

SPARKLING APERTA (NATURAL APERTA CARBONATED) IN SPLITS ONLY. A Refreshing and Pleasant Aperient for Morning Use.

COMMISSION ON THE COURT

Burlington and Other Roads Must Decide Whom to Obey.

FEDERAL INJUNCTION NO BAR

This is Opinion Taken by Nebraska Board Over Cream Rates Ordered to Go Into Effect Friday.

(From a Staff Correspondent.) LINCOLN, Oct. 31.—(Special Telegram.)—It is now a Nebraska question whether the federal court is more powerful than the railroad commission.

A letter was received this morning from Passenger Traffic Manager P. S. Eustis of the Burlington informing the commission that the new cream rates promulgated to go into effect on November 1 must await judicial determination in the Chicago federal court.

Mr. Eustis says the Burlington would gladly place the rates on its tariff sheets, and, in fact, had the new schedules already prepared, but for the order of the federal court. Now he indicates there is nothing to do but to let the courts decide.

This presents an actual conflict between the federal court and the railroad commission, and it is certain the commission will at once take steps to enforce their order. No restraining order of any federal court has been served upon the board and they are of the opinion that the order of a Chicago federal judge on the Burlington has little weight in Nebraska under the circumstances.

A notification to this effect will be sent to Mr. Eustis and then the battle ground will change from Chicago to the Cornhusker state.

Will Be Important Test. This is practically the first order of the board that has gone far enough to enable a test of its character, and that it will be made to certain unless the Burlington changes front and decides to enforce the new tariff on cream. For each offense on the part of a road in disregarding an order of the commission the penalty fixed is a fine of not less than \$1,000 or more than \$5,000 and officers and employees of the road involved may be fined from \$50 to \$500 for each offense.

Potato Grover Has Complaint.

A dealer in potatoes, who shipped a car of tubers from Hitchcock, S. D., to Geneva, on October 11, complains that the railroad has charged him \$17.60 for the service, when as he figures on the rate sheet, the total charge could not be in excess of \$4 on a car of 39,200 pounds at 30 cents a hundred. He has applied to the railroad commission for aid. The transaction is an interstate transaction, however.

Railroad Commissioner Williams has returned from Sargent, where he was at the



It Isn't Necessary

For a man to know how to sew to enable him to mend his ways. You who have been making the mistake of wearing made-for-every-body clothing should mend your ways. We will do the necessary sewing—necessary faultless cutting, the talented tailoring and the flawless finishing.

To become a McCarthy-Wilson customer is to become a well-dressed man. It's worth while to pay from \$25 to \$45 for clothing that will do that much for you.

MacARTHUR-WILSON TAILORING CO. Phone Doug. 1802, 204-306 S. 16th St. Near E. W. Corner 16th and Farnam.

LUBE MANN FURRIER. It costs you nothing to inspect our large line of high grade fur garments at popular prices and may save you money.

2d Floor Continental Bldg. Entrance 113 So. 15th St.

Wines, Liquors, Home Use. Telephone Douglas 1019.

STATE TREASURER REPORTS

Over Half Million Decrease in State Debt So Far This Year.

SOME ESTIMATES FOR FUTURE

Tax Commissioner Pollard of Burlington Centers with State Board of Assessment Concerning Terminal Tax Law.

(From a Staff Correspondent.)

LINCOLN, Oct. 31.—(Special.)—State Treasurer Brian filed his report of the month's business with the state auditor. Mr. Brian is carrying as cash items warrants which otherwise would have to be registered for payment and which would draw 4 per cent interest. By taking up these warrants with money out of the temporary school fund and merely holding them until the general fund is able to take care of them, he loses the 3 per cent interest which would accrue were the temporary school fund deposited. But in the long run he saves the state 1 per cent, inasmuch as the registered warrants would draw 4 per cent interest.

