

REVENUE LAW SUSTAINED

Decision of Supreme Court in Important Case.

INSURANCE TAX HELD GOOD.

Question Raised on a Mandamus Case from Douglas County, Involving Right to Levy a Special Tax—Previous Decision by Commissioners.

Lincoln, Dec. 15, 4 p. m.—Special to The News: The supreme court in session here this afternoon, handed down a decision sustaining the new state revenue law. The question of validity was brought against the section imposing a special tax against the foreign insurance companies doing business in the state, and this section was upheld by the court as well as all other sections.

Much interest was shown in the ruling of the court and many people have been awaiting this decision since it was understood that a ruling would be handed down today.

History of the Case.

The revenue law is the one passed by the recent session of the legislature, changing the method of assessing and collecting the state and county taxes, and providing for the election of a county assessor to have supervision of the work in each county, instead of the assessing being done by precinct officers.

The constitutionality of the law was brought to the attention of the supreme court on a mandamus case from Douglas county, regarding the method of assessing and taxing insurance companies. This point had already been ruled upon by division No. 3 of the supreme court commission. The only opinion given that the entire law must fall was written by Commissioner Duffie who explained that the insurance sections alone were faulty, but believes that this fault invalidates the entire law, which he admits to be otherwise perfect.

Opinions of Commissioners.

An extra tax of two per cent upon the gross earnings of foreign insurance companies doing business in the state was imposed by the new law, and the two other commissioners acting on the case held that while this invalidated the particular section referred to, the law in all other respects was perfect.

The decision has been awaited with much interest by the people of the state, especially by large corporations doing business in the state, who had particular reason to know whether or not the law would be permitted to stand.

Especially interested in the decision were the men chosen at the recent election to the offices of assessor in every county, as their office and salary has been involved by the question of constitutionality.

Commissioner Duffie, democrat, held that the law was invalidated. Commissioner Letton, republican, held that while the insurance tax clause could not stand, the balance of the law would be operative. Commissioner Kirkpatrick, populist, holds that every section of the law is valid and practical.

NOTHING FOR LOSS OF FAMILY.

Farmer Who Lost Three Relatives Loses a Test Case.

Tecumseh, Dec. 15.—The jury in the case of Ephraim Zuhke against the county for \$9,000 damages for the loss of his son has returned a verdict in favor of the county.

Last May Zuhke was sick at a hospital in Lincoln. His wife lived near Sterling and decided to drive to Sterling in order to catch a train for Lincoln. The streams were badly swollen by the heavy rains, but she, with her brother, Mr. Harms, and her 5-year-old son, started for Sterling.

In crossing a bridge near Sterling the driver either drove off the end of the culvert or into a bad place and the wagon was overturned against a wire fence and the three persons were drowned. Mr. Zuhke sued to recover \$5,000 for his son, intending to make it a test case.

School Funds are Ready.

Lincoln, Dec. 15.—Superintendent Fowler has received the reports of the school census of the several counties of the state for 1903 and the proper apportionments of the temporary school funds will be made within the next few days. The work has been retarded by the failure of the several county superintendents to report promptly. The last reports were received Saturday morning and the work of figuring the apportionment by counties began at once.

PEOPLE DON'T DANCE THIS YEAR

Italian Trio Orchestra Says That Many are Cutting it Out This Season.

Will Soon Quit.

"The people of north Nebraska are not dancing this year as they really ought," says A. Lagrotta, manager of the Italian trio orchestra which makes its headquarters in Norfolk during the winter months. He reports that a vast percentage of those who have had delight in the light fantastic glide

during seasons past, are this year cutting out the waltz and two step and as a result there is little doing in the musical line. The orchestra anticipates but a few more days of service and will leave about the middle of January or sooner.

Buildings at Spencer.

Spencer, Neb., Dec. 16.—Special to The News: Work on the Krotter & Co. implement building has been very slow, owing to the cold weather. The John Daily residence also goes up slowly on account, no doubt, of the same condition, as no matrimonial news has been heard of and John is an unmarried young man.

L. Holmes, a prominent young blacksmith, is putting in a new floor at his shop, which will greatly add to appearances.

DECISION NOT YET.

Attorney General Prout Has Not Made up His Mind.

