

WILL SUBMIT A TEST CASE

Constitutionality of the Pure Food Law to Go to the Supreme Court.

BECAUSE HIBBARD WANTS HIS SALARY

Poynter Expresses His Disagreement but Submits Because He Considers It the Best Way Out of the Dilemma.

LINCOLN, Oct. 10.—(Special.)—Spurred on by the anxiety of Deputy Hibbard of the Pure Food commission to get his salary, a meeting of a number of the state officers was held this afternoon in the office of Auditor Cornell. Governor Poynter, Treasurer Meserve, Attorney General Smyth and the auditor were present. It was decided to submit a test case to the supreme court and wait a decision of that tribunal before Auditor Cornell attached his signature to a warrant for the amount of Mr. Hibbard's salary. A voucher for \$125, the salary for the first month's service of the deputy commissioner, still lies in the desk of Mr. Cornell, unapproved. When seen after the meeting, Governor Poynter said: "Yes, we have agreed to submit a test case to the supreme court. You may say that I most emphatically denounce this questioning of the constitutionality of any law by an executive officer. I think they are exceeding the functions of their office when they do so. It should be left to those affected by the law to question the constitutionality of the statute. The chief point involved will be whether or not the law under which the Pure Food commission continues to act is constitutional or not. If it is declared unconstitutional, every board in the state house will have to be abolished. The attorney general will draw up the case and all the creamery concerns and other organizations in the state that may be interested will be notified of the situation so they may send representatives to look after their interests if they deem it proper. As I said before, I am not in favor of running to the supreme court every time it is possible for an executive officer to call a law into question. I submitted to this court today simply because I thought that the quickest way to settle the contention. As the situation exists today, salaries are tied up and the effectiveness of the department minimized by lack of funds to meet current expenses.

Pythian Grand Lodge

The grand lodge of the Knights of Pythias for this state convened in its thirty-second annual convention this morning. The meeting was held in representative hall at the capital building. The forenoon session was taken up with preliminary organization. The committee on credentials reported and about 250 delegates were seated. At the meeting this afternoon all the time was devoted to consideration of proposed amendments to the supreme constitution. The Rathbone Sisters, a ladies' auxiliary to the Knights of Pythias, organized a grand temple this afternoon. With Nebraska, they are now represented by grand temples in eighteen states. There is considerable rivalry between them and the Pythian Sisterhood. It is thought that ultimately one organization will absorb the other. The difference between the two is that Knights may become members of the Rathbone Sisters, but are excluded from membership in the Pythian Sisterhood. The decree staff of the Fremont temple of the Rathbone Sisters exemplified the work of the order to the Knights visiting members of the order were requested to be present and all accepted the invitation.

Nature's Strength for Weak Men

If you suffer from any weakness peculiar to men—in the disorders, the direct result of youthful indiscretion or excesses in later years—the very worst possible thing you can do is to put drugs into your stomach. The medicines all doctors use for these diseases are—morphine, damiana, cantharides, strychnia, phosphorus, etc.—are deadly poisons—they stimulate or deaden—they cannot cure. There are a great many more drug wrecks than alcoholic wrecks. I am telling you the truth—no one can deny it. I offer you the only natural remedy for all weak men and women—ELECTRICITY—and I absolutely guarantee a permanent cure where the Electric Belt is applied by the greatest of remedial agents.



