QUIET DAY AT LINCOLN

Over Four Hundred Voters Required to Secure Certificates of Residence.

BOY ARRESTED FOR HORSE STEALING

Hunters Lose Horse Taken by Young Patterson, Who Afterwards Decides that He Doesn't Want the Animal.

(From a Staff Correspondent.)

LINCOLN, Nov. 8.—(Special.)—Election day was quiet and orderly and the weather was ideal. The county headquarters was a busy place all day, as was the office of the city clerk, over 400 voters who had failed to register having secured certificates that entitled them to vote. In precinct B of the Fifth ward some delay occurred in starting the voting because the judges forgot to bring the poll books to the voting place. A number of men who wanted to vote and go to work were consequently compelled to go back again.

At the fusion headquarters nothing was doing. All of the girl employes were given a holiday and Chairman Allen, Secretary Farris, Dr. Hall and a few of the faithful spent the day telling stories and answering queries over the telephones. A few carriages were on the streets hauling voters to the polling places, and this was about all that indicated a presidential election was on.

Probably the happiest man in Lincoln that this was election day was J. W. Winger, who is hovering between life and death, a sufferer with consumption. The venerable gentleman expressed a wish several days ago to live long enough to cast his vote, as he had cast his first one for Lincoln and wanted to cast his last for President Roosevelt. Scarcely any of his friends thought his wish would be gratified, as it was not believed he could stand the trip to the polls. The wish was made known to Judge Parker this morning, however, and with J. H. Ager, secured an automobile and the dying man was tenderly taken to the polls.

And here was where a most inhuman incident occurred. Mr. Ager told the judges of election the condition of Mr. Winger and asked them to carry the ballot box to the door and allow Mr. Winger to cast his vote. Irrespective of party affiliation the judges gave their consent, when some person whose name was not learned insisted that if the ballot box was carried out of the room he would challenge the vote.

The judges were of the opinion that unless all present gave their consent they could not remove the ballot box. The aged man was then carried tenderly into the room, made his cross at the top of the ticket and in his weak, dying voice expressed his pleasure that his greatest wish had been gratified.

Bad Row of Stumps.

Matthew Bainbridge, living in the northern part of the county, has been up against a hard row of stumps for a long time and today he asked the courts for relief. The stumps are all that are left of some large locust trees that grew on the line of the farm of Dee Fullmer, and Mr. Bainbridge wants the court to have Mr. Fullmer remove them, as he claims they prevent him from cultivating a good slice of land. The defendant in his answer to the petition filed said Bainbridge has had the use of the trees for thirty years for shelter for his cattle in winter and shade for them in summer and that he will remove the stumps when he gets good and ready, unless requested to get busy by the court.

Charge Boy with Stealing Horse.

Detective Dawson arrested Oscar Patterson, an 18-year-old boy, for horse stealing this afternoon. The prisoner confessed that he had taken a horse and buggy belonging to Dow Norris, which he found tied to a fence north of Lincoln on First street, but he declared that he did not mean to steal it. In the buggy was a gun and several other articles, which Patterson took out and hid, after turning the horse loose near a straw stack about five miles from the place where he had found it.

Norris, with a friend, went hunting yesterday afternoon. They were north of the city and went out into a cornfield after prairie chickens, leaving the horse tied to the mail box. When they came out it was gone. Patterson said today that he had found the horse there, unhitched it and drove away up the road. After he had gone a short distance he decided that it would not do to keep the rig, so he turned it loose near a straw stack near a farm house. A girl saw him and after catching the horse she notified the officers and Patterson was soon placed under arrest. Detective Dawson took the prisoner out this afternoon to look for the gun and other goods that were taken from the buggy and "planted." The young man will likely be given his preliminary hearing tomorrow.

New Dentists Licensed.

The State Dental board has issued certificates of fitness to the following applicants:

Joseph H. Moreau, Gage county; C. G. Manlove, Douglas county; Joseph W. Beiser, Cass county; Shelby A. Seal, Hutchinson county, Kansas; W. J. Galbraith, Suffolk county, Virginia; J. E. Hawthorne, Dawson county; J. E. Buckley, Douglas county; J. A. Mamphrey, Fillmore county.

An effort will be made in the next legislature to secure the passage of a law which will provide for a more stringent examination for dentists. It is claimed that the present law does not provide a high enough standard. An effort will be made to make a knowledge of materia medica and elementary surgery a requisite.

Supreme Court Docket.

