

**KERN "The Millinery Man"**

**GORGEOUS EASTER MILLINERY**

More elaborate! More exclusive! More extensive! More becoming! More individuality and more style and beautiful is our present showing of **Exquisite Easter Millinery**. Foreign and domestic models, as well as original creations from our own workrooms, are on display. For Saturday's selling we will show the most beautiful of art millinery creations—some are large shapes and others in the "smart" modified styles, trimmed in all the season's latest fashion's trimmings, priced for Saturday **6.50-8.75-10.00** only.

**KERN "THE MILLINERY MAN"**  
1508 Douglas St.

**NO GOOD REASON REMAINS**

Why you should longer defer the purchase of a good piano. Our plan of easy payments—spread over a long period—removes any objection to expense. We are just as desirous to sell you a high grade piano as you are to buy one. You will find if you investigate, that our stock comprises by far the largest collection of high grade pianos in the city—that our prices are away below the regular retail price, and are not to be compared with others—and that our terms represent the acme of liberality. Owing to the great interest manifested in our March sale, we have extended the same prices into this month—that all may profit by

**Wholesale Prices on High Grade Pianos**

Our entire stock, comprising such famous makes as Steinway, Steger, Emerson, McPhail, A. B. Chase, Hardman and others are included at special prices. We will save you from \$50 to \$150 on any piano you may select. This offering includes New Uprights retelling elsewhere at \$500, \$400, \$300 and \$200, at Special Prices of \$335, \$235, \$175 and \$135; also a limited number of Slightly Used Uprights, unusual bargains and at prices that are moving them rapidly. Samples of the values are—

<b>\$400 Hardman Upright</b> An exceptional bargain in the best of repair throughout, and fully warranted by us. Offered for immediate sale, at <b>\$150</b>	<b>\$400 Ivers &amp; Pond</b> This instrument shows no evidence of use—and has been thoroughly overhauled, retuned, and will delight the heart of some music lover. At a big bargain, at <b>\$198</b>	<b>\$500 Steger Upright</b> Only used a short time, equal in every respect to an instrument right from the factory. Fully warranted and guaranteed—will take <b>\$300</b>
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Also special bargains in Square Pianos at \$25, \$35 and \$45 each, and Organs at \$10 each, and up.

Every lover of the beautiful in musical instruments who appreciates such an opportunity as we offer, is cordially invited to call at our sales rooms and to inspect the magnificent stock of high-grade pianos. Such a visit will be very profitable—for the experience alone, even if you do not purchase. Our Special Bargain List of New and Used Uprights mailed on request, if you cannot call.

When in need of expert service in tuning or repairing, phone us. New pianos rented at \$3.00 per month and up. Phone Douglas 1625.

**Schmoller & Mueller Piano Co.**  
1311-13 Farnam St., Omaha  
Branches—Lincoln, Sioux City, Council Bluffs and South Omaha.

**EXPRESS RATES WILL BE CUT**

Supreme Court Renders Decision Enforcing Sibley Act.

**REDUCTION EFFECTIVE APRIL 15**

Attorney General Wins in Contest—Reasonableness of Rates to Be Tried Before Referee J. J. Sullivan.

(From a Staff Correspondent.)  
LINCOLN, April 10.—(Special.)—By preliminary injunction effective April 15, each of the express companies operating in Nebraska is forbidden by the supreme court to charge or receive for services in Nebraska any sum in excess of 75 per cent of the rates charged January 1, 1907. The effect of the injunction is to require the enforcement of the 25 per cent reduction demanded by the Sibley act. John J. Sullivan was appointed referee to take testimony in the case pending its final settlement.

In resisting the application of Attorney General Thompson for a preliminary injunction the express companies made a showing to the effect they would be required to do business at a loss if the 25 per cent reduction provided for in the Sibley bill should be enforced. The showing of the express companies to prevent an enforcement of the reduced rates consisted of statements disclosing the earnings and expenses. These were given without stating the salaries or the details of other expenses. The value of the property employed in the express business was not given.

