

**Nebraska**  
**WILLIAMS' CLEAN BILL USED**  
 Burlington Springs in Case Where Fire Damages Are Urged.  
**NORMAL BOARD WAR BEGINS**  
 Auditor Will Refuse to Recognize Vouchers of Members of New Body and Litigation Starts.

(From a Staff Correspondent.)  
 LINCOLN, April 13.—(Special).—The Burlington railroad this morning, through its general manager, G. W. Holdrege, took refuge behind a report made by J. A. Williams, ex-railway commissioner, when complaint was made by Deata E. McConnell of damage to her property by reason of a bad crossing of the railroad.

The complaint of Mrs. McConnell was sent by the railway commission to the Burlington for some action. This morning Mr. Holdrege returned to the commission a copy of an injunction secured by the Burlington against John McConnell, whom Mr. Holdrege said he supposed was the husband of Mrs. Deata McConnell, to prevent him from destroying the railroad property and he also returned a report made by Judge Williams of his investigation of the McConnell report against the Burlington.

In this report Mr. Williams gave the Burlington a clean bill. He said he had carefully investigated the complaint of McConnell of numerous fires started by the engines of the Burlington, but the fires complained of, the report said, did not damage the property of McConnell. Further, the report said McConnell had refused to permit the railroad to burn a fire guard on his land which abutted the right-of-way of the railroad and this Judge Williams held was necessary to prevent the fire if the railroads continued to use coal in their engines.

The report of Judge Williams said further that when the commissioner reached the McConnell property and met the owner to discuss his complaint McConnell began to abuse and vilify him because the commissioner had given him no relief, when as a matter of fact the commission had done all it could do and the railroad had done its best to prevent fires. The request of the railroad to burn a fire guard on the property of the individuals which joined the railroad's right-of-way, Judge Williams said, was not thought unreasonable by McConnell's neighbors. The McConnell family lives near Somerset and the complaint of the head of the household was investigated by Judge Williams last October.

**Chance to Test New Law.**  
 An opportunity is at hand to test the validity of the act of the late legislature to charge \$69 for listing with the secretary of state the resident agent of foreign corporations. Heretofore this charge has been nominal, 30 cents, but the late legislature increased the fee to \$69. So far no corporation has paid the increased fee.

This morning an electrical company of Omaha sent down the name of its agent, who takes the place of its retiring agent, and the company failed to send the necessary \$69 fee. The company has been notified of the change in the law and the agent of its new agent is held up pending the receipt of the \$69.

**Valuation Law Includes Street Lines.**  
 If the street railways of Omaha and Lincoln have an idea that Senator Ransom saved them from the operations of the physical valuation bill when he saved the bones of the stock yards, they are another guess coming. Under a ruling of the state railway commission the bill applies to street railways. The commission bases its construction on this section: "Sec. 2. The term public-service corporation when used in this act shall mean and embrace every railroad, railway, telegraph, express, telephone and the railroad transportation property of stock yard companies."

The commission today mailed out to a number of prominent engineers in various parts of the country copies of the law and invited them to make suggestions regarding the enforcement and also to submit propositions to attend to the work under its provisions. In its statement to the engineers the commission said it referred to street railway companies. The general impression prevailed among the legislature that street railways had not been included in the bill.

**Normal Board Fight On.**  
 The warriors are on the ground for the battle over the control of the state normal schools. Colonel Major of the new board created by the democratic legislature and Dr. Shelton of the senate city, a member of the old board, held a conference with the attorney general, the state auditor and the state treasurer today and he has decided his line of action. The entire matter will be placed up to the state auditor. When the new board meets tomorrow and organizes and then presents to the state auditor the vouchers for expenses of the members, the auditor will refuse to issue the warrants. He will hold that he is undecided whether the members of the new board are entitled to the money. So this will tie up matters until someone brings suit against the auditor to force him to issue the warrant.