Contrary to the general impression all of the Lincoln banks save one have state deposits are paying 3 per cent interest, while in Omaha the Brandeis bank pays the state 3 per cent and is a state depository. The South Omaha banks also kept their money with the treasurer boosted the interest rate to 3 per cent. At this time Mr. Brian has on hand in currency in the neighborhood of \$900. His business has always been carried with checks, and he is continuing to issue checks, giving to those who need the cash just as little as possible.

Warrants issued against the temporary university fund are being registered, but usually run only a short time. Since January 4, 1907, the state debt has been reduced \$57,728. January 4 the debt was \$1,461,223. At close of business today the debt was \$1,384,018.75. The school fund invested in bonds since January 1 has increased \$960,713.22. January 1 the school fund invested in bonds amounted to \$6,724,424.13 and on November 1 the investment in bonds amounted to \$6,716,137.25.

MISSOURI PACIFIC REPORTS.

The Missouri Pacific Railroad company has made its weekly report to the Railway commission showing the amount of work done on the line. To October 26 ties have been spotted to the number of 106,181; ties renewed, 67,854; ties replaced, 65,754; ties on hand, 919; section men employed, 256. This report was for a division.

POLLARD CAMPAIGNING IN BOYD

Gives the People a Reminder of Some Facts in Political History.

LYNCH, Neb., Oct. 31.—(Special Telegram.)—Congressman Ernest M. Pollard of the First Nebraska district and J. A. Douglas of Basset and D. B. Janekes of Chadron addressed a large and enthusiastic meeting in Lynch, Boyd county, last night. Congressman Pollard confined his remarks largely to state issues, reviewing the republican state convention one year ago and comparing it with the democratic state convention of the same year. The congressman demonstrated clearly that the republican party of today, under the leadership of Hesse, Sheldon and Brown, is the party of the people.

The republican party, said the speaker, "is rid of railroad domination from the fact that the railroads last year exercised every influence in their power to secure the election of Mr. Shellenbarger, the democratic candidate for governor last year, and that in the present campaign they are rallying their powers wherever they are doing anything at all for Judge Loomis for supreme judge."

Mr. Pollard took exception to the charge that Messrs. Douglas and Janekes are subservient to the railroads. He discussed the history of the passage of the present revenue law, showing that Mr. Douglas was chairman of the house committee having the bill in charge. The congressman then recited the struggles of the state's Department of Justice in its efforts to enforce the same when applied to the railroads. He showed that the railroads had placed every obstacle within their power in the way of its enforcement of the law that Judge Douglas helped to enact. This is conclusive evidence that even though Mr. Douglas has been in the employ of the railroads in a legitimate capacity he remained true to the people's interest.

DEPOSITS EXCEED WITHDRAWALS

Nebraska People Refuse to Be Frightened Over Financial Fiasco.

AUBURN, Neb., Oct. 31.—The financial troubles which are alarming the entire country, and which are affecting nearly every town in every state in the union, are not affecting Auburn, and in all probability will not. The four banks of the city, namely, the First National, the Omaha County, the Carson National and the German American, give one and the same opinion, and that is that they do not anticipate any serious results, other than a little inconvenience. It was reported that a local depositor had \$1,000 to his credit in any one of the local banks, and wished to draw it out. He could get but one-third of it, or \$300. This is denied, however, by every bank, and they assure their depositors that they can draw out their amounts at any time. The only change in no checks are cashed on outside banks. The banks of this city could be in no better shape, and the public has unlimited faith in them. Instead of draining them by drawing out their deposits, the banks continue to receive their daily deposits and many new ones.

PAPILLION, Neb., Oct. 31.—(Special.)

There has been no run on the bank of A. W. Clarke here. All checks are paid as presented and depositors have confidence in the bank. Deposits are equal to withdrawals.

SENATOR BROWN AT AINSWORTH

Large Delegations Present from Surrounding Towns.