The granting of the injunction in the face of such a showing is considered by attorneys to be holding that the statute fixing rates cannot be set aside on the mere statements of express company officers showing earnings and expenses and a loss. The granting of the restraining order is understood to mean that a statute fixing rates can only be set aside upon a full disclosure of the conditions, earnings and business of the express companies. The

property interest employed, the ownership, the earnings, the amount and character of all expenses, including salaries, must be fully disclosed to the court, so that it can judge for itself whether the expenditures are legitimate and necessary. Otherwise the express companies cannot show they operate at a loss, so as to invalidate the statute fixing rates. This is the rule of the supreme court of the United States and the granting of the temporary injunction is taken to be an adoption of that rule by the supreme court of this state.

At the hearing on the application for injunction it was argued by the attorney general that the reduction in rates would transfer a portion of the freight traffic to the express companies and that a large amount of matter now sent by mail would be carried by express, and the earnings of the express companies would be correspondingly increased with little additional expense.

The court instructed Referee Sullivan to begin the taking of testimony as soon as possible and report to the court his findings of fact and law.

The action of the court is held to be a vindication of the course, adopted by Attorney General Thompson and Commissioners Winnett and Clark. These men argued that to attempt to collect penalties previous to a test of the law would have resulted in the commission being tied up by injunctions.

**Ellis Gets Reversal.**  
Owing to the summary manner in which the grand jury was called in Madison county, Forrest Ellis, an attendant in the Norfolk asylum, convicted of simple assault, has obtained reversal. Ellis was indicted at the instance of Governor Mickey. Governor Mickey had ordered Superintendent Alden removed from his position on account of dissension among the officers and their families. Alden refused for a time to vacate the office, in the meantime Governor Mickey was instrumental in preferring charges against several attendants for cruelty toward patients. No grand jury had previously been ordered and during the session of the April term, 1908, the district court ordered the sheriff to immediately summon the grand jury. This jury indicted Ellis for assault with intent to do great bodily injury. The trial was had and the defendant found guilty of simple as-

sault from which conviction he prosecuted error to the supreme court.

Following decisions in two former cases the court holds that "no grand jury can be lawfully organized unless its election has been previously ordered by a judge of the district court. Such order must be in writing and filed with the clerk of the district court on or before the day fixed by law for the drawing of jurors for the term of court for which the grand jury is to appear."

**State Wins in Leekins Case.**  
The exceptions of the state to the judgment of the district court of Nemaha county, liberating William W. Leekins, held on a charge of forgery, from custody, are sustained by the supreme court. The court holds "forging and fraudulently uttering and publishing the same instrument, if done by the same person, constitute but one crime, which may be charged in a single count of an indictment."

**Maynard Verdict Holds.**  
Roy Maynard, for the killing of Leroy W. Barnes in the Burlington eating house at Alliance, must serve a life sentence in the penitentiary. The supreme court having affirmed the decision of the district court of Box Butte county in a decision handed down this morning. Judge Reese wrote the opinion.

**Two Railroads Shy.**  
In its report to the State Board of Assessment under the provisions of the terminal tax law, the Northwestern failed to file a detailed statement of the value of its personal property as required by the law and by the schedules sent out by the board.

Under the heading, calling for a statement of the personal property, this road gives merely a financial statement. The Burlington filed the same kind of report, while the Union Pacific filed a duplicate of each of the reports filed with the city taxing authorities.

Each of the three roads filed a detailed statement of real estate owned in the various towns of the state, but in the case of the Northwestern and Burlington the value of personal property such as shops and other buildings is not set out. It is presumed by members of the board that this property has been detailed to the local taxing officers, and as this item will be set out in the general returns made by the roads to the board for valuing the railroads, it may be the board will require no further information under the terminal tax law.

**Murdock Reappointed.**  
A. H. Murdock has been reappointed by Governor Sheldon a member of the Board of Fire and Police Commissioners of South Omaha. Mr. Murdock is appointed for a full term.

