CURRENT NEWS OF IOWA COUNCIL BLUFFS POLITICS AMONG TEACHERS

BASIS OF BLACKMAIL CASE in Pairvlew cometery. Rev. L. Editor of in Fnirvlew cemetery. Rev. L. Ripley of the services.

Farmer Johnson Tells of Disappearance of Man and His Son Years Age.

BOTH HAD BEEN EMPLOYED ON HIS FARM

Angered Because Guests at House Kept Them from Retiring and Simply Picked Up and Left-

No Hint of Murder.

F. T. C. Johnson, for trying to blackmall whom J. B. Bichards and Joseph Westrip, the two farmer boys from Underwood are now in jail here, called on Chief of Police Richmond yesterday afternoon, to whom he related the story of the disappearance of the man and boy referred to in the blackmailing letter sent Johnson by the two young men.

Mr. Johnson formerly lived in Council Bluffs and was a member of the contract-ing firm of Hammer & Johnson, which built the first courthouse in this city. In the early '70s he moved onto the farm where he now lives near Bentley. He became a member of the Board of Township Trus-tees, the members of which were in the habit of meeting when they had official built of meeting when they former. In 1874 a man named John Penny, who came from Missouri, was working for Mr. brothers who have received this honor the Johnson husking corn. In the fall of that year, after the husking was finished, Penny returned to Missouri, but in the following of Quincy. Ili., and Dr. F. G. Smith of spring came back to Mr. Johnson, accom- Warren Avenue Congregational church of panled by his son, and they both went to Chicago, work on the farm.

One night a meeting of the township trustees was held at Mr. Johnson' house, which in those days was not as commodious Johnson served supper, and the entertainuntil the company dispersed, and he became somewhat grouchy, finally saying, "I guess I and the boy will go over to Dewson. Dewey was a neighboring farmer and

a friend of the Johnsons. went to the Dewey house and it was sup- gram. posed they returned to Missouri. The two satchels containing the few effects of Penny and his son are still at the Johnson ome, where they have been for the last given a preliminary hearing this morning. McKeegan.

Honors for Rev. O. O. Smith. At the close of his sermon yesterday morning Rev. Otterbein O. Smith, pastor of the First Congregational church, announced to his congregation that he had received a Christmas present in the shape of the degree of Doctor of Divinity, conferred upon him by the Capitol university of Oklahoma. The following letter from DES MOINES, Dec. 24.-(Special.)-At Chancellor Ira A. Holbrook, chancellor of the convention of the Iowa State Teachers' the university, announcing the conferring of the degree, was read to the congregaassociation next week considerable interest will center in the contest for the position by Dr. Smith:

OKLAHOMA CITY, Okl., Dec. 14, 1995-My Dear Sir and Brother: As chancellor of the Capitol university it is my happy privilege to inform you of the action of this corporation and faculty, whereby you are constituted, by unanimous yote, Obtinizing Denter y tion of president. There are four candidates in the race, and while the association professes each year to rule out polltics there is always a big scramble under the surface for the position of president,

this corporation and faculty, whereby you are constituted, by unanimous vote, "Divinitatis Doctor." Not unmindful of its obligation to all that is highest in scholarship and morals, and fully aware of your reputation as a Bible student and lecturer, and consider-ing fully the places of trust which you have filled with distinction, it has been adjudged by the faculty and corporation, upon recommendation of the chancellor, that you are a proper person upon whom which is an office with much honor and with little real power. J. H. T. Main of Grinnell college seems by force of circumstances to be in the lead for the position, | arrested. but is far from having the position secured. According to custom, which rotates the office between the college men, city

Rev. O. O. Smith is one of a trio of past year. The other two are Dr. J. E. Smith of the First Congregational church

Convention of Woodmen.

