Daily and Sunday, One Year ...

Sunday Rec. One Year... Weekly Bec. One Year... OFFICES: Omaha, The Bee Building. South Omaha, Corner N and 28th Streets. Council Bluffs, 12 Pearl Street. Chicago Office, 317 Chamber of Commerce. New York, Rooms 13, 14 and 15, Tribune Building Washington, 513 Fourteenth street.

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SWORN STATEMENT OF CIRCULATION. State of Nebraska,
County of Douglas (8s
George B. Tzschuck, secretary of The Bee
Publishing company, does solemnly swear
that the actual circulation of The Daily Bee
for the week ending February 7, 1891, was as unday, February L. onday, February

Monday, February 2.
Tuesday, February 3.
Wednesday, February 4.
Thursday, February 5.
Friday, February 6.
Baturday, February 7.

Average GEORGE B. TZSCHUCK 25.038 Sworn to before me and subscribed in my presence this 7th day of February A. D. 1891. W. K. KURTZ, Notary Public.

W. K. KURTZ,
Notary Public.

State of Nebraska,
County of Douglas, 1
George B. Tzschuck, being duly sworn, deposes and says that he is secretary of THE BEE
Publishing company, that the actual average
daily circulation of THE DALLY BEE for the
month of February, 1865, 19,761 copies; for the
month of February, 1865, 19,761 copies; for the
month of February, 1865, 19,761 copies; for Language for July, 1800, 20,562 copies;
for May, 1800, 20,180 copies; for June,
1800, 20,570 copies; for July, 1800, 20,662 copies;
for August, 1800, 20,769 copies; for September,
1800, 20,570 copies; for October, 1800, 20,762 copjes; for November, 1800, 22,130 copies; for December, 1800, 24,471 copies; for January, 1801,
28,446 copies.
George B. Tzschuck,
Sworn to before me, and subscribed in my
presence, this 31st day of January, A. D., 1891,
N. P. FEILA
Notary Public.

PEACE reigns once more in South

CORPORATIONS prating about "bad faith" should not dwell in conservatories.

Socially speaking, the midnight tiger hunt of the police was a "brilliant" affair, but -

IF Mr. Fitzsimmons' engagements are not too pressing he can secure a profitable job by applying to the Omaha city council.

THE fancy prices obtained for the postoffice site junk ought to induce the wners of the surrounding fire traps to run out the red flag.

WHEN combine grapples with combine, the subsequent proceedings throw a melancholy shadow over the historical meeting of the Kilkenny cats.

THE proper thing for the council to do is to clean out the entire plumbing department and secure the services of competent men from top to bottom.

Now it is proposed to knock out the overhead wire system by state law. The plan is an underground suggestion to the companies to come down-to Lincoln.

BANKER KEAN'S assets are a source of serious concern in Chicago legal circles. The question is not one of division, but to find enough to pay court expenses and lawyers' fees.

ITALY is floundering under a floating debt of \$2,450,000,000, with an annual interest charge of \$132,000,000. The figures represent the first class airs of a fourth rate power.

THE proceedings of the city council will revive memories of the stirring times when the Holly water boodlers were playing an engagement behind the footlights of Redick's opera house.

WITH three senators commissioned. the Idaho legislature is balloting for the fourth. The remarkable activity of the rock bound state promises to gratify the ambition of every senatorial aspirant in

According to London advices, John C. New is not disposed to exchange a consulship for the treasury portfolio. With true Indiana shrewdness, he prefers the emoluments of a paying place to the honors and expensive luxury of a cabinet position.

THE Missouri legislature was practically unanimous in rejecting a bill creating the office of beer inspector. The action was not prompted by a spirit of economy, but by the difficulty of selecting one expert without discriminating against the remainder of the population.

THE National Builders association has reached the conclusion that the time has come for harmony between associations of employers and employes. This is a roundabout way of conceding to workmen the right of organization. It required several hard knocks to bring the Nationals to their senses.

MAYOR CUSHING'S estimate for this year's city advertising is \$7,000. Last year the advertising fell short of \$3,000. In other words the old council combine. with the assistance of the mayor, voted \$4,000 bonus into the pockets of the official organ for the support they received from it. But \$7,000 is a low estimate. The rate under the new contract will increase the aggregate all the way

they call economy. Two distinct phases of the spiritual phenomena agitate the mental make-up is to be explored by a committee of The other appeals to all classes. The revival of an old statute compels the votaries of liquid spirits to be seated during their rappings. As a result, the seances are needlessly prolonged and more spirits imbibed than internal economy or pedal navigation requires. All Boston sighs for the right to stand up and irrigate, and it is probable the phenomenal force of the demand will be heeded by the legislature.

