Three Members of Normal Board Cannot Transact Business.

SUPREME COURT HANDS DOWN OPINION

Railroads Held Responsible for Loss of Goods in Flood Where Previous Defay in Shipment Allowed Them to Be Caught.

(From a Staff Correspondent.) LINCOLN, April 18.-(Special.)-At the request of Superintendent McBrien and Chairman Ludden of the State Normal board, Attorney General Brown has made a ruling on the question whether it takes a majority of the Normal board to transact business or three members out of a majority. The attorney general ruled it required a majority vote of the board members to carry a motion or to transact bern present, three members voted in fatention. The attorney general said the his opinion.

Better Juries Result. County Attorney Slabaugh of Omaha, who is here attending supreme court, is

getting some satisfaction out of the Pat Crowe verdict.

"The result of that verdict will be betreceived letters from many lawyers and judges in various parts of the country. and they tell me that hereafter more care will be used in selecting furles and hereafter business men called for jury service will not be excused as they have been in the past with little or no excuse.

The verdict will have a moral effect throughout the country, and, though Omaha will and has suffered, because of the action of that jury, it takes just such action to awaken the people. We have long needed better juries and more responsible men on juries, but it has taken Pat Crowe verdict to bring about the change from the old professional jury-

The verdict astounded the whole coun try, because the evidence warranted a conviction. The jury paid no attention to the evidence and freed the man, but it has called attention to the average jury as nothing else could have done and it will result in the long run in a revolution in the personnel of juries."

Common Carriers Responsible.

The supreme court has decided that a common carrier is responsible for injury to goods where the goods were exposed to injury by the carrier's inexcusable detention, and the carrier cannot in such case plead the act of God as a defense. The decision is in the case of Martin R. Sharp against the Wabash Railroad company. Judgment was given by the lower court in favor of the plaintiff for \$865, the value of household goods destroyed in the great flood at Kansas City, May 31, 1903. The comprised household furniture shipped from Lafayette, Ind., to Lincoln. ment was delayed at Hannibal, Mo., twenty-four hours for rebilling and were delivered to the Missouri Pacific Railroad company and were held in the yards at Ransas City by the latter company, where their safe delivery to the consignee against loss or injury whatever cause arising, excepting only the act of God or the public

Stuling on Road Crossings In the case of the Missouri Pacific Railroad company against Cass county the supreme court has decided that under section 110, chapter ixxviii of the compiled statutes it is the duty of a railroad company to make and keep in repair suitable crossings with approaches, notwithstanding the highway was laid out after the railroad was built. The public authorities are required to build that part of the highway within the right-of-way which they would have been required to make had the railroad not been constructed. Under the provisions of the statutes a railroad company cannot recover damages from a county for the cost of putting in cattle guards, erecting signposts, building wing fences, planking the track and constructcrossing. Compensatory damages should be allowed for the land taken from the rightof-way for a public road. Where, in makor nearly all the width of the right-of-way attended the funeral. on either side of the track the railroad compelled to expend in grading the public road had the railroad never been built. Millers Must Build Bridges.

Nuckolls county has won its suit against Guthrie & Co., millers of Superior,

DO YOU KNOW

That Dr. Pierce's Favorite Prescription is the only medicine sold through druggists for woman's weaknesses and peculiar all ments that does not contain large quanti-ties of alcohol? It is also the only medicine ties of alcohol? It is also the only medicine, especially prepared for the cure of the delicate diseases peculiar to women, the maker of which is not afraid to take his patients into his full confidence, by printing upon each bottle wrapper all the ingredients entering into the medicine. Ask your druggist if this is not true.

"Favorite Prescription," too, is the only medicine for women, all the ingredients of which have the unqualified endorse-

of which have the unqualified endorse-ment of the leading medical writers of the several schools of practice, recommend ing them for the cure of the diseases for which the "Prescription" is salvised Write to Dr. R. V. Pierce, Buffalo, N. Y. for a free bookiet, and read the numer ous extracts from standard medical auous extracts from standard medical authorities praising the several ingredients of which Dr. Plerce's medicines are made, and don't forget that no other medicines put up for sale through druggists for domestic use can show any such professional endorsement. This, of twell, is of far more weight and importance than any amount of so-called "testimonials" so conspicuously flaunted before the public, in favor of the alcoholic compounds.

The "Favorite Prescription" cures all woman's peculiar weaknesses and deraagements, thus banishing the periodical headaches, backaches, bearing-down distress, tenderness and draging-down sensations in lower abdomen, accompanied by weakening and disagreeable catarrhal,

by weakening and disagreeable catarrhal, sivic drains and kindred symptoms. Dr. Pierce and his staff of skilled spe-

cialists may be consulted free by address-ing as above. All correspondence is treated as sacredly confidential. By consulting in this way the disagreeable questionings and personal "examinations"

e People's Common Sense Medical Adviser contains some very interesting and valuable chapters on the diseases peculiar to women. It contains over one thousand pages. It is sent post paid, on receipt of sufficient in one-cent stamps to pay cost of mailing only, or 21 cents for a copy in flexible paper covers, or 31 cents for a cloth-bound copy. Address Dr. R. V.

erce as above. Dr. Pierce's Pollets regulate and invig-rate stomach, liver and bowels. One a laxative, two or three cathartic.

