Chief Justice Dissents.

Chief Justice Norval gave the following Gieffenting opinion: I dissent for the reasons stated in the majority in State against Moores. Furthermore the correctness of the decision in that case is not questioned or raised in the brief of counsel for either party in this litigation said this court has repeatedly ruled that questions not raised in the brief are walree. The opinion of the majority establishes a bad precedent in deciding a question not raised or argued by counsel.

In the Redell case Judge Sullivan, after quoting from his opinion in State against Kennedy, in which he held to the doctrine

of course, do otherwise than give my approval to the concidations reached by the department. Another Step in Long Litigation.

This decision in the Redell case is simply the laiest step in a long line of legislation and litigation over the Omaha police commission. The original law creating the police commission was enacted in 1887 and vested the appointment of the commissioners in the governor. The reason for its effectment was that it was thought it would take the fire and police departments police departments belonged to the mu- to all like future actions. nicipality under the principle of municipal

the appointees of Governor Thayer, who the supreme court. was then in the executive chair. Subse-The republican legislature of 1895, to clip pointers of Governor Poynter. the, pawer of the populist governor. Gov-Holcomb, changed the law to vest an appointing board, consisting of two reheld by the court after contentious litigation; but simply to the extent of deciding ing the office under a statute which dein their appointment.

Case Settled a Second Time.

When the populist legislature of 1897 repealed this law and sought to restore the low its former opinion. appointing power to the governor, a similar contest was started before the supreme court, but the court refused to entertain the case because the plaintiff was not in position to raise the point of constitutionslity, inasmuch as he was claiming, under violating the home rule principle. home, rule in the matter of the appointment of fire and police commissioners, as
against the intervention of the legislature

or the boundary of the city to municipal
again be chief of the fire department. On
mittee, submits a minority report favoring
the Panama route. He says the estimates
for the Nicarana conditions. wer conferred on him by the legislature. When the personnel of the supreme court changed two years ago the hope that this would change the judgment of the court was used to induce Governor Poynter to name a new set of commissioners, under occur they will in the future be filled by the law already declared vold, who endeavored to secure possession by presenting their claims once more to the supreme court. . In this case, known as the State against Kennedy, the court again confirmed the titles of the present commisdisturbed.

City Attorney Connell's Case. The history and meaning of the present case, known as the Redell case, is best told in the language of City Attorney W. J. Connell, who, after reading the syllabus us, but we are allowed forty days in which

last night, said: After reading the opinion of Commissioner Alberts, as adopted by the supreme court, in the case of Redell against the Board of Fire and Police Commissioners, I am of the same opinion regarding its nature and effect as I was when the announcement was made as to what the opinion

"The points that were considered upon the trial and which were presented by briefs of counsel in the supreme court are decided in accordance with the contention made on behalf of the present board. The court in effect holds that the existing board-and not the city council, as declared by Judge Estelle-has the power of removal for cause.

The declaration by the court in its opinion that the governor has the right to appoint the fire and police commissioners for the city of Omaha and that the provision of the charter conferring such right is validnotwithstanding the previous declaration of the court that such provision was invalid and an infringement on the inherent rights of the people of the city of Omaha to conduct their own municipal affairs-is mere dictum and amounts to nothing in this case or in any other that can be brought. Declaring it to be the law in this case that the governor has the right to appoint members of the Board of Fire and Police Commissioners of the city of Omaha does not in any manner change or affect the final judgment which was rendered in the original case between the members of the Board of Fire and Police Commissioners appointed the governor and the members of such board appointed by the mayor and council. I am clearly of the opinion that the judgment to which reference is made is not only now in force, but will remain in force for

Does Not Change Rights. "A change in the views of the supreme

court regarding what is and what is not law does not change the rights of parties which are settled by final judgment. "As I view the situation, it would be

little short of a farce for Governor Savage. under the decision just rendered, to nov appoint members of the Board of Fire and Police Commissioners for Omaha. 'After judgment was rendered in the

What are Humors? They are vitiated or morbid fluids coursing the veine and affecting the tissues. They are commonly due to defective diges-

tion but sometimes inherited. How do they manifest themselves? In many forms of cutaneous eruption, salt rheum or essema, pimples and bolls, and in weakness, languor and general

How are they expelled? By Hood's Sarsaparilla which also builds up the system that has It is the best of all medicines for all

ded for further proceedings according original case, to which reference is made, Governor Poynter undertook to do precisely this thing, on the theory that the political complexion of the court had changed and that the law, as declared in the original case, would be changed accordingly

