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Dr. PRICE'S Cream Baking Powder

MRS. BASSETT AND HUNT LOSE

Decree of Absolut Divorce Granted by Court in Washington Stands.

COURT HERE IS WITHOUT JURISDICTION

Such is Decision of Judge Redick, Who is Now Asked to Deal with Children Problem.

The divorce secured by Charles C. Bassett in Washington the day the trial of his wife's case here began is valid and the district court of Douglas county has no jurisdiction in the Bassett divorce case. This is the decision handed down Tuesday morning by Judge Redick, who in the course of a 12-page written opinion that the matrimonial domicile of the Bassetts had always remained in Washington and that the jurisdiction of the courts where the matrimonial domicile is established, is not affected by the answer to the question, "Why is it that when one of the parties departs from that domicile?" It would be clearly unjust, says the opinion, to deprive one of the parties of power to get a divorce at home because the other party had left the state. The two cases on whose precedent the opinion was based are those of Atherton and Haddock in the United States supreme court. The question of domicile was of importance in the Haddock case, but in the present one the court held it was not of importance because, as in the Atherton case, the decree offered was rendered by a court in the place where the plaintiff's domicile and that of matrimony had always existed.

Why Action Was Delayed.

The court says: Perhaps I should say in explanation of the refusal of the court at an earlier stage of the trial to determine the question, I decided that I have been much affected by the unfortunate plight of the plaintiff in this case, regardless of considerations as to who is responsible therefor; and it seemed my duty to leave open to her every avenue, which promised success and relief. And I must not be understood by this present decision as holding that the jurisdiction of the Washington court extends to the determination of any questions involving the custody of children, or the right which they have to call upon their father for support and maintenance. The objection to the proceedings of the Washington court will be overruled, and I hold in this case that by the decree there the marriage relation between the plaintiff and defendant was dissolved, and that this case, at least insofar as it involves that question, should be dismissed.

No Surprise to Either.

The attorneys were on hand as usual and Rev. E. Lawrence Hunt, the announcement of the decision by the court occasioned, seemingly, no surprise on either side. Attorneys Baxter and Van Dusen, for Mrs. Bassett, immediately asked leave to make a showing to prove that the court here has jurisdiction to determine the custody of the children, two of whom are with the mother and the other two with her relatives in other cities. The court will hear this matter Wednesday morning. If Judge Redick decides he has jurisdiction of the custody of the children, the taking of testimony will proceed to show the qualifications of each party to have the children. If the court decides he has no jurisdiction in this matter he will recognize a writ of habeas corpus which Mr. Bassett can then apply for.

"What will be your future movements and what course will you pursue to clear yourself and Mrs. Bassett?" a reporter asked Rev. Mr. Hunt.

"Regarding my future plans," he replied, "I cannot state now, because this new surprise has so stunned me from my power to think and plan clearly. Regarding the second question, it seems clear to me this morning that the law leaves me or anyone else utterly powerless legally to wipe out this legal stain."

Hunt Short of Funds.

As to carrying the Washington decision favoring Mr. Bassett to the United States supreme court, Hunt said he had spent hundreds of dollars already in the attempt to clear himself and Mrs. Bassett and was financially unable at present to carry it up. As to whether or not he would eventually appeal he was unable to say.

"Would you accept a church today if it was offered?" he was asked.

"That is a very delicate question," he said, "but if any church should give me a call I should certainly accept it."

The decision of Judge Redick was a blow to Mrs. Bassett. She had depended upon the local court for a victory. She was reported to be not at all well, and for Mr. Attorney Stout and Colquhoun, for Mr. Bassett, were naturally elated over their victory, but said they knew the outcome could be still in the city and may yet be called to the witness stand if the court decides to hear the matter of the children's custody.

Mr. Bassett, who had returned to New York several days ago.

Chronology of Case.

This chronology is abstracted from records in the trial:

November 11, 1891, Charles C. Bassett married Miss Fannie Rice.

May 21, 1904, Bassett left for annual field trip.

June 24, 1904, she disappeared.

March 12, 1905, child, Lawrence, born in Baltimore.

June 25, 1905, Bassett learned of birth of child.

July 4, 1905, Bassett found his wife in Atlantic City.

July 7, 1905, Mrs. Bassett and Hunt left Atlantic City for Omaha.

February 12, 1906, Bassett with two children arrived in Omaha.

February 15, 1906, petition filed in district court.

March 7, 1906, Bassett served with summons in divorce case.

March 8, 1906, Bassett filed divorce petition in Washington.

