

NEED NOT FILE ARTICLES

Foreign Corporations Must Pay Regular Fees If They Do.

ELECTRIC COMPANY TO FIGHT RULING

Food Commissioner Out in State Rounding Up People Who Sell Adulterated Foods.

(From a Staff Correspondent.)

LINCOLN, Aug. 7.—(Special.)—Clark Roberts, the secretary of state's office says that some misunderstanding has arisen over his rejection of the proffered articles of incorporation of the Omaha Electric Light and Power company. He says that his understanding is that the scope of his action simply extended to the corporation whose articles he had refused to file. He stated that companies organized under the laws of foreign states could still continue to do business and no attempt would be made to force them to file their articles, unless they wanted to file their articles and make them of record in the state. It is stated that practically the only advantage that would arise from such a filing would be to give Nebraska investors an opportunity to examine the articles of incorporation without the need of sending to other states for copies.

Attorney E. M. Morsman of Omaha, who represents the Omaha company which was turned down, stated that he would institute mandamus proceedings to compel the secretary of state to file the articles.

Deputy Attorney General Brown has not yet given any opinion on the question involved, and this morning was rather reticent about entering into a discussion of the problem before looking up the law. The action of Clark Roberts makes it necessary, however, for the Omaha concern to institute mandamus proceedings.

The statement was made this morning that the state would run up against the constitution of the United States should any attempt be made to require corporations to file their articles preparatory to doing business in the state. Section 2, article IV of the constitution provides that "the citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states."

This section has been construed by the supreme court to mean that no state has the right to refuse to the citizens of another state any of the rights or privileges enjoyed by the citizens of this state. The United States supreme court has frequently held that corporations are citizens as well as individuals, and that the application of the section quoted is concerned. This is the tack that will be followed by the corporation attorneys should any attempt be made by the state to make the filing of the articles of incorporation of foreign concerns obligatory.

Accede to Request.

Information was received at the executive office this morning from Governor Cummings that the Iowa State Board of Health had agreed unanimously to allow the shipment of the body of Mrs. Cook from Detroit to Nebraska. Mrs. Cook, who was a former university student, died of pneumonia at Detroit. She had relatives at Nebraska, and arrangements were made for the shipment of the body to that place for burial, but objection was made to the shipment of the body until the permission of the state authorities of Iowa could be secured. As under the laws of that state such procedure is absolutely forbidden where the person died of any contagious disease, Governor Mickey was appealed to by the Nebraska relatives, and through his efforts the state board gave its permission to the relatives to take the body through the state.

Have a New Man.

A crowd of Pawnee county republicans was in Lincoln today, toting F. A. Barton, county judge of Pawnee, as a candidate for state university regent. Mr. Barton, a prominent farmer residing nine miles northwest of town, for 10, and secured 35 on the bogus piece of paper from John Ellis of this city yesterday. The young man worked for Henry Ellis a few days last week and gave his name as Charles Howard, but forged the name of George Joyce, an employee of Mr. Ellis, to the draft. When he quit the employ of Mr. Ellis he went to DeWitt, where he tried to pass several forged checks. He came to Beatrice yesterday, and after several unsuccessful attempts he succeeded in passing the forged draft on Mr. Ellis. He left the city soon after the officers were notified of the forgery and all efforts to locate him have proved unavailing.

Belies Protestantism.

Rev. Wilbur F. Crafts, superintendent of the international reform bureau at Washington, is the speaker who is attracting most attention at the Epworth assembly by reason of the vigor and sensational character of his utterances. This morning he aroused some interest by his remarks upon what he called the overvaluation of the pope by Americans. He said that the disposition to say kind and complimentary things of the dead had made many believe the protestantism not only, but that their Americanism in recent utterances on the pope, whose general excellence as a man should not prevent us from speaking truth in love about the errors he represented, including not only Mariolatry and miracles such as that associated with Lourdes, but the more serious claim that the pope is king of both church and state in all lands.

Chautauqua Continues to Draw.

