PLEA OF MISSOURI PACIFIC

Brief and Argument Submitted in Reply to Nebraska Suit.

ADJUTANT COLBY URGES MILITIA BILL

Englishwoman Declares British Government Has Wronged Her-Lancaster County Teachers Meet.

(From a Staff Correspondent.) LINCOLN, Feb. 8 .- (Special.) - Defend ant's brief and argument on the plea of abatement in the case of the State against the Missouri Pacific Railroad Company were filed in the supreme court today. The suit was begun by the fusion attorney general to recover penalties for violation of the maximum freight rate law. The railroad company sets forth the following reasons why it should not be held to answer:

Because the violation of the maximum freight rate law would be a misdemeanor; a criminal offense punishable by a fine, and under the constitution and laws of this state this court is not given original jurisdiction in criminal actions, hence this court has no jurisdiction of the subject matter of this action and no authority to try, hear or determine the issues therein.

"Because the plaintiff seeks to recover in this action upon nineteen separate of action, based upon nineteen claimed separate violations of the maximum freight rate law, denominating and constituting each separate shipment a violation and cause of action, when at most all matters alleged in plaintiff's petition could constitute in law but one violation charge of begging and soliciting alms. Mrs. subjecting defendant to but one penalty.

between the parties hereto in the district to raise funds with which to prosecute the court of Saline county, Nebraska, which British government for damages sustained. court has jurisdiction of the subject mat- She produced a letter from an American ter of this action, and in which action plain- official in Alaska, saying that she had been tiff herein claims the right to recover for detained in custody across the British line. the same violations of the said maximum Mrs. Dewey gave her age as 52 and her freight rate law. That is to say in said occupation as lecturer. She has appeared stating that the wife and children had gone action so pending in the district court of in public as a lecturer on numerous oc-Saline county the plaintiff demands recov- casions and her subject invariably has been sry for the first, second, third, fourth and the wrongs alleged to have been perpetrated up to and including the tenth violations of by her countrymen. said maximum freight rate law, although such violations are alleged to have ocsurred at different places and on prior dates to those alleged in the petition filed herein.' State Sues for \$435,000.

The petition of the state is to recover \$435,000 for the alleged violations of the act. The state insists that every exaction of freight rates in excess of the rates prescribed by the act of 1893 constitutes in a vicious temper and has falsely accused and of itself a separate and distinct offense, and that the state can recover a fine for each freight rate exacted in excess of the maximum rate prescribed by that act. The defendant contends that in any event the nineteen violations could constitute but one offense which would be a violation of the entire act and hence creates but a single offense. In other words, the company insists that it is no greater crime to violate every item in the schedule than it is violate one item, and that if this court had jurisdiction of the subject matter but one fine could be imposed if the defendant was adjudged guilty of all the charges contained in the petition, and the fine would be regulated by the amount fixed for the first violation of the law.

Urges the Militia Bill.

Nebraska National Guard, urging them to ture," (Halleck, Chap. VII), paper, Miss support the bill recently recommended by Lizzie Dare; discussion led by Mr. Paul the National Guard association of America, Maple. "Rural School Grounds," (a) The for passage by congress:

"Your attention is called to house roll Kinds of plants for main planting; (d) 9972. 'A bill to increase the efficiency of Kinds of plants for decoration; (e) How the militia,' introduced in congress by to plant trees; (f) What trees to plant; terstate National Guard association. This (h) Trimming: (i) Protection for trees; bill is of great importance to the National (j) Planting of shrubery; (k) General care Guard. It accords federal recognition to of grounds. (The above sub-headings are the troops of the several states and re. suggestive topics to consider under the serves for them a first place in the volun- general teer army, in case of war. It provides Grounds.") Paper, Miss Mae Akeson; disfor the immediate exchange of Spring- | cussion led by Miss Eva Bothwell. In the field rifles in the bands of the National afternoon President W. A. Clark of the Guard for magazine rifles, ammunition and equipments;

"It is essential to the success of the and Mrs. F. M. Rector. bill that the members of congress be informed of the general sentiment of the country thereon. You are requested to carefully examine the bill with your offi- operative association of Wymore were cers and men and if it meets with your recorded in the secretary of state's office approval, to at once communicate your views in theestrongest terms, to the representative of your district in congres and to the two United States senators from It proposes to conduct a general real estate your state, urging them to support the and loan business. bill and procure its passage. Please act with promptness."

