THE OMAHA DAILY BEE: SUNDAY, OCTOBER 27, 1895.

Tested by Its: Products.

of Jones street seemed to be making an un-

usually merry noise Wednesday afternoon,

as if it itself were sharing the pride of its

owner in the successful completion of the

first job of American a phait paving in Omaha

-that on Sherman avenue from Nicholas to

The plant, which cost \$55,000, has been

running since August: Mr. Murphy claims that it is the most complete in all its ap-

which the machinery does its work in the United States, and this claim is supported by the statement, not only of the asphalt experts who were engaged there, but of those

Mr. Murphy built the mill to be one o

Sherman avenue is considered the best of

SCHURIG FEELS BETTER NOW

Assured the Councilmen that He Did

Not Say a Word.

City Electrician Schurig for a few minutes

Thursday night, feared that he was about to

ose caste with the council combine and the

thought was almost too much for him. Thurs-

day's Bee contained an interview with

Schurig, in which he stated that in his opin-

ion the electric lighting system of the city

could be so rearranged as to afford better

light at a decreased cost. In another para-

graph attention was called to the lack of

system which had characterized the location

of lights and the fact that a political pull had

often been more potent in obtaining a light on a certain corner than any real necessity for the light.

It was late in the evening when Schurla saw the paper and he was at once possessed

out to the residence of Councilman Jacobsen

and aroused him to explain matters and as-sure him that he had never said anything

that reflected on his motives. Jacobsen saw the point and pretended to treat the matter

ingly relieved.

fornia, meningitis, Forest Lawn,

by the fear that the members of the counc might believe that the last paragraph men-tioned was also inspired by him. He posted

Locust street.

Hugh Murphy's asphuit plant at the foot

TENTHOUSAND FROM SQUIRES City Sues Him for Failure to Perform Street

Sweeping Contract.

PETITION FILED YESTERDAY AFTERNOON

Asked to Pay the Excess Over His Figure that City Had to Pay for Remainder of Term.

The city of Omaha has at last gone luto court to effect a settlement of the long standing claim against C. E. Squires for damages on account of his failure to carry out his street sweeping contract. The petition was filed by City Attorney Connell late finished with leather all over, 5c; dog fur coats, with quilted linings, \$6.75; yellow history of the controversy it asks that the city be allowed a verdict for damages amount-ing to something over \$10,000. This is the result of the change in street

This is the result of the change in street sweeping contractors, by which a lot of extra expense was saddled on the city. Squires had taken the contract for five years at \$15 per mile, but after a short experience he grew disgusted with the job and threw James Stephenson was the lowest, at \$17.99 Stephenson was awarded the contract, and continued to sweep the streets during the remainder of the time that the original con-tract had to run. The suit brought by the city is to compel Squires and his bondsmen to make good the extra \$2.99 per mile that the city was compelled to pay on accourt failure to carry out his contract for the full term

HOLDS HIM RESPONSIBLE.

Court Requires Bates to Make Good Every Cent of Martin Estate.

John E. Bates, administrator of the estat of Albert Martin, was raked over the coals in Judge Baxter's court yesterday for failing to properly perform the duties of the office to which he had been appointed by Judge Eller. He departed from the court room with the consoling reflection that he was to be held responsible for nearly \$1,500.

the amount of the estate. Bates filed a report in which he stated that he was willing to turn over the assets of the estate, which amount to \$1.501—a note signed by Bates & Co., but which he was un-able to collect. He also filed claims for \$62. the legal allowance for an administrator, \$200 for special service, \$50 legal attorney fees and \$225 special attorney fees. To the ma-jor part of the report the heirs objected. In the first place they wanted the money, in-stead of a note. They objected to both the

Judge Baxter allowed the legal fees of \$62 Judge Baxter allowed the legal fees of \$52 as legal attorney fees. He refused to al-low the claim of \$200 special fees, as he said that this money, from the evidence, was used by Boxter in keeping the heirs of the estate out of their money rather than in per-forming his duties. He refused to allow the special attorney fees of \$205 no the superior special attorney fees of \$225 on the ground that they were spent to get the money out of a bank, where it would have been safer than In Bates' own hands. Judge Baxter turned to the condition of the

He said that assuming that two estite. heirs had requested Bates to invest the funds as he alleged, if he had property performed his duties he would have been careful to in-vest them in such a way that they would be safe. Nevertheless, he turned them into the firm of Bates & Co., which he must have known was not solvent, as he was its manager. Therefore, Judge Baxter said that he would hold Bates personally responsible for the amount of the estate.

Defendants Have Their Say.