THE IRRIGATION MOVEMENT. All true friends of Nebraska must note with pleasure and satisfaction, the growth of the movement for irrigation

in the western part of the state. Its

brief but remarkable history is almost without precedent in the west. A section which keenly feels the pangs of destitution, turns hopefully and enthusiastically from a consideration of its calamity to "reiterate its faith in the grand future of the state," to quote from | the senate to go to someone else whom the Sidney platform, and devise ways for its development along practicable

lines. Is anything too much to expect

from such a people? The movement is now, haps, at its height. The state convention now in session at Lincoln, at which the 25 western counties are represented by delegates, will mature the plans which have been freely discussed by several district conventions already held. A comprehensive law, drawn by committees representing all the sections interested will be presented to the legislature. It will have a greater popular backing than any measure presented at this session.

A fact not understood heretofore is now being generally accepted. This is the idea that irrigation is not a question of interest solely to the western half of the state. It concerns Omaha and the eastern section of Nebraska because it offers the best means of repairing the damage done by the widespread stories of disaster. In this aspect it becomes important to every man who has his home or business interests in the state. It is also true that the prosperity of the wholesale trade and of many of our manufacturing interests is dependent in a measure upon the success of the present movement to make the empire in the western half of the state capable of sustaining a large population.

Viewed from any standpoint the irrigation movement is an inspiring spectacle and should have the hearty support of every citizen. It is the most promising development in the later history of Nebraska.

HE GAME NOT WORTH THE CANDLE THE BEE has always favored the retention of competent and faithful employes in the public service during the term for which they have been appointed and where no fixed term exists -during good behavior. This policy especially applies to local government, whether the employe is on the pay roll of the city or county.

If the persons recently dismissed as assistant inspectors of plumbing had shown themselves faithful and competent THE BEE would have denounced their removal as an unmitigated outrage whether they had been republicans or democrats. But the mere fact that they were foisted upon the city pay roll under a republican mayor does not justify republican councilmen in taking a stand for their re-employment.

It is notorious that a majority of these bogus inspectors are political ward heelers. They were put upon the city pay roll as a reward for political dirty work; not as republicans, but as handy tools ready to do the bidding of their bosses, and willing to conspire against reputable republicans for pay. Their time was devoted mostly to loafing, gambling and drinking. Whether the men who have been appointed to take their places are any better we do not know. They cannot be

Republican councilmen have certainly ndered no service to the party by an raying themselves solidly in favor of a set o roustabouts who should never have been appointed in the first place and are entitled to no sympathy or support from any republican who desires good government, and wants the business of the city conducted on business principles.

HE IS STILL IN IT. It was hardly necessary for any friend of Governor Hill to announce that so far as the governor himself and his more ardent followers are concerned he is still in the presidential race. Nobody has presumed otherwise. The assumption that because Hill and Cleveland met at a banquet and exchanged what seemed to be cordial greetings, an arrangement had been made between them by which the field was to be left clear for the ex-president next year, has not received general acceptance. It was undoubtedly a mere incident having no significance except as showthat these aspirants for

the presidency are not personally unfriendly. There was no better reason for the inference that Hill had surrentdered to Cleveland than for assuming that the ex-president had agreed to drop out of the race in behalf of the governor. Either idea is inconsistent with the well understood disposition of both men. There can be no doubt that it is as much the intention of David Bennett Hill oday as it has been at any time to contest for the nomination in the next democratic national convention, and if he can retain control of the political machine in New York it is safe to predict that he will command the delegation from that state. He enjoys the prestige of being a safer man for the democracy in that state than Cleveland, and if the democratic state ticket, which he will probably dictate, should be elected, this prestige will be materially increased. Mr. Hill and his friends look to this to give great potency to his

claims before the national convention, for there will be small charce of democratic success in 1892 without New York. But on the other hand there are some who have been the most earnest supporters of Mr. Hill's presidential aspirations who regard his acceptance of a from \$9,000 to \$10,000. That is what seat in the senate as shutting him out of the race for the presidency. Independent of the fact that no man has ever been promoted from the senate to the executive office, they regard this move of Boston. Spiritualism, pure and simple, of Governor Hill as being bad polities under the circumstances. clerics, but this phase attracts an in- furnishes offensive evidence of an inorsignificant per cent of the inhabitants. | dinate desire to be in public office, and whether Mr. Hill decides to fill out his term as governor before entering the senate, although the senatorial term begins after March 4 next, or abdicate the governorship, either way he is likely to lose friends. In the one case he would offend the men and their friends who would be benefited by his relinquishment of the gubernatorial office; in the

other he would dissatisfy those who feel

that their political future largely de-

pends upon his remaining where he is and keeping firm hold of the political machinery now so completely under his domination. It is plain, therefore, that Governor Hill has some difficulties to gvercome in order to retain a place in the presidential race, and he may very easily make a mistake that will be disastrous to him. It is hardly questionable that he would be stronger if he had permitted the seat in he might have named.

