

# Tribute to the Phonograph

Even John Philip Sousa, the great bandmaster, who has no use for Phonographs, has been forced to recognize the Phonograph as a formidable competitor. The two-step king says that people will no longer go to concerts if they can have music in their own homes so easily and so cheaply as they can with the Phonograph. This is an unwilling tribute, but it is nevertheless a tribute. The man who has a Phonograph has a concert in his own house. Even a king could not have more. At our store you can hear them any time.

## The Victor Gramophone.



"His Master's Voice"

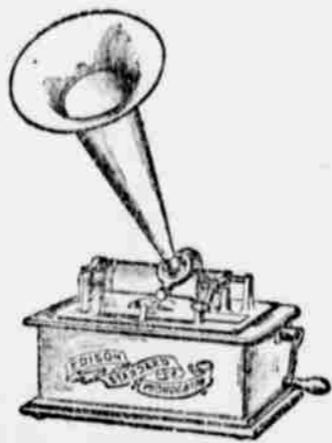
- The Victor Junior.....\$14.20
- The Victor Z ..... 21.20
- The Victor No. 1..... 26.20
- The Victor No. 2..... 34.20
- The Victor No. 3..... 44.20
- The Victor No. 4..... 54.20
- The Victor No. 5..... 64.20
- The Victor No. 6..... 104.20

The above prices include 12 8-in. records with each machine

## The Edison Phonograph.

- The Edison Gem Phonograph .....\$10.00
- The Edison Standard Phonograph ..... 20.00
- The Edison Home Phonograph ..... 30.00
- The Edison Triumph Phonograph..... 50.00

Records, 35c each; \$4.20 per dozen.



Compare these prices with anyone's, and remember we save you the freight.

# Newhouse Brothers,

Jewelers and Opticians. Burlington Watch Inspectors.

## STATE WINS POINT

### MISSOURI TO TEST LOW FARE LAW FOR THREE MONTHS.

Judge McPherson Decides Law Shall Be Given Practical Test So That Reasonableness May Be Ascertained. Injunction Question Up Later.

Kansas City, June 18.—The Missouri 2-cent passenger fare act will go into effect at 6 a. m. tomorrow and be given a three months' trial. If, at the end of that time, it is found to be unremunerative its enforcement can then be fought in the courts by the railroads.

The state officials are temporarily enjoined from enforcing the maximum freight rate law and this case will be argued later in the federal court.

Judge Smith McPherson, in the United States district court here, after handing down an opinion maintaining the court's jurisdiction in the premises, ordered the promulgation of the above stated facts, which had been agreed to by the attorneys for the state and the eighteen Missouri railroads involved. The court in its decision had suggested that the 2-cent fare should be first given a practical trial before injunction proceedings preventing its enforcement be considered.

Herbert S. Hadley, attorney general, said, regarding the 2-cent bill: "If at the end of three months the railroads want to litigate the reasonableness of these rates the question of the jurisdiction of the state and federal courts to determine the question will be fought out, and the state has lost none of its rights or advantages. The injunction suits which I have brought against the companies on the passenger rates in the state court will stand. As the reasonableness of the freight rate law can be more speedily heard and determined by the federal court on account of the fact that practically all the testimony necessary to the determination has been already taken there, it will be heard and decided in that court. The state is in the better position to win the case under the law of 1907 than it was under the law of 1905. I feel that the order made it both a moral and a substan-

tial victory for the state."

### The Court's Opinion.

Judge McPherson said in part: "That the fixing of rates by the legislature is presumptively correct, all concede. That it is a legislative act, all agree. But that such rates must be reasonably remunerative, cannot longer be discussed. The railroads are entitled to cost and reasonable profit, and no fair-minded man disputes it. How to arrive at the cost and reasonable profit is a most difficult problem. But it must be ascertained and this ascertainment can only be by judicial proceedings and to be determined only by the courts and ultimately by the supreme court of the United States. No skill of the draftsman by the use of words or phrasing can take that from the courts to the town meeting. It cannot be changed by declamation, either sophomoric or by invective. It can never be settled in a criminal case by arresting ticket agents or conductors. The supreme court in the end must have the evidence, with the right to make the ultimate findings of fact. No local tribunal, federal or state, can foreclose the fact as would be done if the case goes to the supreme court on writ of error to the state courts, and from the state courts there is no method of review by writ of error.

