DECIDES AGAINST SMYTH

Referees File Findings in Penalty Suit Against the Union Pacific.

GOVERNOR SAVAGE LOSES A DIAMOND

Starts Out with a Lanters and Finds the Sparkler in the Gutter Where He Changed Street Cars.

(From a Staff Correspondent.) LINCOLN, Sept. 15 .- (Special Telegram.) The last of the penalty suits brought by Constantine J. Smyth during his tenure as attorney general against the railroads of Nebraska is about to be expunged from the records of the supreme court of the state. Early in 1990 the fusion attorney general began several cases, taking in practically every railroad doing business in the state, and asking that the court assess penalties aggregating \$3,000,000 for alleged violations of the maximum freight laws. One by one the suits have been abandoned and dismissed until the only one remaining was that against the Union Pacific, the amount which Mr. Smyth asked the road to contribute to the state exceeding \$6,000,000.

The Union Pacific case, after running the gamut of the courts' delays for over two years, was referred some time ago to referees to take testimony and report to the court, with findings thereon. E. R. Duffie and Ed P. Smith of Omaha were named by the court as referees. Their report was filed with the court today. The document asserts that exhaustive inquiry into the testimony and the law leads to the conclusion from the railroad company. They recommend that the statute be declared "unconstitutional, inoperative and void, and that the action be dismissed."

referees in disapproving the suits.

Savage Recovers His Diamond. Governor Ezra P. Savage turned Diogenes last night and, armed with a lantern, stafked the streets of Lincoln. The large four or five carat sparkles, which he had lost from his shirt front. Governor and Mrs. Savage visited friends in the suburbs in the evening, returning home late. Then it was that the stone was discertain it was in its accustomed place as they were about to return home. Procuring a lantern, the governor walked from the the business center, where he had previously changed street cars. The search a crevice in the pavement. Governor Savto him by friends in South Omaha on his accession to the executive chair.

Contention Over Water of Platte. The contention over the right to take the lower waters of the Platte river for power purposes assumed a new phase today. Andrew Rosewater of Omaha presented to Secretary Dobson of the State Board of Irrigation an amended application for right to take the water. application had been protested by J. E. Riley, promoter of the Plattsmouth Power company, and hearing on this protest will occur before the irrigation board about October 1.

Mr. Rosewater's new application prothe north side of the river and just above to conduct part of the water from the Platte into the main stream of the Elkhorn, below which a dam will be built, and from this sufficient head is to be obtained to give a fall of fifty feet. The specifications provide for a developed horse power of 25,000. Several miles below another reservoir is to be constructed which will furnish an additional 25,000 horse power. The estimated cost of the undertaking is \$2,000,000.

The Riley canal would not be harmed by the amended Rosewater plans, providing only the latter's upper reservoir is constructed, the water from which would later flow into the Riley ditch. It is now suggested that a compromise has possibly been effected by which the two canals may be built without one infringing upon the

Four New Banks.

Four more state banks will be added to the roll of Nebraska's financial institutions, providing their applications to carry on a banking business are favorably acted upon by the State Banking Board. Applications were filed today with Secretary Royse of the board by the following proposed banks: The Bank of Graf, located at Graf, John-

son County. L. O. Graf and J. O. Graf are the incorporators, the capital stock being placed at \$5,000. This bank will succeed the defunct Chamberlain institution, which is now being closed out under direction of Secretary Royse

The Brunswick bank, of Brunswick, Antelope county. Its officers are Judge S. H. tornberger of Wahoo, president; Walt Older, vice president; M. M. Sornberger, cashier. The capital stock is \$10,000, of which \$6,000 is paid in

The Valley State bank of Bridgeport, Cheyenne county; capital stock, \$25,000; paid in, \$6,050. The incorporators are most Lin- make one of the best distributing points in Fifth, formerly in Tilton's district, is added toln men, comprising H. K. Burkett, C. A. castern Nebraska. Its railroad facilities are Morril, M. W. Folsom, J. J. Anderson, F. D. the very best. Railroads run out of York Ball and Frank Phillips. J. J. Anderson of in every direction. If something should Lincoln, the defeated fusion candidate for happen that these parties do not build and ler and have charge of the operation of the and may start one.

The First State bank of Hartington, Cedar ecunty; capital stock, \$100,000; paid in \$30,-900. The incorporators are J. G. Beste, J. C. Robinson, W. S. Eston, George F. Scoville and L. E. Jones, fr.