As to democratic sentiment outside of Hill's strong and faithful following in New York, It does not appear to be any more friendly now than it was three years ago to his presidential aspiration. No strong party leader anywhere has come to his support, and no newspaper of any prominence now favors him as a candidate that did not do so before the meeting of the last democratic national convention. It is possible that there may be a great change in the feeling of the democracy within the next year, but just now the odds in the presidential race are heavily against Mr. Hill.

SELF-APPOINTED RELIEF AGENTS. From various parts of the state comaccounts of unauthorized individuals who are flooding the east with appeals for "the starving people of Nebraska," and who are receiving large donations which get no further than their own hungry pockets. It is stated that one man in southwestern Nebraska has in the last few weeks cashed drafts at a single bank for over \$2,000, not a dollar of which he is known to have given to a real sufferer.

It is a repetition of the methods adopted by dishonest men in the grasshopper times. The lurid appeals which they send out do incalculable harm to the state's reputation abroad. The money which they pull in confers no benefit on anybody. They represent a class of human sharks who hesitate not to prey upon the credulity of generous people in the east, and who are mean enough to divert to their own pockets the money intended for unfortunate men and women who need food and fuel to sustain life.

The state authorities should adopt means to ferret out and severely punish every person who is thus obtaining money under false pretenses. They should make an example of them, so that they may have no imitators hereafter. Steps should also be taken to enlighten people in the east and to prevent further imposition upon them. If further assistance from the east is required-it is to be hoped that it is notparties desiring to contribute should be advised as to the names and addresses of the authorized agents of the relief fund.

It is a matter of great importance that these impostors should not longer be allowed to flourish at the expense of the state's reputation and of deserving peo-

STATE ELECTIONS THIS YEAR. Of the state elections to be held this year the most important will be those of New York, Massachusetts, Ohio and Iowa. All of these states now have democratic governors, and in two of them the legislatures are in control of the democracy. In each, therefore, that party has some advantage by reason of its control of the patronage and political machinery, but as this is the year before a presidential campaign the republican party in all of these states will put forth every effort to win them back, and a most victorous campaign in each of them is assured. Democratic success in these states this year would very greatly reduce the chances of republican victory in the national campaign of 1892, and consequently both parties will make the best fight pos-

In New York it is not probable that

the democrats will be able to find a candidate who will be as formidable as Governor Hill has been, but unless something should occur to create defection in the party it is hardly to be expected that the republicans will win. There is a strong probability, however, that the harmony which has characterized the democracy of the state for several years may be broken, as the result of a struggle of the Cleveland and Hill factions to secure supremacy, and in that event the republicans might elect their governor and secure control of the again legislature. In Massachusetts republican success is to be regarded as reasonably certain. The dissatisfaction which gave victory to the democrats last year will not be operative to any such extent next fall, and if the republicans select good candidates they can elect them. The republican party of Ohio has not failed in a quarter of a century to elect its candidates in the year preceding a presidential election, and there is every reason to believe that this record will not be broken the present year. It is probable that Major McKinley will be the republican standard bearer, and his great fighting qualities in a political campaign will pretty sure to draw out the strength of the party and imbue it with unusual enthusiasm. In Iowa the republicans are in some per-

plexity as to what position to take on the prohibition issue, and it would be unsafe to indulge in predictions until the party decides what to do regarding this question. It is believed that a brave stand in favor of high license and local option would assure the party's success, but it is apprehended that a majority of the leaders have not the courage to take this stand and will prefer to risk democratic success. In any event, however, the chances must be regarded as in favor of the republicans. National issues will enter largely into the campaigns of all these states,

and hence the results will go far to indicate the trend of public opinion in the north respecting the most important questions that divide parties. In view of the progress that is making with reciprocity, and the promise of a steady improvement in the financial and business affairs of the country, there is reason to regard the outlook for the republican party in most of the important state elections of the year as highly favorable.