AINSWORTH, Neb., Oct. 31.—(Special Telegram.)—There was a housing republican rally at the Auditorium here tonight. Senator Norris Brown of Kearney and County Attorney Davison of Long View, addressed the meeting. The Auditorium was filled to overflowing. Basset sent a large delegation, headed by the Basset corned beef. They carried transparencies and banners. Other large delegations were present from Long View, Springview, Johnston, Meadville, Worden, Wood Lake and other points.

Water Works Bid Too High.

PREMONT, Neb., Oct. 31.—(Special Telegram.)—The city council last evening put in its time discussing water and light plant matters. The Board of Public Works reported that all the bids submitted were from \$1,000 to \$10,000 above the estimate. Councilman Breitenfeldt again attempted to get a resolution through discharging Consulting Engineer Chapman, but in his present and explained the situation in his customary manner and the resolution was voted down 3 to 2. The whole matter then was referred back to the Board of Public Works with directions to cut out the tiled walls, expensive flooring, etc., and endeavor to bring the cost down to the \$1,000. The whole contract matter will have to be done over again and the prospects for a new plant this winter are very slim. Bonds for the construction of the plant were voted in August, 1906, and the work was supposed to be completed by November 1, 1907.

observed the fall, could slip the belt and bring the machinery to a standstill. He was lifted out with the expectation that he would be badly crushed. However, not a bone was broken and no serious injuries are expected.

Laborer Killed by Train.

MCCOOK, Neb., Oct. 31.—(Special.)—Great Hink, a laborer, not long from the country, was instantly killed here last night by the engine of passenger train No. 14. He was walking alongside the railroad track and failed to give himself sufficient clearance. He was buried in this city by the county authorities this morning.

Nebraska News Notes.

PLATTSMOUTH—The rain has put a stop to husking corn for a time. HENRY, Neb., Oct. 31.—(Special Telegram.)—Page left for Wahoo to see the men taken for passing bogus bills. Verne Barboch went with him.

PLATTSMOUTH—Gus F. Rhode, local editor of the Evening News, has been confined at home by illness for several weeks. PLATTSMOUTH—The son of Mr. and Mrs. Mike Bakesek was buried today. The child, a boy, died of diphtheria at the Holy Rosary church by Father Hensel.

NEBRASKA CITY—Andrew Olson, who had been a resident of this city for many years, died last evening at the home of his daughter, Mrs. August Johnson, aged 73 years.

BEATRICE—The republicans held a meeting at Clatona last evening which was addressed by John J. Ryder, state law commissioner, and some of the county candidates.

BEATRICE—Mr. Gilmora, of Muskegon, Mich., is engaged in installing the furniture and fixtures in the new Christian church building, which will be dedicated November 10.

BEATRICE—Two mules belonging to B. M. Hefflinger, living two miles south of town, were killed last evening by Burlington. The animals were valued at \$300.

NEBRASKA CITY—Miss Caroline Miller, daughter of Councilman Frank Miller, was married today at the home of her parents, Mr. and Mrs. Frank Miller, to Mr. Joseph M. Joseph, of Omaha.

GRAND ISLAND—Mrs. Sid Kremenoch died Monday. The body will be taken to Lincoln, the services being held from the Jewish synagogue of that city, of which she was a member. The deceased had relatives in all parts of this state and in Canada.

NEBRASKA CITY—The members of Teutonia lodge, Sons of Herman, had a meeting last evening at the city hall, and special train and went to Falls City to help honor German day. They secured 100 Morchans and 50 strong went to the metropolis of Richardson county.

BEATRICE—The marriage of Mr. Earl North, of the State Bank of Filley, and Miss Ada A. Hagerman, daughter of Mr. and Mrs. Thomas Hagerman, was announced last evening at the bride's home at Filley. Rev. U. G. Brown of this city, officiating.

NORTH PLATTE—A man giving the name of W. W. Roberts passed a forged check for \$25 on Henry Rebusen and bank at North Platte. The man was arrested and upon presenting it for payment to the bank this morning found it a forgery. Attempts are being made to locate and arrest the guilty party.

