THEY ALL FAVOR HARRISON

Senator Manderson Speaks Emphatically on Recent Annoying Rumors.

HIS IDEA ABOUT NEBRASKA'S CHOICE

Nothing Can Divide the State on the Question of Presidential Preference-New Arrangements by Which Indians Will Be Furnished Food.

WASHINGTON BUREAU OF THE BEE, 513 FOURTEENTH STREET, WASHINGTON, D. C., March 16. A letter from J. S. Clarkson appears in the papers this morning in which it is stated that Senator Manderson is likely to be a candidate for the presidential nomination at

Minneapolis. Senator Manderson is much annoyed. He said this afternoon: "Put it as strongly as you want to in THE BEE that I am not a candidate, will not be a candidate, and can con perve of no greater torture than to be obliged to spend four years in the white house. I suppose these suggestions are intended to be complimentary, but they both amuse and annoy me because they have no basis in fact or inclination on my own part. Nebraska will be for the nominee of the republican convention, whom I believe will be President Harrison."

Mr. Paxton's Views Endorsed. For some time past Hon. William A. Paxfor some time past Hou. William A. Fax-ton of Omaha has been urging the substitu-tion of dressed meat for cattle on the hoof for issue to the Indians at Pine Ridge and Rosebud agencies. Senator Manderson will tomorrow strongly endorse Mr. Paxton's recommendation on the grounds of humanity, oconomy and the financial interests of the He holds that if dressed beef were delivered at railroad points nearest the agency and transported to the agency by the Indians the revenue from hauling would be much greater than they now receive from the sale of bides. Agency expense would also be greatly decreased, as the chief herder and assistants would be done away with. There would be no shrinkage or loss and the beef would be delivered with much more regu-larity and satisfaction and the present system of shooting and crippling beeves and tortur-ing cattle would be done away with. The enator will urge these points strongly upon the department and hopes to pave the way for a much-needed reform.

Additional Pension Legislation.

Senator Paddock, who is a member of the committee on pensions, said this afternoon. "The statement that the senate is opposed to any additional pension legislation is not true. Our committee has reported several bills of a general nature besides numerous bills for private relief. One increases pensions in cases of deafness of both ears to \$40 per month. Another amends existing laws for disability so that those requiring periodical assistance shall be rated not exceeding \$50 a month. Another permits confederates who have since re-enlisted in the United States army and became disabled in the line of duty to come under the provision of the existing law. Still another extends the application of the law of 1890 to widows, orphans and minors. These measures, while not radical manded by justice and will, I believe pass the senate.

Arranging the Spring Transfers.

The War department issued today the long expected orders for the spring transfer of United States troops from the various army posts. The number of regiments which will exchange stations is much smaller than expected. The Twenty-first regiment of infantry is the only regiment which leaves the Department of the Platte, the headquarters and five companies of that regiment going to the Department of the East and the remaining companies continuing under command of the lieutenant colonel at Fort Sidney until further orders. This will decrease by five companies the troops now in the Department of the Platte, as no regiment is ordered to take the place of the Twenty-first. The transfer of the Ninth cavalry from Forts Robinson and Niobrara and of the Second in-fantry from Fort Omaha, which has been under consideration, was postponed for the present. It is not now considered probable that either regiment will be changed this year. The lenth regiment of cavalry exchanges with the First, one troop of Indians from the First and another from the Sixth regiment, together with troops D and K of the Seventh, being sent to Fort Sheridan, Ill., troop F of the Seventh to Fort Myer and troop H of the Seventh to Fort Riley. The remaining companies of the Ninth regiment of infantry join their regiment in the Department of the East and exchange with a like number of companies of the Eleventh. under consideration, was postponed for the a like number of companies of the Eleventh. Comments on the Boyd-Thayer Case.

The Post this morning prints a lively editorial on the attempted resurrection of Gov ernor Thayer, it concludes as follows: "The claimant says that all he wants is a vindicaciaimant says that ail he wants is a vindica-tion, but the people generally seem to think that a man whose case has been adjudged against him by the highest judicial tribunal of the country ought to abide by that decision. Of course if he succeeds in implicating the United States supreme court in a conspiracy to defraud him of his office, as seems to be the theory on which he is now proceeding, he would find ample ground to stand on, but as nobody but hinself puts any faith in the absurd idea it would appear to be the right thing for his counsel to drop the case where it is. Mr. Thayer stands in no need of vin-dication by the courts. The best way in which to vindicate bimself is to quit quarreling with the inevitable and go about his business like a good citizen. His present course is not creditable to himself and it is certainly not conducive to the interests of the republican party in Nebraska,"

Miscellaneous. Senator Pettigrew appeared before the appropriations committee of the senate this afternoon and urged that an appropriation of \$100,000 be incorporated in the Indian bill for the establishment of Indian schools at Chamberlain and Rapid City. He also asked an appropriation of \$187,000 to pay the Crow Treek Indians for the shortage in the allot-finents made to them. These two items will probably be incorporated into the bill. The senator also asked that an appropriation of \$11,000 be inserted to pay the Yankton scouts for services in 1864. Senator Pettigrew appeared before the ap-

The following certificate was filed today and it has created some amusement in congressional circles because of the unanimity with which the signers join in recommending Mr. Bryan: "This is to certify that at a receive reacting of the degree restriction of the degree restrictio ing Mr. Dryan a regular meeting of the democratic delega-tion in congress from Nebraska, W. J. Bryan, member of the First Nebraska district, was unanimously selected to represent the state of Nebraska on the congressional committee." This is signed by W. J. Bryan, member of the democratic delegation from

The economic house of representatives this morning cut down the joint resolution appropriation for 150,000 conies of the popular "Diseases of the Horse" to 45,000 copies.