THE total cost of street paving repairs last year was \$15,000. Of this sum

\$11,300 was paid for repairing asphalt pavements. Turing the present year it will be necessary to replace a vast amount of wood pavement. The asphalt bill will also merease. These necessary repairs are taxed on the public at large. The property owner on an unpaved street is required to pay his share as well as those who secured durable pavement in front of their property. Is it just to tax owners of property abutting stone-payed streets for repairing cheap pavements? The former paid for the best material in the market. Why compel them to contribute to the welfare of penurious neighbors? In justice

to enterprising property owners, those

who fought for and secured cheap pave-

ments should bear the total cost of re-

pairs. Every paving district should stand on its own bottom. THE breach in the home rule ranks grows wider every day. From start to finish, Parnell fought for time, and succeeded in outwitting his opponents at every point. Never for a moment did he seriously entertain a thought of retiring from the leadership. He played with the men bonestly desirous of uniting the party, entrenched himself while they wrangled over terms, and led them on a wild goose chase from Hawarden to Boulogne, while effectively pulling the wires to re-establish his power. However much the friends of Irish home rule may regret the dissension, they cannot

litical existence. RECENT manifestations of the boycotting spirit in the silver states will not help their cause in public estimation. How absurd it is for the legislatures of Colorado and Nevada to threaten eastern communities because citizens express an opinion adverse to the interests of the bullionaires. Public opinion cannot be clubbed into submission by threats, nor can a cause be improved by methods as foolish as they are unpatriotic. The boycott is a foreign plant, fostered by tyrannical laws. It cannot be grafted in this country because the elements on which it thrives do not exist.

help admiring the skill and ingenuity

displayed by Parnell in battling for po-

Now that the contest over the state offices has been shelved, the legislature is in condition to proceed with with the business which develves upon that body. But it is to be hoped that every measure will be carefully considered and fully discussed. The legislature is a deliberative body and every bill that involves an important issue or a vital change in our statutes should be carefully considered. The people do not relish halfcooked dishes. Better a few good laws than a whole volume of ill-digested and crude legislation that would have to be repealed two years hence.

Now will the legislature please inquire how much there is left of the \$100,000 placed at the disposal of the state relief committee? And how many dollars' worth of goods they bought and shipped out on the credit of the state before the appropriation was signed by the governor?

We Pay the Freight.

With Gould on the road the public is on Indian News.

Ploche (Nev.) Record, Few Indians about town and nothing unusual in their actions. They continue to work a little, gamble a good deal and get drunk as often as possible. No prophet or war is troubling them.

Try it Yourself. Non York Herald.

If you want to comprehend the full meaning of the closure rule, apply it in your own family when new spring bonnets adorn shop windows. But say your prayers first and have "a heart for any fate."

Buying Judgeships. San Francisco Call, Our citizens all know that a few men by the use of money have for some time past controlled the nomination of nearly all of the

important offices in the state. Railroads and two or three other interests have paid money for the nomination of such judges and other officials as would suit their purposes.

Pacific Presidential Timber. Portland (Orc.) Telegram In trying to make a vice president of Governor Pennoyer, some of these fellows may be getting the cart before the horse. There has never been a president from the Pacific states, but that is no argument that there never will be. This is a monstrous big country, and its biggest timber grows on

this slope. Legislators Like Passes.

San Francisco Chronicle, The Minnesota bill directed against the ac eptance of free railroad passes by public officials will probably be killed, as such bills have been slaughtered in other states. The great trouble is that legislators are fond of free passes and all other perquisites that they can secure, and it is impossible to get a

majority to vote for suppressing them. All Alike This Year. The Reno (Nev.) Gazette man sent the ollowing letter from the state capital: This s the worst you ever saw. No session ever opened so dull, and you never saw a gang so ompletely lost in your life. Most of them crawl into their holes at night and and pull their holes in after them, and the assembly has held about a half hour session and done nothing. The senate is little better. The streets are deserted.

Elect ng Senators.

Springfield Republi an. Instead of delegating to representatives of the people the power of enacting laws, it is proposed in the Nebraska legislature to have the power exercised directly by the people The bill in question provides that on a petition signed by not less than 40,000 voters, setting forth what legislation is desired, the governor shall give notice by proclamation and the people shall vote on the question at the next general election. This would offer an interesting trial of a purely democratic form of government.

By a Big Majority.

San Francisco Eraminer.

A member of the legislature who had pledged himself to his constituents not to steal brought home at the end of the session a large portion of the dome of the capital. Thereupon the constituents held an indiguation meeting and passed a resolution of tarand-feathers.

"You are most unjust," said the member of the legislature. "It is true I promised you that I would not steal but had I ever promsed you that I would not lie!"

Then the constituents said he was an hon orable man and elected him to the United States congress, unpledged and unfledged.

PERSONALITIES.

AND REAL PROPERTY AND ADDRESS OF THE PARTY AND

Archbishop Ryan is red haired. Ex-Secretary Bayard, although in fair health, is aging rapidly.

Miss Ellen Terry, the actress, is president of the Ladies' cycling club of London. Queen Victoria is taking a great interest the promotion of a large whiskey distillery in Waters.