"When Governor Poynter's members de manded possession from the members appointed by the mayor and council, the latter, politely but firmly, turned down their request. As the result, quo warranto proceedings were a second time instituted. Again the fight was on between the members claiming under the appointment o the governor and members claiming under of res judicata, says: "Still maintaining the appointment of the mayor and council. these riews, still believing that all the gov- I then knew, as I know now, that with reernmental powers of municipal corporations gard to the main question involved, namely, come from the legislature and are to be the right of the governor to appoint, the found only in living statutes, I could not, declaration of law as made by the supreme court in the original case would be held not to be in accord with the views of the court as at present constituted. I therefore made no controversy in the second case over this question, but insisted, as I now insist, that the judgment rendered in the original case was final and res judicata. In this contention I was sustained by a very able opinion written by Judge Sullivan and concurred in by Judge Holcomb and Judge Norval.

Judge Sullivan's Former Views. out of politics, but sad experience has his views and the views of the majority of shown that it has had rather the opposite the court as being against the law as deresult and that the commission and the clared in the original case, but reluctantly departments under its control have been was compelled to concede the proposition a foot ball of politics almost contiquously that notwithstanding the law, according to Panama route, but considerable work must until the supreme court, three years ago. his yiew, was wrongly stated, the judgment ruled that the government of the fire and which was rendered was final and was a bar

"It is apparent from what is stated that a like contention on behalf of the members The first police commission law was sub- of the present board regarding the finality tion. jected to a test case, resulting in a de- and conclusiveness of the judgment in the the Panama route. The total length of to have charge of the canel, the members "In providing that surplus shall be incision in the supreme court in favor of original case would again be sustained by the Nicaragua route is 182.66 miles and the of the commission to be selected from cluded as capital." the decision says, "it

"Should Governor Savage assume to quently, when Governor Boyd, the only point members of the Board of Fire and Po- Nicaragua canal annually is \$1,350,000 democratic governor of Nebraska, under- lice Commissioners he would merely be re- greater than that of the Panama canal. took to make appointments to the police peating what his predecessor, Governor commission out of the regular time, the Poynter, once did and the result, with refsupreme court held good the claims of the erence to his appointees, must be the same men appointed by the de facto governor. as was the result in the case of the ap-

"Should Governor Savage make appoint ments a demand would have to be made by the appointment of police commissioners in his appointees on the members of the present existing board for the offices held by publican state officials in addition to the them, which demand, undoubtedly, would be governor, and making the governor merely refused, and thereupon it would be necespowerless, minority. This law was up- sary for the governor's appointees to commence quo warranto proceedings. As indicated, the result in such case must necesbetween two sets of appointees, each claim- sarily be the same as in the case, of the appointees of Governor Poynter, and our prived the people of Omaha of any voice district court would be obliged to follow the decision of the supreme court sustain ing the plea of res judicata. Upon appeal the supreme court would be obliged to fol-

What Becomes of Redell. "Now with regard to the action to be ready preferred against him and filed with many years to run and new concessions the Board of Fire and Police Commission- cannot be granted the United States. ers. The decision of Judge Estelle is reversed and there is nothing to prevent the precisely the same as the one he was atpresent Board of Fire and Police Commisinvestigations made, the actual situation as New Jersey, McComas of Maryland, law lafd down by Judge Scott in a sloners from proceeding with the hearing it now stands, and having in view the brought before him in the district of such charges. It is recognized by the terms offered by the new Panama Canal court, the present Board of Fire and Police opinion of Commissioner Alberts in Redell's company, this commission is of the opinion Commissioners of Omaha was created and case that the members of the present that the most practicable and feasible appointed by the mayor and council in board are de facto members and as such route for an isthmian canal, to be under authorized to act. Undoubtedly the board the control, management and ownership of senting the case of municipal home rule will cause notice to be served on Redell to the United States, is that known as the squarely. This case, known as the State appear for hearing at some convenient time against Moores, resulted in a decision up- in the near future. If the charges are not holding the right of the city to municipal sustained Redell will be exonerated and will

or the governor exercising appointive "I do not consider the opinion about any substantial figure in the future administration of the fire and police affairs of this city. The present board will continue to discharge its duties and as vacancies the mayor and the council.

"I regard this to be the true situation not only for the present, but for all future time, for the reason as stated that it is the judgment that determines the rights of the members appointed by the mayor sioners, appointed by the mayor and coun- and council and not the declaration of law cil, and declared that their right to hold which is subject to change with every under the former judgment could not be change in the political complexion of the court.

