

COURT COMMISSIONERS OUT

Ames, Oldham and Letton Retained by the Supreme Court.

SCAVENGER TAX LAW HELD TO BE GOOD

Supreme Court Passes on the Case Brought in Douglas County Under the Bill for Collecting Back Taxes.

(From a Staff Correspondent.) LINCOLN, March 17.—(Special Telegram.)—Acting under the law enacted by the last legislature, the supreme court today discharged six commissioners and retained these three: J. H. Ames of Lincoln, W. D. Oldham of Kearney and C. B. Letton of Fairbury.

Those let out were Commissioners Alberts, Glanville, Duffie, Pawcett, Hastings and Kirkpatrick. The law requires that six commissioners shall serve for one year and three for two years.

Uphold Scavenger Law.

The supreme court sustained the constitutionality of what is known as the scavenger act, an act of the last legislature for the collection of delinquent taxes on real estate. This act was supplemental to the new revenue law and provided for the sale of lands for what they will bring, less the amount of the taxes due. The constitutionality of this provision was questioned on the grounds that it provided for a release or commutation of taxes. A county as well as an individual may be liable for the promoters of the new law believe that it would permit counties to clear up long-standing delinquent taxes.

The case passed upon is entitled Joseph W. Woodruff against the County of Douglas. Following is the syllabus of the opinion written by Judge Brewster: The sale of real estate for the payment of delinquent taxes, under the provision of chapter 14 of the laws of 1903, entitled "An act to enforce the payment of delinquent taxes and special assessments on real property," does not deprive the owner of his property.

Lands purchased by the county under the provision of this act are held in trust for itself, the state and all other political subdivisions of the state for the payment of delinquent taxes. Such lands are not acquired by the state by escheat or forfeiture, and do not belong to the state in any other sense. The proceeding provided for by this act is a suit in equity in the district court, and the owner of real estate is not entitled to a jury trial. The sale of lands in such proceedings for what they will bring is not a release or commutation of taxes within the meaning of section 4, article 10 of the constitution.

The act is not vulnerable to the objection that its provisions are broader than the title; it is complete in itself, capable of enforcement, and is not open to the objection that it is in violation of the constitution. The law provides for one of two methods of collecting delinquent taxes on real estate and permits the county to choose the method which it will pursue. This does not constitute a delegation of legislative authority. The remedy provided for is declared by the act itself to be cumulative, and therefore it is not in violation of the constitution. It takes away any other remedy provided by statute.

Victory for Father Murphy.

Father William Murphy of Seward won a signal victory over Rt. Rev. Thomas Bonanum, bishop of the diocese of Lincoln, in the supreme court today. The bishop dispossessed Father Murphy of the ecclesiastical power and endeavored to enjoin him from using the church property at Seward on the ground that he had willfully violated the canons of the Catholic church. The district court of Seward county, Judge Stribinger presiding, gave judgment in favor of Father Murphy. The bishop appealed to the supreme court and that tribunal has affirmed the judgment of the lower court in every particular. Father Murphy claimed he had appealed to Rome from the decision of Bonanum and the case had not been decided. Bonanum claimed the House had upheld him. Commissioner Duffie wrote the opinion. It says: The courts will not review the judgments or acts of the governing authorities of a religious organization with reference to its internal affairs for the purpose of ascertaining their regularity or accordance with the discipline of the church. The courts will inquire and determine whether or not a church tribunal which undertakes to expel a member has been organized with the constitution of the church, and whether a member of such a tribunal is disqualified under the rules and canons of the church from sitting as a judge in the case. These questions are ecclesiastical and within the exclusive jurisdiction of the ecclesiastical tribunal, although the decisions of such tribunals are entirely and legally constituted, would be binding on the civil courts on all matters properly before it for certain purposes.

TRASK BREAKS JAIL SECOND TIME

Man Charged With Stealing Chickens Saves the Bars.

TECUMSEH, Neb., March 17.—(Special Telegram.)—Frank Robertson, alias Fred Trask, who broke jail here a month ago and was apprehended in Sioux City and brought back here, again got away last night by sawing the grate off the cell window and sawing away two bars. Robertson was caught in Sioux City Friday and brought back here a day or two later.

Edgar Students Orate.

EDGAR, Neb., March 17.—(Special.)—The Edgar high school oratorical contest came off Wednesday evening in the opera house. Every student in the house had been sold long before night and standing room was at a premium. The contestants were: Birtol Brown, Elma Edger, Hazel Ward, Lucy Gowen, Inez Ferris, Geneva Thompson.

