

1510 DOUGLAS STREET ORKIN BROS. DOUGLAS STREET 1510 FORMERLY O. K. SCOFIELD CLOAK & SUIT CO

Great Sale of Beautiful, New Silk Dresses

Made to sell at \$20, \$22.50 and \$25. On Sale WEDNESDAY, at \$12.50

THIS great specialty house again announces a sale that will be the talk of Omaha.

Over 500 Silk Dresses that were purchased by our resident New York buyer at a wonderfully low price, will be placed on sale Wednesday morning, beginning promptly at 8 a. m. Every dress in this great sale is a beautiful new style. Some are tailor-made effects in draped or pleated styles of self materials, and others are embroidered or lace trimmed designs.

The materials are fine messalines, silk foulards, pongees and silk Aeoltons; all colors and sizes to choose from. Dresses made to sell at \$20, \$22.50 and \$25.00, on sale WEDNESDAY, at \$12.50

BRANDEIS STORES WONDERSFUL SALE of WOMEN'S SILK DRESSES For Street and Evening Wear



Worth up to \$25 and \$30 Each, at \$12.50

ON SALE WEDNESDAY, AT



A Score of the Newest Styles Are Represented

Dresses suitable for every possible afternoon and evening affair as well as for street wear. Many of the extreme new styles that are so popular in New York. [Among the white dresses are many in small sizes that makes them suitable for confirmation and graduation dresses.]

MATERIALS INCLUDE Taffetas, Foulards, Rajahs, Messalines, satins.

COLORS INCLUDE White, reseda, grey, tan, pink, blue, catawba, black.

Next Sunday is Easter and we offer the biggest sale of beautiful new silk dresses ever known in Omaha.

These dresses are all fresh from a New York maker's hands and there is real elegance and distinction in every garment he produces—many are elaborately tucked and trimmed with lace or braid. Some made with high girdle, in empire style—some with long trains, and others in walking length. Newest and most popular colors are represented \$12.50

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UNIVERSITY WINS ITS SUIT

Supreme Court Says Uncollected Appropriations Do Not Lapse.

SETTLES MUCH MOOTED QUESTION

Name Rating Applies to Trust Funds Held by State from Federal Government—Bill Signed.

(From a Staff Correspondent.) LINCOLN, April 6.—(Special)—The supreme court has issued a writ of mandamus requiring the state treasurer to pay a salary warrant of an instructor in the university, holding that the unexpended surplus of the amount of the one-mill levy appropriated by the legislature for the use of the university lapses, but that the uncollected portion of this appropriation does not lapse.

According to this decision the appropriation of the proceeds of the one-mill tax for the years 1907 and 1908 is an appropriation of the whole amount of the tax and not of that portion only which was actually collected during the biennium.

Section 15 article 3 of the constitution provides that appropriations shall end at the expiration of the first fiscal quarter after the adjournment of the next legislature, but the court has decided that under this provision it is not essential that the money be actually drawn during the two years for which the appropriation was made. In regard to grants of public lands to the state by act of congress for the support of the university and agricultural college, the court says the state becomes a trustee of such funds for the sole purpose of applying them to the objects of the grants and with no power to render them same to other purposes or to divert the general funds of the state. The acts of the legislature appropriating the income from said grants is a complete appropriation to the beneficiary of the income from such funds and the section of the constitution saying when appropriations shall lapse is not applicable to such trust funds so devoted by congress to a specific use.

Asks Modification of Decree. City Attorney Stewart has filed in federal court a motion asking for a modification of the decree in the case of the Lincoln Gas company against the city by compelling therein that part adjudging the occupation its ordinance invalid and granting a permanent injunction against enforcement of the allegations that the

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Invalidity of the same under the laws and constitution of the United States is not charged in the bill of complaint and no such issue was involved; that the bill of complaint prayed for no relief against such occupation tax ordinance; that the evidence adduced does not sustain such parts of the decree, and that the court was and is without jurisdiction to determine the question of the validity of such occupation tax ordinance under the laws and constitution of the state of Nebraska, or to enjoin the enforcement of the same.

