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this pending action. South Omahans are exercised over the affair, as also are some persons who reside in Omaha. The governor need not pine for assistance or suggestions as to whom to select, for many there be who are ready to tender their services, both as advisors and members. However, the governor has decided to take some time in consideration of this important matter. He will not name the board for some days, to say the very least. H. R. 186, the bill vesting in the coming board this power, did not pass with the emergency clause, so it will not become effective for three months.

Message from Governor.

Governor Mickey transmitted to the senate and house this afternoon this message against the passage of S. F. 114, the bill providing for a constitutional convention:

To the Honorable Speaker and Members of the House: S. F. 114, a bill for a joint resolution recommending to the electors of the state to vote at the next election of members of the legislature for or against a convention to revise, amend or change the constitution of the state of Nebraska, in accordance with section 2, article xv of the constitution of the state of Nebraska, has been placed in my hands for executive consideration.

Some doubt has been expressed as to the right of the chief executive to pass upon a resolution of this purport, but section 15 of article v of the constitution provides that:

"Every bill passed by the legislature, before it becomes a law and every order, resolution or vote to which the concurrence of both houses may be necessary (except on questions of adjournment) shall be presented to the governor. If he approve he shall sign it, and thereupon it shall become a law, but if he do not approve, he shall return it, with his objections, to the house in which it shall have originated." * * *

Appreciating the comprehensiveness of the terms used, "bill," "order," "resolution" or "vote," I assume that this bill is submitted to me for official action with a view, at least of saving all question as to the legal effect of its passage by the two houses composing the legislature, acting independent and apart from the executive branch of the government, upon a matter so important and vital to the welfare and good government of the state.

It is also borne in mind that on a previous occasion, by favor or courtesy, if not of right, S. F. 117, being a joint resolution memorializing the congress of the United States upon the subject of leasing of public lands for grazing purposes and S. F. 34, being a concurrent resolution memorializing congress to establish the true military status of the First Nebraska militia, were sent to me for and received approval, presumably at the request of the legislature.

Fully realizing, therefore, that there may be some question as to the right of the chief executive in any manner to advise upon the subject and with the greatest respect for the prerogatives of the legislature as a co-ordinate branch of the government of this state, I at least venture the following suggestions by way of my disapproval as chief executive of the action of both houses in passing concurrent resolution 114.

Objections of Governor.

By reason of the great importance of the undertaking and the great expense incident to a constitutional convention, the legislature should move very cautiously in taking action along this line. A constitutional convention would entail an approximate expense on the taxpayers of $100,000, possibly much more, without any certainty of the results of such convention being adopted. It would be just as difficult to carry at the polls a proposition authorizing the calling of a constitutional convention as it would be to carry an amendment to the constitution. The difficulties in the way of either proposition are serious and those who oppose constitutional amendments on the ground that experience has shown they cannot be carried are estopped from arguing a constitutional convention as a surer and easier means of relief. Again, it would be impossible to secure results through the medium of a constitutional convention before 1906, even if every plan should be consummated in the most expeditious way possible. Relief could be afforded by means of constitutional amendments in 1904, two years earlier.

It is admitted that the constitution is inadequate in a number of particulars and I have consistently advocated revision by amendments rather than by convention. To undertake at this time to revise the whole organic law of the state, or to place the whole organic law in jeopardy, as would be the case should a constitutional convention be called, would interfere with investments, improvements, developments and with business generally. The constitution is the bulwark of justice and safeguard of our civil rights. It shelters life, liberty and property. It is a safety valve to public sentiment and holds in proper bounds every instrument and institution of society. Before it laws must stand or fall, and by it the rights of all the people are measured, conserved and protected. A new constitution would require new constructions and new constructions would require many years of expensive litigation before the courts will have as fully construed the new as they have the old. The matter of expense, the matter of delay, the danger of unsettling business interests and conditions and the possibility of jeopardizing many provisions of our organic law which ought not to be brought in question prompt me to withhold my approval from this joint resolution. In lieu thereof I would most respectfully ask the house to reconsider the bills proposing constitutional amendments, which by prior action it has indefinitely postponed.

Regarded as Attempt at Veto.

The governor's action is generally regarded in the house as nothing short of an "attempt to" veto. As it is an open question whether the chief executive has the right to veto joint resolutions of this character, prominent attorneys in the legislature take the view that the proposed resolution for the constitutional convention will be submitted to a vote of the people notwithstanding the action of the governor. As the governor points out in his message, the constitution seems to confer upon him the same right to veto a resolution as a bill and as he points out also two other such measures were submitted to him at this session and he acted on both without any disturbance or dissatisfaction being raised. These were the joint resolutions petitioning congress against the passage of the Dietrich land leasing bill and for the definition of the status of the First Nebraska militia.