Groundless Mad Dog Scare.

PAPILLION, Neb., March 17.—(Special.)—The residents of the eastern portion of Papillion were considerably excited yesterday over the appearance of an alleged mad dog. Children going to school were terrorized and hurriedly sought refuge in the nearest buildings when they saw the animal, foaming at the mouth, coming down the street, making attempts to bite other dogs and exhibiting all the symptoms of being mad. Chief Gatewood was called and succeeded in shooting it before any damage had been done. Afterwards it was discovered that the dog had been poisoned.

Helvey Wants to Be Delegate.

BYRACUSE, Neb., March 17.—(Special.)—Postmaster Frank Helvey of Nebraska City in a circular letter, issued yesterday, announces his candidacy as delegate to the national convention, and states that twenty years' residence in the First congressional district as a supporter of republican principles entitles him to the honor sought. He will ask for the endorsement of the Otoe county convention, which meets here next Friday.

Finds Nail in an Egg.

BYRACUSE, Neb., March 17.—(Special.)—A peculiar freak of nature has been discovered by a Byracuse man. Andrew Ryder, a plasterer, was eating hard-boiled eggs and when one of them was opened a shingle nail was found embedded in the yolk. The nail was rusty and left a rusty color on the imprint. How the nail found such a location is a mystery as yet unsolved. The "freak" will be sent to the museum at the State university at Lincoln.

Elects Class Officers.

BEATRICE, Neb., March 17.—(Special.)—At a meeting of the class of 1904, Beatrice high school, yesterday, the following officers were elected: Guy Teeter, president; Miss Louise Babine, vice president; Miss Florence Thacker, secretary and treasurer.

Simply state which Book I am Druggist.

Simply state which Book I am Druggist. Book you want and send to the Druggist. Book you want and send to the Druggist. Book you want and send to the Druggist.

If You Pity a Sick Friend

Tell Me His Name. Let Me Help Him.

Tell me his name. Let me help him. Tell me his name. Let me help him. Tell me his name. Let me help him.

How To Buy Graham Crackers

CUT out dotted section and send to your grocer with your next order.

In the future send me Graham Crackers, only in air tight packages bearing this trade mark of the National Biscuit Company in red and white, on each end of the package.

Signed



Address, "Exposition Department," Omaha Bee, Omaha, Neb.

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JEALOUSY CAUSES MURDER

David Carrol Kills Anna Maxwell and Takes His Own Life.

VICTIM ONLY SIXTEEN YEARS OF AGE

Murderer Was Thirty-Two Years Old and Employed on the Farm Where Miss Maxwell Made Her Home.

NEBRASKA CITY, Neb., March 17.—(Special Telegram.)—A double tragedy occurred today near Nemaha, a small town south of this city, that has no parallel in the history of this section. David Carroll, a farm hand, shot Miss Anna Maxwell and then committed suicide. Insane jealousy is supposed to be the cause.

Miss Maxwell spent last night at a neighbor's and returned home this morning about 7 o'clock. She started to do the milking, as was her usual custom, and when she did not return within a reasonable time a search was made for her, and her dead body was found on a horse blanket near the barn. Carroll had fired two shots, one entering her left temple and the other the right.

Carroll's dead body was found near that of his victim. Miss Anna Maxwell was the adopted daughter of John Maxwell, who was for thirty years superintendent of the Nemaha county poor farm, and since the death of Mr. Maxwell she has resided with his widow. She was but 16 years old.

David Carroll was about 35 years old and originally came from an orphan's home in Chicago. Miss Maxwell did not favor his insane passion for her and had recently shown favor to a young man in the neighborhood. This fact is supposed to have caused temporary insanity and is responsible for the act of Carroll. The tragedy was probably planned and consummated when whetted to an insane jealous rage during the interview that they must have had this morning. Carroll has never before been considered deranged and has worked on the Maxwell farm for several years, the family ultimately led to the crime of today, where his intimate acquaintance with the victim.

While the committees were out the convention was entertained by speeches from McInchou of Cheyenne, Beaman of Buffalo, Aaron Wahl of Sherman, Horner of Dawson, A. G. Fisher of Boyd, J. A. Douglas of Rock, F. G. Hamer of Buffalo.