A district convention of the Woodmen of the World will be held in this city as his present residence. The trusteen Tuesday, the sessions of which there will were accompanied by their wives and other be two, one in the afternoon and the secmembers of their families, and after the ond in the evening, will be held in Woodbusiness had been transacted Mr. and Mrs. men hall. John Geiger, state manager for Iowa, will deliver an address on "Fraternal ment continued until late in the night. Insurance Safe and Sound," and Rev. Dr. Penny wanted to go to bed, but could not Schleh, sovereign lecturer of the order, will speak on "The Greatest of These, or Perfected Woodcraft." The evening session will be devoted to

by's to sleep," and left the house with his the exemplification of the secret work of the order by the local degree staff to a large class of probationers, to be followed That was the last Mr. Johnson saw or by a social session, at which there will be heard of Penny and his son. They never several short speeches and a musical pro-

Farewell Banquet to Newby.

B. C. Newby of Nashville, Tenn., who has been superintending the installation of thirty-one years. The disappearance of electrical equipment in this city and Omaha Penny and his son, Mr. Johnson told Major for the Western Electrical company of Chi-Richmond, did not cause any particular cago, was the guest of honor Saturday letter sent him by Richards and Westrip restaurant. The banquet was in the nature was the first intimation that he had ever of a farewell by a number of Mr. Newby's been accused of doing away with them. Mr. | friends, and he will leave shortly after the Johnson, who has lived in the same com- first of the year for Manila, P. 1, where munity for about thirty-five years, said he will install for the Western Electrical that there had never been a breath of sus- company. Those present in addition to the picton against him in connection with the guest of honor were: Louis Marcus, H. A. by the state chemist and publish at in- special train. disappearance of Penny and his son. He Walling, R. G. Hitchcock, J. J. Metz, Ray told Major Richmond that he intended to Beutler, William Brann, L. Hill, F. B. is claimed that the mail order houses will Child's Life Saved by Chamberlain's prosecute the young men to the full extent McCutcheon, Frank Wishorn, A. L. Smith, then be forced to conform to the proof the law. They will, it is expected, be Ed McKinley, Hugh McKinley and Harry

Arthur Back from Penitentiary.

ONAWA, JA, Dec. 21-(Special.)-Th oint Boards (Supervisors of Monona and Scramble for Position of President of the Harrison coul, des will meet at Onawa December 26 to hear complaints of the as-State Association.

RETAILERS OPPOSE PURE FOOD BILL Insist Such a Measure Will Be of Benefit to the Mail Order Houses

Which Are Not Subject to Its Provisions.

(From a Staff Correspondent.)

the lands in the drainage district \$464.495. The lowest assessment per acre is

Tuesday noon, December 26.

THE OMAHA DAILY BEE: MONDAY, DECEMBER 25, 1905.

Jones had been to Duncombe, drinking,

the buggy and rozen to death. It is likely

Hearing on Ditch Protests.

ion will follow.

this afternoon near the

iles from home, frozen

home he had fallen from

city, was found

roadside, four

and on the wa

that a legal a

Boy Stabbed to Death. BURLINGTON, Ia., Dec. 24 -- Pally Freitag. 15 years old, was stabbed to death today by Otto Shaumberg, 20 years old. The boys were scuffling in a butcher shop, when Shaumberg seized a big meat knife and plunged it into Freitag's heart. Shaumberg was arrested.

Lid is on at Burlington.

BURLINGTON, Ia., Dec. 24 .- The "Ild" was on tight in Burlington today. The town was dry for the first time in its history, and not an intoxicated person was

JAP DIPLOMATS START HOME

for a New Treaty with

China. PEKING, Dec. 24 .- The Japanese com-

but a year from now will be the ranking missioners will be entertained with great ceremony by the viceroy, Yuan Shi Kai. The farewell at the station was a pic turesque one. Many mandarins, dressed in their ceremonial robes of sables and wear years ago when the college men had the ing peacock feathers, were present, and a office a Methodist college man held the detachment of Yuan Shi Kai's crack troops

> The negotiations of the Chino-Japanese treaty makes it clear that Yuan Shi Kai has inherited Li Hung Chang's place as the mainstay of the throne, as he attended all the meetings of the commissioners and led in all the discussions, notwithstanding the fact that the Foreign office nominally

conducted them. The ceremonial observed by Baron Komura and his retinue while in Peking greatly impressed the Chinese. Baron Komura was accompanied by General Fukushima and H. W. Denlson, and the negotiators never moved without a large and imposing escort.

