NURSE GETS THE BIG MONEY

Mrs. Horn Rewards Woman Who Gave Her Care.

NORTHWESTERN ROAD'S EARNINGS

Makes Four Times as Much from State Business in July as from Interstate Business—Travelers Pleased.

LINCOLN, Sept. 23.—(Special.)—Mrs. A. M. Shevalier, wife of the local baggage agent of the Northwestern, has fallen heir to the $100,000 left by Mrs. Helen A. Horn, who died last Thursday. Mrs. Horn lived alone and cared for her property and recently became ill. Mrs. Shevalier, who was her constant friend, took her to her own home and nursed her. When the will was opened it was found the good samaritan had been left the entire fortune, estimated at $100,000, consisting of two buildings in the business part of Lincoln, two farms and a home here. Mrs. Horn has a sister living in New York. She was married, it is said, five times, the last venture being to a man in St. Louis, who robbed her of $500 and left her. She was divorced from him.

Sheldon to Omaha.

Governor Sheldon went to Omaha today to attend the Masonic meeting. He will return tonight. G. D. Bennett, secretary of the State Board of Equalization, is also in Omaha for the same purpose.

The Travelers' Protective association has filed a communication with the railroad commission in which the organization expresses satisfaction with the recent change on the Union Pacific whereby the fast trains are opened for local travel.

Northwestern's Earnings.

A statement of Nebraska earnings of the Northwestern road for July shows the money received from state business to be $28,977.37, and from interstate business in Nebraska $6,956.82, or a total for the month from passenger business of $35,934.25.

Bryan Has Returned.

W. J. Bryan and Mrs. Bryan returned today from their western trip.

Doctor Sets Good Example.

Eddie Wright, aged 3 years, was struck by an automobile driven by Dr. Borglum of Sprague this morning and slightly injured. Dr. Borglum picked the boy up and took his home, and after treating his injuries, left his name and address with the child's mother and promised to call up later by telephone to know the little one's condition. The action of Dr. Borglum in looking after his own injured was so different from most automobile owners in Lincoln as to create considerable favorable comment. Dr. Borglum was formerly police surgeon of Omaha, where he made a good reputation extending first aid to the injured.

EXETER DOES MUCH BUILDING

Public and Private Improvements Under Way.

EXETER, Neb., Sept. 23.—(Special.)—Contracts have been let for an up-to-date system of water works, city hall and jail and a franchise granted private parties for furnishing electric light and power service. In addition to these, contracts have been let for nine brick business buildings. Exeter has spent more than $50,000 in schools, churches and other public improvements during the last couple of years and the amount will be doubled in the next two. The town needs more people to handle the work, better facilities for housing and feeding them and the men to do the work and the women to help. It is short in restaurants, rooming houses, furniture, hardware, and needs an up-to-date grocery. Only a single meat market handles the business of some 4,000 people, and needs help.

Nehawka's Social Fair.

NEHAWKA, Neb., Sept. 23.—(Special.)—The third agricultural and social fair at Nehawka closed today and was a decided success. Owing to late frosts the display of fruits was not up to former years, but in other lines it exceeded former displays. That of corn was better than that at the state fair. The horse show was particularly fine, and consisted of work, driving, riding and fancy blooded horses. Individual displays were made by several of the business men, that of F. P. Sheldon being noticeable, consisting of some $2,000 worth of bottled and canned goods. He also had three demonstrators at work making biscuit and coffee, and cooking wheat hearts, a Nebraska product.

No fakirs, games of chance nor any gambling device was allowed on the grounds. No entrance fee was charged for individual exhibits. The whole expense of the fair was borne by private subscription. The attendance was between 3,000 and 4,000.

WEST NEBRASKA METHODISTS

Appointments for Ensuing Year by Bishop H. W. Warren at McCook.