Supreme Court Sitting

The supreme court of Nebraska will conwene tomorrow for its September session. The customary grist of opinions will be handed down by the court, chief among

MyStomach

"It feels so uncomfortable. Food distresses me. I get blue and despondent. I fear it is my heart. But my doctor says it's my stomach." And what did your doctor tell you to take? Ayer's Sarsaparilla? Quite likely, for he knows. All droggists When the liver is wrong, everything is wrong. The digestion is weak. The disposition is weak. The nerves are weak. Nothing acts well. Just one of 'yer's Pills each night will make these rong things right.

J. C. AYER CO., Lowell, Mare.

which will be that of the suit of The Bee Building Company of Omaha against The State Board of Equalization. The plaintiff seeks to enforce a new sitting by the board at which there shall be a revised valuation placed upon the property of the railroads in the state, it being averred that the previous valuation fixed by the board is below that of other property within the

state, and therefore inequitable. The court tomorrow, in conjunction with the state bar, will hold memorial services in honor of the late G. M. Lambertson and William Leese. Committees appointed by the court to draft resolutions will report at that time. A. S. Tibbets, F. M. Hall, John L. Webster, E. J. Hainer and John L. Baldwin will frame the resolutions expressive of respect for Mr. Lambertson, while the Leese committee includes John M. Stewart, M. B. Reese, F. N. Prout, G. W. Berge and J. L. McPheely,

Reward for Murderer. Governor Savage today offered the statutory reward of \$200 for the arrest of Gottlieb Neigenfind, who murdered Anna Peters and Albert Breyer last week in Pierce county and is now a fugitive.

The commission of Frank P. Crandon as commissioner of deeds for Nebraska and resident in Chicago, was extended today by the governor for a term of five years.

ON THE TRAIL OF NIEGENFIND

Two Claes to Whereabouts of Murderer, but Most Probable One from Pilger.

PIERCE, Neb., Sept. 15 .- (Special Telegram.)-County Attorney Barnhart, who is directing the pursuit of Niegenfind, the Pierce county murderer, has two clues as to his whereabouts. It was reported this that the penalities cannot be legally exacted morning that two traveling men saw a man answering his description last Friday between Crofton and Hartington. Another report was received this morning from Constable G. W. Goff and Detective Franklin The court is expected to approve the who are Stanton. They say that a man told recommendation at its September sitting, them that he was acquainted with Niegenfind beginning tomorrow. The finding of the and that on Saturday Niegenfind rode with United States supreme court in the Ne- bim nearly to Pilger. The man fid not braska maximum rate cases, it is under- know that Niegenfind was charged with stood, was the determining factor with the murder. Constable Goff thinks they are about four hours behind the murderer. Henry Carsten, a farmer and a bachclor, living about four miles southeast of where the murder was committed, says that Niegenfind stayed with him all night after the executive was searching for a diamond, a be and Breyer had had a fight and that murder was committed. All he said was that maybe he had killed Breyer. That a wagon went past the house that night and that Niegenfind rose up in bed and cocked his revolver and said if the shoriff came after him he would shoot him. That if he were covered to be missing. Mrs. Savage was surrounded by too many men, he would kill himself. Carsten sald Niegenfind was prepared to get cut any time as be did not take off his clothes when he retired. Nicexecutive mansion to a street corner in genfind rode with him with a load of bogs until within one mile of Winside, when he left, going south. Carston went to Winwas rewarded after a half an hour, by side with another load of hogs the next the governor seeing the gem shining from day, but heard nothing of the murder, until on the road home. He was informed of it age would not estimate the value of the but refused to believe it until he asked his stone, which is a large one, and was given neighbor, August Koerting, who told him it

was true. ing today and offered a reward of \$300 for the capture of Niegenfind. The tuneral of Albert Breyer and daughter held resterday was largely attended. Mr. Breyer was an old settler in Pierce county and was a highly respected citizen.

Tell Congregations on Sunday Who They Saw in the Disreputable Places.