Supreme Court List.

The following cases have been 'assigned for hearing at the next sitting of the supreme court, which begins February 18: Leigh against Green, Knok; Dey against Berquist, Dawson; Gonzales-Mandelbaum

Co. against Broghamer, Dawes; Hubenka against Vach, Cuming; Mortenson against Bergiloid, Cuming; Omaha National bank against Sandors, Douglas; Andrews against Sandors, Douglas; Andrews against Steele City, Jefferson; Bacon against Dawes county, Dawes; Royal Neighbors of America against Wallace, Douglas; Carter against Warner, Boone; Continental National bank of Chicago against Levy, Douglas; Wright against Patrick, Douglas; Smith against Crummer, Douglas; Omaha against Doty, Douglas; Moore against Moran, Keith; Garrison against Murphy, Cass; State ex rel. Freeman against Scheve, Gage; Coilins against Brown, Lancaster; Kingman, Implement company against Strong, Johnson; Northwall Co. against Strong, Johnson; Chicago, St. Paul, Minneapolis & Omaha Railway company against Schouldt, Caming; Citysens Bank of Humphrey against Fromholz, Platte; Fay against Chicago, Burlington & Quincy Railway company, Sheridan; Moore against Jacobs, Custer; State ex rel. Nightingale against School district No. 24 of Sherman county, Sherman; Moore against Newcomb Lumber company, Douglas; Peterboro Savings bank against Johnson, Douglas; Mercantile Co-Operative bank against Storer & Ellis, Nuckolls; Babby against Musser, Sheridan; Schoenhofen against Musser, Sheridan; Schoenhofen against Musser, Sheridan; Schoenhofen against Musser, Sheridan; Schoenhofen against Walenz, Douglas; Haines against Bellinger, Buffalo; Jasmoch against Baumelster, Douglas; Heater against Penrod, Lancaster; Merchant against Baumelster, Douglas; Heater against Peterson, Pheips; Globe Savings Bank against Stewart, Holt; Lauronson against Peterson, Pheips; Globe Savings Bank against State ex rel. Dusenbery, Nuckolls; Ogden against State, Holt; Morgan against State ex rel. Cobb against Fawcett, mandamus; Spears against State, Holt; Morgan against State, Otoe; Mrs. Dewey Against the British.

Mrs. Dewey Against the British.

Mrs. Finlay Dewey, a fashionably dressed Englishwoman, who says she was unlawfully imprisoned by British agents in the Klondike country, was discharged from police court this morning, after a trial on the Dewey admitted that she had asked people Because there is another action pending for financial aid, but said she was trying

Physician's Evidence Against Him.

P. Coursey Richards, the man arrested in St. Joseph last Thursday for assaulting his 12-year-old stepdaughter, Marie Magdanz, was brought before Justice Westerman this afternoon for preliminary trial. His hearing was set for next Thursday afternoon at 1:30. Richards insists that he is innocent. He declares that his wife has him with a view to injuring his reputation. On the other hand there is testimony of a physician, against Richards.

The defendant is a well known Grand Army man and for many years has been prominent in Lincoln municipal affairs. He conducted an employment agency on North

Lancaster County Teachers.

The fourth meeting for the year of the Lancaster County Teachers' association was held today in the county superintendent's office. The following program was given: "How the Plant Lives," (Bailey, Chap. VIII). paper, Miss Laura Capron; discussion led by Miss Floy Tremaine. "The Cultivation of Active Attention," (Hinsdele, Chap, XVI), paper, Miss Kate Adjutant General Colby is sending the Woodward; discussion led by Miss Marle following communication to officers of the Faulhaber. "The Imagination and its Culplan of the place; (b) Sod making; (c) dent Dick, at the request of the In- (g) Preparation of ground for planting "Rural School heading,

> solos were given by Miss Lillian Dobbs New Incorporations.

