THE OMAHA DAILY BEE: FRIDAY, MARCH 18, 1892.



THREE HOURS OF EARNEST DISCUSSION

Long and Prayerful Consideration of the Subject Leaves the Matter as Much in the Dark as Ever-Motions That Died.

There were twelve members of the city council who attended the special meeting held last night. For three long hours they sat in committee of the whole, attempting to dispose of the question of gas and electric light fixtures for the new city hall. Mr. Edwards occupied the chair and when the committe arose, progress was the only thing that he was able to report.

As soon as Mr. Edwards had settled himself in his new position, Mr. Munroe led off by asking that the architect be allowed to talk upon the subject of fixtures. The privilege was granted and the gentleman told the councilmen that they ought to be able to select fixtures as there were six or eight designs presented.

Mr. Howell thought the city could save money by re-advertising for bids.

Mr. Primer could not agree to that proposition

Mr. Hetherington of the tirm of de Kesenko & Hetherington was invited to speak. He said there were but fow manufacturers in the United States who could furnish fixtures for such a building as the Omaha city hall. His prices that had been submitted were very low and he did not expect to make more than \$500 or \$500 if he secured the job; the charge of a combination among the fixture dealers was absolutely untrue. He stated that the Edison company had never furnished a large building and did not think the people of Omaha wanted the company to

periment on the city hall. Mr. Back wanted to know if there would be any bill for extras. He said that it had been the enstom to let a contract and eventually the price would be doubled on account of a lot of extras.

Mr. Hetherington replied that he did not intend to put in a bill for extras,

Trying to Get a Vote.

Mr. Tuitle moved that the designs of de Kosenko & Hetherington be accepted. Mr. Prince as an amendment moved that Mr. Frince as an amendment moved that the de Kosenko & Hetherington firm be given a contract for the rotunda and the council chamber, and that Russell, Pratt & Co. have the balance. Mr. Jacobson urged that the city would

make money by advertising for new bids. Mr. Howell said that the report of the committee on public property and buildings was not intelligible and that it was pretty hard to state just what the report meant. In his opinion there was but one bid, and that was the one submitted by the lowest bidder, which was the firm of Russel, Pratt & Co.

Then a vote was ordered and in turn the motion and the amendment were both de feated.

The decks being cleared Mr. Elsasser moved that all bids be rejected and that the comptroller be instructed to readvertise four weeks for bids. Mr. McLearie declared that such a move

would not be a square deal. It was simply boys' play, and bringing men here to bid and then rejecting their bids would injure the reputation of the city. Mr. Elsasser's motion was defeated.

Some More Motions That Died,

Mr. Eisasser did not propose to down, and jumping up he spring a resolution asking that five experts be asked to examine the figures and report to the council which were the best and cheapest.

Mr. Prince took time to remark that the resolution was a slap at the intelligence of the architect, the council and all hands. He then moved that the resolution be consigned

would be a snap. The purchase was made, certificates executed and now the money has been forwarded and has been credited to the several funds to which it belongs. Only a headache cure. The only headache cure, but the infallible headache cure is Bradycrotine. 300,000 bars Union soap sold in Ne

braska last month. It's the best. \$100 cash buys fine piano in good condition. 2322 Caldwell street.

Notice. The persons who took the jet bonnet from Madame Boutin's in Sherwood's parlors yesterday between 12 and 1

clock are known, and they can save themselves trouble and notoriety by returning the same at once.

Dr. Cullimore, ocaust, Bas building

IN THE COURTS.

Litigations of Minor Importance Demanding Attention of the Judges.

Yesterday's morning hours in Judge Davis' court were devoted to hearing excuses of jurors who were drawn on the special ventre. Some of the men succeeded in convincing the court that they should be excused, but enough were retained so that the business of the term was continued. The case of the state against O. H. Snyder and M. C. McGrew was then taken up. The information charges that on December 22, 1891, the two men rolled a drunk named Mecker Peterson and succeeded in wrestling the sum of \$165 from his possession.

In Judge Donne's court the case of John S Johnson against the city was placed on trial. The plaintiff seeks to recover damages in the sum of \$5,000. He was the owner of some lots on Franklin street. When the street was graded from Twenty fourth to Thirtysecond he was awarded damages, but ap-pealed for the reason that he thought the amount was not sufficient. Owing to the abdrawn and the case continued until next term of court.

