

# CHRISTMAS ROCKER SALE.



\$3.25

Buy you this Extra Large and Heavy Gentleman's Rocker. Just the thing for your husband's present.



\$2.50

Is our price on this full Spring Seat, Oak Frame Rocker. A good thing and worth more money. Made without pad in back.

We will put on sale this week a line of Rockers for our Christmas trade. We will offer great bargains and you can have goods set away. We will deliver them Christmas.

Freight Paid 100 Miles on Any of These Rockers.

Send Us a Mail Order.



\$3.50

Full Upholstered Seat, Arm Rocker, Large Size, Oak Frame. A strong, comfortable article. Order one. Made without pad in back.



950

Wood Seat, Sewing Rocker. Strong. The best value we ever offered.

Our Christmas Rocker Sale Will Please You.

Don't Miss Our Christmas Rocker Sale.

SEND US A MAIL ORDER.



\$2.50

This is our leader. Solid Oak, Cobbler Leather Seat Rocker. A Rocker worth easily \$3.50 of anybody's money.



\$1.95

Large wood Seat Rocker. Very strong. Extra good value. Very comfortable.



\$3.00

Antique Oak, Cobbler Seat Rocker. Nicely carved back. An extra good rocker.

## HARDY Furniture Co.,

1124 O Street, Lincoln, Neb.

We want you all to see our Cobbler Leather Seat Rocker at **\$2.50**

Satisfaction Guaranteed on Mail Orders.



\$3.75

Extra Large, Gentleman's Rocker. Very strong. Will last a life time.



\$1.50

Solid Oak, Cane Seat, Brass Arm Rocker. A very good thing.

### WHAT IS THE MEANING?

Cause Some Perplexity as to What May Constitute Due Process of Law.

### ELMWOOD ELEVATOR CASE

Federal Court Empowers Railway Companies to Discriminate Between Its Patrons.

### And Control the Grain Trade.

The decision of the United States supreme court in the Elmwood elevator case gives rise to some considerable speculation as to what constitutes "due process of law" in the opinion of that court. This suit was brought by the farmers' alliance of Elmwood before the state board of transportation to compel the Missouri Pacific railway company to allow the alliance to build a grain elevator upon the property of the railway company to enable the members of the alliance to ship their grain to the world's markets without the intervention of the grain dealer.

It appears from the findings of the secretaries of the state board of transportation that there were already two elevators at Elmwood located on the railway property, as well as a number of other buildings for shipping and storage purposes, all owned by private parties. The evident purpose of the petition from the farmers' alliance at Elmwood was to enable the members of the alliance to ship their grain without the necessity of dealing with the owners of the two elevators then existing.

The petition for the elevator site was denied by the railway company. It was claimed that this was done in the interest of the elevator owners. The petitioners appealed to the state board of transportation, and after a hearing the board found in favor of the petitioners. Since that time six or seven years ago similar findings have been reached in other cases, and a number of cases are now pending on appeal to the federal supreme court.

These findings of the state board were based upon what was presumed to be due process of law. The legislature of Nebraska has enacted a law creating the state board of transportation and empowering it to select a state board of secretaries. The law set out in specific detail the powers and duties of this board.

any common carrier subject to the provisions of this act to make or give any preference or advantages to any particular person, company, firm, corporation or locality, or any particular description of traffic, in any respect whatsoever, or to subject any particular person, firm, company, corporation or locality, or any particular description of traffic to any prejudice or disadvantage in any respect whatsoever. Every common carrier subject to the provisions of this act shall, according to their respective powers, afford all reasonable, proper and equal facilities for the interchange of traffic between their respective lines, and for the receiving, forwarding and delivering of passengers and property to and from their several lines and those connecting therewith, and shall not discriminate in their rates and charges between such connecting lines, but this shall not be construed as requiring any such common carrier to give the use of its tracks or terminal facilities to another carrier engaged in like business.

The act goes quite extensively into detail to prevent discrimination of any sort between patrons of railway lines. It also provides penalties for violations of the provisions of the law, and prescribes methods whereby those deeming themselves aggrieved may find relief. Any person or persons claiming to be damaged by any common carrier may either make complaint to the state board of transportation or bring suit to recover damages in any court of competent jurisdiction, but cannot do both.

The law further provides that the state board of transportation shall have authority to enquire into the management of the common carriers and to thoroughly investigate all complaints against them. It prescribes the manner in which complaints shall be made, and all the proceedings shall be had, and declares as follows:

"That if in any case in which an investigation shall be made by said board it shall be made to appear to the satisfaction of said board, either by testimony of witnesses or other evidence, that anything has been done, or omitted to be done, in violation of the provisions of this act or any law cognizable by said board, by any common carrier, or that injury or damage has been sustained by the party or parties complaining, or by other parties aggrieved in consequence of any such violation, it shall be the duty of the board to forthwith cause a copy of its report in respect thereto to be delivered to such common carrier, together with a notice to said common carrier to cease and desist from such violation, or to make reparation for the injury so found to have been done, or both, within a reasonable time to be specified by the board; and if within the time specified it shall be made to appear to the board that such common carrier has ceased from such violation of law and has made reparation for the injury found to have been done, in compliance with the report and notice of the board, or to the satisfaction of the party complaining, a statement to that effect shall be entered of record by the board and the said common carrier shall thereupon be relieved from further liability or penalty for such particular violation of law."

ceed in the courts to enforce compliance with its order.

