

REVENUE LAW IS SUSTAINED

Supreme Court Reverses Lower Tribunal in Nemaha County Case.

NEEDS OF THE STATE UNIVERSITY

Regents Decide on Amount of Money Required to Run It During Next Two Years—Degree of Honor Grand Lodge.

(From a Staff Correspondent.)

INCOLN, Oct. 5.—(Special Telegram.)—The revenue law enacted by the last legislature has again run the supreme court gauntlet and come out unscathed.

The court late this evening, in declining the Nemaha county tax case, held that the section attacked was constitutional and reversed the decision of the lower court and dismissed the case.

Church Howe and others secured an injunction in the Nemaha district court to prevent the county clerk from adding 5 per cent to the valuation of the county property as ordered by the State Board of Equalization. In bringing the suit the constitutionality of the section which provided that the state board must equate between the counties by adding or deducting a percentage of the valuation was attacked. The opinion was not yet written, though the decision was the unanimous verdict of the court.

In the case of Pine against Pine the decision of the lower court was reversed. This was the case wherein the husband, though proving the infidelity of his wife, was refused a divorce because he was a nonresident. The wife filed the first suit for divorce and this was refused here by the lower court.

Needs of University.

After having been in session since Monday night, the board of Regents of the State university adjourned yesterday. The meeting was called for the purpose of considering the estimates and expenditures for the ensuing biennium. The regents estimate that the net available income to the temporary university fund for the next biennium will approximate \$100,000. Something more than half of this amount will be required for salaries. The remainder will be asked for current expenses, repairs, maintenance and permanent improvements, including \$50,000 for a new building on the farm. The details of items of expenditures were referred to the finance committee with power to act.

Tuesday afternoon only a brief session was held, the board adjourning after adopting this resolution in respect to C. H. Gere:

In the death of Hon. Charles H. Gere, formerly and for many years a member of this board, the regents lost a personal friend and the cause of education a noble champion. His death has left a void in the universal sorrow and place on record a testimonial to the memory of his distinguished fellow citizen, who gave so freely of his ability and strength to the making of the university. To his high scholarship, disinterested judgment, fidelity to high ideals, wise counsel and faith in the future of the university, the regents are indebted. It is ordered that when this board adjourns it be to attend the funeral in a body, that these resolutions be spread upon the records of this board and that copies be furnished for the press and to the family.

The proceedings of the board follow: Prof. H. H. Nicholson was granted a leave of absence without salary from October 1 to the remainder of the first semester, the unfinished condition of the chemical laboratory building making it doubtful if full work in chemistry can be carried on during the first semester. It is expected that chemical work in the new laboratory will begin in about ten days.

Minor appointments reported by the chancellor made since the June meeting were approved. The nominations of instructors in the affiliated school of music for the current year reported by Director Kimball were also approved.

The appointment of Prof. George E. Howard as professor of institutional history was confirmed, services beginning September 1, 1904.

In the department of mathematics Assistant Prof. Candy was given the title of associate professor, and Adjunct Prof. Engberg was given the title of assistant professor. In the department of philosophy Assistant Prof. Himm was given the title of associate professor.

Military Drill Required. The special committee appointed heretofore with power to act in the matter of military drill requirements reported, recommending:

(a) That, subject to the usual excuses and privileges, each man in the agricultural school be given military instruction five hours per week during his attendance up to a total of four semesters, receiving each semester such academic credit as the dean and principal of the school may deem fitting.

The report of the committee was approved.

The minutes of the last preceding meeting were read and approved, also the record of proceedings of the building and executive committees since the last board meeting. The latter approval includes con-

firmation of the appointments of Judge William G. Hastings as professor of law, Cook resigned, and Prof. T. M. Rodman as inspector of accredited schools, with professional rank. Prof. Hodgman retires from the department of mathematics, wherein he has been a successful teacher for many years.

The resignation of Assistant Prof. R. E. Moritz of the department of mathematics was received and accepted. Mr. Moritz has accepted the chair of mathematics in the University of the State of Washington. All members of the board were present except Regent Rich.