M'COOK, Neb., Sept. 23.—(Special.)—Appointments for the West Nebraska Methodist Episcopal conference were announced here today as follows:

Holdrege District, C. C. Wilson, Presiding Elder, Holdrege—Alma, G. F. Cook; Arapahoe, B. F. Eberhart; Atlanta, M. L. Gardner; Axtell, H. H. Meeker; Bartley, J. F. Hageman; Beaver City, G. H. Wise; Benkleman and Max, J. S. Davis; Bloomington, James Leonard; Box Elder, supplied by W. J. Miller; Cambridge, D. A. Leeper; Culbertson, C. A. Norlin; Danbury and Lebanon, Harry Shepherd; Franklin, W. T. Gatley; Haigler, supplied by J. A. Kerr; Hendley and Spring Green, C. S. Hawley; Holbrook, W. S. Porter; Holdrege, M. A. Wimberly; Huntley and Border Chapel, R. N. Throckmorton; Indianola, A. D. Burress; Loomis and Pleasant View, W. J. Crago; Lowell and Newark, C. H. Chader; McCook, M. B. Carman; Minden, Bryant Howe; Norman and Campbell, G. M. Burnett; Orleans, E. E. Crippen; Oxford, M. S. Satchell; Ragan, John Madely; Republican City, E. B. Crippen; Riverton, A. S. Nelson; Trenton and Stratton, Joseph Bennett; Upland, J. L. Murr; Wilcox and Hildreth, F. E. Kirby; Wilsonville, C. A. Powers.

Kearney District, L. H. Shumate, Presiding Elder, Kearney—Anselmo, H. S. French; Ansley, Raymond Rush; Arcadia, A. H. Brink; Arnold, H. C. Barrett; Broken Bow, R. H. Thompson; Burwell, E. H. Klefer; Callaway, supplied by E. Markley; Cozad, W. H. D. Hornaday; Elm Creek, J. M. Haskins; Gibbon, A. J. Clifton; Gothenberg, J. T. Carson; Kearney First, G. W. Abbott; Kearney Trinity, W. C. Swartz; Kearney circuit, supplied by Fred Johnson; Lexington, B. F. Gaither; Lexington circuit, E. S. Fox; Litchfield, R. R. Fletcher; Loup City, J. O. Hawk; Mason City, T. W. Owen; Merna, D. C. Hopson; North Loup, Alfred Gilson; Ord, Morris Bamford; Ord circuit, to be supplied; Overton, E. Smith; Ravena, C. E. Woodson; Ringold, to be supplied, A. O. Wright, postoffice Cozad; R. F. D.; Rose Vale, George Tabor; Sargent, W. E. Matthews; Shelton, A. L. Umpleby; Sumner and Miller, M. G. Medlin; Walnut Grove postoffice Cozad), W. E. Hornaday, supplied; Westerville, Alfred Chamberlin; Whitman and Mullen, H. H. Miles.

North Platte District, Allen Chamberlin, Presiding Elder, North Platte—Bayard and Minatare, W. F. Harper; Bertrand, F. J. Schank; Big Springs, E. W. McMillen; Chappel, H. E. MacFarlane; Curtis, T. M. Ransom; Elwood, G. B. Mayfield; Farnam, W. H. Mills; Gandy, supplied by G. D. S. Johnson; Gering, J. C. Jewell; Grant, C. M. McCorkle; Harrisburg and Pine Bluff, supplied by D. A. Maclean; Hershey, A. E. Murliess; Imperial, William Haggarty; Keystone, O. F. Chesebro; Kimball and Potter, supplied by E. J. Hayes; Lewellen, supplied by A. S. Jenkins; Lodge Pole, to be supplied; Maywood, supplied by E. Moore; Mitchell and Morell, supplied by F. J. McCaffree; Moorfield, supplied by H. L. Case; North Platte, S. J. Medlin; Ogallala, Russel Link; Palisade, D. W. Parker; Scotts Bluff, R. H. Carr; Sidney, A. W. James, Smithfield, supplied by R. H. Chrysler; Stockville, supplied by D. E. French; Sutherland and Paxton, C. E. Housel; Wallace, supplied by William Horner; Wauneta, J. G. Hurlbut.

E. E. Thompson, J. W. Morris and James Lisle are conference evangelists, members North Platte quarterly conference.

R. E. Gilpin is missionary to Utah.

D. W. Carnie is missionary to Honolulu.

Y. M. C. A. BUILDING AT HASTINGS

Handsome New Structure Dedicated by State Secretary Bailey.

HASTINGS, Sept. 23.—(Special.)—The new $30,000 Young Men's Christian Association building was dedicated last night. State Secretary Bailey of Omaha and William E. Sweet of Denver were among the speakers.

The building is one of the best equipped in the state and already has a membership of over a hundred.

Members of the Commercial club of this city are planning a movement for the organization of a compaany to build a gasoline motor line in this city, with branches to nearby towns. Estimates have been received from several manufacturers and an effort may be made to organize this winter, so that work of coonstruction may be started next spring.

