

NO NEED TO PAY NOTE TWICE

Manager Enjoins Holder of His Paper from Making Collection.

HOLDS TRUST COMPANY'S RECEIPT

Omaha Institution Which Censed Business a Few Years Ago Had Sold Mortgage to Eastern School.

Macon, Mo., Jan. 2.—(Special.)—The decision in the first of the Omaha Loan and Trust company cases was made by Judge Shelton today. It was in favor of the mortgagee, R. R. Pace, who had paid the trust company, but whose note and mortgage were turned up in the hands of the Gilbert school of Winsted, Conn. The school had used a portion of its endowment fund to invest in securities which the trust company had for sale, and Pace's mortgage and interest notes, amounting to about \$1,400, were among the papers sold the school. There are six or seven similar cases in Macon county, growing out of the failure of the Omaha Loan and Trust company, which occurred in the fall of 1901. One of the cases was transferred to the federal court at Hannibal and tried there last month by Judge Elmer Adams. The opinion, however, was held up until the adjourned term next week. The northern Missouri headquarters of the trust company was at Macon, and it did an immense business in this section through its agents, Hicks, Yutz & Co., of this town, and Major Frank Madden of St. Louis. The method of the trust company was to make loans on farm property and sell the securities to eastern financiers. The borrower knew only the trust company in the deal and forwarded all money to it. The case decided today was styled R. R. Pace against the Gilbert School et al. It was an action to enjoin the collection of the note and mortgage by the school on the ground that the money had been paid to the trust company and accepted for it. Defendants contended that the plaintiff having knowingly paid the wrong party was not entitled to relief for his mistake. Pace said the trust company had not notified him of the transfer of his paper to the Gilbert school. The case involved several intricate points of law, some of which were new ones. Judge Shelton reviewed these in an

WHEAT GETS THE WARFEVER

Threats of Eastern Utilities Boasts It Three Cents.

CHICAGO BOARD HAS EXCITEMENT

Cable News and Short Day for Speculation Combine to Induce a Mighty Straggleness in All Offerings.

CHICAGO, Jan. 2.—The greatest excitement in months in the wheat market was experienced today in sensitive response to the news from the far east. The market closed an hour earlier than usual, and the excitement of working time became an auxiliary factor in the speculative excitement. The effect on prices was marked. May wheat closing with a net gain of 2 1/2 cents over yesterday's close and July at an advance of 3/8 cent. According to authoritative officials of prominent firms, the drop in British consols was the spark which, falling into the bed of pessimistic advices from European capitals, set the speculative tinder afire. For the first time in many weeks the leading floor became a puny consideration. The market became so big that it was almost impossible to keep track of it. The general public interested in the cereal made a concerted effort to follow and, naturally, found very little on the market, even at the high price. Opening prices showed a cent range and the bids for July were only fractionally under this range. The bottom price of May at the opening was 87 1/2 cents. At the height of the excitement this option touched 87 3/4 cents, and although at this price shorts secured large quantities, the close was only 1/4 cent lower than the top, at 87 1/2 cents. July, from its bottom price of 89 cents, rose by leaps and bounds to 87 1/2 cents, and closed 87 3/4 cents. The corn market also advanced sharply in sympathy, and oats also, although in a less degree. The close of May corn was 2 1/2 cents over Thursday, while May oats showed a net decline of 1/4 cent. Provisions were also affected, May pork leading the advance with a gain of 3/4 cents.

DR. CHARLES ROSEWATER HURT

Struck by Illinois Central Train at Thirteenth Street Last Night.

Dr. Charles Rosewater was badly but not seriously injured last evening about 8 o'clock. While driving across the Union Pacific tracks at Thirteenth street he was struck by an outgoing Illinois Central train. Dr. Rosewater sustained severe scalp wounds and a sprain of the back. He was resting easy at an early hour this morning. At the time of the accident the doctor was crossing the tracks at a signal from the Flagman Thomas Covey, indicating that the road was clear, after having waited for Union Pacific engines Nos. 118 and 115 to pass. The flagman claims that he saw the passenger train coming and called to the doctor to stop. Just as the doctor was clearing the crossing the locomotive struck the buggy, throwing the occupant to the ground and demolishing the vehicle. The horse escaped injury. Dr. Rosewater was carried into the flag house and cared for until an ambulance arrived and removed him to his home, 347 Jones street, where Drs. Wormsley and W. O. Henry attended the injured man. Everybody reads the want ad page these days. Now is the time to put your ad there.