Degree of Honor Grand Lodge. The grand lodge of the Degree of Honor, Ancient Order of United Workmen, which has been in session here for two days, this morning increased the per capita fee of membership from 50 to 70 cents. It has been demonstrated that the 50-cent fee failed to bring in sufficient revenue to meet the expenses of the grand lodge or to pay the expenses for efficient field work. The fee was formerly 50 cents and had been gradually shaved down to 50 cents.

It was also decided that hereafter officers required to give bond for safe handling of funds give guaranty company bonds. The bond of the grand receiver is fixed at \$10,000, that of the grand recorder at \$2,500 and those of three members of the finance committee at \$1,000 each.

A resolution intended to make the grand medical examiners an elective office was voted down, which leaves the place open for appointment by the grand chief of honor. The officers elected this afternoon were: Mrs. Laiky, grand chief of honor, with no opposition; Miss Teresa Hempel of Plattsmouth, grand recorder, receiving 200 votes to 19 for Mrs. Brewster of Grand Island; Ella Hall, South Omaha, grand lady of honor; Mary Miller, Diller, grand receiver; Anna Frazier, Fairmont, grand usher; Emma Smith, Imperial, inside watch; Kate Potts, Red Cloud, grand watch; Nancy Madison, Blue Hill, grand trustee.

Back to Face Forestry Charge.

Frank Brown, arrested in St. Joseph on a charge of passing forged checks here, is now in the city jail and will be given a preliminary hearing tomorrow. Brown said he expected his father to make good the checks when they were presented at the bank and said he did not know until recently that his father had refused to stand for them. He was formerly a student at College View and previous to forging these checks bore a good reputation. He and his father had a lengthy interview this afternoon and it is possible some kind of a settlement will be reached.

Look for Another Railroad.

The incorporators of the Union Depot and Terminal company held a meeting this afternoon and opened their books for the sale of stock. The statement was made by T. P. Kennard that the proposed railroad, which was not at liberty at this time to name, had been looking over the city with a view of coming in should the union depot be built. Some time was taken up in a discussion of the location of the proposed building.

Congregational Association.

The forty-eighth annual meeting of the general association of Congregational churches of Nebraska will meet with the First Congregational church in this city October 7 and continue three days. Rev. S. L. Sanford of Wesleyan University, principal of C. Taylor of the same town is stated clerk and Rev. John Doane of Fremont, Rev. J. E. Tuttle of this city and F. M. Wetzel of Albion comprise the business committee. The general topic to be discussed is "The Kingdom Come."

College Settlement Executive Board.

The college settlement executive board has organized for the year's work by the election of Prof. H. R. Smith as a member from the state university faculty and J. C. Seacrest and Mrs. A. W. Field as members from the city. At a meeting of the board yesterday preliminary steps were taken for the presentation circus on Thursday, October 20.

New Cells Show Results.

The new cells at the state penitentiary are filling a long felt want, for in his report for the month of September, Warden Heemer does not mention a single infraction of the rules of the institution. During the month there were received into the prison sixteen prisoners and fifteen were discharged, leaving six on hand at the end of the month. Of these six were employed by the Lee Broom and Duster company. Only one convict was paroled during the month, Michael Enright, sent up from Douglas county for ten years for robbery. Charles Boyd of Douglas county, who escaped, has not yet been apprehended.

Adoption of the New Uniform.

The adoption of the new blue uniform for those convicts who make records for good behavior is having a good effect and at this time two-thirds of the inmates have been able to lay aside the stripes. As fast as a convict demonstrates that he is going to be good he gets the new uniform and apparently all of them are now working to get rid of the old-time stripes.

BRYAN PLEADS FOR LEGISLATURE

No Hope of Taking the State from Roosevelt.

WAYNE, Neb., Oct. 5.—(Special Telegram.)—The first son of the president of the United States, Mr. Bryan, who is here on his tour of the West, was here today in the Third congressional district, arrived from Randolph this afternoon at 2:30 o'clock and was met by the committee, Dr. H. G. Lehmann and Pres. J. M. Hile, and taken to the Boyd on the new automobile, and escorted by the

Wayne band. A 3 o'clock opera house was filled to overflowing by a large audience of people of all politics. Mr. Bryan was given a cordial greeting. The speaker dwelt mostly upon state issues and admitted that Nebraska would go strongly for Roosevelt. His principal plea was in behalf of the election of a fusion governor and a fusion legislature.