Colonel MacFarlane, who was Kalakana's chamberlain, says the king left an estate worth about \$100,000. The John Boyle O'Reilly memorial fund is

making rapid headway. Nearly \$1,400 is already in the treasury. The air brake millionaire, Westinghouse is a practical mechanic, being the graduate of a machine shop, in which he spent his

Colonel Donn Platt will soon publish a novel. He will shortly return to the editor-ship of Belford's Magazine, which he left two years ago.

Ex-Governor Bullock of Georgia comes for ward with the suggestion that ex-President R. B. Hayes might be the most available re-publican candidate in 1892. President Diaz of Mexico, it is announced, will soon start for France, where he will re-main for several months. One of the reasons assigned for his departure is all health.

"Buck" Kilgore, the Texas congressman who kicked a door open in the capitol last fall, has had a shoe named after him that sells famously down in the Lone Star state. "The children of this world marry and are given in marriage." Such was the text of Colonel Shepard's New York evening paper on the day that his daughter was "given in

marriage" to William Jay Schieffelin. David Dudley Field, the great New York lawyer, writes a horrible fist. In his office there is said to be one expert whose position is assured, because he is the only one who can get his chief's manuscript ready for use Mrs. L. B. Walford, author of a lot of suc-

cessful novels beginning with Pauline is every inch a dowager in her attire. She likes heliotrope and the rich, heavy materials she goes in for would look better in curtains than in dresses. Miss Bessie Behan, who has been selected

to be queen of the Mardi Gras carnival in New Orleans, is the daughter of General W. J. Behan, of that city, an extensive sugar planter and merchant. Her debut into sociplanter and merchant. Her debut into society was made only this winter, but she carried off the honors of the season without rivalry. She is a blonde of medium stature, with gray eyes.

The Boston Post says that Lavinia Hartwell' Egas, who has done some remarkably clever journalistic work under the pen-name of "Patience Oriel," is but repeating the history of many other bright American girls in her triumphs over difficulties. She was born in a tent at the Falls of the Brazos, in Texas, and for the first nine years of her life let that most blissful of all existence, a barefoot child in the country.

PASSING JESTS.

Chicago Tribune: "Harry," inquired the anxious wife, "what doctor shall I call?" "Send for Dr. Squinine," said the sick husband feebly. "He's courting old Bullion's daughter, and old Bullion is the treasurer of the life insurance company I'm insured in." Life: When the hon lies down with the

lamb, there is nobody to ask, "Haven't you forgot something, sir!" Spare Moments: The Judge-Officer Grady, please arrest Lawyer Case's atten-

Grady-Yes, sor, av you'll please make out Binghamton Leader: There ars some

people in this world who would not be fied if they were perfectly contented.

Drake's Magazine: At the clothes of the casen.—Vest—"How are you feeling?" Coat-"Completely worn out." Life: Jones - We must make this banquet grand success. Have you got some good

igars to give away !

Brown-Oh, yes; they're excellent ones to give away. Munsey's Weekly: Kingley (to Bingo, who has just moved)—This is a pretty nice house you've get, Bingo, but I thought you said you were going to buy it instead of pay-

Bingo-So I was. But I had to pay the New York Weekly: Foreign Visitor-Does it cost much to live in New York? Host-No, sir, it doesn't cost much to live a this city, but it costs like Sam Hill to keep

up appearances. St. Joseph News: Woman's aim in life is rarely reached, unless the aim is a man and the missile a glance of the eye.

Drake's Magazine: Curbstone—The mud cems to be very fond of you; sticks to you through thick and thin nent-Yes; I have noticed that it has

been very soft on me for some time past. Texas Siftings: (At a Pizen Creek Party) Mrs. de Grissler—You seem rather fidgety this evening, Colonel Whipsrw.

nei Whipsaw-Yes, just a little. 'Is there anything I can do for you "Nope. You see I've given Bill Roper over there, all the chance and inducement to clope with my gal Cycloney that a feller could want, and now if he don't improve this occasion to skip with her he'll be sorry.

Washington Post: "I assure you," said the clerk in the gas office, "that your bills are accurate. Our work is done with micro "Which, I suppose," said the chronically displeased citizen, 'is how you manage to make things seem so much larger than they

New York Herald: "Did I hear that you vere engaged to Miss Bullion!" "I don't know whether you did or not. Great Scott, man! Can't you remember what you hear without having some one along to

nake notes for you?" "You claim that you were insane when you proposed to her!"

"Yes. sir." "Can you prove it!"

"By producing the plaintiff in court and etting the jury look at her."

A LITTLE OF EVERYTHING.