February 1906, Bassett's case heard in Washington.

February 12, 1906, 11 a. m., decree given in Washington.

February 12, 1906, trial begun in Omaha.

February 23, 1906, Omaha court decides the divorce decree is final and valid.

MANDERSON SAYS WILL PAY

General Solicitor of Burlington Sees No Escape from Taxes Now.

WILL BE QUICK TO AVOID INTEREST

Attributes Honest Purpose to Litigation, While Flipping Backhand Blow at Newspapers for Waging Warfare.

"I am frank to say that the probabilities are we will pay the unpaid portion of the taxes for the years 1904, 1905 and 1906, which have been withheld by reason of this litigation," said Charles P. Manderson, general solicitor of the Chicago, Burlington & Quincy railroad, Tuesday in response to inquiry as to what the Burlington road would do in regard to the decision of the United States supreme court, which decrees that the Burlington and Union Pacific together shall pay into the treasuries of the various counties of Nebraska the taxes they owe, namely, \$881,556.44, with interest at 10 per cent.

"We have not yet seen the decision, and until we have an opportunity to closely examine it, it is impossible to decide as to what further steps will be taken by the railroad company. The amount involved is very large and the 10 per cent interest which the amount carries means a large sum daily, and if the railroad company should be finally required to pay this sum it is important for its welfare that it should save this large interest, which

SMALLPOX HITS FLORENCE

Eight Children in Three Families Stricken with Loathsome Disease.

FIVE WEEKS OLD INFANTS AMONG VICTIMS

Every Precaution Used to Prevent Further Spread of Disease Said to Have Come from Council Bluffs.

The village of Florence is now in the throes of a genuine smallpox scare, eight children having been stricken with the disease in a severe form. Schools have been closed and all public or private meetings of every character have been suspended. The whole community is being vaccinated and a general feeling of uneasiness prevails. Two of the cases broke out Sunday and six Monday. Dr. A. E. Pinto, deputy state medical supervisor, is in charge of the situation, with Dr. A. E. Adams of Florence in attendance of the eight cases already mentioned.

The families of Charles Morrow, Henry Clausen and Bolle Rich are involved, the number of children of each family being two, two and four, respectively. The youngest Morrow child is only five weeks of age. From that the ages run to 11 years, which is the oldest of the eight. One of the stricken children is 1 1/2 years and another is five years. The Clausens and Riches live in the same block, while the Morrrows reside in another portion of the town.

Dr. Adams said an investigation disclosed the fact that the Morrrows had been visiting Council Bluffs relatives, who had had smallpox and the authorities believe the germs were communicated in that manner, as the Morrrows children were the first in Florence to break out.

This outbreak of smallpox has created more stir among the 1,200 people of Florence than anything happening in that town for years.

Poor Show for The Dyspeptic

Poisoned Stomach, Clogged Brain, Wavering Ambition, Failure—Unless He Seizes His Opportunity.

There's no good reason for any man's remaining a dyspeptic—a burden to himself and family, when he should be a producer. There's only one reason why he has been dyspeptic and that is because he has overworked his stomach so that it cannot secrete the juices and work the muscles necessary to digest the food.

Failure Staring Him in the Face.

What the dyspeptic must do is to help the stomach out. It is full of a poisonous pile of fermenting, nauseating food. Instead of being assimilated and varied by the blood to make nerve and muscle and rebuild the waste tissues, it lies there inactive.

Hundreds of sufferers in far worse condition than you have been positively cured of dyspepsia by these wonderful little tablets. Forty thousand physicians in the United States and Canada recommend them.

If you are uncertain and wish further proof, send for your name and address for a free trial package, which we will gladly mail you at once. P. A. Stuart Co., 34 Stuart Bldg., March 1st, Mich. For sale at all druggists.

RHEUMATISM IN THE JOINTS.

The Best Treatment is to cut an

Allescock's PLASTER

size and shape required and apply to part affected. There's nothing that will give such complete relief.

For Sprains or to take the Stiffness out of over-worked muscles and make them strong and supple, nothing equals the genuine Allescock's Plaster.

REMEMBER—Allescock's are the original and genuine plaster—the Standard External Remedy. Made of absolute the purest and best materials, and Guaranteed under the Pure Food and Drug Act, June 30, 1906. Serial No. 362.

Brandreth's Pills

A Laxative and a Blood Purifier

Each pill contains one grain of solid extract of sassafras, which, with other valuable vegetable ingredients, make it a blood purifier of excellent character.

For Constipation. Established 1782. Sufferers, Brandreth's Pills, Indianapolis, etc.