DR. BENNETT'S ELECTRIC BELT

You get Electricity by treating with my Belt in its purest form. There is no possible chance for it to injure you. It does not stimulate. It must strengthen. To get results from Electricity, you must have constant application several hours at a time. You cannot do this with the batteries used in doctors' offices. It would keep you away from your business. My Belt does not bother you a bit and you can work, ride, jump or run with it on. You have known for many years that Electricity was the greatest curative agent that would ever be known. I do not give drugs at all now. I could make more money if I did. It does not cost anything to write a prescription. I devoted a good portion of my life and money in perfecting my Electric Belt. I do not promise to cure you—I guarantee it. The prices of my Belts are within the reach of all the afflicted. You can rest assured my Belt will not burn or blister you, as do all the other kinds of Electric Belts. It has soft, silken, chamois-covered sponge electrodes that entirely do away with the burning. They can be renewed with worn out for 15 cents—no other belt can be renewed for any price. Guaranteed to cure Sexual Impotency, Lost Manhood, Varicocele and all Sexual Disorders; restore shrunken or Undeveloped Organs and Vitality; cure Rheumatism in any form; Kidney, Liver and Bladder Troubles, Constipation, Dyspepsia, Female Complaints, etc. Call at my office if you live in the city. If out of town, write me, sacredly confidential—and I will send you my symptom blanks, books and literature. My Electric Suspenders for the various weaknesses of men FREE to every male purchaser of one of my Belts. Consultation and advice without cost. Sold only by

Dr. Bennett Electric Company, Rooms 30 and 31 Douglas Block, Omaha, Neb., 15th and Dodge Streets.

Central City for presents of the university

by the prohibition party were filed at the state house today. Certificate of the nomination of Judge Cunningham R. Scott of Douglas county by the free silver republican convention was also filed.

EGGLETON MURDER TRIAL

Oscar Yeager Called On to Answer in Court at Tekamah for the Crime.

TEKAMAH, Neb., Oct. 10.—(Special.)—Oscar Yeager was placed on trial today in the district court upon the charge of murder and the entire day has been consumed in securing a jury. Attorneys Argo of Sioux City, Thomas of Oakland and Ashley of Decatur appeared for the defense. The crime with which Yeager is charged is the murder of John Eggleton, near Decatur, in this county, on May 6, 1899. Yeager and Eggleton were neighbor farmers, and had been in dispute for some time over a strip of land. On the day of the murder Eggleton was plowing on the road past the place. Seeing Eggleton, he stopped his team and witnesses say they saw him go behind his team as though to unblotch them, but later developments showed that he took a singletree from the wagon and went to where Eggleton was. What passed between them is not known, but persons in that vicinity say they heard a blow struck and later saw Eggleton lying on the ground. They went to him and he said Yeager had struck him. He was removed to his home, where he died in a few hours. The wound from which he died was on the right side of the head and showed it to have been inflicted by a blow with some blunt instrument. After striking the blow Yeager returned to his team, replaced the singletree and drove to Decatur, where he went before a justice of the peace and said he had struck a man and wanted to pay his fine. Yeager's wife, who was a witness to the trouble, started to go to him, but was held back by another party. Yeager is a man in the prime of life, while his victim was an old man and not a match for him physically.

MORE WORK THAN MEN AT AUBURN

Excavators and Tracklayers in Demand in the Little Town.

AUBURN, Neb., Oct. 10.—(Special.)—The contractor building the new court house finds it impossible to get enough men to excavate the foundation, and the Burlington has been obliged to use all its section men between Auburn and Beatrice to lay track for a new switch to the Johnson stone quarry, as extra men could not be found to do the work. The same conditions exist at the stone quarries.

HOOD ELECTION FOR TEKAMAH

Town to Vote on the Proposition to Aid the New Omaha Road.

TEKAMAH, Neb., Oct. 10.—(Special.)—The city council passed an ordinance last night calling for an election to vote upon the question of issuing \$12,000 in 4 per cent bonds, in aid of the proposed Omaha & Sioux City railroad.

EVIDENCE FOR WATSON ALL IN

Defense Rests Its Case at Nebraska City and Rebuttal Begins.

NEBRASKA CITY, Neb., Oct. 10.—(Special Telegram.)—The defense in the trial of John C. Watson for forgery rested its case today and tomorrow the state begins its rebuttal. The case, which has been on trial for the last eight days, promises to last nearly a week longer.

HOGS KILL FARMER JOHN BARTON

His Sister Protects His Body Half a Day Before Help Arrives.

