

THE OMAHA DAILY BEE

FOUNDED BY EDWARD ROSEWATER

VICTOR ROSEWATER, EDITOR.

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Subscribed in my presence and sworn to before me this 12th day of December, 1906. M. B. HUNDAY, Notary Public.

WHEN OUT OF TOWN. Subscribers leaving the city temporarily should have The Bee mailed to them. Address will be changed as often as requested.

Wind seems to be more efficacious than contractors in demolishing the ruins of San Francisco.

Massachusetts held municipal elections yesterday. The voting habit must be becoming chronic in the old bay state.

The associate of Senator Bailey should be careful how he questions the "trust" views of any man approved by President Roosevelt.

Senator Burrows' case against Senator Smoot may be briefly summed up as a repetition of the fable of the geese and the crane.

Count Boni de Castellane says his matrimonial troubles has not lost him a friend, which must prove that he had few before they began.

San Francisco should have had a sufficiency of tempting fate, but it now proposes a World's fair in 1913 regardless of the fatal year.

Now that the Chinese exclusion bill is to be reconsidered, Ts' An would be justified in pointing toward Tokio and insisting upon a square deal.

Since King Edward's experience with horses at the Chicago Live Stock show he is in position to realize the tenacity of purpose of Sir Thomas Lipton.

Proceedings in local courts recently have added accumulated weight of evidence in support of the proposition that letter writing is a dangerous habit.

In dropping the educational bill the British government shows that it will not be as liberal as possible with that rather expensive form of Christmas gift known as perages.

Mr. Bryan says that in his opinion there is little likelihood of war between the United States and Japan. For once Mr. Bryan is in line with the majority of his fellow countrymen.

In meriting the Nobel peace prize Mr. Roosevelt has broken another precedent, but not more violently than in passing the cash along to the men who bring about industrial peace.

The announcement that Wisconsin life insurance companies have not contributed money for the election of political candidates is another argument in favor of patronizing western concerns.

Attorney Wright has advised the Water board on other points and has been turned down by the courts. In the meantime he has assured himself of employment and has made work for other attorneys which will last for at least two years.

September 4, 1905, will be awaited with little trepidation by the citizens of Omaha. The pope's bull against the proposal of the Water board that the Water company cease business in Omaha on the date of the expiration of its hydrant rental contract.

With more than \$7,000,000 deposited in 584 state banks, the farmers and small traders in Nebraska are in fairly good financial condition. When the deposits in the national banks and other fiduciary institutions are added to this it will be found that Nebraska has really become a wealthy state.

ILLINOIS RAILROAD ASSESSMENT. The comprehensive and arduous effort now in progress in Illinois to secure assessment of railroads on the same basis as other property has put on record the existence of tax shirking there like that against which the people in other western states are in revolt. In spite of constitutional provisions and laws commanding equal taxation, the transportation corporations there, as elsewhere, have managed so to bring things about that they contribute to the public burden at a rate far below the average of the mass of other property, a fact which the numerous revisions and amendments of the revenue law has failed to obliterate.

The showing of railroad tax shirking now before the Illinois State Board of Equalization embraces all the earmarks so familiar in Nebraska. Between the valuation on which the roads are assessed and the valuation based on their reports to the Interstate Commerce commission there is a difference of \$160,000,000, which should be taxed, but is not. The roads, in short, are valued for taxation at \$55,000 a mile, whereas they are capitalized at \$169,000 a mile, or three times as much. And the percentage of increase in the railroad assessment the last ten years is only one-third of the increase in other property during the same time.

Every test that can be applied coincides with these indications of glaring assessment inequity towards the body of Illinois property owners. Yet it is one of the tax adjustments which as a precedent has figured conspicuously all these years in railroad arguments against every proposition made in Nebraska for equal taxation. The whole case, however, fortunately shows that the people of Illinois in their own interest are bestirring themselves to correct the precedent, which is, indeed, the only effective way in which all the states, each for itself, can solve this stubborn problem.

DEMAND FOR IRON AND STEEL. Adjustments and undertakings in the basic iron and steel industries cover an extraordinary future period. While practically the full capacity of the mills has long been contracted for most of the coming year, ordinarily the supply of raw materials, including pig iron, is not engaged so early, the market being depended upon to supply them as required. But the trade reports record sales of scores of thousands of tons for delivery in the third and fourth quarters of 1907, the first half of the year being already provided for.

