BLACK AND COLORED DRESS GOODS, SILKS

Ladies' and Misses' Clonks, Capes and Jackets, Millinery, Furs ... Boys' and Children's Suits and Overconts...All Grand New Goods.

GRAND SOUVENIRS GIVEN AWAY With every purchase of a dress, cloak

We will give away tomorrow a magnifi-cent album of the coming fall and winter atyles in dresses and millinery, designed by the greatest modists in Paris, London and AT 15c YD., NEVER BEFORE SOLD FOR

LESS THAN 29c.

28-inch pure all wool henriettas and
French serges, in black and all street colors,

at 15c a pard.

A SPLENDID 45C QUALITY FOR 29C.

38-inch novelty Scotch cheviots, rough boucles, small checks and pin checks, all beautiful combinations, at 29c a yard. 39C YD. WOULD BE GOOD VALUE AT 590 44-inch imported novelty dress goods, in cluding new bright plaids, Scotch cheviots checks, mixtures and other effects, on ont bargain square, at 39c a yard. REGULAR 98C GRADE FOR 59C YD. 1 14-yard wide two-toned granite cloths, im ported broadcloths, all colorings and fancy new mixtures. These goods are strictly all wool and 1½ yard wide, at 59c per yard.

AT 75C AND 98C, WOULD BE GOOD VALUE AT \$1.50 YARD.

42-inch fresh, new imported novelties, handsome silk and wool combination in every known combination of colorings and pure silk and wool in dress goods depart-

50C BLACK DRESS GOODS 25C. This quality was never before offered for less than 50c a yard. 2,000 yards of black brocaded, figured and rough effects in all wool black dress goods

SPECIAL VALUE IN HIGH CLASS BLACK DRESS GOODS.

Granite cloths, lixard cloths and imported

erges, at 69c, 85c and 98c per yard in our black goods department. OPENING SILK BARGAINS. Changeable taffetas in green, blue and all other new combination, at 69c per yard. Fancy taffeta silks in stripes and black rounds, 75c quality at 39c a yard. \$1.50 BLACK GROS GRAINS 85C.

\$1.50 quality of extra heavy pure silk 24-inch gros grain at 85c per yard. BOSTON STORE, OMAHA.

A Card of Thanks.

I desire to express my gratitude to the members of Magnolia camp No. 1833 and of Ruth lodge No. 1, D. of R., and also to my friends in the Union Pacific shops and other friends for their kindness and symbereavement in the death FRANK SHAFFER. my beloved wife.

> Six Thirty P. M. Train. of the CHICAGO & ST. PAUL RY. ELECTRIC LIGHTS,

Oity office, 1504 Faranm. Heller & Co., tailors, 215 South 13th street Drop in Hard Coal. From today our price on all rall Scranton hard coal is \$9.00 per ton. American Fuel Co.

Shell Oysters, Clams and Shell Fish Received daily at MAURER'S RESTAU-

RANT; also speckled brook trout every Fri

"Step High."

And lose no time in placing your order with us for Lehigh Valley Anthracite-\$9 KANSAS & NEBRASKA FUEL CO.,

Telephone, 1808. 220 S. 15th St. The high standard of excellence in clothe which made Ramge's name famous is still maintained at his old place, 200 building, Fall stock is now complete and for variety and quality is unequaled.

Hard Coal \$9.00 Per Ton. Delivered to any part of the city. Tel. 429. Weight guaranteed. C. W. Hull Co.

Hamilton Warren, M. D., eclectic and magnetic physician; special attention to diseases of women and children and all obscure and long-standing diseases. 119 N. 16th st., R. 1

All the old trade is invited back to Hotel Dellone, which is being operated under new management. HARD COAL, \$9. COUTANT & SQUIRES.

The Best Service. To Denver, Cheyenne and points in Utah laho, Montana, Oregon and California is via the UNION PACIFIC.
For tickets and full information call at

City Ticket Office, 1302 Farnam street. Anthracite Coal \$9.00 a Ton. We sell as good quality hard coal as sold in the town of Omaha. Favor us with your order and you'll get full weight and good treatment. R. M'CLELLAND & CO.,

The annual meeting of the Cleofan will be held in the Royal Arcanum rooms, Bee building, Wednesday, September 30, at 10 a. m. A full attendance is desired.