The case of Henry B. Wiley against Ly-man H. Tower & Co., is holding the attention of Judge Ferguson and a jury. Wiley wants \$135 in payment for a Jersey cow that was killed a couple of years ago. Tower & Co., had the contract for constructing the sewer in district 163. The ditch was twenty feet deep and was unprotected either by red lights or barriendes. One night in her wan derings the cow fell into the ditch at the corner of Thirty-ninth and Dodge and was

John R. Osborn has brought suit in the district court to recover possession of some lots that he once owned. In his petition he charges that he was swindled by Peter Weberg and Charles J. Johnson. He further charges that during the month of November. 1891, he labored with a severe case of la grippe, which produced grievous sickness, distress of body and aberration of mind. While in this condition he met the Aefend-ants, who induced him to trade his Omaha property, valued at \$5,000, for worthless land in Garfield county. Judge Hopewell is hearing the case of Ben

B. Wood and others against the city. The suit grows out of the opening of North Twenty-second street. On February 1, 1891, the city council passed an ordinance declar-ing the necessity of opening the street. The cost, \$26,509, was assessed as benefits against the property of the plaintiffs. They then se-cured an injunction restraining the city from and bankers of the United States and foreign countries, making known to them, through levying the special tax, alleging that their property was not benefited by the proposed opening of the street.

The International Loan and Trust company of Kansas City, and the Guaranty Loan and Investment company of this city, have gone to war over two notes of \$450 each, and suits have been brought in the district court by the Kansas City company. The petition sets forth the fact that Oswald H. Gordon executed and delivered these notes to the Omaha company, after which they were sold to the company doing business in Kansas City. They were not paid when due, and as the Guaranty company was an endorser, the Investment company proposes to force the indorser into paving the notes.

to the table and there it went. Mr. Murroe moved that the designs be re-turned to the bidders and that new tids be submitted tonight. This motion failed to exist for more than a minute. It was de-to the table and there it went. Edward C. Carns, chief oil inspector, and is deputy. Harry Harrison, who served under the Thayer reign, have brought suit in the district court to recover \$500 from Louis Heimrod and his bondsmen, John eastern manufactories we are led to believe that from \$10,000 to \$15,000, either in the way of bonus or stock subscription, will in most cases bring factories which will first invest from \$40,000 to \$100,000 of their own. With-

WORKING WITH A GOOD WILL on discussion herefully acquiesced in our con-struction of that conclusion, nor did be then suggest many change, which might then readily and easily have been made, and from that same on until now, when he would relieve himself from the odium of the shameful and odisgraceful surrender of the Real Estate Owners Association Putting in Big Licks for Omaha Institutions. office, no compliant has ever come from him about that. It was as much his demurrer as

It was agreed then, as it has been agreed on all hands ever since, that the action of the supreme courtat Washington in saying that MATERIAL AID FOR HOME INDUSTRIES our court erred in sustaining that demurrer, was not necessarily a final decision of the Will Help the Wheel Foundry and the Pearl case; that we could reply now as well as we could have done when we demurred. Be-sides, not only Judge Meason and Dr. Web-Button Factory-Planing to Get a Tannery and Other Big

Things.

permanent one.

onlargement.

eaterprise by erecting a wigwam.

building up of manufacturing enterprises in Omaha. Our plan is to put ourselves in com-

nunication with the manufacturers, jobbers

letters, circulars and advertising matter, to be malled to them once a month or oftener, be malled to them once a month or oftener, the advantages of Omaha as a location for

manufactories as well as a distributing point. To carry out this plan will cost \$1,200 to \$1,500 per month, including secretary, clerks,

postage, printing, office rent, etc. "There are 18,000 real estate owners in the

city whose backing and support we must have. If we undertake to get manufactories

we shall have to get at least \$1 per month from the small owners, while the more able ones should subscribe as liberally as their