In an answer which was filed yesterday G. W. Johnson, R. E. Carr and C. M. Spaulding set out an entirely different state of facts from those advanced by William H. Mallory in support of his petition for a restraining order to prevent them from using the name "Omaha Boiler Compound comthe name pany." Mallory alleged that they were using the name without any right and that as they were manufacturing the same kind of

Now Open 1 Every reader of newspapers is familiar with the lats fire at Rochester, N. Y., which played have in the wholesale clothing dis-trict. While some of the houses lost everything they had, others were only damaged by smoke and water. The underwriters and six of the leading houses damaged as de-scribed last could not agree, as to the settlement, so the insurance companies took their entire stock off their hands and turned it over to the Salvage Wrecking company to be sold for their account. The Salvage Wreck-ing company has shipped the bulk of their stock, consisting of the least damaged goods, to Omaha, Neb. They have leased a warehouse, and later also the building, 115 South

16th street, opposite department store, where they decided to close out the entire stock at retail. It will pay you to come hundreds of miles to attend this sale. Men's genuine raritan chinchilla overcoats, with velvet collars and well lined, are \$2.65; men's warm wool milts, 5c a pair; choice of either union cassimere men's suits (guitable for every day), or black worsted men's suits (suitable for Sunday wear), \$2,90; men's suspenders, finished with leather all over, 5c; dog fur

hats worth \$1.00 and more, 25c; heavy storm ulsters, \$3.40; all boys' knee pants, no matter how fine, choice 19c; boys' real fine dress overcoats, \$1.65; heavy winter caps, big lot to choose from, 15c; fine dress shoes (gennine yeal calf). 98c; men's natural grey wool underwear, 121/2c; extreme fine clothing as satin-lined suits and overcoats, for which the Rochester, N. Y., market is famous, to be closed out for next to nothing. Remember the goods are now on sale at the Salvage Wrecking Co'.S.

FIRE SALE OF CLOTHING. 115 South 16th street, Omaha Neb., between Douglas and Dodge.

P. S. Goods stored at warehouse will be opened and put in the building as fast as space will allow

50e Gown Sale.

O. K. Scofield will cell for one hour, S to 9 o'clock, tomorrow morning, fine cambric and muslin night gowns, that usually sell at \$1.00, \$1.25 and \$1.50, at choice, for 50c each. Those remaining unsold will be taken off sale promptly at 9 o'clock and kept off until 8 o'clock Tuesday morning, as our large busi-ness in cloaks and furs will not admit of our devoting more than the first business hour of the day to the sale of these gowns at the low price of 50c each.

O. K. SCOFIELD. Paxton Block, 16th and Farnam Streets.

New Fast California Train.

On October 29 the Santa Fs route will in-sugarate new and strictly limited first class

The California Limited will leave Chicago at 6 p. m. daily, reaching Los Angeles and San Diego in three days and San Francisco in three and a half days, thus reducing the time half a day. Equipment will consist of superb new vestibuled Pullman palace and compartment sleepers, chair car and dining car, through from Chicago to Los Angeles

without change. This will be the fastest and most luxuri-This will be the fastest and most dixuri-ous service via any line to California. The present train leaving Chicago at 10 p. m. will be continued, carrying through palace sleeper and tourist sleeper to San Francisco, and tourist sleeper to Los Angeles.

Full particulars obtained and reservations secured from E. L. Palmer, passenger agent, room 1, First National Bank bldg., Omaha. Wanted-At once, applicants for City

Don't wait until your old loan is Joans. Lowest rates. Fidelity Trust Co.

Card of Thanks.

lue.

Mr. and Mrs. George Chapin desire to ex tend their thanks to their neighbors, and the employes of the B. & M. local freight office for kindness and sympathy shown them in their late bereavement.

To the many friends of our dear boy we wish to express our most sincere thanks for their sympathy, so sincerely and feelingly expressed. May our heavenly father pre-serve our boy's young friends, and be merci-ful to us all.

A. A. PERRY, WIFE AND FAMILY.

Hamilton Warren, M. D., electric and magnetic physician; special attention to diseases of women and cliffdren and all obscure and long standing diseases. 119 N. 16th street, between ex-Policeman Pulaski and a man girl.

MORE EXCITEMENT ABOUT SHOES, MURPHY MADE IT COMPLETE. Boston Store Gets Another Lot Shoes for Folks to Buy Quick. 18C, 25C, 39C, 59C, 63C, 75C, 89C, A PAIR.

These are the prices. The bargain prices of SHOES On sale tomorrow IN THE BASEMENT

BOSTON STORE-OMAHA. There are only a few hundred pair-prob-ably 1.800 or 1.900 all told-in ladies', boys', misses' and children's shoes and slippers. They are big bargains. Sale starts at 8 o'clock sharp Monday morn ing at

BOSTON STORE-OMAHA, N. W. Corner 16th and Douglas.