> Where the Mayor Stands. Mayor Moores said: "The Board of Fire rehearing. That will probably be denied to make the application, so before that

board or remove us. "That will give us plenty of time in which to try Redell, and you can depend upon it, we'll do it. We will have him up very soon."

Governor Savage Out of State. Governor Savage is in Chicago and there was nobody in Lincoln last night to speak with authority as to what course he will pursue in the light of the court's decision. As the case has been remanded for further proceedings it is not likely that he will take any action until a final judgment is reached.

GOVERNOR SAVAGE HURRIES Anxious to Get Back to Nebrasks to Consider Appointing a New Board.

CHICAGO, Dec. 4 .- (Special Telegram.)-Governor Savage of Nebraska was attending the live stock show today when a telegram innouncing the decision of the state supreme court in the Omaha police and fire officials' cases was received in this city and when he returned to the Great Northern hotel he was handed the message. He read the dispatch and then told a number of his friends that he intended to leave on the first train for Omaha. Commenting on the decision the governor said:

"I was here to attend the live stock show pect such a decision so soon. I will return as soon as a train can get me there and will begin to think of my appointments at once. However, I don't intend to appoint any politicians for the place. The places must be filled by good, honest, reliable men, who have no interest except for the benefit of the city and state. This law may change the status of police and fire appointments over the United States. That was one of the intentions of the bill. I hardly think it will be contested in any way to any further extent.

ENGINEER AVOIDS DISASTER Train Wreckers Folled in Attempt to Ditch the B. & M.

Fiyer.

BEVERLY, Mo., Dec. 4 .- Burlington railway detectives are in this vicinity investigating the wreck of the B. & M. fiver at this place last Thursday and evidence has been found that a dastardly attempt to wreck the fast Denver-Kansas City train was made. The switch lock and lamp had been stolen. The train was going at the rate of sixty miles an hour when the engineer noticed the lamp was out and slowed down. The engine and mail car left the track and vent into the ditch, but the coaches remained on the track and fortunately no passengers were seriously injured. It is rumored that arrests will likely follow.

FAVORS NICARAGUA ROUTE which passed the house during the last submitted the laws of Porto Rico in house

Canal Commission Submits to Congress Resait of Its Investigations.

IS MORE ADVANTAGEOUS TO COMMERCE

Panama Canal Could Be More Cheapty Constructed, but Big Price is Demanded for Concession of Old Company.

WASHINGTON, Dec. 4.—The report of the and is as follows: WASHINGTON, Dec. 4.—The report of the Isthmian Canal commission was sent to congress today. The commission, as anticipated several weeks ago, favors the Nicaragua route and makes an estimate of \$189.864.062 as the total cost of construction of the canal through Nicaragua. The estimated cost of the Panama route is placed at \$144.233,358, but, the report says it would cost \$109.141.000 to obtain the Panama concession. The commission values the work done at \$40,000.000. The report says the Panama route is feasible as a sea level canal, while the Nicaragua route mts. be by locks, but Lake Nicaragua will fur-"Judge Sullivan in his opinion indicated nish an inexhaustible supply of water for the canal. The Nicaragua route has no natural harbors at either end, but satisfactory harbors may be constructed. Harbors already exist at each end of the plant the commission estimates that the Nicaragua canal can be completed in six years, exclusive of two years for prepara-Ten years is estimated to complete The estimated time for a deep draught vessel to pass through the Panama canal is twelve hours and through the Nicaragua canal thirty-three hours.

> Advantage of Nicaragua Route The Nicaragua route, the report sava, i

more advantageous for commerce save that originating on the west coast of South America. For the gulf ports the advantage is two days, and for most of the ports on the Atlantic and Pacific one day. The Nicaragua route is said to be better for sailing vessels on account of favoring winds. Hygienic conditions also favor

The commission says the United States should acquire control of a strip of territory ten miles wide from sea to sea. through which to build the canal. The consent of Nicaragua and Costa Rica must be obtained to build the canal, but the report says this can be easily secured. The concessions granted by the Colombian governtaken in Redell's case. Charges are al- ment to the Panama Canal company have bership of the committees of the senate:

considering all the facts developed by the

Minority Wants Panama Route.

mittee, submits a minority report favoring cient provisions for unknown conditions and contingencies. No consideration, he says, has been given to accidental interruption of traffic by Nicaragua, which, he ment of commerce.