SALEM, Neb., Aug. 7.—(Special Telegram.)—Dr. Robert McIntyre lectured this afternoon at the Chautauqua on the subject of the "Sunny Side of Soldier Life." His tributes to the American soldier and American women were marvellously effective. The lecture is daily growing more interesting and new campers are arriving daily even at this late period of the assembly. Every tent and cot in the ground is rented. Dr. John J. D. John will lecture Saturday afternoon on the "Worth of a Man," and on Sunday his subject will be "Did God Make Man or Man God?" The prospects are favorable for a record-breaking crowd Sunday.

Dixon County Old Settlers' Reunion.

ALLEN, Neb., Aug. 7.—(Special.)—The annual reunion and old settlers' picnic of Dixon county will be held at Allen August 25. Prominent state speakers will be present, and with the usual ball games, basket ball, race, balloon ascension and various other picnic attractions, it is expected to have the best picnic ever held in the county. Five hundred dollars has been raised for the carrying out of the program.

Much Building in Norfolk.

NORFOLK, Neb., Aug. 7.—(Special.)—South Fourth street in Norfolk is a busy section just now. Fifteen new dwelling houses are in course of construction, besides the new \$100,000 government building, a large brick business block and a good portion of the Northwestern's new buildings. Other localities are busy, but this leads.

Decorating Lutheran Church.

NORFOLK, Neb., Aug. 7.—(Special.)—A devotional direct from Germany is just at present engaged in artistically ornamenting the interior of Lutheran church in this city. This is one of the largest German Lutheran churches in the state and it will be well finished when the work is complete.

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REPUBLICANS NAME TICKET

Dawson County Gives E. A. Cook a Boost for District Judge.

BABCOCK NAMES THE GAGE DELEGATES

Pierce County Democrats and Populists to Hold Their Convention on Same Day and in Same Town.

LEXINGTON, Neb., Aug. 7.—(Special.)—The Dawson county republican convention met here yesterday and organized with F. H. Adams as chairman and S. T. Krier as secretary both of the temporary and permanent organizations.

John H. Linderman, O. Middelkauff and Hon. George E. Bacon were appointed delegates to the judicial convention, which committee on resolutions and their report heartily endorsed both national and state administrations.

E. A. Cook of this city, who is a candidate for the judgeship of this district, was given the privilege of selecting the delegates to the judicial convention, which meets at Grand Island August 25. A resolution was also unanimously adopted instructing the delegates to that convention to use all honorable methods to secure Mr. Cook's nomination.

Mr. Cook selected the following named gentlemen as such delegation: J. E. Thomas, George E. Bacon, J. H. Linderman, W. D. Giff, D. M. Douthett, C. K. Brown, J. E. Delzell, E. D. Owens, W. C. May, G. H. Hakeslee, F. L. Temple and W. A. Stewart.

The following delegates were then selected to the state convention at Lincoln August 18: C. E. Allen, E. E. Cook, C. S. Rolph, E. T. West, W. M. Stebbins, H. C. Rooker, C. F. Horner, A. C. Maxwell, B. F. Krier, G. B. Darr, O. W. Millhouse, C. W. Thornton.

A. C. Maxwell was elected chairman and S. T. Krier secretary of the county central committee. E. A. Cook was called for and delivered an eloquent address, after which the convention adjourned, calling to present being enthusiastic for republican success the coming election.

Pierce County Politics.

PIERCE, Neb., Aug. 7.—(Special.)—The county central committee of both the democratic and populist parties have called their county conventions for Pierce on Saturday, August 15.

The populist convention will meet in the court house and the democratic convention in the opera house. The precinct primaries will be held on Wednesday evening, August 12, and it is predicted that there will be some fun in several of the precincts, owing to the fact that both the deputies of the present county clerk, C. E. Staley, are active candidates for that office.

Mr. Staley has spent a small portion of his time in the office since he was elected the second time, having been elected president of the Pierce State bank the following January after he was elected. He is tired of holding county office and will not be a candidate again. He is, however, very active in behalf of Frank Pilger for that office, having put him in the clerk's office over the old deputy, L. H. Lederer.

Pilger is very strong in near Platteville and will undoubtedly receive the nomination. In the meantime the friends of L. H. Lederer are not idle, but are working for him. Mr. Lederer has been in the office nearly four years and by right of succession ought to have the nomination.