HASTINGS, Neb., Sept. 15 .- (Special.) -er a A thunderbolt from a clear sky penetrated few miles below the town of Valley on nearly al the prominent churches of Hastings yesterday morning when the respective the mouth of the Elkhorn. He proposes ministers began their sermons by telling a few facts which they had seen and learned and the people who visit them. It seems the clashed. The trouble began some months every den or disreputable place the min- on the other. isters visited they found a member of some An effort was made to block Tilton's reone of their churches there, apparently en- nomination, but the convention was held joying himself. Mr. Van Dyke further too soon to make it possible to do this. said that he did not hold Mayor Miles Tilton lives in the most overwhelmingly to blame for these dens of iniquity in the republican district in the county, and a city, because the mayor was enforcing the fight against his re-election was found to laws according to the manner in which the be hopeless. At a meeting of the majority church members desired it. The sermons faction late Saturday evening a resolution were all full of fire and were quite sensa- was passed redistricting the county. tional. From all accounts the male members was not made public until today, and the of the various churches must have had a fact that it makes it nearly an even ques-

> absence from church yesterday. Wholesale Grocery for York.

nearly an assured fact that York will soon lington depot and on Lincoln avenue. They all of the populist precincts in the county asked parties whom they talked with to are in his district. He is said to desire a not say anything about it. It is supposed third term and wants to make himself some of the leading employes who expect to ward to the Pifth, wanted the district go in business for themselves. York's georegister of deeds in Lancaster county in the start a wholesale grocery house, there are slection of last November, will be the cash- parties here who are becoming interested

Politics at Tecumsch. TECUMSEH, Neb., Sept. 15 .- (Special.) --Now that both the republican and the fusion county conventions have been called, things political in this county are on the boom. A county attorney, member of the house of the Third district is all the officers there are to elect this fall. However, there is a profusion of candidates from both camps. The republican float senatorial convention for the Second district, which includes Nethe town of Johnson, Saturday, September The selection of a candidate for senaare two or three aspirants

Eiks' Fair Opens at Beatrice. BEATRICE, Neb., Sept. 15 .- (Special Telegram.) -The Elks' carnival opened here loday with a fair attendance. Oppenheimer's shows will give performances day and night during the entire week and the famous Second Regiment hand will furnish the music. If the weather is favorable Beatrice will entertain the largest throng of people visiting the city for years.

Not Much Damage in York.

YORK. Neb., Sept. 15 .- (Special.)-The recent frosts have done some damage to but to what extent is not yet known. of it will be fed to cattle and hogs.

GUARDSMEN STAY AT HOME

Governor Savage Assigns Lack of Funds as One of the Reasons.

UNION PACIFIC STRIKE IS THE OTHER

Expresses Fear that Militia May B Wanted to Suppress Violence When They Are Attending the Maneuvers.

(From a Staff Correspondent.) LINCOLN, Sept. 15 .- (Special.)-The Nebraska National guard will not take par coming fall maneuvers at Fort Riley, Kan. Governor Savage today made public the following statement upon the subject:

subject:

After looking into the matter fully I have concluded that Nebraska is not in position to accept of the invitation of the War department to mobilize the National guard at Fort Riley, and I have advised Adjutant General Colby to that effect.

Various reasons impelled me to that decision. It would entail an expense of approximately £25,000. Many of the members are engaged in school work, both as instructors and students, and to take them from their work at this time for a period of two weeks would work a hardship on them and seriously interfere with the educational machinery of the state. My policy has been throughout my administration to require each institution and each department to keep within the smount appropriated and guard against expenditures in

ment to keep within the amount appropriated and guard against expenditures in excess of that amount. The unexpended portion of the money appropriated for the National guard is sufficient to defray incidental expenses only, and such expense as would result from mobilizating at Fort Riley would have to be met by a deficiency appropriation, a proposition I am unalterably opposed to.

Another reason why I deem it unwise is the industrial situation. For some time a strike has been in progress on one of the principal railway corporations, and while no request for troops has yet been made, it is hable to come at any time, and it is necessary that the state shall be prepared to respond promptly. To send the troops out of the state in face of such conditions would be unwise, if not perilous.

would be unwise, if not perilous.

However, that Nebraska may reap some of the benefit I have accepted an invitation from Adjutant General Corbin to send a committee of officers of the guard, and have appointed Adjutant General Colby, Brigadler General Barry, Inspector General Bills, Surgeon General Evans, Colonel William Hayward, Colonel Harry L. Archer, Captain W. B. Brooks and Captain Samuel G. Yoder as said committee. Captain W. R. Brooks and E. Yoder as said committee. Unless detained by official business I shall Unless detained by welf.

Will Make but One Speech.

The hopes of Lincolnites who wanted to hear two speeches from President Rooseveit on the occasion of his visit to this city were dashed today by a telegram from Secretary Cortelyou, in which he said that the president declined to make more than one talk in any city. The arrangement was to have him address one gathering at the capitol grounds and another from the balcony of the Lincoln hotel.

