

JUDGE DUNNE WILL TRY SCHMITZ

Presiding Judge Graham Denied Motion to Withdraw Case From Dunne's Court.

HIS CONSENT WAS NECESSARY

Defendant Ruff Was Present and Was A Much Interested Listener.

San Francisco, Dec. 31.—Presiding Judge Graham today denied the motion made on behalf of Mayor Schmitz to withdraw from Judge Dunne's court the cases now pending there on the indictments brought by the grand jury and to reassign them to another department. In denying the motion Judge Graham said that he could not transfer the cases unless he had the written consent of Judge Dunne to such action.

All the attorneys interested in the indictment cases were on hand to listen to the arguments. The defendant, Abraham Ruff, although not particularly concerned with the decision of the motion, listened attentively to the proceedings. The district attorney's office was also strongly represented.

Dist. Atty. Langford, for the people, and Atty. W. H. Metzger for Mayor Schmitz, answered "Ready" when Judge Graham called the motion.

"We have a counter affidavit which we would like to read," declared Asst. Dist. Atty. Heney, in response to an inquiry from the court.

Atty. Barrett asked if it was necessary to read the affidavit, as he had not read his on Friday. Judge Graham thought he would like to hear it, and Heney began with the document, which proved to be a review in detail of all the proceedings before Superior Judge Dunne.

When Heney finished Atty. Metzger insisted upon reading the affidavit which he had presented on Friday. The district attorney made no objection, and the court did not hold that it was unnecessary.

Barrett went on to supplement the statement made by Heney with his view of the proceedings, but was interrupted by the court.

"The constitution gives the presiding judge the right to assign these cases to any department at any time, but if the cases are under submission, I do not see why I should interfere."

"We have been on our knees begging for an immediate trial," replied Barrett, "and we will show that we have been trying to withdraw the motion as to the single case which is not under submission. There is nothing to show that there is anything pending in regard to four of these cases. Here is a defendant who is willing to do anything to get to trial and has not allowed to do so simply because he will not go to a co-defendant and ask him to abandon his motion."

"I would like to ask you if any request has been made to Judge Dunne to have these cases transferred?" asked Judge Graham.

"No, sir. We thought that you might make the request," suggested Barrett. "I don't think that there is need of further argument until such an application is made to Judge Dunne," remarked the court.

The proceedings were brought to a close after Barrett had unsuccessfully asked to have the final decision withheld until the application to Dunne could be prepared, but Judge Graham thought the delay was unnecessary, as the motion can be renewed at any time.

TRY THIS FOR YOUR COLD!

Carmeliter's GRIPPE and COLD CURE

Small capsules. Tasteless and easy to swallow. No opiates or poisonous drugs. No risk in the case. No nausea. Stops the cough at once and cures the cold in 24 hours. Money back if failed.

Mailed by Carmeliter Co., N.Y., or sold by
C. C. SCHRAMM, "Where the Cars Stop," WILLIAMS' DRUG CO., 1011 Broadway, New York City. FRANKLIN, 2nd St. and 3rd St. East corner Main and 3rd South St.

BREAK IN THE COLORADO.

Rains Increase Volume of Water and Make Situation More Serious.

Imperial, Cal., Dec. 31.—A heavy rain is now falling, further complicating the serious situation on the lower Colorado. Floods of the Gila and Salt rivers are now pouring into the larger river which tonight washed away 10 tents on the new trestle from which it was expected to begin dumping rock in a day or two. This delays work for a week or 10 days. As the time for closing the break is already limited, this renders the situation more critical. It is becoming daily more apparent that unless the government comes to the rescue the situation will be hopeless for the residents of Imperial and Coachella valleys. Nothing but the most desperate measures can control the Colorado river before the summer floods and then it will be impossible to control it. There is no money in the hands of the people, but unless the river is conquered, the country must become untenable, for the 10,000 or 12,000 residents.

GAMBLING IN NEVADA.