These cases will be called for hearing November 15 in the supreme court:

Weatherford against Union Pacific Railroad Company, Douglas; Zweibel against Caldwell, argument on motion for rehearing; Seely against Cowles, Lancaster; Hawke against Keer, Gage; Lindgren against Omaha Street Railway Company, Douglas; O'Neill against Bellevue Improvement Company; Sarpy; Fielding against Chicago, Burlington & Quincy Railway Company, Custer; Ashley against Burt County, Burt; Chicago, Rock Island & Pacific Railway Company against O'Donnell, Lancaster; Whitaker against Kilgore, Buffalo; Humphrey Hardware Company against Herrick, Lancaster; Allen against Rushfort, Douglas; National Life Insurance Company against City of Omaha, Douglas; Wead against City of Omaha, Douglas; Clark against Interstate Independent Telephone Company, Douglas; Chicago, Burlington & Quincy Railway Company against Anderson, Kearney; Esch against Grant, Lancaster; Mayo against State, Buffalo; Collyer against Davis, Douglas; State, ex relator against Lincoln Traction Company, against Branson, Sheriff, Original; Crockford against State, Merhenson; Cuthbertson against State, Douglas.

The following case will be called for reargument before the commission:

Lincoln Supply Company against Graves, Lancaster.

The following is a proposed assignment of cases for hearing Tuesday, December 6, 1904:

Huddleson against Polk, argument on motion for rehearing, Lancaster; The Arla Cattle Company against Burk, Cheyenne; Gain against Reed, Douglas; Johnson against Phelps County Farmers' Mutual Insurance Company, Phelps; Turley against State, Hall; Metcalf against Metcalf, Webster; City of Omaha against Crocker, Douglas; Jandt against The County of Sioux, Sioux; City of Wahoo against Netheway, Saunders; Curtis against Zutavern, Johnson; Chicago, St. Paul, Minneapolis & Omaha Railway Company against McManigal, Douglas; Robinson against Stricklin, Sarpy; Miller against Kitchen, Douglas; Swobe against Marsh, Douglas; Daniels against The Mutual Benefit Insurance Company, Douglas; Connolly against State, Sioux; New Omaha Thomson-Houston Electric Lighting Company against Romboid, Douglas; The Oxnard Beet Sugar Company against State, Lancaster; The Norfolk Beet Sugar Company against State, Lancaster.

The following cases will be called for reargument before the court:

Holmes against Seaman, Douglas; Chicago, Rock Island & Pacific Railway Company against Keer, Douglas.

Fremont Cadets Are Recognized.

FREMONT, Neb., Nov. 8.—(Special.)—The School board last evening recognized the newly organized cadet corps by allowing a credit for two years' service in the company. Inasmuch as a previous board practically turned them down the action last evening pleases the boys. The question of deportment as affecting the general standing of the scholars was discussed at some length and Superintendent Gardner was instructed to see that credits for scholarship standing were not reduced by bad deportment. The teaching of music was continued, but hereafter credit will not be given for work in that department.

Capture Alleged Forger.

BEATRICE, Neb., Nov. 8.—(Special Telegram.)—Peter Kuhn, wanted here on a charge of forgery, was arrested at Kansas City today. Sheriff Trude left for that place tonight after his man. Kuhn came to Beatrice recently from Denver and after passing a number of forged checks on the business men of Beatrice, he disappeared. The officers have been hot on his trail ever since his departure.

News of Nebraska.

SEWARD, Nov. 8.—The women of the Methodist church will give a Puritan supper November 19, 1904.

BEATRICE, Nov. 8.—Miss Leona Simpson died at her home in this city yesterday morning of stomach trouble after an illness of several weeks. She was 16 years of age.

BEATRICE, Nov. 8.—Cornhusking is the order of the day with most of the farmers in this locality at present. The grain in many instances is yielding better than was expected.

SEWARD, Nov. 8.—The household economics department of the Woman's club will give a Thanksgiving entertainment at the home of the president, Mrs. Glen Babson, November 16.

BEATRICE, Nov. 8.—The monthly report of Superintendent Fulmer, submitted to the Board of Education at its regular monthly meeting last week showed the total enrollment of the Beatrice public schools up to date to be 1,873.

BEATRICE, Nov. 8.—George Schock, one of the old settlers of Blue Springs, died at his home there Saturday, aged 85 years. He was one of the best known men in Southern Gage county and leaves a family of grown children to mourn his loss.

SEWARD, Nov. 8.—The Seward High school foot ball team defeated the York High school team by a score of 21 to 6 at the Seward park last Saturday. Features of the game were Seward's mighty center plunges and York's successful criss-cross plays.

OSCEOLA, Nov. 8.—Osceola roosters and hens captured prizes at the exposition at St. Louis. Postmaster H. H. Campbell has just returned from a couple of weeks' stay at the exposition. He took along some of his Buff Orpington fowls. He had eleven entries and eight of them took prizes.

SEWARD, Nov. 8.—William Worthman is making preparation to move his brick yard from its present location to the land recently purchased from the Moffett estate. A smoke stack 100 feet in height is being built and every late improvement in brick making will be utilized in the new plant.

BEATRICE, Nov. 8.—Yesterday morning at the Baptist parsonage Mr. Joseph Sydenham of this city and Miss Isora Mees of Axtell, Neb., were united in marriage, Rev. J. W. Merrill officiating. The young couple will remain in the city until Friday, when they will leave for Ecuador, South America, where they will engage in missionary work.