The program of entertainment will embrace a big procession and a general wel-The president will be here one He will be escorted to the capitol hour. by a cordon of police and militiamen and citizens and uniformed organizations. Governor Savage will introduce the president. but will make no speech. Following the president's address a reception will be held. The street cars will not run during the hour the chief executive is here. This was decided upon as a certain means of avoiding any repetition of the Pittsfield tragedy

Mr. Day Will Wait. George A. Day of Omaha, one of the commissioners of the supreme court, who MINISTERS GO OUT SLUMMING has been tendered the Fourth district judgeship made vacant by Judge Keysor's resignation, had a long conference with the governor today. It is understood that he will not make his decision until after the judicial convention is held. If he secures the nomination he will accept the appointis nominated be will retain the commis-

sionership. Commissioners in a Squabble.

The minority and the majority in the about the places of degredation in Hastings Board of County Commissioners have again clergy of this city conceived the idea of vis- ago, when Commissioner Tilton, concluditing all the palaces of sin and places of ing that he had been duped into giving a iniquity in the city, and last week they put favorite of Mr. Welton the remunerative their idea into action. Before starting they contract for building the county bridges, infound themselves wondering how they could stigated proceedings which resulted in the gain admittance into the places of vice, but annulment of the contract. In delivering soon they learned that all doors swing open. its opinion the court reprimanded the comeven to them, and they also found all that missioners for the careless manner in they were looking for, and more too. Rev. which they let the contract and the baste Van Dyke of the Presbyterian church said displayed. This led to a feud between in his sermon yesterday morning that in Tilton on one side and Welton and Borgelt

"hunch," for they were conspicuous by their tion whether Tilton can be re-elected from the new district has caused considerable comment. Friends of the commissioner say that it is an attempt on the part of the YORK. Neb., Sept. 15 .- (Special.) -It is other faction to make it possible to defeat him at the polls. The majority faction inhave a wholsale grocery house. Last week sists that it was done to equalize the votparties interested came here and secured ing strength of the three districts. Weloptions on trackage property near the Bur- ton had a close call when he ran, because one of Omaha's wholesale houses or are Borgelt, who has moved from the Second changed so that he would be in line for to Borgelt's, and the Third ward, which has a candidate or two already for next year, is tacked onto a country district. By the new arrangement the city has one commissioner exclusively and the country

Said to Be in Hiding.

Mrs. Albert Sechrest, alias Mrs. George Hertzler, the Lincoln woman who has been the central figure in a Kansas City sensation, where she was discovered to be posing as the wife of two different men, is said to be hiding in this city. There is no representatives and a commissioner from pending charge against her in the Missouri city, but she does not want to see reporters. Her friends say that she is preparing to go back and confront her alleged slanderers. Sechrest, the man she claims is her husband, was killed there last June, maha and Johnson counties, will be held in and Hertzler, who claims her as his wife, is a railroad yardmaster. The woman's mother, Mrs. John Strine, lives at 445 for falls to this county this year and there North Twenty-sixth street, but Mrs. Sechrest is not with her. The Strines are old residents and the woman's escapades have caused a big sensation in East Lincoln society.

School teachers for the rural districts of Nebraska are still a scarce article. few weeks ago the situation amounted almost to a famine and, while State Superintendent Fowler reports that the shortage has been slightly relieved, still the probiem is a perplexing one to many scores

Young Woman Attempts Suicide. DAVID CITY, Neb., Sept. 15 .- (Special.) Miss Albina Prohaska, about 20 years of age

IS IT AN EPIDEMIC?

Vital Statistics Show an Alarming Increase in an Already Prevailing Disease-Are Any Exempt?

At no time in the history of disease has there been such an alarming increase in COUNTRY STILL BEING SCOURED FOR HIM the number of cases of any particular malady as in that of kidney and bladder troubles now preying upon the people of this His Victim Has in Large Measure Recountry.

Today we see a relative, a friend or at acquaintance apparently well, and in a few days we may be grieved to learn of their serious illness or sudden death, caused by the fatal type of kidney trouble-Bright's disease.