storagreed with me on the demurrer being well taken, but our own supreme court agreed with us and sustained it. We said that because Mr. Boyd did not set out, in his answer, the record of his father's naturaliza-At a meeting of the Real Estate Owners association yesterday afternoon the committion, showing the court in which, the place where, and the time when, his father was naturalized, giving us an opportunity thereby tee on manufacturers reported that the Phoenix Foundry company, in order to enlarge its works, required about \$3,000 with to examine that record, his answer, on that point, was not well pleaded, and that a dewhich to buy stock and material. Mr. J. T. murrer thereto would be sustained. And Mr. Webster, in the preparation of one of his briefs from which I quote, uses this language and cites many authorities, viz.: "The averment of the answer upon infor-mation and belief that Joseph Boyd, the father, completed bis naturalities, infor-Cathers, chairman of the committee, stated that all the company's obligations had been extended. One \$5,000 note, maturing the coming December had been extended to December, 1897. He said the men in the father, completed his naturalization before October, 1854, does not raise an issue upon which proof can be taken, and is subject to company were worthy business men, and be

recommended that the association commend which proof can be taken, and is subject to demurrer. Naturalization is a judicial act, authorized to be done only by a court of roe-ord. State vs Webster, 7 Neb., 469. It is a judicial order or accree having the same force or effect ns any other judgment or de-cree, differing only in form. Such judgment can only be pleaded by setting out a record or a transcript thereof. Chilty on pleadtheir enterprise to the public and render the company all possible assistance in raising the \$3,000. For this he suggested that a trustee be appointed to whom the company shall execute a note, securing it by the issurance of seventy-five shares of the capital stock of seventy-nye shares of the capital stock of the concern. His report was adopted and the matter was referred to Mr. Cathers with power to act in the matter. George N. Hicks stated that he had been in concernent to be address with concernent to or a transcript thereof. Chitty on plead-ing, vol. i, pp. 335 and 570; or a transcript thereof, Currey on plead ing, vol. i, pp. 335 and 570; 16th Am. ed. Where the record or transcript is not pleaded, the same is demurable. Tessior vs Englebart, 18 Neb., 173. Brady vs Murphy, 19 Ind., 253. in correspondence with several tanners to locate and do business in Omaha, but the greatest obstacle in the way was tan-bark. Tanners wanted to locate where they could

18 Neb., 173. Brady vs Murphy, 19 Ind., 253. Reasor vs Rainey, 14 Ind., 441. State vs Pierce, 22 Ind., 116. Duyckinek vs Clinton Insurance company, 25 N. J. L., 270. Crone vs Dawson, 19 Mo., App. 214. Bish vs Wi-liam, 59 Md., 382 and cases cited in cp. See form No. 236, p. 552, Max. Pl. and Pr., 4th ed. Form 556, p. 401. That the act of natur-alization is a judicial act in which the court indress both the law and the fact, and the get bark and hires without the expense of having to import either article, A committee of three, consisting of Messrs, Taylor, Balcombe and Cathers, was appointed to act in conjonction with similar committees of the Board of Trade and the South Omaha Live Stock Exchange, whose joint duty it will be to get better railroad rates for live stock. The committee is a judges both the law and the fact, and the judgment has the force and effect of other judgments. See Morse on Citizenship, sec-Cadet Taylor exhibited a couple of pearl puttons, the first ever made in Omaha. He tion 87, and cases there cited from supreme

court. said they were manufactured by Frank Kas-par, who started the enterprise as an experi-ment. He has now thirty people employed No orai testimony would be admissable under that averment to prove the act of naturalization, as such proof is confined to the production of the record. Dryden vs Swinourne, 20 W. Va., 89. See quotation therefrom, page 23, first brief. Also case, Robert Desty, S Abbott, new cases, 250. See page 35 first brief. and is unable to fill his orders. He said he could work 100 people. Mr. Taylor was re-quested to visit the factory and see what ould be doue in the way of encouraging its

The question of holding the people's party convention in the Collscum was discussed, but no action was taken in the matter. Some The whole answer construed together dis-proves any such naturalization of the father in 1854. James E. Beyd is bound by the in 1854, James E. Beyd is bound by the judgment record by which he, an allen, was naturalized by the federal court at Omaha, December, 1800, The answer admits the naturalization of the father in 1890. The answer admits that the thought the street car service would be in-adequate to accommodate the multitudes and that the Coliseum was too far out. Mr. Taylor was in favor of displaying a little President Boggs brought up the question of how to induce manufacturers to locate father lived at Zanesville, O., from 1849 down to the present time, so that if he completed here, and said that the support of the masses was necessary. A few men in the association could not do everything. an act of naturalization in 1854, it must have been in the same court where he declared his intention in 1849. It was in the same court "We must reach the manufacturers of the world and that will cost money," said he. "We must raise it by subscription and I have just issued a circular to that effect." "The chief object of this association is the building of the subscription of th where Joseph Boyd produced his certificate of said declaration of intention of 1890. See record thereof as set forth in eighth paragraph of information and admitted in answer to be true.