The authorities of Hastings college have been informed that the donation of $30,000 by Andrew Carnegie for a library and science hall is now available and may be drawn upon as work of construction progresses. The executive committee is considering plans for the building and it is likely a contract will be awarded this fall. The building will be used by the science department of the college until a separate building for that department can be built. The donation was made on condition that ultimately the building should be exclusively for the library. The city of Hastings now has a library building built with a donation of $15,000 by Andrew Carnegie.

BRYAN TALKS FOR THE Y. M. C. A.

Helps Along Grand Island's Effort for New Building.

GRAND ISLAND, Neb., Sept. 22.—(Special Telegram.)—Hon. W. J. Bryan addressed an immense audience at the Hartenbach opera house tonight in behalf of the movement thereby inaugurated by the local association and the Commercial club to secure a building for the Young Men's Christian association. The association has nearly 500 members and lamentably poor headquarters.

Several hundred men and women were turned away, it being necessary to close the doors. Mr. Bryan was at his best. He said he believed the Young Men's Christian association the strongest factor in developing Christian civilization, and delivered his beautiful and inspiring address, "A Defense of the Christian Religion." He closed with a sincere appeal for the object sought locally. Mr. Bryan left at 9:30 for Lincoln.

Girl Commits Suicide.

PLATTSMOUTH, Neb., Sept. 23.—(Special.)—A few years ago Rev. S. W. Swan of University Place brought two orphan girls from the New York Children's Home society, and Lillian, now 17 years of age, was adopted by Mr. and Mrs. J. L. Thompson of this city, and her sister Josephine, now 15 years of age, was adopted by Mr. and Mrs. Charles Peacock, residing about seven miles southwest of Plattsmouth. Mrs. Peacock has been in poor health for some time, and is now in a hospital in Omaha, where she was visited by her husband yesterday. During Mrs. Peacock's absence from home Josephine had been stopping with the family of Coffenberger. Saturday afternoon she went to the Peacock home to get her clothes. About 5 o'clock she was found in the kitchen dead, by the hired man, Orville Newton. County Attorney C. A. Rawls was notified, and, accompanied by Deputy Sheriff Manspeaker and Dr. T. P. Livingston, went to the scene. A portion of the contents of the stomach was brought to this city and on being analyzed was found to contain strychnine. A bottle was found in the room beside the girl marked poison. It is thought to be a case of suicide. An inquest will be held, which may bring out the reason for the tragedy.

Cavalry for Hastings.

HASTINGS, Neb., Sept. 22.—(Special Telegram.)—Officers of the Frontier tournament have been informed that a squadron of the Seventh cavalry, under command of Major William J. Nicholson, will march from Fort Riley, Kan., to Hastings to be here during the tournament on October 10, 11 and 12. Four troops will make up the squadron and the start will be made from Fort Riley on October 1. The distance one way is 170 miles. Negotiations are now being conducted with the Rosebud and Pine Ridge agencies for a band of twenty-five braves to participate in the tournament.

DEAD MAN WAS YOUNG PRINTER

Frank Collins Tells of Burning of Box Car and Man.

KEARNEY, Neb., Sept. 22.—(Special Telegram.)—The man placed under arrest at Grand Island, suspected of connection with the burning of a car at Sweetwater, in which was found the charred remains of a man, is in jail here. The prisoner is Frank Collins, alias Frank Brady, an all around character, who has been in jail here before and in other parts of the state. To Sheriff Simmons he told the following story, after being informed that he was wanted for connection with the burning of the car and the death of his companion:

Together with the dead man, who was Fred Cole, a printer who had worked on the Fairfield Independent for the last nine months, they got into the car by the end door in the Ravenna yards Thursday night, and went to sleep with the intention of going to Alliance. Both had been drinking at Ravenna. In the night Collins was awakened by the smell of smoke and found that the contents of the car were on fire. The fire was in some plumbers' packing and burned fiercely. Collins tried to put it out with his hat, but that caught fire. Almost suffocated, he made a dash for the end door, which, as a precaution against being molested by the train men, they had previously wedged shut. He had some difficulty in getting it open, but finally succeeded and got out. The train was in motion and he rolled off the bumpers and fell in the train ditch. He did not know what the fate of his companion was until informed of the same by the sheriff.

There seems to have been no motive for any crime, and when asked why he had told conflicting stories at Ravenna and Grand Island, Collins said it was from fear of being connected with the accidental burning of the car by the railroad company, and he did not know but what his companion had got out safely. Collins is frightfully burned about the face and hands. No inquest was thought necessary on Cole's remains, but Collins is held pending further investigation. The dead man was 21 years of age and said to be of a roving disposition. His parents reside at Sturgis, S. D., and have been notified.