Opening of sixteen Manchurian towns to foreign trade under the terms of the Chinoan investigation and discovered by watch- Japanese treaty will take place at the end of the eighteen months allowed by Japan and by inquiries of the agents that in any for Russia to evacuate that territory.

Turbine Has Good Trip. LIVERPOOL, Dec. 24.—The new Cunard line turbine steamer Carmania arrived in the Mersey from New York at 7 this morn-ing, after a most successful voyage. Not-withstanding the fact that heavy weather withstanding the fact that heavy weather line turbine steamer Carmania arrived in sensation at the time and the blackmalling night at a banquet served at the Phoenix same people, that half of the mail that the Mersey from New York at 7 this morngoes from lowa to Chicago goes to mail ing, after a most successful voyage. Notorder houses. With these facts to show withstanding the fact that heavy weather the importance of the measure it is pro- was encountered the passengers report that the vessel was steady and comfortable throughout the trip. The salon passengers ing into the state, have the same examined left Liverpool at 3 o'clock this afternoon by

Cough Remedy. Mrs. John Englehardt of Gera, Mich.,

"I am satisfied that if it had not been for

child that was cured in the same way."

WATCHES. Frenzer, 15th and Dodge.

FORECAST OF THE WEATHER

Prospect for Western

Section.

Monday and Tuesday is the

tells of the anxious moments spent over her

SUPREME COURT SYLLABI

In the supreme court of the state of Nebraska the following opinions were filed December 6, 1995:

braska the following opinions were filed December 6 1965: 13750. State against Paxton. Error, Douglas, Affirmed. Duffle, C. Division No. 2. Holeomb, C. J., not sitting. 1. A bill of exceptions will be quashed where it is not certified and identified in such a manner that this court may know that it is the identical bill allowed by the trial court and the whole thereof. 2. The statute provides that a bill of exceptions, where the original bill is used, shall be attached to the transcript of the record. Where this court is presented with what purports to be a bill of exceptions contained in two separate and detached volumes, neither of which are attached to the transcript, and but one volume of which is certified by the clerk of the dis-trict court and the contents of this vol-ume shows that there was other important and material evidence upon which the de-cision of the case must depend and there is nothing in the clerk's certificate or in the record itself by which this court can with any certainty determine whether the volume not certified or otherwise identi-fied contains the omitted evidence, the bill will be quashed. 13862. Beber against Brotherhood of Rall-road Trainmen. Error, from Lancaster, Reversed and remanded. Ohlham, C. Di-vision No. 1. Holeomb, C. J., not sitting. 1. It is for the jury to determine whether a total loss of three fingers and an injury to the remaining finger and thumb, which materially interferes with their use, and a cuting away of a part of the pain of the hand constitute a total loss of the hand within the meaning of a by-law of a mu-tual benefit association, which provides in-demnity for any member in good standing suffering "by means of physical separation, the loss of a hand at or above the wrist joint." pessments on the big Monona-Harrison ditch and to act in relation to other matters thereto About twenty objections to date have been filed with the county auditor. Objections may be filed up to The total amount of the assessment o 10 cents and the highest per acre \$9.59.