In Lincoln Co. State is Defrauded of Thousands of Dollars in License Fees.

Searchlight, Nev., Dec. 31.—Investigations conducted in Searchlight during the past few days by an emissary of the district attorney's office is alleged to have been shown much sufficient evidence. In Nevada all gambling is licensed, games paying \$75 per month. It is alleged that certain officials have collected \$4,500 for which no return has been made to Lincoln county. It is further alleged that a graft was too small to be overlooked, as in one instance the evidence shows that the loot amounted to 55 cents.

ABANDONED AUTO TRIP.

Mexico City, Dec. 31.—After having driven his automobile from Boston to within a few miles of here, Charles G. Wildin, who is traveling over the world in an automobile, was forced to abandon a wrecked automobile and finish his trip to Mexico City aboard a special train. Neither he nor any of his party were injured, but his automobile is lying in the ditch near Teocacal, a station upon the National, about 60 miles from this city.

RESUME OF YEAR'S FINANCIAL RECORD

Secy. Shaw Makes One and Says There is No Cause for Alarm.

RECEIPTS EXCEED THE OUTGO.

Money Stringency of Country and World Not Due to U. S. Independent Treasury System.

Washington, Dec. 31.—There is no occasion for alarm. Our anxiety need be lessened in facilities properly to garner, store, transport and meet our multiplied blessings. Let every man be of good cheer and try to be conservative in everything except thankfulness.

Secy. Shaw thus concludes a resume of the year's financial record, which he says has been prepared in response to multiplied requests. In round numbers, he places the receipts for the calendar year of 1906 at \$25,000,000, and the expenditures at \$25,000,000, or an excess of receipts over expenditures of \$500,000. As there has been no change in the tariff laws or the laws relating to the large increase in the duties solely to the extraordinary trade activity. The total expenditures, however, for 1906, as compared with 1905, he says, shows a decrease of only \$5,000,000.

Discussing the finances of the government for the six months of the present fiscal year just closed, the secretary says the books of the treasury show surplus receipts over expenditures of \$25,000,000, as compared with a deficit of \$8,000,000 for the corresponding months of the previous fiscal year. The cash in the treasury is \$19,000,000, as compared with \$17,000,000 a year ago, an increase of \$2,000,000. The cash in national bank depositories is \$159,000,000, as compared with \$150,000,000, an increase of \$9,000,000, and the total cash in the general fund is \$356,000,000, as against \$342,000,000 a year ago. Against this cash are the liabilities at the present time of \$100,000,000, more than at the same time last year. The available cash balance has increased during the year \$101,000,000.

With the general fund standing at \$237,000,000, Secy. Shaw remarks that the bonds maturing July 1, 1907, can be paid, if it shall be deemed wise, and will leave a working balance of more than \$120,000,000.

If the owners would accept the money, he says, the bonds could be paid now, but he doubts whether any would accept them. He says that the government would accept payment at this time, because they are of the class who care for little else than certainty of security and exemption from taxation.

During the last 12 months the secretary continues, the money in actual circulation, exclusive of the amount in the treasury vaults, has increased more than \$200,000,000. The total amount of money in circulation is \$1,415,000,000, as compared with \$1,215,000,000 a year ago. The increase is due to the fact that the government has issued more currency, and the banks have issued more currency.

He maintains, therefore, that the existing money stringency, world-wide in its extent, is traceable in no respect to the independent treasury system, and in no degree to the independent treasury system of the United States.

He says the manifest and admitted shortage has been caused by the unpropitious conditions in the world, and not by the independent treasury system. The people of the United States, he declares, consume more capital more food, more clothing, more of everything than any other people in the world, and when prosperous, they import very largely. This, he asserts, naturally encourages industry everywhere, and encourages industrial activity calls for an unusual amount of actual money and of credits based on actual money.