CLEAN DENTISTRY

TOOTH TALK NO. 100.

You've heard about "germs," haven't you? Well, they play as prominent a part in modern dentistry as they do in modern surgery.

You'll find all my operations clean as well as cleanly.

DR. FICKES, Dentist

Phone Doug. 237. 215 West 12th.

JUSTICE IS NOT THROTTLED

Comment of F. D. Wead on Decisive Victory for Nebraska.

Fred D. Wead, one of the Real Estate exchange tax committee which fought so vigorously before the legislature two years ago for terminal taxation, is well pleased with the decisive victory of the court of the United States in the tax case of Nebraska against the Union Pacific and the Burlington.

"It appears that justice is not throttled in the supreme court by the railroads," he said. "The decision shows that the court recognizes the value of the railroads is not to be alone what their physical appearance would indicate, but rather to include the value indicated by stocks and bonds, which is usually several times the physical value."

"It is high time for the public, as well as the courts, to recognize this difference in value which is made by the substantial privileges granted by law, both state and federal, and by the freight and passenger fares paid by the people."

"It was said long ago by a chief justice of the United States that what property was worth for income and sale, it was worth for taxation."

MANAGUM & CO. LETTER SPECIALISTS.

RECORDS OF THE LIBRARY

Report of Miss Tobbit Shows Nearly Thirteen Thousand Borrowers of Books.

The annual report of Miss Tobbit, librarian of the Omaha public library, shows the total number of borrowers from the library for the year ending December 31 was 12,748. Special cards were issued for the use of teachers to the number of 22. The total number of registrations were 433. The total number of books circulated was 21,828, an increase over 1906 of 14,592. The number of books consulted from the racks was 5,142 and the attendance in the reference department was 24,900. The attendance in the reading room was 6,324 and the attendance in the museum was 27,200. The total number of new books received was 1,200.

Frank Smith Bound Over.

Frank Smith was bound over Tuesday morning by Police Judge Crawford to the district court on a charge of breaking and entering. He is charged with breaking into the clothing store of J. H. South Seventeenth street, Thursday and stealing three suit patterns. The goods were substituted for by Detective Mitchell and Sullivan. Smith is also the same party who confessed in police court Tuesday to the theft of clothes from the Boston store, and was fined \$50 and costs therefor. Officer Kinsman made the arrest for the Boston store, though.

WILL HELP THE CAUSE.

Mr. Fisher said he could not offer any suggestion as to who his traders were.

BACK TO HOME

Back to the farm! That's where you get good coffee.

None of that "fresh roasted loose by the pound" store stuff from nobody knows where, full of dust, atmosphere and soiled hands, but the real old, genuine egg and sugar coated Arbuckles' ARIOSA Coffee, which the folks keep in the original package and grind in the kitchen.

That's Coffee!

Complies with all requirements of the National Pure Food Law, Government No. 7041, filed in Washington.

The World's Best Rubber Shoes are

FOOT-SCULZE

GLOVE BRAND OVERSHOES AND RUBBERS

Old Fashioned Rubber Quality With New Fashioned Style

How often you hear it said "They don't make rubbers like they used to." GLOVE RUBBERS were first made sixty years ago, in the good, old fashioned, substantial way. They are made the same way now. They are a shining, noteworthy exception to the rule of imitation, disappointing, inferior rubber goods. Made to fit the latest style shoes. More pure India rubber in them than in any other make. More satisfaction to the wearer because more quality, more wear, more style. They cost you no more than the ordinary kind.

All the good dealers everywhere sell them

This trade mark on every sole.

EFFIGY PROVES BOOMERANG

Hanging Figure of W. W. Fisher Hurts Cause of Anti-Annexation.

MEN ON BOTH SIDES CONDEMN IT

City Attorney Fiecharty of All Officials Quoted Finds Nothing Wrong in This Way of Fighting.

Hanging in effigy W. W. Fisher, a reputable business man and citizen of South Omaha, whose only crime was advocating annexation of Omaha and South Omaha, seems to have come a long way from subserving the purpose of those who sought by this means to advance the cause of anti-annexation. Sentiment is amply aroused to make this point unmistakably certain.

Late Monday night a reporter in South Omaha was called on the telephone by a woman, who advised him that an effigy was hanging at Twenty-fourth and H streets. Investigation proved the tip to be true. The effigy was taken down by responsible men, who found it was not mere child's play, but evidently the work of matured minds.