Moses P. Kinkaid was nominated for congress by acclamation and W. P. Miles of Cheyenne county and E. C. Harris of Dawson were nominated as delegates to the national convention, and Harvey J. Ellis of Box Butte and Thomas Wright of Dawson as alternates. E. M. F. Lafang of Dawson was endorsed as delegate-at-large.

The resolutions endorse the administration of President Roosevelt and instruct the delegates to the national convention to vote and work for his nomination, endorse the candidacy of John L. Webster for the vice presidency, highly commend the record of Congressman M. P. Kinkaid, recommend Hon. Alphonse Morgan for presidential elector, favor the passage of H. R. 11273, commonly known as the Kinkaid homestead bill, and request the Nebraska delegation to support the measure.

Colored Man Enters Girl's Room.

She Raises Alarm and Intruder Makes a Run and Escapes into Iowa.

NEBRASKA CITY, Neb., March 17.—(Special.)—A negro entered the bedchamber of Miss Thomas, a daughter of Charles Thomas, here last night and was discovered as he leaned over the bed. Miss Thomas gave the alarm and he was frightened away. The police tried to capture him, but he escaped across the Burlington bridge into Iowa.

Republicans Are Harmonious.

NEBRASKA CITY, Neb., March 17.—(Special.)—The republican city convention was held in the courthouse this afternoon and was the most harmonious held here for years. A hot fight was expected between H. H. Bartling and Cal Chapman for the nomination for mayor, but at the last moment Chapman withdrew and Bartling was nominated by acclamation. The following tickets were nominated: Mayor, H. H. Bartling; city clerk, A. O. Ross; treasurer, Charles E. Schminke; police judge, David J. Goff. Councilmen: First ward, C. O. Galloway; Second ward, Cal Chapman; Third ward, T. F. Lawrence; Fourth ward, W. A. Forbes; Board of Education: E. P. Egan, Frank Fields and George Kregel. The central committee selected are as follows: First ward, M. A. McCarty; Second ward, F. L. Funch; Third ward, Thomas F. Roddy; Fourth ward, C. C. Brant.

Wanted in Oregon.

FREMONT, Neb., March 17.—(Special.)—William Jennings, a real estate and insurance agent of Filger, was arrested yesterday at Grand Island by Sheriff Bauman and brought back to Fremont at the request of the officers at Eugene, Ore., where it is alleged he is wanted for adultery. Jennings is an unmarried man, 28 years of age and formerly lived at Eugene. He does not seem much worried over the affair and claims to have a good defense. Sheriff Plak of Eugene was notified and wired that he would start at once for Nebraska. Jennings' parents are prominent people in Jefferson county and the issue of requisition papers will probably be strongly resisted.

Fremont Democrats Nominate.

FREMONT, Neb., March 17.—(Special.)—The democrats held their caucus last evening for the selection of delegates to the city convention and nomination of councilmen. No nomination was made in the First ward, the matter being left in the hands of the committee. The other candidates selected were: Second ward, Philip Rine; Third ward, J. E. Haurigan; Fourth ward, R. M. Herre. Although only school board members and councilmen are to be chosen the election is likely to be warm one. The telephone question is involved and it is possible that party lines may cut little figure.

Dr. R. Colby Seriously Ill.

BEATRICE, Neb., March 17.—(Special.)—The condition of Dr. R. Colby, the veterinary surgeon who was injured in a runaway accident here several days ago, is serious, and his death is liable to occur at any time. His body is paralyzed below the neck and the doctors say this condition is caused from a blood clot at the base of the brain.

Business Change at Edgar.

EDGAR, Neb., March 17.—(Special.)—A business change of considerable importance has just taken place in Edgar. Mr. Frank Westering has purchased the interest of B. C. Johnson in the firm of Nelson & Johnson, dealers in agricultural implements, of this city. Mr. Westering owns a large farm just north of the city and has been a very successful farmer. He will reside in the city and give personal attention to his business here and will also direct the management of his large farm.

Fined for Shooting Song Birds.

PLATTSMOUTH, Neb., March 17.—(Special.)—G. E. Young, a special game warden residing at Nehawka, in this county, caused the arrest of G. H. Marks for shooting song birds from the public highway. He was given a trial and fined \$5 and costs. An organization of citizens has been formed in this county to enforce the state game law, which was passed to protect song or insectivorous birds, as well as game birds and fish.

Fremont Expects to Pave.