NORTH PLATTE—Notice has been received from a referee in bankruptcy at Omaha that a 10 per cent dividend has been declared on the claims against the Standard Brick and Stone company. The company has several hundred creditors in Lincoln county and their claims aggregate in the total thousands of dollars.

NEBRASKA CITY—The contractors who are sinking the deep well at this point are having more trouble than was anticipated. The well is now nearly 80 feet deep and there is considerable water and it is being compelled to do undermining work in the bottom of the well. It is expected that it will require additional machinery to carry the water. They expect to sink the well to sink the well in a few days. The well is now 80 feet deep.

NORTH PLATTE—Work has been begun on the larger mill building at North Platte. The mill is now nearly 80 feet deep and there is considerable water and it is being compelled to do undermining work in the bottom of the well. It is expected that it will require additional machinery to carry the water. They expect to sink the well to sink the well in a few days. The well is now 80 feet deep.

NORTH PLATTE—Tuesday the United States weather bureau located here. Reports are being transmitted to the bureau since August 12. Weather bureau reports were also posted yesterday for the first time since that date. The bureau brought to bear to get these reports and to get the weather bureau reports and particularly since the weather bureau at North Platte is the only one in the Nebraska territory where reports could not be received or transmitted.

BEATRICE—Announcement was received here last evening that the son of Mr. Frank E. Osborne, superintendent of the Institute for Feeble Minded Youth at this city, had been killed in a collision with a C. W. Shaffer, of Lincoln, which occurred yesterday at high noon at the home of the late Mrs. Clinton Pratt in Thompson, Ill. Rev. L. P. Ludden, of Lincoln, officiating. After a wedding trip of a few days, Dr. and Mrs. Osborne will arrive in the city to make their future home.

BEATRICE—A committee of the Gage County Farmers' institute, comprising Reuben Blodgett, A. H. Kidd, D. Odell, returned from Lincoln yesterday, where arrangements were made for speakers to appear here during the farmers' institute to be held in Beatrice, February 10-12. A new feature of the coming institute will be a class in stock judging. One of the members of the faculty of the State Agricultural college will conduct the class in the manner that classes are conducted at the state farm.

BEATRICE—An organization to be known as the "Literary Club" has been organized for the purpose of the promotion of the love of letters, the pursuit of literary authorship and the advancement of the work of the members of the faculty of the State Agricultural college will conduct the class in the manner that classes are conducted at the state farm.

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LUMBER AND COAL MEN WIN

Secure Temporary Injunction Against Reconsignment Fee.

EIGHT RAILROADS ARE INVOLVED

Judge W. H. Munger of Federal Court Grants Restraining Order, Which is Returnable Sixteenth of November.

Judge W. H. Munger granted a temporary injunction in the United States circuit court Thursday afternoon at the instance of the lumber and coal dealers of Omaha and the state of Nebraska to restrain the Rock Island, Missouri Pacific, Union Pacific, St. Joseph & Grand Island, Illinois Central, Burlington, Northwestern and Chicago, St. Paul & Minneapolis Railroads from carrying into effect the rule to charge \$5 per car upon all consignments of freight under certain rules recently adopted by the railroad companies which will become effective November 1, 1907. (Grain, live stock and perishable freight are excluded from the application for a permanent injunction has been set for November 16.

The temporary injunction was secured through Francis A. Brogan, attorney for the complainants, and requests that the injunction be granted until the matter which is now pending before the Interstate Commerce commission can be passed upon by that body.

The same subject matter is now pending also before the Nebraska State Railway commission as applied to local rates and conditions, but this application for an injunction relates to the interstate commerce feature of the matter as promulgated in the rule adopted by the railway companies.

Rules that are Objected to.