In the judgment of such lawyers as Representative Loomis from Dodge county, the governor is within his rights when he vetoes this resolution. Mr. Loomis says the constitution or statutes contain no abridgement of this power. He says there is an old dictum by Judge Maxwell which does challenge this power and that upon this is based the opinion evidently that the governor is denied this right. But the whole question is regarded unsettled and it is believed that this experience will be the means of carrying it to the supreme court for definite settlement. Other members of the legislature hold that the supreme court already has ruled that the governor cannot veto or approve a joint resolution such as this and that the constitution forbids it.

House Shows Fight.

About 4:30 p. m. the governor's private secretary appeared in the senate with the message. After reading it there he proceeded at once to the house. In each place greatest interest was aroused. Members arose from their seats and gathered in that section of the house where the secretary stood, listening intently to every word of the communication. A lull followed the reading in the senate. No comments were passed and no action taken on the massage. It was disposed of as unceremoniously as if it had been a perfunctory resolution by some member.

In the house, however, things were different. As soon as the message was read Gilbert of Douglas moved that the house reconsider the vote of yesterday by which it passed S. F. 114, the bill providing for the calling of a constitutional convention, and Ten Eyck of Douglas seconded the motion.

Perry of Furnas opened the fight to sustain the action of the legislature as against the chief executive. He raised the point that S. F. 114, having originated in the senate, the house was not at liberty to take action until the senate, which had possession of the measure, had acted. Thompson of Merrick took the same view, and the speaker sustained the point. Gilbert took the position that the governor's message was not necessarily a veto. But the ruling obtained that it was, and Gilbert's motion was tabled on a motion from Sears of Burt that action by the house be deferred until the senate had taken some steps in the matter.

SENATE PUSHING ITS WORK

Large Number of Bills Disposed of and Salary Appropriation Taken Up.

(From a Staff Correspondent.)

LINCOLN, Neb., April 7.—(Special.)—At the morning session the senate passed H. R. 71, the deficiency bill. Harrison moved to pay employes for three days overtime. Giffin moved to make it six days. This was lost. Wall moved to make it four days and this carried.

These bills were passed:

H. R. 352, the scavenger tax bill.

H. R. 164, appropriating $3,000 for the surety bond of William Stuefer.

H. R. 488, authorizing the paving of the streets around the capitol grounds.

H. R. 473, providing for the election of a county attorney and his salary.

H. R. 222, to prevent cruelty to animals.

H. R. 329, appropriating $81 to pay for the surety bond of Lieutenant Governor McGilton.

H. R. 259, compulsory school law.

H. R. 358, authorizing the governor to appoint a commission to act with a commission from South Dakota to agree on the boundary line.

H. R. 157, providing for fees for sheriffs and justices of the peace to be allowed by the county board.

H. R. 413, to legalize oaths taken before register of deeds.

H. R. 385, to prevent sale of tobacco to minors under 18 years old.

H. R. 286, providing that the granting of liquor licenses shall be vested in the board of fire and police commissioners of South Omaha and providing the cost of license.

H. R. 311, providing for the disorganization of an irrigation district.

H. R. 264, defining the duties of the under assistant in irrigation districts.

H. R. 288, establishing a department of architecture.

The conference committee appointed by the senate to confer with house committee on the supreme court commission bill, S. F. 11, and the amendments made by the house, reported immediately after the noon recess. The committee recommended that the senate file stand, providing for nine commissioners for one year and three for the second year. The house bill provided for six for two years.

The senate concurred in the house amendments to S. F. 35, the juvenile court bill.

In the committee of the whole those bills were disposed of:

H. R. 306, giving an award for the discovery of coal, iron ore, gas or crude oil; recommended for third reading.

H. R. 293, providing for railroads to fence their right of way and relieving them from responsibility of damage to stock; indefinitely postponed.

H. R. 174, woman's dower bill. Wall of Sherman said in support of the bill that woman's sphere had broadened and the rights of woman should be recognized. Hastings opposed the bill because it did not protect the children. Pemberton said that if an unmarried man died the bill made no provision for the division of his property. Griffin was opposed to the bill. Warner thought some changes in the bill would make it more desirable, but he was for passing the bill rather than indefinitely postponing it. After much discussion the committee postponed the bill for the present to allow it to be amended.