The control is of the contents of this yol, which there was other important and material evidence upon which the depend and there is nothing in the clerk's certificate or in the record itself by which this court can with any certainty determine whether the volume not certified or otherwise identified contains the omitted evidence, the bill will be quashed.
13852 Beber against Brotherhood of Rall free fingers and an injury to the remaining finger and thumb, which is to see the purposed in the remaining finger and thumb, which is to the remaining of a by-law of a minut the loss of a hand at er above the wrist of the loss of a hand at er above the wrist for the loss of a hand at er above the wrist of the form Merrick. Affirmed. Affirmed had attracted thereto a memorandum they should be ac constructly requiring the medical director, is not vold.
1. The user of the code of light is to determine which is the loss of a hand at er above the wrist of the loss of the forme.
1. Sections 6120-1, Cobbey's Annotated thereto a memorandum and provided for by in its articles of incorporation. All the uses of 15 wars, without requiring the medical examination approved by the medical examination was waived. 1402, Lee against Stor Brewing Company. Appeal, Douglas, Reversed with the instree as a ropeal of the former.
2. Sections 6120-1, Cobbey's Annotated there are the memorandum and provided for by in its articles of incorporation. All the effective continues and where two acts are simply repugnant. The term "bridges" in said section 1855, do not operate as a ropeal of this for the constructive and hele sufficient to sustain a finding of constructive notice.
4. Evidence examined, and held sufficient to sustain a finding of constructive notice.
5. In an action to recover for personal the urbot for the debt or din the incorpor sub is the pob

stos, does not include the approaches there-to.
4. Evidence examined, and held sufficient to sustain a finding of constructive notice of the defective condition of a bridge.
5. In an action to recover for personal in-juries resulting from the defective con-dition of a bridge, it is not error to in-struct the jury that actual notice to the municipality is not necessary, where "the defects are of such a nature or have ex-lated for such a length of time that they might, by the exercise of ordinary dill-gence, have been discovered and repaired," etc.

sence, have been discovered and repaired, etc. 5. A party attempting to cross a bridge which is a part of a highway, in the ab-sence of notice to the contrary, or facts sufficient to put him on inquiry, has a right to assume that it is reasonably safe for the accommodation of the public at large in the various occupations pursued in the locality where the bridge is situated. 7. An expert witness will not be permitted to usurp the functions of the jury. 1853. Linton against Cooper. Error, Douglas. Affirmed. Ames, C. Division No. 1. 1. A court has no power or jurisdiction upon dismissing a cause without prejudice to a new action, to adjudge that such new action shall not be subject to the defense

and circumstances shown to exist. A ser-vant who from the length or character ant who from the length or character r previous service or experience may be resumed to know the ordinary hazards tiending the proper conduct of a certain usiness, is not entitled as an absolute ght, to the same or similar notice of angers incident to the employment as if a was incorant or inexperienced in the particular

That's as well as adults. 2. The master is required to provide only such facilities and conveniences for the use and operation of machinery by his imployes as are in common and general

tion cannot, by its by-laws or resolutions, change the mode of the exercise of this power, 5. A fraternal benefit association must

5. A fraternal benefit association must have a representative form of government. This requires that the directors or other officers who have charge and control of the property and business of the society and the management of its affairs shall be chosen by the membership thereof. State against Eankers Union of the World, Ne-brasks, 29 N. W. Kil, followed and ap-6. An attack on an illegal by-law of

raternal benefit association is not a colo de business. 14005: Merriman against Merriman, Appeal rom Douglas, Affirmed, Duffie C. Divi-tion No. 2.

Bon Douglas, Annuel Paule of Pro-sion No. 2.
 Equity protects a parel gift of land equally with a parel gift to sell it, if ac-companied by possession, and the dense, induced by the promise to give it has made valuable improvements on the property, and this applies to the gift of a life estate as well as the fee.
 Evidence examined and held to show the gift of a life estate in land.
 14619. Clark against Pahl. Error, Gage County. Affirmed. Letton, C. Division No. 1.

rule, as where the money was received by the debtor from a third party whose prop-erty would be lable for the debt in case the money was not applied upon the third party's limbility. Crane Bros. Manufactur-ing Co. against Keck, 36 Nebr., 683, fol-lowed and approved. 2. In a proceeding to foreclose a lien for materials furnished and used in the construction of a building under the pro-visions of Section "191, Cobbey's Annotated Statutes, a general denial of such lien by the owner of the building is sufficient to put the material man on proof of the amount actually due for such material fur-nished.