It is urged that if the proceedings detailed in this elaborate act do not constitute "due process of law" it would be difficult to imagine what can constitute such due process. It is further urged that this decision makes it possible for railway companies to discriminate against patrons in such a way as to control the grain trade of the state at will. When the case came up before the Nebraska supreme court Judge Maxwell said in his opinion that he thought the power of the board had been pretty fully determined in the case of the state against the railroad company in the 23d Nebraska. He held that if a road grants such right to one or more persons it must on the same terms grant a like right to all who in good faith apply for that purpose. He argued that if two elevators are sufficient at any one point it might as well be claimed that two grocery stores or two dry goods stores were enough for any one village. He held that elevators were a part of the system for the transportation of grain and produce and come under the head of "facilities furnished" in the act of 1887 and questions relating to them are placed under the control of the board of transportation.

See change from private to two public sales of Poland China swine in the ad of J. V. Wolfe and son, and don't forget to attend one or both sales. If you attend one you will be sure to attend both, as they will be crackers. Don't forget the dates, December 8th and 29th.

### Notice of Incorporation.

Notice is hereby given that articles of incorporation have been filed in the office of the county clerk of Lancaster county, Neb., according to the statutes of Nebraska, as follows:

1. Name, Central Land company.
2. Principal place of business, Lincoln, Neb.
3. Nature of business to be transacted: To buy, hold, sub-divide, plat, sell and convey, mortgage and encumber real estate. To borrow or loan money, to buy, hold, sell, transfer and assign all kinds of real, personal or mixed estate in all lawful ways, and to transact such other business as may be auxiliary thereto.
4. Authorized capital stock, \$25,000, to be paid in such assessments of such per cent and at such times as shall be ordered by the board of directors.
5. Commenced business October 12, 1896, and continues for twenty years.
6. Indebtedness not to exceed two-thirds of capital stock.
7. Business to be conducted by a board of directors. Officers shall be president, vice president, secretary and treasurer.

**\$9.00 For 30 Days Only**

Buy the OXFORD Improved Sewing Machine with a complete set of attachments and guaranteed for 10 years. This is the best sewing machine ever made. Cabinet Oxford Sewing Machine. \$9.00. **TRIALS** home on 20 DAY FREE TRIAL. No money paid. Write for details. **Wanted—An Idea** Who can think of a new idea? We have a list of two hundred inventions wanted.

**TRY IT FREE**

For 30 days in your home. No money to advance. See how good it is. **Wanted—An Idea** Who can think of a new idea? We have a list of two hundred inventions wanted.

## HERPOLSHEIMER & CO.

# Holiday Goods!

## NEVER

In the Big Store's history has such an enormous stock of Holiday Goods been gotten together as will be on exhibition from now until after the holidays and never were prices so remarkably low on these goods. Almost 20,000 square feet of floor devoted to Holiday Goods. We bought everything direct from the makers and in such quantities as only the Big Store can buy. By so doing we are in a position to sell goods at about regular wholesale prices.

## NEXT WEEK

We hope in earnest to make this the greatest output of Holiday Goods we have ever experienced. Despite the fact that we are closing out regular lines very rapidly the Holiday Goods that arrive daily in such quantities fill up the space with wonderful rapidity.

### Xmas Dress Patterns

We have purchased a beautiful line of Dress Patterns in novelties and plain goods, black and colored, especially for the Xmas trade. These patterns come in 7-yard lengths, ribbon banded, neatly rolled on boards and ticketed "Christmas Dress Patterns."— Prices: upward, per pattern, from **\$1.75.**

### SILVER WARE.

Fancy Silverware plated Spoons, 5c each.....  
Triple plated Cups, handsomely engraved..... **35&47c**  
Four piece, triple plate tea set, handsomely engraved, spooner and creamer gold lined..... **\$4.44**  
Sterling Silver Thimbles, regular price 25c; our price..... **10c**

### SKATES

Men's and Boy's steel Skates, 27c per pair.....  
Men's and Boy's extra quality steel skates, per pair..... **69c**  
Men's and Boy's nickel plated steel skates..... **\$1.87**  
Ladies' and Misses' steel skates, per pair..... **63c**  
Ladies' and Misses' extra quality steel skates, per pair..... **79c**  
Ladies' and Misses' best nickel plated steel skates..... **\$1.87**

### Toys and Games

Space would not permit of us mentioning the many things in this department; in fact a large book would be required to convey even a faint idea of the immense assortment. All the cheapest, the medium and the most intricate mechanical toys are to be found here. All the newest and most popular games of every description at prices equalled by none. To appreciate our stock you must see them.

### Cloaks and Furs

We carry the largest and most complete line of CLOAKS in the west, and for FURS of every description our lines are unmatchable.

Don't Fail to Visit Doldom, our Toy Department.

## HERPOLSHEIMER & CO.