MAJORITY VOTE NECESSARY to compel the erection and maintenance sesmon was delivered by Dr. Dutcher of or bridges across a canal used by the Omaha. The keynote of his discourse was water power at three points where the importance of showing faith by works. A canal is crossed by public highways. One brief address was delivered by Rev. 1. C. Republican Candidate for Mayor Freely and of the defenses was that the canal was Swan of the local church. was obliged to build the necessary bridgen. run and the milling company diverted water from the Republican river and used the creek as a canal. The judgment of the lower court is reversed and the cause remanded with directions to enter judgment requiring the milling company to erect and maintain a suitable line road running through section 35,

township 1, range 7. Company Must Furnish Cars. In the case of Frank F. Robey against the State of Nebraska ex rel. the Farmers Grain and Live Stock company, error from Buffalo county, the supreme court affirms the judgment of the lower court and holds that the Union Pacific railroad company is obliged to furnish cars to the grain and live stock company. Robey, the intervenor, denied the right of the railroad company to run cars on a business. At a recent board meeting at side track across his jots to the elevator of the grain and live stock company, asserting that the side track had been built vor of a motion and Ludden ruled it had only for the use of the Kesrney Milling been carried. McBrien objected and he company, whose property he had become and Ludden both appealed to the legal possessed of by foreclosure of a mortdepartment, which upheid McBrien's con- gage. The court holds that the side track In question, constructed and used by the statutes specified that it required a ma- railroad company and which connects jority of the members of the board to with its main line and occupies a portion carry a motion, and therefore there was of the public streets of a city, under grant no doubt in the matter. He also quoted from the city, in the absence of evidence numerous court decisions to substantiate to the contrary will be presumed to be a part of the public highway system of such railroad company.

Argument in Fire Escape Law. Judge Slabaugh, county attorney of Douglas county, and W. W. Woodrough argued the constitutionality of the fire escape law in the supreme court. Woodter juries, said Judge Slabaugh. "I have rough appeared for the agent of the Winona, Dailey, who was arrested upon a complaint filed by Deputy Labor Commissioner Bush, because he refused to erect a fire escape on the building. Woodrough contended the agent should not be held responsible while Slabaugh cited cases to show an agent is responsible, when service cannot be got on the owner. Judge Day of the district court of Omaha. held against the labor commissioner and in favor of Dailey.

Skinner Must Pay Up. The judgment for \$2,000 against William N. Skinner, because he went into the newspaper business after having agreed not to, is affirmed by the supreme court. Skinner sold the Springfield Herald to Louis A Wilson for \$1,400 and agreed to forfeit \$2,000 as damages if he engaged in the newspaper business within the limits of Keya Paha county for the next ten years "in any way, shape or manner." Two years after this contract was made another newspaper called the Keya Paha County News was established in the same village and was ostensibly owned and conducted by Skinner's wife. Wilson alleged that Mr. Skinner was the real owner and managed the business. He brought suit, alleging a breach of contract and the jury awarded him \$2,000 damages.

Corporation Louses Suit. A corporation cannot act as an administrator of the estate of a deceased person under the laws of this state. This is the judgment of the court in the case of the Continental Trust company, administrator of the estate of Francis E. Reisdorph, deceased, appollant, against Soren T. Peterson, appellee. The appeal from Douglas county is dismissed. The administrator in this case was appointed by the county court of Douglas county.

Inheritance Tay Law Stands The supreme court has denied a rehearing in the inheritance tax law which it recently held valid. This law provides a per cent of estates shall be paid to the county treasurers where the estate is located, to be used for the betterment of the methodist Episcopal church in this clity under the auspices of the Woman's Christian Temperance union, taking for her subject "The Responsibility of Fathers," Superintedent E. L. Rouse spoke very entertainingly along the same lines. The general rule as stated by the court is recently held valid. This law provides a that a common carrier insures goods for per cent of estates shall be paid to the roads. In Douglas county the county judge refused to appoint appraisers to pass upon estates, and action was begun by the county attorney to compel him to act. He was successful in the supreme court and a rehearing was asked for by some of the interested parties.

> Capital City Briefs. Governor Mickey left this morning for Osceola, where he will take a few turns around his farm to see that things are in shape for a big crop this year.