There are half that many requests from Nebraska and Iowa on file. No volume printed by the government in late years has been in such demand as the horse book. Senators Manderson and Paddock alone have sent out country 20,000 copies.

manuscon and radder alone have sent out marity 20,000 copies.

The pay corps of the army is up in arms against the proposition to reduce its numbers and turn over a large part of its duties to ileutenants of the line detailed for the purpose at various army posts. They protest that the change from bonded to unbonded officers will be unwise and certain to react upon its surgestors. The system was once tried for thirteen years and abandoned because of increasing defalcations and increased expenses, while during the war under the present system \$1,100,000,000 was disbursed with a total of losses and expenses of less than three-fourths of 1 per cent. The War department is understood to be against this measure which will prove sham economy of he worst kind.

The Laird eulogies will be in print next week and ready for distribution. Each is-brasks senator gets 700 copies for distribu-

J. H. Millard was in the city today and left for the west.
Surgeon Kean, U. S. A., has left Washington to join his station at St. Augustine,
P. S. H.

Western Pensions WASHINGTON, D. C., March 16 .- | Special Telegram to THE BEE. |-The following list of pensions granted is reported by Tun Ben

and Examiner Bureau of Claims: Nebraska: Original—David Bowg, Norman V. Duff, Miles Schoolcraft, Orville Compton, Jacob H. Rolby, Dudley H. Pol-

iard, August Kindler, Dewitt C. Smith, Francing Hawkins, Joseph E. Arnold, William Cover, William McEdree Taylor, Henry Pifer. Additional—William H. Browenell, William Mendelsohn, Azro D. McLellan, John Prescott, Philip N. Ault, Frederick Giser. Renewal and increase—John M. Demarco, Original widows, etc.—Mary J. Demarce. Original widows, etc.-Mary J

Original Joseph R. Summerson, John Williams, DeWilder C, Jackson, Francis Kiest, Francis M. McCullough, Jacob R. Younger, McKindree Seward, Charles N. Preston, Mathew Taylor, Owen Drake, Lewis Rhoudes, Dyer D. Danning, William F. Strater, Gilbert S. Miller, Abraham M. Kir-kendall, Lewis Young, James Deighton, Charles E. Johnson, Benjamin Elbert, Alden Charles E. Johnson, Benjamin Elbert, Alden Simons, John A. Keiman, Lewis R. Krant, Adelbert P. Munson, Thomas C. White, Ze-bulen W. Burch, Orson G. Reeve, William W. Ray, deceased, Simon B. Seigel, Ad-ditional—James Halford, George Phipps, Amos Griffith, Henry George, Isalah P. Reynolds. Increase—Edwin Bradway, Original widows, etc.—Mary A. Deiffenbaugh. South Dakota: Original—William G. Dickinson, James Van Hook. Original widows, etc.-Christiana Decamp.

NEWS FOR THE ARMY.

Complete List of Changes in the Regular WASHINGTON, D. C., March 16.-[Special Telegram to THE BEE. |-The following assignments to regiments of officers recently promoted and transfers of officers are or-

The leave of absence on surgeon's certificate granted First Lieutenant Francis D. Rucker, Second cavalry, is extended one month. Leave of at sence on surgeon's cer-tificate is granted Cadet Charles M. Chapman. Fourth class United States military academy, until June 15, 1892. The ordinary leave of absence granted Post Chaplain William K. Tulley, U. S. A., November 7, 1891, is changed to leave of absence on surgeon's certificate to date from March 9, 1892, and is extended on account of sickness to include April 8, 1892. First Lieutenant Rowland G. Hill, Twentieth infantry, is relieved from duty as judge advocate of the general court martial convened at David's Island. First Lieutenant Wallis O. Clark, Twelfth infantry, is detailed as judge advocate of the general court martial convened at David's

ignorance is no excuse in the eyes of the law, nor is it an excuse for headache, as everybody knows Bradycrotine is a sure

SARAH ALTHEA'S LAST SENSATION.

Letter Discovered Revealing a Conspiracy to Kill Judge Terry. FRESNO, Cal., March 16.-The safe in Sarah Althea Terry's house has been blown open by friends, and papers and letters secured which bear on the Sharon case and the alleged conspiracy to murder Judge Terry. One of the letters stated that the writer, who was formerly sheriff of one of the counties of this state, was offered \$25,000 to kill Judge Terry. He rejected the proposition and was warned to leave the state on pain of assassination. The writer went to Dubuque, Ia., from where the lotter requests Mrs. Terry to come and promises to put her in possession of proofs of the conspiracy. Other letters found in the safe, said to be sensational, are not obtainable.