**HAYDEN'S SKIRT SALE**  
 THE RELIABLE STORE  
 EXTRAORDINARY  
 Our New York buyer secured the entire Skirt Stock of Meyer Isaacs, Green street, New York, for cash at 50c on the dollar.  
 Panamas, Voiles, Serges and fancy mixed fabrics in the very newest styles and best colorings, not a skirt in the lot worth less than \$5 and up to \$10. All at one price Wednesday. **395**  
 Your unrestricted choice  
**OTHER ROUSING SPECIALS**  
 HOMEMADE HOUSE DRESSES  
 Regular \$1.50 to \$2.00 values  
 Wednesday, at choice **98c**  
 75c Challie Dressing Sacques **35c**  
 \$3.00 Heatherblond Underskirts **\$1.19**  
 in colors and black, at  
 Another Big Sale  
 Thursday  
 Watch For It. **HAYDEN'S**  
 THE RELIABLE STORE

**Nebraska**  
 Such a suit would establish the constitutionality of the new law.  
 Treasurer Brian who is a member of the old board and of the new by virtue of his position as state treasurer, will refuse to meet with the new board, but will hold that the law creating it is no good from a legal standpoint.

**New Treasurer Examined.**  
 Samuel Nies of Neligh is expected to arrive shortly and qualify as a county treasurer examiner under appointment by Auditor Barton. Mr. Nies was formerly county treasurer and also county superintendent of Antelope county.

**Kearney Bonds Unregistered.**  
 Auditor Barton has refused to register a bond issue of \$100,000 by the city of Kearney for the purpose of constructing a city water works plant. Mr. Barton's reasons for the refusal are contained in the following letter to the city clerk of Kearney, Mr. George E. Fard:

I have had before me for consideration the history of the action of the council of the city of Kearney relative to the issue of water works bonds in the sum of \$100,000, and beg to state that I cannot register same, for the following reasons: The ordinance providing for the calling of the special election, and not mentioning the time the bonds are to run and rate of interest they are to bear, nor when they are optional. The last ordinance provided for the issuance of these bonds specified in regard to this matter, but such ordinance was passed after the election was held and the result declared. The bonds were voted October 13, 1907, and were never issued until January 1, 1909—fifteen months later, which leads me to believe there was some doubt in the mind of the council of the city of Kearney as to their validity.

But greater than all of these, there is a grave question, and for which I hesitate to register them, and that is the constitutionality of the act under which they were voted.

**Opinions of Supreme Court.**  
 The following opinions of the supreme court were filed today:  
 Smith against Hofeldt. On rehearing former judgment of reversal vacated and judgment of district court affirmed. J. dissenting. C. dissenting. C. dissenting. C. dissenting.

Currier against Teske. On rehearing former judgment of this court vacated and judgment of district court affirmed as to all defendants except Walter Schmiedke and reversed as to said Schmiedke. Letton, J. dissenting. C. dissenting. C. dissenting. C. dissenting.

Butler against Secrist. Reversed and remanded. Rose, J. dissenting. C. dissenting. C. dissenting. C. dissenting.

Erkel against Erkel. Reversed and remanded. Good, C. dissenting. C. dissenting. C. dissenting. C. dissenting.

Ervin against Montgomery. Affirmed. Duffie, C. dissenting. C. dissenting. C. dissenting. C. dissenting.

Butler against Secrist. Reversed and remanded. Rose, J. dissenting. C. dissenting. C. dissenting. C. dissenting.

**Nebraska**  
**Mrs. Chas. Wooster**  
**Renews Her Suit**  
 She Again Applies for Divorce from Fusion Politician—All Efforts to Agree Fail.

CENTRAL CITY, Neb., April 13.—(Special).—Dropping the charge that her husband would not give her any rest because she would not decline him, she loved him better than she loved God, but making more prominent the claim that he threatened to commit murder if he was compelled to live with her any longer, Lillie M. Wooster has started another suit in the district court of Merrick county against her husband, Charles Wooster, asking for an absolute divorce and alimony.

The first suit was started several months ago and after dragging along in the courts and after repeated continuances had been granted it was dismissed at an equity session about two weeks ago, when the plaintiff was not ready for trial at the time set. It was thought then that a reconciliation between the parties would be effected. Evidently all efforts in this line have failed.