OMAHA SUBURBS

West Ambler.

Clarence Darling is on the sick list this week. Mrs. L. Boyer entertained her friends, Mrs. J. E. Aughe was entertained at dinner by Mrs. J. E. Aughe. John Eber's young sister of South Omaha is spending the holidays here with the family. Mrs. Laura Darling has been seriously ill this week. She is slightly convalescent at present. Mrs. Frank Hensman was a New Year's visitor at the home of her mother, Mrs. John Gantz. J. Rosenbaum came down from Arlington to spend the holidays with relatives and friends here. Mrs. E. Getty and sister have both been on the sick list during the last week. They are recovering from influenza. Frank Todd, who has been visiting relatives in this vicinity, returned to his home Thursday evening. Mr. Ernest Booth of Sheridan, Wyo., was the guest of Miss Anna and Miss Ada Gantz during the holidays. The young people of Mrs. Theodore Smith arrived from near Hastings, Neb., to spend New Year's here. The new Woodmen hall will soon be ready for occupancy and a grand opening is to be had January 23. Mrs. E. M. Handerson and wife were guests at the home of Mr. Blakely in East Ambler on New Year's day. Mr. and Mrs. John Span and daughter are in the city from their new home on Forty-sixth and South streets. Isaac Syas and family spent New Year's with their daughter, Mrs. Frank Wallace and family, in North Omaha. Miss L. Murshaw returned Tuesday from Zwick, where she has spent the last month with her sister and new niece. Ed Walsh came home to spend the holidays with his family. He has spent the last few days and relatives at Christmas dinner with him. Mrs. J. Aughe has been over in Iowa throughout the whole of the week doing mason work at the home of his daughter, Mrs. D. Jackson. Clyde Michael removed his family from the paternal roof in East Ambler on Tuesday. He purchased a home on South Thirty-fourth and Twelfth streets. Harvey Henry, wife and two daughters, from Albright were New Year's visitors at the home of Mrs. Henry's parents, Mr. and Mrs. Henry Moore. Miss Mae Syas was the guest of her cousin, Mrs. J. E. Aughe, on New Year's. Her parents and brother arrived in time to eat New Year's dinner with them. Rev. Hensman held a family reunion for her three sons and their families and her brother, Mr. Fox on Christmas day at the home of Mrs. Hensman. Mrs. Hickman returned from her trip to Norfolk to spend the holidays with her children here, but will remain in Norfolk for the remainder of the winter. Charles Handerson came down from his home at Sioux City late last Saturday night to visit over Sunday with his parents, Mr. and Mrs. Hensman. He is a student who left for his work at the university at Denver on Tuesday. Rev. Mr. Hensman resigned his brief pastorate at Southwest church last Sunday, as his closing year's work at the Wesleyan university resulted in his resignation. At the instigation of Presiding Elder Jennings and the people in general, Rev. Hensman will continue to hold services at the church. For the present he will preach on Sunday evenings only. Sunday school will be as usual.

WOMAN IN CLUB AND CHARITY

Temple Israel Sisterhood will entertain its members Monday afternoon at 2:30 o'clock in the vestry rooms of the synagogue.

The Bible department of the Woman's club will hold its regular meeting at 3:30 o'clock Thursday morning, the subject of study to be "The Life of Christ as Found in Luke." Members are asked to come in with their Bibles and pencils. The class will be led by Mrs. Belle M. Stostenburgh of Plattsmouth. An organization similar to the sisterhood is Unity guild, composed of the women of Unity church, their object being to promote sociability among the young people of the congregation, and every season they give a series of dancing parties and social affairs. The January meeting of the Women's Christian association will be held at 10:30 Tuesday evening in the parlor of the Young Men's Christian association. The annual meeting of the local chapter, Daughters of the American Revolution, will be held Monday afternoon, January 11, in the audience room of the public library. It will be a business meeting and election of officers. An association of about fifty women has been formed in New York for the establishment of a memorial to Harriet Hubbard Ayer. It is known as the "Seven Poor Travelers" and will be a temporary shelter for homeless women, conducted something after the plan described in Dickens' story of that name. It is the intention to buy a house in a central location, costing about \$12,000, and to provide a fund for its maintenance for about two years. The management has a plan by which it hopes for the ultimate endowment of the house. The furnishing will be done by subscription from the various members and a theatrical performance will be given soon in the interest of the home. The opening day program at Monday's meeting of the Woman's club will be furnished by the French conversation department, of which Mrs. Arthur D. Brandeis is leader and Madam August M. Jorgium instructor. The following program has been announced: Chant—Venus Danes, Marquis, Ouvre tes yeux bleus—M. Mascenet Monologue—M. J. Scannell. Miss Florence Lewis. Chant—Madrigal, Si J'etais Jardinier. Monologue—M. J. Scannell. Monologue—M. J. Scannell. Comedie en acte—De M. Max Mauprey Personages: M. Le Docteur Despechar Mme. Bol. M. M. Borglum Rosalie. Mmc. A. D. Brandeis

