

STATE ASKS FOR REFEREE

Legal Department Desires Express Case To Be Tried In This Way.

HEARING ON RATES FOR FRUIT

Fremont Commercial Club Opposes Any General Reduction in Railroad Rates at the Present Time.

(From a Staff Correspondent.) LINCOLN, March 17.—(Special.)—In the matter of the suits against the express companies to compel them to obey the Sibley law, Deputy Attorney General Grant Martin, acting for Attorney General Thompson, this morning filed a motion for the appointment of a referee to take testimony and recommended the appointment of C. A. Rawls of Cass county as referee. In presenting his motion Mr. Martin informed the court that Attorney General Thompson was out of the city and that he was not familiar with the case. He asked that the application be argued April 7 at the same time telling the court that if the state was entitled to a temporary injunction it should be granted.

Today was set for the express companies to make their answers to the application of the state for an injunction and these answers, filed yesterday, were supplemented by affidavits of the officials of the five companies sworn to that it was never their intention to disobey the Sibley law; that just as soon as a court had passed on the reasonableness of the rates they were willing to put them in effect if the rates were found just by the court; that the railway commission had set out in affidavit that it had no intention of starting penal suits until the matter of the rates had been adjudicated in the courts; for these reasons the express companies asked for an injunction against the railway commission and attorney general and asked the court to refuse the injunction asked for by the state.

After the state had filed its motion for the appointment of a referee this morning Judge Williams, a member of the railway commission, filed a protest against the appointment of the referee. Judge Williams argued that testimony could only be given on business done under the old rates and therefore would be worthless in determining the justness of the rates in the Sibley law; that it would delay the enforcement of the law; that the Sibley law was not to be obeyed; if the rates were too low then the express companies could apply to the railway commission for relief as the law provided.

Hearing in Fruit Rates. The hearing granted the fruit men today by the railway commission was strictly informal and fifteen or twenty railroad men and fruit raisers went over the matter thoroughly. The protest against present rates was made originally by a committee of the Horticultural society, consisting of Messrs. Young, Marshall and Russell. The complaint was against both the express companies and the railroads. The hearing brought out that a low rate for the shipment of fruit had been made last year from those towns in the fruit producing belt, but no fruit was shipped. These rates had been overlooked by the express companies, but when Mr. Russell investigated he expressed himself as being satisfied, provided the express companies would add a few more points from which these rates would be available. In the matter of the charge that applies to the shipment of fruit from New York to the west part of the state cheaper than from the eastern part.

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We'll Tell You Why and Cure the Feeling. The remedy is yours for the asking. Dyspepsia bars the way to your attaining success, wealth and influence by clogging the wheels of your health machine. Your work suffers, energy wanes, perseverance flags.

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Despite the stomach of their assistance and your gastric juice becomes weak, you cannot enjoy your food, you have trouble in your stomach after eating, you become moody, indolent, dispirited.

Remedy these defects by using Stuart's Dyspepsia Tablets, which assist the nature by curing these ills. You need them to restore you to that active condition of body, mind and spirit which is the key to success, the road to wealth and the doorway to fame.

Sold at every drug store; price, 50 cents. We are so convinced that once used you will never be without them, that we will send you by mail, free, on receipt of your name and address, a sample package. Address F. A. Stuart Co., 150 Stuart Bldg., Marshall, Mich.

BEATON DRUG CO. 15th and Farnam Streets. 10c Cigars for 5c At Beaton's. Note the well known 10c brands: No. 10. El Teste cigar Havana Brands. At 10c. No. 11. Teller Cigars, club house size. At 10c. No. 12. Palmer House Cigars, (long invisible) in a moist condition. At 10c. Now, our price. \$1.50. Heavy smoke. Clear Havana. Box of 25, 12.15.

of Nebraska, it was brought out that this charge could not be substantiated. This rate had also been reduced it was brought out, and that apples shipped from Michigan cost the shipper 50 cents a barrel to reach the Nebraska line.

Fremont an Rate Questions. The Commercial Club of Fremont has written a letter to the State Railway Commission giving the views of members of the club on the proposed schedule of rates to be promulgated by the commission after a hearing, which begins March 24. The club sent out circular letters to the people of Fremont, asking for individual opinions on the matter. The result, the club reported to the commission, as follows:

1.—Re-adjustment and corrections can best and most safely be accomplished by a gradual, evolutionary process, rather than by a sweeping and summary one.

2.—That at best whatever corrections effected or revised system adopted, there are bound still to be about so many inequalities and faults, the result of which attempted correction being simply to substitute one set of faults and inequalities with another set of equally objectionable ones.

3.—That the time is inopportune for any material attack on the revenue of the railroad in the state, regardless of what may have been attempted or proposed in other states; that it is unfavorable if for no other reason to the continued maintenance of prosperous general financial conditions in this time.

