

its validity. The officers and employees could not be expected to disobey any of the provisions of the acts or orders at the risk of such fines and penalties being imposed on them...

Law Prevents Appeal. A law which indirectly accomplishes a like result by imposing such conditions upon the right to appeal for judicial relief as works an abandonment of the right rather than face the conditions upon which it is obtained or may be obtained is also unconstitutional...

History of Case. The proceeding in Young's case grew out of an effort by the Minnesota federal court on May 21, last, to restrain Mr. Young and other state officials from executing or attempting to execute the law.

Certain stockholders of the Northern Pacific company filed a suit at the same time asking for an injunction to prohibit the state officials from carrying the law into effect on the ground that the rate fixed was so low as to make the investment returns that the company might receive...

The question was granted on September 23 on the ground that the law was confiscatory, and its promulgation was immediately followed by the commencement of an action by Attorney General Young in the Ramsey county district court in which that court was asked to direct the issuance of a writ of mandamus commanding the Northern Pacific company to comply with the rate law...

Refusing either to pay the fine or to dismiss the case, Mr. Young immediately brought the case to the supreme court of the United States on a petition for a writ of habeas corpus. He based his petition upon the grounds that the United States circuit court without jurisdiction in the original proceedings, because there was no diverse citizenship...

Justice Harlan deemed the cases of sufficient importance to justify a detailed discussion, taking the ground in support of the theory that the proceedings in the Young case was a suit against the state and therefore not permissible under the constitution. He closed his statement in the following words: "Neither the words nor the policy of the amendment...

Attorney General Talks. ST. PAUL, Minn., March 23.—Attorney General Young, on learning of the supreme court's decision, said that so far as his case was concerned, he would simply pay his fine of \$100. Until he had read the reason of the court for declaring the law unconstitutional he could give no intelligent opinion of its effect in this state...

"JIM CROW" DISCRIMINATION. Prominent Negroes of South Complain to President About Road's Action.

WASHINGTON, March 23.—The president received a delegation of prominent negroes from the south, who talked to him about alleged unequal accommodations given colored passengers on railroads in southern states where "Jim Crow" laws are enforced...

Tea in Pleasure Party Drowned. LUBECK, Germany, March 23.—Ten members of a pleasure party were drowned by the upsetting of a motor ferryboat on the Lake of Rastenburg last evening. Four other passengers were saved.

ABSOLUTE SECURITY Is the First Consideration in Banking. Before depositing in a bank, the prudent man looks at the bank's statement, and ascertains as far as possible how its assets are invested. This bank invests only in first mortgages on real estate and city and county bonds...

NEW CIVIC ANTI-TRUST BILL. Federation Measure Introduced by Representative Hepburn. RELIEF FOR ORGANIZED LABOR. Effort Made to Obliterate Suppressive Effects on Labor Union of Recent Supreme Court Decision.

WASHINGTON, March 23.—The bill prepared by the National Civic Federation after conferences with the president and representatives of capital and of labor to reduce the stringency of the Sherman anti-trust law, was introduced in the house today by Representative Hepburn of Iowa, chairman of the committee on interstate and foreign commerce...

Nothing in said act approved July 3, 1890, or in this act intended, nor shall any provision thereof hereafter be enforced, so as to interfere with the right of any employer to strike for any cause, or to combine or contract with any other employer for the purpose of peaceably obtaining from employers satisfactory terms for their own satisfaction...

REVENUE OF THE RAILROADS. (Continued from First Page.) In 1907 than for the corresponding period of the year previous. The returns from those roads indicate that the panic had its center in their territory, as there is a more notable falling off in revenue during the months than on any other excepting the southern roads...

January Returns Not Tabulated. "Although the returns to the commission for January have not yet been tabulated, it is probable that they will show that conditions have been worse than in December, but this is also to be borne in mind that the month of January is generally the slackest month during the year, and February is also poor. There are, no doubt, individual instances in which the revenues of roads have seriously declined during the last three months over corresponding periods of several years past...

WASHINGTON, March 23.—A scene somewhat out of the ordinary was enacted in the house of representatives today because of a charge made by Mr. Mann (Ill.) that Mr. Sulzer (N. Y.) had put in the Congressional Record what purported to be a speech delivered by him last Saturday, but which Mr. Mann charged was not the one delivered. It all had to do with Mr. Sulzer's claim that he and not Mr. Mann was the author of the legislation which brought the Department of Commerce and Labor into being...

Silver Aluminum Jelly Moulds FREE Leaflet in each package Explaining. 10c package All grocers.

proceedings of the house for a considerable time by a point of no return. After passing a number of measures relating to the District of Columbia, the house at 4:01 p. m. adjourned out of respect to the memory of the late Senator William James Bryan of Florida.