NORFOLK, Neb., Oct. 5.—(Special.)—W. J. Bryan was met with an icy stare when he traveled through northern Nebraska today, making speeches. In fact it was about the chilliest reception the peevish leader ever got in the North Platte territory. Not only was it frigid from a weather standpoint—the thermometer having dropped a half hundred degrees over night—but it was discouraging from the viewpoint that looks at the voters.

On every trip that Mr. Bryan had ever made to Norfolk in previous years he was met with such crowds as to make overflow meetings essential. It was always like the crowds at a circus, following the parade, but the one-time wizard of silver fame had lost much apparent attraction for the people of this section. A scattering of his admirers met him at the train here tonight, led him to the Auditorium and listened to him speak against J. E. McMillan, who has been sacrificed by his party in allowing the one-time wizard of silver fame to run against J. J. McCarthy, talked a little more.

Mr. Bryan remained over night in Norfolk and will go north at noon tomorrow. Mr. Bryan admitted Roosevelt will carry Nebraska because of the fusionist electoral split. "The only trouble we have to find with Parker," he said, "is that he is too much like Roosevelt." He spoke feelingly of G. A. Luskart, his lifelong friend, who was killed here by a horse last winter.

Today Mr. Bryan was accompanied by his two sons, Harold and Randolph. His automobile broke, dumping him out. He walked three miles into town.

MISSION OF THE UNITED STATES

Baptist Clergyman Talks on Present Day Life.

FREMONT, Neb., Oct. 5.—(Special.)—An audience which occupied every seat in the Baptist church last evening and overflowed into the streets, gathered to hear the address by Drs. D. D. Propper and W. M. Walker of Des Moines. The devotional exercises were conducted by Rev. J. H. Bloom of Stromsburg. Dr. Propper then addressed the meeting on "America's Greatest Need." Dr. W. M. Walker then delivered one of the strongest addresses of the convention on "The Mission of America." He began by commenting on the three great evils which are doing a disregard of law, of the family relations and of religious obligations. The labor troubles of the past season, and especially the spirit manifested by some of the labor unions, were a menace to free institutions. The spirit which produced the system of graft in municipalities as well as a state, denounced in the strongest terms, and the capitalists, whom he said were responsible for it, were public enemies and criminals. He gave some statistics of the number of lynchings in this country and of the trivial causes and slight offenses which caused mobs to violate every principle of right and denounced all who apologized for such acts, especially public officials. The speaker gave a series of statistics showing the increase in the number of divorces granted in Polk county, Iowa, and stated that with the present increase in divorces, the number of marriages to divorcees is increasing. He stated that the former disregard of religious obligations was reported by all the churches and showed a condition calling for the most active work of pastors and people. The mission of America, he said, was to overcome these threatening evils, establish a high standard of civic righteousness, a due regard for the marriage relation and the teachings and obligations of the church.

This morning the executive board of the convention, which met in the parlors of the New York hotel to hear applications for aid. There were about the usual number of churches needing help, those which were able to maintain services being equalled by those from new fields. The financial condition of the aid churches is better than last year owing to a large increase in membership.

After the opening exercises of the convention the report of the committee on church edifices was read and approved. A telegram was ordered sent to the National Peace convention, now in session in Boston, approving their work and congratulating them on the success of their meeting. A resolution was reported from the committee on divorcees, which was adopted for scriptural cause and the remarriage of divorced people. The work of the state anti-saloon league was also endorsed. The balance of the morning session was given over to the women. Addresses were delivered by Mrs. Rose Webster of the Women's Home Missionary society, and by Mrs. J. H. Kerr of Analep on the foreign mission work of the Baptist church in China by Miss Lena Spear.

This afternoon Rev. P. F. Fellman of Omaha read a paper on "The Essentials of Discipleship," after which the report of the committee on foreign missions was presented to the chairman, Rev. R. R. Coon of Peru.