4.—The letter to the commission was signed by J. F. Hanson, secretary of the Commercial Club.

No Rebate to Stockholders. The State Railway Commission has ordered the Lincoln telephone company to charge the owners of the property the same price for telephones that the general public pays. Heretofore the owners of telephone stock paid only \$1 for residence and \$1.50 a month for business telephones, while non-owners paid \$1.50 for residence and \$1.75 for business telephones. Everybody now pays the higher price.

Stock Train Restored. The railway commission has received word that the Burlington is now giving the people of Atlanta and Funk a daily service for the shipment of cattle and stock. Some time ago the road concluded that a stock train twice a week would suffice for this part of the system. A big row was started by the shippers and the road came across with its old time service.

Oil Rate Remains. Because the National Petroleum company of Cleveland informed the railway commission it intended to send a bunch of cars out to Scott's Bluff and Crawford for distribution, the commission has turned down the application of the Burlington to put back the old oil rate. The railroad some time ago made application to be permitted to put back the rate as it was previous to the promulgation of all rates by the commission. The company said the rate was a paper rate anyhow, and no shipping to amount to anything was done on the rate.

Protect on Appraisalment. County Treasurer Hill of Chase county protested to the State Board of Educational Lands and Funds this morning against the recent appraisalment of Chase county school lands. The new valuation of school lands ranges from \$1 to \$5 an acre, while the old valuation in 1888 was from 15 cents to 25 cents an acre. The board has rejected the valuation of school lands in Perkins county at 57 cents an acre and has ordered the land reappraised by three freeholders.

Governor Sheldon, chairman of the Board of Educational Lands and Funds, has made a tabulation which shows that school lands in Perkins county are appraised for less purposes lower than school lands in adjoining counties, and also lower than the assessed valuation of other lands in that county. The county commissioners of Perkins county last fall appraised all school lands in the county at 57 cents an acre. This appraisalment was rejected by the state board as being too low and not in accordance with the actual value of the different tracts. Under the existing appraisalment school land in Perkins county is appraised at 25 cents an acre for leasing purposes. A leasee pays 10 per cent of the appraised value to the state, which, in the case of Perkins county under the existing appraisalment, is 2.5 cents per acre. The average appraised value of school land in adjoining counties is as follows: Chase, 25; Keith, 25; Hayes, 33.48 and Lincoln, 35.8.

The discussion of the appraisalment of school lands in Perkins county brought up the matter of state aid to this county as provided for in one of the educational laws enacted last winter. This law provided for an appropriation of \$50,000 to be given weak counties for the maintenance of public schools and the 1-mill levy for appointment to the various school districts was abolished. Under the new law Perkins county gets \$4.63 a year for each pupil, while in the eastern counties, taking Lancaster as an example, the state pays only \$2 a pupil a year out of the semi-annual disbursements.

Elevator Case Appealed. The Manley elevator case has been appealed to the United States supreme court. This is the case where the Manley Independent Elevator company brought suit against the Missouri Pacific Railroad company to compel it to construct a sidetrack to its elevator. The elevator company won in the district court and last week in the supreme court.

Craigton Has State Band. Governor Sheldon has given his official permission to the management of the Craigton band to call the same the "Nebraska State Band." In return for being recognized as the official band of the state this musical aggregation has promised to furnish music on all state occasions. It is probable the first duty of the band will be to go to San Francisco with the governor and his staff and play at every station. This will cost the members not to exceed \$300 each. Whether the governor will call the band down to play at his reception to members of his staff has not been announced. The band agreed to play without compensation.

Liverman Assaulted and Injured. GRAND ISLAND, Neb., March 17.—(Special Telegram.)—"Mickey" Manning, night employe at Round's livery stable, lies dangerously injured at St. Francis hospital as a result of an assault upon him by Charles Messer, a barber. Messer had held a team out over the stipulated time. When he brought the same in at midnight Manning said the charges were \$2.00. Messer became enraged, knocked Manning down, and kicked and tramped upon him severely. It is feared Manning has been seriously injured internally. Messer was caught after making an attempt to escape, in which he knocked another man down, and is being held to await developments.

can file an appeal with the supreme court. For the first time Hoche seemed stunned.

UPLAND.—The Upland Banking company has increased its capital from \$200,000 to \$250,000.

BEATRICE.—County Treasurer Barnard yesterday called in another court house bond of \$1,000. This leaves a balance of \$24,000.

BEATRICE.—The work of installing the pipe organ in the Methodist church by J. V. Gratian of Alton Mo., began yesterday. Mr. Gratian will give a recital here next Monday evening.

BEATRICE.—A Temperance Silver medal contest was held in the Methodist Episcopal church, Sunday evening, in which Miss Anita M. Jackson won the medal.