He has also filed a motion asking the court to modify its opinion as follows: "Show in such opinion that the company's stock and bond issue cover both gas and electric light departments, and that the latter constitutes about one-third of the entire valuation of complainant's property.

"So that it may appear therein that the construction account is by the duplication of 1900 construction account, according to Mr. Honeywell's statement, and in testimony of Mr. Wiggins, also commission on sale of bonds, \$17,016, and costs of original plan, \$5,247, not now in existence.

"To show that the net earnings of \$22,852 for 1907, as admitted by the complainant, should be increased in the sum of \$9,606, the same being items improperly charged to expense.

"To show the actual cost to complainant for the years 1906 and 1907 for laying services and mains, and that the application of the same to complainant's entire system would show the reconstruction value of the same to be about \$100,000 less than the amount as shown by complainant's expert witness, given by the court in such opinion.

"To eliminate from the value placed on complainant's property the item of \$16,500 for gas ranges, for the reason that the same is not the property of the complainant and for the further reason that the cost of the same is charged to the expense account.

"To eliminate from the valuation of complainant's property the item of \$50,000 working capital for the reason that complainant is not entitled to earn dividends on that which it does not own.

"To refer to the occupation tax ordinance only as a matter for construction by the state courts."

Man Injured in Laundry. With his left arm broken in two places and his left shoulder dislocated by being caught in the machinery in the basement of the Merchants' laundry shortly after noon Tuesday, J. C. Peterson was taken to a hospital. He was working with the laundry engineer placing some additional machinery in the basement of the laundry

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when the sleeve of his shirt was caught in one of the belts. He was thrown around the wheel and his arm was caught between the shafting.

The injuries of Mr. Peterson are severe. For a time Mr. Peterson worked as an apprentice in the Havelock shops and is well known in that city. He had only been working for the Merchants' laundry a few days.

Phi Beta Kappa Honors.

The twenty-two seniors who won Phi Beta Kappa honors were notified Tuesday morning in convocation following the interclass debate between the seniors and the freshmen. Of the twenty-two who were selected for the honor, all but six were girls. The number who were granted the scholarship honor is less than usual. Phi Beta Kappa is based solely upon scholarship and each year, a certain percentage of the class is elected as members of the society.

The selection this year was made upon a basis of 87 1/2 for the four years of college work. The standard is usually set at about this figure. The highest percentage obtained by any one in the graduating class was 94, and this required ninety-nine hours of "B" work with eleven hours of "C."

A girl received these marks, her name not being made public. Lincoln students were awarded the greater number of Phi Beta Kappa. Nine students residing in Lincoln were given the honor: Omaha, Beatrice, Fairbury, Central City and Tecumseh were represented by one student. Two of those who were awarded keys reside in Iowa, one living in Logan and the other at Glenwood. The announcement was made by Prof. Stout.

Theta Kappa Nu Members.

Following the announcement of the winners of Phi Beta Kappa honors, Dean Costigan of the law college awarded four men with membership in Theta Kappa Nu, a law organization similar to Phi Beta Kappa, whose membership is based on scholarship. Those selected were: Arthur B. Bouton, Bellwood; Roy Carlberg, Bancroft; Carl Peterson, Osceola; Robert De Vore, McCook. The Phi Beta Kappa selections follow: Viola F. Barnes, Albion; Alice M. Barry, Hastings; Edwin G. Davis, Lincoln; Stuart P. Dobbs, Beatrice; Catherine C. Doyle, Fremont; Grace Estabrook, Lincoln; Camille Evans, David City; Marie B. Ferris, Central City; Helen A. Gray, Fremont; Edith A. Grimm, Lincoln; Helma L. Holmes, Tecumseh; Hattie Liberman, Fremont; Clara H. Miller, Logan, Ia.; Fay N. Myers, Fairbury; Anna Mary Rathke, Glenwood, Ia.; Ray J. Scarborough, Lincoln; Ann F. Shellman, Lincoln; Emma C. Steckelberg, Lincoln; Thomas R. P. Stocker, Auburn; Paul D. Thompson, Lincoln; J. E. Weaver, Lincoln.

