

Nebraska

BRIEF IN NORMAL CASE

Attorneys Come Into Court with Argument on New Law.

STATE FAIR COMES OUT WELL

In Spite of Decreased Receipts, Due to Rain, No Deficit is Likely in Treasury as it Stands.

(From a Staff Correspondent.)

LINCOLN, Sept. 11.—(Special.)—The brief of the state wherein the attorney general is testing the legality of the act passed by the late legislature which created a new state normal board, was filed in the supreme court today, Attorney General Thompson and E. C. Calkins appearing for the state.

The brief contends that the act is unconstitutional because it is contrary to the provisions of the constitution, which provides that no act shall contain more than one subject, which shall be set out in its title. It contends that the subject of the bill is not contained in its title and that the amendments are not germane to the original act. The amendments even provide that the persons appointed to the board must be men of standing and education. This provision, the brief says, serves no purpose except to indicate what kind of men the governor might appoint unless restrained. Under the simpler policy the title of American citizenship was a sufficient qualification for the board.

The attorney general discusses the following points: The bill contains more than one subject and neither is expressed in the title. The act in question violates the constitutional provision that no law shall be amended unless the new act contains the section or sections so amended. The brief argues there is no misjoinder of action and that T. J. Majors is not eligible to serve on the board, even if the act is held to be constitutional, which the brief does not seem probable.

The appointment of Colonel Majors, the brief says, is in violation of that section of the constitution which provides that no person elected to the legislature shall receive an appointment to a civil office at the hands of the governor and senate during the term for which he is elected.

**Fast Train Schedule.** The fastest train schedule on file with the Railway commission has been filed by the Union Pacific, which shows a rate of 29.9 miles an hour, including stops, between Council Bluffs and Denver. This is train No. 11 and the trip is made in 14 1/2 hours. No. 18, the east-bound train, has a schedule of 28.5 miles an hour, including stops.

**No Deficit at Fair.** Though the receipts of the state fair this year amounted to \$77,000 less than a year ago, all expenses of the fair will be paid and there will be no deficit. The receipts this year are estimated at \$82,000, against \$79,000 for 1908. The expenditures will take about all of the receipts.

Inasmuch as the fair was favored with good weather for only two or three days, the remainder of the time it having rained, the board feels very gratified at the way the people turned out to save the day. The board will have practically nothing to go on now for permanent improvements which it expected to make before the next fair.

**Building and Loan Grow.** Secretary Royce of the State Banking board has completed the compilation of the reports of the building and loan associations for the year ending June 30, 1909, which show a marked increase in the amount of business of these associations. Following is a statement showing the increases and decreases in the assets and liabilities of the building and loan associations of the state of Nebraska during the fiscal year ending June 30, 1909:

Table with columns: Assets, Liabilities, and various financial metrics for building and loan associations.

**United Brethren Conference.** The third day of the United Brethren conference, being held in this city, was marked for increased interest and attendance. Friday afternoon's session was taken up with an address by Rev. J. M. Mase, presiding elder of the United Evangelical church, who is a fraternal delegate to the conference.

**Man Jumps from Train.** DOCHESTER, Neb., Sept. 11.—(Special.)—Last night, while coming home from the state fair, a man, for some unknown reason, crawled from the car window and dropped in the ditch while the train was running at a high speed. Several Dochester people saw him jump and thought that he was intoxicated and feared that the conductor would put him off. The section men went out in search of the man, but he could not be found. It is thought that he got aboard the next section of "dolly."

**Red Willow Old Settlers.** MCCOOK, Neb., Sept. 11.—(Special.)—The old settlers of Red Willow county held their annual reunion at "Brookside Farm," Red Willow, this county, yesterday, with quite a sprinkling of the first settlers of 1871 and others present. A big basket dinner, some talks and an interchange of

"Tid Bits"

The little book in every package of Post Toasties

Tells how to make two dozen or more good things better.

AT GROCERS.

Nebraska

Table with columns: Other assets, Total, LIABILITIES, Capital stock, Full paid stock, Undivided profits, Due stockholders on incomplete accounts, Premiums unearned, Advance dues, Other liabilities, Total.

Table with columns: RECEIPTS, Balance on hand July 1, 1908, Dues, Interest, Premiums, Loans repaid, Real estate sales, Rents, Other receipts, Total.

