CULVER IS NOW IN CHARGE

General Colby Formally Turns Over Command of National Guard.

REGISTRAR OF UNIVERSITY IS DEAD

Two Important Cases in the Supreme Court in Which Railroads Seek to Evade the Payment of Taxes.

(From a Staff Correspondent.)

LINCOLN, Feb. 20.—(Special.)—Colonel J. H. Culver, recently appointed adjutant general, took charge of the office at noon today, Adjutant General Colby retiring. General Colby and his chief clerk, Miss Marie Martinez, will remain with General Culver until he gets familiar with the details of the office. Miss Mary Greer of Tecumseh has been selected as stenographer for the new adjutant, but the chief clerk has not yet been selected.

Both the incoming and the outgoing adjutant general threw many bouquets upon the occasion of the change in the office, one at the other. Both were soldiers together in the civil war, were together at the University of Wisconsin and were together with the National Guard in the Spanish war. Each has the highest opinion of the other. General Culver stated that the accumulated work in the office, owing to the changes in the regulations, was well in hand and he congratulated General Colby on this.

After the oath of office had been administered by Secretary of State Marsh, General Colby presented General Culver with a handsome chapeau, belt, brigadier general's sash and epaulets. The articles were of the finest make and quality and are highly prized by General Culver.

The office, under the new regulations, places considerable more work and responsibility on the adjutant general. He is compelled to give a $50,000 bond to the United States government, and his property responsibility is largely increased.

Death of Miss Ellen Smith.

Miss Ellen Smith, for many years connected with the University of Nebraska as registrar, died last night. Miss Smith was an Ohioan and was 65 years of age. She had been ill for almost a year and owing to her age, her death, while a shock to the community, was not wholly unexpected. She came to the University of Nebraska in 1877 as a teacher of Latin and mathematics. She was later made librarian and the duties of registrar were later added. In 1882 she resigned as librarian and devoted all her time to the office of registrar.

The remains will be taken to the old home of the deceased, Orrville, O., for interment.

Omaha Man Has Smallpox.

S. H. Hardwick, who said he was a traveling man from Omaha, is a smallpox patient at the emergency hospital. Hardwick had been ill several days in a downtown rooming house. This morning a physician was called and pronounced the disease smallpox. This is the first case of smallpox discovered in Lincoln since last May.

Application for Water Right.

C. C. Wright of Omaha, as trustee for the Plattsmouth Power Canal company, has filed an application with the State Board of Irrigation for the right to use the waters of the Elkhorn and Platte rivers. The application proposes to erect a plant to cost $1,500,000. Mr. Wright asks for 2,500 cubic feet. This application conflicts with the rights granted Andrew Rosewater, city engineer of Omaha.

Attacks School Levy.

In another case filed today the Union Pacific Railroad company attacks the validity of the law relating to levy for school purposes. The company prays the supreme court to grant it an injunction against the treasurer of Merrick county to prevent him from collecting from the company school taxes to the amount of $366.03, which the company alleges was levied under a section of the statutes which is null and void.

Central City school district No. 4, to pay interest on school bonds and to provide for a sinking fund to pay off the bonds, levied a tax aggregating 35 mills—25 mills for general school purposes and 10 mills to pay bonds. The railroad company claims that the board was without authority to levy the tax because the amendment to section 4822 of the statutes of 1895 was illegal and did not pass the legislature according to the constitution. It claims that the law of 1895, providing that the tax levy for general school purposes shall not be over 20 mills, is still in force and that the present amendment is null and void.

In the brief filed today by John N. Baldwin and Edson Rich for the railroad company it is stated that the railroad company is assessed at a certain valuation per mile and that if it paid the total amount asked for by the city it would have to pay $854.07, which is $366.03 more than it should pay. It takes an appeal from the district court of Merrick county.

Fight on Bridge Tax.

The decision, when it is handed down, in a case filed in the supreme court this morning, will be of much interest to the people of Omaha as well as to the people of Rulo, Richardson county, upon whose petition the case is filed.

At Rulo school district No. 52, the local assessor assessed the west half of the bridge across the Missouri river for the purpose of state, county, village and school district taxes. The Burlington railroad and the Atchison & Nebraska railroad asked to have the collection of the taxes enjoined for two reasons:

First—That the west half of the bridge was a part of the main line of their road and as such subject to taxation by the State Board of Equalization only.