Articles of incorporation of the State Co-The company is capitalized for today. \$5,000 and its incorporators are: E. N. Kauffman, E. N. Roush and J. R. Jackson.

Lincoln has filed articles of incorporation. Its capital stock is \$10,000 and its incorporators are: B. O. Kostka, Edmund Gaschberger and Oscar Junge.

The Kostka Glass & Paint company o The Parsons-Rich company of Newton In., has incorporated under the laws of Nebraska. Its stock is \$25,000 and its in-Examine Them.

The "Coffee-Never-Hurt-Me" People.

Some famous brain workers have made a welcome discovery along the line of recovery of health by the proper selection of food. Several were of the "Coffer-never-hurt me" kind, but, as an experiment, tried leaving it off ten days, and the use of Postum Cereal Food Coffee in its place. A definite and decided improvement in health is practically certain to attend such a change.

Look carefully into the state of health of the individual who knows that "coffee don't hurt me," and you are almost sure to find some form of physical ail or functional disturbance, perhaps muddy complexion, or weak eyes, incipient heart failure, kidney trouble, liver or bowel disorders, or some form of weakness that shows palinly enough by the cry for relief sent up from some organ of the body.

Why does the dismissal of Coffee and the use of Postum bring elp? Experiments in artificial digestion show clearly to the cleatific investigator that coffee arrests digestion, and according to one authority, allows only 61 per cent of the food to be digested. That strikes at the very keystone to the arch of health. Pallure in digestion means lack of good blood, and therefore a lack of food for the nerve centers. As the nerves control the organs of the entire body, one can readily understand that a disorganized nervous system may show effect in any part of the body. Therefore, a removal of the cause will allow nature to right hereelf. A powerful assistant to nature is Postum Cereal Food Coffee, composed of the albumen, phos-

Postum aids digestion without drugging, and furnishes a concentrated liquid food as well as a most delicious morning Coffee. If the reader has ever failed to make Poetum satisfactorily, it will be found that to allow it to boil 15 minutes after boiling commences, will solve the problem, as it must be so belied to extract taste, color and food value. Postum Cereal Co., Ltd., Battle Creek, Mich.

phates, gluten, etc., from which nature builds in the delicate tissues of the nerves.

corporators are: G. W. Parsons and F. S. The company sells an automatic

FREMONT AERIE OF EAGLES Omaha and South Omaha Members Participate in Organizing New Body.

FREMONT, Neb., Feb. 8 .- (Special.) -- An terie of the Eagles was organized here last evening at the Masonic hall with fifty-five applicants for charter membership. A special car attached to the Omaha train brought up forty from Omaha and South Omaha, and there were others present from Lincoln and other points. The Omaha contingent brought along their "goat" and full paraphernalia, and the work, which state deputy president of the order, of Omaha, and Seth T. Cole, district deputy president, was put on in good shape. Late n the evening about twenty members of Hi. Henry's minstrel troupe, who were at of the order, came over to help things along. Things were lively before that, but their arrival and participation in the exercises gave additional sest to the occasion. A lunch was served, vocal selections and sketches were given by the members of the Henry troupe and others who were called on to say something.

LOSES WIFE AND CHILDREN Railroad Man Makes Change and Be

comes Separated from

Family.

PLATTSMOUTH, Neb., Feb. 8 .- (Special.) -V. R. Scoggan, a railroad man, who formerly lived in this city, but who has been living with his wife and two children in Pueblo, Col., for several years, returned some time ago and has been working for the Chicago, Burlington & Quincy railroad

company at Pacific Junction. He left his wife and children in Pueblo, and after waiting some time at last received a letter from a friend of his wife to St. Joseph, Mo., where she was working in a hotel. He at once took his time and went to St. Joseph, but even with the aid of the police force, was unable to locate his wife or children. He has secured a po sition in the local railroad yards there and will endeavor to find his lost family.

ATTACKS BOY WITH RAZOR

Disguised Man Assaults Roy Coroggs at Beatrice and Cuts Deep Gash in His Arm.