Kidney trouble often becomes advanced

contracting dreaded and dangerous kidney trouble, or eradicate it completely from their system if already afflicted. Many precious lives might have been, and many more can yet be saved, by paying attention to the kidneys. It is the mission of The Omaha Bee to today to Dr. Kilmer & Co., Binghamton, N. the celebrated specific which is having such

Don't make any mistake, but remember the name, Swamp-Root, Dr. Kilmer's Swamp-Root, and the address, Binghamton. N. Y., on every bottle.

CARS PILE UP IN THE DITCH Engineer and Fireman Dangerously and Tramp Seriously Injured.

VALENTINE, Neb., Sept. 15 .- (Special Telegram.)-A serious railroad accident occurred about 8 o'clock this morning, sixteen or eighteen miles west of here. regular eastbound freight train broke in two and part of it was left behind on the track unnoticed by the engineer. A special stock train was following and as it rounded a downhill curve the engineer, J. S. Hallstead, saw the danger, set the air brakes and reversed his engine, but was so near he could not stop, and, knowing the crash must come, he and the fireman, Tom Sutterfield, jumped from the engine. A brakeman in the cab with them climbed to the top of the cars and was thrown more than 100 feet away without being hurt. Cattle, cars and the engine of the special train are piled in a heap, down a steep embankment. None of the passengers on the detached portion of the head train were hurt, they having run for their lives when they saw the special coming. A young man beating a ride was seriously cut on the head, but will recover. The engineer and fireman are both here in a critical condition. Trains are side-tracked

repair of the track. MEMORIALS OUT IN THE STATE People of Nebraska Pay Loving Tribute to Memory of President McKinley.

waiting the clearing of the wreckage and

SHELTON, Neb., Sept. 15 .- (Special.)-A union McKinley memorial service was held in the Methodist Episcopal church last evening. The church was filled to its fullest seating capacity. Rev. Stiffer preached the sermon, and was assisted by Rev. Beller of the Evangelical church. Many loving tributes were paid to the martyred president, and a special choir sang the songs which

were his favorites. HARVARD, Neb., Sept. 15 .- (Special.)-Union services of all the churches of Harvard, was held last evening at the Methodist church, Rev. V. A. Shirley of the Christian church, delivering an interesting Specially prepared music by a combined choir of all the churches, was an interesting part of the exercises.

BEATRICE, Neb., Sept. 15 .- (Special Telegram.)-Some of the churches in the city held memorial services yesterday in honor of the late President William McKinley.

Competing Telephone Line.

DAVID CITY, Neb., Sept. 15 .- (Special.) The city council, at the regular meeting last week, granted a franchise to the Benedict Telephone company of Benedict, Neb. This is an independent company and will connect with all other independent lines in this and adjoining counties. The new company has quite a large list of subscribers and it reports the outlook decidedly encouraging. This will give David City a competiting line, and the new company also promises quite a reduction in races.

School Improvements at Stanton. STANTON, Neb., Sept. 15 .- (Special.)-The public schools opened here today with a good attendance. New facilities are being added, among others a modern steam heatthat the parties are either interested in safe. Another reason assigned is that ing plant, the installation of which delayed the opening of school. Prof. H. E. Mason remains at the head of the schools for his

Corn Ripening Fast.

HARVARD, Neb., Sept. 15 .- (Special.)-Corn is fast ripening under the influence of two quite hard frosts, and the dry and windy weather. A conservative estimate would place one-third of the corn crop as more or less injured by the frost, as all corn not fully ripe was more or less hurt.

FUGITIVE GIVES HIMSELF UP Kansas City Man Charged with Jury Bribing Surrenders and Pleads Not Guilty.

KANSAS CITY, Mo., Sept. 15 .- Abraham Davis, charged with jury bribing in the interest of the Metropolitan Street Railway company in a damage suit, who has been a fugitive from justice for more than a year, surrendered today. He was given a prelim inary hearing, pleaded not guilty and was released on \$1,700 bond.

Davis says he has been in New York ever since he left Kansas City. The prosecutor hopes to secure disclousures from Davis that will result in other arrests for alleged jury bribing in damage suits.

Philippine Revenues.

WASHINGTON, Sept. 15.—The bureau of incular affairs of the War department has Incular affairs of the War department has prepared for publication a comparative statement showing the customs revenues in the Philippine archipelago for the fiscal year ending June 30, 1905, compared with 1901, 1900 and 1890, expressed in United States currency. The statement shows that for the fiscal year ending June 30, 1902, the customs revenues were 38,392,777; for 1901, 39,100,754; for 1900, 35,739,297 and for 1899, \$3,000,864.