Second—That if not subject to taxation by the state board it was not within the corporate limits of either the school districts, village or city of Rulo, and, hence, not subject to taxation on account of those political subdivisions.

The village of Rulo claimed that the bridge was in the corporate limits of the city and school district. And that the law creating the State Board of Equalization was unconstitutional insofar as it authorized that board to assess the west half of the bridge for any other purpose other than that of the state taxes, and that the assessment of the bridge by the local assessor was valid.

State Assessment Illegal.

In concluding their brief the attorneys for the appellants said: "The questions here presented have never been called to the attention of the court before, so far as the reported decisions disclose. That they are questions of paramount importance must be conceded. We think that the method of assessing railroad property in this state is in flagrant violation of the provisions of our constitution and that a full and thorough consideration of the case will lead your honors to the same conclusion. We insist that the statute of which we complain was passed for the purpose and with the intention of doing indirectly that which the legislature could not do directly viz., of exempting a railroad property from its just share of taxation for municipal, school and county purposes. This law was never passed for the public good, but at the instance and urgency of railroad companies, for their own benefit. Well does the writer remember that when an attempt was made in the legislature of 1887 to have the charter of the city of Omaha so drafted that railroad property within the city would be required to pay its just share of taxes toward the support of the city government and school district, the representatives and friends of every railroad in the state were arrayed against it and it was defeated, notwithstanding its evident justice.

"We cannot conclude this brief better than by quoting the language of Judge Beck of the supreme court of Iowa, in passing upon a statute, in principle, the same as the one which we are criticising:

"'The object and design of the statute in question is to exempt railroad corporations from taxation equal to that borne by individuals. Inequality is intended and provided for unequivocally by carefully prepared provisions that could have no other purpose in the mind of the legislature. It is not an incident that could not be avoided but is an object carefully provided for in the statute. It cannot by any fairness be claimed that real estate and personal property of railroad corporations connected with the use of the road cannot be made subject to taxation the same as like property of individuals. There is not the least difficulty in providing a system of taxation which in its theory at least shall impose a burden upon such property equal to that provided for the property of individuals. The argument then based upon necessity fails and seems but to expose the injustice of the statute and its conflict with the constitution.'"

The courts of Richardson county granted the injunction and the people have asked the supreme court to set aside the decision of the lower court.

PREACHER GETS HEAVY FINE

Assessed Over Five Hundred Dollars for Shooting at a Wymore Man.

BEATRICE, Neb., Feb. 20.—(Special Telegram.)—Rev. S. P. Benbrook, who was tried in district court last week on a charge of shooting at Dr. Johnson of Wymore with intent to kill, but who was found guilty of assault, was fined $100 and costs by Judge Lemon this afternoon and ordered committed to jail until fine and costs are paid.

Mr. Benbrook made a statement to the court in which he said that he did the shooting while in a fit of passion, but had no intention of killing Dr. Johnson.

Judge Lemon then reprimanded Benbrook severely, but kindly, by saying that he was a man of intelligence and good standing in the community and that the public expected something better of him, but even under such conditions he should not escape punishment. Sentence was then pronounced.

The costs amount to $418 and Mr. Benbrook announced this evening that he would appeal the case. Some of his Wymore friends will be here tomorrow to furnish security for the costs, and until that time he will be in the custody of an officer.

Take Child from Father.

FREMONT, Neb., Feb. 20.—(Special.)—At the instigation of the women of the Charity club proceedings have been commenced in county court to remove Ophelia Armstrong, a 7-year-old girl, from the custody of her father, Abram Armstrong. The child was found by the women living with her father and two men who claimed to be his brothers, in two rooms in the old Davenport hotel building, without food, fire or proper clothing and in a terrible condition. The entire outfit have had a bad reputation with the police. This afternoon another one of the trio made a vicious assault on Constable J. P. Hansen, while the officer was serving some papers on Abram. As Hansen is not a large man and the Armstrongs indicated their intention to do him up, he got away from them and procured a warrant for Armstrong, and his trial will come up tomorrow.

Elks Have House Warming.