As to the currency system reform suggested, Secy. Shaw says that in his judgment it permits adequate expansion, but that its weakness is its failure to produce contraction. The volume of money, he contends, does not respond to the volume of our business. The annual increase, he adds, may be insufficient, but there is no annual contraction during the year. The money is "only the unthinking and ill-advised," he says, "charge the admitted stringency solely or largely to stock and bond speculation."

Just now speculation in real estate is at high-tide and the opinion is expressed that very likely as much money is tied up in options and margins in real estate as in options and margins on stocks and bonds.

"It is idle to complain of the inevitable," he continues. "The spirit of speculation is a strong one, and like the drink habit, those most addicted are frequently the loudest in denunciation. It becomes the real estate speculator to deny every other manifestation of desire to get rich quick. The spirit of 'black' handedness between pot and kettle is never instructive, and just now it is not even entertaining."

The effect of the car shortage, he says, is also to be noted. The shortage on the money market is also alluded to. The secretary says: "A larger crop of cotton than usual and an unprecedented yield of cereals, fruits and other crops of the country have resulted in a surplus of agricultural products has filled granaries and warehouses to overflowing and congested every important railway. A few years ago the freight cars of the country averaged 40 miles a day, but owing to the present congested condition and insufficient terminal facilities and factory sidings they now move only 25 miles a day. This delay, however, is owned by some one, and some one's money is thus tied up."

Co-operation between the commercial banks of the country, the secretary says, seems to be impossible, because the Sherman anti-trust law forbids it. "Instead," he says, "we have approximately 20,000 institutions engaged in commercial banking, each a law unto itself as long as it does not violate statutory requirements with respect to investments and reserve. As a natural and unavoidable result, no combined effort is made in midsummer to provide ample reserve for the strain inevitable on the return of business activity incident to the fall and winter months."

"Under our present system the only possible contraction during the summer, and the only provision for the fall, is effected by the secretary of the treasury withdrawing government deposits from the banks when those funds are not needed and restoring them to the channels of trade and the needs of business require. By keeping a tight rein with speculation may be prevented and in most instances a resultant crash averted."

"Unfortunately, the banks are not the only nor the principal sufferers from contagious financial diseases. Generally they are able to protect themselves, for if their assets have been well made they have only to refuse additional accommodations and await results. If a crash should come, from whatever cause, factories will close their doors, the weekly payroll will cease and the people least responsible for conditions will be the ones on whom the system of self-reliance will fall with the saddest effect."

In conclusion Secy. Shaw says: "It is urged against the present policy that it places too much power and authority in one man. It does not

It Costs Nothing

To find out for a certainty whether or not your heart is affected. One person in four has a weak heart; it may be you. If so, you should know it now, and save serious consequences. If you have short breath, fluttering, palpitation, hungry spells, hot flushes; if you cannot lie on left side; if you have fainting or smothering spells, pain around heart, in side and arms, your heart is weak, and perhaps diseased. Dr. Miles' Heart Cure will relieve you. Try a bottle, and see how quickly your condition will improve.

"About a year ago I wrote to the Miles Medical Co., asking advice, as I was suffering with heart trouble, and had been for very many years. I had pain in my heart, back and left side, and had not been able to draw a deep breath for two years. Any little exertion would cause palpitation, and I could not lie on my left side without choking. They advised me to try Dr. Miles' Heart Cure and Nerve, which I did with the result that I am in better health than I ever was before. Having gained 14 pounds since I commenced taking it, I took about this time a course of the medicine, and haven't been bothered with my heart since."

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Miles Medical Co., Elkhart, Ind.

place power and authority with one man. The responsibility rests with an administration. A financial panic has been caused by the Long Island railroad, which is a man with high ideals and lofty patriotism, was well nigh a reproach because his administration was accompanied with widespread financial disaster. If an administration is to be held responsible for the financial health of the people, the medicine chest and the surgeon's kit should not be sunk in the sea.