BEATRICE, Neb., Feb. 8 .- (Special Telegram.)-While on his way home last night about 8 o'clock Roy Scroggs, 13 years old, was pounced upon by a large man, well disguised from identity, and was cut on the arm with a razor. The wound is three inches long in the fleshy part of the forearm. Fortunately the gash was not deep, and the youth, who is large for his years, succeeded in escaping.

The attack was made in a secluded spot near the Sixth street bridge, which crosse the Blue river. The assailant sprang from behind a large billboard. It is thought the assault was intended for another party. as no motive for the assault on the boy is evident. The boy was very nervous last night, but the wound is today in good con-

WOMAN KIDNAPS HER SON Widow Marries Again and Takes Bo Who Was Adopted by His Aunt.

companied by her father, she went to the home of Mr. Burkel and took the child. Habeas corpus proceedings were at once instituted and Sheriff McBride took possession of the child and gave him to his adopted state normal addressed the teachers. Vocal parents for safe keeping until the case is heard before County Judge Douglas Monday. All the parties live in Plattemouth.

BRAMAN ARRESTED AT ALBION Saloonkeeper Who Used Companion as Target is Located in

Boone County. GERING, Neb., Feb. 8 .- (Special.) - About two weeks ago Charles Braman, bartender in the Armstrong saloon at Scotts Bluff, used Albert Kelly as a practice target to see how close he could come to him without hitting him, after which sport Kelly found himself minus a couple of fingers and Braman struck out for the sand hills taking with him the surplus cash in the money drawer. Two complaints were filed against him and he has now been arrested at

Albion, Boone county, where Sheriff Campbell has gone to bring him back for trial. WIDOW'S MONEY DISAPPEARS

Sells Farm and Deposits Proceeds in

Tin Can, Which is Stolen.

ODELL, Neb., Feb. 8 .- (Special.) -- Mrs. Scrable, a Bohemian widow, who lives near Odell, was robbed of \$2,700. She sold her farm north of here some time ago and as she had no reliance in banks, deposited the proceeds in a tin can, which she secreted under the floor of her poultry house Yesterday morning, being out of change she went to get some money from the can when to her surprise ahe found that someone had removed the entire amount.

Four West Point Weddings. WEST POINT, Neb., Feb. 8 .- (Special.)-Joseph Scharfen and Miss Mary Kaup were married in St. Anthony's church, St. Charles township, by Rev. Father Friege, assistant priest of the parish. The groom is son of Frank Scharfen, an old settler, and the bride is sister of Councilman Kaup. John Rodick and Miss Anna Gerdes of

this city were married at the office of County Judge S. S. Krake yesterday. John Bittenhausen and Miss Malvina ehnert were married by Rev. William Harms, pastor of the German Lutheran church at Cumminsville. They will live on

heir farm northeast of the city. Rev. A. R. E. Oelschlaeger, pastor of St Paul's German Lutheran church, married Peter J. Jurgensen and Miss Louisa Hauck Wednesday. They will live on the farm of County Treasurer Fred Meyer.

Charged with Stenling Brass.

GERING, Neb., Feb. 8 .- (Special.) -Alpert Darrah is held in the county jail under \$600 bonds to the next term of district ourt on a complaint charging him with stealing brass from the Burlington Railroad company. He was located in Colorado and a requisition was secured under which he was returned to this county, and given a preliminary hearing before Judge Dela-

Fremont Golden Wedding.

FREMONT, Neb., Feb. 8 .- (Special.)-Mr. and Mrs. Spangler Brugh of this city celebrated their golden wedding anniversary last evening. Thirty relatives surprized them by calling upon them early in There has been a week of good sleighing.

KELLEY, STIGER & COMPANY.

First Showing New Black in Wash Goods

Omaha's most exclusive collection of Spring Wash Goods spring dress fabrics to which was under the direction of A. S. Ritchie, is now on display. Styles and we invite special attention and ideas are different from those generally shown, and are sure to attract the attention of wothe Love this evening and are members men who desire the choicest and best.