ANDERSON GETS HIS PERMIT

Granted Leave to Open Saloon in Irvington, Two Miles from Town of Benson.

At their session yesterday the county commissioners granted a permit to F. J. Anderson to sell intoxicating liquors in Irvington, in Union precinct. A remonstrance and protest has been filed against the granting of the permit. In his protest Z. T. Lindsay, chairman of the board had not the right to grant the permit, since the proposed saloon was within two miles of the incorporated town of Benson.

BODIES TAKEN FROM THE FIRE

Remains of Mrs. Nathan Merriam's Relatives Recovered from Iroquois Theater Disaster.

Word was received from Chicago this morning from Mrs. Nathan Merriam that the bodies of her sister and nephew, Mrs. F. M. Persinger and son, Hewitt, were found on New Year's day. They lost their lives in the Iroquois theater fire. Both were suffocated, neither showing any marks of violence. Mrs. Merriam will not return to Omaha for several days yet.

NET GAINS IN FINES.

Lee Grier, clerk of police court, has finished his annual report and finds that a total of \$24,910.83 was collected in fines in 1903 in fines and costs, as against \$25,596.50 for the year 1902. The total for 1903 is divided as follows: Fines, \$18,860.00; \$1,595.50 state fines and costs. This shows a net gain for the last year of \$2,621.00 over the previous year.

PERSONAL PARAGRAPHS.

C. E. Burnham of Tilden, C. M. Penney of Alton, E. J. Davis of Grand Island are the Millard. Mr. and Mrs. J. P. Whitlock of Lincoln and Mr. and Mrs. G. Black of Lyons are at the Star Grand. A. F. Magden, Jr., of Lincoln and Mr. and Mrs. A. A. Magden of Pierce, Neb., are in the city. H. S. Hoyer of Butte, David Neale of Fort Calhoun, G. G. Hargston of Alliance and H. G. Watson of Kearney are at the Paxton. J. S. Leark of St. Paul, Ira Reed of Alliance, John B. Bish of Bonestell, S. F. Stevenson of Taylor, E. J. McKelvie of Kirkpatrick of Lincoln, F. N. Dittz, LeRoy Leonard of Wakefield, E. K. Busbee, Miss E. Cunningham, Miss Ada Brodhead, Miss Olive Vogler and W. D. Gave of Kimball are at the Merchants.

Thousands of Women Have Kidney Trouble and Never Suspect It.

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

Didn't Know I Had Kidney Trouble.

I had tried so many remedies without their having benefited me that I was about discouraged, but in a few days after taking your wonderful Swamp-Root I began to feel better. I was out of health and run down generally.



Mrs. A. L. Walker writes: "I had tried so many remedies without their having benefited me that I was about discouraged, but in a few days after taking your wonderful Swamp-Root I began to feel better. I was out of health and run down generally. In taking Dr. Kilmer's Swamp-Root you are doing natural best to Nature. Swamp-Root is the most perfect healer and gentle aid to the kidneys that has ever been discovered. Don't make any mistake, but remember the name, Swamp-Root, Dr. Kilmer's Swamp-Root, and the address, Binghamton, N. Y., on every bottle."