Judge Wall of Loup City is here attending the supreme court after a trip through Alabama and Georgia on legal business. Judge Wall said in the western section of the state the largest acreage of winter wheat had been sown this year | a than ever before, and he predicts the biggest crop in the history of the state. Secretary of State Galusha went to Wymore today to attend the funeral of Dr.

ing the necessary approaches at a public R. W. Laffin, who died there Monday night. Mr. Lailin was at one time a member of the finance committee of the Anclent Order of United Workmen lodge, of ing the proper approaches to the railroad which committee Mr. Galusha is now a track it is necessary to grade through all member. All of the grand lodge officers

Deputy Superintendent Bishop has closed company should be allowed such sum for the entries for the wheat and potato condamages as the county would have been test. He has not secured as many competitors as he would like, but the furnishing of seed was too much for his department, so he had to refuse any more applicants for entrance.

Land Commissioner Eaton has gone to Ord, where today he will lease school pany, lands in Valley county. He will visit Sherman county before returning to Lin-

The Jamestown exposition commissioners have been called to meet in Lincoln May to organize and discuss plans of proedure. At this meeting a chairman and officers of the commission will be selected and a trip will be planned to Jamestown.

The commission pays its own expenses. Building permits issued in Lincoln durng the last two weeks aggregate more than \$175,000 and it is expected that the April permits will amount to about \$250,000. Based on a population of 59,000 the death rate in Lincoln last year was 7.94 per 1.000. This is less than 1904, the death rate for that year being 8.54.

'Varsity Alamni to Celebrate.

Alumni of the State university have arranged for a celebation at the state farm June 13. Will O. Jones, editor of the State Journal, will deliver the alumni day oration. J. J. Ledwith will have charge of the athletic sports and the day will be concluded with dancing. Charles M. Bracelin of the Omaha High school will be oastmaster at the banquet. Miss Alice Towne of Omaha will arrange for the reception and the dance.

Medical College Graduation. Fifteen students this evening received tiplomas at the annual commencement of the Lincoln Medical college. The following students completed their courses: Charles A. Lyman, H. M. Webb, John C. Baker, Marcus C. Hurd, R. Wayne Reynolds, B. S. Allison, L. M. Robinson, Charles E. Taylor, Clinton L. Ayres, E. W. Bookhart, Agnes Huston Jones, Athenus L. Asu. Hubert A. Copsey, Earl E. Boyd and J. Marshall Kent.

CHRISTIAN CHURCH CONVENTION Attendance Liberal from All Over the

District. FREMONT. Neb., April 18.-(Special.)-'he annual convention of the Christian hurch for this district opened at the house of worship of that denomination in this ity last evening with a goodly number of visitors and delegates. The convention

to compel the erection and maintenance sesmon was delivered by Dr. Dutcher of impany for the purpose of supplying "Doing Things for Christ's Sake," and the

really a creek and therefore the county. The session this morning opened with a devotional service conducted by Mrz. E. J. reports from the churches and the president's address by Rev. L. C. Swan of this city. The general subject of church growth and development was discussed by J. E. Chase of Valparaise from a business standpoint and by Rev. J. E. Creamer of Ashland, F. G. Hamm of Blair and J. W. oridge over its canal on the half section McClure of Fremont from a social and spiritual standpoint.

social and spiritual standpoint and by J. W. McClure of Fremont. The afternoon session was devoted to Christian Endeavor work with Superintendent of Christian Endeavor W. A. Mangum ive paper was read by Miss Kate Davis of Omaha, followed by a general discussion. The various committees for the session were appointed and much routine business

transacted. This evening the subject was home missions. The session will close Thursday

News of Nebraska.

BEATRICE—Quite a number of farmers ving near Beatrice are busily engaged a improving the roads leading to this lity by means of a drag.

BEATRICE-John B. Bixby, a pioneer exident of Diller, died yesterday morning t his home in that town, aged 45 years, ie is survived by a widow and five chil-PAPILLION—The district conference of the German Lutheran church is in session here today. Fifty ministers of that de-lomination are in attendance. The session

ill last three days. FREMONT—The strike of the shovelers on the Fifth street paving job is practically off. The contractor has all the shovelers needed at present at 174 cents per hour. Two strikers have gone back to work and others have left town.

PAPILLION—Four hundred soldiers un-ler command of Major Burns are camped h town, which gives our place quite a nilitary appearance. They are on practice narch from Fort Crook. BEATRICE—The city council has decided to prospect for water on the farm of Frank Salts, about two miles northwest of the city, where it is thought wells may be dug and supplied from the river by natural siles.

BEATRICE—The first orchestra party since the close of the Lenten season was held last night in Nichols' hall and was largely attended by the young society people of this city. Jenkins' orchestra furnished the music.

NEBRASKA CITY—The record for one day's receipts of logs at the Union Stock yards in this city was broken today. Fifty-two cars were received and handled. The I packing company is purchasing an ing all of the hogs received which outs to many thousands each week. ASHLAND—Six brothers named Farmer, living near Ashland, are probably the largest and heaviest six men of one family in the state of Nebraska. The total weight of the six is 1.280 pounds, making the average weight 213½ pounds. The six brothers visited Ashland this morning and lead their physograph taken.

brothers visited Ashland this morning and had their photograph taken.