> NEW SEERSUCKER GINGHAMS in all the new designs and colors, large assortment, 12%c yard. NEW SCOTCH AND FLAMBEAU DIMI-

TIES-also Helly Batistes in all the very test styles, 15c yard. NEW EMBROIDERED TISSUES-Com prising all the new weaves in embroidered

figures and stripes, absolutely fast colors, NEW CREPE DE LYONS-This fabric art. Colored brocaded stripes being al-

NEW MADRAS-We are showing an exclusive line of shirt waist madras, styles are different from anything heretofore shown, 25c yard.

NEW SHIRT WAIST AND SUITING PIQUE-Also madras and cheviots, every style exclusive and controlled by us only. Prices 15c, 20c, 30c, 35c, 45c, 50c and 60c at \$1.00, \$1.50, \$1.75.

NEW FANTAISIE SILK TISSUE-This combining the styles and lustrous qualities

Closing Out Balance of Blankets

If it were not for violating a principle of this store we would store these away until next season and get almost twice as much as we are now

\$4.50 Blankets at \$2.79. \$5.50 Blankets at \$3.60. \$6.50 Blankets at \$4.60. \$9.50 Blankets at \$6.50. \$11.00 Blankets at \$7.89

Dress Goods New Tidings of New Fabrics With Important

New arrivals in fashionable

48-inch all wool imported nun's veiling, 75c, \$1 and \$1.25. 46-inch silk and wool Acoline, \$1.50 and \$1.65.

46-inch iron frame Grenadine -\$1.00, \$1.25, \$1.50.

Silk striped Grenadines, (wool) 46-in. \$1.25, \$1.75, \$2.50. Wool and Mohair Etamines. 45-inch wide, at \$1.00, \$1.25, \$1.75, \$2.00.

Silk striped Etamines that shows the highest efficiency of the printer's will be popular this coming ternated with imitation lace designs, 25c season, 45-inch, at \$1.00, \$1.25 and \$1.50 yard.

> fancy stripe, 45-inch wide, \$1 | yard. and \$1.25.

Sicilian Cloth, very good for separate skirts, 58-inch wide,

Fancy dress patterns of the s a shirt waist fabric of medium weight- prettiest weaves for 1902. Suitable for street or reception shades, at \$1.00 yard. gowns, at \$20.00, \$22.50, \$25.00 and \$30.00.

in laces, veilings, embroideries, ribbons and novelties in dress trimmings will be placed on our counters Monday morning. | in quality and shades, price \$1.75 yard.

rics With Important Arrivals Every Day

than last year. The new tints and the new brocade effects are something to talk Finest satin twilled foulards, 24-inch and

FINEST BROCHE AND ILLUMINATED FOULARDS-24-inch, 85c, \$1.00 and \$1.35. High class novelty silks in Louisine, Empress creps, imperial and many other

Colored Crepe

Crepe du chine, all colors including black and white, \$1.25 quality, for \$1.00 yard. Satin crepe meteors, \$1.75. White and cream peau de cygne, louisine

and satin duchesse, extra value, \$1.00.

values. In all the new shades at 75c and

New Grenadines

In pinapple tissues, iron frame and Mexican meshes, stripes, checks, figures and 44-inch Mohair Brilliantine, brocade, 44-inches wide, \$1.00 up to \$6.00

> Japanese Wash Silks Finest quality Japanese corded wash silks

> including white. All colors, all styles, 49c. tameta

wears, in cream, white and all the latest 19-inch washable taffeta, all shades, at

36-inch black taffeta, \$1.25, \$1.50, \$1.75

27-inch black taffets, warranted, \$1.15. 27-inch black taffeta, reliable, 85c. 24-inch black taffeta, guaranteed, \$1.35. 24-inch black taffets, guaranteed, \$1.00. 22-inch black taffeta, guaranteed, 75c

22-inch black taffeta, reliable, 65c. Our new Paon Velvet is a record breaker

New Silks New Colored Dress Goods

Stripe Etamine in late and stylish shades-marine blue. French gray, champagne, Java and reseda, 44-inch, \$1.00 yard.