By Senator Hale—To make the census By Senator By Sen says, has been given to accidental interrupand terms can be arranged through the acquisition of the Panama Canal company's rights than by any negotiations with Nicaragua and Costa Rica. The government after securing the rights, he says, could negotiate direct with Colombia for the right to construct the canal. He closes by say

"The Panama route has advantages over the Nicaragua route in cost of construction, in cost of operation and in convenience when done, while its use is less likely to lead to local international complications and Police Commissioners will ask for a If the United States government is to build an Isthmian canal the Panama route is the

SENATE'S BUSY GRIND time expires the governor cannot appoint :

(Continued from First Page.)

to provide for the exclusion and deportation of alien anarchists." The first sec tion of the bill is as follows: "That no alien anarchists shall hereafter e permitted to land at any port of the United States or be admitted into the United States, but this prohibition shall not be so construed as to apply to political refugees or political offenders other than such anarchists."

The second section directs the special board of inquiry authorized by the immigration laws to make diligent investigation concerning the antecedents of any alien seeking admission into the United States who is suspected of being an anarchist, authorizing the board to even go to the extent of examining the person of suspected aliens for marks indicative of membership in anarchistic societies. Section three provides for the return of persons to native countries who have secured admis-

anarchists. The fourth section provides that when any alien is convicted of crime in the United States court and it shall appear from the evidence that he is an anarchist the presiding judge shall direct a further hearing and if the judge is satisfied that at the stock yards and really did not ex- the convicted allen is an anarchist or that his remaining in this country will be a menace to the government or society in general, he may direct that in addition to other punishments adjudged the convicted alien after undergoing such punishments shall be deported at the expense of which he came, and if he returns to the United States shall be punished by imprisonment at hard labor for a period not exceeding five years, and afterward again deported.

Provision is made for the appointment of twelve immigration agents at a salary of kind of food. \$2,500 each to make investigations in foreign countries concerning intended immigrants. The sixth and last section of the bill provides that "the fact that an alien has declared his intention to become a citizen of the United States shall constitute no bar to proceedings against him under

this act. That Anti-Trust Bill.

Senator Aldrich introduced a bill authorizing the comptroller of the currency to extend for a period of twenty years the charter of any national banking associa-1882. The extension applies only to corsession, but did not get through the senate | better results.

and is reintroduced. Senator Jones of Arkansas introduced. without amendment, the anti-trust bill, Ltd., Battle Creek, Michigan.

which passed the house during the last submitted the laws of Porto Rico in Eng-

senate. Sepator Lodge reintroduced his immigration bill, providing for an educational test consideration of certain pension bills Mr. for the admission of immigrants. The Morgan (Alabama), objected, remarking: writing test is reviewed and the new bill "There is too much slack on pensions and requires that the immigrants shall be re- I would like to tighten it up a little." quired to be able to read. Another bill inure for the reform of the consular service, session concerning assaults on the presi applying civil service regulations to the dent, deportation of anarchists, etc. appointment of United States consuls.

Morgan's Canal Bill.

Two bills looking to the construction of were introduced in the senate. The first of these was presented by Senator Morgan

and such sum as may be necessary to se-cure necessary rights, privileges and such control is hereby appropriated.

Non-Partisan Commission. be done at the entrance of the harbor on fers military, police and sanitary police sioner holds that capital is taxable whether the Atlantic side. With adequate force and control of the canal route by the United invested, as in the case of the United States mission is to be appointed by the president Panama route 49.09 miles. The estimated different parts of the United States and to is obviously the purpose of the law to have cost of operating and maintaining the be paid \$16,000 salary each per year. This one tax imposed apply to all money used or Rivas, Nicaragus, with a branch office in on their business. Washington. The appointment of en-Canal commission. The commission pro- undivided profits. posed is empowered to make all contracts shall be interested in any contract connected with the construction of the canal. The bill authorizes the president of the United States to make minor change in the route adopted for the canal and the methods of its construction.

Senator ,Allison's Committee. Senator Allison named the following committee in accordance with the resolution of the republican caucus to select mem-Platt of Connecticut, McMillan of Michigan, Proctor of Vermont, Perkins of Cali-The report concludes as follows: "After fornia, Nelson of Minnesota, Warren of Wyoming, Fairbanks of Indiana, Kean of

New Bills Introduced. Bills were introduced by senators today

By Senator Stewart-For the election of territorial judges by the people and con-ferring jurisdiction on the federal courts in controversies over irrigating water

Japan.