TINLEY RESCUE HOME MUST WAIT

Johnson County Will Case Decided Against It.

TECUMSEH, Neb., Sept. 23.—(Special.)—County Judge James Livingston has given his decision in the case in the county court here wherein the managers of Tinley Rescue Christian Home of Omaha asked for a construction of the will of the late Mrs. Sarah Brandon of Tecumseh. The contention of the home was it should come into immediate possession of certain personal property of the deceased, not enumerated in the will, inasmuch as the instrument states that most of the property, both personal and real, are to eventually become the possession of the Omaha institution. A sister of the deceased, Miss Helen Marble of Michigan City, Ind., objected, and aside from certain properties left her, other people have bequests left by deed. The whole amount involved in this controversy is $8,000.

The finding of the judge was that the revenue derived from the properties in question, both real estate and personal, should go to Miss Marble during her life, after the expenses of maintaining the property is deducted. At her death all the property in question is to go to the Tinley Rescue home. The managers of the home announce they will appeal to the district court.

The question of possession comes up over the construction of item No. 24 of Mrs. Brandon's will, and the same is here given:

I give and bequeth to the Tinley Rescue Christian home of Omaha, all the residue of my estate, after the debts, legacies, expenses of administering have been paid. I also give and bequeth the land or the proceeds thereof to said Tinley Rescue Christian home of Omaha, Neb., that I have heretofore set apart for the support of my said sister, Helen Marble, after her death. The intention of this twenty-fourth item is to give all my estate, after the death of my sister, Helen Marble, to said home.

Nebraska News Notes.

ANSLEY—Thomas Wright was appointed postmaster at Ansley and will take possession of the office on October 1.

PAPILLION—Fred Selk was brought before the county judge and a jury Saturday morning for carrying concealed weapons. After a trial lasting all day, the jury found Selk not guilty.

BROKEN BOW—H. M. Pinckney has just returned from Spring lake. He brought home some fifty-five or sixty pounds of fish, mostly black bass, caught with a 5-cent line and a 5-cent cane pole.

GENEVA—Mrs. Kimball, mother of Mrs. H. P. Wilson, passed to her rest this morning. She had been an invalid for years and for a long time had made her home with Mr. and Mrs. H. P. Wilson.

GENEVA—Two carloads of poles have been ordered by the Farmers' Telephone company. Work will be commenced at once upon the system. John Ward is president and J. H. Morgan secretary.

GORDON—The Sheridan County Agricultural society closed a successful four-days' fair and carnival at Gordon yesterday. The attendance was the largest of any fair ever held in the county. The exhibit of vegetables and field products was not so large as in former years, but the quality was exceptionally good. The racing was the best ever held on the local track. The main street of the town was given over to carnival attractions at night.

TECUMSEH—After an illness of but a few days' duration, Leonard Morland Stewart, the little son of Mr. and Mrs. S. S. Stewart, who live just east of the city, died of diphtheria at 1:10 o'clock this morning. He was aged but 3 years, 7 months and 27 days. Owing to the nature of the disease, the funeral was held at the home this afternoon at 4 o'clock, conducted by Rev. R. Pearson, pastor of the Tecumseh Methodist Episcopal church, and burial was made in the Tecumseh cemetery.

ANSLEY—Arthur H. Barks, owner and editor of the Argosy, has bought the Chronicle-Citizen, owned and edited by Thomas Wright, and will consolidate both papers into one. The sale was closed today. Mr. Wright has been the owner of the Chronicle since the drouth year of 1894. The Chronicle is about a quarter of a century old and was the first paper established in Ansley. The consolidation of the papers into one meets with general approval among the citizens and business men of Ansley.