H. R. 428, the petition bill, was recommended for passage.

H. R. 240, providing for the publication of the report of the state banking board, was passed, the senate concurring in the house amendments.

H. R. 228, to legalize all orders and judgments that have been made by any district court to foreclose alleged liens for taxes, was recommended for passage and later passed.

The conference committee on the salary bill made its report this afternoon. This places the salaries in question as follows: Recording clerk of governor, $1,200; adjutant general, $1,350; stenographer, $840; chief clerk, $1,000; storekeeper and clerk, $800.

Banking Board—Salary of secretary, $2,000.

Supreme Court Commission—Salary of commissioners, $2,500 each; stenographers, $900 each (one for each commissioner); deputy clerk, $1,600. The bailiffs were allowed from $720 to $900.

The senate amendments were then concurred in:

Secretary of State—Salary of deputy, $1,700.

Land Commissioner—Salary of deputy, $1,700. The one clerk was not stricken out.

Department of Banking—Salary of secretary of board, $2,000; chief clerk, $1,200; four examiners, $720 a year.

Home for Friendless—Salary of Superintendent, $900; salary of physician, $700.

Insane hospital, Lincoln—Salary of Steward, $1,200.

Norfolk Insane Asylum—Salary of superintendent, $2,500; the pathologist and assistant physician were striken out.

The salary of the assistant superintendent of the Industrial school at Kearney was fixed at $1,100.

The salary of the superintendent of the Industrial school at Geneva was fixed at $1,000 and a matron at $200 a year was added.

Industrial Home at Milford—Salary of teachers, including service as secretary, $300; salary of engineer, $600; salary of farm hand, $400.

The salary of the surgeon at the Soldiers' home at Milford was fixed at $500.

The salary of the state veterinarian was fixed at $1,500.

The salary of the secretary of the State Board of Equalization was fixed at $1,600.

The report was concurred in by the senate.

H. R. 224, to prohibit minors under 18 years of age using tobacco was read a third time and killed by a vote of 16 to 8.

H. R. 277, to establish an experimental station, was passed.

LINCOLN, Neb., April 8.—(Special Telegram.)—The senate spent most of the night in committee of the whole and at 12:30 o'clock indefinitely postponed all bills not reported by the sifting committee.

H. R. 174, the woman's dower bill, was amended so that the wife has a lifetime interest in one-half of the estate of the husband and the bill recommended for passage. Upon this bill most of the night was spent.

H. R. 437, the scavenger tax bill, and H. R. 79, providing for the length of school terms, were passed.

At 1 o'clock the clock was stopped and the senate began to pass bills.

HOUSE OVERRIDES A VETO

Some Lively Skirmishing Necessary to Secure the Votes Required.

(From a Staff Correspondent.)

LINCOLN, Neb., April 7.—(Special.)—A message from the senate asking the house to concur in its passage of S. F. 31 over the governor's veto was read at the outset in the house this morning. This is the bill providing for the publication of 2,000 sets of the compiled statutes by J. E. Cobbey at $9 a set.

Douglas of Rock plead with the house to non-concur and thus stand by the chief executive of the state. McClay of Lancaster spoke along the same line. Sears of Burt, Thompson of Merrick and Perry of Furnas, all spoke for the passage of the bill, the governor's veto notwithstanding. They argued that it was a business proposition and that since the house and senate acted deliberately upon the matter before they should not now reverse themselves.

A lively skirmish ensued when the roll was called. About one-fifth of the members had to be prodded out of their corners to vote. Some names were called a dozen times. Scarcely a member kept his seat during the exciting scenes. It took sixty-seven votes, two-thirds, to carry and the friends of the measure bent every energy to beat down the opposition. Unable to get the necessary number a call of the house finally was taken on demand of Perry and others. The call was raised, demanded again and again raised before the sixty-seventh man could be dragged over. The final result showed sixty-seven affirmatives and twenty-four negatives. The fusionists, save Loomis and Kennedy, their leaders, and Gishwiller, voted to override the governor's veto.

These republicans voted in the negative to sustain the governor:

Bartos, Belden, Cassell, Davis, Douglas, Friedrich, Harmon, Hunter, Jones of Richardson, Jones of Otoe, Jouvenat, Jahnal, Koetter, McClay, Mendenhall, Morsman, Spurlock, Warner, Weborg, Wilson, Mr. Speaker.