BEATRICE, Nov. 8.—Yesterday being the fifty-sixth birthday anniversary of Mrs. Jacob Bachle, who lives near Ellis, about thirty-five of her neighbors and friends gave her a complete surprise. The guests arrived at the Bachle home at 2 p. m. and the remainder of the day was spent in such a manner that Mrs. Bachle and those in attendance will long remember the occasion. The serving of a sumptuous dinner brought the affair to a close.

BEATRICE, Nov. 8.—William Eccles of this city, who has been attending the State university, was badly injured three miles northeast of the city yesterday. He was enroute to Lincoln on his bicycle and was riding at a merry clip, when the front wheel broke and he fell headlong on the hard road. He sustained several ugly cuts about the face and head and his tongue was almost severed. He is at a sanitarium here receiving treatment and it will be some days before he is able to return to Lincoln.

DEALERS HELP INDEPENDENTS

Boards at Peoria and Cincinnati Refuse to Post Trust Price for Whisky.

PEORIA, Ill., Nov. 7.—The whiskey market is demoralized as a result of the war between the independents and the trust. Despite the action of the independents yesterday in declaring $1.24 as a bed rock basing price for finished goods, the trust is offering and selling thousands of barrels at $1.22.

The refusal of the board of trade authorities to allow the trust to post the price at $1.23 forced the trust to take action to protect itself and 10,000 postal cards were sent out notifying the trade that the trust houses all over the United States would fill orders on a basis of $1.23. The action of the Cincinnati board of trade in refusing to allow $1.23 to be posted was merely following out the line of action inaugurated by the independents in this city. The refusal of the Peoria board has created some feeling, but the majority of the members are friendly to the independents.

From trust headquarters in this city this morning the statement was authorized that all orders, no matter how large would be filled at once at the low price.

The influx of orders for the past few days has been immense and the reserve stocks are being rapidly depleted. Lower prices are predicted by those on the inside.

HYMENEAL.

Wilhite-Waddill.

GORDON, Neb., Nov. 8.—(Special.)—Miss Olga Waddill was married to Roscoe L. Wilhite in the parlors of the Commercial hotel in Gordon Sunday afternoon, Rev. J. A. Scamahorn officiating. The groom is a son of W. C. Wilhite, proprietor of the Commercial hotel in Gordon, a graduate of the Nebraska State university, residing at Springview. The bride was formerly a teacher in the Gordon schools.

Murder in Tennessee.

NASHVILLE, Tenn., Nov. 8.—Dock Walton, a farmer and a democrat, has been shot and killed at his home in Claiborne county. He attended a political meeting recently and it is said threatened several persons.

Why not stop having so many birthdays?

You must have had sixty at least! What? Only forty? Then it must be your gray hair. Ayer's Hair Vigor stops these frequent birthdays, and gives all the early, deep, rich color to your gray hair. Ask any of your friends about it. J. C. Ayer Co., Lowell, Mass.

OFFER TERMS TO RUSSIANS

General Nogi Ignores General Stoessel, Commander at Port Arthur.

WOULD HAVE ALL TROOPS SURRENDER

Japanese Officer Attempts to Show Soldiers of the Czar Hopelessness of Efforts to Resist Enemies.

CHE FOO, Nov. 8.—5:30 p. m.—The Japanese besieging Port Arthur, ignoring Lieutenant General Stoessel, the commander of the Russian military forces there, have offered terms of surrender to the Russian soldiers, according to advices leaving Port Dalny yesterday. In the meanwhile the ceaseless activity continues. The Japanese are gradually advancing their trenches, which shell inexorable fate to the watching Russians.

A Russian prisoner, captured October 26, said the troops composing the garrison of Port Arthur were in want and dispirited. They saw the fruitlessness of the struggle. Hopeless of relief, with food scarce and medicine and hospital supplies insufficient, it was admitted by the Russians that a Japanese victory was ultimately inevitable. The soldiers, according to the prisoner, see no reason to prolong the resistance, which brings glory to their officers, but chiefly hardship and death to them.

Upon hearing the prisoner's story General Nogi assembled his staff, discussed the matter briefly, and then, under the light of a bicycle lantern, drafted a letter to be circulated among the soldiers themselves, the prisoner having promised to deliver it in mercy to his comrades. The letter related General Kouropatkin's retreats and his inability to make an impression on the army of Field Marshal Oyama, to say nothing of breaking through his forces and relieving Port Arthur. The letter also pointed out that the second Russian Pacific squadron has just started on its slow voyage. Continuing, it called attention to the resistless advance of the Japanese trenches, making it a matter of weeks when the Japanese would walk into the main Russian strongholds. In conclusion, the letter promised humane treatment to all who surrender, saying it was in the interest of humanity to prevent further useless slaughter.

Russians Receive Letter.