What is likely to be one of the most important sessions of the convention will be held tomorrow afternoon, when the new theological seminary which has recently been established at Kansas City will come up. Rev. P. W. Crannel, D. D., the president of the new seminary, who is generally recognized as one of the most cultured and scholarly clergymen of the Baptist denomination in the west, is here in the interest of the seminary, while Dr. Green, president of the Baptist seminary at Liberty, Mo., takes the position that the new school is not essential to the welfare of the denomination. "The action of the convention," said Dr. Crannel, "will not mean the closing of the seminary, should Dr. Green convince it that he is right, for Kansas is back of it, but we had rather have the support of two states than one."

Foot Ball Player Injured.

HASTINGS, Neb., Oct. 5.—(Special Telegram.)—In a practice game between the high school team and the Hastings college first team at the Hastings ball grounds this afternoon Dexter Barrett, right tackle for the college, was hurled violently to the ground, breaking the bone of the left ankle near the joint and receiving serious body bruises. He was unconscious for fifteen minutes.

Knight of Columbus' Convention.

WEST POINT, Neb., Oct. 5.—(Special.)—The biennial state council of the Catholic Knights of America met here in a delegate convention at Columbus on October 18. The order has made rapid progress during the last biennium, especially in the Columbus branch, which has had an unpre-

A Cure for Asthma

The worst cases of Asthma in the world succumb readily to the one great cure that never fails. Dr. Rudolph Schiffman's Asthma Cure almost performs miracles. Mr. R. M. Spencer, 2389 Vermont avenue, Toledo, O., says: "Asthma has been growing on me for 3 years, until last summer the attacks became so severe that many nights I spent half the time gasping for breath. Doctors seemed to give no relief whatever, and I felt there was no hope for me, when a drug clerk recommended your Asthma Cure. Its effect is truly magical and gives complete relief in from 2 to 5 minutes."

Sold by all druggists at 50c and \$1.00. Send 2c stamp to Dr. R. Schiffman, Box 50, St. Paul, Minn., for a free sample package.

spoke here last night in the interest of the republican ticket, to a crowded house. Mr. Nelson made a strong and forceful speech, which was greeted many times with enthusiastic applause. A. C. Harsh, candidate for state senator; A. C. Christiansen, for representative; and G. L. Godfrey, for county attorney, were present and made short speeches. The Milton Roosevelt quartet enlivened the meeting with some good campaign songs and the Artell band furnished some fine music at the opening of the rally. The meeting was a grand success in every respect.

SOCIAL FOR THE OLD PEOPLE

All Over Seventy Years Invited to Attend Meeting.

YORK, Neb., Oct. 5.—(Special.)—An annual event that is looked forward to every year with great pleasure by the old folks is the annual Sunset social, held at the Methodist church, to which all old folks of 70 years of over were invited. It is an occasion which they look forward to each year.

The old folks' social was held yesterday and was opened by J. Soltenberger. The address of welcome was delivered by A. R. Taylor and solos and duets by the Sunset Chorus. A violin solo was executed by Mrs. Pierce. The old lady is over 70 years of age and played upon a violin that has been in her possession for over fifty years. This was followed by an address by Rev. F. A. Colony on the memories of the past.

Refreshments were served by the citizens of this place and several hours were spent in socializing. The evening was made especially enjoyable by these venerable and venerated citizens of their lives and interesting experiences, telling of all their successes, pleasures, reverses and trials during that time and showing that many lived through all kinds of trouble and adversity successfully. Each one was provided with a golden bow and the rooms were beautifully decorated with golden sheaves of grain, golden corn and other pleasing decorations.

Many of these people were able to walk to attend the meeting and others were brought in carriages. The oldest person who attended was E. P. Bibbens, a gardener, who is 89 years old, and who carries his 5 feet in height and retains all his mental faculties and probably works as many years as most of the younger people. The next in age were: J. A. Fodick, 88 years; Mary Wildman, 86; Ole Oleson, 87; Marie Woodford, 85; Emma Pickens, 83; Sidney Howe, 82; Mrs. Elroy Oliver, 81; Amelia L. Washburn, 81; Edna Rowley, 81; David G. Rupp, 80; and Mrs. H. H. Howard, 79. There were twenty-two in attendance over 80 years of age and eighty-three who were over 70 years, and 105 members of the association. The programs were printed on the napkins. Nineteen of those who attended were members of the association.

Tree Falls on Woman.