**Chance for a Commission.**  
Do you want to go to the good roads convention? Either the one to be held June 15 at Chicago or the one to be held in Denver July 27? Governor Sheldon has been asked to appoint delegates and he will appoint those who apply for the job, providing the applicant agrees to pay his own expenses.

**Spinney Must Return Cash.**  
Dr. E. C. Spinney of Chicago must pay back the sum of \$7.50 received from the Iron Chain, a Minnesota organization. So decrees the supreme court in a decision rendered today. Dr. Spinney is at the head of a fraternal society, the Bankers Union. This organization took over the Iron Chain in 1907. At that time the home office of the Bankers Union was located at Omaha. The Nebraska court holds that the purchase of the Minnesota society was

**WILL TAKE ABOUT FIVE MINUTES TO RELIEVE YOU OF INDIGESTION**

Read why nothing will upset your Stomach or remain undigested if you eat Diapiesin afterwards.

You can eat anything your stomach craves without fear of a case of Indigestion or Dyspepsia or that your food will ferment or sour on your stomach if you will take one 22 grain Triangle of Diapiesin after eating.

Your meals will taste good, and anything you eat will be digested, nothing can ferment or turn into acid or poison or Stomach Gas, which causes Belching, Distress, a feeling of fullness after eating, Nausea, Indigestion (like a lump of lead in the stomach), Bloating, Heartburn, Water Brash, Pain in stomach and intestines or other symptoms.

Headaches from the stomach are absolutely unknown where this effective Diapiesin is used. No matter what you think your trouble—call it by any name you may choose—it is certain that the real cause is

fermentation of the food you eat. All else are merely symptoms or the result of the cause. For all these things you will find a sure cure by Diapiesin, and one 22-grain Triangle, taken after your next meal, will prove this. Diapiesin really does all the work of a healthy stomach. It digests your meals when your stomach can't. Each triangle will digest 3,000 grains of food and leave nothing to ferment or sour. Any good pharmacy here can supply the 8-cent cases of Paper's Diapiesin, which have the complete formula printed thereon to show just what you are taking, and it is no more harmful than candy.

Start taking Diapiesin today, and by tomorrow you will actually brag about your healthy, strong stomach, for you then can eat anything and everything you want without the slightest discomfort or misery, and every particle of impurity and that is in your stomach and intestines is going to be carried away without the use of laxatives or any other assistance.

**Easter**  
But a Week Away

Don't wait until the last minute to select the clothes you'll wear—if you do you'll be so eager to dress up you won't take the time to look at all the good things we have to show you—that will be an injustice to yourself and to our immense stock—we'd much rather have you buy leisurely at this store.

**Our Spring Suits Will Appeal to you**  
Not merely by their moderate prices but also by their extreme stylishness, faultless tailoring and the superior quality of the fabrics. The great variety certainly contains the garment you have in mind. No other store has such high class clothes at whatever price you elect to pay.

**\$10-\$12-\$15-\$18-\$20-\$22.50-\$25-\$30-\$35**

**Spring Overcoats and Raincoats**  
No Easter outfit is complete without an overgarment of some sort—if you don't want both—have one of our raincoats—dressy in fair weather—waterproof in foul weather. **\$10 up to \$30**

You Can't Possibly Find a Better Place  
**For Confirmation Clothes**  
Than This Store.

Here you find the best that can be made at whatever price you care to pay—but we call particular attention to those black and blue-black, straight or knickerbocker knee pants suits that we are selling for—

**\$3.75 and \$5**  
and to those long pants suits in the same fabric at—  
**\$10 and up to \$22.50**

**Easter Haberdashery for Particular Men**  
We've been actively preparing for your Easter visit to this store—and we'll not disappoint you when you do come—we've so much to show you it will not be a question of suiting you but of which you'll like the best.

**Shirts 50c up Gloves \$1 up Neckwear 50c up**

**Your Easter Hat, Sir!**  
Should come from this store—just tell our Hat men what your favored style may be—they'll give it to you in a "jiffy"—any color from black to those new browns, greens and pearls, so much in evidence wherever correctly attired men are to be seen.