BEATRICE—Beatrice lodge No. 136 and Germania lodge No. 285, Ancient Order of United Workmen, held an open meeting last night which was addressed by Grana Master Workman Van Dyke and Deputy Myers. After the business meeting the members of the Degree of Honor surprised the Workmen by serving a banquet.

NEHRASKA CITY—Mrs. Joseph S. Grav. NEBRASKA CITY-Mrs. Joseph S. Gray, ploneer resident of Palmyra precinct, ited last night at her home south of Palmyra village. The deceased was a native of England and came to this country over only years ago. Mrs. Gray is applied to myra village. The deceased was a natiof England and came to this country or forty years ago. Mrs. Gray is survived three sons and four daughters, one whom is Mrs. J. D. Sutton of this city. PLATTSMOUTH-Mrs. George E. Dovey and her daughters, the Misses Alice and Catherine, have returned from Louisville, Ky., where Miss Alice was playing the eading character in "The Land of Nod" when she was stricken with typhoid fever.

She has not fully regained her health, but by stopping in Chicago a few days stood the trip remarkably well. PLATTSMOUTH-Rev. Mary G. Andrews, president of the Omaha Woman's club, delivered an interesting address in the Methodist Episcopal church in this BEATRICE—The funeral of Dr. Laffin was held this afternoon at 1:30 from the home of his brother. Fred Laffin, in Wy-more, Out of respect for the deceased busitess houses were closed from 1 to 3 o'clock. The palibearers were A. D. McCandless, S. N. Kauffman, C. W. Robertson, J. A. Reuling, Dr. C. C. Gafford and C. E. Beinert. The remains were interred in the Wymore cemetery.

NEBRASKA CITY-Mayor John W. NEBRASKA CITY — Mayor John W. Steinhart has made the following city appointments: City attorney, L. F. Jackson; chief of police Charles Downing; policemen, Louis Smith, W. H. Brown; street commissioner, John Walker; cemetery sexton, Frank Rector; Board of Health, Dr. C. P. Crudup, W. S. Cornut, M. Selzer; chief of the fire department, M. Bauer; driver of the fire team, W. Handley.

of the fire team, W. Handley.

ASHLAND—During the Easter vacation of the State university, which closed today, a number of members of the geological classes of that institution, under the direction of Prof. G. E. Condra, have been camping out on the Platte river east of Ashland studying the various formations that outcrop along the river bank. This particular section is considered especially telebrated and the contractions of the contraction of t that outcrop along the river bank. This particular section is considered especially rich in various rock formations of a nature fitted for industrial use.

BEATRICE—At the annual meeting of Christ church parish reports were read from different guilds showing much improvement during the last year. The vestry was instructed to draw a warrant for \$300 in favor of Rev. W. A. Mulligan. These officers were elected: J. E. Smith, senior warden. George Arkwight imply nior warden; George Arkwright, junio irden; S. C. Smith, F. H. Piummer, I. C. Fisher, Charles Habig, J. L. Ander n, A. S. Maxwell, B. H. Begole, vestry

ASHLAND-A party of Ashland business men and farmers left this evening over the Burlington for the Black Hills to investi-gate a mining proposition. The party is taken up free of cost by the mining com-pany. Last week representatives of an-other mining scheme were in the city and succeeded in selling prominent farmers several thousand dollars' worth of stock Landseckers in considerable numbers from this vicinity also left yesterday, many of them going to Canada.

them going to Canada.

BEATRICE—At a metting of a number of business men of this city last evening preliminary steps were taken for the organization of a new commercial club. O. P. Fulton was chairman of the meeting and C. G. Baker secretary. Addresses were delivered by H. J. Dobbs. S. C. Smith. Mayor Shuitz and others, who believed that a live commercial club would be of great benefit to Beatrice and its interests. After the articles and bylaws were read a committee consisting of Ed Miller, L. B. Howey, E. G. Drake, H. J. Dobbs and S. C. Smith was chosen to select officers and directors and nominate finem at the next meeting of the club. The meeting adjourned subject to the call of the president.

Mortality Statistics. The following births and deaths have

ng the twenty-four hours ending at nour Wednesday:
Births Joseph Downing, 1420 North Twentieth, boy: Patrick Foley, 1321 California,
girl: George Johnsen, 5623 Florence Boulevard, boy: John Madsen, 3622 North Thirteenth, girl: Giovanni Rubertl, 1229 South teenth, giri: Glovanni Ruberti, 1229 South Nineveenth, boy. Deaths—Dorothy Louise Hartley, Benson, 8 months; John Burns, County hospital, 35; James Novak, 1411 South Thirteenth, 25; Mrs. Ella Dudden, 1991 California, 50; Charles Housen, 724 North Eighteenth, 25; Gertrude Johns, 1914 Cuming, 20ar, 25.

