

An old bird isn't caught with chaff, and a wise man isn't tempted with a cracker bag after he knows

Uneeda Biscuit

The kind that come in an air-tight, moisture-proof package.

NATIONAL BISCUIT COMPANY

GRAIN DEALER WANTS CARS

Appeals from Lancaster County Court Which Denied Him Mandamus.

IMPORTANT POINT OF LAW INVOLVED

If His Contentions Hold Good Any Discrimination Between Shippers Will Be Declared Unlawful.

(From a Staff Correspondent.)

LINCOLN, Feb. 25.—(Special.)—This morning Hallock F. Rose, the attorney for William J. Crandall, filed a brief in the supreme court in which he seeks to reverse a decision of the Lancaster county district court denying him a mandamus to compel the Burlington railway to furnish him with cars for the shipment of grain from Firth, where Crandall owns an elevator. The attorney insists that the railway as a common carrier is bound to accept all freight offered for shipment and to furnish cars for its transportation.

He delivers himself of a caustic rebuke for the argument of the railway men that they have been obliged to deny him cars because of a shortage of rolling stock, asserting, "There is no suggestion anywhere in the record that the company is insolvent or that it is unable to purchase from the manufacturers freight cars sufficient to meet the requirements of its trade at the station at Firth. Neither does the respondent plead that it was prevented by an act of God or a public enemy from supplying the facilities requisite to the handling of the freight tendered by the relator at Firth."

He scores the practice of railways of giving precedence to the demands of shippers at common points for cars, alleging that such practice, while to the advantage of the carrier in competing with other railways, is doing a wrong to the shipper in the smaller town on a single line of railway where if refused cars he cannot seek a competing line for facilities.

The case is regarded as very important as bearing on the duty of the railroads of the state to furnish cars to all persons desirous of shipping grain. The case was instituted before the passage of the Ramsey elevator law and the contention of Crandall is based on the general section. Should the court accept the interpretation placed on the section of the statute by Attorney Rose the railroads would have to furnish cars to all persons having grain to ship regardless of the amount or facilities for loading so long as the traffic charges were paid and no discrimination would be tolerated.

The case will be heard at the second sitting of the supreme court in April, that being the effect of a stipulation filed this morning by the contending counsel.

Chance for Militia Officers.

Adjutant General Culver stated this morning that all officers of the guard who are desirous of taking the forthcoming examinations to be held by the general staff college must have their applications on file by March 1. Those examinations held out to the officers of the guard the possibilities of securing commissions in the regular army through study in the college. The government provides a considerable proportion of the successful candidates' expense while at the college.

Give O'Neil a Boost.

Last night the people of University Place, where J. M. O'Neil, a candidate for state auditor, lives, met and gave him a rousing endorsement in suitable resolutions, which stated that he was well worthy of the place to which he aspired. The resolutions bore the signatures of C. F. Ballard, Judge Lincoln Frost, George P. Hopkins, D. C. Berry and Postmaster A. A. Hyers of Havlock. H. H. Wilson of this city was present and delivered the principal address of the evening.

Ryan Busy on Report.

The attorneys in the case of the Bankers Union of the World have had their inning and now Referee Ryan is busy on his report to be made to the supreme court. He expects to have this ready by Saturday. Because of the importance of the case the supreme court will meet on Monday, the judges arriving here Sunday. Should the decision of the referee be adverse to the state exceptions will be filed.

Insurance Companies Pay Up.

While the reciprocal tax decision is still hanging fire in the supreme court, life insurance companies doing business in Nebraska are coming in promptly and paying up their 2 per cent premium tax. Most of the larger companies have already paid all that is due the state, the New York Life heading the list, having paid \$6,000. The Mutual Life of New York comes next with \$4,611.86, the Northwestern Mutual Life with \$4,038.96, being third highest in the amount paid.

No Trace of Miller.

The police have not yet run upon the husband of Mrs. Carrie Miller, the young woman from Omaha who is in the city looking for her erring other half. Wednesday she directed the officers to the man, but when they got down to the place designated he was nowhere to be found. Since then nothing has been heard from either him or the woman. It is thought Miller, who is a teamster, is stopping at some block in the city and keeping well hidden since he has discovered that the police want him.

