

FAIR RECEIPTS OVER \$100,000

Work of Enlarging Machinery Hall Will Be Continued.

BRIAN INSISTS NOT MOOSER

Attorney for Standard Oil Company Asks Governor to Suspend Law Prohibiting Sale of Low Grade Gasoline.

(From a Staff Correspondent.)

LINCOLN, Sept. 8.—(Special.)—Receipts at the state fair this year will run over the \$100,000 mark, according to Secretary Mellor last night. Of this sum \$75,812.25 was taken in at the grandstand and bleachers. Owing to the \$22,000 worth of improvements put on the grounds this year, the surplus over and above expenses and improvements will not be as large as it was a year ago. Secretary Mellor is very anxious to continue the work of enlarging the big machinery hall and hopes to add to it each year until the original plans are completed, which will give the fair a building 700 feet long and 400 feet wide.

The board hopes to be able to convince the next legislature that a new horticultural and agricultural hall combined under one roof should be the next building to be erected through an appropriation from the legislature. Both of the present buildings are old and entirely too small to meet the needs of the state and each year demonstrates the fact that something will have to be done to accommodate the exhibitors who bring in the stuff used on Nebraska farms.

Police Intercept Race.

There was one race started at the fair one day which was not on the program. A man by the name of D. Elche conceived the idea that a race between an automobile and the aeroplane would be an interesting feature. However, the state fair officials did not think it best to arrange for a race on the track that might result in an accident, so they denied the request of the man. However, nothing daunted, he went to the aviator and arranged for a private race around the track. When the proper time came away they went, but the hard hearted policemen who had been tipped off to stop anything of the kind, rushed onto the track and arrested Elche and the race was over.

Accidents Fair Week.

Several accidents took place during fair week. Friday night two men, two women and four bottles of beer were out for a joy ride. Another man in another automobile met them in the road. Result, one woman badly injured, two automobiles wrecked and the driver of one automobile missing. Another man, on account of an escapade with another man's wife, committed suicide. Still another man brought his neighbor's wife to the fair and when the woman was taken to a hospital as a result of too much celebration, he hiked to the tall timber for fear of results. The snake charmer on the midway was nearly killed by the boa constrictor, which objected to the strenuous work of the hot day and attempted to crush her in his deadly folds, and but for the quick work of an attendant, who cut the throat of the serpent, the woman would have been crushed to death.

And still the resignations come. Now it is Judge Stama, who resigns as a member of the Eppersonian state committee. Yesterday it was Don Love who did not want the job of treasurer.

Brian Not Bull Moose.

Ex-State Treasurer Lawson G. Brian wants it distinctly understood that he is in no way identified with the bull moose party. Mr. Brian said this morning that he had been repeatedly called to task because it was thought that he was the man who was engineering the formation of the new party. "I wish you would say," said the ex-state treasurer, "that I most strenuously object to being placed in that category. I am a republican and am for President Taft for re-election and propose to vote for the two Taft electors on the electoral ticket if I can't vote for any more. I had a man come clear out to my residence last week for the express purpose of calling me for deserting the republican party and I don't like the notoriety. J. L. McBrien, ex-state superintendent is the man who is running the bull moose party and not me. I plead not guilty to the charge. I am a republican and the republican party is good enough for me."

Wants Lower Grade Oil Used.

W. D. McHugh of Omaha, attorney for the Standard Oil company, accompanied by the superintendent of the territory which includes Nebraska, were calling on Governor Aldrich yesterday for the purpose of getting him to suspend to law which prohibits the sale of gasoline in the state which tests under 65 degrees. It is claimed that oil which tests 55 degrees will be just as good for automobile use and will save the consumer 1 or 2 cents per gallon. While admitting the contention of Mr. McHugh, the governor did not feel like taking the responsibility of suspending the law when the legislature would convene shortly. It is claimed by using the lower test oil that the product from Wyoming can be brought into the state in competition with that of Kansas and Oklahoma. The company will start suit to compel the admission of the Wyoming oil.