By Senator Lodge—To prevent the descration of the American flag and to increase the pay of letter carriers.

By Senator Foster—For a committee of

bureau permanent.
By Senator Money—For the revival of the act in force after the civil war concerning abandoned property.

By Senator Vest-Creating a national bureau of criminal identification.

By Senator Culbertson-For the equitable distribution of the water of the Rio Grande river between the United States and Mexico. By Senator Dolliver-To repeal the bank-

By Senator Dolliver—To repeal the bankruptcy law.

By Senator Perkins—For the laying of a
cable to Hawaii and the Philippines.

By Senator Nelson—Subjecting national
banks to the usury law of the states in
which they are located.

By Senator Tillman—For the use of a portion of the proceeds of the sale of public
lands in the maintenance of schools of mining.

lands in the maintenance of schools of mining.

By Senators Mitchell and Berry—For the
election of senators by vote of the people.

By Senator Hoar—Bills for the making of
the obligations of all banks uniform; for
amendment to the constitution respecting
the succession to the presidency and the
commencement and termination of congress; fixing the salary of the vice president at \$15.000, of the chief justice of the
supreme court at \$15.500 and of associate
justices at \$15.000.

By Senator Foraker—Granting free mail-

justices at \$15.000.

By Senator Foraker—Granting free mailing privileges to Mrs. McKinley, widow of the late president.

By Senator Burrows—Providing for a constitutional amendment for election of United States senators by the people where state legislators fail to elect; also a constitutional amendment changing the day for the inauguration of the president from March 4 to the last Thursday in April.

By Senator Frye—His old bill for the reformation of the revenue cutter service; it practically puts this service on the same basis as the navy in the matter of retirement and in other matters of detail,

SENATE ONLY BODY IN SESSION The Early Business Includes a Flood

of Executive Communicattons.

WASHINGTON, Dec. 4 .- The senate was the only congressional branch in session today. The early business included a flood of sion to the United States contrary to law executive communications, mainly formal. and who have afterward been found to be One of them, from the attorney general

> MEMORY FOOD. Case Where Memory Was Strengthened by Grape-Nuts.

Food that will actually help the memory s well as agree perfectly with a delicate stomach is worth knowing of. A good wife out in Alta, Ia., who did not know which way to turn to get food that would agree with her husband, who was left

n a weakened condition tafter a serious illness and could scarcely retain any food in the United States to the country from his stomach, was one day induced to try him on Grape-Nuts, the famous readycooked breakfast food, and from the first he began to improve rapidly. In three months he had gained thirty pounds. She says that his stomach has recovered

so completely that he can now eat any She mentions the boy of an intimate ac quaintance, who was so delicate and thin that his appearance was pitiable, and he had no appetite for any ordinary food. He was put on Grape-Nuts and liked the crispness and sweetish taste of the new food and took it. His improvement began at once and he is now a healthy, plump boy.

"I know that Grape-Nuts will do more for weak stomachs than any medicine. The claim that it will build up and strengthen the brain has been proven to my certain knowledge. Sister, who writes for the tion extended under the act of July 12, press and is compelled to memorize a great deal, has been using Grape-Nuts and says porations desiring to continue their ex- she is surprised at the result. There is a istence after the expiration of existing marked improvement in her memory and charters. This bill passed the house last the brain works more perfectly and with

"Please do not publish my name." Name can be given by the Postum Cereal Co.,

congress When Mr. Hear sought to advance the Mr. McComas of Maryland gave notice that

troduced by Senator Lodge is his old means. he would address the senate at its enext of Missouri offered a resolution proposing an inquiry by the committee on judiciary as to the powers of congress to deal with anarchy, to suppress the teaching of anon isthmian canal via the Nicaragua route archy and to provide a penal colony for convicted anarchists. The resolutions and anti-anarchist measure by McComas are on he senate table open to early debate.

Tillman of South Carolina secured the passage of the house resolution admitting free of duty foreign exhibits to the Charleston exposition. At 2:10, on motion of Cullom, the senate went into executive session. At 2:34 the senate adjourned.

TAXATION OF BANK CAPITAL Decision from Internal Revenue Department Important to Bankers.