Wool Iron Frame Etamine in the new spring shades-reseda, navy blue, pearl gray, tan and russet, 44-inch, \$1.00 yard. weaves, a magnificent gathering of great

Silk and wool Crepe de Chene, light weight and very dressy spring shades-reseda, green, tan, blue and brown, 45-inch, \$1.50 yard.

Voilles and Aeolines, very pretty, light weight fabric in new stylish shades-reseda, Java, procelain, mode and navy blue, 48-inch, \$1.50 yard.

All wool Batiste, light weight new stylish shades Orleans blue, pink, pearl gray, rose, lilac, champagne, cardinal, 27-inch washable taffeta, the kind that cream, reseda and lemon, 42inch, 50c, 75c, 85c a yard.

Woven Silk Stripe Challis-Latest novelty for waists and children's dresses, all plain colors, 30-inch wide, 75c a yard.

A new and complete line of French challis in the latest designs and combinations of colors, 30-inch wide, 50c and 55c

FIFTY PER CENT FIFTY PER CENT FIFTY PER CENT

Our Discount Sale on women's and children's long coats, raglans and jackets to be continued until every garment is sold at 50 per cent discount. Just half price for any garment we may have in stock. 20 per cent discount on women's and children's winter underwear, 20 per cent discount on men's and boys' winter underwear.

Corner Farnam and Fifteenth Streets.

PLATTSMOUTH, Neb., Feb. 8.—(Special the evening. They were married at HartTelegram.)—David Sampson died about ford, Ind., February 7, 1852, and came to three months ago and his 2-year-old son Nebraska in 1859. Mr. Brugh, until the was adopted by his sister, Mrs. Val Burkel. Union Pacific ratiroad was built, was enand her husband. Three weeks later the gaged in the freighting business between widow married Bert Crissman. Today, ac- the Missouri river and Denver. At the celebration Mrs. C. Coddington read an original poem, which reviewed the life of the couple. They have four children, Jacob Brugh of Beatrice, Melvin Brugh, Mrs. Mary Schneider and Edna Brugh of Denver, and a number of grandchildren. Mrs. Schneider was the only one of their chil-

> dren present. Burial of James C. Lanktree. COLUMBUS, Neb., Feb. 8 .- (Special.)-The body of James C. Lanktree, who died Wednesday in an Omaha hospital, arrived here at noon today and the burial took service at the grave. Mr. Lanktree was about 42 years of age and leaves a wife. He lived for many years at this place, seing employed as foreman of a Union Pacific bridge gang, and later conducted the Meridian hotel until four years ago, when he moved to Genoa.

Golden Wedding at Wahoo. WAHOO, Neb., Feb. 8 .- (Special.)-Mr. and Mrs. E. W. Martin celebrated their golden wedding in this city this evening. Their friends, in large numbers, met at the home of Mr. and Mrs. Martin, after States, which all were invited to the elegant new ome of Attorney G. W. Simpson, where a most delightful evening was spent, refreshin gold, were presented to the couple. The affair had all been arranged beforehand and was a complete surprise to the couple.

Heavy Snow at Trenton.

TRENTON, Neb., Feb. 8 .- (Special Telegram.)-Two weeks of cold and windy weather is followed with heavy snow. Snow has been falling lightly all day. Tonight the storm has increased and the ground is covered with about two inches of wet snow. The prospect is for the heaviest snow of

Sarpy Must Pay Part for Bridge. PAPILLION, Neb., Feb. 8 .- (Special.)-The case in the supreme court at Lincoln entitled Cass County against Sarpy County, which was reversed, has caused considerable omment here, as it compels Sarpy county to assist in maintaining the wagon bridge over the Platte river at Louisville, Neb.

Wahoo Editor Has Apoplexy. WAHOO, Neb., Feb. 8 .- (Special.)-John F. Sherman, editor of the Democrat of the school. of this city, is in a critical condition. Early Thursday morning he was stricken with apoplexy. The result cannot yet be

determined, although the indications are

slightly favorable. Girl Succumbs to Injuries. COLUMBUS, Neb., Feb. 8 .- (Special.)-Miss Edith, 14-year-old daughter of George Emerson of Monroe, died yesterday, after an illness of several months, starting from an accidental injury.