These admitted facts of judicial records contradict the averment of naturalization in 1854, as attempted to be pleaded, and show that James E. Boyd was an alien up to De-cember, 1890. Jonn L. WEBSTER, O. P. MASON,

J. H. BLAIR, Attorneys for Relator. The foregoing was Mr. Webster's conten-

tion as well as mine all through the case until be made up his mind that it would be better for Mr. Webster to quit the case and desert his client for more promising pastures which seemed too mirage themselves before JOSEPH H. BLAIR.

SOUTH OMAILA.

Cupid Making Direads on the Bachelors Club Membership.

Democratic Primarles.

Notes and Personals

finances may justify, certainly not less than from \$1 to \$5 per month. "From correspondence already had with Wedding bells are ringing both morrily and frequently in South Omaha. W. F. King, assistant city engineer, is one of the happy bridegrooms and his bride is Miss Lida E. Hall of Elkhorn. The ceremony

Omaha.

pointed

fourth and Q streets.

town yesterday.

day night.

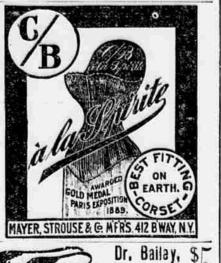
2 o'clock tomorrow afternoon.

of the day was attempted.



by

The Boston Store N. W. Cor. 16th and Douglas Sts.



The Leading Dentist Third Floor, Paxton Blook.

Telephone 1985. 16th and Faraam Sta A full set of tooth on rubber for 5. Perfect for Teeth without pintes or removable brilge work just the thing for singers or public speakers, norse TEETH EXTRACTED WITHOUT PAIN.

All fillings at reasonable rates, all workwarrants; Catthis out for a galde.

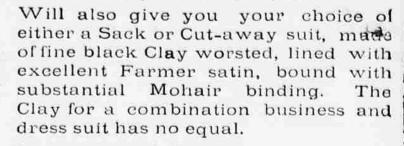


DALLEMAND & CO., Chicago.

What's Your Business?

It depends a good deal on what business a man is engaged in, what he should wear for a business suit. A merchant intending to "sack" a few clerks, should, of course, wear a "sack" suit; A real estate man, one that won't show "dirt;" A capitalist, engaged in clipping coupons, a "cut"-away; traveling men, exchanging a few lies, "swallow tales." A pugilist should wear "striking" colors; A carpenter, "plane" colors; A bank cashier, "checks," and we have it on good authority that in certain exclusive society in Lincoln "stripes" are all the go. Here in Omaha, where every man works, some for pleasure, but most of us because we have to, the convenient sack is the recognized suit for business. This week we intend to do a great business in business suits, offering three big stacks of suits (a hundred

suits in a stack), made of very fine all wool cassimere in a handsome, durable steel gray, a color that looks well when you buy it and looks well so long as there is a thread of it left, made with lap seams, lined with fine Farmer satin and with striped sleeve lining, at



Among the many good things in our Overcoat department, where we are showing a line of garments that we're proud of, and where you can find an overcoat to fit you at any price from five to eighteen dollars, we want to call your special attention to two new lines of fifteen dollar garments, at.....







feated and thrown into the corner where all other previously introduced resolutions and motions quietly rested.

Mr. Howell then moved that only the designs and bid presented by de Kosenko & Hetherington be considered. This motion was defeated, and then Mr. Prince moved that the report of the committee on public property and buildings, submitted Wednes-day night, and which was as follows, be

adopted: "Your committee to whom was referred the plans and estimatesfor gas and electric fixtures for the city hall do recommend that the contract for all the Bower Borff fixtures, the council chamber fixtures and the two newel standards on first floor be awarded to the de Kosinko & Hetherington Manufactur ing company: that the balance of the fixtures be awarded to Russell, Pratt & Co., all to be executed according to the plans and specifi cations and the number and price attached to the same, and that the city attorney be instructed to prepare the necessary contracts and bonds.