Following is the set of rules to which exception is taken and which the defendant Chicago, Rock Island & Pacific Railroad company has announced that it will put into effect on November 1, 1907, and which rules are concurred in by all the defendant railway companies:

- 1. The destination of any carload shipment of freight (see note) may be changed except on interstate shipments within the states of Arkansas, Kansas, Missouri and Nebraska) and local, through freight, protected, when such change is made, under the following conditions:
2. If destination is changed before arrival of the car, and within forty-eight hours after arrival, it made after twenty-four hours and within forty-eight hours after arrival, it made after forty-eight hours and within seventy-two hours after arrival a charge of \$5 per car will be assessed. After the expiration of seventy-two hours no reconsignment will be permitted, except at the sum of the local rates to and from the first destination.
3. If a shipment is stopped in transit after arrival at destination, such stoppage point shall be considered as the first destination and the car shall be subject to the same rules as would have been applied had it gone to the first destination as billed.
4. Changes in destination involving a back haul will not be made, except at the sum of the local rates to and from the first destination.
Note—Grain, live stock and perishable freight are excluded from the application of this rule.

We have secured the agency for Orino Laxative Fruit Syrup, the new laxative which makes the liver lively, purifies the blood, cures headache and regulates the digestive organs. Cures chronic constipation. Ask us about it. For sale by all druggists.

Despondent Man Shoots Himself.

TECUMSEH, Neb., Oct. 31.—(Special Telegram.)—Henry Frank, a farmer living eight miles east of Elk creek, committed suicide this morning by shooting himself in the head with a shotgun. He was aged about 35 years and leaves a wife and two children. A few weeks ago a child died and later Mr. Frank lost his barn and its contents by fire. These had so preyed upon his mind that he had not been quite right mentally for a few days. This morning he went to the home of a neighbor, Luther Burrow, taking his gun with him. Mr. Burrow asked him to breakfast and he sat down and ate a little. He then got up from the table and going out onto the porch took his gun and shot himself, dying almost instantly.

Shunway Case Set for Hearing.

BEATRICE, Neb., Oct. 31.—(Special Telegram.)—In the district court today Judge Raper granted County Attorney Terry leave to file an amended information against R. Mead Shunway, charged with murder. The case is set for hearing next Wednesday, November 6.

Catarrh of The Stomach

A Most Dangerous Disease, Which Causes Serious Results, Unless Properly Treated.

Catarrh of the stomach is very common and is known as one of the most obstinate diseases, which, when neglected or improperly treated with cheap patent medicines, tonics, drugs, pills, and other secret quack remedies, results in a broken down constitution and often death.

Catarrh of the stomach, like every other disease of the stomach, except cancer, is the result of poor digestion. The digestive organs have become weak, there is a lack of gastric juice, your food is only half digested, and as a result you become affected with loss of appetite, pressure and fullness of the stomach, heartburn, vomiting, water-brash, tenderness at pit of stomach, slimy tongue, bad taste in the mouth, constipation, pain in limbs and face, sleeplessness, nausea, belching of gas, diarrhoea, sick headaches, dizziness, and many other common symptoms.

If your stomach cannot digest the food you eat, then the stomach needs a rest, as that is the only way you can get rid of your catarrh, but in the meantime your body needs plenty of nourishment, because you must live and in order to live you must eat, and if you must eat your food must be properly digested, and if your stomach is too weak to do the work, then you must get a substitute that will do the work.

Stuart's Dyspepsia Tablets are the only known substitute that will digest your food as well as any healthy stomach. They contain vegetable and fruit essences, aseptic peptone (oxy lact), golden seal and diastase, the very elements necessary to digest food.

Stuart's Dyspepsia Tablets are not a secret remedy and for that reason thousands of physicians all over the United States recommend them to their patients for catarrh of the stomach, dyspepsia of all kinds and other stomach troubles. Experiments and tests have proven that one grain of the active principle contained in these tablets will digest 3,000 grains of food.