Lincoln, Dec. 15.—Attorney General Prout is still considering the matter of the legality of the 1 per cent commission retained by county treasurers for collecting the moneys which go to constitute the permanent school funds. The decision of the attorney general will not be handed down for several days. In the meantime the county treasurers will continue to retain their commission from the money collected and will forward the remainder to the state treasurer.

MISS AUSTIN DID NOT ELOPE

Mr. Austin States That There is no Truth in the Rumor Sent Last Week.

Springview, Neb., Dec. 15.—Special to The News: William Austin states that there is no truth whatever in the story that his 16-year-old daughter has eloped and asks that the correction be made in The News.

The story of the elopement of Miss Austin appeared in The News and other state papers last week under another date line. The news of her disappearance was first published in this paper in a telegram from Springview. On the following day information was wired from a neighboring town that trace had been found of the missing girl, that it looked like an elopement and that a prominent young man of the neighborhood figured conspicuously in it. This is the part which Mr. Austin states is without foundation and this, upon his authority, is altered.

BOY LOSES LEG UNDER CARS.

Member is Amputated, but Attending Surgeons Have Doubts.

Blair, Neb., Dec. 15.—At 4:30 yesterday afternoon as the south-bound way freight No. 15 on the Chicago, St. Paul, Minneapolis & Omaha railway was leaving the station at DeSoto, five miles south of Blair, Gifford, the 12-year-old son of Mr. and Mrs. Freeman Tucker, ran out from behind the water tank and tried to jump on the train when he slipped under the wheels, which ran over the entire length of his right leg, cutting off the toes and part of the foot of his left leg. Doctors Bedal, Stewart, Palmer and Robinson were called by telephone from Blair and amputated the leg at 8 o'clock last night, taking it off close up to the body. In company with other children the boy was returning home from school and stopped at the station until the train passed. His recovery is doubtful, as he is thought to be injured internally.

SERIES OF ACCIDENTS AT ALBION

One Farmer Has a Broken Leg, Another is Injured Under a Corn Shelter.

Albion, Neb., Dec. 15.—Special to The News: This city has been the site of a series of accidents in the last two days. Yesterday morning while Mr. John O'Neill, one of Boone county's pioneer residents, was out at his farm northeast of town he was unhitching his team and when he had the same partly unhitched a steam engine which they were using to run a corn shelter in that vicinity whistled and frightened the horses and they started to run. Mr. O'Neill succeeded in getting them under control but they made a short turn and upset the wagon which was loaded with posts. He sustained a broken leg which will lay him up for some time.

Yesterday evening while Mr. Ora Cave was fixing something on his corn shelter his team started up and the machine ran over him. He received several injuries which might prove fatal.

PLANS ANOTHER THEATRE.

Manager Who Books Norfolk's Play-House Will Enter Field at Capital.

Council Bluffs, Ia., Dec. 16.—A. B. Beall, who left for his home in Sioux City last night, announces the acquisition of the Beall-Baer theatre circuit of the Midland opera house at Fort Dodge, Iowa. Mr. Beall stated while in the city that he expected soon to add to his circuit by the lease or erection of a theatre at Lincoln, Nebraska. His company now controls eleven theatres, located in Sioux City, Council Bluffs, Sioux Falls, Yankton, Mankato, Minn., Fort Dodge, and other towns in Minnesota, Iowa and South Dakota.

NEBRASKA GIRL ELOPES

Jessie Lane of Homer Runs Away With Yankton Boy.

THEY WERE CAPTURED AGAIN

Two Youthful People, Bent on Marrying One Another, Start to Make Their Get Away and Plan to Be Married in Dakota City, But Are Caught.

Homer, Neb., Dec. 16.—Jessie Lane of this place, aged 18, eloped with Albert Dineen of Yankton, S. D., aged 17, and were caught in Sioux City just as they stepped off the Milwaukee train. They were making a getaway from the groom's parents.

They had arranged to cross the river to Dakota City and be married and from there expected to go to the home of the girl's mother near Homer for the honeymoon.

Escorted to the station the young man was locked up and the girl told she might go.

"Never," she declared emphatically, seating herself outside the cell where her lover had been locked.

Not Like Dolly Hertz.

"I will stay by Bert to the last. I'm no Dolly Hertz—I know her—who turned down the Indian Alec Payer and married that John Harnett. Bert has left his home for me and I'll not go back on him now."

