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# LIVERITA.

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### HOME RULE RESTRICTIONS

Right of Self-Government in Cities Abridged by State Legislatures.

### BARRIERS RAISED IN CONSTITUTIONS

"Towns Made the State, Not the State the Towns"—Notable Address on a Question of Vital Concern to Cities.

The question of municipal home rule is becoming one of grave concern to many communities. Legislatures of many states are steadily encroaching upon the rights of cities, interfering with or restricting their legitimate functions, and in many instances putting under state control departments that form an integral part of the machinery of city government. Further encroachments along this line may be looked for from state legislatures scheduled to meet next January. The most radical step in the direction of state control of municipal powers is proposed in New York. Senator Platt, the recognized republican leader, in order to obtain control of New York City, proposes to push through the legislature a bill depriving New York City, Buffalo, Albany, Troy, Rochester and Syracuse of police control, and substitute therefor state constabulary. The proposed measure takes police power away from the cities, but the cities will be allowed to foot the bills. Naturally, the proposed departure from local control arouses widespread indignation in the cities affected, and its appearance in the legislature is likely to provoke the greatest legislative contest witnessed at Albany in many years.

Although the practice of state interference with functions purely municipal has the sanction of custom and of some courts, it is being carried to such lengths as to imperil the foundation principles of home rule and the welfare of cities. This fact was clearly shown by Amasa M. Eaton of Providence, R. I., in a recent address delivered before the Society of Municipal Officers in Tremont temple, Boston. Mr. Eaton cited many instances showing the reaction against state interference, both by constitutional restraints and court decisions. He overlooked the decision of the Nebraska supreme court in the Omaha police commission case, which was an endorsement of the principle of municipal home rule which the speaker eloquently defended. According to the Boston Transcript report, Mr. Eaton reviewed at length the origin and establishment of town governments from the earliest times in order to show that the doctrine that the original New England towns was the creature of the legislature is based on a legal fiction, contrary to the facts of history. Continuing, he said:

**Cities Before States.**  
"It is submitted that this necessarily rapid survey of the origin and establishment of government in all the New England states shows conclusively that when they were settled it had not become forgotten, as it has now, that a municipal corporation can be formed by voluntary association, and consequently without au-

thority from the crown, the settlers associated themselves together as towns and took unto themselves and exerted the privileges, franchises and liberties properly appertaining to such a form of municipal incorporation, including the free election of their own town officers, magistrates and deputies to the legislature, the independent exercise of jurisdiction in their own courts and under their own ordinances and self-taxation for town purposes, paying to the colony the town's quota of the general tax, subject of course to the authority of the legislature to enact general legislation, or, upon request of any town, to mold and direct its exercise of town power, as the occasion might require. We have seen how, through the encroachments of the central power supported by decisions of the judiciary, town powers have become limited, although we cannot trace the steps of this limitation, because from 1620 to 1790 the decisions of our courts were not reported. We have seen how under the claim of the homestead in charge of the machine dominant in the legislature, a new system has been devised and successfully used in several states to do away still further with the rights of the towns to the management of their local affairs, under the claim of the exercise of the power of the state, by means of boards to be appointed by the governor with power over matters hitherto left to the towns, the towns to pay the members of these boards, although they are not to have any control over them. These laws are palpably intended to reward henchmen with fat places and to bring recalcitrant towns under the power of the machine that cannot otherwise reach them. It will be found upon examination of these laws, as they are carried through the legislature that the particular town or city to be effected is of the opposite faith in politics from the legislature. A serious blow is thus struck at our political rights and the courts, having adopted a wrong theory and being ignorant of the history and development of town powers, they are powerless to protect the liberties we are being deprived of by the legislature. In conclusion, let us examine what remedy there is, for there is no practical end aimed in pointing out a threatened evil without also pointing out the remedy and appealing to an enlightened public opinion to carry it into effect.