'Gourand's Oream' as the least least preparations. For make by all drug

EFRO. T. HOPKINS, Prup., 37 Greet Joses Street, New York.

A Ekin of Beauty is a Joy Forevor. DR. T. Felix Gouraud's Oriental

BENSON ANSWERS

Frankly States Position.

The creek in question is a dry Tweedy of Fremont, following which came is NOT OPPOSED TO SUNDAY BASE BALL

Questions Put in Second and Twelfth Wards Are Met and Pully Replied to and the Answers Cheered.

At a meeting of the Second Ward Republican club last evening at Eighteenth and Vinton streets Erastus A. Benson again publicly announced himself regarding Sunday base ball games. During his presiding. A very interesting and instruct- daik on general matters, which have been already chronicled, a southsider rose in the were adopted. meeting and asked Mr. Benson how he stood on the base ball question, a matter, by Elder Robert Demster, vice moderator, the citizen declared, which vitally interested those on the south side.

Mr. Benson replied by saying: "Base ball is a most manly sport. I attend the games | Moines in May was taken up. The followas often as a business man can and am an ling were elected delegates: Ministerial, enthusiastic supporter of the game. I Rev. Charles Arnold of Schuyler, Rev. T. want to state that even if I had the power V. Moores of Omaha; alternates, Rev. as mayor I would not deprives the people Anton Swoboda of Clarkson, Rev. R. T. of their Sunday games. That matter is Bell of Omaha. Lay delegates, R. only one of a lot of silly and groundless Dempster and G. C. Fenney; alternates, C. canards being circulated by the opposition | Moran and Elder Stokes. in this campaign." In the main Mr. Benson reiterated his

speech made Monday evening in the Sixth Street Presbyterian church, on the subject ward. He admonished voters to go to the polls and vote for the candidates as they would do if they were hiring employes. John J. Ryder made a rousing speech in which he urged the support of the entire republican ticket, as he declared the main issue to be to keep Omaha in the republican column. R. B. Howell, Sam Greenleaf. W. E. Johnson, L. E. Lucas and a few other candidates made short talks.

Benson Nails More Lies. E. A. Benson nailed some more of the democratic lies in a speech before the colored men of the Twelfth ward in the hall at Thirtieth and Spaulding streets last night. Reports which had been circulated as to Mr. Benson's attitude toward the colored race were torn to pieces by the republican candidates in a manner which could have left no doubt in the minds of his hearers, had they heard the reports. Mr. Benson said:

"It has been said I won't rent houses to colored people. That is true, for I don't rent houses to anybody. I attend to the rentals of only two houses, one let to a friend whom I have known for years and the other I take care of for a man with whom I am associated in business.

"They say I will not sell houses to colored men. If you men think that's true, you just come around to my office tomorrow and if you have only a fair amount of cash and though I am very busy with politics, you will find me ready to drop things for a while and sell you a house. Democrats as Noise Makers.

Talking along another line, Mr. Benson smid: "The opposition is making a lot of noise and they say we are not making much. That reminds me of the Georgia colored man who prayed in the midst of a storm when the thunder was roaring and the trees were falling, 'O Lord, let us have less noise and a little more light.' We ask

that of the democratic party. You know that the coyotes only howl in the twilight and you can't tell then whether there is one of 100 of them. "The question before the voters in this campaign is whether they are going to own their government, or whether they are

going to turn it over to special interests. If they want to own the government they ought to vote the republican ticket, which is the cleanest that has been put before the people for years." Mr. Benson expressed himself as in favor

of a foot of park for every foot of boule vard, the latter being designed for people who own automobiles and carriages, and the former for children and the poor. He said the best government is not only clean and honest, but it has an anxious solicitude for every citizen within its territory. Frank Barnett, E. C. Hodder and others talked before Mr Renson's arrival and after his speech addresses were made by Sam Greenleaf, D. A. N. Chase, E. A. Anderson, L. E. Lucas and Vic Walker.

LEE AND HUTTON WRANGLE City Prosecutor and Milk Inspector Have Dispute Over Duties of Their Office.

John Jacobson, dairyman at Fifth and Locust streets, pleaded guilty in police court Wednesday morning when arraigned on a charge of selling cream containing a coloring matter known as annatto. Jacobson was fined \$10 and costs by the police

The arraignment of Jacobson precipitated a cross-fire of words between City Prosecutor Lee and Milk Inspector Hutton, the latter representing the health commissioners office.

"I want you to understand your office is not a discretionary one, but that you must bring me the names of all dairymen, who are using adulterated product and bring the evidence you have in connection with the same," said Mr. Lee to the milk inspector. "You should make your spell to the health commissioner. My duty is to bring the samples to that office for a laboratory examination. I do know we have recently taken in sixty samples and this man's sample was the only one containing foreign substances so far as I have been informed," responded the milk inspector.