Homesteaders Trip Success.

After returning from the trip made to Chicago and then to Nebraska with the train which brought settlers to take up the vacant homesteads of Nebraska, Labor Commissioner Guye is so well pleased with the success of the trip that another may be run over the Union Pacific to Bridgeport, which will take settlers to the irrigation district. The sandhills never looked better than they do now, according to Mr. Guye, and those who came out on the train were so enthusiastic over the outlook that they could not wait until they got to Alliance, the destination of the excursion, but kept dropping off at stations along the line through the homestead section until only three were left when the train reached Alliance. When the train reached Omaha there were 129 on board in search of land for homestead purposes and Mr. Guye thinks another excursion would bring as many if not more.

Horse Disease Spreading.

That the new disease has struck the state and is causing the death of many horses is spreading is evidenced by the fact that one case was reported yesterday just east of Lincoln and yesterday came in from Seward, Beaver County, and Norfolk. Every effort will be made to stamp out the disease and the commission has instructed the state veterinarian, Dr. Bostrom, to create a deficit if necessary to stop the spread of the disease.

The Burlington and Northwestern railroads have made application to the Interstate Commerce Commission for permission to raise the rate on potatoes from

Nebraska from 2 to 7 cents per 100, which would increase the rate from \$8 to \$21 on carload lots. A hearing will be held in St. Paul, Minn., on September 14 and Commissioner Winnett and Rate Clerk Powell of the Nebraska commission will attend. E. F. Swartz of the South Dakota commission is conferring with the Nebraska commission regarding the kind of a fight to put up in the matter.

The hearing in the Lincoln telephone case will come before the railway commission on September 24. Assistant City Attorney Foster is seeking to make the company, which has consolidated with the Bell people, connect the same at once or out charging users of both phones for them.

On account of the slow collections at this time of the year the state general funds only showed a balance of \$78,372. It is not expected that the money will be coming in very fast until about October 1.

Howard H. Baldrige, republican candidate for congress in the second district, will have the assistance of the third party in his campaign, the progressive party having yesterday filed his nomination to the secretary of state.

About a month ago T. Hermanson, who was nominated at the primaries as a republican candidate for the state senate in the twenty-second district, declined the nomination on account of removal from the state. Yesterday the nomination papers of Robert P. Starr of Loup City were filed with the secretary of state to fill the vacancy.

The boys of Lincoln have discovered that the polished granite coping around the Lincoln statue is a fine place to skate with roller skates, and consequently the State Board of Public Lands and Buildings has issued a warning that it will cast the next offender \$300 per skate without regard to time used in the amusement.

Council Bluffs

Bar Association Honors Col. Lindt

Just after Judge Woodruff adjourned court for the day yesterday a meeting of the Pottawattamie County Bar association was held for the purpose of talking the customary action in relation to the death of Colonel John Lindt, a member. Judge Walter I. Smith, Emmett Tinley and George S. Wright, committee on resolutions, presented a statement in recognition of the character of Mr. Lindt that met the approval of the members. The resolutions recited that he had been a member of the bar for forty years and that a sterling quality of his character was one that distinguished him through life. He always kept his agreement with the bar.

There had been no formal meeting of the bar association since the death of T. C. Dawson, a former member who rose to distinction in the diplomatic service of the United States, and resolutions expressing appreciation of his high character were also presented and adopted. An article in a recent number of the Munsey Magazine, giving an appreciative sketch of the life and character of Mr. Dawson, was endorsed and made a part of the resolution. It was directed that both resolutions be made a part of the court records and that copies be sent to the families of the deceased. The meeting was called by W. A. Mynster, president of the association and for many years law partner of Colonel Lindt.

JURY HOLDS COMPANY RESPONSIBLE FOR DEATH

After an inquest that lasted all day and required the examination of fourteen witnesses, one of whom was on the stand for more than an hour, the coroner's jury yesterday found that Albert Lewis, who was killed Friday noon at the street railway bridge, came to his death from the effects of an electric shock from contact with a wire carrying a high tension current, and that the accident was made possible by the carelessness of the Omaha & Council Bluffs Street Railway company and its employees.