There wasn't any talk, but this motion went with the others.

Mr. Lowry saw a way out of the tangle and moved that the committee rise and report progress.

Reported Progress and Quit.

For some reason the motion was adopted, and as soon as Mr. Prince took the chair Mr. Lowry moved that all bids be rejected, and that the comptroller be instructed to adver-tise for four weeks for bids.

Mr. Edwards offered an amendment that the council accept the bid of de Kosenko & Hetherington. The amendment was snowed under and

then the motion went along to keep it com-

pany, Mr. Specht, hoping to score a point, moved

be brought to the council chamber. The chairman ruled the motion out of order, while Mr. Specht remarked that he could not see how it happened. Another motion to reject all bids was de-

feated, and then the council tried to do a little business, but it was a failure. It was suggested that the repaying of

Leavenworth street and Park avenue would use up \$20,000 of the \$50,000 of intersection fund. Mr. Munroe thought that the vote by which the ordinance ordering the repaying of those two streets was passed should be reconsidered. He favored an omnibus ordinance which would cause the two streets to take their chances with other streets. Looking on the manner in that light, he moved a

Mr. Prince declared the motion out of order

Mr. Munroe did not intend to be downed and renewed his motion.

Again Mr. Prince deciared the motion out of order, as the call for the special meeting did not provide for the transaction of that class of business.

The mosquito as a public singer draws well, but never gives satisfaction. Salvation Oil, however, always gives satisfaction in curing at once insect bites or any other sores or wounds. Price 25 cents.

Every household should be supplied with a bottle of Dr. Bull's Cough Syrup-the great family remedy.

HELPS THE GENERAL FUND.

City Cash Account Swelled by Proceeds of a Big Tax Sale.

County Treasurer Irey is delighted over the fact that he has just closed up a tax sale which nets \$16,094.70, \$11,832.10 of which goes into the city general fund,

For thirty years General Experience Estabrook has been the owner of the valuable property at Sixteenth and Chicago streets During the greater portion of this long geriod of years he has failed and refused pay the taxes levied against property. For fear of buythe property. For fear of buy-ing a law suit Omaba dealers in tax certificates have let the property alone and the taxes have continued to plle up. Mr. Irey some time ago commenced to took for some person who was not afraid to take the chances. In the meantime he had some cor-respondence with James L. Petot, a capital-ist of Denvor, who was looking for invest-ments. Petot sent his agent to this city, and after looking over the property, the title and the levies, concluded that a tax certificate

Baumer and Henry Bolln. In their petition the plaintiffs allege that on May 23, 1891, Helmrod brought a suit restraining them from inspecting oils; that afterwards the order of the court was set aside and the suit diamissed for want of prosecution. On account of the restraining order having been issued, Carns and Harrison allege that they lost \$500 which they would and could have collected as fees of the office. In addition to this they aver that they expended large sums of money in hiring lawyers to fight the

caso.

Universal Praise Means Merit, The success of Chamberlain's cough rem edy in effecting a speedy curs of la grippe colds, croup and whooping cough, has brought it into great demand. Messrs, Poncolds. tius & Son of Cameron, O., say that it has gained a reputation second to none in that vicinity. James M. Queen of Johnston, W. Va., says it is the best he over used. B F. Jones, druggist, Winona, Miss., says "Chamberlain's cough remedy is perfectly reliable. I have always warranted it and it never fulled to give the most perfect savis-faction." 50 cent bottles for sale by druggists. HALF FARE EXCURSION

To the Hot Springs of Arkansas Via the Wabash Railroad.

On April 7 and 8 the Wabash will sell round trip tickets at above rate, good returning until May 10. April 12 the government will commence sale at auction of town lots from the reservation. Only 37 hours from Omaha to the springs via the Wabash. For tickets, sleeping car accommodations and a map showing location of the property to be sold, with description of the springs, call at Wabash office, 1502 Farnam street, or write G. N. Clayton, N. W. P. Agt., Omaha, Neb.