Told she might be charged with kidnaping, she glanced up shyly at the strapping youth who stood grinning near her, and said: "You hear that, Bert? Looks like you were kidnaped, doesn't it? I guess you can't scare me."

"Lick My Old Man, Too."

"Better charge me with kidnaping," suggested Dineen. "I'm big enough to kidnap her and lick my old man into the bargain."

"Darn my old man anyhow," he continued, disgustedly, as he paced back and forth in his perplexity. "A week ago he said to me, 'Quit going with that girl, Jessie Lane, or leave home. Which will it be?' And I said: 'Me for the girl,' and left home. I ain't been back in a week. I collected enough money to buy us tickets to Homer, where Jessie's mother lives, and we started away. And now what does the old man want to butt in for?"

Both Bert and Jessie declared their little romance had suffered only a temporary halt, but it would go to a finish if hearts courageous and determined wills could overcome the unreasonable objections of Mr. and Mrs. John Dineen of Yankton, S. D. Dineen pere is the foreman of the Milwaukee round house. He learned of the elopement an hour after it happened, and he lost no time in notifying the Sioux City police.

Son Only a Kid.

"Stop that couple!" he bawled over the phone. "My son is only a kid and I don't want him marrying that Lane girl."

All the way from Yankton to Sioux City Dineen and the girl were fearful they would be pulled off the train whenever it reached a station. They determined upon the elopement last night, when the boy had succeeded in getting enough to buy the tickets and pay the preacher. Shortly before train time they got into a closed carriage and rushed to the depot, having barely enough time to secure the tickets. With the transportation safely in his pocket, Dineen hurried the girl to a seat in the day coach and sat near her while she strove to conceal her identity by pulling a fascinator over her face.

"I knew the old man would get on to me," said Dineen, "and so I was expecting we would be caught before we could get across to Dakota City. We intended to be married there. Every time we got to a station I crouched down in the seat and Jessie huddled in a corner."

Saw Bluecoat Looming Up.

"We breathed a little easier when we got near Sioux City, although Bert said here was where we would be troubled, if anywhere," interrupted the girl. "When we came out the car door and saw that policeman standing there Bert said, 'It's up with us.' And I knew it was. I felt like I wanted to run but I wouldn't leave Bert no more than I will leave him now. If his pa takes him back to Yankton, I'll go too."

"I know that Dolly May Hertz—the one that eloped with the Indian Alec Payer," she said reminiscently. "It was just like her to go back on Alec, after he had tried his best to marry her and was willing to go to jail for her and then she married that John Harnett. Dolly's living over at South Sioux City I hear and is unhappy already. Good enough for her."

Was Away On a Visit.

The girl was visiting her married brother, Mahlon Lane, at Yankton, when she met young Dineen, who worked for the railway company, fell in love at once and decided to marry. But the parents of her lover objected and Bert left home. The girl's mother lives on a rented farm near here. She is a widow. One son, Carl, lives with her.

NO MORE ILLNESS AT ANOKA.

Patients Who Were Very Ill, Recover. Krotter to Chicago.

Anoka, Neb., Dec. 16.—Special to The News: W. R. Beydler, manager

of the Wm. Krotter Lumber company of this place, has been off duty for the past two weeks nursing his wife and little son during a very serious attack of scarlet fever. At present both are improved and Mr. Beydler has returned to his work. F. R. Stearns of Stuart, who was here to fill the vacancy made by Mr. Beydler, has returned to his home.

Mr. Bates' little son who has been so ill, has so far recovered that Mr. Bates has returned to his duties.

Wm. Krotter took the train at this place Sunday morning for Chicago.

Rev. S. F. Sharpless of Norfolk preached here Sunday morning and evening.

Wm. Whitla, manager of the Nye, Schneider, Fowler & Co., left on Sunday morning for a week's visit at Battle Creek, Mrs. Whitla and children having preceded him a week before.