Beecham's pills cures sick headache. PERSONAL PARAGRAPHS.

H. E. Heath of Lincoln is at the Paxton. C. J. Farrell of Lincoln is at the Arcade. J. Drake of Minden, Neb., is at the Paxton R. Wansworth of Wayne is at the Arcade R. A. Osporn of Beatrice is at the Millard R. M. Allen of Ames, Neb., is at the Mil

S. C. Birchard of Davenport is at the Del H. A. Hoffman of Cheyenne is a Millard

Lee A. Agnew of Spokane Falls is at the Murray J. W. Post of Rapid City is stopping at the Paxton.

J. L. Treber of Elmwood, Neb., is at the I. E. Alien of West Point, Neb., is at the

the Millard. at the Murray. E. B. Rudiger of Nebraska City is a guest at the Paxton.

J. W. Kelly of Grand Island is registered H. Wade Gillis of Tekamah was yesterday

W. S. Summers of Lincoln was at the Millard yesterday. W. F. Dutton of Petersburg, Neb., is stopping at the Arcade. Miss Lilly Lowe of Fremont, was at the

Dellone yesterday.

Charles F. Hardy of Sioux City is regis-N. R. McBride of Grand Island is registered at the Delione.

Dr. S. Van Ness of New York City is registered at the Paxton. Phillip P. Powell of the United States army is at the Paxton. C. W. Whitmore and wife of Chadron are

iomiciled at the Paxton. H. P. Scott and L. C. Mudge of Burlington are stopping at the Paxton. John Doran and daughter of Beatrice are sequestered at the Deilone. Frank Cross and L. N. Craig of Stoux City

are stopping at the Delione C. H. Anderson and wife of Pierre, S. D. are domictled at the Millard. Mrs. S. A. Watkins and son of St. Joseph

are domiciled at the Paxton. Mrs. T. E. Farrell of Hastings is among the lady guests at the Paxton. Mrs. Palmer of Schuyler, Neb., is among the lady guests at the Dellone.

U. S. Scott and W. H. Dorsey of Wahoo, Neb., are stopping at the Murray J. E. Sackett and wife and Miss J. Pad dock of Denver are at the Dellone William H. and Ralph Parker are regis-tered at the Paxton, from South Dakota.

Charles F. Arivine, E. and F. E. Toppe of Verdon, Neb., are stopping at the Arcade. Job Hatnaway and H. Blenstin of Hemmingford, Neb., are stopping at the Arcade. George R. Scott, E. Laughlin and Thomas

F. S. Clinton of Weeping Water, Neb. was among the arrivals yesterday at the Millard. H. S. Manville, a cattle feeder of Tilden.

Neb., is registered at the Paxton. He is now feeding 1,700 head of cattle. Mr. L. D. Fowler, cashier of the German Savings bank, and wife returned yesterday

from their trip to California. Councilman Bechel has as guests his brother, George H. Bechel, a druggist, and Ed Squire, banker and councilman, of De-

A Pittsburg party representing the United States Glass company is stopping at the Murray. The party is composed of A. W. Bogga, W. B. Lindsay, M. G. Bryce, P. E. Brady, H. G. Bunert and wife.

Mr. Fred Mason of New York, a former popular Omaha boy, is in the city the guest of Frank Hills, assistant auditor Union Pa-cific railway. Mr. Mason holds a responsible position with the New York Associated

Hon. A. V. Harlan of York was in the city yesterday. He reports York county to be in a very flourishing condition. The farmers are prospering and there has been a marked advance in the price of farm lands. Some lands are now commanding as high as \$50 per acre, and have been sold to a number of eastern farmers who will shortly locate in York county.

Mr. J. C. Houghton, treasurer of the National Life Insurance company, arrived in the city yesterday morning from California. He was entertained by Mr. M. L. Roeder, manager of the western department for the National. After a drive about the city a nice lunch was prepared for Mr. Houghton and a few of his New England friends. The party left during the afternoon for the east very left during the afternoon for the east very much delighted with their stay in Omaha. The National has invested over \$50,000 of its capital to date in Omaha.

For coughs and throat troubles use Brown Bronchial Troches—"They stop an attack o my asthma cough very promptly."—C. Falch Miamiville, O.

SAVED BY A MERE SCRATCH

Charles E. Johnson's Hanging Postponed by the Supreme Court on a Technicality.

OPINIONS HANDED DOWN YESTERDAY

Many Important Cases Settled-General Thayer Out of Court-Judge Blair's Predicament-Proceedings in the Omaha Police Commission Case,

Luxcoux Neb March 16 - Special to THE BEE. |- Charles E. Johnson, a convicted murderer from Nemaha county, bas, by virtue of an opinion handed down by the supreme court of Nebraska today, been granted a new lease of life and may perhaps go into the world a free man entirely.