Table with columns: EXPENDITURES, Loans, Salaries, Commissions, Other expenses, Withdrawal earnings, Matured stock dues, Full paid stock earnings, Other expenditures, Total.

Attempt Made to Wreck Train

Telephone Lineman Discovers Spikes and Notifies Agents of the Company.

FAIRBURY, Neb., Sept. 11.—(Special Telegram.)—An attempt to wreck Rock Island train No. 17 just west of Plymouth last night was frustrated by the finding of seventeen sets of spikes placed in such a manner as to damage the train if it struck them. A telephone lineman driving across country saw the spikes and went to the tracks and displaced them. He then hurried to the station and reported his find. The dispatcher's office in Fairbury was notified and orders were forwarded to the train crew to be on the lookout for further attempts. The matter had been reported but a few minutes when the first section of No. 17 came into Plymouth loaded with people returning from the state fair at Lincoln. The first section was closely followed by a second section fully as crowded with human freight and it is hard to guess what the result might have been had the train wreckers' plan carried out.

No definite clue as to the identity of the would-be wreckers is known, but the Rock Island is making every effort to locate the parties. At Plymouth it was reported that a group of foreign laborers had been discharged the day previous and many thought the train wreckers might be some of the displaced men.

**YORK NEARLY FREE OF DISEASE**

Quarantine Will Soon Be Raised— "Enlarged" Stories Told.

YORK, Neb., Sept. 11.—(Special.)—York people are indignant because of numerous sensational reports circulated in Nebraska that the city has a plague here and that numerous cases still exist to the danger of public health. The club has found one instance where a person had to insist on a ticket agent selling a ticket for York and numerous instances where the condition at York was grossly exaggerated.

By request of the Commercial club of York, its physicians, county and city Board of Health of York, they wish to make a statement that there has been no case of spinal meningitis in the city of York. Early in the summer a disease that principally affected children under 11 years of age, appeared at and near Stormburg, and from there spread until it reached York in the morning.

**Opponents of Plan Hear'd It as Scheme of Real Estate Men.**

BROKEN BOW, Neb., Sept. 11.—(Special.)—The division question has been voted on many times in this county, and it will again come before the people in November. With one exception in the early history of the county, the proposition has been defeated by overwhelming majorities, and there are indications that this year county division will be more unpopular among the general taxpayers living at a distance from the prospective county seats than it has been in other years.

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**Chicago Merchant Makes Statement.** After Spending Thousands of Dollars and Consulting the Most Eminent Physicians, He Was Desperate.

CHICAGO, ILLS.—Mr. J. G. Becker, of 134 Van Buren St., a well-known wholesale dry goods dealer, states as follows: "I have had catarrh for more than thirty years. Have tried everything on earth and spent thousands of dollars for other medicines and with physicians, without getting any lasting relief, and can say to you that I have found Peruna the only remedy that has cured me permanently."

"Peruna has also cured my wife of catarrh. She always keeps it in the house for an attack of cold, which it invariably cures in a very short time."

ORINOCO & WILHELM Great Sample Furniture Sale \$22,000.00

Worth of manufacturer's samples to be sold at 33 1/2 per cent less than regular.

UNPRECEDENTED OPPORTUNITIES Never has such an assortment of fine furniture pieces been assembled to sell at bargains the like of which this sale offers. From the Orinoco Furniture Co's. sample line of solid mahogany bedroom, library and parlor furniture and novelties. We mention a few extraordinary bargains.