HUMBOLDT, Neb., Oct. 4.—(Special.)—What might have resulted seriously as a result of a tree which fell near the city last night, E. C. Colhapp, a young business man of the city, was driving into the country, in company with his wife and a friend, when a tree which was being cut by a lad at the roadside fell across the spring wagon in which they were riding, dislocating a shoulder and badly bruising Mrs. Colhapp and scratching the others badly. Fortunately Mrs. Colhapp heard the tree start on its downward course and sprang to her feet, leaning over the seat in front, and thus escaped the severe part of the accident. The back seat was completely torn from the wagon, which was badly wrecked. The reason the occupants of the wagon failed to notice the boy at work was they were intently watching the newly constructed telephone line.

Mr. Brewster, who accompanied them, is manager, and it was on the opposite side of the road from where the tree stood.

Humboldt Bohemian Celebrates.

HUMBOLDT, Neb., Oct. 5.—(Special.)—Last evening was an important asson in the life of the C. S. P. S., a Bohemian fraternity, and the local chapter made it a veritable gala day, winding up with an all-night entertainment at its 15th anniversary celebration. The evening was celebrated Bohemian orator, in honor of the fiftieth anniversary of the organization of the order. This was listened to by a crowd which packed the hall to the doors, many coming twenty miles to be present.

FREMONT, Oct. 5.—(Special.)—The Kansas authorities put in a claim for Mr. Smith's horse, the H. H. Reynolds' ranch northeast of town for \$30.75.

GENEVA, Oct. 5.—(Special.)—The people of Trinity church, of which George Nelson is organist, met at his home and entertained him with a fine chair. It was the first time since the evening of the fire that the church was open to the public. Mr. Nelson responded with a few remarks, thanking them for their presence and gift.

FREMONT, Oct. 5.—(Special.)—The man who nearly succeeded in swindling several Fremont people by means of fraudulent chattel mortgages a few months ago, had been convicted at Concordia, Kan., of forgery. At the time of his arrest here the Kansas authorities put in a claim for Mr. Smith's horse, the H. H. Reynolds' ranch northeast of town for \$30.75.

WEST POINT, Oct. 5.—(Special.)—The democrats have called their first representative convention to meet in Pender October 8. The convention will consist of twenty-five delegates, of whom fourteen are accredited to Cumming county. This would appear to be an outlier as if the basis of representation had been so manipulated as to give Cumming county democratic control of the county. The belief is that a man from this county will receive the nomination.

Fake Doctor Gets Cash.

BEATRICE, Neb., Oct. 5.—(Special Telegram.)—A stranger giving the name of Dr. F. G. Busch yesterday visited the home of Wilke Jurgens, a prominent German farmer, who resides in Hanover township, and succeeded in fleeing him out of \$50 cash. Jurgens has a crippled son and the stranger offered to cure him for \$10. He told Jurgens that he must have \$50 before taking the case and the unsuspecting farmer paid it. The fake doctor then left several bottles of "dope" for the boy to take and disappeared. At the Beatrice hotel Dr. Busch, who is believed to be a registered doctor in Denver, but he told Jurgens he was from Omaha. He is a man about 40 years of age, light complexion and will weigh 150 pounds.

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Your money back if not satisfied. DO YOU SUPPOSE that a company with a capital of \$500,000.00, paid in full, and the proud reputation of 36 years of continuous success, would make such an offer and not carry it out to the letter? DO YOU SUPPOSE we would jeopardize our standing with the public and our chances of still greater success by failing to fulfill any promise we make? DO YOU SUPPOSE we would make such an offer if we did not have the utmost confidence in the satisfying quality of our goods? WE KNOW we can please you and save you money, for HAYNER WHISKEY goes direct from our distillery to you, with all its original richness and flavor, carrying a UNITED STATES REGISTERED DISTILLER'S GUARANTEE OF PURITY and AGE, and saving you the big profits of the dealers. That's why it's best for medicinal purposes. That's why it's preferred for other uses. That's why we are regularly supplying over a quarter of a million satisfied customers. That's why YOU should try it. Your money back if you're not satisfied.

Direct from our distillery to YOU. Saves dealers' profits. Prevents adulteration.