He was convicted for the murder of one James Whitman in Nemaha county. The killing of Whitman was not denied by Johnson, in fact it was admitted by him in ex press terms in his testimony. The homicide occured near Auburn on the forenoon of June 16, 1890, on a tract of may land three acres in extent lying coatiguous to and west of the track of the Missouri Pacific railroad and about eighty rods north of their respective homes. There had been a contention between them with reference to the possession of the three acre tract in question, each claiming and asserting his right to the hay thereon. A material question at the trial was which of the contending parties was the first to reach the scene of the tragedy on the morning of the killing. The theory of the prosecution was that Whitman was first on the ground, and was in the act of cutting the grass with a scythe when he was shot by the accused. On the other hand Johnson claimed and testified that he was first on the ground and was cutting the grass when Whitman came from his home and assaulted him with a scytho and afterwards with a pitchfork, and that when he fired the fatal shot he was acting in selfdefense. Johnson was the only witness who had personal knowledge of the facts attending the killing. In applying for a reversal of the case John-

son assigned four causes of error: (1) That the lower court erred in permitting the county attorney to endorse the ditional witnesses on the information; (2) that the court erred in excusing two mem-bers of the regular panel on challenge for cause by the state; (3) that the court erred in instructing the jury that it should take into consideration the interests of the defendant in determining the credit to which he is entitled as a witness; (4) that the court erred in instructing that "good character is a circumstance of great weight in doubtful cases and of less weight in less doubtful

The supreme court declined to admit the force of the assignment of the first three causes of error, but the fourth saved Mr. Johnson from the hangman's noose. The am-qiguous wording of the instruction of the judge in regard to the previous good char-acter of the defendant was taken into consid-eration by the supreme court and the case reversed on the cause of error assigned in this particular. On this point the decision says: "Previous good character of the accused in a crimical prosecution is a fact which he is en-titled to have submitted for the consideration of the jury precisely as any other cir cumstance favorable to him without any dis-paragement by the court. Hence it is error to instruct that 'good character is a circum stance of great weight in doubtful cases and of less weight in less doubtful cases." The lower court was reversed on this point and Mr. Johnson will have an opportunity of clearing himself of the charge of murder in a

County Seat Case Reversed.

The now somewhat celebrated county seat contest in Dakota county was given another turn by an opicion handed down by the supreme court today. When this now famous contest was inaugurated a petition was presented to the Board of Commis-sioners asking that an election be called for Dellone.

J. E. Lowry of Des Moines is stopping at the Millard.

Mr. R. Bontley of Red Cloud is registered

Mr. R. Bontley of Red Cloud is registered

Mr. R. Bontley of Red Cloud is registered he county, in which it was alleged that 201 names on the petition were fraudulent that thirty-six had signed more than once hat other names were forgeries; that 20 been induced to sign by bribery; that 269 who had signed the petition subsequently signed the remonstrance; that thirty-one vere unlawful signers. A supplemental pe tition was also filed. After considering the matter the board ordered the election asked for by the petitioners. The matter was taken into the courts and again the petitioners were victorious. Then the case was brought to the supreme court and today was reversed. In its opinion the supreme cour lays down the law in regard to county seat contests in a manner that will hardly be mis understood in similar cases in the future The syllabus of the opinion is as follows:

The syllabus of the opinion is as follows:
Under the provisions of section I, article 3, of chapter 17, compiled statutes, a petition for the removal of a county seat must be signed by "resident electors" of the county equal in number to three-fifths of all the votes cast in the county at the last general election. The words "resident electors" are used to distinguish actual residents of the county from such persons as are temporarily therein.
In addition to the name of each petitioner

In addition to the name of each petitioner the petition must show the section, township and range on which, or the town or city in which he resides, together with his age and time of residence in the county. The omission of any of these particulars will be sufficient to cause his rejection as a petitioner. In examining the names of the petitioners it is the duty of the board to carefully scrutonize the entire list and reject all that are fictitious, false or repetitious, and to permit proof tending to show that some or all of those who have signed the petition or remonstrance were not in fact resident electors of the county.

The petition when presented must contain

the county.

The petition when presented must contain the names of all persons who desire to sign the same as petitioners. A supplemental petition is unauthorized.

No form of bribery to secure votes will be sanctioned by the courts. This rule is equally as important in county seat elections as in other cases. The design of the law is to secure the free and voluntary expression of each voter of his choice for the county seat.

Supreme Court Opinions.

At its session this forenoon the supreme The syllabi of the opinions rendered Brockwire & Co. vs Ross, Error from

Sioux county. Reversed and remanded. Opinion by Mr. Chief Justice Maxwell. Opinion by Mr. Chief Justice Maxwell.

An action brought in the name of James II. Brockmire & Co. is not subject to demurrer for want of legal capacity of the plaintiffs to sue. One of them at least, on the face of the record, has such capacity and as the demurrer applies to all the members of the supposed firm it should be overruled.

When an action is brought in the proper name of one of the plaintiffs, followed by the words "and Co.," a denurrer on the ground of a defect of parties plaintiff no doubt will lie, but not for want of legal capacity to sue.

While an amendment of an affidavit for an attachment may be permitted when in furtherance of justice even on the hearing of the case, yet no new cause of attachment, which existed when the addion was brought can be brought in by amendment.