WASHINGTON, Dec. 4.-The commissioner of internal revenue has rendered a The other bill was introduced by Senator decision in which he holds that bankers Perkins and provides for a perpetual lease must return for taxation capital, surplus, by the United States of the right-of-way undivided profits and borrowed money used across Nicaragua and Costa Rica and con- in the business of banking. The commissioner holds that capital is taxable whether States. It makes an appropriation of \$120,- bonds, or the bank building or circulating 000,000, of which xum \$12,000,000 is to be as in the case of money, including money expended annually. A nonpartisan com- borrowed; also surplus, including undiundivided profits.

commission is to have its headquarters at employed by banks as capital in carrying

"Money borrowed by banks and used as dimensions recommended by the Isthmian that it is borrowed by a bank from its own "The fact that surplus so used consists

and to supervise their performance, the wholly or in part of undivided profits, or contracts not to be legal unless ratified that such undivided profits have or have by a majority of the commissioners. The not been formally been set apart for such commission is to report semi-annually to use seems wholly immaterial so far as the the president and to keep accurate ac- purpose of the act is concerned. It is the counts of its transactions. It is explicitly use and not the authority to use that provided that no commissioner or employe brings such profits within the taxing provisions of the act.

"Banks should, therefore, return for taxundivided profits or other profits and less Sheehan, Queenstown; Apprentices W. account, except so much thereof as may be actually necessary and has been set apart to meet liabilities and losses or to pay DRIVEN ASHORE BY STORM dividends actually declared by the directors of the bank, to pay taxes or to pay fixed annual charges such as salaries and other necessary expenses.

IN TWO YEARS OF PURCHASE Decision as to Redemption of Documentary Internal Revenue Stamps.

of documentary internal revenue stamps un-By Senator Elkins—For the admission of less presented within two years after the By Senator Gallinger—For a committee purchase of the stamps from the government.

The question raised was whether the two years should run from the time the stamps unless the gale becomes much worse. were purchased by the person applying for ment

GUARDS STRIKERS MILITIA Four Men Wounded in Riot Between Coal Miners and Officinis.

and deputy sheriffs were the participants. resulted in the serious wounding of four men. Sheriff Joe T. Smith of Butler, Mo.,

two miners and was himself shot. The coal miners in the Rich Hill coalfields went on a strike about ten days ago. tons of gypsum. The strike arose over a demand made by pany for a check-weighman. The company's superintendent was willing to conede the demand only under conditions which the miners would not accept. Many deputies came here tonight and more trouble is feared.

FATALITIES IN RACE RIOT Whites and Negroes at War in Ala bama and Communication Shut Off.

MONTGOMERY, Ala., Dec. 4 .- A special o the Advertiser from Andalusia, Ala.

Word has just reached here that a race riot followed the killing of Fate Atkinson and J. W. Dorfey by a nergo at Opp this evening. Two negroes have been found dead The officers there have wired here for the sheriff and dogs and have also wired to River Falls for dogs. A posse is being organized here to go to Opp at once. No more news is expected tonight from

andalusia or Opp, as the telegraph offices at both places are closed.

ENDOWMENT FOR BRYN MAWR John D. Rockefeller Gives Over Two Hundred Thousand Conditionally.

PHILADELPHIA, Dec. 4.-Bryn Hawr ollege, for the higher education of young women, has been offered a gift by John D. Rockefeller, who agrees to contribute \$230,-000 for certain specified improvements, provided that on or before commencement day in June next year the further sum of \$250,-000 shall be raised to complete the projected work. The president, trustees and alumnae of

the college have been trying to raise \$250,-000 for a new library building, \$130,000 for a new dormitory and \$100,000 for a lighting and heating plant.

Armours Buy Elwood Land. ST. JOSEPH, Mo., Dec. 3 .- (Special Telegram.)-The Armours of Chicago have for

two days had representatives in this city purchasing ground across the Missouri river Elwood, until today the last transfer was made. The Armours have secured more than 200 acres to be used for packing house purposes. It is expected that a bridge will be erected across the Missouri river ectly south to the yards in South St. Joseph. The Chicago, Rock Island & Pacific railway today closed deals for more than 300 acres of land adjoining that purchased by the Armours. The purchase prices are kept secret.

To Cure cold in one flay. take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Grove's signature is on each

BRITISH SHIP MAY BE LOST

Terrific Sterm on Pacific Creates Havac With Seamen.

NELSON WITH ENTIRE CREW IS MISSING

Fenra that Vessel Capsized and Sank, Based Upon Fruitless All-Day Search Made by Another Boat.

ASTORIA, Ore., Dec. 1.- The fate of the British ship Nelson, a steel vessel bound to Queenstown with wheat, reported early today as having turned turtle last night and gone to the bottom with its crew of twentyeight men, cannot be known until tomorrow By that time it will probably be sighted if still affoat. If the tugs which institute search fail to find it, it will doubtless be given up as lost. The tugboat people think it is still safe, but there is cause for the gravest, fear.