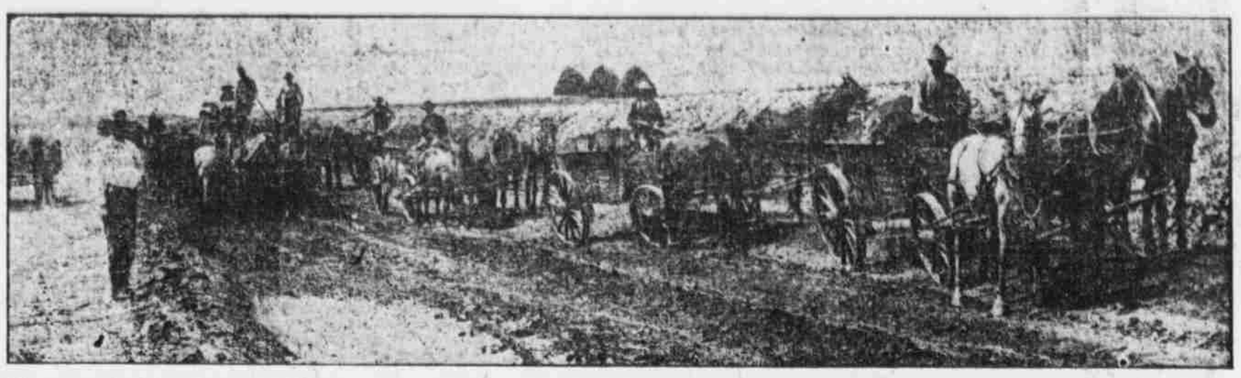
BLUE HILL—When the cornerstone of the Methodist church was removed last week it was found someone had removed all the money, keepsakes, etc., which had been put in the receptacle at the first dedication, seven years ago. The stone was removed last week to Red Cloud to be repolished. The Methodist church was dedicated Sunday and many prominent ministers were present from this district. Dr. H. A. Martin, presiding elder of this district, was present. The total cost of the improvements is upwards of $1,600.

ANSLEY—The freight engines running over this division of the Burlington are setting many fires and burning much valuable property. Friday fire was started on B. J. Terney's alfalfa field, about a mile northwest of Ansley, and a big rick of alfalfa hay was burned. Today fire was started southeast of Ansley on the Negley farm and thirty tons of fine hay burned. It is getting to be a very serious matter for all inflammable property along the track. Thousands of dollars worth of property has been burned by fire from the railroad engines on this division the last year.

IMPORTANT NOTICE

Omaha & Nebraska Central Railway

Stock is now selling for **$27.50** per share. It will be on sale at this price for a limited period. In July this stock was selling at $25.00 per share—that was less than two months ago. What will it be selling for two months from now?



If you are looking for a good investment, right here in Nebraska, where you have every opportunity to investigate it for yourself, fill out the coupon and mail to us.

COUPON—Mail Today.
Please send me further information in regard to this road
Name .....
Address .....

Omaha & Nebraska Central Railway,
320 First National Bank, Omaha, Neb.

UNIFORM PURE FOOD LAWS

Six Western States Combine on Their Administration.

MEETING WAS HELD AT ST. PAUL

North and South Dakota, Minnesota, Wisconsin, Illinois and Iowa to Work in Harmony.

(From a Staff Correspondent.)

DES MOINES, Spet. 23.—(Special.)—North Dakota, South Dakota, Minnesota, Wisconsin, Illinois and Iowa have gone into a combine on the pure food law. It is proposed by the pure food and dairy commissioners of the six states to administer their pure food laws as nearly uniform as it will be possible in order to accomplish the best results. When the state laws were passed the grocers fought them, at least the wholesalers, on the claim that the matter should be taken care of by a national law, so as to be uniform.

H. R. Wright, state food and dairy commissioner, has just returned from St. Paul, where the food commissioners of the six states held a conference. The wholesale grocers complain that when they fix a label for one state it is found that it will not fit another state and that the shipping clerks sometimes make mistakes and ship goods intended for Iowa to Minnesota and Minnesota goods to Iowa and trouble follows.

At the meeting in St. Paul it was agreed to work in harmony and make the requirements as nearly uniform as possible to do under different laws. All of the states require that there shall be no deleterious substances in the food and the commissioners have about reached an agreement as to what will be considered deleterious in all the states. Further meetings will be held to care for other matters as they arise.

Furthermore, the chemists of the states will work in harmony and each state get the benefit of the work of the other states. It has been discovered by the chemist of the North Dakota commission that wholesalers are putting alum into pickles, horseradish and mustard. The chemists are unable to explain it. Alum is prohibited in other foods, but it was never suspected that they would put in these things for there is no known reason for so doing. The North Dakota chemist claimed the manufacturers could give no reason and he hence inferred that they were so in the habit of putting something in that when other things were ruled out they put in alum because it was the handiest they had. The commissioners decided to prohibit its use.

Don't Like Texas Law.