CHENEY, Neb., Oct. 10.—(Special.)—John A. Barton, a farmer living near here, who was subject to fits, was found dead and his body partly devoured by hogs in a pen on the place Sunday by his sister, Mrs. Bronson, who lived with him. Mrs. Bronson drove the hogs off, but was compelled to stand guard over the body all the afternoon until she was able to make the neighbors hear her cries for assistance.

WOMAN HELD FOR HORSE STEALING

Clara Oie Williams Goes to Jail at Wayne on that Charge.

WAYNE, Neb., Oct. 10.—(Special Telegram.)—Clara Oie Williams, about 35 years of age, was bound over to the district court this morning in the sum of \$1,000, in default of which she was remanded to jail, on the charge of stealing a horse from the place of her brother, Mr. Muggs, at some time Friday night. She was arrested by Sheriff Cherry near St. James yesterday, surrounded by a number of men. She is said to be a notorious character.

Nebraska's Prodigal's Ill-Luck

DOUGLAS, Neb., Oct. 10.—(Special.)—C. C. Muggs has heard that his son Charles, who ran away just before the Fourth of July, is very sick with typhoid fever 100 miles north of here and is being cared for by a trained nurse. He and a neighbor boy became desatisfied with home and, taking a team of 2-year-old colts from Muggs' and a buggy from the other boy's home, set out for a drive and did not return. No trace was found until Mr. Muggs was notified of his son's sickness, and that the boys had lost the team.

Brun Case Passed at West Point

WEST POINT, Neb., Oct. 10.—(Special.)—In the district court here today the case of Brun against Brun, wherein the husband seeks to annul the marriage bond and recover from his wife the farm upon which it was based, was passed to take up the trial of August Weisbach, charged with assaulting a little girl, and other criminal cases.

Chase County Best Fair

IMPERIAL, Neb., Oct. 10.—(Special.)—The Chase county fair, which has just closed, was financially and from a point of display a great success. The attendance was larger than at any other the past eight years. The exhibits of grain, vegetables, produce and stock was first class, while the racing was the best ever seen in the county.

Holding School House Meetings

AUBURN, Neb., Oct. 10.—(Special.)—The republican candidates held an enthusiastic meeting at the Alspach school house in Weston precinct in the southwestern part of the county last night. The school house was well filled.

Freight Through to Sioux City

COLUMBUS, Neb., Oct. 10.—(Special.)—A new time card takes effect on the Union Pacific next Sunday, whereby a through freight traffic will be effected between this

town and Sioux City. The St. Paul & Omaha tracks will be used from Norfolk.

It is rumored a passenger train will be put between Sioux City and Lincoln, via Norfolk and Columbus, which will make direct connections for Kansas City, but this has not been verified.

State Federation of Women's Clubs

YORK, Neb., Oct. 10.—(Special Telegram.)—Delegates from about 150 of the Nebraska State Federation of Women's Clubs here were met at the depot by a reception committee of women with carriages, when they were escorted to the hotels and a large number of York's private houses. Quite a number have arrived. Over 125 are expected. Very little business was transacted at the meeting of directors and executive committee. The Lincoln Courier was recommended as the official organ, which settles a contest of several years' standing. This evening the officers of York City Federation and the president of each club tendered a reception to the delegates and invited guests to the federal headquarters, the large new fraternal hall, which has been handsomely decorated and arranged with works of art.

Recovers Stolen Property

COLUMBUS, Neb., Oct. 10.—(Special.)—William Corbett, a liverman from David City, last week hired a rig to a stranger, who drove to this city and put up at a barn. He sold the harness and robes and was trying hard to sell the team when Corbett saw a man in a dark coat, who the stuff has been recovered, but the stranger escaped.

Corn Yield Disappointing

DOUGLAS, Neb., Oct. 10.—(Special.)—Many farmers are hussling corn to crib. Buyers are paying 20 cents. Farmers report the corn yielding less than was expected. They claim the dry weather at cutting time, and the heavy dew which the corn down later have injured the crop. The average yield will be about thirty bushels.