Byrum vs Peterson. Error from Antelope

Byrum vs Peterson. Error from Antelope county. Affirmed. Opinion by Mr. Unief Justice Maxwell

Justice Maxwell

Where a remonstrance against the issuance of a license for the sale of intoxicating liquors was duly filed with the licensing board in which causes fatal to the granting of a license were assigned and proof introduced tending to sustain such charges, the board overruled the remonstrance and granted a license to the applicant; whereupon the remonstrants appealed to the district court and afterwards applied to a judge of the district court at chambers for a peremptory writ of mandamus to compet the board to revoke the license until the decision on appeal. The judge thereupon granted the writ. Heid, There being no controversy as to the essential facts as above stated, the judge had authority to grant the writ. Sample vs Hale. Error from Lancaster

county. Reversed and remanded. Opinion by Mr. Chief Justice Maxwell. by Mr. Chief Justice Maxwell.

The state, when constructing a public building, is chargeable with a moral duty to protect the persons who furnish labor and material for the erection of the building as far as possible. Therefore, a provision in a contract for the erection of such building by which the contractor "agrees to pay off and settle in full with the parties entitled thereto all accounts and claims that may become due by reason of laborers' and mechanics' wages, or for materials furnished or services rendered, so that each and all persons may receive also or their just dues in that behalf," is not in excess of the powers of the Board of Public Lands and

Buildings, and the sureties on the contractor's bond for the faithful performance of the con-tract will be liable for debte arising under the

Fremont, Elkhorn & Missouri Valley Railroad company vs Setrigat. Error from York county. Affirmed. Opinion by Mr. Justice Norval.

Norval.

A will which has been duly proved and admitted to probate by a court of a sister state having jurisdiction may be probated in this state by the county court of any county in which the testator left property on which such will may operate. In proceeding to probate a foreign will a copy of the same and the probate thereof, duly authent cated, must be produced to the county court, and if allowed in this state must be fixed and recorded in said court.

In this state must be fied and recorded in said court.

A certified copy of a will with a transcript of the record of the county court admitting the will to probate may be admitted in evidence without further authentication.

Where one holds reak estate under a contract of purchase made with the holder of the legal title, and upon which all payments have teen made so as to entitle him to a deed, he may maintain an action for damages to the land by reason of the location and construction of a railroad near the same. The holder of the legal title should be joined, but if no objection is made on that ground the equitable owner may recover his actual damages. able owner may recover his actual damages. Hannibai & Grand Islan ! Ratiroad company vs Ingalls, 15 Neb., 123.

Ou motion for rehearing. Former opinion adherred to and rehearing denied. Opinion by Mr. Chief Justice Maxwell. by Mr. Chief Justice Maxwell.

Where an action is brought against a husband and wife the latter must be lawfully served with process or appear voluntarily in the case to be bound by the judgment.

There is an unwritten rule in this court that the members thereof are bound only by the points stated in the swilabus of each case. Each judge in the body of an opinion necessarily must be permitted to state his reasons in his own way, without binding the members of the court to assent to all such reasoning, aithough they may concur in the conclusions reached.

Holliday vs Brown. Error from Seward.

Waidley vs State. Error from Saline county. Reversed and remanded, Opinion

by Mr. Justice Norval. Held that the seventh instruction given by the court on its own motion is defective in that it omits the element of felonious intent. To justify a conviction in a prosecution for grand larveny the taking of the goods must have been with feionious intent.

It is not error for the court to refuse to give an instruction where the same in substance, has already been given.

has already been given. Atchison & Nebraska Railroad company vs Boerner, Error from Richardson county. Reversed and remanded. Opinion by Mr. and remanded. Opinion by Mr. Justice Norval.

Where several contiguous town lots are used and treated by the owner as one property, in estimating his damages occasioned by the appropriation by a railroad company of one of such lots and parts of two others for its right of way the injury to the entire property should be considered, although the petition flied by the company for the appointment of commissioners only describes the lots across which the road is located.

The judgment of a district court on appeal

The judgment of a district court on appeal from an award of damages in condemnation proceedings is conclusive upon the parties as to all questions actually litigated therein and as to all matters necessarily within th ined, although not formally litigated. Rule

ipplied.
The defendant company constructed its road The defendant company constructed its read across plaintiff's real estate and permanently obstructed a public street upon which the property abuts at a distance of several hundred feet from the premises. Held, that the owner could maintain a 'suit at law for the damages sustained by reason of the closing of the street.

Childs vs State. Evror from Gage county Reversed and remanded. Opinion by Mr. Chief Justice Maxwell.

Chief Justice Maxwell.

In a prosecution for grand largeny the court instructed the jury: "On the question of reasonable doubt the court instructs the jury that the term 'reasonable doubt' as used in these instructions means a doubt, which has some good reason arising out of the evidence in the case; such a doubt as 'you are able to find a reason in the evidence for," etc. Heid, erroneous and cause for reversal of the judgment.

Today's Supreme Court Proceedings. State ex rei Thayer vs Boyd; motion for judgment on mandate of United States su-preme court sustained and action dismissed. The following causes were argued and submitted: Rodgers vs Graham, Rodgers vs Levy, Yeiser vs Fulton, Eden Musee comoany vs Yohee.

pany vs Yonee.

Morse vs Burns, dismissed.

Court adjourned to Tuesday, March 22, at 9 o'clock a. m., when the causes from the Eleventh district, comprising Boone, Hall, Wheeler, Greeley, Garrield, Loup, Valley,

Judge Blair Hadn't Seen It.