On motion of Sears, chairman of the claims committee, the house refused to non-concur in the senate amendments on H. R. 445, the general claims bill, and a conference committee was appointed. The senate had stricken out the two principal items, $40,000 for wolf bounties and $4,000 for ex-State Treasurer J. E. Hill. Sears, Mangold and Mendenhall were appointed as the house part of the committee.

These bills then were passed:

S. F. 61, by Saunders, relating to insurance company fees.

S. F. 38, by Hall of Douglas, to prevent ill-treatment and cruelty to children, defining conditions of child dependency.

Mikesell of Dixon at the afternoon session offered a resolution to pay members of the special revenue committee $5 a day for the time they worked in framing the bill when the house was not in session. Douglas opposed the project unqualifiedly. Thompson opposed it, except to say that if any renumeration was made at all it should not exceed the amount of actual expenses incurred and he did not even advocate this. Loomis also spoke against it and finally Mikesell withdrew the resolution.

The joint conference committee's report on S. F. 11, the supreme court commissioners bill, recommending nine commissioners for one year and three for two years, was adopted.

The joint conference committee's report on the general appropriation bill was adopted. The bill had been cut $107,000 by the senate and the committee restored a large portion of this amount.

The house adopted resolutions extending thanks to Chief Clerk Wall and the chief stenographer, Miss Josephine Murphy, and heartily commending their services.

This resolution by Sweezy was adopted:

I move a vote of thanks be tendered to the several newspaper reporters who have been in attendance upon this session, and through them to the papers which they represent, for their full and fair reports of our proceedings and for their impartial and courteous treatment of the members of this house.

These bills then were passed:

S. F. 143, by O'Neill of Lancaster, providing for the appointment of a state surveyor and draughtsman in the office of the commissioner of public lands and buildings.

S. F. 150, by Way of Platte, providing for drainage canals.

S. F. 128, by Warner, fixing the qualifications of attorneys.

S. F. 105, by Howell, compelling insurance companies to file semi-annual statements with the state auditor.

S. F. 20, by O'Neill, to regulate the organization and operation of life insurance companies on the mutual level premium, mutual reserve fund.

S. F. 254, by Saunders, to enable domestic mutual benefit associations and life insurance companies doing business on the mutual premium or stipulated premium plan to reinsure their risks in other mutual or joint stock legal reserve life companies.

S. F. 181, by Harrison, providing for registration of voters in the office of the city clerks in cities of less than 25,000.

S. F. 243, by Harrison, fixing maximum compensation of county commissioners and supervisors.

At 4:50 p. m. the governor's message asking the house to reconsider its vote on S. F. 114, the constitutional convention bill was read.

Gilbert of Douglas offered a resolution to pay the expenses of all members for their junketing trips, despite the adoption some time ago of Harrison's resolution to pay only such expenses as were actually incurred. Thompson put the question succinctly in saying that a member could get all he was entitled to under the Harrison resolution and no more, but he thought no member would want any more than he really was entitled to. On roll call the motion was lost by a vote of 45 to 39, two-thirds being necessary to carry.

The house concurred in the senate amendment to H. R. 277, raising the appropriation for an experiment station from $5,000 to $15,000.

The house at 6 o'clock took a recess until 9:30 when it went into committee of the whole and took up senate files. S. F. 87, by Norris, the exemption lien bill, at once came up. The bill exempts 80 per cent of monthly wages and all the wages where they amount to $35 or less a month. Loomis of Dodge attacked the bill as a vicious imposition on the wage earners, which, he said, had emanated from retail merchants. He declared the bill was designed to "bear down" on such classes as the railroad men of Omaha and would work incomparable hardships on them. Jones of Otoe, a retail merchant, made a forcible defense of the bill, insisting that it would injure no honest wageworker, but would afford necessary protection to the retailer.

Mockett of Lancaster spoke in support of the bill. Wilson of Pawnee also spoke for it. Jones of Otoe had moved to recommend the bill for passage and Sweezy of Adams offered an amendment to indefinitely postpone it. Jones' motion carried. Mangold, Kennedy and Morsman of Douglas voted to pass the bill and Ten Eyck, Gilbert and Koetter to kill.

The season of felicitations having been reached, Burgess of Lancaster offered a motion, which was unanimously adopted, extending to Speaker Mockett the thanks and commendations of the house and presenting to him the speaker's chair and gavel. Spurlock of Cass, the only member who ever appealed from a decision of the speaker, made the presentation speech.

The speaker replied in cordial terms, referring to the occasion as one of the "proudest of his life."

