SLABAUGH TO TAKE APPEAL

County Attorney Will Not Rest Under Vinsonhaler Decision.

INHERITANCE TAX LAW NOT SETTLED

Opinion Rendered in County Court Will Be Tested Before Judges of Higher Tribunals Before Accepted as Final.

Considerable discussion has been caused by the decision of Judge Vinsonhaler in the Douglas county court holding the whate inheritance tax law of 1901 unconstltutional, County Attorney Slabaugh says that he is going to take an appeal to the fistrict court just as soon as he can get the papers-prepared.

In opposition to the decision of Judge Vinsonhaler the county attorney quotes Justice Brewer as saying that this is not in the nature of a tax exactly, but as a contribution which the state may levy for the protection afforded by the laws while the estate was being accumulated, and also holding it proper because of the laws provided by the state for the transmission of the legacies in an orderly way.

Judge Vinsonhaler, talking of the decision made by him and of its relation to the Brewer decision spoken of by the county attorney, says while the laws may be the same in Illinois and Nebraska, the state constitutions are different. He pointed out that, aside from the general proposition of the unconstitutionality of the law on the ground of nonuniformity, there is also a provision in the Nebraska state constitution which forbids the passage of any speclai law affecting the descent of property. This he holds to be pertinent because of the exemptions in the Nebraska inheritance tax law.

How the Case Arose,

Mentioning the Lew Carter and the Brandeis estate, which have passed through the county court here, Judge Vinsonhaler says he allowed the discharge of the administrators in those cases because it is not the province of the county court to collect the inheritance tax. In the Wood case, on which the decision was rendered, he named Samuel Rogers as appraiser of the real estate on a demand by County Treasurer Fink for the appointment of an appraiser. Afterward Mr. Pritchett decided they would not pay the tax, and thus the issue arose which was the cause of Judge Vinsonhaler's decision.

In this connection it may be mentioned that there are seventeen countles in Nebraska in which the Inheritance tax has been paid. From December 1, 1902, to November 30, 1904, these seventeen counties collected \$5,608.86 under the law of 1901. Nemaha heads the list with \$1,182.16. The other counties in which the tax has been paid are Adams, Butler, Cass, Clay, Colfax, Cuming, Fillmore, Johnson, Lancaster, Madison, Otoe, Pawnee, Polk, Washington, Wayne and York. In Wayne county the tax collected amounts to only \$27.60; in Pawnee, to \$44.75. From these the figures range up to \$585.86 in Madison. Lancaster collected \$272.36.

The next large estate to go through the county court here will be that of the late Frank Murphy, and Judge Slabaugh hopes to have the matter settled one way or the other before the time comes for the final discharge of the administrator in this case.

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m. daily, has through vestibuled sleepers for Boston via Nickel Plate, West Shore and Boston & Maine roads and through vestibuled sleepers to New York and intermediate points via Nickel Plate and both the Lackawanna and West Shore roads. Train No. 4, leaving Chicago at 2:30 p.

m. daily, has through vestibuled sleeping cars for the Buffalo, New York and intermediate points.

Train No. 6, leaving Chicago at 9:15 p. m. daily, has through vestibuled sleeping cars for Fort Wayne, Cleveland, Erie, Buffalo, New York and intermediate points, arriving at New York City early the sec-

Rates always the lowest. Write, 'phone or call the nearest ticket agent, or John Y. Calahan, general agent, Nickel Plate road, 113 Adams street, room 298, Chicago; Chicago depot, LaSalle and Van Buren

Homescekers' Excursions.

The Chicago Great Western railway will on the first and third Tuesdays of each month sell tickets at one far plus \$2 for the round trip to points in Alabama, Florida, Georgia, Iowa, Kentucky, Louislana, Michigan, Minnesota, Mississippi, Missouri, North Carolina, Tennessee, Virginia and Wisconsin. For further information apply to S. D. Parkhurst, general agent, 1512 Far. nam street, Omaha, Neb.

Gold from France. NEW YORK, April 10.—The French line steamer Latouraine, which arrived here yesterday, brought \$300,000 in specie.

SEASONABLE FASHIONS.



NO. 402-BOYS' ONE-PIECE SUIT. Sizes, 2 to 6 Years.

For the accommodation of readers of The Bee these patterns, which usually retail at from 25 to 50 cents each, will be furnished at the nominal price of 10 cents. A supply s now kept at our office, so those who wish any pattern may get it either by calling or enclosing 10 cents, addressed "Pat-

tern Department, Bee, Omaha."