HAYNER WHISKEY. PURE SEVEN-YEAR-OLD RYE. 4 FULL QUARTS \$3.20. EXPRESS CHARGES PAID BY US.

OUR OFFER. We will send you FOUR FULL QUART BOTTLES of HAYNER'S SEVEN-YEAR-OLD RYE for \$3.20 and we will pay the express charges. When you receive the whiskey, try it and if you don't find it all right and as good as you ever used or can buy from anybody else at any price, then send it back at our expense and your \$3.20 will be returned to you by next mail. How could an offer be fairer? We take all the risk and stand all the expense, if the goods do not please you. Won't you let us send you a trial order? We ship in a plain sealed case; no marks to show what's inside. If you don't want 4 quarts yourself, join with a friend.

Orders for Arizona, California, Colorado, Idaho, Montana, Nevada, N. Y. Mexico, Oregon, Utah, Washington or Wyoming, must be on the basis of 4 Quarts for \$1.00 by Express Prepaid, or 20 Quarts for \$16.00 by Freight Prepaid.

Write our nearest office and do it NOW.

ESTABLISHED 1868. THE HAYNER DISTILLING COMPANY. DISTILLERY TROY, O. ST. LOUIS, MO. DAYTON, OHIO. ST. PAUL, MINN.

DOCTOR IRA IS REINSTATED. Protests Against His Removal Too Strong for Department to Resist. ORIGINAL ACTION TO REDUCE EXPENSES. Contractor on Hastings Public Building is Authorized to Substitute Stone Trimming for Terra Cotta.

(From a Staff Correspondent.) WASHINGTON, Oct. 5.—(Special Telegram.)—Dr. George M. Ira has been appointed resident physician at Santee Indian agency, Nebraska. At the beginning of the present fiscal year, July 1, Dr. Ira was, by order of the commissioner of Indian affairs, removed from the office, as were many other resident physicians throughout the Indian service, on the ground of reduction in expenses of Indian offices.

Dr. Ira, who was an exceedingly popular physician in Santee agency, had the sympathy of many friends in that neighborhood, who presumed the superintendent of Indian schools, W. E. Meagley, was responsible for the abolition of the office, and they began bombarding the Indian office with petitions and letters requesting that Dr. Ira be restored to his former place and that Superintendent Meagley be disciplined for removing so popular an official.

Senator Millard took a hand in the correspondence, as did Congressman McCarthy from that district, and they made it so hot for Commissioner Jones that he decided yesterday to reappoint Dr. Ira to his old position.

Mr. Jones desires it to be understood that he alone was responsible for Dr. Ira's separation from the Indian service as a resident physician for the reason that re-employment had been ordered; that Mr. Meagley had nothing whatever to do with the abolishment of the office of resident physician at Santee agency, but that, on the contrary, he had urged the retention of Dr. Ira at all times. This statement is made by the commissioner out of justice to the superintendent of the Santee agency.

Change in Hastings Building. J. H. Wiese of South Omaha, who has the contract for the construction of the new public building at Hastings, Neb., has been authorized to substitute buff Bedford limestone for ornamental terra cotta below the level of the third story window arches. This change of material will necessitate an expenditure of \$2,380 above the contract price.

William H. Maxwell of Pierre, S. D., who has the contract for the construction of the new public building in that city, was authorized to substitute rubble stone for brick for certain walls. This will work a saving of \$25 in the contract price.

Shaw Has Narrow Escape. A special from New York to the Washington Post says Secretary of the Treasury Shaw had a narrow escape from being run down on Broadway. He was crossing the thoroughfare at the Fifth Avenue hotel when a trolley car missed him by an inch. "What was a narrow escape?" he said as he emerged from a mass of vehicles. He then joined Secretary Cortelyou and Senator Scott.

Postal Matters. William Cunningham has been appointed postmaster at Elber, Delaware county, Ia., vice Alexander McDonald, resigned.

A rural free delivery route has been ordered established November 1 at Harrison, Lincoln county, S. D., which embraces an area of thirty-two square miles, containing a population of 416.

Rural free delivery carriers appointed for Iowa routes: Brigswater, John B. McKinley, regular; Frank L. Smith, substitute. Silver City, Jonathan Hopkins, regular; Jacob Hils, substitute.

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