In the darkness of the early morning of November 4 several copies of the letter, written in Russian, were given to the prisoner, who regained the Russian lines unobserved by his officers. That night the Russian returned, saying his comrades would answer within a few days. He said the temper of the men seemed to show that while they were mutinous toward fate, they also did not like the idea of an unofficial surrender. The letter did much, however, to dispel among the Russian troops the impression fostered by their officers that a massacre would follow a Japanese victory. The company to which the prisoner belonged originally numbered 800 and now totals thirty men.

As the Japanese are sufficiently near the summits of the hills to render the tunneling highly practical, much of this work is now being done. The Russians are building counter-tunnels. Whichever side finds its tunnel under the enemy's blows up the latter's tunnel. To prevent explosives being rolled down in their trenches, the Japanese have made ranges, or hillocks, of earth above the trenches. Five Russian mine sweeping steamers have been sunk by Japanese shells.

Japanese Progress is Slow.

TOKIO, Nov. 8.—Unofficial news received from Port Arthur since Saturday's report of the progress made by the besiegers indicate that the Japanese operations are proceeding satisfactorily though slowly. Limestone formations and rocky ground interfere with the sapping. It is now considered that the capture of Rihlung mountain and East Kukwan mountain without Antse and Etse mountains is not sufficient to force the Russians to abandon the city proper.

Reports from the Shakhe river state that both armies are still strengthening their positions along the river and are otherwise busily preparing for another great battle. The scouts are constantly in touch and frequent outpost skirmishes occur, but there is no liklihood of a general engagement for the present.

Reinforcements of Russian troops, guns and supplies are constantly arriving at the front, filling the gaps caused by the crushing losses at the battle of Shakhe river.

Expect Battle at Any Time.

MUKDEN, Nov. 8.—(Via Peking, Nov. 8.)—Artillery firing was continuous all along the lines on Monday and intermittent this morning. A battle might commence at any hour.

Expect Russians at Port Said.

PORT SAID, Egypt, Nov. 8.—The Russian consul general at Cairo and the naval attache of Russia at Constantinople have arrived here in connection with the expected arrival of the Russian Second Pacific squadron. Extraordinary precautions are being taken for the protection of the warships. Special guards have been posted on the banks the whole length of the canal.

Hears Japs Lose Ship.

SHANGHAI, Nov. 8.—It is reported in British naval circles that a Japanese man-of-war has been sunk by a mine off Port Arthur.

Reservists Gain Concessions.

ST. PETERSBURG, Nov. 8.—The government is taking such measures as possible to reconcile the army reserve men who are being called to the colors, including particular pains to avoid harshness. There are many causes of complaint, especially the character of the cars, some of which, ordinary camel cars, are no longer used.

The disorder in connection with the mobilization has been widespread, notably in the province of Vitesk and Vilna, and there has been considerable violence in western Poland, where troops are reported to have actually fired on the rioters. Many families of reserve men in Poland are reported to be in great distress. The wives are allowed only 10 and the children 5 cents a day.

6:54 p. m.—Foreign Minister Lamsdorff has received through Charge d'Affaires Eddy the American proposal for a second peace conference at The Hague to proceed with the work begun in 1899, especially relating to the rights and duties of neutrals and other questions, like the bombardment of undefended coast towns, left undecided by the former conference. The note, it is understood, takes pains to avoid the appearances of desiring to wound the susceptibilities of Russia, the action of the United States having been prompted by the initiative of the St. Louis Peace congress.

Russia Not Angry.

No response has yet been made, but there is strong reason to believe that although Russia cannot show offense at the proposition from the United States at this time, inasmuch as the United States was actually at war with Spain when Emperor Nicholas proposed the original conference, Russia will decline to participate so long as the war lasts.

At the Foreign office the opinion has been that a conference after the war would be profitable, enabling the powers to agree upon many vexed problems, but that it is impossible for Russia to participate during the war in a conference whose tendencies will be to limit the activity of belligerents and in which questions with bearing upon the present struggle are sure to come up for discussion.

The emperor left St. Petersburg this afternoon for Vilna to bid farewell to the troops. He will be gone a week.

A local paper prints a letter reviewing the voyage of the second Pacific squadron, in which the statement is made that three torpedo boats, seemingly on hostile intent, were seen off the Spanish coast during the night of October 26.

Japs Assume Offensive.

General Sakharoff reports that the Japanese vanguard assumed the offensive on November 7 along the line from Changtan to Khenan and occupied the villages of Outiatse, Kitaitse and Paousintung, from whence, however, the Russians afterwards expelled them, reoccupying the original line. There was no fighting today.

Linevitch Reaches Mukden.

MUKDEN, Nov. 8.—Lieutenant General Linevitch, recently appointed to the command of the first army, arrived today by special train and was met by General Sakharoff. He was enthusiastically welcomed by all the troops. His escort consisted entirely of men who had been decorated with the St. George's cross. General Linevitch will assume command immediately.

Quiet was broken the morning of November 7 by Russian cannonading of an intensity that has had no parallel in weeks. There is no sign yet of a Japanese advance.