THIRD ATTEMPT AT SUICIDE

A. A. Langston Fails to End Life by Cutting His Throat or Shooting Himself.

Fremont, Neb., Dec. 15.—A. A. Langston, who tried to commit suicide about three months ago by cutting his throat with a piece of glass, made another unsuccessful attempt this morning. He first tried to cut his throat with a pocket knife, but the knife was dull and his knowledge of anatomy rather deficient, and instead of severing an artery he only made several jagged wounds below his right ear, which bled profusely and were painful. He then decided to try the gunshot route, on account of his being a little more sure in its results. He sat down on the side of a bed, placed a target rifle between his knees, with the muzzle against his forehead and discharged the gun with his foot. Instead of the bullet crashing through his skull, owing to the gun slipping a little, it simply scratched the top of his forehead.

The report of the gun aroused his family, who found him sitting on the edge of the bed, the rifle at his side, blood trickling from the wounds in his neck, and thoroughly disgusted at the failure of his third attempt to make away with himself. His friends and former business associates think he is mentally unbalanced and has been so much of the time since his retirement from the Fremont Cider company, of which firm he was a member.

DEATH AT AINSWORTH.

Mrs. Ellen Pratt, One of First Settlers, Was Buried There.

Ainsworth, Neb., Dec. 15.—Special to The News: The funeral of Mrs. Ellen Pratt was held at 10 o'clock yesterday morning from the residence of her son, Daniel Pratt, Rev. Gearhart of the Congregational church officiating. Mrs. Pratt died at the home of her son. She leaves two sons and one daughter to survive her. Mrs. Pratt was born in Limerick, Ireland, and was a Catholic by faith. She was one of the first settlers of Ainsworth and leaves many friends to mourn her departure.

Accident May Result Fatally.

Leigh, Neb., Dec. 15.—An accident occurred here which may terminate in the courts. Jacob Jundt, a prosperous farmer, was in town all day and together with a neighbor, drank freely. About 10:30 in the evening Jundt started home. About 11:30 his team was found on the outskirts of town with only the running gear of the wagon and no driver. Searching parties were at once started out and it was not until 9 o'clock the next day that he was found, and that was about a mile on the opposite side of town from where he lived. Tracks in the snow showed that he had driven several miles before he was thrown out or upset. The weather was very cold, the thermometer registering within a few degrees of zero. Mr. Jundt was sitting in the middle of the road in an unconscious condition and the attending physician says that he is suffering from concussion of the brain. It is reported that his chances for recovery are poor. There is talk of action against the saloonkeepers who sold him the liquor.

FARMER'S WIFE SCALDS FEET.

Mrs. John Moll of Washington County Meets With a Painful Accident.

Hooper, Dec. 16.—Mrs. John Moll, wife of a Washington county farmer living six miles east of Hooper, had both of her feet badly scalded in an accident that occurred at her home yesterday morning. A quantity of boiling water was upset so that her shoes were filled with it, and before they could be removed the members were severely burned with the hot liquid.

Mrs. Moll was engaged in picking geese at the time and had the water in a pan sitting on the stove, ready for use. It chanced to be too close to the edge of the stove, and a movement caused it to fall off, drenching her feet with the scalding water.

SUDDEN DEATH AT PETERSBURG.

Mrs. Plumer Succumbs to Heart Disease Before Doctor Could Arrive.

Petersburg, Neb., Dec. 15.—Special to The News: Mrs. Plumer, an aged and respected resident of this place, died very suddenly yesterday of heart failure and her funeral will be held tomorrow afternoon.

A physician was summoned as soon as her condition was known, but she died before he could reach the house.

STUART BOY FOUND DEAD

Little Fellow was Either Killed or Frozen to Death.

LEFT HOME TO VISIT NEIGHBOR.

After He Had Been Gone all Night, the Lifeless Form of the 13-Year-Old Son of Patrick Murphy Was Found Seven Miles North of Stuart.

Stuart, Neb., Dec. 15.—Special to The News: The 13-year-old son of Patrick Murphy was found dead at 7:30 o'clock this morning, seven miles north of Stuart.

He left home at 7 o'clock last night to ride to a neighbor's house and it is thought he was thrown off and either killed or stunned and frozen.

Wedding invitations and announcements, engraved or printed, at The News office.

