictionary, value 12.00 Total \$1,500 and a Pig.

Table listing prizes and their values: 10th prize—1 Standard Dictionary, value 12.00; 11th prize—1 Ton Coal, value 5.00; 12th prize—1 box "Kirk's" White Russian Soap, value 3.00; 13th prize—ONE Pig, value 1.00; 14th prize—1 Sack Golden Sheep Flour, value 1.25; 15th to 24th—10 bottles Cramer's Kidney Cure, value 10.00; 25th to 30th—10 pair Orpheim Seats, value 10.00; 31st to 40th—14 volumes recent fiction, value 10.00; Also Art Pictures and Books, value \$10.75.

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