An elaborate bouquet was then presented by the employes as a token to the speaker.

Douglas of Rock, in behalf of the house employes, then presented to Chief Clerk Wall a beautiful silver loving cup. Mr. Wall briefly bespoke his appreciation for the gift and affection for his large corps of assistants.

Burgess then, on behalf of the members and employes, presented a gold watch chain and Masonic watch charm to First Assistant Chief Clerk Barnard. Mr. Barnard appropriately acknowledged the gift.

Timekeeper Glasgow was made the recipient of a silver smoking set from the members and employes. Thompson of Merrick presented these.

The joint conference report on the claims bill, agreeing on all items except the $40,000 wolf bounty claim, was read. Action on the report was deferred until 12:05 a. m., to which time the house at 11:40 adjourned.

Commenced Wednesday Session.

LINCOLN, Neb., April 8.—(Special Telegram.)—Wednesday's session began at 12:05 a. m. The conference committee's report on the claims bill was not adopted as the house members refused to agree to the striking out the $40,000 wolf bounty claim as insisted by the senate. Douglas offered a motion which was carried that the conference committee be again instructed to meet with the senate committee and that it not recede to the senate amendment. The matter was temporarily tabled.

Ten Eyck then offered a motion that the senate be requested to return S. F. 114, the constitutional convention bill, for further consideration. Sears raised the point that the house had agreed to take no further action in this matter until some action was taken by the senate. The speaker sustained the point. Ten Eyck then moved for a reconsideration of the vote by which the house made this agreement. On motion of Thompson of Merrick, Ten Eyck's motion was tabled by a vote of 49 to 18.

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Drink is the greatest curse of mankind. Many a young man of greatest promise has found the dishonored grave of a drunkard instead of an honorable place in society.

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PENNELL ESTATE INVOLVED

Lawyer Badly in Debt at Time of His Death.

STORY IS TOLD OF A DEFALCATION

After the Alleged Shortage is Made Good it is Said There Will Be Little Left for the Heirs.

BUFFALO, N. Y., April 7.—Wallace Thayer, who was Arthur R. Pennell's friend and legal adviser in his lifetime, was seen today relative to a published statement quoting him as saying there was no doubt that the story of misappropriation was true and that Pennell's brother, J. Frederick Pennell, had pleaded with him to destroy the trust papers. He repudiated much that was attributed to him and made a brief statement, which embodied, he said, all that he cared to state at the present time.

Mr. Thayer said:

J. Frederick Pennell, brother of A. R. Pennell, came to me last Friday and told me Arthur had left large debts to friends in the east. These debts, he said, were large enough to practically consume all the insurance, and he advanced that as a reason why I should turn over to him the $25,000 insurance which A. R. Pennell left in trust with me. He said: "Unless you do this, there will be practically nothing left for me."

Then Mr. Thayer made this statement:

I drew the inference from J. F. Pennell's statements that his brother must have made misappropriations of money. There is a vast amount of debt against the estate, some $200,000, and I can't see how he could have gotten into debt to that amount unless he spent money belonging to others.

Thomas Penny, who has been acting as attorney for Pennell's estate, when seen today was unwilling to disclose anything regarding Pennell's money transactions. When asked whether the statement regarding his relations with Burdick, which Pennell is said to have written out just prior to his death, would be made public at the inquest, Mr. Penny said he knew nothing of any such statements.

ST. PAUL HONORS ADMIRAL

Gives Schley Royal Greeting and Arranges Fetes in His Behalf.

ST. PAUL, April 7.—Admiral Schley arrived from the west this afternoon. He was met by a local reception committee at Litchfield.

At the station the admiral was greeted by Governor Van Sant, Mayor Smith and another committee of citizens and escorted to the Aberdeen hotel and tonight was the guest of the Commercial club.

Tomorrow he will address the students at Hamlin college in the morning and in the afternoon a public reception will be held at the state capitol. A parade will precede the reception.

JUDGE APPROVES COMPROMISE

Authorises Stratton Administrators to Pay Dead Man's Son $350,000.

COLORADO SPRINGS, Colo., April 7.—Judge James A. Orr of the probate court today signed an order authorizing the administrators of Winfield S. Stratton estate to pay his son, I. Harry Stratton, $350,000 in cash in consideration of the withdrawal of his contest against the will.

His legacy under the will was $50,000.

A certified check for $350,000 was paid over to I. Harry Stratton by the executors later in the afternoon.

TILLMAN INDICTED BY JURY

Former Lieutenant Governor Must Answer for Murder in the First Degree.