Troops Arrive at Fort Riley. Many farmers believe that it has damaged the very late corn, and others think that even the late corn was out of the way. York county corn crop will yield from fifty to ninety bushels to the acre, and a great part of it will be fed to cattle and hogs.

Miss Albina Prohaska, about 20 years of age, made an unsuccessful attempt to commit first troops to take part in the war maneuvers at Fort Riley, which will begin within a week, arrived here at noon today overland from Leavenworth. They consisted of the Second squadron of the Fourth cavalry, 230 men. They started from Lavenworth a week ago today.

Assailant of Anna Billawa Drops Out of Sight for Time Being.

covered from the Effects of Her Terrible Experience.

STANTON, Neb., Sept. 15 .- (Special Tele gram.)-The pursuit of Welch Lowrey, who kidnapped and assaulted Anna Billawa Satinto acute stages befor the afflicted is aware urday night, is still being kept up under diof its presence; that is why we read of so rection of Sheriff King. Lowrey evidently many sudden deaths of prominent business made his escape from the cornfield across bood and professional men, physicians and others. the river during the night and no trace of They have neglected to stop the leak in him has been secured since. The blood- ful men and women tell in direct, sincere hounds which were sent for have not ar- language what their success has been in While scientists are puzzling their brains rived.

While the excitement has died down some to find out the cause, each individual can. what, no effort will be spared to run him Atlantic, Iowa, writes; by a little precaution, avoid the chances of down, though there is now no danger of a lynching unless he should carry out his done for me. I took a severe cold which threat and shoot some of the pursuing posse. gave me a hard cough. All doctors' medi- just as sure to cure a case of catarrh of Lowrey is fully armed and also has plenty cines failed to cure it. I took one bottle of ammunition, and it is also stated he is of Peruna and was well. well supplied with money. He comes from a good family, but has been dissipated for accompanied by gagging. My wife had benefit its readers at every opportunity and the last few years. He is 24 years of age, stomach trouble for years. She took Petherefore we advise all who have any symp- five feet nine inches tall and of slight build. | runa and now she is well. toms of kidney or bladder trouble to write weighing about 140 pounds; has light hair, smooth face and prominent chin. He wears but I recommend your remedy at every op-Y., for a free sample bottle of Swamp-Root, a light suit of clothes and a light overcoat. | portunity, for I can conscientlously say Anna Billawa, his victim, has in a large a great demand and remarkable success in the cure of the most distressing kidney and experience, though still nervous. When she the sickness of myself and family, and an excellent, remedy for the grip bladder troubles. With the sample bottle arrived at the home of her brother she preof Swamp-Root will also be sent free a sented a pitiable appearence. Her clothing Peruna has done for us. Many followed pamphlet and treatise of valuable informa- was torn almost into shreds, the remnants our example, and the result was health. sandburs and she was utterly exhausted.

REINSTATE STILWELL Judge Grant's Petition to Discharge Receiver of Guardian Trust Company of Kansas City.

KANSAS CITY, Sept. 15 .- Judge Amos M Thayer of the circuit court today granted the petition of the stockholders, representing Arthur E. Stilwell to discharge the receivers of the Guardian Trust company, appointed over a year ago at the instigation of John W. Gates and his following.

The supporters of Mr. Stilwell, who at the time the company was thrown into the recelver's hands was president of the company, asserted in their petition to have the receivers discharged that the business could be conducted more economically with them. The Gates contingent opposed the move on the theory that Stilwell desired to merge the Gulf and Trust company into the Mex-

ican Trust company. It is said that Mr. Stilwell will be reinstated as president. Judge Thayer's order authorizes the receiver to pay immediate direct liabilities to the sum of \$199,433, and make payments of contingent liabilities to the amount of \$31, 880, taking from the persons holding the contingent claims agreements extending the time for the payment of the residue. direct liabilities ordered to be paid include outstanding debenture bonds, mortgages or real estate, trust funds, open accounts and \$16,000 due the estate of the late F. M. Black, by order of the court for services as

quirements of the order, and it will leave a palance of \$151.624.

receiver.

rects the receiver, immediately on the elec- books by its members, which is a matter of tion and organization of the new board of business and not of religion. As the courts directors of the Guardian Trust company, have no power to charter such which the court understands will be elected, the application for a charter is refused." and will convene on October 22, to turn over Guardian Trust company in his hands.