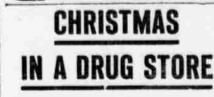
Nouglas, Affirmen, Song Stranger, Str

such decree must, under the provisions of the federal constitution, be given full faith and credit by the courts of this state. 3. The statutes of the state of Washing-ton, quoted in the opinion, as construed by the courts of that state, give the courts jurisdiction in the trial of a divorce case to make distribution between the parties of all of the property possessed jointly or severally by the parties, upon principles of general equity, "having regard to the re-spective merits of the parties, and to the condition in which they will be left by such divorce, and to the party through whom the property was acquired." When both

he was ignorant or inexperienced in the particular work, and this rule applies to infants as well as adults.

New Woman's Shoe The newest and most popular shoe for women's wear this winter is the GUN METAL CALF. It's a dull finish calf leather, made in button and Blucher cut; new drop toe, full extension sole, extra or medium military heel. Price, \$3.50 Don't buy your winter shoes till you see it.

Drexel Shoe Co. 1419 Farnam St.



There are lots of things in a drug store all the year around that make suitable and acceptable presents, We mention a few things to be had at our

drug store: Hand Mirrors, 50c to \$5. Hair Brushes, 25c to \$5. Military Brushes, \$1:50 to \$4.50 pair.

Perfumes, 10c to \$8 bottle. Writing Paper, in pretty boxes, 25c

to \$2.50 box. Purses and Hand Bags, 25c to \$2.50

each. Fancy Whisk Brooms, 25c to \$1.

Cigars by box at wholesale prices, boxes contain 12, 25, 50 and 100 cigars, prices from 50c to \$15. CANDIES-A great variety of choice

brands bon-bons and chocolates. Gents' and Ladies' Traveling Cases, \$1 up.

Sherman & McConnell Drug Co. COR. 16TH AND DODGE.

BIG FOUR ROUTE

(New York Central Lines.)

Leave St. Louis DAILY

Membership Clause Questioned. little 2-year-old daughter who had taken At the convention of the lowa State a hard cold, resulting in croup. She says: Traveling Men's association, to be held here next month, there will be a lively Chamberlain's Cough Remedy she would discussion of the membership clause of have choked to death. I gave this medicine the constitution. The membership clause every ten minutes and she soon began to admits traveling salesmen and "any perthrow up the phlegm. I can recommend it son who has been so engaged in the busiin the highest terms, as I have another ness of traveling by fublic or private conveyance as a buyer, collector or so licitor for himself or any other." Under the interpretation that they are solicitors and collectors of information, state officials and employes have been admitted to membership, including Auditor of State B. F. Carroll, State Dairy Commissioner H. R. Wright and others. Including state officials, it is claimed that about 5,000 of the membership of 23,000 have been questionably admitted. If not legally admitted

member of the committee.

Bill Abolishes Delegates.

Governor Urges Pure Food Law.

those who have conversed with him on

Many Renters in Iowa.

The agricultural statistics published in

the census volume soon to be ready for

distribution shows that there are 138,224

shown to own 33,651 farms and the foreign

Was Hearst's Manager.

left the democratic party and supported

Roosevelt. He resided at Seymour before

leaving for Oklahoma.

born white farmers own 40,007 farms.

According to Representative Emory Eng-

superintendents, county superintendents Ceremonial Concludes Negotiations and secondary school men, the election this year goes to a college man. Dean Stanton of Ames is a candidate, but Prof. R. C. Barrett, also of the State Agricultural college, is president of the college conference, and the other colleges object mission, headed by Baron Komura, which to two such offices going to the same in- negotiated the Chinese-Japanese treaty, left stitution. Prof. F. E. Bolton of the State today on a special train for Tien Tsin on university is talked of as a candidate, its way to Japan. At Tion Tsin the com-

member on the executive committee, which has the real power of the association, and will then be made chairman. W. H.