Nelson sailed November 29 for England with a grain cargo. It encountered the gales which prevailed early in the week and on Monday evening was sighted off the right in a disabled condition. Tuesday morning it was picked up by the tugs Waltula and Tatoosh. Wallula returned to port for fuel. Tatoosh starting north with Nelson, when a heavy gale came up. At 9:45 last night, during the height of the storm; the steel cable parted and the lights of Nelson suddenly disappeared, leading to the belief that it had capsized.

The tug Tatoosh searched all night and until noon today, but not the slightest trace of the ship was found. Notwithstanding this, Captain Bailey of the tug believes Nelson is safe and that it will show up tomorrow. He thinks it has made for Puget sound, while others are inclined to the belief that Captain Perriam of Nelson will gineers also is authorized. It is further capital is held to be taxable and it is clearly make for the Columbia river. Nelson carprovided that the canal shall be of the no less liable to tax because of the fact ried a crew of twenty-eight men. It was

an old wooden vessel. Captain George W. Woods, the bar pilot, was to have been placed aboard the ship last night, but the weather was too rough to permit it. Captain Woods says, Nelson went over between 10 and 11 o'clock last night during the height of the gale. Foilowing is a partial list of the crew: Captian Perriam, First Mate Strachan, Sec ond Mate J. J. Tillsley, Seamen Viemar, M. Peterson, Lars Peterson, D. Beste, A. Johansen, J. Jensen, J. F. Larsen, L. Torell. ation the capital, the surplus fund, their John Meally, J. Ericksen, J. Burch, E. Terry and J. Beste.

> Large Sternwheeler on Puget Sound is Caught in Fierce

Gnle. SEATTLE, Wash., Dec. 4.- The steamer Clara Brown, one of the largest sternwheelers on the sound, was driven ashore at

Alki point last night at 7 o'clock during

the gale which raged all night. In trying to round the point on its usual WASHINGTON, Dec. 4 .- Mr. Tracewell, trip to Seattle from Tacoma the steamer the comptroller of the treasury, has decided became completely unmanageable and sevthat the act of May 12, 1990 prohibits the eral times was in imminent danger of allowance of any claim for the redemption foundering. It finally drove upon the beach half a mile south of the point. The passengers jumped overboard and made their way ashore through the surf. The gale has continued all day and the boat has been badly smashed, but will probably be saved

their redemption, or from the time they BARGES MISSING IN STORM Fenred tont Two Vessels with Their Crews Are Finally

Lost. ST. JOHNS, N. B., Dec. 4.-The tug Gypsum King, in command of Captain Blizzard, arrived here today with one steel RICH HILL, Mo., Dec. 4.-Two small barge in low and reported that Gypsum riots here today, in which striking miners Queen broke away from the tow six miles off Point LePreaue in the Bay of Bundy. There are grave fears that the barges, with their crews of five men each, are lost, was seriously injured by being struck with though the captain has hopes that, as they a sling in the hands of one of the strikers. are schooner rigged and fitted with sails. Walter Valentine, a deputy sheriff, shot they may have been able to make through the storm. The lost barges are wooden, of 1,100 tons net. Each carried about 1,000

union miners of the Rich Hill Coal com- GOES OVERBOARD AND DROWNS

Lumber Barge Crew Narrowly Escape Death, While Boat is Wrecked.

NEWPORT, Ore., Dec. 4 .- The lumber barge C. H. Wheeler, from Nehalem for San Francisco, with 552,000 feet of lumber, drifted ashore and was wrecked two miles south of Yaquima bar today. J. W. Cole, the colored cook, was washed overboard and drowned. The other members of the crew were almost exhausted when rescued by the

lifesaving crew. The barge Wheeler was lost off Cape Blanco in a storm with the tug Vosburg November 27 and has been drifting ever since.



The way to judge of the value of any medicine is by its cures. Apply that test to Dr. Pierce's Favorite Prescription and it is at once lifted high above all other put up medicines designed for the cure of womanly diseases. Chronic forms of disease which local physicians have failed to cure, and which have yielded to no other treatment, have been perfectly and permanently cured by the use of Dr. Pierce's Favorite Prescription. It establishes monthly regularity. It dries debilitating drains. It heals inflammation and ulceration and cures female weakness.

female weakness.