Do Not Be Deceived. There is no DOCK coal equal to our gent ine Lehigh Valley, all rail anthracite-\$9

KANSAS & NEBRASKA FUEL CO.,

Weekly Excursions to California. Via the Burlington Route. Cheap-cor fortable-quick. From Omaha 8:35 every Thursday morning. Call at ticket office, 1502 Farnam street and get full information.

Settled with the Company. Lyman Campbell, a boy of 13 years brought suit in the county court against the Omaha Street Rallway company to recover \$1,000 damages for injuries sustained by being run over on North Seventeenth street June 30, 1895. He was knocked down and run over by a motor train and received injuries which necessitated the amputation of his left leg. An agreement was reached and a judgment entered giving the

Good dress always attracts attention-it's a passport into good society. The expense has repeatedly tried to dispose of stumbling block-that has often prevented folks from dressing as well as they would have liked to-need not stand fall suitings and quote you prices. We are masters of the tailoring art. Helin & Thompson, 317 South Fifteenth street.

Fresh mined hard coal, \$9 per ton. Har

Memorial services for George D. Hough will be held at the People's church, Eighteenth, between Webster and California this afternoon at 4 o'clock. All old soldiers are invited to attend.

HARD COAL, \$9. COUTANT & SQUIRES Berotzhelmer opening of stylish millinery next Thursday and Friday.

Franz Riesl commenced suit yesterday morning against the South Omaha Brew company for \$2,500 damages for loss of the fore finger of right hand. He alleged that was employed by the defendant and a part of his duties consisted in operating an apparatus for heisting sacks of mait from the ground to the third story of the building. He asserts that the apparatus used for this purpose was dangerous and that in operating it his hand was caught and his finger crushed, rendering amputation neces-

Electrifying Astonishinng Dazzling

the Shoe Buyers WITH BRILLIANT BARGAINS. offered before Ladies' real \$4 shoes for \$1.98. Ladies' real \$5 shoes for \$2.50.

Ladies real \$6 choes for \$3.00. Men's real \$6 shoes for \$3.00. AT BOSTON STORE, OMAHA. These marvelous bargains are the results of a series of failures in New York, such as Hilton, Hughes & Co. and others. Where the shoes were made, but not delivered on count of the failures.

For spot cash we made the prize purchase of our life and you can buy tomorrow: The finest hand turn or hand welt show for ladies' wear, made by Harding & Todd of Rochester, or Plant of Lynn, to retail for \$4, \$5 and \$6, for \$1.98, \$2.50 and \$3, And men can buy the finest of the Rockland Shoe company's kangaroo, cordovan, class of commodities," said a general freight calf, patent leather, enamel and winter tan agent of a prominent Omaha railroad yesshoes, made to sell for \$6 and \$7 a pair,

Mail orders filled. BOSTON STORE, OMAHA, The largest shoe dealers in the west,

16th and Douglas. The coal handled by the Kansas & Nebraska Fuel company is not "dock" coal— it is the old genuine Lehigh Valley—best coal sold. Remember this.

ST. LOUIS FAIR AND EXPOSITION

Via the Wabash R. R. St. Louis Exposition, round trip, \$15.35. One way, \$8.25. Every Tuesday and Thurs-St. Louis fair, round trip, \$11.50, October Veiled Prophet parade, Tuesday,

October 6. Home-seekers' excursions to all points south, September 29, October 6 and 20. tickets, sleeping car accommodations or nome-seeker's guide call at Wabash office 1415 Farnam street (Paxton hotel block) of G. N. CLAYTON, Agent.

Conl_89.00 Per Ton Takes It. D T Mount is selling the best quality of hard coal for \$9 per ton. Telephone, 402 209 South Sixteenth street.

SPECIAL RATES

Via the Missouri Pacific Railway. Round trip tickets to Kansas City Octobe

Bound trin and one way tickets to St Jouis on every Tuesday and Thursday unti October 22. St. Louis Fair tickets on sale October Home seekers excursions to points south and southwest September 29, October For further information, land pamplets etc., call at city offices, northeast corner Thirteenth and Farnam streets, or depot.

Fifteenth and Webster streets.
T. F. GODFREY, P. & T. A. J. O. PHILLIPPI, A. G. F. & P. A. "Step High." And lose no time in placing your order with us for Lehigh Valley Anthracite-\$9

KANSAS & NEBRASKA FUEL CO. Telephone, 1808. 220 S. 15th St. It Takes Two Limited Trains

Every day to accommodate eastern travel via "Northwestern Line." The "Overland" at 4:45 p. m. into Chicago 7:45 next morning, and the "Omaha-Chicago Special" 6:30 into Chicago 9:30 next morning. City office, 1401 Farnam street. "Nebraska's All Right."