"All authority is subject to abuse. No voice was raised against the rate bill because it permits one man, through an interstate commerce commission, removable at pleasure and appointive in vacation at will, to fix arbitrarily, if he pleases, subject to as yet undetermined jurisdiction by the courts, the freight rate of every product of 80,000,000 people. It is presumed, yes, it is known—that a president responsible, not to himself but to the people, has made him, will so acquit himself, if within his power, as to vindicate the choice of that party and of the people who elected him. Admittedly our present monetary system is defective, but the assumption that one can be substituted that would be perfect is somewhat violent."

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charging them with knowingly receiving stolen horses. The arrest of the men created a sensation in this country, where both are widely known. Mr. Merryfield is a prominent and wealthy rancher and stock raiser of Malden, and is a pioneer in this section. Their arrest is the result of developments at the trial of Barney Hedican and Ryan, when it was brought out that from Hedican and his gang, the men arrested in this section, the gang whose stock depredations the past two years have amounted to \$50,000.

JAPANESE ALLEGE DECEPTION.

Mexico City, Dec. 31.—Not content with the report that Chonosuke Yuda of the Japanese legation, would make regarding the conditions at the coal mines in northern Mexico, two of the Japanese who have been employed on that work have arrived here and have made a report from their point of view to the minister of their country. These men are H. Watanabe and J. Miyabe, both of Las Esperanzas.

The men do not allege ill treatment, but say deception was used to procure their employment. They assert that the men are paid far less than they are paid for the same class of work in the United States, although they were led to believe that they would be paid wages on a par with any coal mines in the western world.

When the Hair Falls

Stop it! And why not? Falling hair is a disease, a regular disease; and Ayer's Hair Vigor, as made from our new improved formula, quickly and completely destroys that disease. The hair stops falling out, grows more rapidly, and all dandruff disappears. Does not stain or change the color of the hair.

J. C. Ayer & Co., Lowell, Mass.

REXALL CREAM OF ALMONDS

Words will not convince you. A trial of Rexall Cream of Almonds will. But to get you to really make that trial—that's it. And when a trial has been made—then what? You will use nothing else, so delighted will you be. Because—

Nothing has been discovered to equal it—makes the skin soft and clear—cleanses the pores—brings color to the cheeks—is entirely harmless. 35c.

THE BUSY CORNER,

Smith Drug Co. Open all night. Order 'phones 4360.

PERSECUTION IN FRANCE.

The Osservatore Romano Begins Publication of Protest of Catholic World.

Rome, Dec. 31.—The Osservatore Romano has begun the publication of "Protest of the Catholic world against the persecution in France." The paper gives the place of honor to a cablegram sent from a meeting held in Boston under the presidency of Archbishop O'Donnell, and second in line is a cablegram from a meeting of Catholics held in Washington, signed "P. J. Donovan." The paper says that manifestations of this nature show how deep and universal is the sympathy of Catholics in the trials and bitterness of the church and its holy father.

The Osservatore expresses joy at the reported decision of the Long Island Knights of Columbus to boycott French goods, and expresses the hope that this step will be initiated.

The Jesuit review, Civita Cattolica, has opened a special subscription for Peter's Pence to defend the freedom of religion in France and to help the French clergy. It has already collected more than \$12,000.

THE PRESIDENT'S HUNT.

He Saw Wild Turkeys But Failed to Shoot Any.

Charlottesville, Va., Dec. 31.—President and Mrs. Roosevelt, accompanied by Admiral Rixey, surgeon general of the navy; Archie Roosevelt and his little friend Richard Wilmer of Washington, reached North Garden at 4:30 this evening, after a muddy drive of nearly three hours. His special train was delayed about one hour by failure of a wagon containing the Roosevelt baggage to arrive.

At Charlottesville several hundred people gathered at the station to greet the president, but got only a glimpse of him, as the train stopped but a few seconds.

The president, who braved the elements in the hope of catching a wild turkey, was again disappointed. He got within sight of turkeys, but not near enough to get a shot. He returned to Pine Knot thoroughly drenched. Dr. Rixey, who went out in the fields near the hunting lodge, was more fortunate, as he killed several birds.