JAPANESE OFFER NEW LOAN

One-Half to Be Placed at New York and Balance at London.

LONDON, Nov. 8.—The prospectus of the new Japanese loan of $60,000,000 will be issued tomorrow or Thursday. Half of the amount will be offered in New York and half in London. The price is 90¼, with interest at 6 per cent. The loan will be secured by a second charge on Japanese customs. Dealings in the loan have already commenced at 1¼ premium.

Allege Japs Kill Chinese Officer.

SHANGHAI, Nov. 8.—It is reported here that a Chinese official of high rank was executed by the Japanese on November 2 at the village of Shakhe. The official was discovered in the act of spying on the movements of Japanese troops, it is said, on the order of Theng Chi, the military governor of the province of Sheng Ping.

American Officers Return.

ST. PETERSBURG, Nov. 8.—Captain Carl Reichmann and Lieutenant Colonel Walter S. Schuyler, the military attaches with General Kouropatkin's army, are returning to the United States, having been recalled by the War department.

Stanislaus Gutoroski, a secretary of the Russian embassy at Washington, is here for a few days on special business for the embassy.

SPAIN ACTS AS ARBITRATOR

Trouble Between Peru and Ecuador to Be Settled by Mother Country.

GUAYAQUIL, Ecuador, Nov. 8.—Vice Admiral Canevro of the Italian navy, who arrived here two days ago, proceeded today to Lima, Peru.

The Peruvian minister Dr. Cornejo, left Guayaquil today for home on leave of absence. He will return here in time to meet at Quito the delegates sent by the king of Spain to examine into the boundary dispute between Ecuador and Peru.

Dr. Cornejo signed at Quito recently a new protocol submitting to the arbitration of the coming Spanish delegate the recent incident between Ecuadorian and Peruvian troops in the disputed zone.

NIHILISTIC WOMAN IS BANISHED

Woman Who Gave Signal for Death of Alexander II Serves Time.

ST. PETERSBURG, Nov. 8.—3:34 p. m.—Mary Figner, who has been confined to the Schlusselburg fortress for twenty years, has been released and banished to Archangel, northern Russia. The woman was condemned to life imprisonment for participating in Nihilist conspiracies. She waved her handkerchief as a signal indicating the approach of Alexander II, when he was assassinated here in 1881. Her brother, a famous Russian singer, interceded in her behalf with Alexander III and secured a commutation of her sentence to twenty years imprisonment. As the woman still shows desperate Nihilist sentiments, she has now been banished.

Rioters in China.

SHANGHAI, Nov. 8.—Several thousand rioters entered Kaifung, the capital of the province of Honan (296 miles north of Hankow) and destroyed ten miles of telegraph wire. The rioters are well armed and serious trouble is feared.

Peruvian Commits Suicide.

LIMA, Peru, Nov. 8.—Louis R. Bermudese, a prominent resident of Lima, shot himself with a revolver yesterday. The deceased was conected with the enterprises of American capitalists in Peru.

American Cruiser at Canal.

SUEZ, Nov. 8.—The United States cruiser San Francisco arrived here today.

WESTERN MATTERS AT CAPITAL

Rural Delivery Routes Ordered and Carriers Are Named for Nebraska.

WASHINGTON, Nov. 8.—(Special Telegram.)—Rural carriers have been appointed as follows:

Nebraska—Orchard, route No. 1, George M. Post, regular; E. D. Merriman, substitute.

Iowa—Anamosa, route No. 5, F. H. Bevans, regular; L. A. Bevans, substitute.

Rural routes ordered established December 1:

Iowa—Readlyn, Bremer county, route No. 1; population, 460; houses on route, 92.

South Dakota—Winifred, Lake county, route No. 3; population, 515; houses, 103.

Mexico Would Make Treaty.

WASHINGTON, Nov. 8.—The secretary of state has received from the Mexican government notice of its willingness and readiness to enter into a treaty of arbitration with this government.

Admiral Wise Retires.

NEWPORT NEWS, Va., Nov. 8.—Rear Admiral Wise went on the retired list today, lowering his flag as commanding officer of the training ship squadron. He was succeeded by Rear Admiral R. C. Bradford, who immediately raised his flag.

MELLIN'S FOR INFANTS AND INVALIDS FOOD

Sweet sleep comes to the baby who is properly fed with a proper food. Mellin's Food babies sleep well.

A postal request will bring a sample of Mellin's Food right to your home.

MELLIN'S FOOD CO., BOSTON, MASS

ELECTION OFFICERS KILLED

Two Constables Shot by Deputy Sheriffs in Front of Polling Place.

ASSAILANT OF WOMAN JUDGE WOUNDED

Election Day in Cripple Creek Mining Camp Results in Two Fights Which Have Fatal Endings.