FREMONT, Neb., Feb. 20.—(Special.)—The Elks' hall and house warming, given in their new rooms last evening, was the leading social event of the season. Masonic hall was beautifully decorated for the occasion, the prevailing colors being purple and white. The entire second floor of the building was used, the supper being served in the Grand Army of the Republic hall and the other rooms being arranged for ping pong, cards and other entertainments. The decorations of the entire rooms were strikingly beautiful. The new lodge, No. 514, has as nicely arranged quarters of their size as any lodge of the order in the state and begins its career under very favorable auspices.

Jury Gives Judge Present.

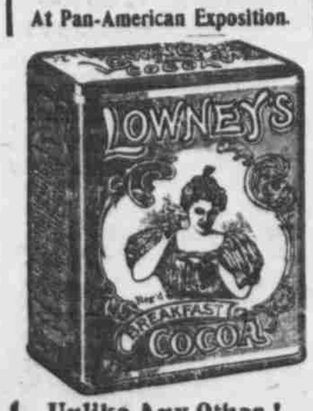
BEATRICE, Neb., Feb. 20.—(Special.)—Just after court convened yesterday morning Judge Letton was presented with a beautiful gold mounted umbrella from the jury which has served during this term of court. The inscription on the umbrella reads: "To the Hon. Judge Letton, from the jury of the January term of 1903." The presentation speech was made by James Ramey of Odell, and the judge responded in a graceful manner, saying that the gift would be held in tender remembrance by him in future years to come.

Cut Third Crop of Ice.

FREMONT, Neb., Feb. 20.—(Special.)—Fremont ice dealers are cutting a third crop, which is something unusual in this vicinity. It is twelve inches thick and of a solid, uniform quality. All the ice houses here will be full to their utmost capacity and probably some ice will be shipped to outside points this summer.

Gold Medal

At Pan-American Exposition.



Unlike Any Other!

The full flavor, the delicious quality, the absolute Purity, of Lowney's Breakfast Cocoa distinguish it from all others

No "treatment" with alkalies; no adulteration with flour, starch or ground cocoa shells; nothing but the nutritive and digestible product of the choicest Cocoa Beans.

Ask Your Dealer for It.

STRONG POINTS FOR STATE

Witness Details Experiments Made with Revolvers and Lace Curtains.

TEND TO CONTRADICT DEFENSE CLAIM

Indicate Powder Burns on Lace Curtains Could Not Have Been Made as Asserted by Defendant.

DAVID CITY, Neb., Feb. 20.—(Special.)—By far the largest crowd was in attendance yesterday afternoon at the Lillie murder trial there has been at any time since the taking of testimony began. The state has introduced nineteen witnesses out of the forty-six on the information. Counsel for the state think they will not complete their side of the case until next Tuesday or Wednesday.

When court convened this morning C. W. Derby was on the witness stand. He said in part:

"We made tests with the revolvers to see what the effect of powder would be at different distances, as to powder burns on a lace curtain similar to the powder burn on the lace curtain in the Lillie residence.

"The farthest distance we made the tests was three feet. The other distances were two feet, one foot, six inches and three inches. We used each of the different kinds of guns and cartridges at the various distances.

"We also made tests with the same revolvers and same cartridges with a piece of white muslin. All of these experiments were made in a closed room, the engine room of the court house."

Counsel for the defendant objected to the witness testifying as to the results of tests made, for the reason it had not been shown that witness was an expert in the use of firearms, gunpowder and their use. The court said he was not prepared to pass upon the question and asked counsel if they had any authorities on the subject to produce them. The jury was excused and the arguments and citation of authorities was commenced.

The argument was concluded at the noon hour. Judge Good announced that he would pass on the question on the convening of court in the afternoon.

State Wins a Point.

When court convened this afternoon Judge Good overruled the objections of the defendant and said in part:

"The question raised is that Mr. Derby has for years had experience with firearms and their use, that he and others made tests with thirty-two caliber revolvers in the engine room. Forty shots were fired from revolvers, long and short cartridges, rim and center fire and different kinds of powder. Various witnesses have testified that Mrs. Lillie made statements as to the position of the man that did the shooting. The bullet found in Mr. Lillie's head was a thirty-two. The evidence goes to its weight rather than to its consistency."

Counsel for defense cross-examined the witness, C. W. Derby, on his use of firearms, cartridges and their effect, at the conclusion of which defendant renewed the objections to the witness showing to the jury the lace curtain upon which tests were made. Objection overruled.