Two candidates for treasurer are spoken of, Leonard Schmitt of Osmond, democrat, and Nick Wecker of South Branch, a populist. Wecker held the office for two terms four years ago. R. M. Jones will be re-nominated for sheriff.

Delegates Favor Judge Babcock.

BEATRICE, Neb., Aug. 7.—(Special.)—Judge A. H. Babcock who received the endorsement of the late republican county convention for district judge, has appointed the following as delegates to attend the republican judicial convention to be held in this city August 10: J. A. H. Kild, H. E. Backett, J. V. L. Jackson, Samuel Rinkner, C. B. Dempster, D. W. Cook, F. B. Sheldon, R. R. Kild, M. E. Shultz, J. T. Moore, Alex. Graham, Fulton Jack, J. C. Emery, James Leary, H. J. Doherty, L. E. O'Keeffe, E. N. Kaufman, Hector Murray, James Carr, C. S. Otis, G. L. Meisner, Henry Albert, C. S. Boggs, J. D. White, F. A. Burling, Andrew Kerr, B. L. Fillingham, Frank Whyman, T. E. Hibbert, James W. Cole, B. M. Hefelfinger, Peter Nelson, A. D. Spicer.

KEARNEY, Neb., Aug. 7.—(Special Telegram.)

The republican primaries in this city tonight were the most largely attended in many years. The main issue was between E. C. Calkins and B. O. Hostetler, candidates for the Twelfth district, for the delegation to the county convention, which meets next Wednesday. Calkins carried his own ward, the Fourth, by a majority of ten. Hostetler carried the Third ward, where he lives, and the First and Second wards by a vote averaging about 2 to 1.

Death to Be Investigated.

BEATRICE, Neb., Aug. 7.—(Special.)—Dr. C. W. Walden, coroner of Gage county, was called to Marysville, Kan., today, where an investigation of the circumstances surrounding the death of Miss Strohm, who passed away rather suddenly at that place some time ago, will be made. Miss Strohm's remains were interred at Holmeville, and in case the coroner of Marshall county, Kansas, sees fit to call a coroner's jury for the investigation, the body will in all probability be exhumed and taken to Marysville.

Heavy Mortgage is Filed.

PAPILLION, Neb., Aug. 7.—(Special.)—A \$300,000 mortgage was filed in the county clerk's office today, recording the Omaha & Council Bluffs Street Railway company. This mortgage is given in favor of the Central Trust company of New York and covers fifty-three pages of the records. A recording fee of \$25.55 was received.

Make Trip to Coast.

BEATRICE, Neb., Aug. 7.—(Special.)—Dr. and Mrs. Lewis and J. R. Craig and daughter, Miss Anna, are among the citizens of Beatrice who have gone to San Francisco to attend the National Grand Army of the Republic reunion. They will be absent about a month and will visit Yellowstone National park and other points of interest on their return home.

Pierce County Reunion August 12.

PIERCE, Neb., Aug. 7.—(Special.)—At a recent meeting of the executive committee of the Old Settlers' association of Pierce county it was decided to hold the next meeting and picnic at Platteville on Saturday, September 12.

Good Yield of Wheat.

BEATRICE, Neb., Aug. 7.—(Special.)—George Wilkinson, who lives six miles northeast of Beatrice, threshed his wheat yesterday and from thirty-two acres the yield was 60 bushels, an average of twenty bushels per acre.

Rain Not Needed.

NORFOLK, Neb., Aug. 7.—(Special.)—At 1 o'clock this morning rain began falling and has continued during the greater portion of today. It is not needed just now.

DUTIES MUST BE REFUNDED

Judge Ray Sustains Complaint of American Sugar Refining Company Against Customs Collector.

NEW YORK, Aug. 7.—Judge Ray in the United States circuit court handed down two decisions today overruling the demurrers taken by George B. Bidwell, when collector of the port, in the suit of the American Sugar Refining company to recover duties upon certain sugars brought from Pansy, in the Philippine islands, and from Porto Rico.

The refining company sues for \$24,027, with interest from October 11, 1898, in the matter of the Philippine sugar and for \$23,716 in the Porto Rican sugar, with interest from April 13, 1898. The allegations of the plaintiff say that the amounts were illegally exacted and collected by duress of the goods.