The above is the farmer's verdict. Oats oats! oats! Corn! corn! corn! Sugar beets chloory and vegetables of all kinds. Never did land produce more abundant crops than hose of this season.

Seeing is believing, and all homeseekers who have tired of paying rent, or wish a change to cheaper (but not poorer) land, in a state where climate is all that could be asked, should see Nebraska's soil and crops. The Fremont, Elkhorn & Missouri Valrailroad-Northwestern Line-traverses the best portions of the state, and are offer ing most favorable rates to enable home-seekers from other states to see Nebraska Ask any railroad agent for a cheap round rip ticket on September 29, October 6 and

For further information and particulars as to rates, etc., write J. H. Gable, Traveling Passenger Agent, F.; E. & M. V. R. R., Des Moines, Ia., or the undersigned J R BUCHANAN

General Passenger Agent, Room 58, U. S. Nat'l Bank Bldg. Omana, Neb

Shell Oysters, Clams and Shell Fish Received daily at MAURER'S RESTAU RANT; also speckled brook trout every Fri

Do Not Be Deceived. There is no DOCK coal equal to our genu-ne Lehigh Valley, all rail anthracite-\$ KANSAS & NEBRASKA FUEL CO.,

HARD COAL, \$9. COUTANT & SQUIRES. POOL ISSUES IN THE THIRD WARD.

Prince and O'Malley Agree Upon

Line of Action. An arrangement was made Friday night which assures an interesting fight for the republican nomination for councilman from the Third ward. Sol Prince and Cap O'Malley have been jockeying for the start for some time, but owing to the fact that th voting places were not located to suit him his competitor to carry the primaries b default and then beat him at the polls Now, however, a written contract has been drawn up and signed by the two candidates. Prince has conceded his point in regard to the location of the polling places, and he in turn binds himself to abide by the result of the primaries. So the fight is on

and is becoming interesting. In the Eighth ward the fight is narrowing lown to a straightaway between Cadet Taylor and T. S. Crocker. Taylor is said thave secured the support of some corporat influences that count for a good many votes in the ward, but the bulk of the hardest workers are lined up with Crocker. It is he general impression that the contest will be close enough to keep both candidates of the auxious seat, but Crocker's friends in sist that if a full vote can be brought or

they will win. WOODWARD'S VALUABLE SPARK

Seedy Condition of the Possesson Causes Suspicion. A smooth tongued individual, giving the name of Andrew Woodward, was arrested yesterday and the police are of the opinion they have made a good catch. Woodward had in his possession a very valuable diamond, about two carats in weight, which he prictors of several pawnshops in the lower portion of the town were the first to call the attention of the police to the mat-ter, and the stone is thought to be one of a number which were taken from a jewelry store in Denver several months ago. The store in betwer several months ago. The pawnbrokers stated to the police that the same stone found upon Woodward was presented to them for sale by no less than three different parties. They refused to purchase it, being suspicious of its rightful ownership and distiking to trade with the seedy persons who attempted the sale. Woodward maintains he found the stone, but this story is considered very flimsy by the detectives who are working on the case.

Sent Up for Thirty Days. W. H. Linton, living at Tenth and Jackson street, was arrested Friday night for abusing his wife and children. Upon arriving home in a drunken condition about 11 o'clock he took a bed slat and struck his wife and a son a number of times with it. Linton was arrested about a month ago on suspicion of having killed his lufant child by sitting spon it while in a frenzied condition due to

The wife and daughter appeared agains Linion yesterday morning to police court and told a hard fale of the abuse he inflicted upon them during his stress, udge Gordon sentenced the man to thirty days in the county jail, the middle ten of which will upon the nourishment afforded by

BOSTON STORE GRAND SHOE SALE. HARD COAL TAKES A TUMBLE

Bargains greater than the greatest ever Railroads Cut the Rate One Dollar a Ton from Chicago.

