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It is proposed to save another seven millions or enough to pay the increased salaries of postal clerks and city and rural carriers, by cutting down the railroad compensation in other directions, one measure being a percentage reduction on all routes according to the weight of mail carried.

AN OUTLAWED SCARECROW.

There may be objections to the income tax which commend themselves to reasonable men, but somehow over in France, where an income tax scheme is now being urged against bitter opposition, the enemies of the proposition are either obtuse in their discovery or for some inexplicable reason are not making them public.

For the French newspapers that oppose this form of taxation are doing so chiefly upon the ground that an income tax law puts the assessor in command and gives him inquisitorial power. The cartoonists are representing the assessor in the act of rummaging through the private papers of taxpayers and exacting from that always unfortunate individual a statement as to the amount of his income.

This may be new thought in France, but it is far from new to Americans, who have heard this cry of alarm and protest before. It is the inevitable alarm of the rich man in his ambition to escape his just proportion of the public burden. Unfortunately for the man with property and income there are but few forms of taxation yet invented which are not inquisitorial. To be based on justice and equity, so that men will pay in approximate proportion to the benefits to be derived, he who levies the tax must know something of the liability and ability of the person to be taxed. All direct taxes are based more or less rigidly on one's comparative capacity to pay, so that he who has large possessions should pay large taxes and he whose possessions are small shall be taxed lightly. Where taxes are not so levied and collected the burdens of government are not justly distributed in proportion to benefits.

Here in this country, where direct taxes are levied upon one's possessions the inquisitorial feature of an income tax is not going to excite much adverse criticism. Wherever injustice has been done by the taxing powers, it has been through a failure to make our inquisitions sufficiently complete as regards the rich. Little trouble is experienced in locating the property of the poor, and the assessor seldom overlooks any of it, even to the tawdry jewelry that decks at rare intervals the persons of the wives of farmers and mechanics, or the bedraggled old hen that starves through the stressful period of maternity.

But somehow his inquisitorial power stands at bay when he seeks to invade the diamonds of the rich or uncover their stocks, bonds, notes and mortgages in the general tax rolls.

Why should one's income be any more safe from the prying eyes of the assessor than one's possessions? There is nothing sacred about an income. He who has a large one can better afford to pay a proportionate tax than can he who has a small one, for he will have more left after discharging his duty. There is reason to entertain a strong suspicion that when one is heard crying out against gratifying the curiosity of the assessor, he is one who fears that the rich man will not be permitted to get off with vastly less than his just proportion of taxes, and this objection of the French newspapers to the income tax proposition is hardly likely to commend itself to the masses, whose incomes are generally not so large that they are able to hide the proportions thereof.

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Taxes based on one's ability to pay is one of the reforms toward which the world is tending. It was only a few years ago that it would have been denounced as an impertinence for the government to have sought to pry into the profits of a railroad company, or other corporation.

But times have changed, and with them men's ideas on the accountability of wealth to the government and the people. Publicity is now the watchword in relation to such affairs, as a means of curbing the centralization of wealth and of holding large interests responsible for their share of the burdens of government. Immunity from taxation is no longer an inviolable privilege of wealth and it is no impertinence nowadays in enlightened countries for the tax-gatherer to possess himself of knowledge of the possessions or income of anyone liable for taxation.

A DISPLAY OF WISDOM.

The managers of the Nebraska roads have begun to number their days and apply their hearts to wisdom. Instead of carrying the new passenger rate law into the courts, they will obey it as cheerfully as they can on the first hour it goes into existence. This probably means that by Thursday morning at the farthest the people of all Nebraska will be permitted to ride anywhere within the state at the new legal rate of two cents a mile. No doubt they will soon be able to travel as far east as the Atlantic seaboard at the same rate, but that is another matter. The acceptance of the new rate by the companies doing business in Nebraska is the important thing at present.

This course not only shows a new and gratifying respect for law and public opinion, but it is in the highest degree prudent from a business standpoint. A fair trial will be given the new law, and no attempt will be made to go back to the old figures unless actual experience is such as to warrant an appeal to the courts. It is the opinion of many experts that this will never be necessary, and that east of the base of the Rocky mountains two cents per mile will speedily become the basis of all passenger rates.