The figure was labeled "W. W. Fisher." Mr. Fisher has had the courage of conviction in standing up for his principles in favor of a union of the two cities. When the form was taken down the coat it had on showed this on the clothing tag: E. Burke, 1214 North Twenty-third street, 3-10-04. Dresser.

The garment was made by Dresser, August 10, 1904.

Nothing out learned from the Burkes. E. Burke has two sons, Earl J. and James A., who work in railroad camps at times, but are now awaiting for the opening of spring work. As none who saw the effigy hung has been found it has not been possible to ascertain who was implicated in the job.

Will Help the Cause.

Mr. Fisher said he could not offer any suggestion as to who his traders were.

NO BOOZE FOR ST. PATRICK

Saloons Will Be Closed that Day, Which Happens to Be the Sabbath.

A "well-defined rumor" that Chief of Police Donahue would close all saloons in Omaha on St. Patrick's day gained circulation in the city hall Tuesday morning. At 10 a. m. Mayor Dahlman heard a loud noise out in his hallway, the noise sounding like heavy firing in the office, or the city council laying an ordinance on the table.

"What might be the tumult in your hallway?" the mayor asked the secretary.

"There is a movement on foot to petition your honor to prevent the chief of police closing saloons on St. Patrick's day," the secretary answered.

The mayor turned to the March sheet of his calendar and saw that St. Patrick's day this year falls on the first day of the week, commonly called Sunday. The mayor grinned.

"My noble lords, I fail would intercede in their behalf to have the chief of the gendarmes permit all innkeepers to make merry on St. Patrick's day," the mayor said to the waiting knights in the hallway. "But," he continued, "St. Patrick's day falls on Sunday and, as the chief must enforce the laws regarding the closing of inns and public places, I am helpless to help you, worthy sirs."

"Bravo, Jim!" shouted the proletriat.

"The saloons will be kept closed on St. Patrick's day," said Chief Donahue.

Five Pittsburg Trains Daily.

Over the Pennsylvania Lines from Chicago. Seven over the Fort Wayne "Standard" route, first-class fare \$9.00. Two over the Pan-Handle "Differential" route, first-class fare \$9.00. Address W. H. Howland, T. P. Agt., U. S. Bank Bldg., Omaha, Neb.

Royal League Council.

The Nebraska-Kansas advisory council of the Royal League met at the Paxton hotel Tuesday to elect officers and select delegates to attend the supreme council which will meet at Chicago on April 2. Messrs. Piper and Phillipot of Chicago, officers of the supreme council, attended the Omaha meeting. The election resulted

TRAINOR STATES HIS VIEW

Says He is Not Opposed to Contract Plan of Feeding County Prisoners.

County Commissioner Trainor, who, when asked with the other members of the commission Monday for a statement on the matter of feeding county jail prisoners said he would prefer more time for consideration before stating his views, Tuesday volunteered this statement:

"I am not at all opposed to the proposed method of settling this vexing question, if the law can be so framed that it will be legal. As I understand it, the sheriff is invested with certain responsibilities concerning the care of prisoners which cannot be interfered with; but I do not want to be understood as being in the slightest degree opposed to a fair and a quick settlement that will be satisfactory to the taxpayers, to whom this board is responsible primarily."

"The proposed method" to which Mr. Trainor refers is that of letting the job of feeding the prisoners by contract to the highest bidder as provided in the Tucker bill pending before the legislature. Commissioners Tre, Solomon and Kennard have come out flatfooted for the proposition.

See Want Ads for Business Boosters.

HARRIMAN NOT BROKE YET

Union Pacific Still Able to Show Big Gains in Its Earnings.

The official report of the earnings of the Union Pacific for the month of December shows another substantial gain over the same month of 1906. The gross receipts for last December were \$6,459,253.54, a gain of \$463,501.22 over December of the year before and the expenses and taxes were \$5,077,815.41, an increase of \$65,862.84, making a net increase of receipts over expenses and taxes of \$1,381,438.12.

The report for the sixth month ending December 31 shows the receipts over expenses and taxes to be \$5,509,136.12 and net increase over the same six months in 1906 of \$1,612,351.68.

NOTICE TO HOUSEKEEPERS

A demonstrator will call at every house in Omaha and give each family a free trial package of the celebrated

Wiggle Stick WONDER AX for Washing Clothes Without Rubbing

Saves half the time, half the soap and half the labor. Will not injure the delicatest fabrics. Leaves your hands soft as velvet. Washboards unnecessary. Clothes wear twice as long when this wonderful article is used. If our claims were not true we could not afford to give you a free trial package.

THE LAUNDRY BLUE CO., 11 Michigan St., Chicago