The main grounds upon which Mrs. Wooster asks for a divorce are extreme cruelty. She claims that only a few months after they were married in 1881, Wooster smashed down the door of the room where she had fled for refuge, and the door struck her on the head and rendered her unconscious. She claims on several occasions he beat her and used profane and vulgar language toward her and repeatedly ridiculed her belief in God and taught their children to do the same. She claims that she left him in 1886, because he threatened that if he was compelled to live with her any longer he would commit murder. She has since been making her home with friends in Portland, Ore., but claims that she has not relinquished her residence in Merrick county. She claims that when she returned to her home she brought with her \$1,200 which she had in her property, and in her demands for alimony and a division of the property she asks that this \$1,200 be taken into consideration. She claims that Wooster has real estate to the value of \$11,000 and personal property valued at \$3,000.

Wooster has been prominent in state politics for a long time, being representative from Merrick county in the state legislature and at one time prominently mentioned for fusion nominee for congressman from the Third congressional district. He resides at Silver Creek.

The case will probably be tried out at the next regular term of the district court.

**Court Affirms**  
**Case from Wayne**  
 Holds License Procedure Could Not Be Corrected in Court—Katieman Wins from Omaha.

(From a Staff Correspondent.)  
 LINCOLN, Neb., April 13.—(Special Telegram).—In the Wayne liquor case, wherein appeal was taken from the district court because it refused to raise the city council of Wayne to reconvene and take evidence on the application of Peter Thomson for a liquor license, the supreme court has affirmed the decision of the lower court. The court held that while a license should have been granted Thomson, yet the error could not be corrected in the district court.

Jacob Katieman won his case against the city of Omaha in which he sought to secure an order from the court to force the city to pay him \$300 for some property condemned for boulevard purpose. The city attempted to hold out some \$200 by reason of special assessments taken from the property. The property had been appraised at \$1,000, the court said, and the appraisal accepted by the council and the warrant issued. The city should at that time have claimed its lien upon the money, but having failed to do so it must now pay the full amount of the warrant.

In the court said:  
 A freeholder otherwise qualified to sign a petition for a liquor license is not disqualified because he is not personally acquainted with the applicant, or does not know that he is a man of reputable character and standing in the community. If a freeholder is a restaurateur, under the order of the excise board granting a saloon license, he is not disqualified from testifying in that proceeding to receive testimony that he was offered by demonstrators and excluded by said board.

**Thrown from Horse**  
**Under Car Wheels**  
 Irwin Wilds of Chappell Seriously Injured from Riding Broncho Too Near Train.

CHAPPELL, Neb., April 13.—(Special).—One of the worst accidents in this vicinity for years happened yesterday near Turner Wilds' place, four miles west of town, to his son, Irwin Wilds, who was riding a broncho. At that time a freight train was passing the place and young Wilds rode the animal up toward the train, when it began bucking and threw him off next to the moving train, which cut off one of his hands and badly mutilated his head, tearing the flesh and making seventeen scalp wounds. At noon today he had not regained consciousness. The attending physician thinks he will recover, as the skull has no fractures. Young Wilds is about 15 years of age and one of the best liked boys in the community.

**Narrow Escape of Two Women.**  
 WYMORE, Neb., April 13.—(Special).—While driving home from church last evening Mrs. R. E. Tucker and her daughter Cleo escaped serious injury by a narrow margin. They live across Indian creek and it was while on the bridge across the stream that the accident occurred. The train at a pool of water on the banks of the creek backed the buggy off the bridge and down a twenty-foot embankment. The girl jumped from the buggy in time to save herself, but Mrs. Tucker and the horse went into the creek. Some young men going to their homes in the country happened to be near and saved Mrs. Tucker from drowning, and also rescued the horse. Mrs. Tucker, aside from a few minor bruises was uninjured.

**Young Man Left to His Fate.**  
 FALLS CITY, Neb., April 13.—(Special).—Sheriff Penton has in charge the man who was charged two years ago with forging checks on many banks in this section of the state. He gave his name as Frank Howland and until lately has been farming west of Stella. He has been married since the check trouble. After having a sale two weeks ago he went to Dawson and hired

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 a team at a livery barn, but never returned the horse. The sheriff was notified and the team was found tied to a hitching rack at Verdun, from which place he had taken the train for Oklahoma, where his father lives. After reaching Kansas City he decided to return to Dawson, which he did, to be met by the sheriff with a warrant and taken to the county jail. His father came here to see what could be done for his son, but after hearing the facts in the case decided to leave the boy to his fate, and returned home. Howland will probably be turned over to the Bankers' association to deal with as it sees fit.