DEALERS ALSO REDUCE THE PRICES

Bring it Down to 80, Absorbing 25 Cents of the Freight Reduction -Welcome News for

Householders. "One can go into a freight office almost

any time nowadays and be fairly sure of hearing of a new change in tariff on some terday morning. The many changes that have been

recorded within the past few months certainly bear out his statement, and the prospect is that the end is not yet. The most important of the recent changes is a reduction in coal rates from Chicago to Missouri river points. Friday afternoon the Rock Island, the Milwaukee and the Burlington roads announced a reduction of \$1 a ton in coal rates from Chicago to Omaha. The reduction is effective October 1, and the prospects are bright that before that time the other Chicago-Omaha roads will have failen into line. The freight officials of these three roads were busy yesterday morning sending out word to all the coal dealers that such a reduction had been made and were all hustling for trade at the

new figure. some time cost rates from Chicago and all lake points have been maintained at \$3 a ton. The reduction brings down the cost of transportation to \$2. As the Western Freight association is practically disrupted, the railroads are acting independently in this matter, and each road is making the announcement of the reduction While no official notice of the reduction has been received at the Northwestern office it is expected at any time General Agent Ritchie went into the Chi cago headquarters Friday evening, and will return today. The matter, so far as the Northwestern is concerned, will probably be decided while he is at beadquarters. The various coal dealers of the city tak different views of the reduction and its probable effect upon the local market. One prominent dealer said: "I am of the opin-on that the price will not go down on October 1, notwithstanding the reduction in rail-Coal costs us \$5.60 a ton road rates. Chicago. The rate to Omaha has been \$3, which brings the cost up to \$8.60. Now add 65 cents more for the cost of putting add 65 cents more for the cost of the lit into our yards and other expense and you the lit into our yards and cost \$9.25 a ton. We have as the actual cost \$9.25 a ton. have been selling coal at \$9.75, which leaves us a margin of 50 cents a ton. Every busi ness man knows that this is insufficient t pay the office expenses, much less yiel any profit. With the reduction of \$1 in rail rates we are left a margin We feel that we cannot make any reduction but will rather endeavor to reimburse our selves for the losses recently sustained." This view, so gloomy to the householder who is looking forward to the filling of his coal bin for the coming winter, general, however, among the local dealers. McEachron Bros yes-

terday morning announced a rate of \$9 a ton, the coal to be delivered on October 1, when the railroad reduction nes effective. Several other firms followed the movement, and the reduction was general before the close of the day. As the railroads have made a cut of \$1 and the coal dealers have dropped down in their prices only 75 cents, the latter class are better by this reduction 25 cents for every

LOW JOINTS HAVE A CASE TO TRY Railronds Charged with Scalping

California Tickets. After several months of summer duliness he members of the local passenger association are again excited at the prospect of the trial of a case that promises to b sufficiently sensational to awaken interest among even the most steady-going ticket against the same department of the B. & M. The trial was set for yesterday afternoon at 1:30 o'clock, but at the request of the defendants the case has been postponed until Monday afternoon next at 2:30 o'clock. Circulars announcing a special meeting for the hearing of the case were sent out among

"low joints" vesterday morning. It is alleged in the charge that two tick-ets from Omaba to San Francisco reading via the Burlington route" were Friday ticket broker for \$39, or \$1 less than the regular rate between these points. The coun-contains two separate complaints. First, utting the rate, and secondly, dealing with brokers. The case comes under the juris diction of the Transcontinental Passenge association, the business being strictly trans-continental. Several of the passenger mer vesterday morning were of the opinion that the new prosecutors recently appointed by Chairman Caldwell of the Western Passen-ger association would be present on Mon-day and would then have an opportunity to try their first case. They will not be here, however, as the case is not within the jurisdiction of that association.

WASHOUTS ON THE RIO GRANDE.

Miles of Roadbed Must Be Re The washouts on the Rio Grande Western railroad west of Grand Junction, Colo, are much more severe than was imagined possible when the news first reached the headquarters of the road in Denver. The latest reports show that the Rio Grande Western road will have to be practically rebuilt for a distance of fifteen to twenty-five miles and great hills of mud must be removed. Large forces of men are at work, and it is said by the Rio Grande people that trains will b motion over the flooded district befor the close of next week. All through iess between Denver and Salt Lake is being

carried over the Union Pacific The opinion at the Union Pacific headquarters, however, is that it will probably be three weeks before the Denver & Ric frande is able to resume its business be tween Colorado and Utah.