CRIPPLE CREEK, Colo., Nov. 8.—Three men were shot in this district today as a result of election quarrels. One of them is dead, another mortally wounded and the third seriously injured. The dead man is Christopher Miller, a former alderman of Goldfield and a deputy sheriff under Sheriff Robertson prior to that officer's forced resignation after the Independence explosion and Victor riot. Miller was shot while sitting on a fence in front of a Goldfield polling booth.

Isaac Lebo, a friend of Miller, who was sitting beside the latter, was shot in the shoulder. He may die. Lebo asserts that James Warford shot him. Miller, just before he died, said that Thomas Brown fired the bullet that caused his death. Some spectators say that Warford fired both shots.

Brown and Warford are deputy sheriffs. They ordered Miller and Lebo, who had been appointed election constables, to move away and remain outside of the 100-foot limit. Miller refused to obey, and, it is said, made a motion as if to draw his revolver. The officers also assert that Lebo started to draw a revolver before he was shot.

Miller and Lebo were members of the Western Federation of Miners. Miller was deported last June, but recently returned.

Edward Doyle, a republican deputy, was shot in the groin by Constable O'Leary, after he had assaulted Mrs. Kennedy, a democratic judge of election and attempted to shoot the constable who interfered.

Warford and O'Leary were arrested. Mrs. Kennedy also was arrested on an order from Sheriff Bell, who charged her with creating a disturbance. She was subsequently released, but was not permitted to serve again as judge.

Kentucky Officials Arrested.

LOUISVILLE, Nov. 8.—Three members of the Louisville police force, James Tierney, Thomas Connell and Daniel Sexton, were arrested today by United States Marshal Blades on warrants sworn out in the federal court charging them with conspiracy to intimidate negro voters. The prisoners were arersted while in uniform and on duty near a polling booth at Eighth and Grayson streets, where, it is charged, the acts complained of were committed.

Charges and countercharges of fraud are being freely made by both sides and more arrests are expected. The democrats claim that the republicans have been using negro repeaters to vote under the names registered by white citizens.

Arrests at Kansas City.

KANSAS CITY, Nov. 8.—Two negroes and a white man were arrested here today, charged with illegal voting. All three were held for investigation. There was no disorder.

Row About Student Vote.

NEW BRUNSWICK, N. J., Nov. 8.—The disagreement between the republicans and the democrats here regarding the right of Rutgers college students to vote resulted today in keeping the poll of the sixth ward closed all day and 471 registered voters lost their votes.

The republican election officers placed the names of thirty-five students on the registery list and the democratic members of the board refused to register them. The county board did not determine the question of the legality of either list, but democratic and republican election officials got into a wrangle over the students' ballot early in the day and for hours all voters who appeared were turned away from the polling place.

Finally legal counsel was consulted and it was decided that no ballots be given out and the polls were kept closed all day.

Fatal Fight at Camden, N. J.

CAMDEN, N. J., Nov. 8.—During an election row here tonight James Brown, aged 41 years, colored, was struck on the head with a club and died later in a hospital. No arrest has been made.

Fatal Affray in Delaware.

WILMINGTON, Del., Nov. 8.—During a fight at the polls of the First district of the Second ward here tonight Harvey Miller was shot and killed by John Bell. Both are colored.

Murder in West Virginia.

HUNTINGTON, W. Va., Nov. 8.—During an argument over the election Charles Blake shot and killed Hunter Reynolds tonight. The town is wild with excitement. Extra police officers have been sworn in.

MINERS MUST KEEP BUSY

W. D. Ryan Talks on Illinois Situation Before Leaving for California.

SPRINGFIELD, Ill., Nov. 8.—W. D. Ryan, state secretary-treasurer of the United Mine Workers of American, left this afternoon for San Francisco to attend the annual convention of the National Federation of Labor. Before leaving he issued a statement to the local unions of miners in the state regarding the attitude of the miners in the controversy between the operators and the hoisting engineers. He said that last spring the miners of Illinois were enforced by a majority vote of the organization to refrain from striking to prevent a reduction of wages, and that the executive board of the miners could not consistently sit idly by now and see members of the Miners' union remain idle, and, to all purposes and intents, practically on strike, to prevent the engineers from receiving the same reduction that the miners had been compelled to accept. The engineers, Mr. Ryan says, have had no standing in any other state than Illinois.

HAS CONFIDENCE IN BROTHER

St. Louis Lawyer Not Alarmed Over Report of Partners Disappearance.

ST. LOUIS, Nov. 8.—Nothing has been learned by Attorney A. Clover concerning the whereabouts or safety of his brother and law partner, Ashley C. Clover, who went to New York a week ago, and is now reported there as having mysteriously disappeared.

Mr. Clover said to the Associated Press: "I know absolutely nothing about my brother. He is fully capable of taking care of himself," and then he abruptly closed the interview.

St. Louis Woman Kills Herself.

ST. LOUIS, Nov. 8.—After two former unsuccessful attempts to take her life, Mrs. Rose Lentz, wife of Dr. Nathan Lentz, swallowed carbolic acid at the family residence today and died shortly after. Her act is attributed to ill health, to which she has been subject for a long time.