The jury was composed of Robert B. Wallace, W. M. Hendrix and C. S. Hubbard, both of the latter former aldermen. The carelessness is alleged to have been the failure to fully acquaint all of the men engaged in painting the bridge that the current had been turned on through the wire which caused the death of Lewis after it had been shut off for several days. This was the auxiliary wire that carried the Marawa current with a voltage of over 12,000. Following the close of the Marawa season it had been "dead" except when conditions required extra current.

The foreman, John Cronin, who was questioned for more than an hour testified that instructions were given all of the men to treat all of the wires on the top of the bridge as "hot" at all times, although some of them were not always charged, but might be at any moment. Arthur Lewis, a painter who was working with Lewis, testified that thirty minutes before the accident he made a test to find out if the wire was "hot" and drew out a vicious flash, but that he did not tell Lewis, who was then working a little below him. He said he had been working for several weeks and when he first went to work it was Lewis who cautioned him about the "hot" wires on the top of the bridge.

The evidence given by William Harris the paint mixer, was that chiefly responsible for the part on of the verdict holding the company guilty of negligence. He said the men had been talking about the wire in question being dead and he had understood it to be and that he went to the toll house telephone to find out. He was told that current was on and hurried to tell the men. When he reached the other end of the span Lewis was dead.

Death from Blood Poison

was prevented by G. W. Cloyd, Plunk, Mo., who healed his dangerous wound with Bucklen's Arnica Salve. Only 25c. For sale by Beaton Drug Co.

Quarrel Ends in Murder.

PORT DODGE, Ia., Sept. 8.—(Special Telegram.)—Thomas Brown of Webster City, who was stabbed here the night of September 2 by Ben McClosky, died this morning. McClosky is held in the county jail for indictment. Remarks in passing provoked a quarrel that ended in the murder.

"There could be no better medicine than Chamberlain's Cough Remedy. My children were all sick with whooping cough. One of them was in bed, had a high fever and was coughing up blood. Our doctor gave them Chamberlain's Cough Remedy and the first dose eased them, and three bottles cured them," says Mrs. R. A. Donaldson of Lexington, Miss. For sale by all dealers.

SAMSON'S ANIMALS KEYPED UP

All Have Been Specially Prepared for the Last Initiation.

WOODS HAVE BEEN SCoured

No Live Ones Are to Be Allowed to Escape the Clutches of the Hunting Committee Which Meets at Noon.

Just how many of the Omaha men who have never known the glory of King Ak-Sar-Ben's court are to be initiated into the order this evening, on the closing night of the performance at the Den, will not be known until noon today, when the various committees making the last effort of the year to secure new members will report at a luncheon at the Paxton hotel.

When members of the Grain exchange received their card notifying them that they were to get busy among the Ak-Sar-Ben, one of the leading men said: "Why, we are all members. I don't know where we could find a grain man that is not already a member of the Ak-Sar-Ben." However, he promised to look diligently about him and if he should by hook or crook discover that there was one of his friends who was not a member he would certainly haul him bodily to the Den Monday night.

The Real Estate exchange has made a like plea, namely, that all of its members already belong to the Ak-Sar-Ben but Samson is always a suspicious cuss, and he has dropped them a card saying: "Get busy, and secure a few more members and make your report at the meeting next Monday noon at the Paxton hotel."

The Commercial club received a similar card, and if there are any Commercial club members who are not members of Samson's fold, they have either been interviewed during the last few days or the subject or they are keeping dark the fact that they are still at large and are not paying tribute to the king. Samson's wild beasts have been well groomed during the week for the last initiation tonight and are in the best of shape for the performance this evening. Those of the cud-chewing variety have been kept close, with little exercise, in order that they might be especially frisky this evening, while those of the flesh-eating variety have been starved and goaded until even now they hurt themselves bodily against the creaking steel bars of the cages, while in hideous rage they smash their bloody jaws.

