

HEARING IN THE TAX CASE

Supreme Court Judges Put in a Day Listening to the Arguments.

NEITHER SIDE PLEASSED WITH REFEREE

Call for First District Congressional Convention is Out, Fixing the Date at May 27 and the Place at Lincoln.

(From a Staff Correspondent.)

LINCOLN, April 16.—(Special.)—The supreme court gave its attention almost exclusively today to argument in the Omaha tax case. Exceptions were filed by both sides to the controversy and practically all of the issues submitted to the referee were brought to the attention of the court. The respondents at the beginning of the hearing presented exceptions to the conclusion of the referee that the action of the Board of Equalization in overruling the complaints of the Real Estate exchange and rendering judgment thereon, did not estop the relators with reference to their five several complaints referred to in the alternative writ, and further to the conclusion of the referee that the action of the board of equalization in respect to these five complaints was arbitrary and deprived the relators of a right to have the proceedings of the board reviewed on error, and still further to the conclusion that the costs be taxed against the respondents.

The argument was begun at 9 o'clock this morning and with the exception of the noon recess continued until late this afternoon. James H. McIntosh, appearing as attorney for the relators, contended that there were substantially only five issues for discussion, which he stated as follows:

First, Whether or not the relators, before filing said five complaints, a hearing of which is now demanded, had filed with said board other complaints "in substance the same as specified and set forth in the five complaints."

Second, That if they filed said other complaints substantially the same as said five complaints, whether or not said other complaints were fully heard and considered by said board.

Third, That if the relators filed other complaints, and the board considered them, whether or not the hearing was such a hearing as to amount in law to an adjudication of the merits of said five complaints.

Fourth, Whether or not the matter of the equalization of the assessment of said corporations was still pending before said board and undetermined at the time said five complaints were filed and entertained by the board, and a time set for hearing the same.

Fifth, That if it should appear that no witnesses were heard or testimony received in support of any complaints against the assessment of said corporations, but that a mere record of the proceedings of the Omaha Real Estate exchange on the one hand and the attorneys for said several corporations on the other, which was on the part of said corporations in the nature of a demurrer to the sufficiency of the proceedings adopted by said Real Estate exchange to support a judgment raising said assessment, and which was on the part of the relators filed their said five complaints and set them down in due form, and the board received and considered the same, then, as a matter of fact and of law, it must appear that no hearing was ever had that would justify the award of the merits of the relators' said complaints, or amount to an adjudication thereof, and that in overruling the same without a hearing, and adjourning sine die before the board, appointing a referee to hear the testimony in support of said complaints, said Board of Equalization arbitrarily denied a right to a hearing, and that the relators and failed to perform a duty enjoined upon them by law, which duty this court will issue a mandate to compel them to perform.

No Place for Harassment.

In closing the attorney for the relators asked that half-splitting sophistries and legal technicalities be not allowed to stand in the way of the rights which he was there asserting. He said in substance as follows: Two arrogant and selfish willfully to contribute proportionately with the small property owner to the support of the government that has entered the country to protect them, shall they now be permitted by a resort to legal subtleties and technical rules inapplicable to the case to avoid the mandate of the court which is the only remedy which the law affords to avert the can resort to avert the threatened injustice of having to pay not merely their own taxes but the taxes of these corporations? Half-splitting sophistries and legal technicalities must not be permitted to stand in the way of the important and valuable rights we are here asserting. All we ask is that these corporations pay their equal and proportionate share of taxes. We do not ask that they do more. It is not fair that they do less.

Congressional Convention Call.

The republican convention for the first congressional district has been called by the executive committee to meet in Lincoln May 27. The convention will consist of 203 delegates and each county will be represented as follows, the basis of representation being one delegate for every 100 votes or major fraction thereof cast for Congressman Burnett in 1900.

Table with 2 columns: Name and Votes. Includes Lincoln, Lancaster, Cass, Platte, Richardson, Pawnee, Nemaha, Johnson, and Total.

Protest on Clemency for Rhee.

A delegation of Dodge county citizens is expected here tomorrow to appear before the governor and remonstrate against a commutation of the death sentence of William Rhee. The visitors will likely be accompanied by Emil Zahn, brother of the murdered man, and by the sheriff of Saunders county, who is expected to identify Rhee as the man who escaped from jail in Saunders county after being sentenced to five years for burglary. The governor has promised that if the identification can be

positively made the fact will have considerable weight with him in determining whether or not the sentence shall be commuted.

New Corporations.