A few prominent lawyers are giggling among themselves about the latest phase in the Boyd-Thayer case. March 5 General Cowin, Boyd's counsel, acknowledged receipt of the mandate from the federal court. On the 7th of March John L. Webster, connsel for Thayer, accepted service. Then the matter rested. These attorneys did not publicly announce the receipt of the mandate. General Cowin appeared before the state sureme court Tuesday with the mandate and made the declaration that Mr. Webster would not appear before the court because he had nothing further to say. Joseph H. Blair was at the outset associate

cousel for Thayer. Some days ago he addressed a letter to Attorney General Hast-ings in which he argued that technically speaking Thayer was still governor. The fact that this letter was written after the acknowledgemeent of the mandate by Mr. Webster has caused the broad legal smile aforesaid. The natural inquiry is why did not Mr. Blair know of the receipt of the mandate. Thereby hangs a tale, the facts of which were overheard in a conver-sation in the Lincoln hotel yesterday. It relates to a blunder made in the case before the state court. The answer filed on behalf of Boyd averred upon information and belief that Joseph Boyd, father of James E. Boyd, had as a matter of fact completed his natur-alization in 1854, at a time when James E. Boyd was a minor. The point upon which a majority of the supreme court of the United States concurred in the reversal of judgment of ouster was that the demnrrer to the su-swer admitted the truth of the allegation in the answer touching the naturalization of Joseph Boyd in 1854. If Joseph Boyd had completed his naturalization in 1854 James E. Boyd was then a minor and therefore became a citizen of the United States under the naturalization laws. Some of the lawyers ave been inclined to criticise Mr. Webster for filling a demurrer to the answer instead of filing a motion to either strike that pordefinite and certain, or in not filing a reply to the answer and taking proofs upon that

THE BEE's informant says that the demur rer to the answer was filed without Mr. Web-ster's consent and even without his knowl-edge until after it had been done. It is said that Mr. Blair went to Lincoln at the time the answer of Boyd was filed and immediately filed the demurrer and the next morning in court had it called up and a date fixed for the argument. This was done, it is said, without consultation with Mr. Webster, who had admonished his associate to make no move on the answer until Mr. Webster could move on the answer until Mr. Webster could be consulted. The record shows that Mr. Webster appeared before the court, and it is said that he did not see the answer until the night before the case was argued in the state court. He is said to have protested to his associates about filing a demurrer and said at the time that if Thayer

due to this mistake. When Judge Dillon of New York read the papers of this case be-fore the argument was made in the federal supreme court be declared that the weak point was on the demarrer and that if the case was lost it would be owing thereto. It was stated today, however, that the late Judge Mason concurred with Mr. Blair when the demurrer was filed.

When the decision was rendered at Washington it is said that Mr. Webster counselled Thayer to at once acandon the office, and in the presence of Messrs. Lambertson and Gere at Lincoin Governor Thayer decided upon such action. Mr. Blair, however, upon such action. Mr. Blair, however, strengously objected, and it was some days before the surrender could be made. It was finally made against Mr. Blair's active oppo-

In this connection Judge Blair writes Tur BEE as follows:

OMANA. March 17.—To the Editor of THE BEE: I notice in your paper of today among the news items from Lincoin that: "It now transpires that General Thayer's attorneys have been in possession of the mandate since the 7th of the present month. A copy of the document was delivered to them on that date and they were notified to appear in Lincoin today." This statement if it relates to or includes me as one of General Thayer's attorneys is wholly untrue. I have never been told that the same was in the hands of any one in this city, nor have I ever been notified to be in Lincoin as above stated. I am also in receipt of a letter from Lincoin stating that Boyd's private secretary claims that he has receipts to show that the mandate has been in my possession for the last eight days. His statement is wholly untrue. He has no receipt from me for anything. I beg to ask that you give this statement publicity.

War on Hartman and Gilbert. BEE as follows:

Attorney General Hastings today filed with the clerk of the supreme court informa-Christian Hartman and George I. Gilbert from the comfortable berths they are at present occupying on the Omaha Board of Fire and Police Commissioners. On February 23 Governor Boyd removed the gentle-men referred to from that board and ap-pointed George W. Shields and C. V. Gallagher to fill the vacancy caused by their re moval. Messrs, Hartman and Gilbert declined to give up the offices, asserting that their terms had not expired and that the governor had no power to remove them ex-cept for cause. The papers filed by the at-torney general today allege that Hartman and Gilbert are holding their offices without warrant and authority of law and the su-preme court is asked to oust them and depreme court is asked to oust them and de-clare Messrs. Shields and Gallagher entitled to the places to which they were appointed

Gossip at the State House,

by the governor.

The secretaries of the State Board o Transportation went to Somerset, Lincoln county, today to look into the complaint filed with the board by the citizens of that place relative to the establishment of a station at that point. Captain Beardsley, the officia stenographer of the board, accompanied The charter of the Eidemiller Ice company

of Lawrence, Kan., was filed with the secretary of state this afternoon. The Seward Creamery company was incorporated today.
The bureau of industrial statistics will

collect information in regard to the number of trees planted in Nebraska on the coming Arbor day.