**Divorce Matters**  
**in Dodge County**  
 Court Occupied with Them Almost to Exclusion of Other Business—Persons Involved.

FREMONT, Neb., April 13.—(Special).—An equity term of the district court is being held here this week. Judge Hollenbeck presided yesterday, and today Judge Thomas is on the bench. Agnes Lester was granted a decree of divorce from Henry on the customary ground of cruelty and desertion. The court held the case under advisement for some time.

The two divorce cases of Horst against Horst and Staats against Staats, which are of a sensational nature, are set for trial. It is doubtful if the latter ever reaches the court. An array of counsel are ready, but neither party appears to be. Last summer Staats brought a suit against Louis Kreyenberg, a prominent and well-to-do citizen, for the alleged alienation of his wife's affections, claiming \$20,000 damages. The defendant made arrangements for a vigorous defense and the plaintiff dismissed his case, after bringing an action against his wife for divorce on the ground of undue intimacy with parties at Council Bluffs and St. Joseph, Mo. While at St. Joseph he caused her arrest on the ground of adultery, but the case does not appear to have even reached a hearing. Mrs. Staats came back from Chicago and employed an attorney, who procured an order for suit money and filed an answer setting up some sensational charges. On account of the prominence and wealth of the parties and the character of the charges the case has attracted a good deal of attention.

**Woman Suffers from Exposure.**  
 GRAND ISLAND, Neb., April 13.—(Special).—Mrs. Dick Steinbeck, widow of a farmer who passed away about a year ago in a temporary aberration of mind, wandered away from the home of relatives during the night and was not found until twelve hours later, when the deputy sheriff located her in the underbrush along Wood River. Her clothing was wet and torn and she was suffering intensely from the exposure. She had evidently been in the river, which, however, is shallow at most places. The woman is receiving the best of attention at the hospital in this city.

**Nebraska News Notes.**  
 PILGER—H. Spence and wife of this place will take possession of the hotel on Lincoln street at the present owner, will retire from business.  
 BEATRICE—The city council met last night and canvassed the vote of the late city election. The prohibitive majority was cut down from 108 to 103 votes.  
 BEATRICE—Thieves early this morning raided the hardware store of D. A. Lasher at Moore and stole a quantity of razors, knives and revolvers. There is no clue.

BEATRICE—The funeral of the late C. H. Summers was held today at 1 o'clock at the family home west of the city, the service being conducted by Rev. J. E. Davis.  
 PLATTSMOUTH—At noon Sunday in the home of Dr. and Mrs. C. A. Marshall occurred the marriage of Hugh Tilton, a former resident of this city, and Nellie Robertson, which occurred at Lawton, Okl.  
 BEATRICE—C. E. Hammett, who has been foreman of the wooden windmill department of the city for two years, will probably locate in Kansas City.

MIRASOLA CITY—George Goldsberry and Henry H. Hensler, two young men of this city, were married last evening by Judge Tilton. None was present but a few relatives and friends. The ceremony was held at the home of the bride, where he will conduct another revival.  
 BEATRICE—Following a heavy rain here Sunday the water in the river here fell dropped down to the freezing point. It is the general opinion that the fruit buds are not far enough advanced to suffer from cold weather.

PILGER—A base ball team was organized last night. W. W. Vaughn, cashier of the Farmers National bank, is manager and secretary. New uniforms will be provided and prospects are bright for a good team.  
 PILGER—The Methodists will build a \$500 church this summer. The old building which was used in the past, will be used in the new. The church when completed will seat about 200 people. It will be dedicated by July 1.

GENEVA—The weather here has been unusually windy and cool, at night falling as low as 20 degrees above and at no time falling below the freezing point. Last night there was a frost and the mercury went to 34 above.  
 PLATTSMOUTH—Attorney C. A. Rawls, ex-county attorney, has gone to Grand Colo. to look after the landed interests of the Plattsmouth capitalists until that property is disposed of, then he and his family will make Boise, Ida., their home.  
 PLATTSMOUTH—Fred Murphy and wife have returned from Havana, Cuba, where he has been employed in the War department for several years. Mr. Murphy will report for duty in the federal building in Omaha about the first of next month.