"There is but one orderly and seemly way and that is in equity, with the right of appeal to the supreme court, as has been said by that court over and over again. The argument that the courts of the state can decide as to the validity of the laws of the state, as well as can the United States courts, will not be argued by any federal judge, but will be conceded. Those courts are as high minded and as learned as are the federal courts, but that is not the question. It is a question of jurisdiction. And this court has jurisdiction and will maintain its jurisdiction.

"It is urged with much plausibility that because penalties are affixed to the statutes of 1907 that the criminal courts of the states only take jurisdiction. The attorney general and railroads commissioners have much to do with the enforcement of these statutes, which the railways contend are void in part. In the original cases the question was whether all the earnings in the aggregate were remunera-

tive. That question is still present under the statutes of 1907. Whether these laws by raising the freight rates and lowering the passenger fares are remunerative in the aggregate must be considered by the court. The state is not in effect a party, because the charge is that these officials are seeking to enforce void statutes, in more ways than by inflicting penalties."

**Bankhead Succeeds Morgan.**  
Birmingham, Ala., June 18.—Governor Comer has appointed James Bankhead to the vacancy in the United States senate from Alabama caused by the death of Senator John T. Morgan, the appointment to hold until the legislature meets July 19. Bankhead is a former congressman.

**Wyoming-Nebraska Boundary Line.**  
Washington, June 14.—The work of re-establishing the state boundary line between Wyoming and Nebraska has been awarded by the secretary of the interior to Edward F. Stable, United States surveyor of Cheyenne. The boundary line will be conspicuously marked with granite monuments six feet long and ten inches square.

## CONVENTION OF T. P. A.

Increase in Membership of 10,000 Shown for the Year.

Norfolk, Va., June 19.—The feature of the second day's session of the eighteenth annual convention of the Travelers' Protective Association of America were the reports of W. A. Kirchhoff of St. Louis, national organizer; John S. Harwood of Richmond, chairman of the national legislative committee, and W. W. Crandall of St. Louis, chairman of the national railroad committee.

During the year three new state divisions, sixteen new posts and an increase in membership of 10,000, bringing the total to 37,000, were reported. The report of Chairman Crandall of the railroad committee referred briefly to the 2-cent railroad passenger rate law, declaring that commercial men are entitled to lower rates than the general public. Referring to the great increase in railroad accidents, the report suggests that the remedies are double tracks, automatic block system and non-combustible cars.

## \$14,000,000 GIFT TO CHINA

AMERICA MAKES BIG REDUCTION IN BOXER INDEMNITY.

### PRESIDENT TAKES INITIATIVE

United States Remits All of Indemnity Except Bare Cost of Suppressing Revolt and Payment of Losses Sustained by American Missionaries.

Washington, June 19.—The state department confirms the statement of the Chinese minister regarding the reduction of the Chinese indemnity. The fact that the indemnity is being collected under a treaty makes it impossible for the executive to act alone in this matter. But the president in his annual message to congress will suggest that the payment of more than the amount actually expended be remitted.

China was to pay to the United States a sum slightly less than \$25,000,000 in annual installments for thirty-nine years, with interest. So far there has been collected \$6,000,000 and out of this has been paid all of the claims of American missionaries for property destroyed and lives lost in the uprising, amounting to about \$2,000,000. A careful estimate has just been completed of the expense to which the United States was put by the military operations in China, the naval expenses and the losses suffered at American consulates. These aggregate \$9,000,000, so that all of the indemnity that should really be charged against China is \$11,000,000, and at the rate the payments have been made recently it is expected that the total will be met in four or five years more. The plan is to then give China a release in full.