Fatal Wreck in Indiana.

CLINTON, Ind., Nov. 8.—In a collision between a work train and a freight train today on the Chicago & Eastern Illinois railroad John Biot was killed, an unrecognized body is pinned under the wreck and twenty-five other men were injured, four fatally.

FUNERAL OF AN ARCHBISHOP

Remains of Late Head of Archdiocese of Cincinnati Are Laid to Rest.

CINCINNATI, Nov. 8.—Funeral services for Archbishop William H. Elder were held at St. Peter's cathedral in this city today. From the beginning, when the long line of clergy—archbishops, bishops and priests—marching in solemn column from the cathedral residence around to the front entrance of the vast auditorium, entered, chanting the laudes, to the final act, when the five absolutions were given to the dead, one absolution by the highest authority of the church in America, not a detail was overlooked, making it an exceedingly impressive funeral.

Many notables of the church were present. Long before the time for the beginning of the services thousands had assembled in the vicinity of the cathedral, but only those having tickets were admitted.

All the clergy except Cardinal Gibbons were garbed in black, with but a bit of purple to relieve the sombreness and indicate the rank of the deceased. The cardinal wore the purple of his exalted position and occupied a throne on the epistle side of the building. The archbishop's throne, now rightfully the place of Archbishop Moeller, was vacant, draped in purple and over the chair was thrown the cappa magna of the dead archbishop.

The high mass of requiem had Archbishop Moeller as celebrant, assisted by Very Rev. Dr. Schoenhoeft, V. G.; Rev. August Quatman and Rev. William Hickey. When mass was ended Archbishop Keane of Dubuque, Ia., preached the sermon.

Following the sermon came the five solemn absolutions given by Cardinal Gibbons, Archbishop Ryan, Bishops Maes, Heslin and Allen, each attended by two chaplains. The music of the mass was rendered by the students of St. Mary's seminary and was the first time in America that the complete Gregorian chant was given. The final services at the grave were conducted by Archbishop Moeller, assisted by Revs. Nau and Dutton.

FIND BODY AT ST. LOUIS

California Town Thinks Remains Are Those of a Missing Citizen.

SAN BERNARDINO, Cal., Nov. 8.—The news has been received here that the body of Roy Jeffers, the young man who disappeared from Highland, near this city, a few weeks ago, has been found in a lake near St. Louis, Mo. The body bears marks of violence.

Jeffers had been in the employ of a lumber company here for some time and when he saved up several hundred dollars he left with the avowed intention of returning to his parents at Greenville, Ky. Some days later an inquiry was received from the parents in Kentucky asking what had become of the young man.

KINDERGARTEN IS BURNED

Fire at Lead Destroys South Dakota School and Episcopal Church.

LEAD, S. D., Nov. 8.—Fire which started in the Hearst Free kindergarten today caused a small panic among the children of that institution, which, together with the Episcopal church, to which the flames spread rapidly, was entirely destroyed. With considerable difficulty the pupils were finally removed. Loss, $40,000.

SUPREME COURT SYLLABI

13635. Simmons against Kelsey. Appeal from Johnson county. Reversed. Ames, C.

1. Section 45 of the code expressly enacts that an action shall not abate by reason of the disability of a party happening during its pendency. In such cases a duty devolves upon the court to take such steps as shall become necessary to protect and preserve the rights of the incapacitated party.

13628. Snell against Rule. Error from Nemaha county. Reversed. Letton, C.

1. The provisons of section 10 and section 16 of the code of civil procedure, known as the statute of limitations, do not apply to actions upon domestic judgments.

13668. Chicago, Burlington & Quincy Railway Company against Roberts. Error from Johnson county. Reversed and dismissed. Oldham, C., Letton, C., not sitting.

1. Evidence examined and held not sufficient to sustain the judgment of the trial court.

13736. Lincoln Safe Deposit and Trust Company against Weston. Error from Lancaster. Affirmed. Ames, C.

1. A creditor of the state is not excused from presenting his claim to the auditor of public accounts for settlement and allowance within two years after its accrual by the fact that the legislature has not made an appropriation for its payment.

13824. Aachen and Munich Fire Insurance Company against City of Omaha et al. Appeal from Douglas. Reversed. Commission.

1. Under the first clause of section 1 of article ix of the constitution of this state, which enacts: "The legislature shall provide such revenue as shall be needful, by levying a tax by valuation so that every person and corporation shall pay a tax in proportion to the value of his, her or its property and franchises," property and franchises within the state must be taxed according to valuation and no discrimination can be made between foreign or domestic fire insurance companies as to taxes laid under this subdivision.

2. A tax upon the gross amount of premiums received by a foreign fire insurance company during the preceding year within the county, town, city, village and school district where the agent conducts the business is not a tax upon property, required to be laid under the first clause of section 1 of article ix of the constitution, but is a tax upon insurance interests or business and is authorized by the second subdivision of said section. Phoenix Ins. Co. v. City of Omaha, 25 Nebr., 512, distinguished.