Sand Hill Corn is Up to the Average

"A month ago we were looking for a bumper corn crop in Custer county," said R. S. Harrington, a farmer living near Broken Bow and stopping at the Merchants, "but we are not going to get it. However, the crop on the whole will be fully up to the average."

"There are spots and limited areas in Custer county where corn will not go twenty bushels to the acre, the shortage being due to the too hot weather of the last two weeks. This weather hastened the growth and dried up the kernels and ripened the ears too rapidly. This has been the case on some of the land that is sandy. On the bottoms and where the soil is a black loam, the corn is good and much of it will yield around thirty bushels, which is as good, if not better than the average. Most of the corn is out of the way of frost right now."

Four Taken When Lid is Found Up

While four men were sitting in a woodshed in the rear of the saloon owned by Paul Kracher, at Thirtieth and Spaulding streets, at 9 o'clock yesterday morning, Sergeants Vanous, Cook and Samuelson and Officers Murphy and Rich descended in a body on the place and arrested the owner and the inmates and confiscated a few bottles of beer. Kracher was charged with running a disorderly house and the four men with being inmates.

The Persistent and Judicious Use of Newspaper Advertising is the Road to Business Success.

Stomach Misery Just Vanishes

Time It! No Indigestion, Gas or Sourness Five Minutes After Taking "Pape's Diapiesin."

If what you just ate is souring on your stomach or lies like a lump of lead, refusing to digest, or you belch gas and eructate sour, undigested food; or have a feeling of dizziness, heartburn, fullness, nausea, bad taste in mouth and stomach headache—this is indigestion and Pape's Diapiesin costs only fifty cents and will thoroughly cure your out-of-order stomach, and leave sufficient about the house in case some one else in the family may suffer from stomach trouble or indigestion.

Ask your pharmacist to show you the formula plainly printed on these fifty cent cases, then you will understand why dyspeptic troubles of all kinds must go, and why they usually relieve sour, out-of-order stomachs or indigestion in five minutes. Diapiesin is harmless and tastes like candy, though each dose contains power sufficient to digest and prepare for assimilation into the blood all the food you eat; besides, it makes you go to the table with a healthy appetite; but what will please you most, is that you will feel that your stomach and intestines are clean and fresh, and you will not need to resort to laxatives or liver pills for biliousness or constipation.

This city will have many Diapiesin cranks, as some people will call them, but you will be cranks about this splendid stomach preparation, too, if you ever try a little for indigestion or gastritis or any other stomach misery. Get some now, this minute, and forever rid yourself of stomach trouble and indigestion.



Council Bluffs

TESTS RIGHT TO USE PARK

Thomas Q. Harrison Files Suit Growing Out of Carnival.

AGREEMENT WITH CITY CLUB

Allegation Closing of Public Streets in Violation of Public Grant Made by Donor of Baylis Park Years Ago.

The district court has been asked to issue permanent and perpetual injunctions against the present members of the park board and their successors, the mayor and city council and those who will follow them, the members and executive officers of the Commercial club and all allied organizations, restraining them from ever again granting permission to any other purpose that will require its inclosure and exclusion of the public from its free use. The court is asked to perpetually enjoin the city council and city executives from ever again granting permission to close the streets surrounding the park for carnival or other similar purposes. The petition was filed late Saturday afternoon by Thomas Q. Harrison as attorney for Frank G. Grovier, 1506 Ninth avenue, an employee of the Pinta Gas company.