This, with the enforcement of a suitable anti-pass law, will end one entire section of the railroad question. It will leave the way clear for the solution of the immensely more difficult and important problems connected with the charges for moving freight. It is a cheering indication that peace between the people and their service corporations may be secured without a long and exhausting warfare.

SENATOR SPOONER.

Had John C. Spooner held his grip on Wisconsin politics, freight rates in that state would be 20 per cent higher than they now are. Passengers would be paying 3 cents a mile instead of 2 1/2. Railroad taxes would be but a fraction of what they are now. Freight rate discriminations and pass bribery would be rampant. There would be no direct primary and a coterie of business interests would be in charge of public affairs now as before Spooner made his losing fight against LaFollette.

Had Spooner had his way in congress there would be now no rate law, no pure food law, and the record of the fifty-ninth congress for progressive legislation would be as short as now it is long.

Thinking on these things the public will be able to control its grief over his coming departure from public life. In fairness to Senator Spooner this however needs to be said—that his conduct in public life seems to have been guided by real convictions. He had a profound distrust of the ability of the people to manage their own affairs or to deal justly with vested interests. He was a man whom the large interests delighted to have in congress, but he served them from principle, not for pay. He refused in public life to compromise himself with a law practice as Bailey did; he served no private interests of his own by his conduct in the senate as do the Platts and Keans. One reason for his leaving the senate was the desire to turn his great abilities in his later years to work that would bring an adequate pecuniary reward. Other men make the senate serve themselves. This Spooner would scorn to do. Another reason for his withdrawal may be the fact that his renomination next year in the Wisconsin direct primaries would be difficult, if not impossible. With all respect for his ability and integrity a people free to choose their own representatives are inclined to choose a man who will represent them and who will not, even though from principle, represent interests that seek to exploit them.

HARRIMAN.

Nebraska has an important interest in E. H. Harriman. He controls one-fifth the railroad mileage of the state. What power over its welfare goes with such control well informed people understand. At times it has amounted to the power of naming and directing

public officials. In future times of public semicence he may have this power again. What sort of character this occasional blip may be is a matter of vital moment.

His testimony before the interstate commerce commission last week was not reassuring. It confirmed the stories previously afloat of juggling with railroads, the very keystone of commerce, as if they were so many swords to be swallowed. It showed that the men to whom we have granted the privilege of managing our highways have forgotten their legal and moral obligation to the public. If granting concessions to highwaymen to prey off the public promised to pay better than keeping the highways open and safe to the public, the concession has been granted. And in Mr. Harriman's case the concession seems to have been granted by himself to himself.

If any held hopes that an understanding of how others looked upon such conduct might open Mr. Harriman's eyes to the enormity of his offenses, Mr. Harriman's own statement following the hearings will be sufficient to end them. "This continual reform agitation simply shows the animosity that exists today against men and corporations that have made a success," he says. "The interstate commerce commission could produce far better results if the members would try to co-operate with the business interests of the country instead of antagonizing them. There seems to be a tendency among all unsuccessful people to assail those who are successful."

Long manipulation of "soulless" corporations has evidently reduced Mr. Harriman to their own quality. He is oblivious of having done wrong. He worships the god success, and success to him is good whether won in a good or in a bad cause, by fair means or foul. With reference to him the public is in the plight of an Israel with a mad King Saul. The only defense seems to be to bind him with laws and watch him so closely that even the exemplar of a "higher law" cannot afford to disregard them.

HUMILIATING DEFEAT.

There is something quite pathetic in the contemplation of the humiliation conveyed to the attorneys for the railroads in the text of the decision of the federal supreme court in the railroad tax case from this state. The airy manner in which the court seems to have brushed aside such reasons for tax evasion as the railroad attorneys had not already abandoned suggests that the case was hardly more than a game of bluff from its inception.

Really it did seem, from the great quantity and variety of noises the companies made in this state when they started out to resist payment, that they certainly must have some very substantial principles of law up their sleeves which might ultimately be exploited in justification. Railroads have in years past been so uniformly successful in all cases wherein there was room at all for question as to the result of litigation that one could hardly imagine that the railroads' attorneys, with professional reputations to sustain, would ever go into court without something in the nature of assurance of the possibility of success.