These new institutions have filed articles of incorporation with the secretary of state: The Bohemian-American Newspaper union, Omaha; capital stock, \$25,000; incorporators, S. L. Kostoryz, F. J. Havley, Charles C. Steinecke, Frank Valla, James Havlik, W. J. Kacer. The Labor Temple association, Omaha; directors, H. W. McVea, George Clarke, Ben Maylard, E. A. Willis and F. Leroy.

Governor Savage today appointed Mrs. Edith Saunders of Grand Island as physician at the Industrial Home for Women in Milford. Her term will date from April 25.

FIX CONVENTION FOR JUNE

Republicans of Fifth District Will Meet at Hastings on the Tenth.

HASTINGS, Neb., April 16.—(Special Telegram.)—A meeting of the republican congressional central committee of the fifth district was held here today. Out of the eighteen committees every member was present, with the exception of three. Chairman J. W. James of Hastings presided. Adam Breeds of Hastings was elected secretary. Considerable discussion prevailed over the fixing of the time for the district convention and it was decided to hold it at Hastings on the afternoon of Tuesday, June 10.

The representation of the convention was fixed as follows: Adams county, seventeen delegates; Clay, eighteen; Chase, four; Dundy, four; Franklin, ten; Frontier, eight; Furnas, twelve; Gosper, five; Harlan, nine; Hall, seventeen; Hayes, four; Hitchcock, five; Kearney, eleven; Nuckolls, fourteen; Perkins, three; Phelps, twelve; Red Willow, eleven; Webster, thirteen; total, 177. The following candidates were conspicuous at the meeting: E. Lewis of Harlan, Smith Caldwell of Nuckolls, G. L. Abbott of Hall, S. W. Christy of Clay, Ed Allen of Furnas, W. W. McCreary of Hastings, Neb.

BOLD ROBBERY AT FREMONT

Burglar Makes Escape from Hardware Store Through Window in Face of Watchers.

FREMONT, Neb., April 16.—(Special.)—A bold burglary occurred here last night, when a man forced an entrance to L. F. Holloway & Co.'s hardware store on Sixth street by breaking in a window in the rear of the building.

Charles Bradley, who lives over a store directly opposite, heard the cracking of glass and thinking something amiss notified the police. Officer Stiles went around to where an entrance had been gained, leaving Bradley and another man to watch the front. A minute later a man broke a large plate glass window at the front of the building and ran down the street and disappeared around a corner. About \$50 worth of razors, knives and revolvers was missing. Four razors and some of the other goods were found in an alley. The heaviest loss was the plate glass, which is of the best quality, 6x10 feet in size.

FATHER ABDUCTS HIS CHILD

L. A. Hull of Pender Takes Little One Riding and Does Not Return.

PENDER, Neb., April 16.—(Special Telegram.)—Last evening L. A. Hull, a well known ranchman and old resident of Pender, abducted his 18-month-old child. The child and mother have been making their home with Mrs. Bonal for some time past, the father and mother having separated ten months ago. Hull disposed of his lease and personal property and announced his intention of leaving Pender for a new home.

For some time past he has called on Mrs. Hull and was allowed the privilege of taking their child out driving.

Yesterday, as usual, he called, took the child for a drive and disappeared, leaving no trace. Efforts are being made to locate the father and child.

Woman Falls in a Cistern.

ELK CREEK, Neb., April 16.—(Special.)—About 9 o'clock a woman fell into a well known cistern, about 80 years old, who has been visiting at the home of Mr. N. Libby near town, for a few days, tried to walk over a cistern, when the boards, which covered it, gave way and she fell to the bottom, a distance of about sixteen feet. There was about four feet of water in the cistern, which broke the force of the fall, and she was not badly injured.

Settles Roadway Dispute.

GRAND ISLAND, Neb., April 16.—(Special.)—Quite an extended contention over the roadway running along the Union Pacific from this city to the Buffalo county line has been settled, the county board paying the Union Pacific the sum of \$60 for a lease of fifty feet of its right of way for the last three years and entering a lease for twenty years for such roadway.

To Raise Bettler License.

BEATRICE, Neb., April 16.—(Special Telegram.)—The members of the new city council are talking strongly of raising the license fee for saloons here from \$1,200 to \$1,500 and to refuse permits to the drug stores according to the plan adopted in Lincoln recently. Some of the water works are taken in the matter at the council meeting Tuesday night.

Rain Visits Humboldt.

HUMBOLDT, Neb., April 16.—(Special.)—This section visited Wednesday morning by a light rain, which was welcomed as a means of freshening up the wheat and laying the dust. Prospects so far are to a good yield of grain, for the acreage is large in this county.

Contracts for Gage County Bridges.