The facts can be explained only on the basis of universal conviction in the business world that the existing industrial movement will continue in full swing, at least through the coming year and into the next. Such actual commitments are not otherwise made. There is, in fact, no hesitation in entering into obligations for materials for railroads and all structural operations, but on the contrary the competition among buyers and contractors is such that the prices have rapidly advanced, and the unprecedented contracts for pig iron are being made in the face of the highest prices in many a year.

The chief embarrassment under which this great group of fundamental industries is laboring is the same that clogs the operations of the agricultural and commercial community—namely, inadequacy of the transportation system, causing congestion, delay and consequently disorganization in the complicated process of assembling the raw materials and restricting the output as well as increasing cost of production. These conditions, together with the higher prices, necessarily imply a tendency to restrain industrial enterprise, at the same time that they demonstrate its immense scope and energy.

THE LID ON TARIFF AGITATION. The scheme of calling a republican caucus to consider tariff revision, a petition for which is now being circulated by ardent revisionist members of the house, is chimerical and so ill-advised as to render it inconceivable that a majority can be committed to it. It is utterly preposterous to suppose that any sort of revision can be got through at the short session, which will have practically only two months for work. With control of all branches of the government, it took the democratic party twelve months to frame and enact the Wilson-Gorman act of 1894, and the McKinley tariff of 1890 was the fruit of ten months' continuous legislative effort, to the practical subordination of all other public questions, while in both cases the business community was held up and paralyzed pending action and for many months after the form of the law had been determined.

Tariff revision could have been taken up at the beginning of the last session, or a few months earlier at an extraordinary session, as the same heading revisionists who are now agitating the matter then urged, but the sound judgment of the country approves President Roosevelt's refusal to press for such action. Beyond all doubt, if he had done so, the great popular movement for control of railroads and great corporations would have failed to achieve the results embodied in the rate bill and other important measures that were carried through at the last session. Such a price would have been too high to pay for any reasserting of custom house schedules that could possibly have been effected, even if no great shock had befallen national prosperity.

In brief, grand strategy for public interest imperatively required that the Roosevelt program, if it were not to be abandoned and broken up altogether and the popular demand for reform on vital corporation and transportation issues denied for a decade to come should be given exclusive right-of-way in congress and paramount place in public attention. It is in hand now during the few weeks of this session to confirm and strengthen the notable results thereby achieved, and the president has just signified his realization of this necessity by omitting in his message all reference to the tariff.

So completely is the country, irrespective of party, in harmony with the president's judgment and significant attitude on this subject, and so obvious is his wisdom, that the lid may be considered already spiked down, so far as a tariff outbreak at this session is concerned.

THE COUNTER-CHECK QUARRELSOME. In cataloguing the various stages in the development of a controversy Touchstone listed "the counter-check quarrelsome" as the fifth in succession, leading up to "the lie circumstantial" and "the lie direct." This seems to be the status of the case at present between the Omaha Water board and the Omaha Water company. In the meantime the primal object of the creation of the Water board seems to have entirely vanished. The author of "Senate File No. 1," which was to operate as if by magic, now comes forth and admits that the law he framed and so valiantly championed four years ago is of no avail in Omaha's necessity. The plant of the Omaha Water company positively refuses to be bought on terms dictated by the author of "Senate File No. 1." Such contumacious stubbornness can only be met by like proceeding. Hence the counter-check quarrelsome.

In rescinding the ordinance adopted by the city council under the provisions of "Senate File No. 1" the Omaha Water board has adopted a legislative function. Whether rightfully or not is not here to be considered. It has set for itself the task of erecting a water plant sufficient for the inhabitants of the city of Omaha, to be in operation in 1908, at the time when the hydrant rental contract with the Omaha Water company expires. Certain little difficulties line the way along which this project must necessarily travel.

To begin with, if the Omaha Water board had at present plans drawn and adopted in detail, contracts let and material purchased for the erection of the proposed water plant, it would not be able to have it in operation by 1908 as is proposed. It is manifestly a physical impossibility. No contractor under present conditions would assume the task. But the Water board has only tentative plans—suggestions that have been made by engineers and others as to what may be done. The committee promises to proceed with such expedition as it may, but no time is fixed for its report.