FREMONT, Neb., March 17.—(Special.)—The prospects are that considerable paving will be done in this city this spring. A petition was signed today by a sufficient number of property owners for the paving of Fifth street with brick between Main and D streets. It is also expected that F street will be paved from Fifth to Second, and petitions are being circulated for paving Third and Fourth streets between F and Main streets.

Inspects National Guard.

NEBRASKA CITY, Neb., March 17.—(Special.)—Brigadier General Daggett, U. S. A., inspected Company C, Second regiment, Nebraska National Guard, at the armory yesterday. The inspection was made in heavy marching order and was very rigid. A great many of the local admirers of the company were on hand to encourage them with their presence, and the company as a whole made a very good impression.

Miles Renominated for Mayor.

HASTINGS, Neb., March 17.—(Special Telegram.)—The republican city convention convened in the courthouse tonight. The courtroom was crowded and great interest was manifested. C. J. Miles was renominated to succeed himself as mayor on the first ballot. A. T. Patton was nominated by acclamation for city clerk, as was A. H. Cramer for city treasurer. W. P. Hoagland was renominated for water commissioner.

West Point Municipal Ticket.

WEST POINT, Neb., March 17.—(Special.)—At a mass meeting of citizens held tonight the following municipal ticket was nominated in nomination: Mayor, Fred Sennechen; clerk, August Linnehan; treasurer, Robert Kerkow; Councilmen: First ward, Peter Doelst; Second ward, Fred Thietje; Third ward, left with committee to fill. Board of Education, Edmund Krause and John Meyer.

Violates the "Olso" Law.

NEBRASKA CITY, Neb., March 17.—(Special.)—C. B. Otis, proprietor of the Watson hotel in this city, was fined \$25 and costs in Judge Joyce's court for violating the oleomargarine law. The complaint charged that Otis was serving imitation butter to his guests without displaying a sign, as required by law.

Strike on Half Finished Job

Two Hundred Painters Employed on World's Fair Building Walk Out to Enforce Demand.

ST. LOUIS, March 17.—Two hundred painters employed on the exterior work of the World's fair buildings at \$2.00 a day walked out today to enforce a demand for an increase to \$5 a day. The painters were employed by contractors and the strike has not been brought to the attention of the exposition management officially.

Tornado Rages in Texas

Windstorm Demolishes Houses and Kills One Person at Neyland.

DALLAS, Tex., March 17.—A tornado struck the village of Neyland today, demolishing a number of houses and doing much damage to property. One person was killed.

Celebrate Evacuation of Boston.

BOSTON, March 17.—The 13th anniversary of the evacuation of Boston by the British troops was observed here today. In South Boston, where the 13th has been yearly celebrated, the occasion was of additional significance, as it was the centennial anniversary of the annexation of South Boston to Boston. The guest of honor was Secretary of the Navy William H. Moody.

MOTHER OF TEN CURED OF NERVE EXHAUSTION

The care and worry of a large family brought Mrs. Ella Bolton to death's door with general breakdown and consumption. She says Duffy's Pure Malt Whiskey cured her.

Buffalo, N. Y., December 22, 1903. "I am the mother of ten children, my youngest boy being now in his fourth year. I had been gradually falling in health for more than a year. My trouble started with indigestion and dyspepsia. I got no nourishment from my food. I grew rapidly worse until I was compelled to take to my bed and was there four months. Finally nothing would stay on my stomach. I suffered from shortness of breath and heart trouble. Gradually wasted away and consumption took hold. Our family doctor was in constant attendance, but his medicine failed to do me any good. I lost flesh rapidly and was awfully weak. A complete nervous wreck. None of my family expected that I would be about again.

"One day my sister brought me a bottle of Duffy's Pure Malt Whiskey. I began with a few drops at a time. It acted on my stomach and I began to get better at once. By the time I took four bottles I was able to walk and now after taking it according to directions for two months, I am completely cured, my life saved by you, wonderful Malt Whiskey, which I recommend to every mother."