**Remedies Suggested.**  
"The remedy consists in incorporating specific amendments in our written constitutions acknowledging the right to local self-government and making provision for the legal enforcement of the right. Every written constitution, in view of the danger that threatens us and the inability or failure of our judiciary to protect this right to local self-government, while stating expressly the right of the legislature to pass general laws not inconsistent with the declaration of the bill of rights, should also expressly state and reserve the right to local self-government in our towns and cities, reserving the right of the legislature to mold and direct the powers, duties and obligations of towns and cities only upon application of the particular municipality affected, and even then, only subject to ratification by the voters of such town or city. Already, recognizing this new danger from machine politicians, sixteen state constitutions, most of them of western states, forbid the legislature from regulating by any special act the internal affairs of its municipalities. In many states the constitution assures the right to local self-government, sometimes by providing that the legislature shall not pass any special act creating local officers or commissions to regulate local affairs, sometimes providing that the voters may elect all or certain local officers. The last constitution of Missouri, California and Washington contain provisions under which towns and cities may make or amend their own charters by conventions of their own delegates, subject of course to the constitution and general laws of the state. The experience of these states has proved that these provisions are successful. The charter of St. Louis thus framed by its own convention of thirteen of its freeholders elected by its own voters is considered one of the best of city charters and the validity of this method has been sustained by the supreme court of Missouri.

**Refer to California.**  
"The system having worked there so well, when the constitutional convention of California met in 1879 it was proposed to incorporate it in the new constitution. The machine politician rose in alarm, protesting that the best of city charters, the only city in the state containing the requisite population of 100,000, should break loose from the rest of the state and set up a free government of its own. This is the boldest kind of an attempt at secession, and the speaker. The opposition was so great that the friends of the measure were compelled to accept an amendment that such a charter, after acceptance by the voters of the city, must be approved also by the legislature to be approved or rejected as a whole, however, without alteration. For years the active opposition of the 'city hall gang,' a potent source of corruption in San Francisco, succeeded in defeating every charter drawn under this clause of the state constitution. At last a majority voted to approve the charter thus framed by its own convention. The system meeting with popular approval throughout the state, the constitution was amended to allow all cities of more than 10,000 inhabitants to frame their own charters. The cities of Los Angeles, Oakland, Stockton, San Diego and Sacramento have thus framed and adopted their own charters and all have proved successful. The system having thus worked so well, and being constitutional amendment the right was extended to any city of more than 3,500 inhabitants. In 1892 another amendment to the constitution provided that charters thus framed shall become the organic law of the city adopting them and shall supersede all laws inconsistent therewith, thus depriving the legislature of the power to interfere with them, even by general law.

**Home-made Charters.**  
"The constitution of Washington of 1889 contains similar provisions. Those who fear extension of the principle that the people can be trusted to govern themselves should read the debates of this convention and should follow the subsequent history of action taken under this clause. Several cities have thus framed and the city comptroller writes, 'The plan is acknowledged to be better than depending upon the legislature.' In 1890 Tacoma also adopted a charter of its own making. The mayor writes: 'The new law is felt to be superior to the old method.' The charter of San Francisco recently adopted, framed in the same way, by a convention of its own citizens, said to be the best city charter yet framed, is now attracting the attention of students of municipal government throughout the country. The charter of Greater New York, framed through the action of the general assembly and not of its own citizens, is already an admitted failure, as it contains features that never would have been either introduced or adopted by its own citizens. Already it is being revised in the same objectionable way it was framed in order that the boss and his machine may retain their hold on New York. But the charters of the western cities enumerated, framed by convention of

their own citizens and ratified by the vote of their own citizens, are admitted successes. These illustrations show that the people themselves in these new states are taking the necessary steps to correct the evils resulting from the denial by legislatures and courts of the right to local self-government. Let us, who are threatened with the same evil, follow their footsteps in measures to remedy them."

**First Principles Abandoned.**  
Commenting editorially on the address the Boston Transcript says: "The address maintains that the towns made the state, not the state the towns, and instances in plenty to prove the contention are quoted. The settlers of Exeter, N. H., incorporated themselves in 1639 under an agreement known as 'the combination.' Even when Mason and Gorges received grants of the territory they found that it did not give them a title to the government. When the bicentennial of the town was celebrated Chief Justice Jeremiah Smith said that this first agreement was incorporated in the constitution of the state. The experience of these states has proved that these provisions are successful. The charter of St. Louis thus framed by its own convention of thirteen of its freeholders elected by its own voters is considered one of the best of city charters and the validity of this method has been sustained by the supreme court of Missouri.

**Pleasant, Painful, Potent.**  
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**Busy Editor's Subterfuge.**  
Editors are always busy men, says the Los Angeles Times. Much occurs to make them ill-tempered, pessimistic, sharp-tongued. There are so many bosses. But sometimes bosses can be dispensed with by other means than sharp words from the editor's lips. As witness the following in proof:

"Really, I think you ought to pay me \$12 for my story," said an elderly lady to the editor of a local paper. "I have spent four days writing it. It describes fully our family trip to the mountains. And I wrote it especially for you. I want you to have it. Don't you think a story that long is worth \$12?"