The action was begun in the supreme court and removed to the United States circuit court. Collector Bidwell demurred on the ground, in the Pansy matter, that when the sugar was shipped on March 14, 1899, the Philippine islands were foreign territory, as the treaty of Paris was not ratified by the Spanish authorities until March 19 and by the Washington authorities until April 11.

Judge Ray held that: It would seem that merchandise is to be deemed imported on the day when it arrives at the port of entry and not before. The demurrer of the defendant must be overruled with cost. So ruled.

The arguments were advanced by the collector and defendant in the Porto Rican sugar matter and the collector was again overruled. Judge Ray stating that "this court is of the opinion that the transportation of the goods on the Pansy was an act preliminary to importation and not an act of the importation. Had the vessel with its cargo been lost at sea, it is clear that the sugars would not have been imported into the United States, nor would they have been imported had they been thrown overboard during stress of weather."

WESTERN MATTERS AT CAPITAL

Number of Carriers Named for Rural Mail Routes in Iowa and Nebraska.

(From a Staff Correspondent.)

WASHINGTON, Aug. 7.—(Special Telegram.)—Rural free delivery letter carriers appointed today: Iowa—Carlisle, James D. Huff, regular; Paul E. Huff, substitute; Rolfe, George F. Smith, regular; Chris Peterson, substitute; Iowa Falls, William A. Wilson, regular; E. M. Wilson, substitute; Kellerton, Charles Crocker; William Fulton, regular; Van Cleave, Fernie Fullerton, substitute; New Sharon, Karl A. Briner, regular; Tully E. Graham, substitute; Traer, George B. Kennedy, regular; Edna Kennedy, substitute; Mystic, George Phillips, regular; John N. D. Phillips, substitute; Nebraska—Plainville, Burton A. Staley, regular; Wellington, M. McConnell, substitute.

J. C. Walvoord was today appointed postmaster at Holland, Lancaster county, Neb., vice W. Walvoord, resigned.

The National Park bank of New York was today designated to act as reserve agent for the First National bank of Charleston, Ia.

FUNERAL PARTY IN MISHAP

Floor Gives Way, Mourners Falling Into the Cellar.

Below.

LA CROSSE, Wis., Aug. 7.—During the funeral services for the late Mrs. E. H. Kauffman the floor of the room gave way, precipitating about thirty persons into the cellar.

Several were hurt, but none seriously.

SOUTH DAKOTA NEWS.

Mitchell Corn Palace Exhibit.

MITCHELL, S. D., Aug. 7.—(Special.)—During the last ten days of September, Mitchell will hold its annual corn palace, and the principal musical attraction has just been contracted for by President Gale. He has secured the Banda Rossa for ten days. It has been the custom of the corn palace managers to secure better music and evening bands than the Banda Rossa appeared to it as the best in the northwest. The band appeared two seasons at one of the Minneapolis summer resorts, and its presence at Mitchell will double the size of a larger crowd than any of the previous bands that have played here, and there have been some exceedingly good ones. Work will be commenced within a week or two to tear the old decorations from the exterior of the building and new designs will be placed thereon. Several thousand dollars will be expended in making beautiful the exterior with corn, grasses and grains. One of the important features of the ten days' will be the free street attractions which will be provided. These will take place in the afternoons and evenings, and will be held in the corn palace that has been given by Mitchell during the past years has been immeasurably successful, both from a financial standpoint as well as showing the products of this section.

Hail Kills Sheep.

STURGIS, S. D., Aug. 7.—(Special.)

Word has been brought to this city by W. B. Case of White Owl of a severe hail storm and a flood of water that visited that section recently. The storm originated on the head of Hay creek and cut a swathe of devastation four miles in width by twenty in length, completely cleaning out the corn fields that were in its pathway. The storm came across the head of White Owl and then on down Red Owl. The hail may be imagined when the fact is considered that twenty-five head of sheep from the flock which Mr. Case is running for Maxwell & Buell of Rapid City were killed outright and many were left with their legs and eyes knocked out. The hail was on the head of East Elm the flood carried away the barns and corrals.

Thief Proves to Be Mouse.