Witness here identified the lace curtain used in making the tests and exhibited the same to the jury, explaining the results of the different tests made and the nearest of the powder burns similar to the burn on the curtain in the Lillie window was produced with a long five-inch barrel center fire gun, short cartridge, semi-smokeless powder, at a distance of three inches. The measurement was made from the muzzle of the revolver. The curtain was hung before the jury and the various tests fully and clearly explained. The curtain was admitted in evidence. Continuing, Mr. Derby said:

Found Purse in Bureau.

"In taking the range of the bullet through the curtain, glass and screen, in which I used an old revolver, I stood on the west side of the bed and my hand was from six to seven inches from the top of the bed. At the time that Mr. Ren and myself searched the Lillie residence I found a purse in the middle drawer of the bureau in the Lillie bedroom and there was $10.01 in it, all coin from pennies up."

The cross-examination of Mr. Derby elicited nothing more. On redirect examination witness said:

"I was paid for searching the Lillie premises, the privy, cistern, well and the house from cellar to garret, for which I received $15. It took three days of my time."

Willis D. Westover was the next witness. His testimony was substantially the same as at the preliminary hearing, in the description of the Lillie bedroom and the powder burn on the curtain, glass and screen and fully corroborated other witnesses on those points. Witness assisted C. W. Derby and others in making the tests testified to by Derby and corroborated Mr. Derby on this point in every particular. The cross-examination elicited nothing more.

Louis C. Ren was called and corroborated Derby and Westover as to the tests made with revolvers and the effects on the lace curtain and in addition said:

"In one of the conversations I had with Mrs. Lillie I asked her if she thought Mr. Lillie had raised up when he was shot, and she said she thought not; that he must have been asleep when he was shot. She also said the gun the man he'd in his hand was a bright one."

Buffalo County Doctors Organize.

KEARNEY, Neb., Feb. 20.—(Special Telegram.)—The physicians of the county met at the city hall in Kearney and organized the Buffalo County Medical association, according to the plans adopted by the state association. The constitution recommended by the state association was adopted and officers were elected as follows: President, Dr. F. A. Packard; vice president, Dr. J. W. Miller of Gibbon, secretary and treasurer, Dr. G. M. Hull. The meetings will be held in Kearney on the third Wednesday in each April, July, October and January. The first meeting of the association will be held on April 15 in this city.

Eloper is In Council Bluffs.

BEATRICE, Neb., Feb. 20.—(Special.)—Gilead Reynolds, who recently created quite a stir among the Gypsies in this city, by eloping with his wife's sister, Miss Nora Stanley, has turned up at Council Bluffs, Ia. A letter was received here from him yesterday, by his father, in which he inquired about his wife and begged forgiveness for his actions. The letter was shown to Mrs. Reynolds and as soon as she read it she boarded the first train out of this city for Council Bluffs. The officers believe a reconciliation will follow and the interrupted relations resumed as soon as husband and wife meet.

Real Estate Active.

EXETER, Neb., Feb. 20.—(Special.)—Considerable real estate is changing hands already, although spring is still some way off. There are no houses for rent in this town, so people must buy in order to locate here.

Play for Benefit of Library.

YORK, Neb., Feb. 20.—(Special.)—At the Auditorium last evening was given the first benefit for the York public library. The entertainment was a play entitled "The Bells," in which home talent took the leading parts. They were greeted with a crowded house and the proceeds will benefit the funds of the library many dollars. The actors acquitted themselves with considerable credit.

WOMAN'S WORK IN MISSIONS

Quarterly Meeting of Episcopal Society of the Diocese of Nebraska.

FREMONT, Neb., Feb. 20.—(Special Telegram.)—The quarterly meeting of the Woman's Auxiliary of the Episcopal Church for the Diocese of Nebraska was held at St. James' church here today, with forty visiting delegates in attendance. Besides these the following clergymen were present: Rev. B. J. Fitz, Lincoln; Rev. A. C. Marsh, Blair; Rev. W. H. Moor, Rev. T. J. Mackay, Rev. R. E. Lee Craig, Omaha; Rev. Harry T. Moore, Fremont; Bishop Arthur Williams, Omaha.