**Stetsons, \$3.50 up—Crofut @ Knapps, \$3 up—  
Knapp Felt, \$4—Knapp Felt De Luxe, \$6—Youman's, \$5**  
and a well-nigh endless variety of shapes and colors at—  
**\$1.50 - \$2.00 - \$2.50**

**The Berg Clothing Co.**  
15th & Douglas

not valid. The suit was started by S. G. Starr, receiver for the Iron Chain.

**Hearing on Telephone Rates.**  
HUMBOLDT, Neb., April 10.—(Special.)—J. A. Williams of Lincoln was here yesterday on behalf of the State Railway Commission, of which he is a member, listening to arguments pro and con with reference to the application of the City Mutual Telephone company of Humboldt for permission to increase the rates charged for residential phone service from 75c to \$1.50. The principal objectors to the increase in rates are members of the old Humboldt Telephone company, who were forced to sell by the present concern on a plea for lower rates and whose books introduced in evidence show that the old company while in operation with about half the present number of phones made dividends amounting annually to 50 per cent of the actual cash invested. The contention of the objectors is that under conservative management the company could make plenty of profit with the present rates. The City Mutual, on the other hand, contends that its expense has increased in greater ratio than its income with the growth of the business, and it must have relief in the matter of rates. The public sentiment is quite divided on the question.

**Miner Killed by Train.**  
ALLIANCE, Neb., April 10.—(Special Telegram.)—Thomas Luchnie, a Polish miner at Dietz, Wyo., died here today at 10 o'clock.

**LOST \$300**  
Buying Medicine When Right Food Was Needed.

Money spent for "tonics" and "bracers" to relieve indigestion, while the poor old stomach is loaded with pastry and pork is worse than losing a pocketbook containing the money.

If the money only is lost it's bad enough, but with lost health from wrong eating, it is hard to make the money back.

A Mich. young lady lost money on drugs, but is thankful she found a way to get back her health by proper food. She writes:

"I had been a victim of nervous dyspepsia for six years and spent three hundred dollars for treatment in the attempt to get well. None of it did me any good. 'Finally' I tried Grape-Nuts food, and the results were such that if it cost a dollar a package, I would not be without it. My trouble had been caused by eating rich food, such as pastry and pork."

"The most wonderful thing that ever happened to me, I am sure, was the change in my condition after I began to eat Grape-Nuts. I began to improve at once and the first week gained four pounds."

"I feel that I cannot express myself in terms that are worthy of the benefit Grape-Nuts has brought to me, and you are perfectly free to publish this letter if it will send some poor sufferer relief, such as has come to me."

Name given by Postum Co., Battle Creek, Mich. Road, "The Road to Wellville," in place "There's a Reason."

**Miller, Stewart & Beaton**  
413-15-17 South Sixteenth Street

**CLEARANCE SALE IN OUR BASEMENT**  
BEGINS **MONDAY MORNING** AT **EIGHT O'CLOCK**

All odd lots of RUGS, CARPETS, STRAW MATTING, OIL CLOTHS, LINOLEUM, WINDOW SHADES, ROPE PORTIERES, FURNITURE, CURTAIN RODS and PILLOW TOPS will be closed out at less than half regular prices.

**BRING MEASURE OF YOUR ROOMS.**

**VOLLMER'S**  
EXPERT CLOTHES FITTERS

**Exclusiveness in Clothes**

Do you demand it? We can give it to you in the exclusive designs. They are made in limited quantities as regards individual patterns, so that a man who selects one of them is certain that he will not meet his double on every corner, and so diverse are the fabrics and colorings that you have an opportunity to consult your own ideas in choosing. As to fit, can promise equal satisfaction, for they are made to fit—trifling alterations are sometimes necessary, but we make them quickly.

Suits, Overcoats or Rain Coats, \$40 down to \$15. "Society Brand" for young men.

**VOLLMER'S**  
107 So. 16th Street

(Continued on Fifth Page.)