3. Under the second clause of said section providing for the taxation of persons because of the business or occupation in which they shall be engaged, a tax possesses the requisite character of uniformity if the persons subject to it are duly divided into classes and the law operates on the members of each class uniformly under substantially the same circumstances and conditions.

4. Section 6 of article ix of the constitution provides affirmatively that taxes on persons for corporate purposes shall be levied by municipal authorities under powers vested in them by the legislature for that purpose, and by section 7 of that article the legislature is forbidden to levy taxes upon persons or property for the corporate uses of municipal corporations. That which is forbidden to be done directly can not lawfully be done by indirection.

5. For the purposes of taxation under either section 1 or section 6 of the constitution, insurance companies not organized under the laws of this state may be treated as a single class and taxed at a rate different from that imposed upon such corporations that are so organized.

6. Section 7, article ix of the constitution prohibits the legislature from imposing taxes on municipal or other corporations or the inhabitants or property thereof for corporate purposes.

Held, that the tax sought to be imposed upon the appellant fire insurance company was attempted to be imposed under the direct authority of the legislature and is in conflict with the provisions of said section. State v. Wheeler, 33 Nebr., 563, followed.

13825. Provident Savings Life Assurance Company against Omaha. Appeal from Douglas. Affirmed. Commission.

Hale and Hearty at 103 Years

Johann Arnold, Who Is 103, Says Duffy's Pure Malt Whiskey Cured Him When His Stomach Refused to Retain Any Other Medicine.

Duffy's Increases His Digestive Powers and Strengthens His Weakened Nerves.

JOHANN ARNOLD.

Reading, Penn., March 15, 1904.

Gentlemen: It gives me pleasure in my old age to testify to the benefits I am deriving from the judicious use of your Duffy's Pure Malt Whiskey. I am now 103 years old, hale and hearty, have a good appetite and perfect digestion. I have tried a number of wines and whiskies for their stimulating effect, but my stomach would not retain them. Your pure whiskey agrees with my stomach perfectly. It is retained by my stomach and produces a mild stimulation, which my condition at this age demands. It is certainly a Godsend to the aged, who need a stimulant to tone up their stomachs, increase their digestive powers and strengthen their weakened nerves.

Sincerely yours, JOHANN ARNOLD.

Duffy's Pure Malt Whiskey

Is the Comfort and Support of Old Age.

The sincere and grateful tribute of Mr. Arnold, who has the distinction of being the oldest citizen of Pennsylvania, to the invigorating and life-prolonging powers of Duffy's Pure Malt Whiskey is one of the most remarkable and convincing on record. He reads and is dependent upon no one for the little services and attentions of old age. Mr. Arnold's memory is perfect, and his eyes sparkle with interest as he quaintly recalls events that have gone down into history of the past hundred years. He is firm in the belief that with the comforting and strengthening assistance of Duffy's Pure Malt Whiskey he will live another quarter of a century.

If you wish to keep young, active and vigorous, and have on your cheeks the roses of health, and retain full possession of your mental powers, you must take Duffy's Pure Malt Whiskey regularly as directed and avoid drugs of all kinds. It nourishes the vitality, no matter how weak or feeble it may have become; feeds and enriches the blood, and stimulates the circulation, giving health and power to the body, brain, nerve and muscle.

The absolute purity of Duffy's Pure Malt Whiskey is attested by the fact that thousands of doctors and hospitals use it exclusively, and that it's the only whiskey recognized by the Government as a medicine. It contains no fusel oil.

CAUTION—When you ask for Duffy's Pure Malt Whiskey, be sure you get the genuine. Sold by reliable druggists and grocers everywhere in sealed bottles only. Look for the trademark, the "Old Chemist," on the label, and be sure the seal over the cork is not broken. $1.00 a bottle.

Medical booklet with testimonials and doctor's advice free. Duffy Malt Whiskey Company, Rochester, N. Y.

A POSITIVE GUARANTEE

Signed by Boston Store Drug Department, Who Agrees to Return Your Money if Dr. Carlstedt's German Liver Powder Fails to Cure You.

GUARANTEE

We hereby agree to refund the money paid for Dr. Carlstedt's German Liver Powder on the return of the empty bottles, the purchaser stating it has failed to relieve and cure him of any of the diseases for which it is recommended. This guarantee covers the use of a $1 bottle or four 25c bottles, or two months' treatment.

Dr. Carlstedt's German Liver Powder is a wonderful remedy, a prescription used for over 50 years by an eminent German physician in his practice, both in Europe and this country, and sold by thousands of druggists all over the world. So mildly natural are the effects of this remedy that all Kidney and Liver troubles give away to perfect health. It cures the worst cases and many have been cured who had tried every known remedy.

Symptoms of Liver Complaint: Dyspepsia, indigestion, rheumatism, gout, skin e