Iowa business men who have been in Texas bring back bad reports on the reciprocal demurrage bill. They claim that the law works in theory, but not in practice. In Texas the law has been in force for some time. It is rarely made use of by the shipper, however, because the shippers have found that the railroads dislike the law. Consequently when a shipper does take advantage of the law in an effort to get a car the railroad will use up the limit of the law of six days before turning the car over for use. It is claimed that at times the railroad will have a car which it could furnish long before the six days is up, but if the shipper makes the statutory requisition for a car they will not let him have it till just before the expiration of the time. In other words, they use the privileges of the law as a club over the heads of the shipper to keep him from taking advantage of the law. Shippers will rarely take advantage of the law, except in very extreme cases, because they feel that they stand a better chance to get the car in a hurry if they do not. In any event the railroad has the advantage.

Have Fine Rifle Range.

When the rifle range fixtures are completed at the new state camp grounds and rifle range north of Des Moines, it will be one of the finest in the United States. It will be as long as any and will have all the facilities. The greatest regular distance at which the range can be used for the full range will be 1,000 yards, but for special target practice for greater distances a part of the range can be used up to 1,400 yards. That is the farthest that there will ever be shooting with rifles. That is more than three-quarters of a mile. In addition, the range affords extra targets for pistol shooting, which can be used at the same time that the regular rifle targets are in use.

Investigate Tuberculosis.

It is learned that the State Agricultural college is making some investigations along the lines of tuberculosis in cattle and that the college will be prepared to take such action shortly as will result in greater stringency in enforcement of the laws against tubercular cattle. This action will result in great benefit to the state.

The thirty-first general assembly passed a law that provides that cattle shipped into the state of Iowa for breeding purposes must be considered in a state of quarantine immediately on their arrival until tests have been made by the state veterinarian. It is understood that very little attention has been paid to this law and it is proposed now to enforce it strictly.

There is an aroused sentiment over the tuberculosis question in a number of different directions and it is proposed to bring pressure in all directions possible.

Inquiries on Coal.

The United States government is making inquiries as to the Iowa coal. Prof. White, from the national museum at Washington, is in the state and spent all Saturday at the state house looking at the data and gathering information at the historical department and the geological and mine inspectors' offices.

Olmsted to Be Retained.

Governor Cummins has recommended to the War department that Major J. A. Olmsted, government inspector of the Iowa National Guard, be retained as inspector for another five years.

Gifts to Department.

Mr. McPherrin of this city has given to the historical department of Iowa a guide to the roads of travel of the United States. The book is printed in the old style and is bound in leather. It is in a good state of preservation and gives in detail the principal wagon roads and steamboat river lines of travel, indicating the directions to take and the distances between points. The wagon roads are always indicated for a day's travel. With the volume are a large number of letters written to Mr. McPherin while he was a member of the legislature in 1847, in which is disclosed the politics of those times in relation to the election of Grenville M. Dodge as United States senator and the treatment of the Mormons in Van Buren county.

NEBRASKA FROM DAY TO DAY

Quaint and Curious Features of Life in a Rapidly Growing State.

John Whiteman came in contact with the business end of a small mule the other day, and he is walking with a sort of stringhalt movement in his left limb. The mule is still alive and looking for another victim.—Nehawka Register.

A Day Off—The editor is going to forget that he ever saw a print shop one day next week and take in the fair. We are going to see the squashes, beans and hogs, buy a bum cigar of every fakir on the grounds, ride on the merry-go-round, treat our best girl to a melon, bet on the hoss races, and act foolish all around, even if the paper is as dry as an almanac for news.—Greely Leader-Independent.

A Wild Ride—Four unbroken horses were caught up at the Clarke ranch Sunday and four broncho busters straddled them for a ride to Kimball, with a prize hanging up for the fellow who got here first. Wild antics, muleish horses and saddle leather intermingled in a confusing mix-up and some of the boys got in and some didn't, but the fun was intense—to the onlooker.—Kimball Observer.

Blown In the Glass—A watermelon in Frank G. Christy's patch, at Walworth, was marked "Editor Republican" when it was quite young, and was pulled from the vine this week, after having grown to large proportions, that is, about two feet long and nearly as big around as a wash boiler. The mark had grown with it and loomed up conspicuously. Thanks, Friend Christy, it was the best we've had yet.—Custer County Republican.

Let Him Try Who Will—It is a well-known fact that anybody can edit a paper better than the editor, do better work than the job printer and make fewer mistakes than the proofreader. The printing business and the profession of critic are the only pursuits on earth which require neither brains, education nor training to insure success. If you are a qualified critic, you might just as well be a great journalist. It won't wear out your gray matter any faster.—St. Paul Phonograph Press.