The Farmers' Land and Investment company of Omaha, which is seeking to do business in the state under the terms of the newly enacted law governing installment investment companies, is still waiting for authorization from Attorney General Prout, who is a member of the state banking board, and is out of the city, can return.

A decree of foreclosure for \$1,388.87 in favor of James Woolworth and against Richard O'Neil was entered by Judge Holmes this morning. The property involved is located on J street, east of the capitol. A second lien in favor of the First National bank for \$100 is allowed. The latter concern got judgment some time ago against O'Neil for goods sold.

Long Sought Man Arrested.

PLATTSBURGH, Neb., Feb. 25.—(Special.)—Charles F. Holmes, whose name is connected with the charge of perjury against him, has at last been captured at Springfield, O., after having successfully eluded the officers for three years. Holmes was arrested and given a trial in district court here on the charge of having stolen brass from the Burlington shops in this city, but was acquitted of the charge of grand larceny principally upon the testimony of a man named Allerick, who testified that he was in Murray with Holmes at the time the brass was claimed to have been thrown over the fence from the shop yard preparatory to being loaded into a wagon and hauled away. Allerick was arrested on the charge of perjury, tried and sentenced to the penitentiary for five years, where he now is. Holmes left for parts unknown, apparently not caring to assist his partner in getting out of trouble. The charge of perjury was lodged against Holmes and he was later arrested in Chicago, but while being brought from that city to Plattsburgh by Sheriff W. D. Wheeler and when the train was not far from Albia, Ia., Holmes jumped from the coach while it was going at the rate of about forty-five miles an hour and succeeded in making his escape. He will be brought back to this city for trial.

Four Horses Poisoned.

PLATTSBURGH, Neb., Feb. 25.—(Special.)—A number of the farmers in the vicinity of Cedar creek have recently made complaints that persons have visited their barns recently during the night time and several thefts have been committed. Jerry Schroeder's barn was entered Sunday night and four of his horses were poisoned. It is supposed by mixing rough-on-rats with feed. There were six horses in the stable at the time, but it seems that two were not given the poison or did not eat it. Schroeder recently removed from Bellevue there some time ago and at that time lost three horses. A stranger called at the home of Frank Goodman Sunday evening and inquired for the residence of Schroeder. The dwelling was pointed out to him and he took his departure, but failed to go to the house. County Attorney J. L. Root is being consulted in regard to the trouble.

Offer to Buy Old Depot.

YORK, Neb., Feb. 25.—(Special.)—The York County Agricultural society suffered last summer by high winds blowing down one of its horse barns, and this week sent in an offer to Burlington headquarters for the old frame Burlington depot building.

Boy Breaks Jail.

BEATRICE, Neb., Feb. 25.—(Special.)—Ross Skinner, a boy confined in the city jail on a charge of stealing a valuable pipe from a member of "Peck's Bad Boy" company, which appeared here Monday evening, escaped from the city jail early yesterday morning by digging through the wall. The officers think he was assisted by some of his friends.

Men Tender Banquet to Women.

BEATRICE, Neb., Feb. 25.—(Special.)—The female members of Mina Rebekah lodge, Independent Order of Odd Fellows, were tendered a reception Tuesday evening by the male members of the degree. A musical and literary program was rendered, after which an oyster supper was served in the banquet hall. About 100 members of the order were in attendance.

Beatrice Paper Changes Hands.

BEATRICE, Neb., Feb. 25.—(Special.)—S. Grey Howe has purchased the Gage County Herald, a weekly paper which has been published in this city for the past few years by H. T. Wilson, and will assume control March 1. Mr. Wilson will locate in Lincoln with his family.

Class County Lands Valuable.

PLATTSBURGH, Neb., Feb. 25.—(Special.)—County Assessor Tegarden has learned from the records that there were 14,289 acres of land in Class county sold last year for the sum of \$758,027, or an average price of \$52.87 per acre.

Colorado Man Drops Dead.

BEATRICE, Neb., Feb. 25.—(Special Telegram.)—Theodore Thomann of Burlington, Colo., dropped dead this morning of heart disease in the office of Dr. Peters, a magnetic healer. He was 52 years old.

Declaration of Contest at Henderson.