Hayden Bank Stock Increased.

Hayden Bros. have filed amended articles of incorporation with the State Banking board, changing the name of their banking establishment to the Corn Exchange bank and increasing the authorized capital stock to \$500,000. The paid up capital is \$250,000, an increase from \$100,000.

New Bank for Tecumseh.

The First State bank of Tecumseh is a new banking institution which filed its articles of incorporation with the Banking board today, and the incorporators are A. N. Dafeo, Frank Dafeo, Caroline Dafeo and Mattie G. Dafeo.

Janitors at State House.

The Board of Public Lands and Buildings today made the following appointments of janitors: David Logan of Albion, being her 56th birthday anniversary. The number of nice presents as remembrances of the occasion.

ALBION.—The first purchase of municipal bonds by the state was made April 5, when State Treasurer Brian bought \$15,000 of Albion, aggregating the sum of \$18,000.

BEATRICE.—At a meeting of the Board of Education that evening the report of Superintendent Bodwell showed that the

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Spanish War Veterans. The appointment carries with it authority to name the department officers and appoint delegates to the state convention, which will meet in Omaha, April 27. The report also has authority to issue orders relating to the association in Nebraska.

BABY'S BODY FOUND BY HENS

Corpse Partly Eaten by Dogs Uncarried Near Albion.

ALBION, Neb., April 6.—(Special)—Saturday morning, D. I. Hunter, living ten miles northwest of Albion, was attracted by a number of hens pecking at some unusual substance in his yard. Upon investigation it was found to be the body of a boy baby, one arm and one leg of which had been eaten off by dogs. The coroner was immediately called and the remains of the baby are now in his custody pending the convening of a coroner's jury.

An examination of the little body indicated that the child was fully developed, but had received no care, which from appearance was about six weeks ago. Mr. Hunter has no neighbors nearer than a half mile, and his family which consists of himself and wife, a son and a daughter-in-law and their five-month-old babe, are unable to throw any light upon the mystery. The impression prevails that the child was buried in a very shallow grave, from where it was unearthed by dogs, and dragged to the home of Mr. Hunter.

An efficient detective employed by the county will be put to work on the case.

CHAMBERLAIN CASE AT BEATRICE

Trial of Tecumseh Banker to Close Up April 10.

BEATRICE, Neb., April 6.—(Special)—The case of the state of Nebraska against C. M. Chamberlain, the ex-banker of Tecumseh, has been set for hearing April 15 by Judge Pemberton. Arguments in the Chamberlain cases were heard before Judge Pemberton. The state entered a motion to dismiss the deposition of Clarence K. Chamberlain, a brother of the ex-banker, taken before a notary in Chicago for the reason that the prosecution was not permitted to question the witness. The court ruled that if he witness appears before the notary within ten days and submits to oral cross-examination the motion of the state will be overruled, otherwise the motion to quash will be sustained. Godfrey Hulshizer of Wymore, charged with selling liquor without a license, was arraigned and pleaded not guilty. He gave bond in the sum of \$50 for his appearance in court April 9.

Potomac Fatal to Child.

ALBION, Neb., April 6.—(Special)—The 6-year-old daughter of Henry Richards, a farmer living near this city, died suddenly yesterday morning of potomac poisoning after an illness of only twelve hours. The child had spent Saturday and Sunday with her grandmother at Newman Grove and what the little girl had eaten to bring upon her illness is not known. Dr. Prink of Newman Grove and Thompson of Albion were called and every effort possible to save the child was made.

Nebraska News Notes.

GENEVA.—Hagerman Tyson died at noon today, after a long illness, at an advanced age.

KEARNEY.—Clifton H. Howard, the noted temperance lecturer, spoke Monday evening to a large audience at the opera house. This was the windup of the city campaign.

BEATRICE.—Friends of Mrs. J. E. Reed gave her a surprise yesterday the occasion being her 56th birthday anniversary. The number of nice presents as remembrances of the occasion.