COLUMBIA, S. C., April 7.—The grand jury today returned a true bill against James H. Tillman, charging him with the murder of N. G. Gonzales last January.

Tillman's case will be called next Monday.

TO CURE A COLD IN ONE DAY

Take Laxative Bromo Quinine Tablets. This signature E. W. Grove on every box. 25c.

DEATH RECORD.

Mrs. Crist Marti.

WEST POINT, Neb., April 7.—(Special.)—Mrs. Crist Marti, aged 54, was interred in the public cemetery in this city today under the auspices of the Daughters of the Rebekah lodge of this place. The deceased succumbed to the effects of an operation performed in St. Joseph's hospital, Omaha, last week. The remains were brought to the city Sunday evening. The deceased leaves a husband. She was a woman very active in good works.

Frank Beuhler.

NEBRASKA CITY, Neb., April 7.—(Special.)—Frank Beuhler died at the home of his mother in this city today, aged 23 years. Mr. Buehler was a member of the firm of Buehler Brothers, proprietors of a meat market in this city. He was also a member of several fraternal organizations. The date for holding the funeral has not yet been announced.

Henry Schlake.

BEATRICE, Neb., April 7.—(Special.)—Henry Schlake, a prominent farmer residing about eight miles northwest of this city, died suddenly at his home, Sunday evening, of heart failure, aged 54 years. He had been a resident of that section for twenty-seven years and leaves a widow and five children.

Mrs. Clara Hoenke.

BEATRICE, Neb., April 7.—(Special.)—Mrs. Clara Hoenke, aged 58 years passed away at her home, four miles southeast of Plymouth, Jefferson county, after a lingering illness, of dropsy. The remains were interred in the Harbine cemetery.

FIRE RECORD.

Two Iowa Stores.

MUSCATINE, Ia., April 7.—(Special.)—In a fire at Grandview, Ia., this morning at 5 o'clock, William Switzer's general store and residence, and Dr. D. J. Hagley's Empire store building were totally destroyed. Loss $6,400; insurance $3,600. Origin unknown.

English Trade Statistics.

LONDON, April 7.—The March statement of the board of trade shows increases of £3,093,500 in imports and £14,455,000 in exports.

Runs for the Firemen.

The firemen were called at 1:40 o'clock yesterday afternoon to 2406 Spencer street, where a shed in the rear of the premises occupied by Thomas W. Hazen was on fire. The shed was destroyed and some of the boarding on the rear upper part of the dwelling burned. The buildings are the property of William Robb. The house of Minnie Engminger, next door, suffered a blistering of its paint. The loss all told will reach not more than $60.

At 7:30 o'clock in the evening another alarm was turned in from the house of John Jones at 421 North Twelfth street. The owner had been kindling the kitchen fire with a can of kerosene and the fire ran along the stream of oil into the can. Jones escaped before the explosion, but the contents of the little house were ruined before the firemen could get the water running. The building was little damaged.

MRS. BIGELOW GETS DIVORCE

She May Marry Again, but Her Former Husband is Prohibited by Decree.

NEW YORK, April 7.—Mrs. Edith F. Bigelow has obtained an absolute divorce from Poultney Bigelow on statutory grounds. Under the new law an interlocutory decree has been entered in her favor and she will not be wholly free until three months after the filing of the paper in the county clerk's office.

Under the wording the decree, Mrs. Bigelow will then be at liberty to remarry, "as though Mr. Bigelow were dead," while he is prohibited from remarriage, "until she is actually dead," a provision which would prevent him from having a marriage ceremony performed in this state, but not elsewhere.

Mr. Bigelow came here from Europe during the winter for the avowed purpose of contesting his wife's suit. The case was referred to Charles Donahue, formerly a judge of the supreme court. Many witnesses were examined. The refree found that the charges had been sustained and decided in Mrs. Bigelow's favor.

By the terms of the decree one of the children, Mildred, is to remain in her father's custody, with the provision that her mother may see her and have access to her at any time. The other children, Edith, Evelyn and Dorothy, will remain with their mother. Their father may see them when he wishes, and each may decide when she becomes of sufficient age under the guardianship of which parent she will continue.

This decree was signed by Judge Blanchard of the supreme court.

Mrs. Bigelow's maiden name was Jaffray. She was married April 16, 1884, to Mr. Bigelow, a son of John Bigelow, a former United States minister to the court of St. James.

The German emperor's friendship for Mr. Bigelow is well known.