BEATRICE.—Action has been brought by County Attorney Terry against the estate of C. S. Black and H. W. Wetherham for the collection of inheritance tax. These are very old estates and neither has ever paid any tax.

BEATRICE.—The citizens' or license party at their caucus nominated the following ticket: For mayor, R. G. Hall; for clerk, Charles C. Ruppel; for treasurer, Thomas Ackland; for councilman, First ward, Robert Louden; for councilman, Second ward, William Nedrow.

BEATRICE.—The funeral of Mrs. G. W. Steinmeyer, who died suddenly the other day at Holmeville, was held here this afternoon at De Witt from the Episcopal church. There was a large attendance and interment was in the Mt. Zion cemetery.

BEATRICE.—The school board has re-elected the present teachers in the high school: C. O. Rost is principal; Lois W. assistant; Mabel Ross, eighth grade, and Leda Ross, primary. The teachers for the remaining grades will be elected later.

BEATRICE.—The officers of the United Civic league, which was organized here last night, are as follows: Andrew Anderson, president; N. F. Smith, secretary; Fred Stone, treasurer; J. W. Jackson, H. E. Stockwell, D. W. Carr, J. S. McCleary, vice presidents.

BEATRICE.—St. Patrick's day was duly observed in this city by a number of the faithful Sons of Erin, who make this city their home, under the direction of Colonel B. F. Egger, who has a large box of shamrocks sent to him direct from his old home in Ireland.

BEATRICE.—Miss Elsie Marple, who has filled the position as head nurse in the David City hospital for the past three years, has been elected to that position at that institution. She left Saturday for Crete. Miss Edw. H. Rising City is at present head nurse.

BEATRICE.—At a meeting held in the Commercial club rooms Monday the Upland fire department was organized with the following officers were elected: A. F. Schomburg, president; William G. Brown, treasurer; and G. Godfrey, chief. Membership was limited to thirty.

BEATRICE.—One of our worst dust storms that has been experienced here for years, came up Saturday afternoon and played havoc generally with the crops. Several corn cribs and granaries were blown over. With this exception fine spring weather has prevailed.

BEATRICE.—The top notch price for Franklin county land was paid last week, when ten acres of land at 2000 dollars for every acre of kind, sold for \$1,500. Other recent land sales in this vicinity have maintained last fall prices, and money stringency seems to be a thing of the past.

BEATRICE.—John Diener, postmaster at Syracuse, is making a canvass to be elected department commander of the remaining grades of the Grand Army of the Republic post at Syracuse and one of the best known old soldiers in this part of the state.

Wednesday--On Sale for the First Time All the Women's Beautiful Evening Gowns and Summer Dresses Choice of the Lawrence Field & Co. Entire Stock. 438 Fulton Street, Brooklyn, N. Y. BRANDEIS -- Boston Store. This stock of Lawrence Fields' had been selected with the greatest care and it includes hundreds of ultra fashionable dresses and gowns in the latest shades and newest fabrics. Here are the smartest of silk jumpers, silk Princesses, lingerie dresses, linen dresses, summer gowns and dresses, party costumes, evening gowns, etc. Daintily made of taffetas, foulards, messalines, crepe de chine and linens—in Princess effects or two piece dresses. THESE GOWNS AND DRESSES WERE PRICED BY LAWRENCE FIELD & CO. AT \$25.00 UP TO \$85.00 EACH. WE DIVIDE THEM INTO TWO GREAT LOTS. \$5 \$25. This immense Lawrence Field Stock Too Large to Show on Any One Day. In order to properly display the different lines of this purchase we devote separate days this week to the sale. Thursday we will sell all the fall and spring long and short Cloaks for women. Friday we will sell all the women's fine Furs from the Lawrence Field stock. Saturday we will sell all the fine Muslin Underwear from the great purchase.

COURT HOUSE BONDS TO POLLS Proposition of Submitting Question Unanimously Favored by Board. MAY FIVE FINALLY DECIDED ON People Shall Say Whether Million Dollars at Four Per Cent Shall Be Voted for Building on Present Site.

By a unanimous vote the county board Tuesday morning passed the resolution calling for a special election on May 5 to vote on the question of issuing \$1,000,000 4 per cent bonds for a new court house on the present site. Ere, who opposed the method of paying off the bonds provided for in the resolution, voted for it, with the statement he thought that feature bad but he favored the proposition in general and believed it would carry at the election.

BEATRICE.—Judge Raper convened court here yesterday. The case of the state against David Lyman, charged with assaulting the postmaster of the New York City Federal and an officer in the New York State Federation, president of the Electric and a member of nearly every other club in New York. Mrs. Lyon has gone to raising chickens on her farm at Esopus, adjoining that of Judge Alton B. Parker.