The morning session was taken up with a celebration of holy communion by Bishop Williams, assisted by the local pastor, and the regular business meeting, which included reports of committees. At noon the visiting delegates and ministers sat down to luncheon served by the women of St. James' guild at the rectory. In the afternoon there was a missionary meeting. Rev. Mr. Moore delivered the address of welcome and Mrs. Albert C. Noe, the president, responded. Bishop Williams spoke on missionary work among the Indians and Rev. Mr. Craig made an address on foreign missions.

PATENT MEDICINE IS FATAL

Contains Some Drug Which Acts on Young Child as Violent Poison.

KEARNEY, Neb., Feb. 20.—(Special Telegram.)—Byron, the 5-year-old son of Mr. and Mrs. C. D. Ayres, died at 9 o'clock this morning under peculiarly distressing circumstances. Last Saturday the child, who had been ailing, was given a dose of patent medicine which acted upon him as a violent poison. He was given the proper dose, but it seems that the condition he was in caused the medicine to act as it did and the little fellow soon developed all the symptoms induced by a violent vegetable poison.

Dr. Hoover was at once summoned and did all that could be done to counteract the effects of the drug, but his efforts were unavailing. The little sufferer had numerous convulsions and for the last three days he had not averaged more than one hour of consciousness out of the twenty-four.

Discusses Pharmacy Bill.

CRESTON, Neb., Feb. 20.—To the Editor of The Bee: What do druggists think of house roll No. 232? The idea of letting a man become a "registered pharmacist" simply because he has possession of a drug stock, or because he has been in the business for seven years. I myself am a clerk working for a fair compensation for my services, and I think such a scheme as this bill proposes is ridiculous in the extreme, an outrage on all registered pharmacists in good standing now and all the pharmacists of the future.

It is a well known fact there are many unregistered owners of drug stores who simply cannot pass the state board examination. Should they be given equal rights with men who have studied for years, in order to uphold the practice of pharmacy? Is it right they should be given a diploma for efficiency in pharmacy? I answer most emphatically, No. Should this bill ever squeeze through there will be a fine chance for patent medicine dealers and drug fakirs to get into the ranks of professional men cheap. In the last few years we have advanced so far in the pharmaceutical world that what was formerly called a trade is now a leading profession. Are we to be put back to where we were twenty years ago? Is it not also an imposition on the general public to be obliged, in many instances, to have their drug needs attended to by incompetent men? The Nebraska examination is not, and never has been, too difficult for a man of ordinary ability to pass. Let all who can pass enter therein and those who cannot stay out. We have now what I consider a good pharmacy law. Why change it? SYDNEY EASTMAN.

Creston, Platt county, Neb.

New Record for Hog Prices.

HASTINGS, Neb., Feb. 20.—(Special Telegram.)—T. C. Callihan, a stock auctioneer of Omaha, today sold forty head of Duroc-Jersey hogs at an average of $108.50 per head. One sow sold for $510 and a gilt for $315. This is said to be the highest average and the highest priced sow and gilt of that breed ever sold in any country. The sow was bought by Smith Brown of Waterloo, Neb., and the gilt went to S. P. Alspach of the Walnut Grove stock farm at Carroll, Ia. The hogs were raised by George Briggs & Son.

Injured in a Runaway.

TABLE ROCK, Neb., Feb. 20.—(Special.)—O. D. Tibbets, one of our merchants, while delivering goods last evening and driving a young fractious colt, was thrown from the buggy and received severe scalp wounds and bruises about the face and head. His feet caught in the lines and he was dragged for quite a distance. It was at first thought he was fatally hurt, but it is now believed he will be able to be up and around again in a few days.

Machinery for Starch Plant.

NEBRASKA CITY, Neb., Feb. 20.—(Special.)—Two carloads of new machinery were received at the Argo Starch plant today and will be installed as rapidly as possible. This machinery is for the manufacture of printed wooden boxes for the starch. The factory is now grinding 2,500 bushels of corn per day and expects in the near future to double the capacity and manufacture all brands controlled by the trust, with the exception of "Oswego."

Beatrice Children Entertain.

BEATRICE, Neb., Feb. 20.—(Special.)—The children entertained at the meeting of the Order of Eastern Star last night, which was attended by more than 100 members of the order and their friends. A literary and musical program was rendered, after which refreshments were served, and the affair in every respect was one of the most enjoyable held by the order for some time.

Good Prices for Hogs.