"We do not want to make fish of this man and fowl of the rest," remarked the police judge just before he announced the

Jacobson stated he was positive that nearly all the milkmen put annatto in their imparted by the general officers, expericream to give the product a rich coloring. He said the substance was harmless.

UNION PACIFIC WINS STEP Judge Munger Decides County Cannot Take Right-of-Way of

the Company.

Judge Munger handed down a memoranda opinion in the case of the Union Pacific against the county of Lincoln Wednesday morning, in which he dismisses the demurrer of the defendants and gives them day, salling the following Saturday. Mr. twenty days to answer.

The suit was brought to restrain the defendants from appropriating a portion of by Chief Donahue. The former policeman the railway company's right-of-way longi- and family will make their permanent home tudinally across nine sections, nine miles in the Emerald Isle. in length, in which suit the defendants The stand of colors for the battleship Ne-braska to be presented by the Daughters of the American Revolution of Nebraska will be placed on exhibition at the city hall from 3:20 to 5 o'clock Thursday afternoon. The children of the public schools and the public generally is invited to visit the city hall and get a glimpse of the colors. The exhibition will be made in the council chamber.

In deciding the case Judge Munger says: "There is no question of the right of the county to exercise the right of eminent iomain in general, but it does not authorize the taking of property already devoted to public use except where it appears that such taking is necessarily essential to the establishment and maintenance of the purpose of the second use, A right-of-way may be obtained across the right-of-way of any railroad; in other words, a railroad company by its right-ofway does not build an impassable barrier which would prevent the public crossing at appropriate places and across from one side to the other, but it is hard to con ceive that a necessity exists for a county columns of The Bea.

to appropriate nine miles of the railroad's right-of-way longitudinally for a public Y. W. C. A. MONEY FLOWS IN highway.

Annually for Pastors Under

Home Board.

presbytery was largely devoted to the re-

port of the home missions committee of

the presbytery, submitted by Rev. T. V.

Moore. The committee recommended that

ensuing year. The committee further rec-

ommended that the minimum salary to be

should be \$700 per annum, and that a par-

schools show a gain during the year, mak-

ing a net gain of 461. There was added

to the church membership by confession of

Rev. T. V. Moore presented an interest-

Estate company, tract southeast one-

quarter 35-15-12, \$19,300; from Andrew

southwest 34 34-15-13, \$3,500; from Mike

Fischke, tract northeast 1/4 35-15-11, and

other land, \$3,000; from John Blum, part

southwest 1/4 26 and part southeast 1/4

27-15-11, \$10,000; from Frederick Sohl,

tract south 1/4 southeast 1/4 36-15-11,

16,000. Balthas Jetter also sold lots 4

and 5, block 216, South Omaha, to the

Found Guilty of Grand Larceny for

Stealing Grip from Local

Depot.

grand larceny yesterday afternoon by

jury in Judge Sutton's court. The jury

was out about a half an hour. Hewitt was

Hewitt, according to the evidence, got a

man named McPherson to pawn one of

the rings for him. After securing the

money he got drunk and crawled into a

ole wagon to sleep off the effects of the

liquor. The value of the property taken

FATHERS HAGIN AND RIGGE

Former Called to Vatican by Pope

Friend and Associate of

Omaha Professor.

Father Hagin, recently appointed directo

of Father Rigge, professor of astronomy at

college, Washington, D. C., for a year.

"It is a distinct honor Father Hagin has

Father Hagin is about 55 years of age.

pany Attend Instruction Meet-

ing in the City.

visitors at the theaters in the evening

Family Will Go to Ireland

to Live.

will leave Omaha for Ireland next Tues

Sullivan served fourteen years on the

Omaha police force and is well spoken of

Nebraska's Ship's Colors.

Fire Under Water

is not more surprising than the quick

pleasant, curative effects of Dr. King's

New Life Pills. 25 cents. Guaranteed

For sale by Sherman & McConnell Drug

Publish your wants in the advertising

chamber.

Father Hagin has just left Georgetown for

the Vatican

by the pope himself.

was fixed at \$125 by the jury.

"Bleepy" Hewitt was found guilty of

company, for \$2,000.

Hoffman, part south 14 south

faith during the year 311.