Kodol Dyspepsia Cure Digests all classes of food, tones and strengthens the stomach and digestive organs. Cures dyspepsia, indigestion, stomach troubles and makes rich red blood, health and strength. Kodol Dyspepsia Cure rebuilds worn out tissues, purifies, strengthens and sweetens the stomach. Governor G. W. Atkinson of West Virginia says: "I have used a number of bottles of Kodol Dyspepsia Cure and have found it to be a very effective and, indeed, a powerful remedy for stomach ailments. I recommend it to my friends." Sold by Kiesau Drug Co.

Don't be imposed upon by taking substitutes offered for Foley's Honey and Tar. Kiesau Drug Co.

Good for Children. The pleasant to take and harmless One Minute Cough Cure gives immediate relief in all cases of cough, croup and lagrippe because it does not pass immediately into the stomach, but takes effect right at the seat of the trouble. It draws out the inflammation, heals and soothes and cures permanently by enabling the lungs to contribute pure life-giving and life sustaining oxygen to the blood and tissues. Dr. Armstrong of Delia, Tex., prescribes it daily and says there is no better cough remedy made. Sold by Kiesau Drug Co.

A Timely Topic. At this season of coughs and colds it is well to know that Foley's Honey and Tar is the greatest throat and lung remedy. It cures quickly and prevents serious results from a cold. Sold by Kiesau Drug Co.

A Frightened Horse. Running like mad down the street dumping the occupants, or a hundred other accidents, are every day occurrences. It behooves everybody to have a reliable salve handy and there's none as good as Bucklen's Arnica Salve. Burns, cuts, sores, eczema and piles disappear quickly under its soothing effect. 25c at Leonard's drug store.

A kidney or bladder trouble can always be cured by using Foley's Kidney Cure in time. Kiesau Drug Co.

A Thousand Dollar's Worth of Good. A. H. Thurman, a well known coal operator of Buffalo, O., writes: "I have been afflicted with kidney and bladder trouble for years, passing gravel or stones with excruciating pain. I got no relief from medicines until I began taking Foley's Kidney Cure, then the result was surprising. A few doses started the brick dust like fine stones and now I have no pain across my kidneys and I feel like a new man. It has done me a \$1,000 worth of good." Sold by Kiesau Drug Co.

Coughs, Colds and Constipation. Few people realize when taking cough medicines other than Foley's Honey and Tar, that they contain opiates which are constipating besides being unsafe, particularly for children. Foley's Honey and Tar contains no opiates, is safe and sure and will not constipate. Sold by Kiesau Drug Co.

One Hundred Dollars a Boy is the value H. A. Tisdale, Summer, S. C., places on DeWitt's Witch Hazel Salve. He says: "I had the piles for 20 years. I tried many doctors and medicines, but all failed except DeWitt's Witch Hazel Salve. It cured me." It is a combination of the healing properties of Witch Hazel with antiseptics and emollients; relieves and permanently cures blind, bleeding, itching and protruding piles, sores, cuts, bruises, eczema, salt rheum and all skin diseases. Sold by Kiesau Drug Co.

Foley's Honey and Tar positively cures all throat and lung diseases. Sold by Kiesau Drug Co.

Drying preparations simply develop dry catarrh; they dry up the secretions, which adhere to the membrane and decompose, causing a far more serious trouble than the ordinary form of catarrh. Avoid all drying inhalants, fumes, smokes and snuffs and use that which cleanses, soothes and heals. Ely's Cream Balm is such a remedy and will cure catarrh or cold in the head easily and pleasantly. A trial size will be mailed for 10 cents. All druggists sell the 50c size. Ely Brothers, 56 Warren St., N.Y.

The Balm cures without pain, does not irritate or cause sneezing. It spreads itself over an irritated and angry surface, relieving immediately the painful inflammation. With Ely's Cream Balm you are armed against Nasal Catarrh and Hay Fever.

Fight Will Be Bitter. Those who will persist in closing their ears against the continual recommendations of Dr. King's New Discovery for Consumption, will have a long and bitter fight with their troubles, if not ended earlier by fatal

termination. Read what T. R. Beall, of Beall, Miss., has to say: "Last fall my wife had every symptom of consumption. She took Dr. King's New Discovery after everything else had failed. Improvement came at once and four bottles entirely cured her." Guaranteed by Asa K. Leonard, druggist. Prices 50c and \$1.00. Trial bottles free.

Dayton, Ohio, Mrs. Mary Simpson: "Everything disagreed with me and baby until I used Rocky Mountain Tea. Now baby sleeps and grows like a weed." 35 cents. The Kiesau Drug Co.