SUTTON, Neb., Feb. 20.—(Special.)—The Gilbert Van Patten Duroc-Jersey stock sale came off here yesterday. There were a large number of blooded stock buyers present from this and adjoining states. Over $2,400 was realized from thirty-six head. Van's Premium Son brought $305, going to an Iowa man.

Dry Goods Firm Assigns.

HUMBOLDT, Neb., Feb. 20.—Special.)—The Dennis Dry Goods company, one of the largest mercantile establishments of the city, this morning assigned its stock to two trustees to dispose of in the interest of creditors. The State bank of this city and some of the dry goods wholesale houses are the heaviest creditors.

City Politics at York.

YORK, Neb. Feb. 20.—(Special.)—Some interest is being taken in the coming city election. Mayor McCloud has announced that he is not a candidate for re-election. C. S. Harrison's name has been mentioned. Mr. Harrison is president of the Commercial club and twenty years ago was mayor of York.

Stakes for the Engineers.

BEATRICE, Neb., Feb. 20.—(Special.)—An order for 1,500 engineers' stakes to be used in surveying the new railroad line between this city and Virginia was placed at one of the planing mills yesterday. It is reported that the survey will be made just as soon as the weather moderates.

Liquor Case is Continued.

BEATRICE, Neb., Feb. 20.—(Special.)—The case of the State of Nebraska against Will Losey of Liberty, who is charged with selling liquor without a license, was called in district court Wednesday evening and continued over to the next term of court. He was released on $300 bonds.

License is Troublesome.

HUMBOLDT, Neb., Feb. 20.—(Special.)—Municipal matters have begun to warm up and an effort is on foot to divorce the question of license from the candidates at the coming election, but whether or not it will be successful is a question.

Van Wyck Estate Settled.

NEBRASKA CITY, Neb., Feb. 20.—(Special Telegram.)—John W. Steinhart today filed his final report as guardian of Happy Van Wyck and desires to be relieved as administrator of the estate of the late Charles H. Van Wyck.

State University Notes.

Hon. G. L. Laws of Lincoln has presented the State Historical society with 500 volumes of United States public documents.

H. P. Leavitt, '96, who has been in Lincoln several days working in the interests of the Daily Nebraskan, returned to his home in Omaha Friday.

G. W. Hood, the speedy third baseman on the university nine last year, has entered school this semester and will try for his old position this season.

The business men of Lincoln have rallied to the support of the Nebraskan and publication will be resumed Saturday, to be continued throughout the semester.

N. J. Abbott of Hayes Center, Neb., a former editor of the Hayes Center Republican, has sent the historical society almost a complete set of files of that publication from 1871 to 1902.

The University Glee club, consisting of sixteen members and under the direction of Prof. Starr of the University Conservatory of Music, will give a concert in Memorial hall on Saturday evening.

The following men have won places on the interstate debating team: Against Colorado, J. C. Doubt, W. F. Meier, Ira Ryner and J. N. Norton, alternate; against Kansas, E. R. Buckner, R. C. James, G. A. Lee and G. M. Peters, alternate; against Missouri, N. M. Cronin, F. M. Hunter, B. G. Lewis and J. C. McReynolds, alternate.

H. G. Shedd, registrar, left Thursday for Cincinnati to attend a meeting of the principals and superintendents' division of the National Educational association. He will also spend several days in Chicago, where he will visit the Chicago and Northwestern universities, and will stop at Iowa City on his return to look into the administrative departments of these institutions.

At the annual election of the University Young Men's Christian association in their rooms Thursday evening the following officers were elected: President, G. B. Lewis; vice president, Roy Bickford; secretary, A. R. Moore; treasurer, R. T. Hill; advisory board, Prof. G. E. Condra, Dr. A. R. Hill, Prof. A. E. Davisson, Dr. B. L. Paine and Clark Oberlies. A banquet will be tendered the officers-elect at the Lindell hotel on Tuesday evening, March 3. Toasts will be responded to by E. T. Colton, one of the ablest of the student volunteer secretaries; Chancellor Andrews, State Secretary Bailey, Dr. B. L. Paine and others prominent in Young Men's Christian association work. A large number of university men, including students and faculty, will be present and a pleasant and profitable gathering is anticipated.