MRS. FAIR LIVED THE LONGER

Her Husband Was Dead While She Still Showed Signs of Life.

NEW YORK, April 7.—Evidence was given today by a witness who says he saw the automobile accident near Paris last August which resulted in the death of Mr. and Mrs. Charles Fair before a referee in a suit instituted by Mrs. Fair's mother, Anna Nelson, and other relatives to recover from Mrs. Theresa Alice Oelrichs and Mrs. Virginia Vanderbilt, sisters of Mr. Fair, a large portion of the Fair estate.

It is contended that Mrs. Fair lived after her husband. The suit is expected to determine also whether an agreement to settle the estate by the payment of $250,000 shall be cancelled.

Lucian Mass of Paris testified that he witnessed the accident and when he reached the scene Mr. Fair "was absolutely lifeless," but Mrs. Fair was breathing. He noticed a nervous contraction of her face and hands.

CAUGHT BY AN ARC LAMP

Current Holds Man Fast Until the Plant is Closed Down.

MARQUETTE, Mich., April 7.—Andrew Johnson while attempting to relight an arc lamp near his home early today was caught by the current and held fast until life was extinct.

It was necessary to shut down the plant in order to free his body.

Registered. "Name on Every Piece."

LOWNEY'S Chocolate Bonbons

Every Package Warranted!

If you buy Lowney's Candies in the original sealed packages you will find them in perfect condition, or money refunded.

"Special" Assorted	1 lb. 60c.;	½ lb. 35c.
"Souvenir"	1 lb. 60c.;	½ lb. 35c.
"American Beauties"	1 lb. 50c.;	½ lb. 30c.
"Pinks," "Pansies" or "Forget-me-nots"	1 lb. 50c.;	½ lb. 30c.
"Golfers"	1 lb. 50c.;	½ lb. 30c.
"Colonial Dames"	1 lb. 50c.;	½ lb. 30c.
"Chocolate Peppermints"		10c. and 25c.
"Chocolate Almonds"		15c., 35c. and 60c.

Lowney's Packages are Full Weight.

DR. SEARLES

So well and favorably known as the leading, most reliable and successful SPECIALIST in all DISEASES and DISORDERS OF MEN.

They have been many years in establishing their reputation IN OMAHA for honest and honorable DEALINGS, and daily receive many letters thanking them for the CURES perfected and the great good they are doing for men. Their life work has been devoted, as Specialists, in treating all diseases of men.

BE CERTAIN OF A CURE by CONSULTING THE BEST FIRST.

DR. SEARLES graduated at two of the best medical college and is acknowledged the best EXPERIENCED and SKILLED SPECIALIST in all diseases he treats.

DR. SEARLES' Consultation and Advice are FREE, in person or by letter, and sacredly confidential in all diseases.

Written Contracts given in all curable diseases of men or refund money paid. Many cases treated $5.00 per month. CONSULTATION FREE.

TREATMENT BY MAIL.

Call or address, Cor. 14th & Douglas.

DR. SEARLES & SEARLES OMAHA, NEB.

A LOST TREASURE

For Which All Nations Have Been Searching.

For centuries every civilized nation has been searching for a lost jewel, without success. Sometimes a clue would be discovered, only to be lost again, until the hope of its ever being found has almost been despaired of. This priceless jewel is health. But today Dr. Burkhart's Vegetable Compound, the greatest health restorer the world has ever known, is being sent into every civilized country on earth. In 1902 8,766,000 persons were treated. Eighty per cent of whom were cured. If you suffer from Rheumatism, Constipation, Nervousness or any disease of the Blood, Liver or Kidneys you can be cured by this great remedy. 25 cents. All druggists.

BLOOD POISON

Bone Pains, Itching, Scabby Skin Diseases.

Swellings, Carbuncles, Pimples, Scrofula Permanently cured by taking Botanic Blood Balm. It destroys the active Poison in the blood. If you have aches and pains in bones, back and joints, Itching, Scabby Skin, Blood feels hot or thin, Swollen Glands, Risings and Bumps on the Skin, Mucus Patches in Mouth, Sore Throat, Pimples or offensive eruptions, Copper-Colored Spots or Rash on Skin, all run-down, or nervous, Ulcers on any part of the body, Hair or Eyebrows falling out, Carbuncles or Boils, take

Botanic Blood Balm, guaranteed to cure even the worst and most deep-seated cases where doctors, patent medicines and hot springs fail. Heals all sores, stops all aches and pains, reduces all swellings, makes blood pure and rich, completely changing the entire body into a clean, healthy condition. B. B. B. has cured thousands of cases of Blood Poison even after reaching the last stages.