It is a fact not generally known that Missouri furnishes better cavalry horses than any other state in the union. Th

Missouri horse is sturdy and short backed, id is now much in demand by cavalry The sale by Mrs. King of Corpus Christi, the "cattle queen" of Texas, of 2,000 two-year-old steers is probably the largest single order for cattle ever filled in Texas. The con-

ideration was \$82,000. Mrs. King's ranch s An actress in Edinburg brought suit against a Scottish newspaper for alleged unfair criticism, claiming \$3,000 damages. The udge would not permit the case to go to the ury, claiming that the right of criticism be-

ed to the public and the press. The prince of Wales conclusively proves that in his case time is certainly money. He has not yet lived fifty years, yet since no held is own purse strings he has drawn from the and spent \$16,500,000, instead of only \$800,000, as was once believed.

The other day a philanthropic lady found the following appeal among her usual grist of begging letters: "Dear Madam: "Will ou help me to get a position as a teacher to upport myself and two little ones! Also ell me where I can buy a parrot one year

A GIRL FROM -

'He told me," said the modest maid, "I was the pearl of pearls; My charms displayed would overshade Ten thousand other girls. He yowed I was the cherished prize, His goddess, his delight; He praised my eyes more blue than skies,

Their glance than gems more bright He swore gold glittered in my hair, No word could tell my worth; He called me fair beyond compare

With anything on earth,"
"And trust you," asked the matron, wise,
"In what he says to you?"
From the maid's eyes shone sweet surprise "Of course: I know it's true."

FROM THE STATE CAPITAL.

Henry Mohr Found Guilty of Assault with Intent to Wound.

RECOMMENDED TO THE COURT'S MERCY.

Other Cases in the Lancaster District Court-Supreme Court Opinions-Stole Brass-Odds and Ends.

Lincoln, Neb., Feb. 11 .- [Special to THE BEE. |- The trial of Henry Mohr for assault with intent to kill and also to wound occupied the entire day in the district court. The evidence has already been reviewed and need not be repeated. The quarrel between Mohr and his wife occurred when the former was under the influence of liquor, and the defense contended that no intent to all was manifested or could be adduced from the evidence. J. C. Johnson defended Mohr with such ability and address that at 9 o'clock last night the jury returned a verdict finding the prisoner guilty on one count only, that of shooting with intent to wound, and recommended him to the mercy of the court.

Frank Frazier was arraigned on the charge of mayhem, but the county attorney allowed him to plead guilty to the charge of assault and battery, and he was fined \$50 and costs, amounting to \$150 in all. Frazier assaulted Lizzie Williams, alias Johnson, a notorious character, striking her on the ear with a stone, and from the effects of which she lost her hearing.

The case against George W. Keiber, charged with embezzlement, met with a sudden ending this morning. The defendant was allowed to withdraw his plea of not guilty and filed a general demurrer to the information. This demurrer was argued at length, the defense setting up that the information charging him with taking partnership money did not constitue an offense. The court thought so too, and sustained the demurrer. The county attorney was given leave to file a new information, but it is not robable that he will do so.

W. H. Robb wanted to have his case con-

tinued this morning, but the court put its foot down, and he is now having his innings for having Henry Burcham's watch in his essession without first consulting Henry. The defense is that he won the watch from Burcham in a high five or poker game while the owner was full.
Stella Fields, a handsome young woman,

was an applicant for a divorce before Judge Field this morning. Her husband, Edward L. Fields, did not show up to defend the suit and she was permitted to tell her story, was married in Detroit, Mich., Octob 1886, but her husband abused her, drank a great deal and furnished her with no sup-port. She has been obliged to go on the stage to earn her living and is known as Nina Burdell. She was given a decree. The next case called was that of Louise Inderlied vs William Inderlied. William did deried vs William Inderlied, William did not legally appear, but he was there in per-son. Mrs. Inderlied said that she had mar-ried William in Wilber, November 31, 1886, and two children were the fruit of their union. Soon after they were married he began carrying cargoes of rich, red liquor, and while in that condition assaulted his wife and after their children were born would transfer part of his blows to them. He failed to provide suitable maintenance and com-pelled them to stay in an old house without sufficient covering. The feet of both little children were frozen by reason thereof. When Mrs. Inderlied finished William, who was the custodian of a voluptious jag, rose and asked permission to address the court It was granted, and he rambled off into a lachrymosely-punctuated review of his woes acknowledged that he had been a hat itual drunkard for two years, and had failed to support his family, but he would reform if Louise would take him back again. He was subjected to a sharp cross-examination by the court and when he defiantly maintained that he had not been definatly maintained that he had not been drinking Judge Field immediately wrote out an order granting a decree and the custody of the children, for which William had also pleaded. The woman started to leave the court room when Inderlied jumped to his feet and ran after her. He called out something to her, but she hurried on. William ran after her and Deputy Sheriff Hoagland took after William. In the consider the woman storned. William. In the corridor the woman stopped, threw up her hands and called to the deputy

f he gid not take the first train to his home in Beatrice he would be locked up. He prom-A. P. S. Stuart is not satisfied with the verdict of the county court in the suit against the city fathers for tearing down a cherished building of his on F and Twentieth streets and in which he was worsted. He filed his

to stop him. He promptly collared William and held him until the woman had gotten safely home. He then notified Inderlied that

and in which he was worsted. He hed his appeal today in district court.