Beatrice Pioneer's Bad Fall

BEATRICE, Neb., Oct. 10.—(Special Telegram.)—Henry Wagner, aged 83, a pioneer of this county, fell from a road wagon today and was picked up unconscious and found to have two bad cuts over an eye. When resuscitated he was unable to tell how the accident occurred.

Schilling Talks to Two Dozen

CLAY CENTER, Neb., Oct. 10.—(Special.)—After being in Germany for some time, as well as in English for a week, an audience of not over twenty-five persons assembled here last night to hear Robert Schilling, chairman of the state populist committee of Wisconsin.

Guilt of Breaking Mortgage Law

TEKAMAH, Neb., Oct. 10.—(Special.)—William A. Hilton, formerly a resident of this county, who left here for Montana last spring, taking with him a team and wagon that were mortgaged, was found guilty in the district court today of making way with mortgaged property.

New School at Plattsmouth

PLATTSMOUTH, Neb., Oct. 10.—(Special.)—The Board of Education has decided to erect a new building 70x90 feet on High School hill for the accommodation of the higher grades, the old building being now too small for the attendance.

Stolen Horse Abandoned

TECUMSEH, Neb., Oct. 10.—(Special.)—The horse stolen from the farm here Friday night was found at Humboldt last night. It had been left at a livery barn by the thief, who had proceeded without it.

With a Horse-Power Shelter

PLATTSMOUTH, Neb., Oct. 10.—(Special.)—William and Frank Richardson shelled 4271 bushels of corn in ten hours for John Bushman at Eight Mile Grove with a horse-power shelter.

Taken His Own Life

PLATTSMOUTH, Neb., Oct. 10.—(Special Telegram.)—A telegram says Edward S. Greaves, master mechanic for the Burlington, shot and killed himself at 8:15 this evening in Havoclock.

Cass County's Campaign Opening

PLATTSMOUTH, Neb., Oct. 10.—(Special.)—The republicans of Cass county will open the fall campaign next Thursday with a meeting to be addressed by E. J. Haimer.

Finis Three Ribs Broken

TECUMSEH, Neb., Oct. 10.—(Special.)—It has been discovered that Alfred Howarth, the victim of a runaway accident Sunday, has three ribs broken.

Raining at St. Edward

ST. EDWARD, Neb., Oct. 10.—(Special.)—A good rain has been falling all morning.

GOOD DOCTORS

Are Quick to See and Appreciate Real Merit in Any Preparation—Many of Them Are Now Purchasing Stuart's Dyspepsia Tablets.

The prescription is Barton was feeding the hogs when overcame one of his attacks and the hogs fought him.

Row over the Funds

ABERDEEN, S. D., Oct. 10.—(Special Telegram.)—The finance committee of the soldiers' homecoming fund has been greatly embarrassed by funds from Yankton, Clay and Union counties not being available. Woolley of Yankton, who has charge of the fund, says he has no money to draw on conditionally with Treasurer Schamber about September 15, but Schamber denies having received one single cent. After considerable telegraphing and correspondence today Woolley assures the committee the funds will be in the hands of a military cashier at Huron, tomorrow. Great regret is felt that interested counties are placed in such a position through no fault of theirs.

Hurt by Their Own Blasts

KEYSTONE, S. D., Oct. 10.—(Special.)—Anna Nelson, Matt Brown, Dan Conway and Fritz Strong, who have been working on the Burlington extension to this place, finished the blasting of a pile and were pouring some black powder in when a match fell to the ground and instead of picking it up, one of the men pushed it aside with his foot. The match ignited and several pounds of powder were set off. Nelson's leg above the knee had to be amputated. The rest of the men were burned and bruised severely.

Headie County School Expenses

HURON, S. D., Oct. 10.—(Special.)—According to the audit report of E. M. Miller, superintendent of schools the total amount paid teachers during the last year is \$1,972; to officers, \$1,486; for incidental expenses, coal, etc., \$6,535, making a total of \$27,759. Total number of pupils enrolled was 1,441; actual cost per pupil, \$19.25. These figures do not refer to the schools of Huron.