FILES CURED IN 8 TO 14 DAYS. PAZO Ointment is guaranteed to cure any case of Itching, Blind, Bleeding or Pruritic Piles in 8 to 14 days or money refunded. 50c.

FACTS GET MIXED BY WRITER. Expose by Ray Stannard Baker Alleged in Libel Suit to Be Without Foundation.

NEW YORK, March 23.—A case which is expected to develop many interesting and possibly sensational features, came up in the United States circuit court today when the trial of the suit of Emmanuel Phillips, president of the Union Refrigerator company of Milwaukee against the McClure company, publishers, for alleged libel was begun. Phillips asks \$100,000 damages, which he obtained through the publication in McClure's Magazine in November, December and January, 1906, and 1907, of a story charging him with accepting rebates from certain railroads.

ST. LOUIS, March 23.—A dynamo in the plant of the Union Electric Light and Power company at Twentieth and Locust streets exploded early today and pieces of steel were hurled in every direction, badly damaging the building. The dynamo, costing \$10,000, was practically destroyed. A chunk of steel weighing 100 pounds was propelled across the street, narrowly missing a dwelling. None of the employees was hurt, but Guy Bayers, engineer of a fire engine, was crushed between his engine and a hoist reel and suffered a broken leg.

Vapo-Resolene. (Established 1894.) "Cures Whooping Cough, Croup, Bronchitis, Coughs, Diphtheria, Catarrh." Confidence can be placed in a remedy which for a quarter of a century has earned unqualified praise. Restful nights are assured at once. Cresolene is a Boon to Asthmatics. All Druggists.

WISHARD NEEDED IN TEXAS. Stanton County Stockman Arrested for Violation of Banking Laws. ONLY A DEPOSITOR AT SNYDER. Nebraska Says, If Indicted, It Can Only Be in Connection With Bank in Which He Kept His Money.

John A. Wishard, one of the best known land and live stock men of Stanton county and well known in Omaha, was arrested Monday afternoon by United States Marshal W. P. Warner upon information from the marshal of the northern Texas district of the United States court. Mr. Wishard was visiting Omaha on business and was stopping at the Arcade hotel, where Marshal Warner arrested him.

Mr. Wishard was taken before United States Commissioner Anderson and there learned that he was arrested under an indictment found against him by the federal grand jury of the northern Texas district charging him with an alleged violation of the United States national banking laws under section 5209 of the revised statutes of the United States.

THE DECORATORS AT THE BRANDELS STORE. Real Spring Scene Depicted in Brandels' Store by the Artist's Hand. The decorators at the Brandels store have gone back to nature for their central theme of arrangement at the spring opening this year and the thousands of Omaha traffic in the store has been attracted to the decoration has an appearance of simplicity that makes its beauty all the more attractive.

TORNADO SWEEPS LOUISIANA. East Feliciana Parish Scene of Fatal Storm—Many Persons Are Injured. BATON ROUGE, La., March 23.—A tornado swept through East Feliciana parish, Louisiana, early today. At Norwood, fifty miles north of here, a man named Hollins of reported to have been killed and many persons are said to have been injured. Winds are down.

DEATH RECORD. Mrs. Dan Stewart. LOGAN, Ia., March 23.—(Special.)—Yesterday afternoon, at 3 o'clock, Mrs. Stewart, age 64, wife of Dan Stewart, and resident of Harrison county since 1859, died suddenly of heart trouble at her home in Logan. Mrs. Stewart was an active member of the Women's Relief corps, Rebekah lodge, and Methodist church of Logan. Funeral and interment tomorrow at 2 o'clock.

NEBRASKA AROUND WORLD. New Battleship Will Probably Make Trip with Big Atlantic Fleet. WASHINGTON, March 23.—Two of the navy's newest and best battleships now on the Pacific coast are likely to be sent on the trip around the world, with Admiral Evans' Atlantic battleship fleet. These are the Wisconsin and the Nebraska. Today the announcement was made that the Atlantic fleet, which practically assures its accompanying the battleships around the world.

Dr. Lyon's Perfect Tooth Powder. Cleanses, preserves and beautifies the teeth, and Purifies the breath. A superior dentifrice for people of refinement. Established in 1866 by J. W. Lyon, D.D.S.

PERMANENT INJUNCTION FILED. Final Order in Buck Stove Case by Justice Clabaugh of Supreme Court. WASHINGTON, March 23.—The American Federation of Labor and President Gompers and others that organization were permanently enjoined from "conspiring, agreeing or combining to restrain, obstruct or destroy" the business of the Buck Stove and Range company in a decision rendered by Chief Justice Clabaugh of the supreme court of the District of Columbia today, making permanent the temporary injunction of Justice Gould against the federation in that case.