### FRENCH GOVERNMENT ON TOP

Decision to Prosecute Wine Growers Supported in Chamber of Deputies.

Paris, June 19.—The action of the government in determining to prosecute the agitators in the south of France led to a lively debate in the chamber of deputies, but after a tumultuous session the cabinet secured an indirect vote of confidence by the large majority of 254.

Premier Clemenceau refused to agree to the immediate discussion of an interpellation on the subject of the government's plans and demanded that the motion be postponed until June 26. In a speech, which was frequently interrupted by noisy protests, he declared that all means of conciliation were now exhausted and that as chief of the government he was bound to enforce respect for the law. The committee at Argelliers had set itself up in place of the central government. If the chamber defeated the postponement of the interpellation he would immediately countermand the prosecutions and the chamber would be responsible for the grave consequences. The government's motion was finally adopted amid wild excitement by 412 to 158 votes.

### Mutiny at Kiev.

St. Petersburg, June 19.—The news of the dissolution of the дума resulted in mutinous acts among privates in a battalion of sappers at Kiev. Other battalions were summoned to quell the mutiny, and the mutineers were disarmed and arrested. One loyal officer was killed in the fight.

### Murder at Warren, O.

Warren, O., June 19.—George W. Merrill, cashier of the Kinsman National bank, was shot and killed by Alfred Kinsman, a brother of State Senator Thomas Kinsman. The murderer was arrested.

## Often The Kidneys Are Weakened by Over-Work.

Unhealthy Kidneys Make Impure Blood.

It used to be considered that only urinary and bladder troubles were to be traced to the kidneys, but now modern science proves that nearly all diseases have their beginning in the disorder of these most important organs.

The kidneys filter and purify the blood—that is their work.

Therefore, when your kidneys are weak or out of order, you can understand how quickly your entire body is affected and how every organ seems to fail to do its duty.

If you are sick or "feel badly," begin taking the great kidney remedy, Dr. Kilmer's Swamp-Root, because as soon as your kidneys are well they will help all the other organs to health. A trial will convince anyone.

If you are sick you can make no mistake by first doctoring your kidneys. The mild and the extraordinary effect of Dr. Kilmer's Swamp-Root, the great kidney remedy, is soon realized. It stands the highest for its wonderful cures of the most distressing cases, and is sold on its merits by all druggists in fifty-cent and one-dollar size bottles. You may have a sample bottle

by mail free, also a pamphlet telling you how to find out if you have kidney or bladder trouble. Mention this paper when writing to Dr. Kilmer & Co., Binghamton, N. Y. Don't make any mistake but remember the name, Swamp-Root, Dr. Kilmer's Swamp-Root, and the address, Binghamton, N. Y., on every bottle.

## OYSTERS

in every style. Catering to parties and dances a specialty.

Fresh Bread, Pies, Cakes, Candy and Cigars.

## The Bon Ton

W. S. BENSE, Proprietor.

## Do You Eat Meat?

When you are hungry and want something nice in the meat line, drop into my market. We have the nicest kind of

## Home-made Sausages

and meats, fish, and game in season. We think, and almost know, that we can please you. Give us a trial.

## Koon Bros.,

Successors to

ROBINSON & BURDEN.

## SAY, MISTER!

Do you know that it will pay YOU, as well as US, to buy your Building Material and Coal at our yards? Not only that our prices AVERAGE lower, or at least as low, as those of our competitors, but BECAUSE we take especial care of and protect all can be classed as REGULAR CUSTOMERS.

PLATT & FREES CO.  
Coal. Lumber.

## City Dray and Express Line.

F. W. STUDEBAKER, PROP.

Goods Delivered to any part of the city.

Charges as low as the Lowest

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Residence 188.

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