Tuesday We Sell All the Drapery Materials

From the Great \$32,000 Stock Bought From the Receiver.

One of the most remarkable purchases ever made by Brandeis'. All the high class drapery materials in this stock go on sale Tuesday for the first time. The bargains are astonishing.

All the Bobbinet Lace, 3 and 4 inches wide—at,

a yard...... All the Curtain Madras - | 45 inch wide Drapery Swiss, worth up to \$1.50 29c

All the Madras Curtainsworth up to \$10 1.59 pair—at pair....

All the Colored Stripe Scrim \$2.50 pr., at each, 39c All the Drapery Swisses

worth 25c a yard, 10c at yard 10c

Heavy Fish Net, worth 15c a yard, at, a yard Z/2C Printed Swissesgo at-a

Drapery Burlap worth 15c yard— 21c goes at a yard

Drapery Cretonnne and Ticking, at-a

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FROM THE GREAT WHOLESALER'S STOCK AT

Bigger Bargains Than Ever

This stock of lace curtains was so great that one day's selling, however large, could not exhaust it nor even deplete its variety.

\$12 Lace Curtains at \$3.98 and \$4.98 Pair-Battenburg,

from \$7.50 to \$10 pair-Brussels Net. Corded Arabian, Irish Point, 2.98

Curtains that should sell | \$5 Lace Curtains-Fine and heavy lace, many imitations of highest grade 1.98 bargains-at, pair

Single Curtains—Many worth up to \$5 pair—full 49c length, white, ivory and ecru—all samples.... Lace Curtain Seconds - some | Drummer's Sample Curtains

imperfections in weaving | -finest imported goods--worth up to \$2.50 9c

suitable for sash curtains, doors, etc., half curtains, at



All the Finest Corset Covers, Gowns and Drawers from Mrs. Benson's Stock worth up to \$1.50, at 50c.

All the high quality undermuslins that Mrs. Benson sold up to \$1.50-lace and inserting trimmed, daintily embroidered, ribbons, beadings, etc.—a splendid

assortment-to clear them away to announce a big bargain-at....

Extra Wide Embroideries, Flouncings Beautiful and elaborate embroideries in extra widthsome with dainty lace edging-ribbon beading, etc. up to 18 inches wide—fresh and crisp—worth up to 75c yard—at..... 15c-25c-39c

CHANGE IN DATE ON CABBAGES | The second car of Texas berries will be New Crop from California Meets the Old from Wisconsin on

Local Market.

When the last of the old cabbages are put away it will be like the funeral of Sir John Moore-not a word will be said-but the cabbages will speak for themselves. but the first can of new California cabbages. They are the real union cabbage, being sent out by the Placentia Cabbage Growers' association. They come from clothes than hot house exotics. Orange county and are unusually fine, bet ter than the first Califoria cabbages have

in then and will be in a very much riper and more desirable condition than was the first car. The first berries, which arrived late in the week, are all gone now and sold well enough, despite the fact that they had a little the appearance of having been grown in a cellar and fed on cocaine. Omaha, however, has the reputation among the strawberries and other imported and expensive novelties of being rather grouchy Their time has come, too, for yesterday about its eating. The berries point out who should turn up in the freight yards that where other cities take them with a that where other cities take them with a rush, Omaha comes a little slow at the \$5 a case proposition. It is said the local citizen prefers to put his money into

Second Complaint Against Lang. been in several years. A car of old cabbages from Wisconsin was also received,
but they were the object of much painful
emotion on the part of the jobbers. The
new western cabbages are billed to sell at
2½ cents wholesale, against 1½ cents for
the veterans. It is probable the price will
weaken a little next week, for by that time
the western cabbages will be less of a
novelty.

Wednesday will be strawberry day again.

FROM THE GRANITE HILLS

of New Hampshire comes

Soft, light, and absolutely pure.

THE WICHARDSON DRUG CO., MOS JACKSON STREET DISTRIBUTING AGENTS. 16TH AND DODGE,

Fifty Green Trading Stamps Free to Commemorate State Recognition of Green Trading Stamps ANOTHER COUPON-CUT IT OUT, BRING IT TO THE STORE

OMAHA WEATHER REPORT.

Tuesday Fatr.