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BEATRICE.—At a meeting of the Board of Education that evening the report of Superintendent Bodwell showed that the

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average attendance for the last year was 2123, the largest in the history of the city school.

BEATRICE.—The city council met last night and granted a license to Mrs. A. H. Coon and her son, Leo, to operate a billiard room in the building owned by Mrs. A. E. recently took the management of the Pad-dock hotel.

BEATRICE.—A. S. Parrish, the veteran railroad man who was injured a few days ago by falling from a chute at the coal house in the Burlington yards, is slowly improving, and the attending physician is of the opinion that he will recover.

BEATRICE.—Word was received here yesterday announcing the marriage of Everett Gessell and Miss R. M. Gessell, former residents of this city, which took place at Lincoln Sunday afternoon. They will make their home in the capital city, where the groom is employed with Granger Bros. Hotel.

ALBION.—A very substantial building boom is now under way at Albion, some of the larger operations being, a city hall, a city gas plant, a telephone exchange, the remodeling of an extensive scale of the First National bank building and the large and modern residence of Robert Hutcheson.

KEARNEY.—E. J. Woolworth, a local real estate man, had his hand badly torn and lacerated in an alfalfa ripper, Saturday afternoon. Mr. Woolworth was an alfalfa ripper and while attempting to extract some material from the cogs on the side of the machine his hand was caught. The amputation of two or three fingers will be necessary.

GENEVA.—The body of William J. Burns was brought home today for burial. He died yesterday at 5 p. m. at the asylum at Hastings where he had been for some years. The funeral will be held at 10 o'clock Sunday afternoon at the home of Mrs. Frank Bailey's Saturday afternoon at 2:30 Sunday afternoon there was a rally of the Sunday schools of the town.

BEATRICE.—Miss Clara Smith, a former resident of Omaha, died at a local hospital last evening of Bright's disease, aged 28 years. She was formerly employed as a stenographer at the Electric Institute here, and was working in a similar capacity at South Canyon, Colo., when taken ill and brought to Beatrice for treatment. The body will be taken to Omaha Wednesday morning for interment.

PLATTSMOUTH.—In district court in Aurora, Judge Corcoran fined Virgil McFarland, a registered druggist, who was arrested two weeks ago on the charge of having violated the prohibition of the Sio-cumb law by the illegal sale of liquor in his drug store in Horville, the sum of \$20 and costs. McFarland formerly resided in this city and was married to Miss Olga, a daughter of Mr. and Mrs. A. P. Campbell.

FALLS CITY.—James McDowell dropped dead at his home in the east part of the city Sunday evening. Mr. McDowell had been quite ill in the winter and had complained of not feeling well on Wednesday of last week, but was able to be down town Saturday. Mr. McDowell was a retired farmer and was well known in this part of the city outside of his residence. He would have been 81 years old this month.

KEARNEY.—A contract has been let by the Union Pacific Railroad company to purchase the Dunlap, manager of the Watson ranch, for parking the right-of-way 90 feet back from the track. This season's work will comprise a strip two miles long, extending from the city outskirts to Watson's ranch. Alfalfa will be sown and the road now on the north side of the track will be changed to the south side.

HARVARD.—A district Sunday school convention was held in this city yesterday. It was well attended and much interest shown. In the evening all the churches joined in the service at the Methodist church, where interesting addresses were made by Rev. A. G. Foreman on "Qualification of the Superintendent," Dr. A. J. Jensen, "The Teacher," and Superintendent A. V. Clark on "Temperance." Following these addresses a set of resolutions was unanimously adopted asking Governor Shallenbeger to sign the daylight saloon closing bill.

BEATRICE.—A petition to have "Prog-ressive" school hours moved from the line running between Oka and Pawnee counties back into Gage county, about one mile, was filed with Miss Anna Day, county superintendent, yesterday. There was also

a remonstrance filed to prevent the removal of the school building, and to add the complicated affair some of those who signed the petition to have the school building removed have also placed their names on the remonstrance papers. The matter will be settled by Miss Day and County Superintendent Avery of Pawnee county.