HENDERSON, Neb., Feb. 25.—(Special.)—On March 11 the Henderson High school will hold a declaratory contest to select three delegates to represent the school at the county contest to be held at Waco on March 18.

Beware of a Cold.

Every cold weakens the lungs, lowers the vitality and paves the way for more serious diseases. Colds are quickly cured by Chamberlain's Cough Remedy and all danger avoided.

FORECAST OF THE WEATHER

Snow for South Portion of Nebraska and Colder in Southwest, Followed by Warmer Weather.

WASHINGTON, Feb. 25.—Forecast:

For Nebraska—Fair in north and snow in south portion Friday; colder in southwest portion; Saturday fair and warmer in west portion.

For Iowa—Snow Friday, Saturday fair.

For Wyoming—Fair Friday and Saturday except snow in northwest portion.

For South Dakota—Fair Friday; Saturday fair and warmer.

For Colorado—Fair Friday and Saturday and colder in southwest portion.

For Kansas—Snow in north, rain or snow in south portion Friday, and colder Saturday fair.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Feb. 25.—Official record of temperature and precipitation compared with the corresponding day of the past three years.

Maximum temperature .. 1904, 1903, 1902, 1901.

Minimum temperature .. 18 28 30 19

Mean temperature .. 22 32 30 26

Precipitation .. 2.00 2.00 2.00

Record of temperature and precipitation at Omaha for this day since March 1, 1892.

Normal temperature .. 23

Deficiency for the day .. 1

Total deficiency since March .. 1

Normal precipitation .. .03 inch

Deficiency for the day .. .03 inch

Total rainfall since March .. 1.96 inches

Deficiency for cor. period, 1892-1901 .. 1.96 inches

Deficiency for cor. period, 1892-1901 .. 6.71 inches

Reports from Stations at 7 P. M.

CONDITION OF THE WEATHER.

Omaha, cloudy .. 18 26 T

Valentine, part cloudy .. 14 16 T

North Platte, part cloudy .. 22 36 T

Cheney, clear .. 24 36 T

Sioux Falls, clear .. 24 36 T

Rapid City, clear .. 18 18 T

Huron, clear .. 18 18 T

Williston, clear .. 10 10 T

Chicago, snowing .. 14 14 T

St. Louis, cloudy .. 28 36 T

St. Paul, snowing .. 6 6 T

Davenport, snowing .. 14 14 T

Kansas City, cloudy .. 28 36 T

Havre, clear .. 4 4 T

Helena, clear .. 18 18 T

Galveston, clear .. 64 70 T

T Indicates trace of precipitation.

- Indicates below zero.

L. A. WELSH, Forecaster.

DAKOTA CITY, Neb., Feb. 25.—(Special.)—Deaths transferring the title of Crystal Lake Park midway between this place and South Sioux City, were today filed conveying the property from J. L. Somers and wife of Sioux City, Ia., to R. A. Talbot and Joseph Crow, who represent the Sioux City, Homer & Southern Railway company, which has now an electric railway in course of construction between South Sioux City and Homer, in this county, and along which the Crystal Lake Park lies.

For a number of years past the park has been operated by James C. Riddle, but he lacked the means to develop it as it should be, as the natural advantages of shade and a most beautiful water front made it a most attractive resort for pleasure seekers, while Crystal Lake furnished anglers sport in catching fish and at certain seasons of the year provides a good hunting ground for sportsmen. The park consists of thirteen acres and the price paid was \$10,000, and the further consideration that the grantees, R. A. Talbot and Joseph Crow, for themselves, their heirs, assigns and lessees, and all persons now or hereinafter possessing and occupying said premises, covenant and agree, as part of the consideration of this deed, to sell and keep for sale no other keg beer on said premises for the period of five years from the date hereof, except that manufactured by the grantors, and during all of said time in the sale of bottled beer on said premises, to give the bottled beer of said brewing company the preference.

CALL SIXTH DISTRICT CONVENTION.

Meets at Alliance March 17 and Leads for the State.