Betz of Cornell is a candidate, but four position, and the denominational schools acted as a guard of honor. object to its going to a Methodist again.

This leaves Main of Grinnell with no serious objection made against him. boost to Pure Food.

The objections of the retail grocers to the pure food bill on the ground that it would assist the mail order houses to do bigger business because by doing interstate business they could not be reached by the state law is being turned to account by the friends of the pure food measure. The wholesale grocery firms will be reached by fining the retailer, who will then refuse further to do business with the wholesaler unless the firm pays the

fine. The friends of the bill have made ing the freight depots in smaller towns number of towns the freight direct to consumer amounts to fully 50 per cent of the total received at the town. It has also been ascertained, according to the

posed to require the state food commissioner to secure samples of all foods comtervals bulleting showing the results. It

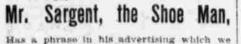
visions of the law the same as all others.

N. Y. Plumbing Co. Tel. 250, Night, L693

Mrs. Mary E. West Dead. Mrs. Mary E. West, widow of Francis M. West, died yesterday at her residence. 200 Avenue C. from heart disease, aged 65 years. She had been a resident of Council Bluffs since 1881. Three daughters, Mrs. Will Umble, Mrs. Al Riche and Mrs. Harry Davis, and one son, William West, all of this city, survive her. The funeral will be held Monday afternoon at 2 o'clock from the residence, and interment will be



Fine Repairing. COUNCIL BLUFFS. STATE OF STREET, STREE



admire, and we claim the same thing for ALL THREE OF OUR STORES. He says his store is a place "WHERE

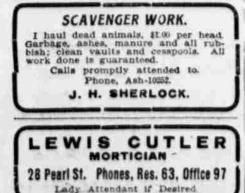
CHILD CAN BUY AS CHEAP AS A MAN." Do you know SOME MER-CHANTS (?) do take advantage of a child and sell them inferior goods? No one need hesitate sending their child

to our stores with prescriptions or for anything else we sell, 'cause if there is any DIFFERENCE in our DEFERENCE to customers, it is in favor of the customer WHO IS NOT AS CAPABLE AS WE AS TO WHAT THEY WANT!

We have a nice line of CHRISTMAS GIFTS. WE DELIVER FREE.



E. T. YATES, Proprietov. Cor. Fifth avenue and Main street, Council Bluffs, Ia. Phone 33. Cor. Six-teenth and Chicago streets, Omaha; Twen-ty-fourth and N streets, South Omaha.



James Arthur, convicted and sentenced to ten years in the penftentiary for alleged complicity in the attempt to blow the safe of the Treynor bank last January, and whose case was sent back by the supreme court for retrial, will cat Christmas dinner in the county jail. He was brought back from Fort Madison Saturday by Sheriff Canning, reaching here after midnight on a belated train. It is not likely that Arthur will be tried again, but it is understood to be the intention of County Attorney Hess not to dismiss the case be fore the January term.

Frank J. Stemler, aged 47 years, died resterday at his residence, 228 Williams ttreet. He is survived by his wife and four children. He had been a resident of Council Bluffs for twenty-five years. The remains will be sent to Waupun, Wis., Wednesday.

Stockert sells carpets.

Pictures for Christmas gifts, Alexanders Art Store, 333 B'way.

Results Our Specialty-Eclipse Collection gency, offices 101 Pearl Sf. Phone 1474. Big mid-winter term Western lowa ollege opens Tuesday, January 2, 1906 Empire renaissance gold moulding, pic-ares and frames. Borwick, 211 S. Main. 683

Dance every Thursday evening. Only 25 ents. Get Busy Dancing club. New ar-bory. Whaley's orchestra. nory.

at all only for the purpose of drafting the party platforms.