Reconstructs your whole body, makes rich red blood. Drives out impurities that have collected during the winter. Hollister's Rocky Mountain Tea is a family tonic. 35 cents. Tea or Tablets.—Z. C. M. L. Drug Dept., 112-114 South Main Street.

DOCTOR'S ALL AGREE THIS TIME.

The most eminent writers on *Materia Medica*, whose works are consulted as authorities and guides in prescribing by physicians of all the different schools of practice, extol, in the most positive terms, the curative virtues of each and every ingredient entering into Dr. Pierce's Golden Medical Discovery. In fact it is the only medicine, put up for sale through druggists for the cure of all diseases of the mucous surfaces, as nasal catarrh, throat, laryngeal, and bronchial affections attended by lingering, or hang-on-coughs that has any such professional endorsement—worth more than any amount of lay or non-professional testimony.

Do not expect too much from the use of Dr. Pierce's Golden Medical Discovery. It will not work miracles. It will not cure consumption in its advanced stages. No medicine will. Nor is the "Discovery" so good for a sudden attack of acute cough, but for the lingering, obstinate, hang-on-coughs, accompanying catarrhal, throat, laryngeal and bronchial affections, it is a most efficacious remedy. In cases accompanied with wasting of flesh, night-sweats, weak stomach and poor digestion with faulty assimilation, and which, if neglected or badly treated are apt to lead to consumption, the "Discovery" has proven wonderfully successful in effecting cures.

Besides curing all the above distressing ailments, the "Golden Medical Discovery" is a specific for all diseases of the mucous membranes, as catarrh of the nose, throat, larynx, and bronchi. Even in its ulcerative stages it will yield to this sovereign remedy if its use is persevered in. In Chronic Catarrh of the Nasal Passages, it will, while taking the "Golden Medical Discovery" for the necessary constitutional treatment, to cleanse the passages freely two or three times a day, by Dr. Sage's Catarrh Remedy. This thorough course of treatment generally cures the worst cases.

If you have bitter or bad taste in the morning, poor or variable appetite, coated tongue, foul breath, constipated or irregular bowels, feel weak, easily tired, despondent, frequent headaches, pain or distress in "small of back," or a general distressed feeling in stomach, perhaps nausea, bitter or sour "risings" in throat after eating, and the various symptoms of weak stomach and torpid liver, no medicine will relieve you more promptly or cure you more permanently than Doctor Pierce's Golden Medical Discovery. Perhaps only a part of the above symptoms will be present at one time and yet point to torpid liver or biliousness and weak stomach. A cold, sore throat, headache, grippe, colds and other indigestible "food" and take the "Golden Medical Discovery" regularly and stick to its use until you are vigorous and strong.

Pain, impure blood, skin made pure by the use of Dr. Pierce's Golden Medical Discovery. It enriches and purifies the blood thereby curing pimples, blotches, eruptions and other cutaneous affections, as eczema, tetter, or salt-rheum, itives and other manifestations of impure blood. In the cure of venereal swellings, enlarged glands, open sores, or other diseases, the "Golden Medical Discovery" has performed the most marvelous cures. In cases of old sores, or open ulcers, it is well to apply to the open sore Dr. Pierce's All-Healing Salve, which possesses wonderful healing power when used as an application to the sore in conjunction with the use of "Golden Medical Discovery" as a blood cleansing constitutional treatment. If your druggist don't happen to have the "All-Healing Salve" in stock, you can easily procure it by enclosing fifty-four cents in postage stamps to Dr. R. V. Pierce, 603 Main St., Buffalo, N. Y., and it will come to you by return post. Don't forget to keep it as well as the "Golden Medical Discovery."