MORE PAY FOR MISSION MEN Funds Continue to Come and Young Women Are Not Disheartened. Minimum Salary of Seven Hundred

TEAMS SURPASS ALL EXPECTATIONS Thursday morning's session of the Omaha

Actual Total Up to Sunday Was Over Seventy-Five Thousand Dollars, Closing the

Month. the sum of \$4,000 be apportioned to the different churches of the district for the The actual total resulting from the nonth's canvass for the Young Women's Christian Association building fund is paid pastors within the home mission field \$75,297.34. The books were balanced Wednesday morning, but there are still many sonage be provided each pastor. The report pledges, besides the percentage of the proand recommendations of the committee ceeds of large business firms that have not

The afternoon session was presided over When it was announced the teams lacked only \$110 of raising \$25,000, the captains im-After the transaction of routine business mediately pledged themselves to make up the matter of the election of delegates to this deficit. The teams are justly proud the general assembly to be held at Des of their accomplishment, especially as it is \$3,000 more than the members raised in the Young Men's Christian association campaign and they were hampered by no such such restrictions as those governing the canvass of the young women's teams.

yet been turned in.

The lists are being revised and just as soon as this work is completed the canvassers will begin again and will be assisted The principal paper of the afternoon was by the business men's committee. Every read by Rev. W. H. Reynolds of Castellar mail and every hour Wednesday brough pledges and cash amounting to several hunof a "Narrative of the State of Religion dred dollars. Among these was a gift of in the Presbytery of Omaha." The paper \$250 from a woman who will not let her was of considerable length and full of inname be known. terest. It showed that there were fifty

The automobile ride will be repeated churches in the district with a total mem-Saturday and all who have autompership of 5.563, a gain of 133 over last that are willing to lend them for the afteryear. The Sunday schools showed a memnoon are requested to telephone the assobership of 7,087. Twenty-one of the Sunday

Standing of the Teams.

Colors and Captains.
Dark blue, Hallie Hood.
Red, Edith Baker.
Orange, Susan Paxson.

| ing report of the work of the Presbyterian mission at Hang Chow, China. The re- port was accompanied with maps and num- erous statistics of the deepest interest. Vaclay Miniberger, a student of the Theo- | Est Deetly Cat the Stillings II I to an i |
|---|---|
| logical seminary at Omaha, was examined | Total\$34,890.1 |
| for licenture as a minister. R. D. Wil- | How the Figures Stand. |
| liams, better known as "Blind Charley," delivered a short address on the subject of "Work as a Lay Evangelist." | Donors Amt. Total. Dnrs. Amt. Total 2. \$10,000 \$20,000 1. \$10,000 \$10,000.0 4. 5,000 20,000 5,000 |
| TRANSFERS FOR LANE CUT-OFF | 20 500 10,000 13 500 6,500 6 29 250 5,000 15 250 3,750 6 25 200 5,000 13 100 2,600 6 |
| Several Changes of Property to Make Way for the Union Pacific Railroad. | 200 |
| | Total \$125.000 Total \$25.007.5 |

More deeds have gone on record for the transfer of farm property west of MRS. J. J. MERCER SINKING South Omaha to the Union Pacific for its new Lane Cut-off. The transfers are to Life Despuired of and Children Hasten the South Omaha & Western Railroad to Bedside in Response company. The following were made Tuesday: From the Commonwealth Real

to Wires.

The life of Mrs. J. J. Mercer, 2811 Hickory street, was despaired of Wednesday morning by the physicians in charge of the patient. Mrs. Mercer has been ill for seven weeks with heart trouble. During the last week her stomach has failed her. Wednesday she could not take even water. A daughter, Mrs. C. D. Bell of St. Joseph.

arrived here Tuesday night to be at the bedside of her mother. Dave H. Mercer. former congressman, was summoned Tuesday. He will be home from Washington SLEEPY HEWITT CONVICTED Thursday. Governor Frantz of Oklahoma contributes

> May issue of Southwest, published by the passenger traffic department of the Rock Island-Frisco lines. The price of the magazine is five cents a opy, or fifty cents a year. Address all communications to 1021 Frisco

> an article entitled "The New State" to the

charged with taking a grip from the Chicago, St. Paul, Minneapolis & Omaha store-FORECAST OF THE WEATHER house November 16. The grip contained some rings, several articles of feminine Cooler in Eastern Nebraska Todaydresswear and a purse containing \$55 ! noney, which was not found by the thief.

Building, St. Louis, Mo.

Fair and Warmer in West · Portion Tomorrow. WASHINGTON, April 18.-Forecast of the weather for Thursday and Friday:

For Nebraska-Showers Thursday; cooler in east portion; Friday, fair and warmer in west, clearing in east portion. For Kansas-Rain and cooler Thursday: Priday, fair and warmer in west portion. For Iowa-Showers in west portion Thursday, cooler; Friday, showers.

For Missouri-Cooler in east, showers in west portion Thursday, cooler; Friday, showers and cooler in east portion For Colorado-Showers Thursday: Friday. of the Vatican observatory, is an old friend fair and warmer.

For Wyoming-Fair and warmer Thurs-Creighton university. The two men were day; Friday, fair and warmer in south associated in the department at Georgetown portion For Montana-Pair Thursday and Friday.