Mrs. Shopshire, of Ballou, Shelby Co., Ohio, writes: "My mother had an ovarian tumor which we thought would result in her death, but we had read your advertisements and we commenced using your 'Favorite Prescription'. We got one dozen bottles to commence with, and before she had taken three bottles she began to improve; she is living to-day and we have given your medicine the credit. My mother was sixty-six years old when the tumor commenced to grow; she is seventy-six now and the tumor is all gone. She had gotten awfully large, and her limbs began to swell before we began to use your 'Favorite Prescription.'

Dr. Pierce's Pleasant Pellets cure bili-

KIDNEY TROUBLES.

Mrs. Louise M. Gibson Says That This Fatal Disease is Easily Cured by Lydia E. Pinkham's Vegetable Com-

pound. DEAR MRS. PINKHAM : - I felt very discouraged two years ago, I had suf-fered so long with kidney troubles and other complications, and had taken so much medicine without relief that I began to think there was no hope for Life looked so good to me. what is life without health? I wanted to be well.



MRS. LOUISE M. GIBSON "Lydia E. Pinkham's Vegetable Compound cured me and mad me well, and that is why I gladly write you this, and gladly thank you; six bottles was all I took, together with your Pills. My headache and backache and kidney trouble went, never to return; the burning sensation I had left altogether: my general health was so improved I felt as young and light and happy as at twenty -MRS. LOUISE GIRSON, 4813 Langles Ave., Chicago. Ill. \$5000 forfeit if above

If you feel that there is anything at all unusual or puzzling about your case, or if you wish confidential advice of the most experienced, write to Mrs. Pinkham, Lynn, Mass., and you will be advised free of charge. Lydia E. Pinkham's Vegetable Compound has cured and is curing thousands of cases of female trouble.

A Benevolent Enterprise

Is the British Medical Institute at 438 Board of Trade Building-It Gives Three Months' Services Free to All Invalids Who Call Before Decem. ber 9, 1901.

A staff of eminent physicians and sur-geons from the British Medical Institute have, at the urgent solicitation of a large number of patients under their care in this country, established a permanent branch o. the Institute in this city at

Corner of 16th and Farnam Streets Rooms 438-489 Board of Trade Building.

These eminent gentlemen have decided to give their services entirely free for three months (medicine excepted) to all invalids who call upon them for treatment between now and December 9. These services consist not only of con-

sultation, examination and advice, but aiso

of all minor surgical operations. The object in pursuing this course is to secome rapidly and personally acquaintewith the sick and afflicted, and under no made for any services rendered for three months, to all who call before December 9. The doctors treat all forms of diseas, and deformities and guarantee a cure to every case they undertake. At the firs interview a thorough examination is made and, if incurable, you are frankly and kindly told so; also advised against spend-

ing your money for useless treatment. Male and female weakness, catarrh and catarrhal deafness, also rupture, goitre cancer, all skin diseases, and all diseases of the rectum are positively cured by their

new treatment. The chief associate surgeon of the Institute is in personal charge. Office hours from 9 a. m. till 8 p. m. No Sunday hours.

SPECIAL NOTICE-If you cannot cal send stamp for question blank for home treatment



Imperial Chemical Co., 135 W. 23d St., N. 1

AMUSEMENTS. BOYD'S | Woodward & Burgess LAST TIME TONIGHT.

"KING DODO." Prices-Matinee, 25c, 50c, 75c, \$1; Night, 5c, 50c, 75c, \$1, \$1.50. Saturday Matinee and Night,

TIM MURPHY

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Prices Matines 25c, 50c, 75c, \$1; Night, 25c, 50c, 75c, \$1, \$1.50. Seats on sale now.

Matiness Sunday, Wednesday and Satur-day, 2:15; Every Evening, 8:15. RIGH-CLASS VAUDEVILLE. Faust Family, Therne & Cariston, Emili-giton & Co., Mignonette Kokin, John leiger, Mitchel & Bernard, the marvelous

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EVENING PRICES: 10c. 20c.
SMOKE IF YOU LIKE

Next Sunday Matinee, the CHERRY SISTERS-COLISEUM December 10th.

Matince and Evening "THE KILTIES"

Coliseum will be heated and ventilated. Reserved seats on sale at Douglas Printing Co., 1508 Howard street. The Salvation Army oyd's Theater, Friday, Dec. (

Canada's Crack Military Bond

"Light in Darkness" Commander Booth-Tucker. Tickets 25c and 15c at box office or 15c tovenport Street. Songs by the Army best soloists.