HERE'S THE COUPON

This coupon entitles the holder on making a purchase of \$1.00 in any single department in the Bennett Store to a new book containing thirty Green Trading Stamps—IN ADDITION TO THE USUAL TEN THAT GO WITH THE PURCHASE. That makes forty stamps. You get another ten

Sixteenth street. THAT'S FIFTY GREEN TRADING STAMPS TO COMMEMORATE STATE RECOGNITION. Note:-You must bring this coupon, must make the purchase of \$1 in any single Dept. No free stamps otherwise.

Green Trading Stamps for the asking either at Pre-

mium parlor balcony, or Trading Stamp Store, 210 No.

Sold In Paint Section

JAP-A-LAC, JAP-A-LAC, JAP-A-LAC For New and Old Hard and Soft Wood Floors and Woodwork. Comes in Thirteen Colors. Gallon, \$2.50. 1-2 Gallon, \$1.35, Quart, 75c.

Pint, 40c. 1-2 Pint, 25c. 1-4 Pint, 15c. Double Green Trading Stamps on Jap-a-Lac Tuesday. Our line of Paints, Varnishes, Oils, etc., is complete and includes only the best. Try Jap-a-Lac-it's great.

Bennett's Big Grocery

Eight out of every ten Omaha peo ple buy their groceries at Bennett's. Corn. 2-lb. can..... 50



Raisins, lb.
Salmon, lb. can.
Condensed Cream, can.
Lemon Extract, bottle.
Oil Sardines, can.
Potted Ham, can.

three-pound can Table Syrup. 12½c
Fifteen (\$1.50) Green Trading Stamps
with five cans Tomatoes. 60c
Fifteen (\$1.5, tereen Trading Stamps
with five cans Corn. 50c

The largest and best assortment of Vegetable and Flower Seeds, pack-age. 24c Specials in HARDWARE Tuesday-Lawn Mowers



10 (\$1) Green Trading Stamps with 1-quart Sprinkler, at 10 (\$1) Green Trading Stamps with 2-quart Sprinkler, at 20c 20 (\$2) Green Trading Stamps with 4-quart Sprinkler, 30c

20 (\$2) Green Trading Stamps with 6-quart Sprinkler. 32c 20 (\$2) Green Trading Stamps 35c 48c

with 10-quart Sprinkler, 30 (\$3) Green Frading Stamps with 12-quart Sprinkler, Galvanized Sprinklers—Extra heavy—No. 12, 64c; No. 10, 54c; No. 8, 44c, and No. 6.... Double Green Trading Stamps on all Garden Hose.



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iss these wonderful bargains.

Stupendous Muslin Underwear Bargains Tuesday

Bargain Day Tuesday

Broken lots and odds and ends will be sold at a fraction of their value. Don't WOMEN'S \$10.00, \$12.00 AND \$15.00 CRA- LADIES' COATS-Worth up to \$7.50, odd VENETTE COATS - Broken lots and remnants of stocks will go Tues-5. 75 day, at choice 1.50 WOMEN'S CAPES-Worth up to 2.50 WOMEN'S \$1.00 AND \$1.25 WAISTS-Odd Tuesday

CHILDREN'S COATS-Remnants of seyoral spocks that are worth up to 1.95

4.00, choice

Tuesday

Of odds and ends, at choice

WOMEN'S SILK WAISTS-Odd lots and
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Choice Tuesday.

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Eight Specials in the Special A

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4 pounds best Pearl Tapioca.
4 pounds best Sago, Barley or Farina,
4 pounds best Bulk Laundry Starch.
4 pounds best thoice Japan Rice
6-pound pail Pure Fruit Jelly.
Gold Dust, per package.
2-pound can best pack Sweet Sugar
Corn
2-pound can best pack Sweet Sugar -pound can choice pack String Beans,

the West, FANCY RED PIPPIN APPLES, 15c per peck.
15c Begular 49c size Navel Oranges, per
15c dozen
15c Large, Juley, Seedless Lemons, per Fancy Fresh Dates, per pound. New Colorado Honey, per rack. 1
1-pound package Persian Dates.
3 measures Peanuts for 1
GARDEN TOOLS. GARDEN TOOLS.
Rake, 12 tine 1
Solid Steel Spade. 3
Sol 2-pound can choice pack Wax Beans. 5c 2-pound can choice pack Wax Beans. 5c 3-pound can choice pack Lima Beans. 5c Solid Steel Spade. 5c Solid Steel Spade

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