The suit was filed in compliance with a stipulation signed by the Commercial club and Attorney Harrison more than three weeks ago by which the suit then contemplated for the purpose of preventing the use of the park for the late carnival was deferred until after its close when the Commercial club agreed to meet the issues presented in the suit and fight the battle in the courts and final decision before the time arrived for the holding of another carnival. If the suit had been brought and a temporary injunction granted after the Commercial club had assumed financial obligation approximating several thousand dollars, a bond of more than \$5,000 would have been required from the plain-

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iff. This bond was forthcoming and the filing fee of about \$80 was provided and arrangements had been made to ask the supreme court of the state to issue the temporary restraining writ when the danger of wrecking the carnival was averted by the stipulation for the present suit. The petition alleges that the suit is brought by a taxpayer in behalf of the taxpayers of the city, and the allegation is that the Commercial club has organized a carnival committee comprising Secretary Towne, President Doullitte and Members Mauer, Metcalf, Quinn, Myrtue, Stone and Sargent and that a permanent organization has been effected for the purpose of conducting carnivals in the park and adjacent streets each year, and that they will not do so unless restrained. The fact that the general public will be excluded contrary to law and the injury to the park are fully set forth. It is also contended that the use of the park for such purposes is in violation of the grant of Samuel Baylis in 1853, whose deed of gift dedicated the park to the free public use and for the pleasure and enjoyment of the citizens for all time, and that its inclosure at any time and the exaction of a fee from the citizens for permission to go upon their own property "is contrary to equity and good conscience" in addition to being a violation of the conditions of the gift deed.

The allegation is made that the closing of the public streets surrounding the park is illegal and in violation of the rights of the citizens. The petition describes the character of the carnival attractions as "cheap shows and vaudeville entertainments, public dance halls and other undesirable things. The serious injury to the park is set out in several of the paragraphs and it is claimed that the damage is permanent. It is alleged that last spring the board spent over \$1,000 of the taxpayers' money beautifying the park, and that all of this has not only been destroyed but that it will cost more than \$400 to repair the damage with the kindest assistance of amiable nature. It is further alleged that it has cost from \$200 to \$400 each year to restore the park after each carnival.

The work of cleaning up the park was only a little more than half completed yesterday. Two big wagonloads of mouldering confetti was raked and swept up from the south triangle and it was found to be impossible to get off much more than three-fourths of it. Brooms are being used but after the most patient sweeping and raking the surface of the ground remains still covered. Park Commissioner Graham said yesterday that the chief damage to the park had resulted from the use of confetti and that it would be months before the damage from it could be removed.

Council Bluffs

Accountant Cox Completes Work On City's Books

M. F. Cox, state municipal accountant, completed his work of examining the books and accounts in the various city offices and left at noon yesterday for his home at Des Moines. He will begin on Monday the work of examining the books at Cedar Rapids. Mr. Cox will not file his report for several days, owing to the fact that the totals of about 25,000 waterworks receipts for payments made by consumers remain to be worked out on the electric adding machine in the office of the water department. Roy Albers, his assistant, will remain here for several days to finish this work.

Mr. Cox said before leaving that the people of Council Bluffs might expect a report that would be very gratifying to them, confirming the wisdom of their choice of public servants, for the report would show a condition that was about as near to the perfection mark as could be attained and which would place Council Bluffs at the top of Iowa cities. He declared that only a few minor errors were discovered in some of the departments, all of such minor character as not to entitle them to a notice in the report. Several of the offices, city treasurer, city auditor and city clerk, were found to be without a single error or a penny of discrepancy. The accounts in

the water department were in the same condition, and would again be pointed as affording a model for other cities. Mr. Cox declared that the work of checking had been greatly facilitated by the accurate method of keeping accounts.



Real Estate Transfers. The following real estate transfers were reported to The Bee Saturday by the Pottawattamie County Abstract company: J. P. Greenhields and wife to Clare McAneny, lot 16 in block 8 in Home Place addition to city of Council Bluffs, Ia., wd., \$100.00. Heirs of M. E. Smith, deceased, to F. C. Fullberg, lots 1 and 2 in block 38 in Beers subdivision in city of Council Bluffs, Ia., wd., \$100.00. Loretta Page to Willie J. Page, one-third of part of 1/2 NW 1/4 of 36-78-43, wd., \$90.00. Maggie E. Livingston and husband to same, lot 4 in block 27 in Everett's addition to City of Council Bluffs, Ia., wd., \$75.00. Mary E. Williams to Margaret and S. B. Lowery, lots 5 and 6 in block 31 in Meredith's addition to Avoca, Ia., wd., \$150.00. William Moore, trustee, to Nona Sage, lot 145 Belmont addition to Council Bluffs, Ia., wd., \$145.00. Six transfers, total, \$1,280.00.