ST. PAUL, S. D., Aug. 7.—(Special.)—For some time Gustav Lundholm, a St. Paul merchant, has been the victim of a mysterious robber, who seemed to have a decided preference for greenbacks and abstracted them from his money drawer from time to time. A close watch was maintained for several weeks, but although the money continued to disappear no clue could be secured as to the identity of the thief. The mystery surrounding the disappearance of the bills has now been solved, and in an unexpected manner. While clearing out goods from beneath a counter the merchant discovered a mouse's nest, which had been constructed with the missing greenbacks, which aggregated about \$15 in value.

Narrow Escape from Snake.

ST. PAUL, S. D., Aug. 7.—(Special.)—R. F. Bunker, a well known farmer living in Bristol township, Aurora county, had a narrow escape from death as the result of an adventure with a large rattlesnake. These reptiles are very numerous in that locality, notwithstanding that a warfare

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Berg-Swanson Co.
151 N. DOUGLAS

Correct Dress for Men and Boys.

THE LAST CALL

Final After Inventory Clearance of 680 Pairs Men's Fine Trousers, at Less than Half Price.

We are determined to clear our tables of every odd garment here—nothing shall be left over for next season, as this is positively against the strict policy of this house. We've cut deep into the prices—so deep that quick sales will follow, and your saving is more than half.

YOUR CHOICE OF ANY PANT, left from suits \$1.50 that sold for \$12 and \$15—for **\$1.50**
YOUR CHOICE OF ANY PANT in the house, left from suits that sold for \$20, \$25, \$30—for **\$3.00**

EXTRAORDINARY CUT PRICE SALE OF PARAGON PANTS,
Known as the best and the best known values, that are unusual at \$8 and \$9—now on sale..... **\$5**

Coat and Pants Suit Prices, Cut All To Pieces.

\$12.00 suits cut to \$7.75
\$15.00 and \$20.00 suits cut to \$9.75
\$10.00 and \$7.50 suits cut to \$5.00

All Middle and Light Weight Suits Nearly One-Half Price.

Regular \$12.00 and \$10.00 suits **\$6.75**
Regular \$15.00 and \$18.00 suits **\$9.75**
Regular \$20.00, \$25.00 and \$30.00 suits **\$14.75**

ALL HOT WEATHER FURNISHINGS GREATLY REDUCED.
50c Underwear, 25c. \$1 Negligee Shirt, 50c. 75c Underwear, 25c. 25c Hose, 15c. 2 pairs for 25c.

has been waged against them for years with the object of exterminating them. Bunker was engaged in digging potatoes, when without warning the rattler struck, but only succeeded in fastening its fangs in the farmer's overalls below the knee. Owing to the fact that the overalls were very loose it was due the escape of Bunker from being struck by the snake's deadly fangs.

Bonds Are Declared Void.

BISMARCK, N. D., Aug. 7.—(Special.) The supreme court has declared void the \$700,000 of bonds authorized by the last legislature for state educational and charitable institutions. The bonds were based on the lands of the institutions granted by congress and the proceeds were to be used in building necessary additional buildings. State Treasurer McMillen refused to comply with the orders of the State Board of University and School Lands for the purchase of the bonds and a mandamus action brought to compel him to pay over the money has been commenced.

Leaves Week's Salary Behind.

SIOUX FALLS, S. D., Aug. 7.—(Special.)—William Jackson, who for some months was assistant steward at the Elks' club rooms in this city, has mysteriously disappeared and no trace of him can be found. A week's salary was due him. He also left his personal effects.

A POPULAR LAMENT.

Where Would Society Be if One Was Judged for the Sins of Others?
"O! I tried one of those hair tonics some time ago and it never did me a bit of good. That's what many people are saying today when they refuse Herpicide a trial. It would be as sensible to say 'I never travel on a railroad because I often get collisions mentioned in the papers.' Newbro's Herpicide is specially made to destroy the germ that is living on the roots of your hair.

That is why it is so exceedingly efficacious—it is there for the sole purpose of ridding the hair of this parasitic growth, after which the hair grows as nature intended. Sold by leading druggists. Send 10c in stamps for sample to The Herpicide Co., Detroit, Mich. Sherman & McConnell Drug Co., special agents.

FORECAST OF THE WEATHER

Fair in Nebraska, Showers in Iowa Today, Getting Warmer in Both.