Another apparent obstacle will be the funds for the purchase of the water plant. Six years ago \$3,000,000 in bonds were authorized by the citizens of Omaha for the purchase of the water plant. These bonds are not available for the erection of a plant. Therefore, before the Water board can proceed far in its present campaign it will be necessary to secure permission from the citizens to issue bonds for the construction of its proposed pumping and distributing system. Having secured this permission the board will be called upon to sell these bonds. With the litigation so involved and extensive as exists it can easily be apprehended that bond buyers will be chary of purchasing securities so wrapped up in lawsuits.

The contention, as it now stands, is based on the refusal of the Water company to segregate its Omaha and South Omaha systems and to sell to the city that part alone which lies within the limits of Omaha proper. Unless well-matured plans miscarry, before 1908 Omaha and South Omaha will be one municipality. Then the objection now raised against the purchase will have vanished, and the committee on plans and specifications will have to extend the scope of its system to include that portion which now it so strenuously objects to considering. It is easy to read between the lines of the manifest published by the Water board and see a gigantic bluff.

State Auditor Searle has furnished the legislator with some figures that should be carefully studied before action is had on appropriations. It will be necessary for the legislator to proceed with prudence in order that the business of the state should be conducted on a business basis.

Another evidence of the growth of the city is the demand for a new city jail, the present one being inadequate to the requirements. A properly equipped stone pile might aid materially in solving the question of room in the present city jail. In a special message the president tells congress about Porto Rico, but he will probably have difficulty in winning the opposition to his ideas of American citizenship for the islanders until they can see political expediency in the plan. Former Treasurer Grimes having refunded over \$9,000 said by experts to be due the state of Kansas at the expiration of his term of office, has established a precedent which might reduce the state debt if followed in Nebraska. December indications for the winter wheat crop of 1907 are most encouraging. The increased acreage promises a greater yield than during the bumper year of 1906. If the average

is only maintained the continued prosperity of the farmer means continued activity in all lines of industry and commerce, and the promise of the wheat crop is a most encouraging sign.

A waterway system that did not include the Missouri river would be far from comprehensive, but the most certain way to convince congress of the necessity of an appropriation for the river is to make such use as can be made of it at present. Even a small fleet of steamers would be a more potent argument than many resolutions.

The expressed opinion of European observers that war between the United States and Japan is inevitable proves that these observers have failed to learn American methods and are somewhat mistaken as to those of the orient.

The city council proposes to enact an ordinance that shall specify exactly the quality of gas to be furnished for lighting and heating purposes. This will be of more real service than a futile attempt to regulate the price.

Since the new break in the Colorado river levee the Southern Pacific railway may conclude that a Salton sea is really better than a Salton desert. Nature has a way of reclaiming its own.

Honors Are Easy. Philadelphia Record. The newspaper war with Japan has ended. The newspaper patched it up. Honors are easy.

Comparative Respectability. Portland Oregonian. Even Standard Oil is a respectable corporation compared with the Glucose trust that sells poison to be made into candy for children.

Related Testimonials. Baltimore American. If the testimonials of love and faith on our tombstones were uttered in our daily life, the men and women who have helped us over the briary fields and rocky roads of existence.

A Few Centuries Ahead. Minneapolis Journal. Certain over-particular people in England are looking dubiously at the House of Lords, which is said to be living in the fifteenth century. Our senate is far ahead of this. Many of its members are living in the nineteenth century.

Weyler Who Was and Is. Minneapolis Journal. General Weyler is minister of war in the new Spanish cabinet. General Weyler sought to be an authority on war in the Spanish way that a man who falls from a seven-story building ought to know more about the law of gravitation.

Well Worth Trying. Baltimore American. One of the worst places in the schools of New York has been converted into a model pupil by a surgical operation. Why not extend this principle to the heads of bad trusts, and to turn them into saintly philanthropists by the simple operation of removing their adenoids?

Pulsation of the Pulse. Philadelphia Record. By all accounts the possessors of great wealth prefer a tax on inheritance to an income tax, as the former must be paid by the heirs after the death of the owner, while the latter must be paid—or sworn off—in his lifetime. As for the heirs, they naturally prefer the tax on the inheritance if they are not kept too long waiting.