- \$62.00 Mahogany library table, oval top, sample sale price at \$39.00
\$110.00 Mahogany library table, George Washington pattern, sample sale price \$72.00
\$40.00 Mahogany fall leaf table, sample sale price \$26.00
\$17.50 Mahogany work table, sample sale price \$11.50
\$35.00 Colonial library table, sample sale price, \$22.00
\$70.00 Colonial library table, oval top, sample sale price, now at \$47.00
\$75.00 Mahogany French Writing table, sample sale price, now at \$49.00
\$120.00 Mahogany library table, sample sale price, \$77.00
\$55.00 Mahogany parlor table, round top, handsomely carved, sample sale price, \$37.50
\$27.50 Mahogany work table, sample sale price, \$18.00
\$35.00 Mahogany work table, sample sale price, \$22.00
\$30.00 Mahogany work table, sample sale price, \$19.00
\$35.00 Nest of four mahogany tables, sample sale price, now at \$23.50
\$16.00 Pair Mahogany candle sticks, with globes, sample sale price \$10.00
\$13.00 Pair mahogany candle sticks with globes, sample sale price \$9.00
\$5.00 Pair mahogany candle sticks, sample sale price \$3.25
\$27.50 Mahogany shaving stand, sample sale price \$23.00
\$20.00 Mahogany toilet glass, sample sale price, \$13.25
\$85.00 French Writing Table, mahogany, sample sale price \$57.60
\$15.00 Mahogany Tea Table, sample sale price, \$10.00
\$40.00 Mahogany Tea Table with tray, sample sale price \$26.50
\$14.00 Mahogany Tea Tray, sample sale price \$9.50
\$7.50 Mahogany Tea Tray, sample sale price \$5.00
\$12.00 Mahogany Tea Tray, inlaid, sample sale price \$8.00
\$16.00 Tilt Top Table, inlaid, sample sale price \$10.75
\$17.50 Tilt Top Table, sample sale price \$11.50
\$22.50 Tilt Top Table, sample sale price \$15.50
\$47.50 Mahogany Dinner Wagon, sample sale price \$32.00
\$55.00 Mahogany Dinner Wagon, sample sale price \$34.50
\$75.00 Mahogany Dower Chest, sample sale price \$48.50
\$120.00 Mahogany Toilet Table, sample sale price \$59.00
\$110.00 Mahogany High Boy, sample sale price \$73.50
\$175.00 Mahogany Dower Chest, sample sale price \$115.00
\$125.00 Pair Mahogany Four Post Twin Beds, sample sale price \$83.00
\$80.00 Mahogany Four Post Bed, full size, sample sale price \$53.00
\$140.00 Pair Mahogany Four Post Twin Beds, sample sale price \$93.50
\$125.00 Pair Mahogany Four Post Twin Beds, sample sale price \$83.00
\$150.00 Mahogany Dresser, sample sale price \$99.00
\$80.00 Mahogany Low Boy, sample sale price \$53.00
\$22.00 Colonial Mahogany Frame Mirror, sample sale price \$14.75
\$15.00 Colonial Mahogany Frame Mirror, sample sale price \$12.00
\$12.50 Colonial Mahogany Frame Mirror, sample sale price \$8.00

The above items are the highest class of genuine mahogany, reproductions of antique and colonial designs.

MISSION FURNITURE Complete sample line from the H. C. Dexter Chair Company, Black River, N. Y.—consisting of sofas, davenport, rockers and tables, pure arts and crafts design, all in beautiful patterns of brown fumed oak. We mention a few of the articles to show how this entire line is priced for good selling.

- \$30.00 Divan, Spanish leather seat and back, sample sale price \$19.75
\$28.00 Large Arm Rocker, Spanish leather seat and back, sample sale price \$18.00
\$27.00 Divan, Spanish leather seat, sample sale price \$18
\$13.50 Arm Chair, Spanish leather seat, sample sale price \$9.50
\$15.00 High Back Chair or Rocker, Spanish leather seat, sample sale price \$10.00
\$25.00 Large Arm Chair, Spanish leather seat and back, sample sale price \$16.75
\$9.00 Side Chair, Spanish leather seat, sample sale price \$5.75
\$10.00 Arm Chair, Spanish leather seat, sample sale price \$6.50
\$20.00 Library Table, sample sale price \$13.25
\$15.50 Table, sample sale price \$11.00
\$25.00 Table, sample sale price \$16.50
\$9.50 Table, sample sale price \$6.50
\$8.50 Table, sample sale price \$5.25
\$24.00 Arm Rocker, loose cushion seat, sample sale price \$16.00
\$37.50 Divan, loose cushion seat, sample sale price \$24.50
\$48.00 Three Piece Suite, sample sale price \$31.00
\$40 Divan, loose cushion seat, sample sale price \$26.50

PRETTY PARLOR PIECES \$32.00 Divan, upholstered seat and back, sample sale price \$21.00
\$22.00 Arm Chair, upholstered seat and back, sample sale price \$14.50
\$125.00 Three Piece Handsomely Carved Suite, loose cushion upholstered seat, sample sale price \$83.00
\$26. Divan, loose cushion seat, sample sale price \$17.00

DRAPERIES An assortment of new fabrics unequalled. The popular prices that prevail would be an inducement to you to select your draperies and curtains here. We mention a few of the exceptional good values for this week's selling.