Mrs. S. B. Murch. KEARNEY, Neb., Feb. 8 .- (Special Telegram.)-Mrs. S. B. Murch, mother of C. A. Murch of this city, died tonight. She was 83 years of age

Smallpox in Sarpy. PAPILLION, Neb., Feb. 8 .- (Special.)-Sarpy county has twenty-two cases of smallbut Papillion has thus far escaped without a case

More Snow at Geneva.

raow fell last night drifting considerably.

GENEVA. Neb., Feb. 8 .- (Special.) -- More

New Quarters for State Foheel at Rapid City Are Completed.

INSTRUCTION IN THE CYANIDE PROCESS

Method of Reducing Ores Principally Employed by Operators in South Dakota Receives Especial At-

tention at the Laboratory.

RAPID CITY, S. D., Feb. 8 .- (Special.) -The new building at the South Dakots place at once. Rev. D. J. Becker of the state school of mines here is completed, Presbyterian church conducted a brief and will be ready for occupancy as soon as the furniture can be put in. It will be available this month and the school will then be in splendid condition for business. The new building will contain an office, ecture rooms, chemical and physical laporatories and mechanical drawing room. It will more than double the capacity, and students will be afforded numerous accommodations that they do not have at present. The school now has three well equipped buildings, and one of the best

metallurgical laboratories in the United The institution has a thoroughly compe tent faculty. Robert L. Single is president and professor of chemistry. He is a gradments served and presents, including \$50 uate of Lafayette college and Johns Hopkins university. Charles H. Fulton, pro feasor of mining and metallurgy, is a graduate of Columbia School of Mines. Cleophas O'Hara, professor of mineralogy and geology, has diplomas from Carthage col-

ege and Johns Hopkins university. Howard L. McLaury, professor of mathematics, is a graduate of Oberlin college and Harvard university. Mark Ehle, jr., proessor of surveying and mechanical drawing, graduated from the Colorado school of mines. C. C. Thompson is assistant in the chemical laboratory, and Charles H. Crawford is assistant in the assay labora-

Makes Specialty of Cyanide Process, The school makes a specialty of the netallurgy of gold, emphasizing the cyanide process. This is of particular importance in view of the extensive use that is being made of cyanide in the reduction of ores in the Black Hills, and there is a great and growing demand at the cyanide plants of the Black Hills section for graduates

Two bulletine are now in the hands of the printer, one on the cyanide process as carried out in the Black Hills, and the other on Black Hills minerals of economic value. The attendance at the school is greater than it has ever been before. Students are enrolled from New York, Ohio, Tennessee, Illinois, Minnesota, Ne-

braska, Colorado and Utah. The proximity of the school to the new 500-ton smelter being erected by the National Smelting company, offers unusual opportunity for practical experience. For the first time in its career the school is receiving adequate support from the state, and it is in a fair way to fulfill the purpose for which it was

SAYS MEASURES ARE LEGAL Judge Claims Bills Signed by Governor and Deposited by State Sec-

CASPER, Wyo., Feb. 8 .- (Special Telegram.)-The journal of the last legislature fails to note the fact that the speaker of the lower house signed the bills enacted.

retary Are Constitutional.

Judge Bramel decided that when a bill

was signed by the governor and deposited with the secretary of state the constitution had been complied with. In accordance with Judge Bramel's ruling there will be no gambling in the state after February 22. It is the most important de-

cision ever rendered here on account of the

FIVE INDIANS Red Men Charged with Various Crimes by the Grand

Jury.

bitter fight over licensed gambling.

DEADWOOD, S. D., Feb. 8 .- (Special.)-The United States grand jury, in session in Deadwood, has returned indictments against five Indians from Pine Ridge and Rosebud reservations. Frank Frog and John Eagle Dog were indicted for grand larceny. They were arraigned and pleaded not guilty. Frank Four Horas and Dan Comes from the

States marchal.