Wanted His Resignation. The weekly meeting of the city council last

evening was characterized by a very sensa-tional incident. After every body had become weary from listening to a string of petitious and kicks, Councilman Wittman from the Second ward dropped a bombshell into the camp by presenting and reading a resolution asking for the resignation of City Attorney A. W. Scott. The resolution recited the recent controversy over the new ward ordinance which was yesterday decided illega by the courts, accused the city attorney of by the courts, accused the city attorney of acting ungentiemanly and unfairly in the matter, because he had appeared on the side of the six councilmen who thought it a void ordinance instead of on behalf of those who had passed and approved of it. Councilmen Brown and Halter excitedly denounced it as a cowardly attack on the city attorney, and for a time there was as lively a battle royal for a time there was as lively a battle royal of words that ever graced the chambers of this talkative body. The city attorney was finally allowed to speak in his own behalf and made an excellent presentation of the matter. The ordinance had been passed one night while he was absent, and his assistant had pronounced it legal and valid, but be had examined it only as to form and not as to contents. Afterwards when Scott had been asked for his opinion he said it was void and supported that position in the courts. After a great deal of bad feeling had been generated Wittman withdrew the offensive resolu tion and the storm passed over.

Odds and Ends, The independents of the Seventh ward have endorsed the prohibition nominee, G. E. Bigelow, for councilman. Health Officer Bartram today quarantined

a case of scarlet fever at 1006 E street and a case of diphtheria at 426 North Tenth street.
Judge Borgelt's condition today is if anything an improvement over vesterday Charlie Porter, a 15-year-old lad, goes to the reform school for the theft of a sack of flour. Secretary Nason of the Omaha Board of

Trade is a Lincoln visitor today. John Danner, a deliveryman, was thrown from his wagon in a runaway today, and sustained a broken nose and severe bruises about the head and body.

Charles Webster, a farmer living near Waverly, was arrested this morning on a warrant charging him with grand larceny. He is accused of grabbing \$50 from his wife's

hand, she having just received the same from Pastor First Baptist church, Pleasan Grove, Ia.: Dr. J. B. Moore, Dear Sir: My wife has been afflicted for several years with complication of kidney and liver troubles Your "Tree of Life" has been of great bene-fit to her. She joins me in thanks to you and expresses the wish that others suffering from similar causes may find equal relief. Yours, Rev. J. W. Carter, Pastor C. T. church. For sate by all druggists.

Want Dimensions Prescribed. Secretary Wedge of the Builders and Traders exchange says that the brick manufacturers will petition the city council, ask ing for the passage of an ordinance for the establishment of a uniform make in size of The national size is 814 inches in ength, 414 in width and 214 in thickness. All sizes and dimensions have been made, but none other than the national size has allowed to be used in the construction of large buildings. The brick manufacturers want the national uniform brick for self

Piso's remedy for cutarrh will surely cure catarrh and cold in the head. Handy, pleasant. Ali druggists. 50c.

The Castle Cure permanently cures liquor, morphine and tobacco habits, 1416 Harney St., Omaha. Dr. B. F. Monroe, physician in charge.

The Ideal Baking Powder

Dr. Price's Cream Baking Powder.

For more than fifty years Cream of Tartar and Bicarbonate of Seda have been used for leavening purposes with sufficient flour added to preserve the strength of the powder unimpaired, and this with the addition of whites of eggs comprises this pure and wholesome leavening agent, that has been the standard for 40 years. In its use pure; wholesome and delicious food is always assured.

Makes cake and biscuit that retain their moisture, and while they are flaky and extremely light they are fine grained, not coarse and full of holes as made with ammonia baking powders, latter dries up quickly. Alum powders leave a bitter taste in the bread or cake.

Dr. Price's Cream Baking Powder once used, always used.

You Would Pay

\$100 to a doctor who guaranteed to cure your Kidney Trouble, Nervous Debility, Rheumatism, or remove that dreadful Scrofulous humor from your system. Now, reflect — \$100 will purchase a bottle of the celebrated

Kickapoo Indian Sagwa

Nature's own blood purifier. Simple and harmless, made of roots, barks, and herbs. We will pay

\$10,000 to any person who can prove that this remedy will not relieve or cure the troubles above mentioned, and that any of our testimonials regarding the cure of these diseases are not absolutely genuine.

HEALY & BIGELOW, Agents, New Haven, Conn. Kickapoo Indian Oil \$1.00 a bottle. a quick cure for all pains,

All druggists.

Perfect Health."

SYPHLIS A Written Guarantee to Cure Every Case or Money Refunded.