For South Dakota-Fair Thursday; Fri-

Local Record.

day, fair and warmer.

received," said Father Rigge, "especially OFFICE OF THE WEATHER BUREAU OMAHA, April 18.—Official record of temperature and precipitation compared with the corresponding day of the last three years:

1806, 1906, 1906, 1904, 1903, 1906, 1904, 1903, 1904, 1903, 1905, 1904, 1904, 1905, 1904, 1905, 1904, 1905, 1904, 1905, 1904, 1905, 1904, 1905, 1904, 1905, 1904, 1905, 1904, 1905, 1904 since he was called to the Vatican directly TELEPHONE MEN AT SCHOOL Mean temperature ... Precipitation Temperature and precipitation departures from the normal at Omaha since March I, and comparisons with the last two years: Superintendents of Nebraska Comand comparisons with the ast two years:

Normal temperature

Excess for the day

Tu'al deficiency since March 1

Linch
Deficiency for the day

Il inch
Precipitation since March 1

St inch
Excess since March 1

St inch
Deficiency for cor period in 1866 2 18 inches The Nebraska Telephone company is holding its first ecuvention of construction superintendents from throughout Nebraska. The construction men, about twenty in number, are attending a two days' school Reports from Stations at 7 P. M.

of Instruction in the Creighton College of Temp. Max. Rain 7 p. m. Temp. fell. Station and State of Weather. Law building. Besides the information Bismarck, part cloudy Cheyenne, raining Chleago, part cloudy Davenport, clear ences are interchanged and the superintendents given the benefit of one another's avenpori, clear enver, raining avre, clear elepa, clear ideas. The company is entertaining the BACK TO THE EMERALD ISLE orth Platte, raining Omaha, cloudy
Rapid City, clear
St. Louis, part cloudy
St. Paul, cloudy
Salt Lake City, clear
Valentine, part cloudy
Williston, clear Patrolman Michael Sullivan and Patrolman Michael Sultivan and family T indicates trace of precipitation, L. A. WELSH, Local Forecaster.

> A metal hat would wear hardly better than a Gordon. But a Gordon is as smart and as comfortable as it is durable



Mme. Yale's **Hair Tonic**

FOR CHILDREN AND ADULTS

ANTISEPTIC AND HYGENIC

Sells on Merit, not on Sensational Advertising.

A Hair Invigorator-Just what its name implies. It supplies nourishment, the elements of growth, which, when absorbed by the hair, strengthens and beautifies it in the same way that sap glorifles the foliage of a tree. Even where the follicles are seemingly dead, if the scalp is massaged daily with Mme. Yale's Hair Tonic a vigorous growth will be produced. It has honestly earned its title of "the great bair grower." It stimulates the most stunted growth and makes the hair mangificently healthy and beautiful. By its use women can provide themselves with a trailing mantle of hair-woman's natural raiment, her birthright.

Mme. Vale's Hair Tonic is prized equally by men and women, particularly when the hair begins to weaken or fade. Cures baldness, grayness, splitting of the hair, dandruff and all diseases of the hair, scalp and beard. One application usually stops hair falling. A nursery requisite; no mother should neglect to use it for her boys and girls; when the hair is made strong in childhood it remains proof against disease and retains its vigor and youthfulness through life.

Mme. Yale's Hair Tonic is a colorless, fragrant, delightful hair dressing; neither sticky, gritty nor greasy; makes the hair soft, fluffy and glossy. Contains no artificial coloring; would not soil the whitest hair; restores original color by invigorating the scalp and reestablishing normal circulation and proper distribution of the live coloring matter. Beautiful hair redeems the plainest countenance, and any one can secure it by using Mme. Yale's Hair Tonic. Now in three sizes; prices, \$1.00, 50c and 25c.

Our special prices, 23c, 45c, 89c

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CONSULTATION FREE Mme. Yale may be consulted by mail free of charge. Twenty-seven years of practice and experience in treating the human hair and scalp, combined with natural adaptability and scientific study, has given this wonderful woman complete mastery of the capillary structure.

Mme. Yale's Books Are Free Mme. Yale's book on the subject of Health and Beauty and the Human Hair will be mailed free upon request. Address, MME. M. YALE, 236 Fifth Avenue, New York City.

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ENERGIZES THE WHOLE BODY starts the circulation, and leaves a

glow equal to a Turkish bath. ALL GROCZES AND THE IGGISTS

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Every thing you have to sell is wanted by somebody if price and quality are right. A

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THE TINLEY

RESCUE CHRISTIAN HOME FALLEN GIRLS AND WOMEN. (incorporated.)

OMAHA, - NEB Established for the purpose of helping centrent fallen women to restore them to come and friends where possible, when not, o provide them with a home and employment, until such time as they shall be the to care for themselves.

ALL DONATIONS THANKFULLY RE-ALL DONATIONS THANKFULLY RE-CEIVED Mrs. M. A. Lee, Supt. 46 Bancroft St., Tylephone Figzi.