But a perusal of the decision of the supreme court shows that the railway lawyers were banking too much on traditions, and upon conditions that seem no longer to prevail, for the court did not hesitate to pretty plainly designate all of their contentions as vacuous verbosity. In it the court says about as plainly as so dignified a body could permit itself to say that the charge of the railroads that the increased assessment was due to coercion through political clamor is hot air, pure and simple, as is also the claim that the increased assessment was fraudulently made, because out of proportion with the assessment of other property in the state and because of the methods of calculation by which it was reached.

In mighty few words the supreme court disposes of the charges of fraud and duress, by simply suggesting that the trial court disposed of that contention and that there is no reason to disturb its findings. In fact it finds that the charge of fraud, even if adequately alleged, was very slightly pressed in the argument and totally fails on the facts. There is something of the semblance of rebuke in the court's discussion of the fraud charges.

"Such charges," it says, "are easily made, and it is to be feared, often are made without appreciation of the responsibility incurred in making them. Before the decree could be reversed it would be necessary to consider seriously whether the constitutional question on which the appeals are based was not so pleaded as part of the alleged fraudulent scheme that it ought to be considered unless the scheme was made out."

On top of this rather derisive finding the court declared that the railroads should not have been permitted to put upon the stand the members of the state board of equalization and assess-

Weak Kidneys, Weak Nerves

SO A PHYSICIAN WRITES

It is of but little use to try to doctor the kidneys themselves. Such treatment is wrong, for the kidneys are not alone to blame for their weaknesses or irregularities. They have no power—no self-control. They are operated and actuated by a tiny shred of a nerve which is largely responsible for their strength, or weakness. If the Kidney nerve is strong and healthy the kidneys are strong and healthy. If the Kidney nerve goes wrong you know it by the inevitable result—kidney trouble.

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ment and quiz them as to the means by which they arrived at their measure of the assessment value of the railroads, holding that in that capacity they stood in something of the position of judges and witnesses in courts of law. There might be error in their conclusions, but mistakes did not affect the case of the railroads as it got into court.

From the court's opinion it is evident that members of the state board are to be given some latitude for the exercise of their own judgment in reaching a valuation, and that they are not to be bound by confusing and mystifying compilations of statistics furnished by the railroads.

"Evidently the board believed," says the court, "that the figures furnished by the roads were too favorable, and were intended to keep the taxes as low as they could be kept. Evidently also the members, or some of them, used their own judgment and their own knowledge, of which they could give no very good account on cross-examination, but which they had a right to use, if honest, however, inarticulate the premises. It would seem from the testimony, as might have been expected, that the valuations fixed were a compromise and were believed by some members to be too low, as they seemed to one too high. The result of the evidence manifests the fruitlessness of inquiries which, as we have said, should seem to deem the claim that other property in the state was greatly undervalued, and about every other contention in the case, upon which the attorneys made so much noise in this not have been gone into at all."

Very lightly indeed does the court state is disposed of curtly in the sentence. "Various arguments were addressed to us upon matters of detail which would afford no ground for interference by the court, and which we do not think it necessary to state at length."

To preserve their professional reputations the railroad attorneys of Nebraska can well afford to throw upon the managements of their roads all responsibility for the prosecution of this suit, and perhaps it was simply forgetfulness on the part of the latter that there has been a marked change in the disposition of courts to be swayed by railway interests that has led to the rebuff the railways have received in this state.

W. W. COX.

W. W. Cox, who boiled salt on the edge of the present site of Lincoln in 1862, has passed away, rich in years and good deeds. True to the instincts of the typical pioneer he left eastern Nebraska after it had become settled and wealthy and spent his last days in one of the newer counties and near to the only "frontier" we have left in this state. The services rendered to the public by Mr. Cox were varied and valuable. He not only performed with a stout heart his share of the physical labor required to subdue the wilderness, but he gave so enthusiastic a report of the conditions in the new west that hundreds of families were drawn to this region through his influence. In his later life it was his joy to write down the neighborhood history of Sew-

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