"I'm afraid not," replied the editor timidly.

"Why not?" asked the lady.

"The new law is felt to be superior to the old method," said the kind-hearted editor. "Once there was a coarse and brutal man on a boarding house, who liked plenty of butter on his viands. After taking a large quantity of butter from the common plate on one occasion he was chided by the hostess, who said:

"Mr. Thomas, that butter cost 50 cents a pound."

"Mr. Thomas surveyed the butter with a dispassionate eye and said, 'judicially, and said in a confidential tone:

"Well, Mrs. Stiles, good butter's worth it."

Thus ended the reading of that lesson to the editor's would-be contributor, who, it may be added, did not contribute \$12 worth.

### ACROSS THE STEPPES BY RAIL

Russia Establishes a New Record in Long-Distance Railroad Building.

### FACTS ABOUT THE TRANS-SIBERIAN ROAD

A National Project of Great Importance—Its Effect on the World's Commerce—Fertility of the Country Traversed.

(Copyright, 1900, by E. Mels.)  
Russia possesses today not only the longest railroad in the world, but also the most important—unless all portends and omens be wrong. The railroad in question is the Transsiberian line from St. Petersburg to Vladivostok on the Pacific coast, 4,714 miles long, which is now practically completed. Hitherto the American transcontinental lines have held the record in this respect, but Russia has eclipsed them by more than 1,500 miles.

As for the importance of the Transsiberian line, that is self-evident, for its operation means the opening to civilization of enormous tracts of fertile land, the ultimate civilization of the greater part of Asia and last, but not least, the tremendous preponderance of Russia in the affairs of the world. This road will enable Russia to dominate Asia absolutely, for it will be able to whirl troops in all directions with a rapidity that will shatter one of the dearest of oriental traditions—dignity.

It was in 1867 that a shrewd American named Collins approached the Russia government with a proposition to construct a railroad from Irkutsk in Central Asia to Chita, with a view to ultimately extending it to the Pacific coast. The white czar permitted him to survey the route of the mythical Amur Railroad company, but he did not allow him to build it. Today the Transsiberian railroad is practically completed along the route surveyed by Collins, and Russia owns a road of enormous strategic importance—so much so that she controls the far east, even though Germany and Great Britain may form paper combinations in opposition.

When the first surveys were made the estimated cost of the road was \$200,000,000, but owing to the numerous unforeseen obstacles, the final expenditures will bring the total to twice that sum.

**Route of the Great Railroad.**  
As regards the engineering difficulties only those who have traveled through Siberia can realize all that confronted the builders of the road. In order to facilitate construction the road was divided into seven sections: 1. The West Siberian, from Chelabinsk to Omsk, 580 miles. 2. Central Siberian, from Omsk to Irkutsk, 1,162 miles. 3. Circumbaikalian, from Irkutsk to Mynasaya, 194 miles. 4. Transbaikalian, from Mynasaya to Stritensk, 469 miles. 5. Amur, from Stritensk to Khabarovsk, 1,276 miles. 6. North Ussurian, from Khabarovsk to Graphiska, 230 miles. 7. South Ussurian, from Graphiska to Vladivostok, 253 miles.

While the road begins nominally at the bridge over the Volga river at Samara in East Russia, the real start is at Chelabinsk in the Ural mountains, the old terminus of the European railroad system. Shortly after the road passes Zlatoust, the center of the Urallian iron industry, where is situated the famous white "monument of tears," which marks the dividing line between Europe and Asia and bears these two names on opposite sides. It was here that the wretches doomed to exile in Siberia, with all that this portended, were to throw their arms about the mar-

### ble shaft and kiss the name "Europe" a final farewell.

Leaving the boundary the road passes down the eastern slopes of the Ural in a due eastern direction to Omsk, where it crosses the Irtysh river over a bridge four miles long, supported by enormous piers to withstand the ice jams which are of such size and force as to be almost irresistible. In order to obviate the necessity for rebuilding the bridge every spring the engineers placed huge stone piers on the upper side of each pier for the purpose of splitting the ice as it rushes down the river.

### Strange to say, the road does not touch Tobolsk, the Siberian capital (it is connected by a branch line), but passes in a southeasterly direction to Lake Baikal, the largest lake in Central Asia. It is as long as England and contains 13,430 square miles of surface. Up to this point, those in charge of building the road experienced no great difficulty, but the lake caused them much anxiety. It is surrounded on all sides by precipitous mountains, covered by immense forests and, as owing to the extreme depth of the water, bridging was out of the question, a long detour had to be made around the southern end of the lake. From Lake Baikal, the road ascends to Kharko-Kaat an altitude of 3,412 feet above the sea level, the highest point reached, where it extends into three branches, one to Vladivostok, one to Newchwang and the other (yet unbuilt) to Corea.