T. J. Mahoney has been assigned by the state central committee to speak as follows: McCcok, Monday, October 28; Geneva, Tues-day, October 29; Lincoln, Wednesday, Oc-tober 30; Grand Island, Thursday, October 31; Columbus, Friday, November 1; Fremont, Saturday, November 2.

Dr. Nichols & Nichols, special attention to liseases of women and children. 1408 Farnam. Fire sale of shoes lasts only eight days longer, corner 15th and Capitol avenue.

LOOKING OVER PAVEMENTS.

Milwaukee Officials Come to Omaha to Learn of Asphalt. Mayor Kock and City Engineer C. H. Ben-

enberg of Milwaukee arrived in Omaha yeaterday and will spend a couple of days in the city. The object of their visit is to the city. The object of their visit is to the permanent establishments of the city, make a thorough investigation of the asphalt as he was confident that on a trial the Calipavements and especially of the California

asphalt, of which they have never made a trial in Milwaukee. Mr. Benzenberg is the proof of the superiority of the work done at president of the American Society for Municthe plant as well as of the surpassing quality ipal Improvement and ranks as one of the of the California asphalt.

Both of the visitors spent a couple of hours in the city hall yesterday, where they were entertained by Mayor Bemis, City En-gineer Rosewater and the members of the Board of Public Works. They were lunched

at the Commercial club and in the afternoon they were taken for a drive over the city. during which they will inspect the California asphalt pavements on Sherman avenue and South Twenty-fourth street. In speaking of their visit Mayor Kock stated that there was a good deal of interest

in Milwaukee at present relative to asphalt paving. It was difficult to induce property owners to declare for the old expensive asphalt and the result was that there were scarcely five miles of asphalt paving in Milwaukee. The introduction of the California product and the decrease in pric promised to give a pavement that could be used and it was the purpose, if they found the California asphalt that had been laid in

Omaha satisfactory, to open competition in asphalt paving in Milwaukee, as has been done in Omahr. William S. Poppleton speaks at the citi-

cons' mass meeting at the Collseum Friday evening, November 1.

THACHER IN A NEW ROLE

n Jail He Has Developed Into a Brilliant Orator. Charles Thacher, the man who is now odged in the county jall, waiting to be

brought before the insanity board, broke out n a fresh spot yesterday. Thacher, it will be remembered, is the

man who insisted upon persocuting a former sweetheart named Cobb. He wished her to marry him, and although a married man, he took her refusal very much to heart. He threatened to burn her house, provided she would not accede to his demands. Miss Cobb had Thacher arrested. Yesterday when Chief Detective Cox was packing through the jail, Thacher thrust a petition through the bars of his cage. The patition was

the bars of his cage. The patition was signed by fifteen fellow prisoners, and stated that he was an innocent man, and asked for his release. It is said that Thacher gives fifteen minute crations in the jall to his companions, and is an eloquent speaker at

Put Up a Hot Fight.

A red hot fight occurred in the alley at the rear of the Ramge block at noon yesterday girl; Charles Anderson, 218 North Eighteenth

Izard applied some names to

DOES NOT SEEK THE SENATORSHIP.

Superiority of His -Asphalt Plant-Governor Aligeld Not a Candidate for

Further Honors. SPRINGFIELD. III., Oct. 26.-Governor Altgeld will not be a candidate next year for

senator. He declared to that effect today and gave his reasons to a representative of the Associated press. It was thought by many of the politicians that the withdrawal of Sen-ator Palmer from the race would induce Gov-

ernor Altgeld to announce himself. In this they were mistaken. Governor Altgeld left no room for doubt as to his intentions. "Now that General Palmer has withdrawn from the race for the senatorship next year." the governor was asked, "will you be a candidate?

"No," he replied, "a decent regard for the proprieties forbids that any democrat should make an effort to be elected senator in this state next year. As the dudes say, it would be in bad form."

who have visited it. The whole process of preparing the crude product as it comes from the California deposits for spreading on the streets is here accomplished under the eyes of men of the most experience. The "How is that, governor?"

"Well," was the reply, "aside from the va-cancy caused by the death of Senator Herb eyes of men of the most experience. The careful work of gating said and lime to the proper fineness, proportion and tempera-ture is done with perfect precision, as is evidenced by the admirable specimen of the finished material which for a week has been the republicans have a majority of seventeen of the hold-over senators, and conditions in this state are such that if we were to sweep everything before us next year, as we did in 1892, we could not possibly get a majority of more than twelve or fourteen of newly elected nembers, so that even if the Lord were to be Not only has the best improved essential with us next year, republicans would still machinery and appliances been put in the plant, but the most perfect supplementary nave a majority of five or six on joint ballot. Under these circumstances it would look greedy for a democrat to want place, and as devices for facilitating the work, such as the chain belt barrel elevator and the condemocrats are well bred gentlemen they will not be guilty of such a breach of decorum, pressed air oil pumps. The capacity of the plant is 15,000 square yards of paving ma-terial daily. but will preserve their dignity and pursue the even tenor of their way."