WOMEN suffer untold misery because the nature of their disease is not always correctly understood in many cases when doctoring they are led to believe that womb trouble or female weakness of some sort is responsible for their ills, when in fact disordered kidneys are the chief cause of their distressing troubles. Perhaps you suffer almost continually with pain in the back, bearing-down feelings, headache and other exhaustion. Your poor health makes you nervous, irritable, and at times despondent; but thousands of just such suffering or broken-down women are being restored to health and strength every day by the use of that wonderful discovery, Dr. Kilmer's Swamp-Root, the great kidney, liver and bladder remedy.

Not only does Swamp-Root bring new life and activity to the kidneys, the cause of the trouble, but by treating the kidneys it acts as a general tonic and food for the entire constitution. The mild and extraordinary effect of the world-famous kidney and bladder remedy, Swamp-Root, is fully realized. It stands the highest for its wonderful cures of the most distressing cases. A trial will convince anyone—and you may have a sample bottle sent free by mail.

In taking Dr. Kilmer's Swamp-Root you are doing natural best to Nature. Swamp-Root is the most perfect healer and gentle aid to the kidneys that has ever been discovered. Don't make any mistake, but remember the name, Swamp-Root, Dr. Kilmer's Swamp-Root, and the address, Binghamton, N. Y., on every bottle.

To Prove What SWAMP-ROOT, the Great Kidney, Liver and Bladder Remedy, Will Do for YOU, Every Reader of The Bee May Have a Sample Bottle FREE by Mail.

EDITORIAL NOTICE—No matter how many doctors you have tried—no matter how much money you may have spent on other medicines, you really owe it to yourself, and to your family, to at least give Swamp-Root a trial. Its strongest friends today are those who had almost given up hope of ever becoming well again. You may have a sample bottle of this wonderful discovery, Swamp-Root, sent absolutely free by mail, also a book telling all about Swamp-Root, containing many of the thousands upon thousands of testimonial letters received from men and women who owe their good health, in fact their very lives, to its wonderful curative properties. In writing to Dr. Kilmer & Co., Binghamton, N. Y., be sure and say that you read this generous offer in The Omaha Sunday Bee. If you are already convinced that Swamp-Root is what you need, you can purchase the regular fifty-cent and one dollar size bottles at the drug stores everywhere.

Attention, Printers!!

The following Resolutions, Unanimously Passed by the Central Labor Union, Were Unanimously Endorsed by Omaha Typographical Union, No. 190. WHEREAS, The united strength of organized labor, The Business Men's Association of Omaha and South Omaha, declares in Section 4, Article 2 of its constitution that the purposes of the association are: "To discourage boycotts, sympathy strikes, restriction of output and unreasonable demands that favor of persecutions," and WHEREAS, This association is "openly and avowedly boycotting the W. R. Bennett Co. and indirectly and indirectly to shut down the firm's source of supply and restrict its output and compel it to break its contract and obligations; and WHEREAS, The W. R. Bennett Co. has never signed an application for an injunction against the labor unions of Omaha; therefore be it RESOLVED, That the Omaha Central Labor Union, in regular session, Friday evening, December 18, 1903, officially request all union men with their families and friends to buy all their goods of the W. R. Bennett Co., and be it further RESOLVED, That the president and secretary be authorized to draw on the treasurer for sufficient money to pay for advertising space in The Daily Bee, World-Herald and News to publish this resolution. Members of Omaha Typographical Union are instructed to govern themselves accordingly. K. S. FISHER, President. W. L. RICE, Recording Secretary. (SEAL)

DISEASES OF MEN

If you are a victim of Nervo-Sexual Debility, with all its distressing symptoms, you certainly do not intend to remain so. You have only one life to live. You can live it in the full enjoyment of abundant vitality and perfect health. The fact that you have taken inferior remedies to no avail should not destroy your faith in all treatment, nor your hope of a radical cure. During my long term of scientific study and practical experience I have evolved a special treatment for Nervo-Sexual Debility, Impotency, that is uniformly successful in cases where success was before and by other doctors deemed impossible. It does not stimulate temporarily, but restores permanently. It allays the irritation of the delicate tissues surrounding the lax and unduly expanded seminal ducts, contracting them to their normal condition, which stops night emissions, dries up day drains and prevents prematureness. It tones up and strengthens the blood vessels that carry nourishment to the weakened parts, which regain full power, size and vigor. Meanwhile all other symptoms improve and the patient receives a great benefit has been effected from his life. I WILL CURE YOU I CURE QUICKLY AND SAFELY STRICTURE, VARICOCELE, EMISSIONS, BLOOD POISON, (SYPHILIS), KIDNEY AND URINARY DISEASES, and all diseases and weaknesses due to inheritance, evil habits, excesses, or the result of scientific discussion. CONSULTATION FREE If you cannot call, write for symptom blank. Office Hours, 8 A. M. to 3 P. M. Sundays, 10 to 1 only. STATE ELECTRO-MEDICAL INSTITUTE 1308 Farnam St. Bet. 13th and 14th Sts. OMAHA, NEB.