Get your upholstering, feathers, mat-resses and repairing done at Morgan & Klinc's 19 South Main street. A. L. English, manager of the Citizen's Gas and Electric company, left yesterday morning for Galesburg, III. to spend the Christmas holidays with relatives. Gas and

The docket for the January term, which pens Tuesday, January 2, contains 386 mass, 184 equity and 202 law. So far about highty-five trial notices have been filed. lately inquired into the matter with considerable care, and it is ascertained from At the regular meeting of Ivanhoe Com-mandery, knights Tempiar, Tuesday even-ing the newly elected officers will be in-stalled at the close of the business sesthe subject that he is strongly in favor of such a law.

At the First Congregational church last evening the choir and Sunday school gave a Christmas program of anthems, songs and recitations under the direction of Mrs. C. F. Kimball. Kimball.

C. F. Kimball. D. M. Stickney of Laramie. Wyo., was the gneest over Sunday of C. W. McDonaid and family, on route home from Chicago, where he attended the stock show and in-identally captured several awards. William Fegiey, whose sentence in the county juli for disturbing the services at the Pentecostal mission was suspended dur-ing good behavior, will eat Christmas din-ner at the city jail. He was arrested Saturday for being drunk. Tracy Rodwell and Roy Hardesty, depu-

Saturday for being druns. Tracy Rodwell and Roy Hardesty, depu-ties in the office of the clerk of the dis-trict court, are spending the Christmas holdays with relatives, the former at Oak-land and the latter at Walnut. They are accompanied by their wives. tivity the native born white farmers are

accompanied by their wives. Mrs. Louisa Reed, in nor sult for \$15,000 damages for injuries received in an ele-vator accident in the Sapp building, has dismissed as to the Travelers' insurance, leaving the owners, A. A. Gaines and E. E. Hart and John Dariand, the janitor and here conductor, defendants. Hart and John Dariand, the janitor and elevator conductor, detendants. Following the retirement of W. G. Wood-bury from the management of the Wood-bury company, announcement is made that the company will roorganize and the name of the firm be changed to that of the A. E. Hunter Co. A. E. Hunter of Superlor, Neb., will become interested in the firm and assume the management. At the regular meeting of Harmony

and assume the management. At the regular meeting of Harmony chapter, No. 26, Order of Eastern Star, the following officers were elected for the en-suing year and will be installed Monday evening, January 1: Worthy matron, Mrs. Charles E. Waiters; worthy patron, W. H. Killpack; assistant matron, Mrs. A. E. Cook; secretary, Miss Emma G. Fotter; treasurer, Mrs. Bennett: conductor, Miss Crystal Dingle; assistant conductor, Miss Cora Gretzer. 'rystal Dingi 'ora Gretzer.

DIAMONDS. Frenzer, 15th and Dedge.

WASHINGTON, Dec. 24 .- Forecast for they are not entitled to the benefits of Monday and Tuesday: For Nebraska, South Dakota and Kanthe society, and if not entitled to the bencfits they are entitled to the return of as-Fair Monday and Tuesday,

their money, which has been \$9 a year. For Indiana and Illinois-Fair and warmer Monday; Tuesday, fair, fresh This would bankrupt the order and hence southwest winds. there is a grave question as to the out-

For Colorado-Fair Monday and Tuesday For Wyoming-Fair Monday and Tues-Teachout for Chairman. day except snow in extreme northwest por-H. E. Teachout, representative from Polk tion county, is slated for chairman of the com-Missouri-Fair Monday and Tuesday. mittee on municipal corporations of the

For Iowa-Fair Monday and warmer in iouse, one of the important committees, north and east portions; Tuesday, fair. to succeed the late Representative Bu chanan. Mr. Teachout is the ranking Local Record.

lish of Mason City, who was the author of the present primary election law, says the state wide bill which will be introduced at this acssion of the legislature will abolish the delegate system. The count of the votes at the primary will determine the selection of a candidate and delegates to the state convention will be provided if Governor Cummins' message to the state egislature will recommend the enactment Reports from Stations at 7 P. M. of a pure food law. The governor has

Helens, clear aron, clear ansas City, clear. orth Platte, clear. North Omaha, clear Rapid City, clear... Louis, clear., Paul, clear., Lake, clear Valentine, clear

ndicates L. A. WELSH, Local Forecaster.