**A Country of Great Fertility.**  
Contrary to a general belief, the road does not pass through a sterile, barren country, Siberia, except in the far north, is immensely fertile. For hundreds of miles along the road stretches prairie land covered with grass which often reaches a height of six feet. Millions of cattle graze there. A little further north are beechwood forests, whose richness is incalculable. Villages and towns are springing up everywhere with a rapidity of growth that is truly American. The paternalism of the Russian government is responsible for this, for it has determined to turn the waste lands of Siberia into the granary of the world. Every train carries hundreds of settlers, every male among them supplied with deeds to a tract of land, free transportation and enough seed to sow the greater part of the as yet unbroken farm.

The Transsiberian railroad will bring these products of Siberia and the Amur region to the more westerly markets, as well as bring the more westerly human beings to the regions where they are most needed.

Leaving aside the commercial aspect of the road, it will also serve to preserve the military supremacy of Russia in Asia. By means of the road, Russia is enabled to transport more than 100,000 troops into Manchuria within two weeks—and this when the road was only semi-completed. According to the plans of the czar, he will be able to throw half a million men and a sufficient quota of horses into Manchuria and the Amur region within six days as soon as the roads and its various branches are finished.

**Hindrances to Work of Construction.**  
The actual construction of the road was an herculean task. Nature seemed to take umbrage at man's audacity in invading her wildest precincts and everywhere placed obstacles in the path of the road. In the winter she piled up enormous drifts of snow, through which the hardy Cossacks had to tunnel their way that the engineers and laborers might continue their work. In the summer she sent such swarms of mosquitoes that the workmen had to live in high towers to get respite from these pests. And when she played no such pranks she reared enormous mountains of flinty granite, through which tunneling was impossible and over which the road had to be constructed at great additional cost.

### Fuel, too, was scarce, and Cossack boys were employed night and day to bring twigs and sticks on the backs of patient donkeys, that the workers might eat and be kept warm. Still there were compensations. The engineers and officials lived in comparative comfort and traveled from place to place behind fast Russian horses, hitched three abreast. These hardy animals travel at a great rate, the center one trotting and the others galloping. Occasionally itinerant musicians happened along to amuse the workers and the dwellers in that vicinage.

In order to maintain a sufficiently high degree of efficiency, sectional stations have been established every seven, or two-thirds of an English mile. The station consists of a one-story house, made of wood, containing two rooms and kitchen. Between the two rooms and set into the wall is a tiled oven, which serves as the war both apartments, here lives the guard and his family. He wears a uniform and when incapacitated from work through injury or old age, he is retired on a pension. By means of these stations, 4,000 in number, the government is enabled to maintain public supervision over the entire roadbed.

### Having carried this gigantic undertaking thus far, Russia is now contemplating a branch to connect the Transsiberian road with the Transcaspian road. The branch is to begin at Omsk and will join the Transcaspian line at Tashkent, whence a branch will extend to Merv, within eighty miles of the historic Herat—the danger point between Russia and Great Britain.

So Russia is following in the footsteps of the United States; building an empire of farms on its prairie lands. It works with ever an eye to the future when all Europe will be arrayed against the white czar in death struggle for the mastery of the most ancient and fertile world—when Russia will have to depend upon her own resources to sustain her in that struggle.

And the white czar is building well.

There is a brokerage office in Brooklyn where preachers and pulpitists are supplied. It is located at 30 Woodruff avenue, is known as the Metropolitan Ministerial bureau and is in charge of Rev. J. N. T. Records of ministers wishing to be placed on the books are referred up and as nearly as possible they will be sent to fields of operations suitable to their particular style of ability.

### A RARE BREW.

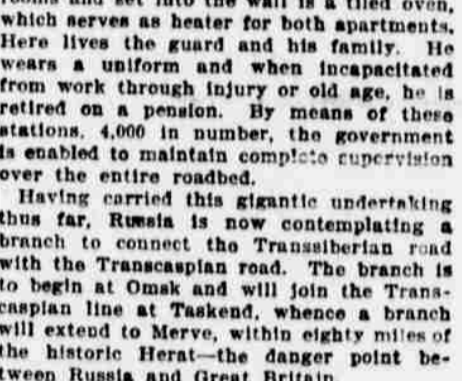
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