The White Man's Burden. Portland Oregonian. Five Americans and thirty Pulajanes were killed in the latest mixup between the American troops and our little black brothers across the Pacific. Numerically speaking, it seems to be about the correct proportion of fatalities when the fighting abilities of the respective contestants are considered. When the relative value of the two forces is considered, the loss of the United States is so enormously in excess of that of the Pulajanes that comparisons are useless.

CRITICISM OF THE COURTS. Wholesome, Necessary and Beneficial to the Bench. Kansas City. The idea of holding the higher courts immune from criticism is not merely traditional obedience to the more or less common doctrine of the courts themselves that they should be immune; it grows largely out of the innate desire of the people to have a check on the tribunals of justice. When a thoughtful and patriotic citizen believes that a court has shown itself incompetent or corrupt he has a double resentment—that which arises from what he believes to have been a specific miscarriage of justice and that which he feels because he must have less confidence in courts in general. Courts are sometimes unwisely and harmfully attacked; sometimes they are permitted to make decisions without dissent when intelligent criticism would be wholesome.

In his message to congress last week President Roosevelt denounced thoughtless and ignorant criticism of the courts, but the burden of his treatment of this subject was in the direction of sincere comment, respectful and sane, on the rulings of the men on the bench. He noted the fact that while the lower judges were subject to the criticism and reversal of those higher up, the highest judges, in turn, although possessing extraordinary power, were save in extraordinary instances—amenable only to the bar of public opinion. No man has placed a higher construction on the dignity and the responsibility of the jurist than has President Roosevelt, but he does not hold the courts to be infallible. He declares that the best judges have been foremost to disclaim immunity from criticism, and quite agree with Secretary Taft, who, when a United States district judge in 1886, said: "The opportunity freely and publicly to criticize judicial action is of the highest importance to the body politic than the immunity of courts and judges from unjust attacks, and the consequence that every act of theirs is to be subjected to the intelligent and searching criticism of their fellow men. Such criticism, beneficial in proportion as it is fair, discriminating and sane, and based on a knowledge of sound legal principles. The comments made by learned text writers and by the acute editors of the various law reviews upon judicial decisions are therefore highly useful. But critics constitute more or less imperia tribunals of professional opinion before which each member of the bar stands on all fours, and thus exert a strong influence to secure uniformity of decision. But non-professional criticism also is by no means without its uses, even if accompanied, as it often is, by a direct attack upon the justice or fairness of the decision. The occupants of the bench, for if the law is but the expression of the common sense of many average men may evidence a defect in a judicial conclusion, though the alleged legal reasoning and profound learning.

BITS OF WASHINGTON LIFE.

Minor Scenes and Incidents Sketched on the Spot.

It's a rare day in Washington when the government is not urged to insert the official probe into the vitals of some trade combine. The Lumber trust and the Watch trust are the latest scheduled for the dissecting table. Senator Kittredge of South Dakota is sponsor for a resolution directing the Department of Commerce and Labor to investigate the doings of lumber barons.

Repeated complaints from the purchasing public—particularly the farmers—are heard through the streets that the price of lumber is steadily creeping up. The charge is made that the public is being victimized by a powerful combination of lumber interests.

These interests have organized a "holding company," but it is charged, and Senator LaFollette says he has proof, the price of lumber is being constantly manipulated by so-called "gentlemen agreements."

Every branch of the business has its association, which controls each particular avenue of the trade. No organization, either incorporated or carrying a name, increases their profits, yet the representatives of each association will be called upon once a month, discuss conditions and fix prices.

Records, documents, agreements in writing do not exist. Still the market is controlled and it is declared a large number of persons are affected to a greater extent than is the case with the Standard Oil company.

At the urgent request of Representative Henry E. Rainey of the Twentieth Illinois district, Attorney General Moody has agreed to grant him a hearing at which the Department of Justice will be called upon to secure indictments under section 4 of the Sherman anti-trust law against the officers of what Mr. Rainey is pleased to call the Watch Trust. The Illinois congressman gained some prominence at the last session of congress by a more or less sensational attack upon the methods of this so-called trust. He declared that American watches were sold abroad 40 per cent cheaper than at home and named a dealer in New York City whom he said was buying Waltham and Elgin watches in Europe and reimporting them and selling them in this country below the prices of other dealers and at a profit to himself.