Not only does the wrapper of every bottle of Dr. Pierce's Golden Medical Discovery, the famous medicine for weak stomach, torpid liver or biliousness and all catarrhal diseases wherever located, have printed upon it in plain English, a full and complete list of all the ingredients and complete list of all the ingredients and complete list of all the ingredients.

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REASONABLE PRICES

Here are some places that you should not overlook purchasing for they are practically necessities these days:

Wicker Rockers from \$3.50 to \$15.00
Turkish Rockers (Leather) from \$5.00 to \$25.00
A full line of Parlor Pieces just received. Call and inspect our stock and YOU WILL BUY.

NEBRASKA FURNITURE CO., 62 E. 2d South

ESTABLISHED 1864

ONE PRICE TO ALL NEVER UNDERSOLD

We extend to all a CORDIAL GREETING

for the New Year, and the wish that it may prove a happy and prosperous year to all.

We're Closed Today "NEW YEAR'S." Our doors will be Open TOMORROW Morning, at the usual hour, and we will be ready with Bargains Greater than ever.

THANK YOU.

WHEN we say THANK YOU for your favors during the past year, we believe we thank nearly every family in this city, for our trade was large, far beyond our fondest expectations. We tried hard to please you, and to give you the very best at the lowest prices, and we are truly gratified to know our patrons and friends appreciated our efforts so much as they demonstrated by their most liberal patronage.

WE DO SINCERELY THANK YOU; and will continue to make it our highest goal to please our patrons. Give them the VERY BEST at the VERY LOWEST PRICE we can possibly make.

OUR FEE ONLY \$10

We will cure any single uncomplicated case (except Blood Poison) during the month of December for \$10.00. We want every sick man to be made well and strong. Come now and be cured. Don't delay. Avail yourself of this Special offer while it lasts. This is no false or misleading proposition. We mean what we say.

W. A. COOK, M.D.
Founder of the Cook Medical Co.

We treat and cure by the latest and best methods known to medical science, VARICOCELE, STRICTURE SPECIFIC BLOOD POISON, NERVO-VITAL DEBILITY, BLADDER and KIDNEY troubles, and all associate diseases and reflex complications.

CONSULTATION FREE, CONFIDENTIAL AND INVITED. A personal, thorough and searching examination is required, though if inconvenient to call, write me a full description of your trouble. Office hours, 9 a. m. to 8 p. m., except Sundays, from 9 to 12:30. Address or call

COOK MEDICAL CO. - 116 S. Main.

\$1--DURING JANUARY--\$1

DRS. SHORES & SHORES WILL TREAT ALL CATARRHAL DISEASES, INCLUDING DEAFNESS, DURING JANUARY FOR THE LOW FEE OF ONE DOLLAR PER TREATMENT OR \$5 FOR A CURE MEDICINES FREE. By means of Dr. Shores' Wonderful New Treatment, they are enabled to cure many mild or recent cases in a very few treatments—even the old and chronic cases may be cured for \$1 a treatment.

Dr. Shores also treat and cure all curable Nervous, Chronic and Private Diseases of men, Women and Children of every name and nature consultation and Advice Free and confidential for any disease. Call or Write.

Dr. Shores' EYE DEPARTMENT for the quick cure of all Eye Diseases and for the proper fitting of glasses is unexcelled, being in charge of a Specialist on the Eye of 27 years training.

A SPECIAL DEPARTMENT FOR MEN

Dr. Shores have a Special Department exclusively for treatment and cure of all diseases of men, women and children. You may consult Dr. Shores about the most delicate troubles with the assurance that you will be given honest advice and skillful treatment, and everything will be STRICTLY PRIVATE AND CONFIDENTIAL. Men who are weak and failing, those who have contracted diseases, the victim of Blood Poison—and all others who need the counsel and aid of experienced and kindly physicians are cordially invited to consult this department and be advised FREE OF CHARGE.

Be sure it is the Cure under DRS. SHORES' MODERN METHODS in all private diseases that you may arrange to pay the fee for a Cure in small weekly or monthly