PILES

Cured Quickly and Without Pain. There are pile remedies without number, but there is only one cure, and that is the Pyramid Pile Cure, which is in the form of a suppository and is applied directly to the seat of the trouble. Any physician will tell you that for the proper treatment of Piles nothing can compare with a suppository, whereas the greater number of preparations that are offered to you for the treatment of this disease are lotions, salves and ointments. Why? Because they are not so expensive as a suppository, which is found to contain more costly ingredients, and which requires special machinery to make it; moreover, a suppository inserted up the rectum, comes in contact with the cause of the complaint, and no other form of treatment does so. Wallace Cookman, Hallerton, P. Q. Canada, writes: "I have had two surgical operations for piles and they were not a success; after using three boxes of Pyramid Pile Cure I feel as though I never had piles, and they have afflicted me for twenty-five years." B. H. Palmer, Windsor, Calif. "After suffering from piles for fifteen years and trying different salves and ointments in vain, I was completely cured by the use of two fifty cent packages of Pyramid Pile Cure." These and thousands of similar letters go to show that piles can be cured, are cured. Cured to stay cured. Cured so they won't come back. Cured without cutting. Cured without pain. Cured without detention from work. Cured without delicate examinations. Cured in privacy at home. Cured by a self-applied treatment. Cured with very little expense. Cured without the dread and publicity of waiting your turn at the surgeon's office. Cured without a dangerous surgical operation. Its period of enforced invalidism, tedious convalescence and heavy expense. You simply wash and apply a cheap and convenient remedy. It does the rest. All druggists sell Pyramid Pile Cure at fifty cents a package, and we urge all sufferers to write the Pyramid Drug Co., Marshall, Mich., for their little book on "The Causes and Cure of Piles," which is sent free for the asking.

JETTER'S GOLD TOP BEER

Delivered to any part of Omaha, Council Bluffs or South Omaha. Order a case from JETTER BREWING CO. or HUGO F. BILL, 1224 Douglas Street, Omaha. Telephone 1542 or LEE MICHELL, Wholesale Dealer, Council Bluffs, Tel. 80

Jan'y 4th to 9th Inclusive WE WILL SELL ANYTHING IN THE STORE AT A DISCOUNT. 33 1/3 per cent off on Furnishing Goods and Hats. Bath Robes, Smoking Jackets, Suit Cases, Underwear, Gloves, Umbrellas, Silk Pajamas, Hosiery, Mufflers, Ties, Etc. All \$25 Business Suits \$15.00 All \$25 Overcoats \$20.00 All \$25 Rain Coats (for men and women) \$20.00 All Odd Trousers 33 1/3 Per Cent Off FOR CASH ONLY Everything in the store is included in this sale at a discount—absolutely no reservations—excepting Knox hats, collars, cuffs and E. & W. Shirts. WE NEED THE ROOM. 1417 Farnam St. Omaha.

MILLER, STEWART & BEATON 1315-17-19 Farnam, 1515 Dodge. Furniture, Carpets and Draperies. Great Removal Sale. Our entire stock of Carpets, Rugs and Draperies must be moved to the Baker Furniture Co's old stand before February 1st—and we are forced to make prices that will MAKE ROOM. The First Week in January Will be a Record Breaker in the Way of bargain Offerings. Commencing Monday, we will place our entire line of made up carpets and room-size rugs, on sale at prices that will tempt a miser to speculate. Hotels, rooming houses and in fact everybody that has a rug to buy, attend this sale. MADE-UP RUGS Your choice of 500 sample carpets, 1 1/2 yards long—all bound—worth \$1.00 each—for 25c MADE-UP RUGS Your choice of 750 sample carpets—all leather bound—in Wilton, Axminster and body Brussels—worth \$3—for 98c