coming meeting are to adopt a resolution instructing the directors of the Guardian Trust company and its executive committee to sell to the best advantage all the real property of the company, save such as may be needed for the transaction of business The executive committee is also to sell, collect or otherwise reduce to money, with all convenient speed, all bonds, stocks, bills, demands, claims and securities which the not good interest-bearing securities, to the end that the affairs of the company may be put in a condition for speedy and convenient

liquidation. The minority stockholders who have objected to the discharge of the receiver must be given at least one representative on the board of directors to be elected October 22. who shall also be a member of the executive committee of the board, if such a committee

Today's order by Judge Thayer marks the near approach of the end of the Guardian Trust company. This company was organized as the Missouri. Kansas and Texas Trust company in 1889 by A. E. Stilwelland E. L. Mertin, with an authorized capital stock of \$1,000,000, divided into 10,000 shares of \$100 each. In 1899, soon after the capital stock had been increased from \$1,500,000 to \$2,500,000, the name was changed to the Guardian Trust company. The efforts of John W. Gates to secure control of the company and oust Stilwell culminated by Gates throwing the com pany into the hands of a receiver. This was in November, 1900.

An infant forty years ago. Today a mighty giant. Cook's Imperial Extra Dry Champagne. America's favorite.

SCIENTIST CHARTER REFUSED Judge Says He Cannot Grant One for

Concern that Combines Business and Religion. PHILADELPHIA, Sept. 15 .- The applica-

PHILADELPHIA. Sept. 15.—The application for a charter made by the First Church of Christ (Scientist) was refused today by Judge Arnold in the common pleas court. In his opinion Judge Arnold says:

The charter applied for in this case covers

Cheyenne, cloudy Sait Lake City, partly cloudy. Huron, partly cloudy Williston, clear St. Louis, clear St. Paul, partly cloudy. Davenport, clear

The charter applied for in this case covers a double purpose—a church and a business. We have power to grant a charter for a church, but we have no authority to grant a charter for a corporation for profit, that is, a business corporation. Continuing, the court quotes from the textbook of Mary Baker G. Eddy instruc-

tions to Christian Scientists to sell and cir-

A baby is whatever its parents make it. This is so even to the first

stages of gestation, when, if the mother gets proper treatment, the baby will be a jolly, laughing, good tempered, robust little angel. Nature when aided by Mother's Friend will give a healthful child with a free and graceful body, which is evidenced in elastic action

of the limbs, clear skin, bright eyes, fine hair. We exclaim invol-untarily over such a creation, "How beautiful!" meaning not

secessarily that the child is pretty, but that its general effect is on

of seeming attractiveness.

Mother's Friend is a liniment for external application. Women's

own pretty fingers rub it gently on the parts so severely taxed, and

THE BRADFIELD REGULATOR CO., Atlanta, Ga.

Your druggist sells it for \$1.00 per battle. You may have our book "Motherhood" FREE.

it is instantly absorbed and so lubricates the parts.

ELUDES THE STANTON POSSE PE-RU-NA NECESSARY TO THE HOME.

A Letter From Congressman White, of North Carolina,

PE-RU-NA IS A HOUSEHOLD SAFEGUARD.

No Family Should Be Without It. DERUNA is a great family medicine. The women praise it as well as the men; it is just the thing for the

The following testimonials from thankthe use of Peruna in their families: Louis J. Scherrinsky, 103 Locust street,

"I will tell you briefly what Peruna has "Then my two children had bad coughs

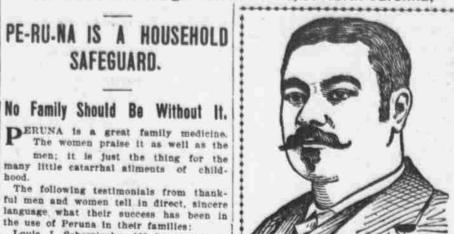
"I cannot express my thanks in words,

that there is no medicine like Peruna. measure recovered from the effects of her Nearly everyone in this town knew about of clothing and her hair were matted with Thanking you heartily, I am."-I. J. Scherrinsky.

Mrs. Nannie Wallace, Tulare, Cal., President of the Western Baptist Missionary Society, writes:

"I consider Peruna an indispensable artievery sickness that has been in my home mucous membranes cures the catarrh. for five years. I consider it of special ! Peruna protects the family against grails.

coughs, colds, catarrh, bronchitis, catarrh Address Dr. Hartman, President of Tho of the stomach, liver and kidneys. It is Hartman Sanitarium, Columbus, Ohio,



HON. GEORGE H. WHITE. ******************* the bowels as it is a case of catarrh of the bend.