BEATRICE, Neb., April 16.—(Special.)—The Board of Supervisors, in session here, will let contracts tomorrow for building bridges in Gage county for the coming year. A large number of bridge men are here conferring with the board.

Seward Gets Light Rain.

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OUTPUT OF PACKING HOUSES

Omaha Continues to Hold Second Place by a Fairly Good Margin.

CINCINNATI, April 16.—(Special Telegram.)—The Price Current says there is further curtailment in the marketing of hogs. The total western packing is 310,000, compared with 285,000 the preceding week and 410,000 last year. Since March 1 the total is 2,335,000, against 3,510,000 a year ago. Prominent places compare as follows:

Table with 2 columns: Location and Packing. Includes Chicago, Omaha, Kansas City, St. Joseph, St. Louis, Sioux City, Indianapolis, St. Paul, Milwaukee, Cincinnati, Ottumwa, Cedar Rapids.

Carrie Nation Debates at Seward.

SEWARD, Neb., April 16.—(Special.)—A joint session of the Carrie Nation and Judge Holland was held at the opera house last night. The proceeds are to go to the city library, and as standing room was at a premium the library received a neat sum. The question debated was whether it would benefit women to have the right to vote.

Close Geneva Lecture Course.

GENEVA, Neb., April 16.—(Special.)—The lecture, subject "Sour Grapes," in the opera house last night was attended by a large crowd. This concludes the lecture course of the High school. Commencement exercises will be held the last week in May.

DEADLY POISON IN WINE

Colorado Man Dies from Effects of Drink of Punch on New Year's.

CHEMIST FINDS TRACES OF ARSENIC

Other Members of Family Are Also Sick from Effects of Fatal Dose and One More May Die.

DENVER, April 16.—Startling developments have come to light regarding the death of Representative Albert Gabrin, who died at his home in this city early on the evening of January 8, from what was then supposed to be acute gastritis, superinduced by fermented wine used in making a mixed drink, which he and other members of his family consumed at a family reunion on New Year's day.

Shortly after his death Dr. Wilder performed an autopsy, removing the stomach and portions of other intestinal organs. These, with samples of the wine used in the punch, were turned over to Dr. Hillkowitz, who made a chemical analysis. He has filed with Dr. Kleiner, the physician who attended Mr. Gabrin when he died, his report on what he found.

Dr. Hillkowitz says he found large quantities of arsenic in the wine and traces of the poison in the intestinal organs, especially in the stomach. The chemical analysis showed there were three and one-half grains of arsenic to a tumblerful of wine. Such an amount could never be ascribed to any accidental impurity in the wine, says the chemist's report.

Dr. Hillkowitz says he is to be investigated by the Woodmen, of which society he was a member in good standing at the time of his death. He carried a large life insurance policy. The payment of the policy has been stopped, pending the result of the investigation.

Mrs. Agnes Gabri, sister of the deceased, and his father, Herman Gabrin, both of whom drank wine at the reunion, are very sick and have been since that time. The condition of the young woman last night was serious. Dr. Albert, the physician attending them, says they are suffering from acetate or arsenic poisoning, over three months after the fatal dose was drunk.

SELLS LIQUOR IN DRY TOWN

Kansas City Salesman Fined \$100 for Violating Tecumseh Ordinance.

TECUMSEH, Neb., April 16.—(Special Telegram.)—Carl Schumacker, a traveling salesman for the wholesale liquor firm of Leihman & Co. of Kansas City, has been found guilty and fined for violating the city ordinance and selling liquor here contrary to law.

Wesley King was the complainant against the Kansas City man. He swore he bought liquor of him in this, a dry town.

The case was tried before Police Judge Lawrence this afternoon and the judge fined him \$100. Carl Schumacker offered to pay a compromise fine of \$25, but the offer was not accepted and he was taken to jail.

He telephoned his firm at Kansas City this afternoon and says a representative of the firm will come to Tecumseh tomorrow, when an appeal of the case will be made to the district court.

Burlington Improvements.

FRANKLIN, Neb., April 16.—(Special.)—The Burlington route has had a force of men here the last two days putting in a new bridge over the street and making important improvements on track are being made. The Franklin Telephone company received two carloads of telephone poles today and will soon commence the building of a line to Macon, Neb., a town eight miles north of here. They will also put in an exchange in west of town. Other improvements. They expect to connect their line with one that has been built from Smith Center, Kan., to Reamsville, Kan., a town about twelve miles southeast of this place.

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FIGHT BREWING OVER PROXY

Contest May Be Waged by Manufacturers at Election of President.