WASHINGTON, Aug. 7.—Forecast Saturday and Sunday:

Nebraska—Fair Saturday, warmer in eastern portion; Sunday fair.

Iowa—Showers Saturday; Sunday fair, warmer in west, showers in east portion.

Illinois—Fair and warmer in eastern, showers in western portion Saturday; Sunday, showers, cooler in eastern portion, variable winds.

Missouri—Showers Saturday; Sunday fair, warmer in western, showers in eastern portion.

South Dakota—Generally fair Saturday, warmer in eastern portion; Sunday fair.

Kansas—Showers Saturday, cooler in eastern portion; Sunday fair and warmer.

Montana—Fair Saturday and probably Sunday.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Aug. 7.—Omaha record of temperature and precipitation compared with the corresponding day of the last three years:

	1902	1901	1900
Maximum temperature.....	72	84	85
Minimum temperature.....	62	67	74
Mean temperature.....	66	75	82
Precipitation.....	11	00	00

Record of temperature and precipitation at Omaha for this day and since March 1, 1903:

	Normal	Temperature	Precipitation
Deficiency for the day.....	77	72	11
Excess since March.....	9	84	11
Normal precipitation.....	11	11	11
Precipitation since March 1.....	16.86	16.86	16.86
Deficiency since March 1.....	5.76	5.76	5.76
Deficiency for cor. period, 1902.....	30	30	30
Deficiency for cor. period, 1901.....	6.74	6.74	6.74

Reports from Stations at 7 P. M.

CONDITION OF THE WEATHER

	Temperature	Maximum	Minimum	Precipitation
Omaha, cloudy.....	69	72	62	11
Valentine, cloudy.....	68	71	61	11
North Platte, clear.....	62	65	58	11
Cheyenne, clear.....	76	80	72	11
Salt Lake, clear.....	82	85	79	11
Rapid City, clear.....	78	81	75	11
Sioux Falls, cloudy.....	70	73	67	11
Wichita, cloudy.....	70	73	67	11
Chicago, partly cloudy.....	70	73	67	11
St. Louis, partly cloudy.....	70	73	67	11
St. Paul, cloudy.....	70	73	67	11
Davenport, cloudy.....	70	73	67	11
Kansas City, partly cloudy.....	70	73	67	11
Denver, clear.....	70	73	67	11
Helena, clear.....	70	73	67	11
Butte, clear.....	70	73	67	11
Galveston, clear.....	70	73	67	11

* Indicates trace of precipitation.

L. A. WELSH, Local Forecaster.

That Signifies Quality

Moerlein's Beers.
NATIONAL EXPORT

ARE ALWAYS BREWED FROM THE BEST INGREDIENTS AND ARE RECOMMENDED FOR THEIR PURITY AND WHOLESOMENESS.

YOU CAN HAVE THEM EVERYWHERE.

THE CHRISTIAN MOERLEIN BREWING CO.
CINCINNATI, OHIO.

HILLER LIQUOR CO. Wholesale Dealers and State Agents, OMAHA, NEB.

Five Trains a Day To Chicago

via the Chicago & North-Western Railway, over the only double-track railway between Omaha and Chicago, offering traveling public the best of everything in the way of the modern conveniences of travel.

The Eastern Express

fast train, leaving Omaha daily 5:50 p. m., arriving Chicago 7:15 next morning, with an admirably arranged equipment of Pullman drawing room and tourist sleeping cars, free reclining chair cars, standard day coaches, buffet smoking and library cars, and dining cars (la carte), is one of the most popular trains in the West.

The Overland Limited

electric lighted, with buffet smoking car, standard and compartment sleeping car, observation and library car, leaves Omaha daily at 8:15 p. m., reaching Chicago 9:00 the next morning.

Other through trains leave Omaha for Chicago and points east at 3:40 a. m., 8:00 a. m. and 11:30 a. m.

Information as to schedules, rates, sleeping car reservations, on application.

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Pure and rich blood carries new life to every part of the body. You are invigorated, strengthened, refreshed. That's what Ayer's Sarsaparilla will do for you. Take Ayer's Pills for constipation, sick-headache, biliousness. Sold for 60 years.