Old Rheumatism, Catarrh, Eczema are caused by an awful poisoned condition of the Blood. B. B. B. stops Hawking and Spitting, Itching and Scratching, Aches and Pains; cures Rheumatism, Catarrh; heals all Scabs, Scales, Eruptions, Watery Blisters, foul, festering Sores of Eczema, by giving a pure, healthy blood supply to affected parts.

Cancer Cured.

Botanic Blood Balm Cures Cancers of all Kinds, Suppurating Swellings, Eating Sores, Tumors, ugly Ulcers. It kills the Cancer Poison and heals the sores or worst cancer perfectly. If you have a persistent Pimple, Wart, Swellings, Shooting, Stinging Pains, take Blood Balm and they will disappear before they develop into Cancer. Many apparently hopeless cases of Cancer cured by taking Botanic Blood Balm.

OUR GUARANTEE. Buy a large bottle for $1, of any druggist, take as directed. Botanic Blood Balm (B. B. B.) always cures when the right quantity is taken. If not cured your money will promptly be refunded without argument. Blood Balm Co

Botanic Blood Balm (B. B. B.) is Pleasant and safe to take. Thoroughly tested for 30 years. Composed of Pure Botanic Ingredients. Strengthens weak kidneys and weak stomachs, cures dyspepsia. Complete directions go with each bottle. Price, $1.00.

Sold in Omaha by Kuhn & Co., 15th and Douglas streets.

In Council Bluffs by R. E. Anderson, 830 Broadway. In South Omaha by Dillon Drug Co., 24th and N.

Call or write any above stores. Blood Balm sent by express.

DR. McCREW SPECIALIST

Treats all forms of DISEASES AND DISORDERS OF MEN ONLY

27 Years Experience. 17 Years in Omaha.

His remarkable success has never been equaled and every day brings many flattering reports of the good he is doing, or the relief 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 the disease disappear at once.

BLOOD DISEASE permanently cured in less than 30 DAYS.

VARICOCELE Cure guaranteed in LESS THAN 5 DAYS.

OVER 30,000 cases cured of nervous debility, loss of vitality, unnatural discharges, Stricture, Gleet, Kidney and Bladder Diseases, Hydrocele.

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

AMUSEMENTS.

Reserve Your Seats FOR THE AK-SAR-BEN May Musical Festival AT THE DEN.

May 7, 8, 9, 15.

Season Tickets, $3.50, for the Six Concerts, at H. J. PENFOLD & CO.'S, 1408 Farnam Street.

Sale of Reserved Seats Will Be Withdrawn After April 15th.

Chicago Symphony Orchestra

The May Festival Choir of 150 Voices

Nordica and De Reszke.

With the Full New York Metropolitan Opera House Orchestra.

THE GREATEST MUSICAL EVENT OF THE SEASON.

BOYD'S Last Four Weeks of Regular Season

THIS AFTERNOON—TONIGHT. W. H. CRANE in "DAVID HARUM"

Prices—Mat., 25c to $1.00. Night 25c to $1.50

Thursday and Friday Nights—The Pantomimic Trick Comedy, "ZIG-ZAG ALLEY."

Prices, 25c, 50c, 75c, $1.00.

Saturday Matinee and Night, THE YOUNGER BROTHERS, Train Robbers.

Prices—Mat., 25c, 50c. Night 25c, 50c, 75c.

BRIGHTON Orpheum

Telephone 1531.

Matinees—Thursday, Saturday, Sunday—2:15. Every Night—8:15.

HIGH CLASS VAUDEVILLE

The De Forests—Andraessen Bros.—M Ivill and Stetson—Mlle. Olive—Harding and Ah Sid—Dowey and Vanetta—and the Kinodrome.

Prices—10c, 25c, 50c.

Lobby Cafe For Ladies' John Kelhaney, Prop. An ideal place for a cosy after-the-theater party.

Half Broiled Lobster 50c

Clubhouse Sandwiches, 25c

216 So. 17th, Bee Bldg.

CALUMET COFFEE HOUSE AND LADIES' CAFE

Will serve Wednesday, April 8,

SMALL RUSSIAN STEAK (With Potato Cakes.)

1411 Douglas St.

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The result of years of experiment GORHAM SILVER POLISH

Does not cake or fill up interstices

Cleans as well as polishes

All responsible jewelers keep it 25 cents a package