All corporations and companies are forbidden by section 4 of the Sherman anti-trust law from entering into contract with a citizen of any foreign nation by which the trade between that nation and the United States or other nations is hindered. Penalties are provided for violation of this section, which, curiously enough, has never been tested in the courts. Representative Rainey claims to have positive proof of its violation by officers of the so-called Watch trust and he expects confidence of the government's ability to obtain indictments if he can induce the attorney general to pursue the matter.

Vice President Fairbanks was exchanging compliments with the mayor of Kansas City, Mo., and other prominent citizens who are here attending the deep waterways convention. He moved nervously from one foot to the other and apparently was in a hurry to get away.

"Yes, drop in any time," he said. "I'm a little busy this morning, but come in any time always glad to see you." The delegation bowed itself out, and the door had scarcely closed when the vice president shouted for his messenger.

"John, scout for home and get me my old shoes," he said. "It's wonderful how they pinch you." While the messenger was going and returning the vice president sat in solitary glory in his room, receiving no visitors.

Exactly thirty years ago on the opening day of congress, Henry M. Teller became a member of the United States senate. He and John B. Chaffee, the first senator from Colorado, were sworn in December 3, 1876, the year that the state was admitted to the union. Colorado had but one representative then—James B. Belford, who used to be called "the red-headed rooster of the Rockies." President Grant always addressed Mr. Teller as "general." One day the senator asked why he preferred the military title to the senatorial title. "Because 'general' is a better title than 'Senator,'" replied the old soldier.

Negotiations are on for a settlement of the famous timber cutting suit pending against the estate of the late Marcus Daly of Montana. A special agent of the Department of Justice has been sent to Helena, Mont., with a view of negotiating with the attorneys of the Daly estate, and the prospect is that a settlement will be reached. The suit against the estate is for damages amounting to \$1,300,000. The case is of vast importance to the government in view of the fact that it is the first of many timber claim suits which will be filed to obtain damages for unlawful decimation of timber of the west, which has been going on for the last decade or more. The success of the government in the Daly case undoubtedly will have the effect of inducing other perpetrators of timber frauds to seek settlement.

Senator Cullom was about to step into his carriage at the capital the other day when he stopped and looked at the horses critically. "John," he said to the coachman, "we have got to do something for these horses. They are too thin. They are out of condition. Why, I was noticing Secretary Taft's horses the other day, and they are nice and big and glossy and fat." "Look here," broke in the coachman, looking at the thin figure of Senator Cullom, "we don't need no such horses to haul us as Mr. Taft does, now."

Just after President Roosevelt's message had been read Congressman Champ Clark came into view of a dozen newspaper men, who were always good for an interview, so they wanted to get his opinion on the message. "I haven't read it," said the Missourian, "but I'll tell you what I think of it." The correspondents were all attention. "It's a very long message," said the Missourian as he walked away.

PERSONAL NOTES. Seems odd that Doctor Osler had to run down reporters. The good doctor never but once in his life did anything worth printing, and he took that back.

W. W. Finley, the new head of the southern railway, is considered one of the ablest practical railroad men in the country. He began his railroad career as a clerk twenty years ago. Representative Warren Keifer, who was speaker of the house twenty-five years ago, offends the sensibilities of his fellow members of congress by wearing a dress suit morning, noon and night.

In order to establish land titles in San Francisco, since records have been lost, it is planned to "use the word at large." Happily, it will not be necessary to designate each inhabitant by name. Two of the greatest pedestrians in Washington are Associate Justices Harlan and White. They walk every day from the capitol to their homes in northwest Washington, a distance of nearly five miles.

William Barrett Ridgley, comptroller of the currency since 1898, is a human treasure house for hoarded romances and tragedies in money. He has been educated to this business since childhood, as his grandfather was associated with Nicholas Bidle in the old United States bank in St.

Fifty Years the Standard. B. PRICE'S BAKING POWDER. A Cream of Tartar Powder Made From Grapes NO ALUM. Includes an illustration of a woman and child.

Louis and the Ridgleys have been men of wealth and power in Springfield, Ill., for seventy-two years. Lyman K. Beak, who has just been nominated by the president as United States district attorney for western New York, is the son of a former law partner of Grover Cleveland. His mother, after the death of his father, married the late Senator Edward O. Wolcott. She lives at present in Washington, and is an intimate friend of the president and Mrs. Roosevelt.