GRAND ISLAND, Neb., Feb. 25.—(Special Telegram.)—The central committee of the republicans of the Sixth congressional district met in this city this evening and fixed the date of the convention at March 17 and the place at Alliance. It will thus be the first congressional convention held in the state. The representation of the counties was somewhat small, owing no doubt to the unanimity of sentiment as regards the holding of the convention, as well as to the candidate for congress, Hon. M. P. Kincaid. F. M. Curry was recommended as chairman of the convention.

District Court in Jefferson County.

FAIRBURY, Neb., Feb. 25.—(Special.)—District court is in session, Judge Killinger presiding. There are forty-four cases only on the docket, with but one criminal case, and that for larceny. The case of C. W. Curry against the Chicago, Rock Island & Pacific railway for personal damages is on trial today.

Beatrice Paper Changes Hands.

BEATRICE, Neb., Feb. 25.—(Special.)—S. Grey Howe has purchased the Gage County Herald, a weekly paper which has been published in this city for the past few years by H. T. Wilson, and will assume control March 1. Mr. Wilson will locate in Lincoln with his family.

Class County Lands Valuable.

PLATTSBURGH, Neb., Feb. 25.—(Special.)—County Assessor Tegarden has learned from the records that there were 14,289 acres of land in Class county sold last year for the sum of \$758,027, or an average price of \$52.87 per acre.

Colorado Man Drops Dead.

BEATRICE, Neb., Feb. 25.—(Special Telegram.)—Theodore Thomann of Burlington, Colo., dropped dead this morning of heart disease in the office of Dr. Peters, a magnetic healer. He was 52 years old.

Declaration of Contest at Henderson.

HENDERSON, Neb., Feb. 25.—(Special.)—On March 11 the Henderson High school will hold a declaratory contest to select three delegates to represent the school at the county contest to be held at Waco on March 18.

Beware of a Cold.

Every cold weakens the lungs, lowers the vitality and paves the way for more serious diseases. Colds are quickly cured by Chamberlain's Cough Remedy and all danger avoided.

FORECAST OF THE WEATHER

Snow for South Portion of Nebraska and Colder in Southwest, Followed by Warmer Weather.

WASHINGTON, Feb. 25.—Forecast:

For Nebraska—Fair in north and snow in south portion Friday; colder in southwest portion; Saturday fair and warmer in west portion.

For Iowa—Snow Friday, Saturday fair.

For Wyoming—Fair Friday and Saturday except snow in northwest portion.

For South Dakota—Fair Friday; Saturday fair and warmer.

For Colorado—Fair Friday and Saturday and colder in southwest portion.

For Kansas—Snow in north, rain or snow in south portion Friday, and colder Saturday fair.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Feb. 25.—Official record of temperature and precipitation compared with the corresponding day of the past three years.

Maximum temperature .. 1904, 1903, 1902, 1901.

Minimum temperature .. 18 28 30 19

Mean temperature .. 22 32 30 26

Precipitation .. 2.00 2.00 2.00

Record of temperature and precipitation at Omaha for this day since March 1, 1892.

Normal temperature .. 23

Deficiency for the day .. 1

Total deficiency since March .. 1

Normal precipitation .. .03 inch

Deficiency for the day .. .03 inch

Total rainfall since March .. 1.96 inches

Deficiency for cor. period, 1892-1901 .. 1.96 inches

Deficiency for cor. period, 1892-1901 .. 6.71 inches

Reports from Stations at 7 P. M.

CONDITION OF THE WEATHER.

Omaha, cloudy .. 18 26 T

Valentine, part cloudy .. 14 16 T

North Platte, part cloudy .. 22 36 T

Cheney, clear .. 24 36 T

Sioux Falls, clear .. 24 36 T

Rapid City, clear .. 18 18 T

Huron, clear .. 18 18 T

Williston, clear .. 10 10 T

Chicago, snowing .. 14 14 T

St. Louis, cloudy .. 28 36 T

St. Paul, snowing .. 6 6 T

Davenport, snowing .. 14 14 T

Kansas City, cloudy .. 28 36 T

Havre, clear .. 4 4 T

Helena, clear .. 18 18 T

Galveston, clear .. 64 70 T

T Indicates trace of precipitation.

- Indicates below zero.