Our cure is permanent and not a patchiag at a. Casar eated seven years ago have never seen a symptom since. By describing case fully we can treat you by mail, and we give the same strong guarantee to care orrefund all money. Those who prefer to come here for treatment can do so and we will pay railroad fare both ways and hotel bills while here if we fall to cur. We Challenge the World for a case that our MAGIC REMEDY will not cure. Write for particulars and getthe evidence. In our seven years' pravites with this MAGIC REMEDY it has been most difficult to overcome the prejudices against so called specific But under our strong guarantee thousands are trying itand being cured. We guarantee to care or refund every dollar, and as we have a reputation to protes also financial backing of \$50,000 it is perfectly safe to held who will try the treatment. Herotofore you have been putting up an I paying out your money for dife: ent treatments, and although you are not yet cure! o one has paid back your money. We will positively ure you. Old chronic, deep scated cases caref in 1) o 91 days. Investigate our financial standing, our eputation as business men. Write us for names and addresses of those we have cured who have given permission to refer to them. It costs you only poss-age to do this. If your symptoms are sore throat, mucous patches in mouth, rheumatism in bones and pints, hair falling out, eraptions on any part of the body, feeling of general depression, palas in head of bones. You have no time to waste. Those who are constantly taking mercary and potash should discon-tinue it. Constant use of these drugs will surely bring sores and eating ulcers in the end. Don't fail to write All correspondence sent scaled in plain envelopes We invite the most rigid investigation and will do all n our power to aid you in it. Address COOK REMEDY O., - Omaha, Nebras'ca.

MAGIC CURE FOR MEN \$500 for a case of Lost or Fathing Man-Hood, General or Nervous Debility, weak-ness of body or mind, the effects of errors or ex-cesses in old or young that we cannot cure. We cesses in old or young that we cannot cure. We cannot cure the current set of the course set of the co

LADIES ONLY MAGIC FEMALE REGULATOR, Safe and Certain to a day or money refunded. By mail 8:. Securely sealed from observation. COOK REMEDY CO., Omaha, Neb

WHITE

RUSSIAN

Specially Adapted for Use in Hard Water.

DUSKY DIAMOND TAR SOAP. For Farmers, Miners and Mechanics.

Cures Chapped Hands, Wounds, Burns, Etc.



to the secret how to tell the best lock made-the world-famous "YALE." Other locks resemble the "YALE" (as the college student's head was like his President's), on the outside, but perfect security lies only behind the word "YALE," which is stamped on every genuine key. Sold wherever locks sell.

YOU NEED NOT FEAR that people will know your hair is dyed if you use that perfect imitation of nature,

Tutt's Hair Dye

SOLDIERS' FEED. What an Officer Says About the Regulation

Army Rations. Speaking about some complaints from United States soldiers to the effect that they were not getting sufficient rations, an officer to the commissary department said: "The soldiers surely get all they want to eat if they have sense enough to keep it when it is issued to them. The trouble with some of the posts is that they have gotten into the babit of trafficing and selling their rations, and they may in this way run a little short at times on some things. When the department issues more of any particular kind offered than the diers want to use, they can sell it or exchange it for something cise. This is frequently done with bacen and onions and a few other articles that are issued in excess of the actual demands of some companies.

A Suggestion. We wish to make a suggestion to persons troubled with rheumatism. Try a few ap-plications of Chamberlain's Pala Balm. If that does not bring relief, dampen a piece of flannel with the Pala Balm and bind it on over the seat of vain. The first application is almost sure to relieve the pain and by its continued use many severe cases have permanently cured. 50 cent bottles for by druggists.

REGULAR

Army and Navy PENSIONS:

Soldiers in the Regular Army and Sailors, Seamen and Marines in the United States Navy, since the War of the Rebellion, who have been discharged from the service on account of die abilities incurred therein while

Entitled to Pension at the same rates and under the same conditions as persons rendering the same service during the War of the Rebellion, except that they are not entitled

in the line of duty, are

under the new law or act of June 27, 1890. Such persons are also entitled o pension whether discharged from the service on account of disability or by reason of expiration of term of service, if, while in the service and line of duty, they incurred any wound, injury or disease which still disables them for mannal

Widows and Children of persons rendering service in the regular army and navy Since the War are Entitled to Pension

if the death of the soldier was due to his service, or occurred while he was in the service. Parents of Soldiers & Sailors

dying in the United States service since the War of the Rebellion, or after discharge from the service, from a cause originating therein, leaving no widow or child under the age of sixteen years, are entitled to pension if now dependent upon their own abor for support, whether the soldier ever contributed to their support or they were dependent upon him at the time of his death or not.

FOR INFORMATION OR ADVICE As to title to pension, ADDRESS

---THE-Bee Bureau of Claims ROOM 220, BEE BUILDING, INDIAN DEPREDATION CLAIMS

Persons who have lost property from Indian raids should file their claims under the Indian Depretation Act of March ', 1841. The time is limited, and the claims are taken up by the court in the order in which they are received. Take Notice that all contracts entered into with attorneys prior to the Act are mal-null and void. Information given and all

claims promptly attended to by the BEE BUREAU OF CLAIMS.

220 Bee Building. OMAHA, NEBRASKA

Per This Bureau is guaranteed by the Omaha Bee, the Pioneer Press and the San Francisco Examiner. Hot Water Heating.

Scaled proposals will be received until April I th, 1832, by the Board of Directors of the Independent school district of Hastings, lowa, for hot water heating apparatus for use in new school building, bids may be with either wall coils or radiators.

Plans and specifications may be seen at the office of A. C. Schn.oock, architect, Council B. uffs, lowa, or with the undersigned.

The board reserves the right to reject any or all bids.

R. S. McDorouss.

Secretry.: Hastings, Iowa, March 1s. 1892. Secretry. M1724m.



OPIUM Parpaine (tal.,