Meeting to Consider Grain Rates. General Agent Phillippi of the Missour Pacific is back from Kansas City, where he has been attending the interesting sessions of the Interstate Commerce commission. Th conference of freight men on grain rates adjourned there last evening and will convene again in Chicago on Monday morning Freight Traffic Manager Munroe and his first assistant, E. H. Wood, have not yet returned. It is expected that at the Chicago meeting the work of checking up the grain rates will be completed. A raise in grain rates from Missouri river points to Chicago and points on the Mississippi river is looked for as the outcome of that meeting.

Rates on Stock Cut in Two Effective Monday next, September 28, the Rock Island road yesterday morning an nounced a reduction in its cattle from Missourl river points to western termini of the trunk lines (Buffalo, Pittsburg and Wheeling) and to points east thereof. The rate here The latest move has slashed the rate right in half, and from Monday on cattle will be carried eastward from Omaha at the rate of 10 cents for every 100 pounds. It is ex-pected that the reduction will prove greatly beneficial to the Omaha market.

Rallway Notes and Personals. T. P. Burke, attorney of the B. & M. at Cheyenne, was a caller at the total head quarters of the road yesterday morning. E. T. Hull of the B. & M.'s general passenger office left yesterday for a week's fishing trip in the state.

All the railroad weather reports showe rain throughout the state yesterday morning. The rain was heaviest in this section of the state. There was light snow in Wyoming and more in South Dakota. There will be a sound money rally of the uway and Expressmen's club at Karbach

General Manager Dickinson and other Union Pacific officials, who have been out on the western lines of the system for the County Commissioners Are as Much at Sea past two weeks, are mow inspecting the lines of the Kansas division. They were in Kansas City yesterday, and are expected home

Great preparations are being made for the annual convention of the American Associa tion of Traveling Passenger Agents pext week in St. Louis. The opening session will be held at the Southern hotel on Tuesday morning. It is expected that 250 delegates, including many representatives of the Omaha roads, will be in attendance.

C. M. Talcott, the genial assistant t District Superintendent Richardson of the Pullman Palace Car company, yesterday morning returned to his desk after a two weeks' vacation. He visited Salt Lake City Ogden, San Francisco, Santa Cruz and many other places of interest, and has brought back with him a fine collection of photographs taken while away.

S. L. Moore, general freight agent of the Northern Pacific road, thinks he has solved the question of the disposition of the several thousand horses along his line that have been made practically worthless for riding and driving by the introduction and development of the trolley and the bicycle. A slaughter house and a canning factory are to be established at Medora, N. D., and brenco steak is to be exported from there to the meat houses of France.

Hon. Stephen Johnson Field, chief justice of the United States Supreme court, and a party of friends will pass through Omaha this afternoon at 445 o'clock, en route from California to the east. They occupy the Southern Pacific special car 'Mish-awaka.' which is attached to the Union Pacific's "Overland Limited" train. The chief justice passed through here in June on his way to the Pacific coast, where he went to recuperate his failing health.

The B. & M. yesterday morning announced that it would run special teains from Lin-coln after Tuesday night's rally to take home the crowds that are expected to attend from the southern part of the state. Trains for Wymore and Nebraska City will leave Lincoln at 11:30 p. m., and specials for Grand Island and Hastings will leave a half hour later. A rate of one fare for the round trip has been made for all points within 100 niles of the state capital.

SOME NEW SKIRTS.

The State Receives Another Involce Late Saturday.

are all fine, new ideas in skirts and will be found great values, Silk mixed skirts in Priestly changeable effects go on sale at \$5. Another lot of heavy boucle skirts, black

and fancy weaver at \$7.75. Also a lot of heavy all wool dark mixed knickerbocker skirts at \$3.50. Our large announcement of other skirts and capes and jackets is on page 29. THE STATE.

1511 Douglas St. REX PEPSIN GUM IS DECLARED the

Bicycle school, Armory, 1718 Capitol ave Coal_89.00 Per Ton Takes It.

D. T. Mount is selling the best quality of hard coal for \$9 per ton. Telephone, 402. 209 South Sixteenth street.

Berolzheimer opening of stylish millinery next Thursday and Friday.