A PARROT IN COURT.

Novel Suit Over Poor Poll's Ability or In-

ability to Talk. A novel and peculiar case has been set for trial in Justice Bradley's court for April 15. It is a case in which the vocal ability of a parrot will play a very important part. Almost a year ago a man named Simons who lives in the western part of the state, bought a young parrot from Max Geisler, the Omaha pot stock dealer. Simons claims that Geisler guaranteed that the parrot would

talk within six months after the pur-chase. He further alleges that the bird has signally failed to develop its vocal pow ers. In a coarse, ill-bred sort of way it will occasionally scream "Rats," but aside from that slang remark the parrot absolutely refuses to engage in conversation. All efforts to make the bird talk respectably have been of no avail so Mr. Simons has decided to sue Mr. Geisler for \$25, the sum paid for the parrot.

The parrot will be one of the witnesses in court.

ONE FARE EXCURSION.

To Oklahoma, March 22d.

Round trip tickets will be on sale via Missouri Pacific route, March 22, to all points in Oklahoma and return, at rate of one fare for the round trip. Tickets good until April 21. For tickets and information call at offices, N. E. corner 13th and Farnam, or depot 15th and Webster. Thos. F. GODFREY, 1. O PULLIPPU P. & T. A

J. O. PHILLIPPI, A. G. P. & F. A. P. & T. A.

Lincoln Club Meeting. A meeting of the Lincoln club was held in

Judge Davis' court room in THE BEE building last evening. Resolutions were passed

out these factories Omaha must be a heavy Our available capital is small, sufferer. contributed by a few patriotic real estate owners. We cannot afford to spend our time other real estate owners of Oinaha that something should be done for the city. If we accomplish anything it must be through the means placed at our disposal by the masses of the real estate owners of the city."

Mrs. L. R. Patton, Rockford, Ill., writes: "From personal experience I can recommend DeWitt's Sarsaparilla, a cure for impure blood and general debuity."

C. D. Woodworth & Co., successors to Welty & Guy, 1316 Farnam street, man-ufacturers and dealers in harness, saddles, etc.

Why are ladies more patriotic than men, they buy Union soap.

FRIGHTFULLY MANGLED.

An Unfortunate Shoe Dealer Cut to Pieces by a Switch Engine. T. Waxman, a rather well known character about the city, was run down and killed by Union Pacific switch engine No. 1466 esterday morning.

Waxman was a shoe dealer and was crossing the railway bridge over South Twentieth street on his way to his place of business at 509 South Fourteenth street, when he was overtaken by the engine and instantly killed. He was fearfuly mangled, both legs and one arm being nearly severed from his body

and his head so crushed and mangled as to Waxman lived on South Twenty-fifth street and leaves a family in not uncomforta

The engine was in charge of Nick Weeks and the accident was witnessed by a flagman, John Fenton. An inquest was held by Corcner Maul at 3

o clock yesterday afternoon. After hearing the testimony of the train crew the jury decided that Waxman's death was due to his own carelessness. Later in the day the body was buried at the Russian cemetery, "WHEN DOCTORS DISAGREE," ETC.

OMANA, March 17 .- To the Editor of THE BEE: After the death of Garfield there was a long newspaper wrangle to determine which of his doctors killed him; for it was soon agreed on all sides that he would never have died from the Guiteau bullet if search for that had nover been made; that the surgeons, so-called, in probing for it, literally tore him. to pieces and sent him to his mortal tomb. Thayer, too, as governor, it seems, has gone to his final rest, and THE BEE of this morn-ing, by its Lincoln comments upon the con-duct of his case, inspired, as it would seem, by Dr. Webster or such of his friends as would let him fall easily, charges that the "blunder" of Dr. Blair in demurring to Boyd's answer, when he might have replied, has caused the great steach which now hils the public nostril.

The public hostric. The facts, nowever, are that the demurrer was drawn and agreed upon by Judge Mason and myself as the proper thing to file, and was filed at about the hour of noon one day. On that very evening Mr. Webster came to Lincola and was given a copy by Judgo Mason and myself. His only criticism at the time was that it concluded improperly, but Gould, treasurer.



Used in Millions of Homes-40 Years the Standard,

THE MOST PERFECT OF PEN8-