"I was troubled with constipation and stomach troubles, lost flesh; my complexion was ruined; Rocky Mountain Tea brought back my health and complexion."—Mary Allen, St. Louis. 35 cents. The Kiesau Drug Co.

A Costly Mistake.

Blunders are sometimes very expensive. Occasionally life itself is the price of a mistake, but you'll never be wrong if you take Dr. King's New Life Pills for dyspepsia, dizziness, headache, liver or bowel troubles. They are gentle yet thorough. 25c at Leonard's drug store.

Why suffer with indigestion, dyspepsia, gastric, irregularities, stomach troubles, when Rocky Mountain Tea will make you well and keep you well? 35 cents. Kiesau Drug Co.

The Lone Star State.

Down in Texas at Yoakum, is a big dry goods firm of which Mr. J. M. Haller is the head. Mr. Haller on one of his trips east to buy goods said to a friend who was with him in the palace car, "Here, take one of these Little Early Risers upon retiring and you will be up early in the morning feeling good." For the "dark brown" taste, headache and that logy feeling DeWitt's Little Early Risers are the best pills to use. Sold by Kiesau Drug Co.

How's This?

We offer One Hundred Dollars Reward for any case of Catarrh that cannot be cured by Hall's Catarrh Cure. F. J. Cheney & Co., Toledo, O. We, the undersigned, have known F. J. Cheney for the last 15 years, and believe him perfectly honorable in all business transactions and financially able to carry out any obligations made by his firm.

Walding, Kinnan & Marvin, Wholesale Druggists, Toledo, O. Hall's Catarrh Cure is taken internally, acting direct upon the blood and mucous surfaces of the system. Testimonials sent free. Price 75 cents per bottle. Sold by all druggists.

Take Hall's Family Pills for constipation.

Revolution Imminent.

A sure sign of approaching revolt and serious trouble in your system is nervousness, sleeplessness, or stomach upsets. Electric Bitters will quickly dismember the troublesome causes. It never fails to tone the stomach, regulate the kidneys and bowels, stimulate the liver and clarify the blood. Run down systems benefit particularly and all the usual attending aches vanish under its searching and thorough effectiveness. Electric Bitters is only 50c, and that is returned if it don't give perfect satisfaction. Guaranteed by Asa K. Leonard, druggist.

Mary: Sponge the pimples with warm water. You need a blood tonic, would advise you to take Rocky Mountain Tea. It drives away all eruptions. 35 cents. Kiesau Drug Co.

Report From the Reform School. J. G. Gluck, superintendent, Pruntytown, W. Va., writes: "After trying all other advertised cough medicines we have decided to use Foley's Honey and Tar exclusively in the West Virginia reform school. I find it the most effective and absolutely harmless." Sold by Kiesau Drug Co.

Boy's Life Saved From Membranous Croup.

C. W. Lynch, a prominent citizen of Winchester, Ind., writes: "My little boy had a severe attack of membranous croup, and only got relief after taking Foley's Honey and Tar. He got relief after one dose and I feel sure it saved the life of my boy." Refuse substitutes. Sold by Kiesau Drug Co.

DON'T BE FOOLED!

Take the genuine, original ROCKY MOUNTAIN TEA Made only by Madison Medicine Co., Madison, Wis. It keeps you well. Our trade mark cut on each package. Price, 35 cents. Never sold in bulk. Accept no substitute. REPRODUCED BY THE TRADE ASK YOUR DRUGGIST

Nasal CATARRH In all its stages. Ely's Cream Balm

cleanses, soothes and heals the diseased membrane. It cures catarrh and drives away a cold in the head quickly.

Cream Balm is placed into the nostrils, spreads over the membrane and is absorbed. Relief is immediate and a cure follows. It is not drying—does not produce sneezing. Large Size, 50 cents at Druggists or by mail; Trial Size, 10 cents.

ELY BROTHERS, 56 Warren Street, New York.

KIDNEY DISEASES

are the most fatal of all diseases.

FOLEY'S KIDNEY CURE is a Guaranteed Remedy

or money refunded. Contains remedies recognized by eminent physicians as the best for Kidney and Bladder troubles. PRICE 50c and \$1.00.