Dizzy Spells

That dizzy spell is an important message from the heart-a plea for heip. If this message receives no attention others come: Shortness of breath, paipita-tion, weak or fainting spells, smothering A. W. Maxwell, who has been appointed by President Roosevelt receiver of the pubmoneys at Lawton, Okl., was the chairman of the state central committee of or choking sensations, pains around the heart, in side or shoulders, and so on, until the democratic party of Iowa during the lyes the necessary help last presidential campaign, and favored pelled to give up-stop. Hearst On the nomination of Parker he You may furnish this aid with

Dr. Miles' Heart Cure

 kaks for Rehearing.
 Jennie M. Tuttle has petitioned the surpreme court for a rehearing in the suit brought by her against the Iowa State Traveling Men's association. The suit involved difficult legal questions and has attracted considerable interest.
 Farmer Frozen to Death.
 WEBSTER CITY. I.a., Dec. 24.-(Special Telegram.) - The body of Asa Jones, a prominent farmer residing north of this which cures heart disease in every stage.

3. Whether the master is guilty of negli-sence in not providing a safe place for his servant to perform the labor required of him, is a question of fact for the jury, but what is competent evidence to estab-lish that fact is a question of law for the

court.
13913. Lange against. Royal Highlanders.
Errom. From Seward. Reversed and remanded. Oldham, C. Division No. 1.
1. Where a member of a fraternal benefit association agrees to be bound by subsequently enacted by-laws, such contract will be upheld when the subsequently enacted by-laws are reasonable in their nature and largely enacted. ogally enacted.

 by -inws are reasonable in their intervalue and legally enacted.
 A subsequent by-law legally enacted providing for the forfeiture of a fraternal benefit certificate when the death of the member is occasioned by suicide, whether same or insame, is a reasonable by-law and will be upheld.
 A subsequent by-law providing for a forfeiture will be strictly construed against the association, and if passed in contra-vention of the provisions of the statute governing such associations it will be held void and of no effect.
 When the exercise of corporate power has been regulated by statute the corporafrom Richardson. Affirmed. Ames, C. Di-vision No. 1. I. When a testator devised lands to his daughter in fee, but with a limitation over by way of executory devise in favor of her brothers and sisters, contingent upon her dying within a definite term of years with-out surviving issue, and the daughter died within the specified term, leaving such is-sue, the latter succeeded to the estate of its mother in fee simple.

has been regulated by statute the corporaits mother in fee simple.

divorce, and to the party through whom the property was acquired." When both parties to the divorce proceedings in that state have appeared before the court, being a court of general jurisdiction, and have asked the court to distribute their property including land in this state, and the court by its decree has done so, its decree is con-clusive of the equilties of the parties in the real estate situated in this state. . Possession of land is notice of equities, and a purchaser of land from one not in possession takes it subject to the equitable right of one in possession thereof.

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and a purchaser of land from one not in possession takes it subject to the equitable right of one in possession thereof. 14025. Reynolds against Rickgauer. Ap-peal from Boyd. Affirmed. Letton, C. Division No. 1. 1. Where a purchaser of real estate has procured the execution and delivery of a deed by improper means and by false and fraudulent representations, which are relied upon by the grantors, the grantors are entitled upon an immediate recision on account of the fraud to have the deed declared void and the title to the real es-tate quieted in thom. 14289. Yoesel against Rieger. Appeal, from Richardson. Affirmed. Ames, C. Di-vision No. 1.

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