- stitched in white, Ivory and Arabian. Prices from, pair, \$3.50 to \$10.00
Duchess Lace Curtains for Drawing Rooms—all in Ivory color. The largest stock in the west to select from at, pair, \$6.75, \$8.95 up to \$22.50
Couch Covers—60 inches wide, 3 yards long—reversible—serviceable, each \$3.95
Fancy Nets and Shades—42-in. Scrim in a soft finish, made especially for curtains—white, Ivory and Arabian colors. Per yard \$2.00
42-inch Plaid Scrim, soft finish, for curtains, Ivory and Arabian colors, per yard \$2.50

early history and experiences made up the program. W. S. Pritch of McCook was re-elected president. Mrs. R. H. Thomas of Indianola secretary. It was decided to become an auxiliary society of the Nebraska State Historical society, upon invitation of the state society.

**COUNTY DIVISION IN CUSTER** Opponents of Plan Hear'd It as Scheme of Real Estate Men. BROKEN BOW, Neb., Sept. 11.—(Special.)—The division question has been voted on many times in this county, and it will again come before the people in November. With one exception in the early history of the county, the proposition has been defeated by overwhelming majorities, and there are indications that this year county division will be more unpopular among the general taxpayers living at a distance from the prospective county seats than it has been in other years.

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"Peruna has also cured my wife of catarrh. She always keeps it in the house for an attack of cold, which it invariably cures in a very short time."

put in excellent condition by the recent rains. BEATRICE—Frank Amos and Miss Gladys Gaspard were married at Ellis last evening. Rev. John Bankson officiating. HUMBOLDT—Lynch, a young mechanic of this city lost one of his fingers by getting it caught in the cogs of a cider press yesterday.

**BEATRICE**—Mrs. A. W. Nickell and daughter, Dr. Mabel and Ruth, have returned home from a trip to Scotland, England and the Shetland Islands. BEATRICE—Captain Charles Brewster and Private Gill of Company C have returned home from Camp Perry, O., where they attended the national guard shoot.

**HUMBOLDT**—At a meeting of the Women's Relief Society, Mrs. Sarah Hutchins was presented with a beautiful cut glass fruit bowl, the occasion being her birthday anniversary. BEATRICE—At a meeting of the Young Men's Christian association the resignation of the present secretary, G. M. Brotmarkie, was accepted and J. H. McCabe of Omaha was chosen as his successor. The change will take place on September 20.

**NORTH PLATTE**—At a meeting of the board of directors of the Young Men's Christian association the resignation of the present secretary, G. M. Brotmarkie, was accepted and J. H. McCabe of Omaha was chosen as his successor. The change will take place on September 20.

**TEXAS MAN SAYS FOR DAMAGES.** BEATRICE, Neb., Sept. 11.—(Special Telegram.)—Joe Carter of Hereford, Tex., who was arrested at Kansas City some time ago on the charge of obtaining \$2,500 from Tamme Zimmerman of Beatrice under false pretenses, through the sale of lands in Texas and who escaped from the officers while Sheriff L. Rude was securing requisition papers to bring him to this city, has instituted a suit for damages against Zimmerman in the sum of \$25,000 for slander and defamation of character alleging that the allegations set forth in the complaint filed by Zimmerman are untrue. Zimmerman is a wealthy German.

Green Gables SANATORIUM. This institution is the only one in the central west with separate buildings situated in their own ample grounds, yet entirely distinct and rendering it possible to classify cases. The one building being fitted for and devoted to the treatment of noncontagious and nonmental diseases, no others being admitted. The other, Rest Cottage, being designed for and devoted to the exclusive treatment of select mental cases, requiring for a time watchful care and special nursing.

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Special Cut Price Drug Sale All This Week. Popular prices—prompt service and undoubtedly the largest and most comprehensive drug stock in the west, are some of the reasons, we believe, why we have no dull days—moments. Razor Strops. Palmolive Toilet Goods Sale. Proprietary Remedies at Cut Prices.

Sherman and McConnell Drug Co., 16th and Dodge Owl Drug Company, 16th and Harney, Omaha