The department of physical education, under the direction of Dr. R. G. Clapp and Miss Anne Barr, has made a wonderful growth this year. There are 250 men taking regular gymnasium work or athletics, or both, and 450 young ladies in the practical gymnasium work. There are fifty men and an equal number of young ladies registered in the various classes in theory where scientific training and the art of instruction along the lines of physical education are taught. The department is cramped for room. The armory is in constant use by the gymnasium classes, except from 5 to 6 each day, when it is turned over to the cadets. A number of marches, drills and similar exercises are now held in the chapel and it is thought that next year it will be necessary to fit up this room with some light apparatus to satisfy the need of the department for more space.

RACE PROBLEM ON THE COAST

Movement on Foot Among Chinese Merchants to Force Admittance of Sons to Schools.

SAN FRANCISCO, Feb. 20.—A movement is on foot among the Chinese merchants to force admittance for their sons to the public schools.

The Examiner says that it has been decided to petition the legislature to amend the law which excludes the Chinese youth from the public schools.

The Chinese fathers of native sons claim the exclusion of their boys from public schools is not only unjust, but at variance with the constitution of the United States.

COLORADO GENERAL NAMED

Roosevelt's Soldier Comrade is Appointed to Lead National Guard.

DENVER, Feb. 20.—Sherman M. Bell, a member of Roosevelt's Rough Riders during the Spanish-American war, was today appointed adjutant general of the Colorado National Guard by Governor Peabody.

ASSISTANT CITY ENGINEER

OF LOUISVILLE, KY., SUFFERED FOR YEARS WITH CATARRH OF THE HEAD.

SAVED BY PE-RU-NA.

Charles C. Roe, assistant city engineer, Louisville, Ky., writes:

"Peruna has a large number of admirers in this part of Kentucky, but none more honest than myself for what it has done for me.

"I was troubled for some years with catarrh of the head and throat which was often a serious annoyance to me and must have been to my friends. Nine bottles of Peruna cured me and built me up. It seemed to strengthen the nervous system, regulate digestion and drive away the headache, besides curing the catarrh.

"I have never known of any medicine which seemed to go through the entire system and do so much good."

CATARRH of the head, nose and throat are very frequent. These victims crowd the offices of catarrh specialists in vain. Mr. Chas. C. Roe once belonged to this unhappy class. A course of Peruna entirely cured him.

There are two things that the whole medical profession agree about concerning catarrh. The first is that catarrh is the most prevalent and omnipresent disease to which the people in the United States are subject. All classes of people have it. Those who stay indoors much and those who go outdoors much. Working classes have it and sedentary classes have it.

The doctor finds catarrh to be his constant and ever present foe. It complicates nearly every disease he is called upon to treat.

The second thing about catarrh on which all doctors agree is that it is difficult to cure it. Local remedies may give relief, but they fail to cure permanently. Sprays or snuffs amount to little or nothing except to give temporary relief.

Catarrh is frequently located in internal organs which cannot be reached by any sort of local treatment. All this is known by every physician.

To devise some systematic internal remedy which would reach catarrh at its source, to eradicate it permanently from the system—this has been the desire of the medical profession for a long time. Forty years ago Dr. Hartman confronted this problem. He believed then that he had solved it. He still believes that he has solved it. He cures thousands of people annually. During all these years Peruna has been the remedy upon which he has relied.

It was at first a private prescription, afterwards manufactured expressly for him in large quantities. This remedy, Peruna, is now to be found in every drug store and nearly every home in the land. It is the only reliable internal remedy ever devised to cure any case of catarrh, however long the case may have been standing.

Mr. Camillus Senne, 257 West 129th street, New York, writes:

SUFFERED THREE YEARS.

"I have fully recovered from my catarrhal troubles. I suffered for three years with catarrh of the head, nose and throat. I tried all kinds of medicines without relief, but at last I have been cured by the wonderful remedy called Peruna.

"I read of Peruna in your almanac and wrote you for advice, which I followed. After taking one and one-half bottles of Peruna I am entirely cured and can recommend Peruna to anyone as the best and surest remedy for any catarrhal troubles."—Camillus Senne.

Peruna cures catarrh wherever located. Peruna cures catarrh in whatever form. Accept no substitute for Peruna. Peruna is the only systemic remedy for catarrh yet devised.

"I Know of No Better Catarrh Remedy Than Pe-ru-na," Says Congressman Ogden.

Hon. Henry W. Ogden.