Stuart's Dyspepsia Tablets are in the form of pleasant tasting tablets or lozenges for cats, and are sold in large fifty-cent boxes at all drug stores. Send us your name and address and we will send you a free sample package. The relief you will get from this trial package alone will convince you of the merits of Stuart's Dyspepsia Tablets. Address, F. A. Stuart Co., 120 Stuart Bldg., Marshall, Mich.

Shipments from Chicago. CHICAGO, Oct. 31.—(Special Telegram.)—Shipments from Chicago last week were 1,400 barrels of flour, 1,400 bushels of grain and 2,100 barrels of coal. This was an increase of 6,000 barrels in flour and 71,000 tons in grain and a decrease of 1,800 tons in provisions.

SOME STATEMENTS REGARDING NEW THEORY

Followers of Cooper and His Novel Ideas Give Reason for Their Belief in Him.

With a theory that human health is dependent on the stomach and with a medicine which he says proves this theory, L. T. Cooper, a comparatively young man, has built up an immense following during the past year.

Cooper has visited most of the leading cities of the country, and in each city has aroused a storm of discussion about his beliefs and his medicines. Wherever he has gone, people have called upon him by tens of thousands, and his preparation has sold in immense quantities.

The sale of this medicine has now grown over the entire country, and is growing enormously each day. In view of this, the following statements from two of the great number of followers which he now has, are of general interest.

Mrs. Agnes Vignehouwer, of 313 St. Louis Avenue, Chicago, has the following to say on the subject of the Cooper preparations: "For more than ten years I was broken down in health. I could not sleep and was very nervous. Gradually I began to lose my memory, until I could not remember things from one day to another. I had severe pains and cramps in my body, and I would at times see dark spots before my eyes. I was unable to do any work whatever, as my strength was falling. I had no appetite, nor could I take any medicine."

"I had about given up hope of ever being well again when I read of Mr. Cooper's remedies. They are wonderful, for they have done everything claimed for them in my case."

Another statement by Mr. W. B. Stewart, 158 W. Madison St., Chicago, is as follows: "I have had stomach trouble for years, and anyone who is afflicted this way knows what an awful distressed feeling it causes. Many a time I have felt that I would give myself up to be cured. It was by accident that I heard of this man Cooper's remedies. I immediately made up my mind to buy a treatment of his. I used it for about two weeks, and it is impossible to tell how much good it has done me. I feel altogether different. I have more life and energy than I have had for years. My medicine certainly does stimulate and strengthen the whole system. Tired feeling and weak condition of the stomach has entirely passed away. I feel well again."

"We sell Cooper's celebrated medicines which have made this wonderful record in all parts of the country.—Beaton Drug Co.



10 rooms, street modern, large, well finished, on first floor and laundry. Five bed rooms and porcelain bath on second floor. Good furnace, paved street, permanent walks. Lot 50x124. Property actually cost \$15,000. Terms to suit. Inquire of owner on premises. 1021 Summit Street, Frazer Webster 252.

PARENTS

When you stop to think about it, you, of course, realize the grave danger that menaces your children when they play in the streets on which there are street car tracks, but do you think about it often enough?

And do you caution your children about it often enough?

Are you sure that YOUR children are not daily exposing themselves to the danger of being struck by a car—in fact, jeopardizing their lives,

Remember that when children are playing, their minds are engrossed with their play and they are utterly unheeding of approaching cars and frequently dart directly in front of them.

Assist Us in Preventing Accidents.

Omaha @ Council Bluffs Street Railway Company

Do you live near Corby and Sherman Ave.?

BLAKE'S PHARMACY 2816 Sherman Ave.

will take your want-ad for The BEE at the same rates as the main office.

Branch Want-ad Office—OMAHA BEE

MEN CURED \$6.00 FOR 6

WE CURE, THEN YOU PAY US OUR FEE Established in Omaha 15 Years.

FREE Consultation and Examination. Write for Symptom Blank for Home Treatment. Dr. Searles & Searles

St. Corner 14th and Douglas St., OMAHA 153

Bee Want Ads Produce Results