MRS. ELLA BOLTON, 57 Williams St. Hundreds of thousands of women and men go about their daily work with hardly enough energy and strength to crawl. Pinpointed weakness, which leads to an early grave, unless promptly treated with



DUFFY'S PURE MALT WHISKEY

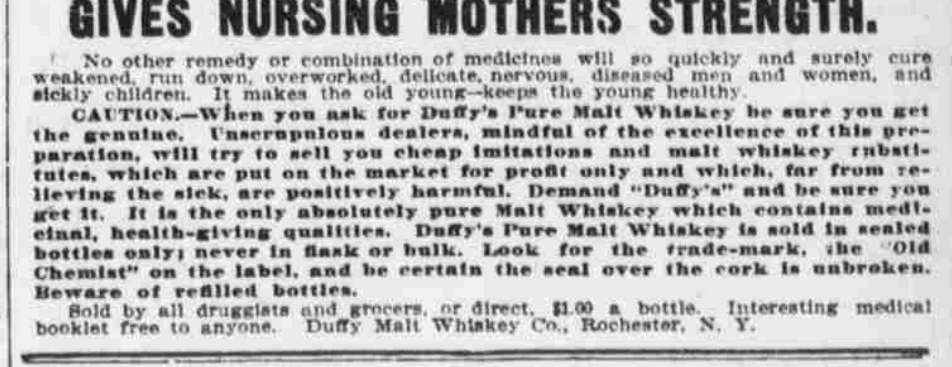
for half a century the faithful old standby of leading doctors whenever a gentle, invigorating tonic-stimulant is called for. It goes right to the root of the trouble and, by killing the disease germs and driving them out of the system, purifying and enriching the blood, strengthening the circulation and replacing weakened, wasted tissues, it quickly cures and builds up broken down constitutions.

Duffy's Pure Malt Whiskey is an absolutely pure preparation of malt, recognized by the Government as the only medicinal whiskey. It tones up the heart's action, soothes the over-wrought nerves, aids digestion and enables one to get from food all the nourishment it contains. Cures consumption, pneumonia, coughs, grip, catarrh and all diseases of head, throat, chest, dyspepsia and indigestion; nervousness, malaria and all low fevers.

GIVES NURSING MOTHERS STRENGTH. No other remedy or combination of medicines will so quickly and surely cure weakened, run down, overworked, delicate, nervous, diseased men and women, and sickly children. It makes the old young—keeps the young healthy.

CAUTION—When you ask for Duffy's Pure Malt Whiskey be sure you get the genuine. Unscrupulous dealers, mindful of the excellence of this preparation, will try to sell you cheap imitations and malt whiskey substitutes, which are put on the market for profit only and which, far from relieving the sick, are positively harmful. Demand "Duffy's" and be sure you get it. It is the only absolutely pure Malt Whiskey which contains medicinal, health-giving qualities. Duffy's Pure Malt Whiskey is sold in sealed bottles only; never in flask or bulk. Look for the trade-mark, the "Old Chemist" on the label, and be certain the seal over the cork is unbroken. Beware of refilled bottles.

Sold by all druggists and grocers, or direct, \$1.00 a bottle. Interesting medical booklet free to anyone. Duffy Malt Whiskey Co., Rochester, N. Y.



Of Course You Know Some One Who Deserves a Vacation

Stop a minute and think. There is some one of your acquaintance who probably will never have a chance to go to the St. Louis exposition or to have a vacation next summer, if it were not possible for them to take one of the

Sixty Exposition Trips

which The Bee is going to give away. The readers of The Bee are to decide who these sixty most deserving people are. An "election" will be held once a week for six weeks, and each "election" will decide who will get ten of the trips.

This exposition is going to be bigger than the World's Fair at Chicago—something everybody will thoroughly enjoy. Save your coupons and help some one. The trips are

via the Wabash. This is the line that gives the quickest service and has the best equipment to take you from Omaha to St. Louis. If one wishes to save time and go direct to the exposition grounds, this is the only road that has a station at the exposition entrance.

Rules of the "Election"

The ten persons receiving the largest number of votes at the close of each "election" will be furnished, at The Bee's expense, as prizes, such a free trip from Omaha to St. Louis and return, to be taken any time during the exposition.

No restrictions are placed as to where the party lives as a candidate for one of the exposition trips.

All votes must be made on coupons which will be published each day in The Bee.

Every month of subscriptions may be made either direct to The Bee Publishing Company or to an authorized agent of The Bee.

No votes sent in by agents will be counted unless sent in accordance with the instructions given them.

The vote from day to day will be published in all editions of The Bee.

The "elections" will close each Thursday at 5 p. m.

Votes may be deposited at the business office of The Bee or sent by mail. No votes sent by mail will be counted which are not in the Omaha postoffice for delivery at 4:30 p. m. on the day of closing.

Address, "Exposition Department," Omaha Bee, Omaha, Neb.

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