L. A. WELSH, Forecaster.

DAKOTA CITY, Neb., Feb. 25.—(Special.)—Deaths transferring the title of Crystal Lake Park midway between this place and South Sioux City, were today filed conveying the property from J. L. Somers and wife of Sioux City, Ia., to R. A. Talbot and Joseph Crow, who represent the Sioux City, Homer & Southern Railway company, which has now an electric railway in course of construction between South Sioux City and Homer, in this county, and along which the Crystal Lake Park lies.

For a number of years past the park has been operated by James C. Riddle, but he lacked the means to develop it as it should be, as the natural advantages of shade and a most beautiful water front made it a most attractive resort for pleasure seekers, while Crystal Lake furnished anglers sport in catching fish and at certain seasons of the year provides a good hunting ground for sportsmen. The park consists of thirteen acres and the price paid was \$10,000, and the further consideration that the grantees, R. A. Talbot and Joseph Crow, for themselves, their heirs, assigns and lessees, and all persons now or hereinafter possessing and occupying said premises, covenant and agree, as part of the consideration of this deed, to sell and keep for sale no other keg beer on said premises for the period of five years from the date hereof, except that manufactured by the grantors, and during all of said time in the sale of bottled beer on said premises, to give the bottled beer of said brewing company the preference.

CALL SIXTH DISTRICT CONVENTION.

Meets at Alliance March 17 and Leads for the State.

GRAND ISLAND, Neb., Feb. 25.—(Special Telegram.)—The central committee of the republicans of the Sixth congressional district met in this city this evening and fixed the date of the convention at March 17 and the place at Alliance. It will thus be the first congressional convention held in the state. The representation of the counties was somewhat small, owing no doubt to the unanimity of sentiment as regards the holding of the convention, as well as to the candidate for congress, Hon. M. P. Kincaid. F. M. Curry was recommended as chairman of the convention.

District Court in Jefferson County.

FAIRBURY, Neb., Feb. 25.—(Special.)—District court is in session, Judge Killinger presiding. There are forty-four cases only on the docket, with but one criminal case, and that for larceny. The case of C. W. Curry against the Chicago, Rock Island & Pacific railway for personal damages is on trial today.

Beatrice Paper Changes Hands.

BEATRICE, Neb., Feb. 25.—(Special.)—S. Grey Howe has purchased the Gage County Herald, a weekly paper which has been published in this city for the past few years by H. T. Wilson, and will assume control March 1. Mr. Wilson will locate in Lincoln with his family.

Class County Lands Valuable.

PLATTSBURGH, Neb., Feb. 25.—(Special.)—County Assessor Tegarden has learned from the records that there were 14,289 acres of land in Class county sold last year for the sum of \$758,027, or an average price of \$52.87 per acre.

Colorado Man Drops Dead.

BEATRICE, Neb., Feb. 25.—(Special Telegram.)—Theodore Thomann of Burlington, Colo., dropped dead this morning of heart disease in the office of Dr. Peters, a magnetic healer. He was 52 years old.

Declaration of Contest at Henderson.

HENDERSON, Neb., Feb. 25.—(Special.)—On March 11 the Henderson High school will hold a declaratory contest to select three delegates to represent the school at the county contest to be held at Waco on March 18.

Beware of a Cold.

Every cold weakens the lungs, lowers the vitality and paves the way for more serious diseases. Colds are quickly cured by Chamberlain's Cough Remedy and all danger avoided.

FORECAST OF THE WEATHER

Snow for South Portion of Nebraska and Colder in Southwest, Followed by Warmer Weather.

WASHINGTON, Feb. 25.—Forecast:

For Nebraska—Fair in north and snow in south portion Friday; colder in southwest portion; Saturday fair and warmer in west portion.

For Iowa—Snow Friday, Saturday fair.

For Wyoming—Fair Friday and Saturday except snow in northwest portion.

For South Dakota—Fair Friday; Saturday fair and warmer.

For Colorado—Fair Friday and Saturday and colder in southwest portion.

For Kansas—Snow in north, rain or snow in south portion Friday, and colder Saturday fair.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Feb. 25.—Official record of temperature and precipitation compared with the corresponding day of the past three years.

Maximum temperature .. 1904, 1903, 1902, 1901.

Minimum temperature .. 18 28 30 19

Mean temperature .. 22 32 30 26

Precipitation .. 2.00 2.00 2.00