GRAND ISLAND—Three deaths have occurred at the Soldiers' Home in a single day. The first was that of Mrs. M. J. Omaha, aged 62 years; James B. Thomas, aged 65 years, and Mrs. Emmet Knappen, aged 61 years. Interment will be made in the Home cemetery in all cases.  
 DICKENS—An unimproved section of land three miles northwest of here sold for \$100,000. The land is a fine tract, a sample of the way land is selling in this locality and considerable is changing hands. Less than ten years ago the land was selling for less than \$1,000 a section.  
 CHAPPELL—The Odd Fellows' hall is being erected and when done will be the finest in the city. The new hall will be on the corner of the street and the Odd Fellows will have a fine new building. The Odd Fellows now own their own hall and both

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 are a credit to towns much larger than Chappell.  
 BEATRICE—Word was received here yesterday from Lincoln announcing the death of Mrs. Minnie Zapp, former resident of this county, which occurred at that place yesterday. Deceased was born in Germany in 1822 and leaves two children to mourn her death. The body will be brought to Beatrice for interment.  
 GENEVA—Mrs. William Fulton, wife of County Judge Fulton, underwent a serious surgical operation Sunday morning. Dr. Bixby of Geneva and Dr. Fitzsimmons of Omaha were the attending physicians. The operation was successful and Mrs. Fulton is doing very well. Her sister, Mrs. Lewis of Des Moines, Ia., is with her.  
 BEATRICE—Frank McColely, who left Beatrice last winter before an order enjoining him from taking his child out of the jurisdiction of the court, was served on him, returned yesterday. The restraining order was secured by Belle McColely, who had previously begun divorce proceedings. Mr. McColely has secured legal talent and will fight the case.

PLATTSMOUTH—While visiting at the home of her daughter, Mrs. Oscar Zink, in this county, Mrs. A. D. Beach died with pneumonia, aged 70 years. She is survived by a husband, one son and two daughters, one being Mrs. Miller in Omaha. Rev. J. H. Andrews preached the funeral sermon in Woodstock Sunday.  
 NEBRASKA CITY—The home of Lara Anderson, at the corner of Fourteenth street and Third avenue, was entered by burglars Sunday night. Nearly all of their silverware was taken. Entrance was effected by breaking a window and entering. This is the third house robbed in that part of the town within that many days and in each instance only silverware was taken.  
 NEBRASKA CITY—Monday morning the cooper shop of Vaughn & O'Brien was destroyed by fire. The loss is something like \$3,000, and a right insurance.

The firm had just unloaded several cars of new barrel material. It is thought that the origin of the fire was incendiary, as a tramp was seen to leave the shop a short time before the fire and there had been no fire in the place for several days.  
 NEBRASKA CITY—Mayor Logan F. Jackson, the newly elected mayor, took the oath of office this morning and with the members of the city council was duly installed in their office. The other officers took their oath of office last evening during the meeting of the city council. Next Monday evening the new police force, street commissioner and other city employees, to be appointed by the mayor, will be made public.

NEBRASKA CITY—Last evening the property of the Citizens Gas company of this city was sold by a special master in possession of the court. The company is C. L. Coor of Chicago, who represented the bondholders. The price paid was \$6,000, it being the highest bid. The company is to be reorganized and the plans outlined and related at the main extension.  
 GRAND ISLAND—While it was expected that several applicants for saloon licenses would drop out after the passing of the 8 o'clock closing bill, the competition has so far been withdrawn. Several changes, however, are being made, and it is understood that in one or two cases administration pressure and suggestion has been brought to bear, and that the changes have been made in order to avoid refusal of license.