GRAND ISLAND.—Five representatives from the musical department of the Women's club of Hastings gave a program here yesterday afternoon for the St. Cecilia society of this city and over 150 guests. The affair took place in Odd Fellows' hall and was most of a pleasant social event. The visiting musicians were: Mrs. A. E. Turner, soprano; Miss May Rees, violin; Miss Eunice Munson, piano; Miss Elizabeth Blaker, accompanist; and Mrs. Richard Yardley, cello. The hall was elaborately decorated and after the program light refreshments were served. The musical refreshments were a reciprocal one, four members of the St. Cecilia society having appeared in Hastings on a similar occasion, March 17. The clubs of Kearney and Grand Island have an exchange in this way last



Brandeis Stores

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Best Spring Tonic

Doctors of All Schools Agree That the Best Tonic-Stimulant to Build Up the System, Run Down and Weakened by the Long Strain of Winter, and to Drive Out Spring Fever and Malaria is Duffy's Pure Malt Whiskey.

As a tonic and stimulant it is the greatest strength-giver known to science. It detroys disease germs and by its building and healing properties restores tissues in a gradual healthy natural manner. It is a wonderful specific in the treatment and cure of consumption, pneumonia, gripple, bronchitis, coughs, colds, malaria, low fevers, stomach troubles, and all wasting, weakened diseased cases conditions, if taken in time.

We take the liberty of publishing a few of the thousands of letters received from leading doctors extolling the merits of this great Spring tonic and invigorator.

Effective Stimulant. In a recent letter A. J. Park A. M. M. D. of 820 E. 50th St. Chicago, Ill., writes: "I am too busy to write my opinion, experience and results of the ministrations of Duffy's Pure Malt Whiskey to weak, feeble and debilitated patients, but will repeat emphatically and pointedly, my confidence in the purity and remedial excellence of your Malt Whiskey. It is a first-class and most effective stimulant, and meets every indication where a stimulant is needed."

Prescribes It. K. M. Teigan, Ph. D. M. D. of 1123 26th Ave. N., Minneapolis, Minn., wrote in a recent letter: "During the last nineteen years I have frequently, when alcoholics have been indicated, prescribed Duffy's Pure Malt Whiskey for my patients because it agrees with them better than any other. Without solicitation from you, or any of your representatives, permit me to say that I consider Duffy's Pure Malt Whiskey the purest and very best synthetic product on the market."

Only Pure Whiskey. "I have received the sample of Malt Whiskey and believe it to be the only pure whiskey I have sampled for many years. I have been a victim of indigestion for 15 years, and find that I have received more benefit from Duffy's Pure Malt Whiskey than all the other medicinal drinks I have taken. I have taken a teaspoonful after each meal, for eighteen days, and I can scarcely find language to express the relief I have found while I have been taking it." D. Bonfield, M. D., 287 Archwood Ave., Cleveland, O.

If you wish to keep young, strong and vigorous and have on your cheeks the glow of perfect health, take Duffy's Pure Malt Whiskey regularly, according to directions. It tones and strengthens the heart action and purifies the entire system. It is recognized as the world's leading medicine everywhere.

CAUTION.—When you ask your druggist, grocer or dealer for Duffy's Pure Malt Whiskey be sure you get the genuine. It's the only absolutely pure medicinal malt whiskey and is sold in sealed bottles only—never in bulk. Look for the trade-mark, the "Old Chemist," on the label and make sure the seal over the cork is unbroken. Price \$1.00. Write Consulting Physician, Duffy Malt Whiskey Co., Rochester, N. Y., for a free illustrated medicinal booklet and free advice.

Announcement!!

We wish to announce that we have moved from 303 North 16th street to 1617 Farnam Street, and now have one of the most up to date bird stores in the United States.

We have moved into the business district to make it convenient for our patrons knowing they will appreciate it, and hope they will continue their patronage.

Special Easter Sale Genuine Imported German Canaries our guaranteed \$4.00 Singers at only \$2.95



Max Geisler Bird Company 1617 Farnam Street.