Congressman George Henry White, of Tarbore, N. C., writes the following letter to Dr. Hartman in regard to the merits of the great catarrh cure. Peruna: House of Representatives.

Washington, Peb. 4, 1899. The Peruna Medicine Co., Columbus, O.: Gentlemen-"I am more than sat-Isfied with Peruna, and find it to be and catarrh I have used it in my family and they all join me in rec-

omending it as an excellent rem-

Very respectfully

George H. White. Peruna is an internal, scientific, syscle in my medicine chest. It is twenty liative or temporary remedy; it is thorough temic remedy for catarrh. It is no palmedicines in one, and has so far cured in its work, and in cleansing the diseased value to weakly women, as it builds up the factory results from the use of Peruna, If you do not derive prompt and satisgeneral health, drives out disease and write at once to Dr. Hartman, giving a keeps you in the best of health."-Mrs. full statement of your case and he will be pleased to give you his valuable advise

Your Health depends almost entirely on the condition of your stomach. If you suffer from dyspepsia, indigestion, sleeplessness or that tired feeling, THE PERFECT BREW BLUE RIBBON BEER will put you right-see that nothing enters your stomach that will health. Let us send you a case today injure your Brewing Co. Omaha. Phone 1260

edy."

A statement accompanying Judge Thayer's culate the publications of Mrs. Eddy, failure memorandum shows that there is \$382,397 to do the same being sufficient cause for expulsion from metership in the church. "This shows," says the court, "that the so-called church is a corporation for profit, Judge Thayer's order authorizes and di- organized to enforce the sale of Mrs. Eddy's

to such board all property and assets of the SUNSHINE FOLLOWS CLOUDS The stockholders of the company at their Which Same is All that the Weather Man in Washington Knows

About It. WASHINGTON, Sept. 15 .- Forecast: For Nebraska and North and South Dakota-Partly cloudy Tuesday; Wednesday

For Iowa-Fair Tuesday; warmer central and east portions; Wednesday fair. For Missouri-Fair; warmer Tuesday; Wednesday fair. For Colorado, Wyoming and Kansas-

Fair Tuesday and Wednesday For Montana-Partly cloudy Tuesday: in southeast portion; Wednesday fair. Local Record.

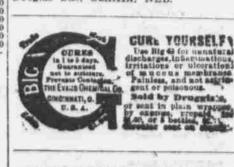
OFFICE OF THE WEATHER BUREAU. OMAHA, Sept. 15.—Official record of tem-perature and precipitation compared with the corresponding day of the past three Maximum temperature Minimum temperature Mean temperature Precipitation Record of temperature and precipitation t Omaha for this day and since March I.

otal excess since March 1. rmal precipitation Reports from Stations at 7 P. M.

CONDITION OF THE

Omaha, cloudy
Valentine, clear
North Platte, partly cleudy
Chevenne, cloudy Galveston, clear

T indicates trace of precipitation.
L. A. WELSH,
Local Forecast Official.



The Bee prints daily the most complete

Sporting News

The sporting department of The Omaha Sunday Bee is unexcelled.

Nebraska Official Train

Washington, D. Leaves Chicago via Wabash R. R. noon, Oct.

5, via Detroit, Niagara Falls and Buffalo; probably showers in west portion; cooler arrives Washington afternoon Oct. 6; sleepers, tourist cars, etc., through, long limit, stopovers. See Nigara Falls. Rate. \$15.85. Chicago to New York and return, \$23.30, sold Oct. 2 to 5. Boston and return \$19.00, sold Oct. 7 to 11. Wabash New City Office, 1601 Farnam, or address Harry E. Moores, G. A. P. D., Omaha, Neb.



equaled and every day brings many flattering reports of the good he is doing, or the relies he has given Hot Springs Treatment for Syphilis And all Blood Poisons. NO "BREAKING OUT" on the skin or face and all external signs of BLOOD DISEASE permanently cured to VARICOCELE LESS THAN 5 DAYS. OVER 30 000 cases cured of nerv-vitality, unnatural discharges, Stricture, Gleet, Kidney and Bladder Discases,

Hydrocele.
QUICK CURES-LOW CHARGES.
Treatment by mail. P. O. Box 766, Office over 215 S. 14th street, between Farnam and Douglas Sts., OMAHA, NEB.