Three notebooks which formerly belonged to Shelley, the poet, containing an autograph manuscript, a considerable portion of which has not been published, was sold in London several days ago for \$15,000. The purchase is said to have been made for an American and the manuscript formed part of the library of the late Dr. Richard Garnett, keeper of printed books of the British museum.

FLASHES OF FUN. "I tell you," said Slinkick, "men are getting so deceitful these days that you can't trust your best friend." "And what's worse," interrupted Borroughs, gloomily, "you can't get your best friend to trust you." "This is quite a hair-raising feat!" remarked the bald-headed man as he saw a growth of down following the application of the tonic.—Baltimore American. "Fluffy Young Thing (at the play)—I believe this man in front of us is trying to hear what we're saying!" "Man in front (turning around)—You do me an injustice, my dear young woman. I am trying not to hear it."—Chicago Tribune. "The applause in this theater doesn't seem to be as loud and spontaneous as it used to be," said the theatrical star. "Is the audience cold?" "No," answered the manager; "we have had to employ some new and inexperienced users."—Washington Star. "I saw the doctor stop at your house this morning," said Rubing. "Any trouble?" "Yes," replied Harbison, "I had a great deal of trouble." "What's the matter?" "He wouldn't go away until I gave him an account of his last year's bill."—Philadelphia Catholic Standard. "I wish," whinnied the pony, "human beings would talk to us in the monkey language as they do the monkey language. If they did I'd get a good many more lumps of sugar than I do now."—Chicago Tribune. "He's got an idea," said the flat citizen, "but he'd make a good politician." "It's very unlikely," replied the other. "Why, it's easier to make a good politician than to make a politician good."—Detroit Free Press. "Acquaintance—Were you ever bunned?" "Skinflint—Was it? Why, I was bunned so many times that it taught me the game."—Detroit Free Press. "That chorus girl," said the bald-headed man in the front row, "acts as if she had something on her mind." "Perhaps she is modest and feels that she ought to have something on somewhere."—Chicago Record-Herald.

THE KNOW IT ALL.

T. A. Daly in Philadelphia Catholic Standard. Most aggravatin' customer was Nickodemus Brown. Who knowed it all, an' bound to have his way. There wasn't no theater play that ever came to town. But Brown he'd get to see it, night or day. He'd make a p'int to get his seat 'fore any of the rest. An' when the curtain ris upon the play, An' all the actors got to work a-doin' of their best. He'd snicker in his aggravatin' way: An' when the most excitin' part of all 'wuz gittin' near, An' folks wuz stiffe nervous an' perplexed, Old Brown he'd whisper loud enough for every one to hear: "I'll bet you I kin tell w'at's comin' next." "That wuzn't any curin' him. He'd be the same in church. Or anywhere he happened fur to be; Fur like an old pol-parrot just a-settin' on his perch. He'd squawk to all his critics: "Talk it free." But when the "grip" wuz goin' round last winter wuz a year, He'd snicker in his aggravatin' way: An' then he got religion, fur he thought his end wuz near, An' sure enough that wuz the end o' Brown. His folks wuz all a-gathered round, an' while Deacon Jones wuz readin' o' a sick man smiled, an' "Well, I'm done with this here world," he sighed, "I'll bet you I kin tell w'at's comin' next."

PRE-Inventory SALE. We take inventory on January 1st, and we have accumulated quite a few odds and ends of SUITS and OVERCOATS from the season's selling and we wish to close them out this week. Suits: We have about 400 suits in plain blacks, blues and fancy mixtures, both in single and double breasted styles. These suits come in all the well known fabrics—thibets, tweeds, chevots, fancy and unfinished worsteds. We have all sizes represented, but not in any one line. These suits sold as high as \$35.00. Overcoats: We have about 300 overcoats in the regular style and in the long, loose coat which is so popular with the young men. These coats come in black, oxford gray, fancy mixtures and plaids. We have all sizes represented, but not in any one line. Be sure and take advantage of this sale as every coat is a big bargain. These coats sold as high as \$30.00. WE HAVE PLACED THESE GOODS ON SEPARATE TABLES AND WILL SELL THEM AT THE LOW PRICE OF— \$15.00. We would advise an early call, as the best are always first to go. Browning, King & Co. R. S. WILCOX, Manager.