THOMAS LOSES APPEAL CASE. United States Supreme Court Rules Iowa Man Has Been Rightly Judged. WASHINGTON, March 23.—The case of Charles Thomas, under sentence of life imprisonment in Iowa penitentiary on the charge of murdering a fellow inmate in Des Moines, which was notorious some years ago, practically was decided by the supreme court of the United States today against Thomas by the dismissal of the case. He brought the case to the supreme court on the plea that the Iowa statute giving the jury discretion in the matter of determining the degree of crime, was a violation of the fourteenth amendment to the constitution of the United States, in that it abridged his privileges.

TILLMAN MAY NOT RETURN. South Carolina Senator, Though Recovering, Says He is Not at All Strong. WASHINGTON, March 23.—A dispatch was received here from Senator Tillman indicating grave doubts whether he will be able to return to Washington again during the present session of congress. The telegram, which was signed by himself, said: "Slowly improving but impossible to even guess when I can return to Washington."

DYNAMITE WRECKS NEWSPAPER. Rock Island News' Plant Blown Up—Owner Fights of Gamblers and Saloons. ROCK ISLAND, Ill., March 23.—Dynamite exploded in the press at the printing plant of the Rock Island Daily News about 2:30 this morning, destroyed the machine and practically ruined the building. The News was founded thirty years ago by John Looney, a lawyer and politician, and has lately given attention to saloons and a certain gambling element in Rock Island.

BINGHAM ASKS INVESTIGATION. New York Police Commissioner Requests District Attorney Jerome to Take Action. NEW YORK, March 23.—Police Commissioner Bingham has asked District Attorney Jerome to make an investigation into the gambling business which resulted in a shakeout in the police department early Sunday morning. "With a view of sending someone to jail."

THE LION AND THE MOUSE. By Charles Klein. Author of "The Music of the Spheres" and "The Lion and the Mouse." Next Sunday and Monday. THE MAN ON THE BOX. BOEYON, March 23.—The annual report of the American Sugar Refining company of December 28, 1907, was issued to the stockholders today. The report shows an account shows net earnings for the year 1907, \$7,619,291; 1 per cent dividends, including that of January 2, 1908, \$2,520,297; surplus for the year, \$5,098,994.

Syrup of Figs and Elixir of Senna. Cleanses the System Effectually. Dispel Colds and Headaches due to Constipation. Acts naturally, acts truly as a Laxative. Best for Men, Women and Children—Young and Old. To get its Beneficial Effects Always buy the Genuine which has the full name of the Company.

..Wait for.. KERN THE.... "Millinery Man's" Millinery Opening Wednesday, March 25th Music and Beautiful Souvenirs 1508 Douglas Street

Announcement... On account of my having one Delahaye with us it was necessary to book demonstrations for Monday, Tuesday and Wednesday. If you are interested in these high-class automobiles, call and see us. Demonstrations to Prospective Purchasers.

THE AMERICAN SPEED CHAMPIONSHIP National Business Show Chicago, February 6th, 1908. UNDERWOOD STANDARD TYPEWRITER. The winner of the Elmhurst, Ill. trial, net worth of one minute for 30 minutes.

A Paper for the Home THE OMAHA BEE Best in the West. Mr. Business Man GET YOUR NOON DAY LUNCH AT THE CALUMET DIAMONDS FRENZER, W & DODGE.

BOYD'S THEATER. To-Night and Tuesday—Special Tuesday Matinee. H. H. Frazar's Sensational Farce A KNIGHT FOR A DAY. One year in Chicago, 5 months in N.Y., with Eddie Redway, Elsie Herbold and George S. Brown.

ADVANCED VAUDEVILLE. Matinee Daily 2:30. Every Night 8:15. THE MAN ON THE BOX. BOEYON, March 23.—The annual report of the American Sugar Refining company of December 28, 1907, was issued to the stockholders today.

BURWOOD. Famous! Dose, 1500. Ind. 1500. Gorgeous Musical Spectacle "QUO VADIS" and the Dance of the Seven Veils. Company of 50—Societally Superb. Mat: Tues., Thurs., Sat. and Sunday. Seat Week—\$25. BURWOOD.

KRUG THEATER. To-Night—Last Time The Sensational Western Melodrama THROUGH DEATH VALLEY. TUESDAY—FOLKING FROM PUCK. MRS. W. W. TURNER Presents the Distinguished English EDWIN H. LEMARE. Grand First Night at the Church. THURSDAY EVENING, MARCH 26. Tickets—50c, 75c, \$1.00. Reservations at Schaefer & Mueller's Music Company, 1313 Farnam St.