Henry Townsend has filed a petition in district court against Henry Pfeiff and the city of Lincoln for \$175 damages. Henry's horse was standing at Eleventh and O streets one day when Pfeiff's runaway team came lown the former thoroughfare and coiliding with his borse ran the tengue through th animal's bosom. The city is held responsible because the horse was left untied in violation

of an ordinance.
William B. Seal objects to Sheriff McClay's attaching his six horses for a debt owed by another fellow. H. W. Stone claimed in his petition filed yesterday that Seal has as-sisted one Stuart in defrauding him, and it was on his application that the attachment against Seal's horses was issued.

HAPPILY MATED. Miss Eva C. Sterns was married on Mon lay evening, January 26, to Mr. C. D. he marriage was performed at the residence the bride's parents, Mr. and Mrs. Sterns, near Crounse by Rev. J. M. Rich mond, in the presence of a large number of invited guests. The groom's best man was Mr. George Herr, and the bridesmaid Miss Hattie Steros. After the wedding a sump-tuous wedding supper was served. The presents were numerous and costly.

STOLE BRASS. George E. Fisher, manager of the Lincoln tannery, has been missing brass, iron, etc. from the storehouse at Fourth and O streets and this morning hid himself in a dark cor ner waiting for his prey. About 11 o'clock three men broke into the building, and while they were helping themselves Fisher slipped out and called the police. Officer Sipe went down in the patrol wagon, but by the time he arrived the men had filled their sacks, and were crossing the tracks towards home. Fisher was tralling them however, and point ng them out they were arrested. They gave their names as Thomas Johnson, laborer, A. R. Miller, laborer, and Henry Little, harness naker, and were locked up.

SUPREME COURT. Cor vs Miller. Error from Phelps county eversed and remanded. Opinion by Mr Justice Maxwell. 2. Proof held insufficient to sustain the

erdiet. Gibson vs Smith. Error from Douglas county. Affirmed, Opinion by Mr. Justice Maxwell. 1. There were five certificates of the clerk

of the district court, four of them being dated August 5, 1889, and attached to sepa-rate stipulations in the district court; and one certificate dated August 24, 1889, to the record proper. Held that the four certifi-cates dated August 5, 1889, were entirely un-necessary, and tended to cumber the record. 2. The mere sharing of profits where third

persons have not been led to believe there

ship unless there was one in fact.

3. But participation in the profits of business where there is testimeny tending to show that the person anaring the same took them as principals in a joint business in, which each had an express or implied authority to bind the other, will warrant a

court or jury in finding that there was a partnership. State ex rel Lincoln land company vs Ed-wards et al. Mandamus, Writ denied, Opiny ion by Mr. Justice Norval.

was a partnership does not create a partner-

Brome vs. Cuming County. Error from uming county. Aftermed. Opinion by Mr. Dailoy vs. Kinsler. Appeal from Douglas county. Affirmed. Opinion by Mr. Justic

Maxwell.
1. In 1883 one D. made a deed of certain real estate to Catherine K. In May, 1884, Catherine conveyed said property to one J. H. F., by deed with full covenants of waranty. J. H. F. paid nothing for property, soon after the execution of the last mention-Soen after the execution of the last mention-ed need, D. began an action in the district court against Catherine, and J. H. F. alleging certain facts which, if true, would invalidate the deed from D. to Catherine, and prayed-that the deed made by him to Catherine and from her to J. H. F. be delivered up and can-celed and the title quieted in the plaintiff. Personal service was had upon J. H. F. and by publication upon Catherine. A decree by by publication upon Catherine. A decree by default was entered against both, which was afterwards set aside as to Catherine and she was permitted to defend, Held, 1st that as she had conveyed all her interests in the premises before the bringing of the action, she was not a necessary party to the suit 2d. That the decree against J. H. F., no appeal having been taken or modification made, divested him of all title or interest in the premises, 2. Under Section 3, Chapter 32, compiled

statutes, an express trust in real estate can-not be created by a parol agreement to re-convey the same to the grantor. Dusenberry vs. Albright, error from Paw-nee county. Affirmed. Opinion by Mr. Justice Maxwell.