BEATRICE—Word was received here yesterday from Lincoln stating that Charles Frank, a Rock Island detective who is well known in Beatrice, was severely injured by being thrown from a caboose. He was standing on the rear platform of the car when the train gave a sudden lurch, throwing him to the ground. He fell on one of the rails, sustaining three broken ribs and severe bruises about the body. He was removed to his home at Fairbury.  
 GRAND ISLAND—The dates have been fixed for the next annual convention of the Nebraska Travelers' association, which will be held at Grand Island, Neb., on the 17th, 18th, 19th, 20th and 21st of this city. The local U. C. T. will have its annual picnic at Scullman's lake, as a feature of the entertainment exercises. Mr. Sheldon, a noted lecturer on commercial salesmanship, will be secured for an address. The arrangements are in the hands of the officers of the state association, the local U. C. T. and the Commercial Club.

GRAND ISLAND—At the meeting of the city council last evening report was made by the committee instructed to circulate a petition permitting existing property owners in the paving district to vote for the kind of pavement he desired. Over fifty votes were recorded for brick, as against five for wooden blocks and three for cement. The council therefore adopted a resolution, unanimous vote, in favor of the cement base and brick top and instructed the surveyor and committee on paving to engineer to make plans and specifications.  
 CENTRAL CITY—Amanda B. Wetherell has started suit in the district court against Frank C. Adams and Mrs. Adams, wife, for the possession of an eighty-acre tract of land lying near Clark, and the rent on the same. The Adamses were married in 1860. Mrs. Wetherell and Mr. Adams are mother and son and were a short time ago involved in a fight over the ownership of some property, the son claiming that the mother had agreed to give him certain property in lieu of his care for her as long as she lived. The suit resulted in a victory for the mother.

FALLS CITY—The high wind of the last few days did considerable damage in and near Falls City. The smokestack at Heacock Mill was blown to the ground, taking with it the chimney and electric light poles, one pole being broken in three places. Several chimneys were blown down and the plate glass windows in Lyon's bakery were broken. A couple of cars were blown off the track at Stratusville. Two miles telephone poles and wires were blown down just north of the old Meyers place, destroying all connections north of this city. It will be a week before the damage can be fully repaired. The Bell telephone system also had some of its wires destroyed.

Quick Action for O'Rourke—You get that by using The Bee advertising columns.

**The Weather**  
 FOR OMAHA—Possibly showers.  
 FOR NEBRASKA—Increasing cloudiness, with rain in north portion.  
 FOR IOWA—Showers with rain in north portion.  
 Temperature at Omaha yesterday:

Hour	Deg.
6 a. m.	51
7 a. m.	51
8 a. m.	51
9 a. m.	51
10 a. m.	51
11 a. m.	51
12 m.	51
1 p. m.	51
2 p. m.	51
3 p. m.	51
4 p. m.	51
5 p. m.	51
6 p. m.	51
7 p. m.	51
8 p. m.	51
9 p. m.	51
10 p. m.	51
11 p. m.	51
12 m.	51

**Local Record.**  
 OFFICE OF THE WEATHER BUREAU, OMAHA, April 13.—Official record of temperature and precipitation compared with the corresponding day of the last three years:

Year	Maximum temperature	Minimum temperature	Mean temperature	Precipitation
1909	58	32	45	0.00
1908	58	32	45	0.00
1907	58	32	45	0.00

**Reports from Stations at 7 P. M.**

Station	Temp.	Wind	Clouds
Bismarck	40	W	bc
Chicago	36	W	bc
Davenport	48	W	bc
Denver	44	W	bc
Harve	44	W	bc
Helena	44	W	bc
Kearney	44	W	bc
North Platte	44	W	bc
Omaha	44	W	bc
Rapid City	44	W	bc
St. Louis	44	W	bc
St. Paul	44	W	bc
Salt Lake City	44	W	bc
Valentine	44	W	bc
Williamson	44	W	bc
Yankton	44	W	bc

L. A. WELSH, Local Forecaster.

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 The Santa Fe carries newest style tourist sleepers every day on three of its four trains between Chicago, Kansas City and California. The fastest tourist sleeper service to California.  
 Three times a week these excursions are personally conducted. Our de luxe folder, "To California in a Tourist Sleeper," tells how cozy the cars are, and how economical—Free on request.  
 California home-seekers should ask for San Joaquin Valley land folder, telling all about the greatest irrigated valley in the world where intensive farming pays largest profits.  
 Samuel Larimer, Pass. Agt., Until April 30 one-way colonist tickets to California are on sale at \$33 from Chicago and \$25 from Kansas City.  
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