INDIANAPOLIS, Ind., April 16.—At today's session of the National Association of Manufacturers it developed that many members carry proxies in their pockets to be used when a president is elected. The proxy question may be the occasion for a fight on the floor of the convention, the westerners being generally opposed to allowing their use. Soon after the convention opened the committee on resolutions reported.

The committee on resolutions reported that the metric system would benefit about one-third; would neither benefit nor injure another third, and would injure one-third. It recommended that no action be taken at this time.

The convention then took up and, without a dissenting vote, adopted resolutions endorsing the work of the national reciprocity convention at Washington.

Another resolution adopted was: That a committee be appointed to see that the irrigation of arid lands, the subject of commercial education and report at the next annual meeting; providing that the month preceding the national convention the vice president of each state call the members of his state together to discuss questions which may be brought before the National Association of Manufacturers.

A resolution was also passed asking for the irrigation of arid lands.

Another resolution asking Andrew Carnegie to found a commercial school was defeated.

A resolution against the bill now pending in congress, known as the anti-injunction bill, was not thought to be worded strong enough and was referred back to the committee.

The death of the national convention the morning and another resolution against the eight-hour working day legislation now pending in congress, was after some debate adopted.

The general lack of "ginger" in the proceedings of the convention was a matter for general comment by many of the members, and President Search himself several times took occasion to intimate from the speaker's platform that the members were present to talk.

The ship subsidy resolution which the association unanimously adopted is as follows: Resolved, That this association recommends to congress such legislation as may nationally extend and maintain American shipping interests, sufficient to carry the export products of agriculture and manufactures in American ships.

Resolving, That this association recommends a resolution so distributed as to reach in an equitable manner all American shipping and all American ports.

Recovering from Stab Wound.

LONG PINE, Neb., April 16.—(Special Telegram.)—Guy Given, the boy who was stabbed Monday, is reported recovering.

Given, who is about 12 years old, was assaulted with a knife by Charlie Castle, who is of the same age, the weapon entering the pleural cavity through the back. It was thought yesterday that the wound would prove fatal.

PROMISE OF THE WEATHER MAN

Two Days of Fair and Warmer Weather with South Winds for Nebraska.

WASHINGTON, April 16.—Forecast: For Nebraska, Kansas and South Dakota—Fair and warmer Thursday; Friday fair, south winds.

For Iowa and Missouri—Fair and warmer Thursday; Friday fair, south winds.

For Illinois—Fair Thursday and Friday; variable winds.

For North Dakota—Fair Thursday and Friday; northwest winds.

For Wyoming and Colorado—Fair Thursday; warmer in northeast portions; Friday probably fair; variable winds.

Local Record.

OFFICE OF THE WEATHER BUREAU, Omaha, April 16.—Official record of temperature, relative humidity, wind force and direction, and precipitation for the corresponding day of the last three years:

Table with 4 columns: Year (1902, 1901, 1900, 1899) and various weather metrics like Maximum temperature, Minimum temperature, Mean temperature, etc.

Record of temperature and precipitation at Omaha for this day and since March 9, 1902:

Table with 2 columns: Metric and Value. Includes Normal temperature, Excess for the day, Total excess since March 1, Normal precipitation, Excess for the day, Total rainfall since March 1, Deficiency since March 1, Deficiency for cor. period, 1901, Deficiency for cor. period, 1900.

Reports from stations at 7 p. m.

CONDITION OF THE WEATHER.

Omaha, clear, 58-68-60.

Valentine, clear, 54-56-50.

North Platte, clear, 52-58-50.

Cheyenne, partly cloudy, 48-54-50.

Balt Lake City, partly cloudy, 50-56-50.

Rapid City, clear, 54-56-50.

Huron, clear, 52-58-50.

Williston, partly cloudy, 54-56-50.

St. Louis, clear, 58-60-50.

St. Paul, partly cloudy, 54-56-50.

Chicago, cloudy, 54-56-50.

Kansas City, partly cloudy, 50-56-50.

Lincoln, cloudy, 50-56-50.

Helena, cloudy, 60-64-50.

Bismarck, partly cloudy, 50-56-50.

Galveston, partly cloudy, 54-56-50.

T indicates trace of precipitation.

L. A. WELSH, Local Forecast Official.

STRIKE GROWS IN BELGIUM

Nearly Two Hundred Thousand Men Quit Work in Various Districts.

DANGER OF REVOLT MORE IMMINENT

Efforts of Legislators of Contending Factions to Effect Civil Agreement Prove Failure in Every Case.

BRUSSELS, April 16.—The diplomatic, private and public galleries of the Chamber of Representatives were filled to their capacity today when the debate on the proposed revision of the constitution began.