DAKOTA BAPTISTS PROSPER

Mitchell's Convention Shows Churches and Membership Are on the Increase.

NOTED CLERGYMEN FROM ABROAD ATTEND

Discussions of Church Work—Selection of Yearly Committees—Election of Officers—Next Year at Parker.

Discussions of Church Work

MITCHELL, S. D., Oct. 10.—(Special.)—The annual convention of Baptist churches of South Dakota adjourned Sunday night. Rev. O. A. Williams of Minneapolis preaching the closing sermon and all the local churches suspending their evening services to join with the Baptists. During the day 300 invited guests occupied the various local pulpits. At the Sunday morning service in the opera house Rev. T. I. Morgan of New York, corresponding secretary of the American Baptist Home Mission society, delivered the sermon.

During the session some interesting papers were presented by pastors and delegates. Mrs. C. F. Hackett of Parker read a well prepared paper on "The Teacher's Armor," "The Teacher's Battle" and "The Teacher's Reward." Rev. Andrew Swartz of Sioux Falls read a paper on "Soul Winning" and Rev. Lovett of the same place presented one South Dakota.

At the business session, which followed the Friday morning meeting, an invitation was presented from Parker to hold the next convention there and it was decided to accept the offer. Rev. F. T. DREWETT of Canton was selected from among the pastors to preach the annual sermon in 1900. Rev. J. Edminster expressed his intention of presenting his extensive library to the Baptist ministers of the state.

Yearly Committees Named

The moderator appointed the following committees for the year 1900: Home missions, C. M. Cline, O. Lind, Mrs. E. T. Cressley; foreign missions, A. C. Keene, T. M. Coffey, F. T. DREWETT; publication society, E. E. Duley, A. J. Finch, H. H. Gundersen; Christian education, J. M. Danon; a history of the Baptist churches of Iowa, O. W. Thompson, I. H. Newby; obituaries, J. Edminster, W. H. Whillman, J. J. McIntire; arrangements for 1901, T. M. Keene, H. C. Gately, vice president, P. J. Meyer and Miss Kate Cool; recording and corresponding secretary, Mrs. A. G. Hilslop; treasurer, Miss Katherine Trask; transportation leader, Rev. E. H. Lovett; board of managers, F. T. DREWETT, Nettie Lemon, G. A. Urdahl, H. E. Nordren, Miss Mabel Corley. The report of the secretary for the closing year showed the union to be in a progressive and satisfactory state and increasing membership.

ESCORT FOR THE PRESIDENT

South Dakota Towns Plan a Chain of Committees to Take Him Across the State.

SIoux FALLS, S. D., Oct. 10.—(Special Telegram.)—Arrangements have been made for an escort for President McKinley while passing through South Dakota. A general reception committee of eight Aberdeen citizens will meet the president's special and escort to Aberdeen. Upon leaving that place two members of the reception committee from Redfield will accompany the train to Redfield, where they will give place to a like committee from Huron, and these in turn to others from Lake Preston, where the Madison contingent will go forward to Madison at that point, turning over the privilege to the Sioux Falls contingent. Six members of the general committee will board the train at Mitchell and remain with it until it reaches Sioux City.

Nothing Left Undone to Honor the

ARRIVAL OF SEVEN SOLDIERS.

Mitchell, S. D., Oct. 10.—(Special.)—Although Mitchell will be denied the pleasure of entertaining the president October 11 it will be made memorable for that day because seven young men, who were enlisted in the state regiment will arrive home and a reception will be tendered them in the afternoon and evening.

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frauds of 1895 were perpetrated in this judicial district are being shown up by Attorney John McClure of Beaver City, who was Norris' attorney at the time. The matter was fully explained in The Bee at the time.

DEATH RECORD.