Nature Fake—W. S. Cheney brought to this office this week a watermelon that weighed just thirty-seven pounds. The melon was raised on dry land, never having received water except what fell from the clouds. In quality there could be no better melon than it. He also brought ears of corn gathered from his field of dry land corn that is as good as can be raised anywhere. Mr. Cheney lives on Indian creek and is one who will always be a walking advertisement for the North Platte valley.—Bridgeport Blade.

A Town Fight—We heard a business man say the other day he hated a certain town, because every time business calls him in that direction a certain coterie of yip-yaps always take it upon themselves to "josh" him because he is a Bayard man. Our mind immediately reverted to proverbs, where the old Jewish king says: "The laughter of fools is like the crackling of thorns under a pot." Again, we thought of the "Virginian," when he said a man might call him certain names if he was smiling when he said it. And our mind traveled eastward, and roved on fancy's wings over the mountains of eastern Kentucky and Tennessee, where feuds have desolated hundreds of homes. In most cases those horrible murders have been egged on by the jibes of half-baked ignoramuses who never have sense enough to know when they are out of place. The average American is slow to realize that his mouth is set to a hair-trigger, and goes off at the slighest touch. If a man can't keep his jaw still—if he can't exist unless a constant Niagara of words are bubbling up from his hot air tubes, he should at least endeavor to cultivate the kindly manners of a true gentleman, so that his flow of words may do less harm. People say things to each other in a "josh" that wouldn't be safe to say in dead earnest, and many a coward has escaped the just penalty of his impudence on the plea, "I was only in fun." Good manners often make a man's fortune, and never fails to command respect.—Bayard Transcript.

To Prevent Shoes from Cracking use Quick Shine Shoe Polish. It oils, polishes and gives a patent leather finish and is water-proof. Ask your dealer for it.

Red Cross -:- Cough Drops—little sweetmeats, but very effective. 5c per box.

EXPRESS CASE GOES TO STATE

Railroad Injunction Suit Stays in the Federal Court.

RULING ON MOTIONS TO REMAND

Two Judges Munger Send Suit of Express Companies to the Supreme Court and Hear the Other.

The motions to remand to the supreme court of the state the cases of the state of Nebraska and the Railway commission against the several railroads were overruled in the federal court Monday morning. These are the cases in which the Union Pacific, the Burlington, the Rock Island and the Missouri Pacific railroads seek to resist the reduction of 15 per cent made on carload lots of a certain class of freight as made by the Aldrich rate bill and also are fighting the 2-cent fare bill. The suit was brought by the attorney general in the supreme court and transferred to the federal court on motion of the railroads.

Monday was devoted to hearing arguments by Attorney General Thompson and the attorneys for the railroads on the suit brought in the federal court by the above named roads and the Northwestern against the Railway commission wherein the railroads are seeking to resist the 10 per cent reduction on freight on certain kinds of ordered by the Railway commission. The railroads are seeking a temporary injunction against the Railway commission to prohibit the latter from sending out to the several roads formal notices of the lowered rates. Judges W. H. Munger and T. C. Munger were on the bench.

Attorney General Thompson represented the state and Edson Rich, Ben T. White, J. M. Kelby, B. P. Waggoner, James Orr, W. D. McHugh and Carl Wright were among the attorneys representing the railroad interests.

Judge Williams of the Railway commission was present also.

The motion to remand to the supreme court the cases of the state against the five express companies was sustained in the federal court Monday on the ground that the state is the only plaintiff in those cases and therefore they cannot be heard in the federal court. These are the cases in which the state secured a restraining order and is seeking an injunction to prevent the express companies from refusing to put into effect the reduced rates ordered by the Sibley law.

The court was asked if it had determined whether the state of Nebraska was the party to the suit and the answer was that the court had not so decided, but that if the state was not the party then there was no issue.

No Indication of Reduction.

Attorney General Thompson, in his argument against the issuing of a temporary injunction against the railway commission, pointed out that there had been no indication that the commission intended to reduce rates on grain, that the notice sent out to the railroads on August 17, citing them to appear September 9 before the commission, was a mere formal order, without anything in it to indicate that any reduction of rates was contemplated. He held that until an order has been made by the railway commission lowering grain rates the railroads have no cause of complaint. He showed also that even after the order is made the railroads have thirty days to resist it.