The following gentlemen were admitted to practice: J. C. Martin, esq., of Merrick county; James W. Carr, esq., of Douglas

Leake vs Gallogly. Perfect transcript ordered. State ex rel Antelope county vs Fremont, Elkhorn & Missouri Valley railroad company.

Dismissed at relator's costs.

The following causes were argued and submitted: Nebraska loan and trust company vs Taylor; Norton vs Nebraska loan and trust company; Craig vs Weitner; Standard distilling company vs Freyhan; Fuller vs Colfax county; Walker vs Wonderlick; Wil-son vs Coburr; Persinger vs Tinkel. Court adjourned to Thursday, February 2, 1891. The call of the causes from the

Fourth district was finished and the court will not likely hear further business until the case of the Fifth district on Tuesday, February 17, 1891. ODDS AND ENDS. Mary Briggs was reasonably quiet today. Last night she took off her stockings and threw them on the stove, where they smold ered away, and the rescuing officers were nearly smothered by the fumes. Afterwards she got hold of a pet of red paint and artisti-

cally decorated the interior of the cell. The neighbors of Mrs. Wedge, who lives out in East Lincoln, have about decided to enter compisint of insanity against the woman. Her husband refuses to do so, and as she is inclined to roam the streets they fear she will become the victim of some de-signing villian. Mrs. Wedge is or was a participant in the Minehart holiness craze and her mind has become unsettled on that subect. She is the woman who has been taken into custody several times by the police, being found in saloons preaching. She has also manifested many other eccentricities.

Mrs. Emma Biles filed a petition for divorce from her husband, Leroy, in district court

today. Mr. G. A. Bush, president of the Lincoln electric street railway, is in Chicago pur-chasing supplies for the extension of the various lines in the city early in the spring. Bert E. Betts, the expert stenographer, hes opened a shorthand school in McMurtry

COURT NEWS.

Several Decisions Rendered and New Cases Commenced.

Judge Wakeley derivered decisions in three cases yesterday morning. In Ochiltree vs Benawa, the report of the eferee was aftirmed and judgment for \$7,400 confirmed.

Streitz vs Hartman, a suit in equity to secure indemnity for a mistake of surveyor in platting Hartman's addition, was dismissed for want of equity. In Forbes vs Thomas, for an equitable set

dgments involved but not of the interest. In the Ryan & Walsh case the forenoon was occupied with reading petition and an swer, and the explanation of the plans and specifications. Ed Walsh, a member of the firm was then called and proceeded to testify as to his understanding of the plans.

cree was entered for a set off of the two

Judge Clarkson has taken up the case of ouis Rice, the colored man, charged with Louis Rice, the colored man, charged with assaulting with intent to kill Hazel Burt, a woman of the street.

Charles O'Brien, charged with grand lareeny, will be put on trial today, and William Newman, grand lareeny, Friday. Alfred Johnson has commenced divorce proceedings against his wife, Emma, on the ground of adultery and descrition. They were married at Fort Reno, August 21, 1885, and have no children.

Missouri Valley Grocerymen.

The members of the Missouri Vadley Groers' association are arriving on every train. They will meet in regular session today at the Paxton hotel. One of the members said last night that there would be a good deal of discussion upon the freight classification question. At present there is a great deal of question. At present there is a great deal of irregularity in the classification of eastern and western roads. In some liftee of goods there are two changes of classification made from the time the goods leave New York until they reach the retailer in Nebraska or Kansas. This makes it very difficult for wholesalers to figure the exact expense of shipment and creates a good deal of trouble.

There will probably be fifty to sixty of the grocers present, and a banquet at one of the lubs will doubtless be given them. sociation is more of a social organization than anything else, and they will manage to have a very enjoyable time while in Omaha.

A Phonographic Entertainment. The pupils of St. Timothy's mission, at Eleventh and Nicholas were on their good behavior last night. Missionary Reedy had promised them a treat, and it came in the hape of a phonograph concert, with Erastus Benson's expert manipulating the machine, At So'clock the little building that serves the double purpose of a church and school room was packed with the bright little boys and girls who dwell upon the north bottoms. To these children the phonograph was something new, and as the music was poured into their ears through the rubber tubes it afforded no end of amusement. After this the exercises consisted of recitations, songs and dialogues, all of which were rendered in a very creditable manner.

Harvard's Honored Head. President Charles W. Eliot, the distinguished head of Harvard college, will address the Omaha teachers' association at Washington hall on Tuesday evening, Febru-During his stay in this city President Ellot will be the guest of the Omaha Harvard club, which will tender him a reception on Wednesday evening, February 18.

Highest of all in Leavening Power .- U. S. Gov't Report, Aug. 17, 1889.