Mr. Bernaert, the former president of the chamber and secretary of state, opened the discussion. He was frequently interrupted by M. Van der Velde, the socialist leader, with shouts of "universal suffrage is supreme."

M. Bernaert expressed the opinion that the present Belgian electoral system was satisfactory. He referred to the numerous social laws passed during the last fifteen years, at the behest of the socialists, and said the latter's sole recognition of the passage of these laws was the declaration of a general strike, accompanied by threats of violence.

After the speech of M. Bernaert and a speech delivered by M. Fernon, progressist, which monopolized the entire session and fell very flat, the opening day of the great debate on the proposed revision of the constitution ended in what was almost a fiasco.

Waiting for Fiery Speeches.

The members were evidently waiting for the delivery of the speeches of the socialist and other leaders, and the response of the premier, M. DeSmet de Nayer, tomorrow and Friday, when it is expected a vote will be taken which will instill life into the proceedings.

The great stir on the streets on the adjournment of the chamber dwindled to the appearance of 200 persons, who accompanied socialist deputies to the office of their organ, La Peuple, where M. Van der Velde addressed the crowd. He said the day's proceedings in the chamber had not modified the situation, and the government was still recalcitrant and had shifted the responsibility for a dissolution of Parliament, which the revisionists desire, to the chamber which rejects the proposal to revise the constitution, upon the king, who thus far had been silent.

The collapse of the proposed demonstration was attributed to the drenching rain and overwhelming precautions taken by the police, which seemed to place further serious disturbances in Brussels out of the question.

A feeling is gaining ground that the government will entirely reject the proposed revision of the constitution.

This evening it was announced that 150,000 men quit work on strike in the districts of Mons, Charleroi and Liege alone.

The number of strikers in the chief industrial centers is estimated as follows: At Charleroi, 50,000; in the central district, 27,000; at Borinage, 25,000; at Liege, 30,000; and at Verriers, 8,000. Later in the day the number of strikers in the ranks of the strikers at Charleroi brought the total in that district to 60,000.

The glass works at Courcelles were practically destroyed by fire last night. It is estimated that the damage will amount to 600,000 francs. It is believed the fire was started by an incendiary.

Disturbances were reported from various parts of the country last night. Small bombs were exploded at Liege and elsewhere. A bottle filled with gunpowder was exploded at the door of a residence at the glass works at Marlemont, near La Louviere. Only trifling damage was done by the explosion of the bomb.

An earthenware jar with a fuse attached to it was discovered on the threshold of the Catholic club. The fuse was extinguished by a passerby. The only other incident at Liege was the throwing of a piece of lighted tow into a school.

Civil Guard Rebel.

A detachment of civic guards on duty in the suburb of Etterbeek became unruly yesterday evening on account of being kept on duty in the heavy rain and protested against remaining under arms any longer. Several of the guards threw their cartridges into the gutter and shook their hats in the officers' faces. This, however, was an isolated attack. The civic guards generally are thoroughly reliable. On their behavior depends the tranquillity of this city.

Prince Albert, son of the Count of Flanders, and heir presumptive to the throne of Belgium, is a major in the grenadier guards, at present held in readiness for emergencies. The prince declined a proposition to be replaced, temporarily, as major of the grenadiers. He said: "If my men are called to a post of danger it will be my duty to lead them."

Renals, who congratulated the prince on his decision, the cabinet ministers, at a meeting held here at noon today, discussed the situation growing out of the popular demand for a revision of the constitution, and measures of increased stringency, in both the city and suburbs were taken in anticipation of today's debate in the chamber of representatives on the proposals looking to a revision of the constitution.

Dispatches from Liege announce that 7,000 striking miners and steel workers at Seraing had a conflict with the troops there. The soldiers charged and the strikers retaliated with a fusillade of stones. Some of the rioters finally sought refuge in three taverns which were wrecked.

THOUSANDS HAVE KIDNEY TROUBLE AND DON'T KNOW IT

To Prove What Swamp-Root, the Great Kidney Remedy, Will Do for YOU, Every Reader of "The Bee" May Have a Sample Bottle Sent Free by Mail.

Weak and unhealthy kidneys are responsible for more sickness and suffering than any other disease, therefore, when through neglect or other causes, kidney trouble is permitted to continue, fatal results are sure to follow.

Your other organs may need attention—but your kidneys most, because they do most and need attention first.

If you are sick or "feel badly," begin taking Dr. Kilmer's Swamp-Root, the great kidney, liver and bladder remedy. Because as soon as