B. P. Waggoner, general attorney for the Missouri Pacific railroad in Kansas and Nebraska, opened the argument for the railroads. He took the position squarely that the railway commission does not possess the right to fix rates.

W. D. McHugh, speaking for the Rock Island and Burlington railroads, painted a picture of holocaust and chaos if the injunction were to be denied, and declared the "floodgates of litigation" would be thrown wide open if the commission was allowed to proceed. The law, he said, allowed any shipper of freight, and therefore any person in the state, to start an action against the railroads and against any of its officers. The railroads, he said, would be compelled to enjoin every county attorney, every grand jury, everybody in the state.

Judge T. C. Munger inquired whether the same would not be true if the legislature were threatening to do what the railroads think the railway commission is threatening, and Chester H. Aldrich, who was assisting the attorney general, suggested that if the railroads obeyed the law they would not be in danger of being drowned when the "floodgates" were opened.

Confiscation, Says McHugh.

Judge McHugh then declared with considerable dramatic fervor that it was true the railroads could escape litigation by submitting to such a law. But he declared the action which the commission is supposed to be about to take is not only grossly unjust, but confiscatory and even unconstitutional. If the 10 per cent reduction is made by the commission, he said, the railroads would be hauling the grain at less than cost. The multiplicity of suits and legal actions which would be sure to follow the making of the order by the commission should be avoided, and, he said, this could be done only by the granting of a temporary injunction by the federal court.

Ben T. White, representing the Northwestern railroad, closed the argument for the railroads.

At the request of Mr. Aldrich, for the state, the judges consented to hold an evening session, beginning at 7:30 o'clock. At that hour Mr. Aldrich closed the argument.

Judge T. C. Munger expects to announce his decision within a day or two.

Judge W. H. Munger will leave Thursday for Duluth, where he will preside over the court for a few weeks. He will return about November 1.

BRIEF OF ATTORNEY GENERAL

In Grain Rate Case He Claims Fixing Rates is Legislative Act.

In his brief filed in the federal court Monday in resistance of the application of the railroads for temporary injunction against the railroad commission's grain rates Attorney General Thompson set out that the fixing of rates is essentially legislative in its character and that the railroads are trying to enjoin legislative discretion in their fight against the new rates on grain.

The brief recites:

It is beyond the power of a court of equity to enjoin such discretion. The complainant has no standing in a court of equity to complain of the reasonableness of rates which may be finally adopted and fixed by the railway commission in the exercise of legislative discretion with which they are clothed under the constitution and statutes of the state. Until the rate has been actually established by the commission the question of its reasonableness or unreasonableness is not open to investigation by a court of equity. The establishment of such a rate is the necessary precedent condition to the interposition of the equity powers.

What the Railway commission may do in the matter of fixing rates is yet unknown to themselves; whether they will fix any rate is still unknown to them, and until a rate is fixed the question of reasonableness or unreasonableness of the same is simply a hypothetical, academic and mooted question.

There is, therefore, nothing to litigate. The court will not hear and determine a purely hypothetical, academic and mooted question. Nothing has been done by the commission or alleged to have been done by the commission in the bill of complaint that calls for the exercise of the equity powers of the court in the case at bar.

The attorney general declared that the notice given to the railroads by the commission relating to the grain schedules did not indicate that any schedule had been determined upon. He insisted that the commission had done nothing since it issued the notice that had breathed vitality into the notice to give it the force and effect of law or to furnish any basis for enforcement.

Announcements of the Theaters.

"The New Century Girls" opens a two days' engagement at the Krug commencing tonight, with usual matinees. This company makes its third appearance in this city. Last season it led all the other shows and this season it is even better if the money that has been spent on it can make it so, and judging from the comments of the press and public of the cities visited, it will duplicate last season's success. Everything has been prepared with care, artists with reputations have been engaged and none but the best can find a place with "The New Century Girls."

Thousands of Omaha people who saw Rose Stahl at the Orpheum two seasons ago can understand why her "Patricia O'Brien" has been such a success when projected on the larger screen of the legitimate stage. It is a character creation as distinct and as delightful as any that ever made an actor famous, and if Miss Stahl does nothing else, her chorus lady will be cause to remember her forever. She is coming to Omaha for a short engagement of three nights and a matinee, with the same company that presented "The Chorus Lady" on Broadway last winter, where it was a reigning hit during the entire season. The first performance will be at the Boyd on Thursday evening. A matinee on Saturday.

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