MADE HIS NEW FRIEND A LOAN. Young Farmer's Experience Only Cost

Him Seven Dollars. John Linquest, a young farmer from Oak land, Neb., is the latest victim to the gang of "con" men who appear to be persistently working the city of late. Linquest has been visiting some relatives in Iowa for a short period and yesterday arrived in Omaha while en route home, He was obliged to remain at the Webster street depot for several hours, and was accosted by a very agreeable stranger. He describes the man as being about six feet in height and nicely dressed. He also had black whiskers which partially concealed a cheerwhich it transpires is the rogue's chief stock in trade. The train was not due for nearly an hour and the new-found friend proposed walking into the city for a short distance. The proposition was accepted and they traveled a couple of blocks together sellers. The case will be brought by the passenger department of the Union Pacific hair rushed up to them and picking out the stranger thrust a check under his nose and ejaculated. "This paper is worthless, and it you don't make it good at once I will have you jalled." Lindquest's new-found friend appeared completely upset by the sudden and serious turn which affairs had taken and turning to Lindquest implored him to assist with the loan of \$7. The amount was forthcoming and the tall man then told Lindquest to go back to the depot and watch his baggage while he went int a hotel near by to arrange matters with his hardhearted creditor. The young farmer put in an hour looking for the baggage and after missing his train at length told the

police of the matter.

INJURED BY A FLYING TIMBER. W. M. McGregor Almost Bled to Death Before Assistance Arrived. W. M. McGregor, an employe of the East Omaha planing mill, was seriously injured vesterday afternoon and is now lying in a precarious condition at his hotel, near Sixteenth and Webster streets. McGregor was engaged in running some boards through a circular saw at the mill when the belting caught a large oak stick and hurling it with terrific force from the machine, i entered his right leg near the body and cu nearly through the limb. A gash several inches in length was caused and the in-jured man bled profusely before he was picked up by his fellow workmen and brought to this city. A surgeon was called who placed a ligature on the limb and it s hoped that the patient may at length re

Anthracite coal, \$2.00 per ton until fur-ther notice. McEachron Bros., 20th & Lake. PERSONAL PARAGRAPHS.

Gould Deitz returned last night from a week's visit at Kansas City. J. E. Ferguson of Logan, Ia., has his autograph on the Barker register. J. W. Ellis, George A. Letson and C. H. Walker of Chicago are registered at the Barker. Miss Lillian Ponder, formerly of Omaha

out now of Denver, is in the city on Mrs. A. C. Dunn has gone to Minneapolis. Minn., where she will visit friends for a short period. Mrs. J. F. Richardson left last evening

for Denver, where she will visit friends a short period. James McShane of Dayton, Wyo., who has en in the city for several days on busiiess, left for home yesterday.

Judge E. S. Dundy returned home last night from an extended hunting trip in the vicinity of Rockford, Wyo. Miss Mollie Phillips of Seattle, arrived in Omaha yesterday and will be the guest Miss Alice Howell during her visit here. Julius Festner, who has been sojourning or the Pacific coast for several months in quest of health, retained home last even-

Force of Habit.

Chicago Post: The photographer busied imself arranging everything for the sit-ing. This was to be his masterpiece, he said, and he wished to have every detail "There," he said at last, "that will do icely, I think. He took one last look to see that all was "Now! All ready," he said in sharp, in-

isive tones. 'Look pleasant, please.'
Then he began the actual work of photo-

raphing the fractured ankle by the Roent

Wholesale and Retail Beer Business for Sale.

Good Trade, Splendid Location. \$2,500.00. Write for particulars. ERNST RIEPEN. Denison, Iowa,

hall, Fifteenth and Howard streets, this evening at 8 o'clock. Hon. G. M. Lambertson will be the principal speaker.

as Ever.

COURT HOLDS THE ACT IS MANDATORY

Point as to the Constitutionality of the Law Requiring Insertion in German Newspapers Left Open.

The matter of the advertisement of the felinquent tax list to in a worse muddle than ever, and the county commissioners are all at sea as to their duty in the premises. This all comes about by reason of the developments in Judge Keysor's court yesterday morning. The proceedings were ex parte and the opinion delivered by the court is not binding, being rather in the nature of advice to the commissioners as to their duty under the law as construed by the court.