Girls who have been in our employ as butter scotch wrappers, stick candy wrappers, chocolate dippers and packers please report for work at once. Can also give employment to fifty new girls. John G. Woodward & Co., "The Candy Men," Council Bluffs, Ia.

(Latest War News of 50 Years Ago)

Sherman's March To The Sea

Breaking Loose from His Communications and Burning the City of Atlanta, Sherman Started With 60,000 Men for the Atlantic Coast

In Five Weeks He Marched 300 Miles, Reached the Sea, Stormed Fort McAllister, and Captured Savannah—

The Effect of This March Can Hardly Be Over Estimated. A Fertile Region, Sixty Miles Wide and Three Hundred Miles Long Was Desolated; Three Hundred Miles of Railroad Were Destroyed; Immense Supplies of Provisions Were Captured and the Already Sundered Confederacy Was Dealt A Blow That Hastened the End of the War. In the Great 15th Section

Brady War Photographs (Illustrating Elson's New History of The Civil War)

you can see picture after picture taken on the spot. Several of them show the very scenes of ruin taken on the same day the torch was applied, while the story of Sherman's march in this section is like no tale you have ever heard. It is absolutely different from any book you have ever read. It is interesting, thrilling, surprising.

The War Photographs

- "Before the March to the Sea," General Sherman. (Two photographs). The Atlanta Bank Before the March to the Sea. "Tuning Up" a Daily Drill in the Captured Fort. Cutting Loose From the Base, November 12. (Demolishing the Railroads). The Bustle of Departure from Atlanta—Ruins in Atlanta. The Guns That Sherman Took Along—Negroes Flocking in the Army's Path. The Defender of Savannah, (General Hardee)—Fort McAllister, the Last Barrier to the Sea. Waterfront at Savannah, 1865—Fort McAllister, That Held the Fleet at Bay. "The Fifteen Minutes' Fight," Fort McAllister Ditches. (Two photographs). A Big Gun at Fort McAllister. The Spoils of Victory—Sherman's Troops Dismantling Fort McAllister.

Color-guard of the Eighth Minnesota With Sherman When Johnston Surrendered—The End of the March, Bennett's Farmhouse (Where Sherman and Johnston Began Their Negotiations Leading to the Surrender).

- An Emergency Gunboat from the New York Ferry Service (The Commodore Perry). The Last Port Closed. (Fort Fisher Captured—Inside Fort Fisher, Work of the Union Fleet. A Greyhound Caught, Wreck of the Blockade Runner, "Colt." The Confederate Ram "Stonewall." (Two photographs) including

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What We Have Done For Our Readers

We have secured the rights for this city to distribute this priceless collection of Civil War Photographs, illustrating "The Civil War Through the Camera", and delighted to present them to everyone who applies promptly. Ten cents, to cover necessary expenses, and the coupon brings you section 15. There are no other conditions whatever.

Each week this paper will issue one of these sections in its regular sequence, thus enabling you to follow the stirring events of half a century ago just as they occurred. In this way every important event and phase of the war are covered, and with all the thrill of an eye-witness you come to know, as you never did before, the meaning of the words Bull Run, Chickamauga, Gettysburg, the Wilderness, and all the rest down to Appomattox.

SPECIAL NOTICE

The series naturally begins with Bull Run, that first great encounter of armed troops of the North and South. If you haven't received this Section, or any of the others that follow it, cut out the coupon this week and we will supply you with either or all of the first fifteen sections for 10 cents each and the one coupon.