Hon. H. W. Ogden, congressman from Louisiana, in a letter written at Washington, D. C., says the following of Peruna, the national catarrh remedy:

"I can conscientiously recommend your Peruna as a fine tonic and all round good medicine to those who are in need of a catarrh remedy. It has been commended to me by people who have used it as a remedy particularly effective in the cure of catarrh. For those who need a good catarrh medicine I know of nothing better."—H. W. Ogden.

Hon. Rudolph M. Patterson, a well known lawyer of Chicago, Ill., writes the following letter to The Peruna Medicine Co., at Columbus, Ohio:

Gentlemen—"I have been a sufferer from nasal catarrh for the past five years, and at the earnest solicitation of a friend I tried Peruna, and am glad to say it has afforded a complete cure. It is with pleasure I recommend it to others."—Rudolph M. Patterson.

Catarrh Sixteen Years.

Miss Orelie Guimond, Guimond, N. B., writes:

"I had catarrh of the head for sixteen years and could not get rid of it. After using one bottle of Peruna I was completely cured, and I advise all who are afflicted with this disease to try this remedy. I thank Dr. Hartman for my cure."—Orelie Guimond.

WOMEN PRAISE PE-RU-NA.

Mathilda Koch, Grange, Md., writes: "I cannot speak too highly of Peruna as a medicine. I was subject to catarrh of the head and throat until I tried Peruna. After taking eight bottles, Peruna cured me. It also acts as a special preventive of throat difficulties. It keeps me in fine health and I value its fine qualities very much. **We all use Peruna in the family and there are seven of us.** I recommend it to my neighbors and they all take it."—Mathilda Koched.

Many Have Catarrh and Don't Know It

Catarrh is almost a national curse. Nearly everybody has had it more or less. A majority of people who have catarrh in its incipient stage don't know it. Catarrh will produce so many different conditions that it is no wonder that it is not often recognized.

Catarrh will produce deafness; will affect the eyesight.

Catarrh will enlarge the tonsils and will make the throat sore.

Catarrh will cause consumption, dyspepsia, kidney disease and so many other maladies that it is no wonder that doctors fail to recognize it.

If you do not derive prompt and satisfactory results from the use of Peruna write at once to Dr. Hartman, giving a full statement of your case, and he will be pleased to give you his valuable advice gratis.

Address, Dr. Hartman, President of The Hartman Sanitarium, Columbus, Ohio.

GIVE SCHLEY AN OVATION

New Orleans Citizens Pay Stirring Tribute to Naval Hero.

ADMIRAL REMEMBERS ENLISTED MEN

Says Honor is Due Men Before Furnaces and Behind Guns on Ships Which Guard Country's Interests.

NEW ORLEANS, Feb. 20.—Admiral Schley, Colonel A. C. McClure and General Joe Wheeler were given an ovation by the people of New Orleans this afternoon. They came at the invitation of the Progressive union and after the Crescent theater had been filled 2,000 people stood around the doorway clamoring for admittance.

In his speech Admiral Schley said in part:

The duty you have assigned to me of speaking a few words to this audience seems more difficult than meeting your enemies whose purpose in war was to destroy your interests.

Most of my life during the last half century has been spent on the outer confines of civilization, guarding your interests beyond observation or the sympathy of the people. Those with whom I served did so uncomplainingly and had little to comfort them beyond that glorious insignia under which we served and beyond that irresistable power to reward or condemn unsparingly.

There is no discounting Jack's love of home and his flag, and when he is at sea his dream is of his sweetheart, but his ship is his loyal love and his country is God's own country. He is always ready, no matter how forlorn the hope, ready to lead and lay down his life.

Behind the gun he is the peer of any marksman in the world. Therefore, I say, all honor to the men behind the guns and the men before the furnace.

Colonel McClure delivered an address in the course of which he emphasized the good feeling between the sections which once fought so valliantly. He referred to Admiral Schley, saying he was big enough at the battle of Santiago to say that there was honor enough for all.

General Joseph Wheeler was compelled to respond to the loud calls and made a happy speech.

Admiral Schley also visited the New Orleans Cotton exchange in company with Colonel A. K. McClure.

The admiral was given an enthusiastic reception and made an address expressing his pleasure at being in New Orleans.

FIGPRUNE CEREAL

A delicious Cereal Coffee made of choice California figs and prunes and grain—absolutely free from artificial matter.

SOLD BY ALL GROCERS.