The whole matter originated with an application by the Pokrok Zapadu for a writ of mandamus compelling the commissioner: to order the tax list printed in that paper. The court found that the law on which the application was based was unconstitutional so far as it related to Swedish and Bohemian papers, but was constitutional as regarding German papers having a circulation of 1,500 or more. The court was then asked to pass upon the points raised by the county attorney, that the act was simply directory and not mandatory, and also that the circulation of 1,500 required by the act should be construed to mean that the circulation must be in Douglas county. In giving his opinion on these points vester.

day morning Judge Keysor said he had not had time to give the matter the attention i required. He said, very positively, that he would not be bound by the opinion he might express, as the questions under consideration related solely to German papers and had not been raised in the case of the Pokrok Zapadu the whole proceeding was ex He passed first upon the question of circulation, holding that it was not the intent of the law that the circulation should be in Douglas county, as there was nothing to that effect in the statute in question and there was nothing by which it could be connected with the statute relating to English apers which required a certain circulation in the county.

Taking up the question of whether the act was mandatory, the court quoted from sev-eral authorities, tending to show that the fact that an act was passed was evidence that it was intended to be enforced, and then he called attention to the language of the act itself, providing that the county commissioners "shall" do things. The court held certain that the act was mandatory upon the commissioners, although he expressed opinion that a failure on the part of the commissioners to comply with its provisions would not invalidate any tax sale or tax deed. This latter fact, the court said would not form any good ground for a refusal on the part of the commissioners to comply with the law, and he found that the law was mandatory and that it was obliga-tory upon the board to enforce it.

Assistant County Attorney Day then asked the court if it had considered the point that the act in question included two subjects and was therefore unconstitutional.

Going into detail Mr. Day called the court of the parade. Going into detail, Mr. Day called the at-

tention of the court to the fact that the act required the county commissioners to designate a paper in which the tax list should be published, and also provided that the list should be furnished to such paper. whereas another section of the statutes made it the duty of the county treasurer to prepare and publish the tax list, therefore the act in controversy related to certain duties of the county commissioners and also

listinct subjects in one act.

Judge Keysor said be had not considered this feature of the case. This left the mat ter as much unsettled as before. The court said, practically, that the law was datory if it was constitutional, and left the question of its constitutionality open The publisher of the German Tribune tried to reach an agreement with the com-missioners, but some of the commissioners were not present and no agreement was reached. The publisher then remarked that he would not agree to print the tax list at less he was given the job at once, as any delay would subject him to large additional expense and he would charge the full legal

contract price. The county commissioners held a conerence with the publisher of the German Tribune yesterday afternoon and it was agreed that the question of the constitutionality of the law should be submitted to Judge Keysor on argument Monday morning and the decision of the court should govern as to the publishing of the tax list in the German paper. Before this was done, however, the publisher filed a written agree-ment to charge the price provided in the contract with The Bee and not take adthe commissioners insisted that unless this was done they would stand on their rights and cause a delay which would make it impossible to have the matter adjudicated in time to allow the list to be published at

The use of Hall's Bair Renewer promotes the growth of the hair, and restores its nat-ural color and beauty, frees the scalp of dandruff, tetter, and all impurities.

HARD COAL, \$9. COUTANT & SQUIRES THOMPSON IDENTIFIES HIS MEN.

Spots the Party Who Turned the Pad-

lock Trick. Thomas Thompson, the Helbrook student who was confidenced out of \$22 last Sunday, has identified three of the men arrested Friday as those who turned the trick on him. The three gave the names of James Williams, Charles Wharton and J. Stone Thompson promises to be a good witness as he identifies the men most positively. He is almost willing to awear, too, that one of the padlocks found upon one of the prisoners was that that he went against Upon the strength of these assertions a complaint was yesterday morning filed

bery.,
Thompson had gone to Canton, S. D. to attend college, but upon being informed of the arrest of the men he returned to this city, arriving yesterday morning.

against the men, charging them with rob-

The members of the German Republican club and all Germans who are interested in the success of the republican ticket are requested to meet at Germania hall Tuesday, September 29, at 7 p. m. sharp for the purpose of taking part in the torchlight parade and attending the celebration in the

You Can Save Money

By visiting our store every day. We can't wait for the flood tide of trade to begin; we've got to force it. Here are some of the trade making prices for Monday-

Full size rockers, with carpet seat, were \$1.00, reduced to 25c. Decorated cups and sancers, worth 25c, at 10c tee pair.

Engraved Lamps, complete, the 50c kind at Pound boxes fine linen writing paper and 25 envelopes, regular price 50c—25c.

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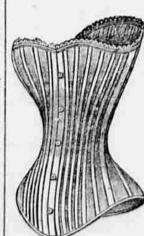
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