William Liddell. The funeral of William Liddell, who died Sunday at his home, 1710 Webster street, was held yesterday at 2:30. Mr. Liddell came to this country from Scotland thirty-two years ago and settled in Council Bluffs. After living there three or four years he moved to Omaha. He was shipping clerk for Steel, Johnson & Co. for fifteen years, and for the last nine years he held the position of watchman at the Union Pacific shops. Clan Gordon, Order of Scottish Clans, of which Mr. Liddell was chaplain, attended the funeral in a body.

Mr. Liddell and his wife celebrated their golden wedding over a year ago. His wife is still living, and the children who survive him are: Ex-Representative John Liddell; William Liddell of Cincinnati; Mrs. John Gibb, Mrs. J. H. Manning and Mrs. C. L. Smith.

Mrs. C. A. Shirley.

HASTINGS, Neb., Oct. 10.—(Special Telegram.)—Mrs. C. A. Shirley, aged 41 years, and highly esteemed in Hastings, died this morning of typhoid fever. She leaves a husband, a son and three daughters. The funeral takes place Thursday afternoon from the Methodist church, the pastor, Rev. Dr. Abbott, and Rev. Nelson of the Congregational church, officiating.

Otto Settler Dies.

DOUGLAS, Neb., Oct. 10.—(Special.)—Thomas H. Hurst, an old settler of Otoe county, he died. He was born in Ohio in 1826, and had lived in Nebraska since 1868. He leaves eleven children and a widow.

Borghesens' Convention.

PITTSBURG, Oct. 10.—The Master Horse-shows' National Protective association began its fifth annual session in the banquet room of the Monomahela house here today. There are 22 master horsemen present, 167 of whom are accredited delegates, representing twenty-five states. The convention will last all of this week. The sessions were executive.

FORECAST OF THE WEATHER

Rain in Western and Fair in Eastern Portion Wednesday Predicted for Nebraska.

WASHINGTON, Oct. 10.—8 p. m.—Forecast for Wednesday and Thursday: For Nebraska—Rain in western; fair in eastern portion Wednesday, Thursday rain; easterly winds.

For Iowa—Fair Wednesday and Thursday; cooler in eastern portion Wednesday; northerly winds.

For Missouri—Showers Wednesday, with cooler in northwest portion. Thursday fair; variable winds.

For South Dakota—Fair Wednesday; rain or snow and colder Thursday; northeasterly winds.

For Kansas—Cloudy Wednesday, with cooler in eastern portion. Thursday showers; easterly winds.

For Colorado—Showers Wednesday and Thursday; easterly winds.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Oct. 10.—Omaha record of temperature and precipitation compared with the corresponding day of the last three years:

Table with 4 columns: Year, Maximum temperature, Minimum temperature, Average temperature, Precipitation. Data for 1897, 1898, and 1899.

Normal for the day... 55  
Excess for the day... 5  
Accumulated deficiency since March 1... 117  
Normal rainfall for the day... .09 inch  
Deficiency for the day... .09 inch  
Total rainfall since March 1... 21.22 inches  
Deficiency since March 1... 3.18 inches  
Deficiency for year period, 1897... 10.12 inches  
Normal for this day and since March 1, 1899:

Table with 2 columns: Station, Precipitation. Data for Omaha, North Platte, Salt Lake, Cheyenne, Rapid City, Huron, William, Chicago, St. Louis, St. Paul, Duvenport, Wichita, Kansas City, Havre, Bismark, Galveston.

STATIONS AND STATS OF WEATHER.

Table with 3 columns: Station, Temperature, Precipitation. Data for Omaha, North Platte, Salt Lake, Cheyenne, Rapid City, Huron, William, Chicago, St. Louis, St. Paul, Duvenport, Wichita, Kansas City, Havre, Bismark, Galveston.

FREE ADVICE by our physicians and a FREE SAMPLE of our medicine—also Free Home Treatment—116-page illustrated book describing symptoms, best treatment, also reliable receipts and prescriptions in plain language, saving you heavy doctor's bills; ask for it!

Dr. Kay's Renovator

Cures the very worst cases of Dyspepsia, Constipation