John End of Timber killed his father-inlaw by hitting him on the forehead with a Kidney Cure.

for stealing 3,000 pounds of oats at Fort Meade, was ordered forfelted on Donovan's failure to appear. It was in the sum of \$500, Timothy Hayes being surety. John Pfeifer of Sturgis, who was arrested for receiving the stolen cats from Donovan,

has been released from bonds, the grand jury returning no bill against him. The case of the Fremont, Elkhorn & Missouri Valley Railroad Company against the Baltimore & Deadwood Mining Company, proceedings in condemnation, is now on trial in United States court. It is expected that the present term will last until the middle of next week, as the grand jury is

not yet through. South Dakota Incorporations. PIERRE, S. D., Feb. 8 .- (Special.)-These articles of incorporation have been filed: Lulu Mining company, Hill City: capital, \$500,000; incorporators, John R. Wilson, M. L. Day and Joseph McClure.
Home investment company, Sioux Falls; capital, \$25,000; incorporators, H. C. Freese, John Schaetzel, William Mathews and B. H. Lien. Frank Four Horas and Dan Comes from the War were indicted for horse stealing. They entered pleas of not guilty. John End of Timber was indicted for assault with a deadly weapon upon Walks Under the Ground, another Indian, resulting in the death of the latter.

It is expected that the five Indians will be tried at the present term of court. Frank Frog and John Eagle Dog were arrested several months ago, and after their hearing before the United States commissioner in Deadwood gave bonds for their appearance. Their bondsmen became uneasy about them and at the beginning of the present term of court brought them to Deadwood and delivered them into the custody of the United States marghal.

John Schaetzel, William Mathews and B. Emery lodge, Ancient Order United Workmen, Emery; trustees, A. Durrish, Robert Cutts and John J. Eluth.

Martel Mining company, Pierre; capital, \$30,000; incorporators, A. F., Martel, J. J. Cummings and J. E. Evans.

Synvita Medicine company, Pierre; capital, \$30,000; incorporators, Albert F., Norval, Harry C. Caldwell and T. P. Estes.

Robert R. Robertson and Philip Lawrence.

Georgia Petroleum company, Huron; capital, \$5,000; incorporators, John T. Appleby, Fred E. Paine and T. P. Estes.

Georgia Petroleum company, Huron; capital, \$5,000; incorporators, John T. Appleby, Fred E. Paine and T. P. Estes.

Georgia Petroleum company, Huron; capital, \$5,000; incorporators, John T. Appleby, Fred E. Paine and T. P. Estes.

Georgia Petroleum company, Huron; capital, \$5,000; incorporators, John T. Appleby, Fred E. Paine and T. P. Estes.

Georgia Petroleum company, Pierre; capital, \$5,000; incorporators, John T. Appleby, Fred E. Paine and T. P. Estes.

Georgia Petroleum company, Pierre; capital, \$5,000; incorporators, John T. Appleby, Fred E. Paine and T. P. Estes.

Georgia Petroleum company, Pierre; capital, \$5,000; incorporators, John T. Appleby, Fred E. Paine and T. P. Estes.

Georgia Petroleum company, Pierre; capital, \$5,000; incorporators, John T. Appleby, Fred E. Paine and T. P. Estes.

Fatal kidney and bladder troubles can always be prevented by the use of Foley's



Can't cure an incurable disease. Nor can Ayer's Cherry Pectoral. But it has cured a great many most desperate cases, chronic cases, such cases as no other medicine in the world touches.

The next time you talk with your doctor ask him if knows of any other cough medicine that so quickly cures colds and coughs, even the hardest kind of lung troubles. He will give you an honest answer. Abide by it.

"I was given up to die with quick consumption. I rapidly lost in weight from 138 to 98 pounds. I had repeated hemorrhages, and at last went to bed never expecting to get up. I then tried Ayer's Cherry Pectoral, and in nine months I had regained my old weight and was a well man again."

Chas. E. Hartman, P.M., Gibbstown, N. Y.

J. C. AYER CO., Lowell, Mass.