BEATRICE.—The members of Post No. 10, Knights Protective Association, held their annual meeting and elected the following officers: President, John R. Golden; vice president, W. H. Laska; secretary, treasurer, R. J. Olson; delegates to the state convention, William Bischof, Jr., L. C. H. Hutshy, C. H. Bran, C. H. Schmitz, George Bartlett and W. A. Vinton. A. L. Laska secretary of the board of directors, William Bischof, Jr., L. C. H. Hutshy, R. E. McClellan, William Schmitz and M. C. H. Hutshy.

CLUB WOMEN IN BUSINESS Mrs. Dore Lyons is Raising Chickens—Others Are Practising Law. Some club women, it seems, have tired of discussing public questions and are turning their attention to business enterprises. One of the first women to turn their backs on club life is Mrs. Dore Lyon, former president of the New York City Federation and an officer in the New York State Federation, president of the Electric and a member of nearly every other club in New York.

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United States District Attorney Goes will leave for Illinois Tuesday evening to be absent for several days on law business. Mr. and Mrs. F. P. Dalin of Norfolk, E. V. Kilborne of Lincoln, J. P. Fiske of Cambridge, George Free of David City, Charles Peterson of Lyons, E. D. Hartling, N. Rich of Nebraska City, C. G. Pitzer and H. H. McIntosh of Lincoln are at the Merchants.

TRICKS OF THE SHIRT WAIST How Those Buttoned In Back May Be Mastered Without Help. The problem of how to put on a shirt without that buttons in the back and button it without the aid of a maid or other assistance has been solved by a New York girl. This is how she does it: She puts the waist on, the opening in front, without putting her arms through the armholes. Then she closes the neck and plus it evenly. Next she buttons down about three buttons and then turns the garment around in its proper place. Lifting the waist up about her neck she slips her arm through into the sleeves, pulls it down at the waist and by reaching up the back she very easily closes the remaining buttons. This sounds complicated, and on the face of it doesn't seem as though it could be accomplished, but, as a matter of fact, the inventor of the method declares that it is just the easiest thing in the world.

Johnson Will Make Speech. HURON, S. D., March 17.—(Special.)—Secretary McIlwaine of the State Board of Agriculture has succeeded in securing Hon. John A. Johnson, governor of Minnesota, for an address on the state fair grounds on the opening day of the fair, Tuesday, September 8. Mr. McIlwaine is now arranging for special trains to this city that day, and also each day during fair week. He is much pleased with the prospects of an immense crowd and a successful fair.

Text of the Question. The question which will be submitted to the voters is as follows: Shall the county of Douglas, state of Nebraska, issue and sell its negotiable bonds to and for the sum of \$1,000,000 for the purpose of aiding in the construction, erection and completion of a court house building on the site now occupied by the court house of said county, for which such court house may be legally used; all the cost and expenses of the construction of said building not to exceed the sum derived from the sale of said bonds and the salvage or the proceeds thereof from the buildings and improvements now on the court house square and county said bonds to be coupon bonds, payable to bearer, and to bear date of October 1, 1908. Fifty thousand of said bonds to become due and payable ten years after date; \$50,000 to become due and payable fifteen years after date; \$50,000 to become due and payable twenty years after date; \$50,000 to become due and payable twenty-five years after date; \$50,000 to become due and payable thirty years after date; \$50,000 to become due and payable thirty-five years after date; \$50,000 to become due and payable forty years after date; \$50,000 to become due and payable forty-five years after date; \$50,000 to become due and payable fifty years after date; \$50,000 to become due and payable fifty-five years after date; \$50,000 to become due and payable sixty years after date; \$50,000 to become due and payable sixty-five years after date; \$50,000 to become due and payable seventy years after date; \$50,000 to become due and payable seventy-five years after date; \$50,000 to become due and payable eighty years after date; \$50,000 to become due and payable eighty-five years after date; \$50,000 to become due and payable ninety years after date; \$50,000 to become due and payable ninety-five years after date; \$50,000 to become due and payable one hundred years after date.

Conservative Business Men Who want good surroundings for their children As well as themselves, are now buying IN KOUNTZE PLACE Kountze Place a Healthy Place to Live. Instead of the West Farnam and Hanson Park Districts. Kountze Place has more paved streets. Permanent sidewalks and nicely shaded streets than any other addition in the city. Nearly every improved street in the addition will be paved this year.

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This Beautiful New House Just Completed in Kountze Place. 1922 LOTHROP STREET. Strictly all modern in every detail, has reception hall, parlor, dining room, den, four bedrooms and bath on second floor, front and rear stairways, also stairs to attic floor also has quarter-sawn oak shingles all dipped in oil, large south front porch, vacant lot, close to the 34th Street boulevard and convenient to schools and car line. Owner has made a special low price for this week. Be sure to see us at once.

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