The citizens' mass meeting at the Coliseum Friday evening, November 1, should call out person in Omaha interested in good fornia asphalt would be preferred to any other, and the excellence of the paving on local government.

IN FAVOR OF SPECIAL POLICE,

Justice Cockrell rendered his decision he case of Martin Shields against the city of Omaha yesterday afternoon. This is the case in which Shields sues the city for \$7.50 for three days' service as a special policeman, and the test case which both parties had agreed to submit to the district court. Justice Cockrell's verdict was in favor of the plaintiff, and the city has already filed its appeal bond. The stipulation on which the case is taken to the district court

to file all papers, and an effort will be made to have the case heard Wednesday. In the meantime Justices Cockrell and Wilcox have entered judgments in favor of all the plain-tiffs in the fifty-seven cases, and the issue of all will depend on the final decision in the Shields case,

ONLY \$21.30

For Round Trip. From Omaha to Hot Springs, Ark., via the Missouri Pacific railway. Tickets on sale from October 20 to October 30, inclusive.

N. E. corner 13th and Farnam, or depot, 15th and Webster, J. O. Phillippi, A. G. F. & P. THOS. F. GODFREY, P. & T. A.

residents, while the city or county pays the blHs. 1. at 8 o'clock. Cockrell's Decision in Shields Case-Appent Taken.

rphanage, that delightful home of the home

classes. The orphanage has grown up with the city gives each party twenty-four hours in which

Friday evening, November 1, should call out

every person in Omaha interested in good local government.



Mrs. Nora Thomas, a confirmed invalid, arrived in the city from Alliance yesterday and was taken to the police station. She was shortly afterward sent to the Presbyterian hospital on an order from Health Commis sloner Saville. Mrs. Thomas is one of a large number of

IMPOSING ON THE PEOPLE.

Practice of Sending Paupers to

Omaha Continues.

incurables that are yearly folsted upon Omaha from the small towns in the state that lack hospital accommodations. After the donations of a few kind-hearted neighbors have been exhausted in taking cars of penniless invalids in these towns some benevolent con-ductor is prevailed upon and they are shipped to Omaha to be taken care of at the city's expense. Over \$200 monthly is paid to the different hospitals here by the Board of Health to take care of this class of invalids.

Pattern Hats and the numbers provided for from out the city are steadily on the increase. It estimated that fully one-third of the patients for whom the city pays \$5 per week are a of town patients. A case in point happene not long ago in which a consumptive and his wife were sent from West Point and landed in this city with just 10 cents in their pos-session. It is said that this man is still at me of the hospitals and that his wife is a tending him as nurse, both boarding off th city. In cases where the parties are not too ick to travel they are sent back to the towns from which they came, but these cases are scarce and the majority become permanent

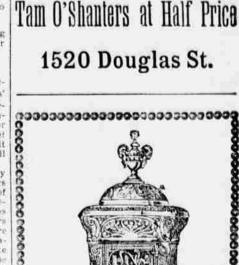
Fire sale. Fifty more cases of shoes go on sale Monday, 16th and Capitol avenue. Attend the monster citizens' mass meeting at the Coliseum Friday evening, November

Archbishop Ireland at Boyd's. Archbishop Ireland has consented to de ver a lecture for the benefit of St. James

ess and parentless on the heights of Benson, at the Boyd opera house on November 14. The subject of the lecture is not yet known, but whatever subject is chosen it will be handled in a manner to interest all

and many times during the thirty-one years of its intercourse with the good people of Omaha has it appealed to the citizens irre-spective of creed, and just so many times came a generous response. Now the sisters should rejotee that they can in a measure repay past kindness. It is on the invita-tion of this sisterhood that the great prelate of St. Paul comes, and its members must be more than pleased by the manner in which some of the gentlemen of Omaha have shown their appreciation of the act. Several of

the boxes at Boyd's theater have already been purchased for \$50 aplece, and judging from the demand for admission tickets the finest audience ever assembled in the Gate City will great the archbishop. The citizens' mass meeting at the Coliseum



MRS. DAVIES,

MILLINER

Has just received a

very large line of

AT

Reasonable Prices.

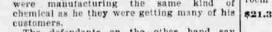
The Swell Street Hat

of camel's hair-

Call and see it.

Ser Still TCESS ACONT 印刷影性低的

Limit for return, November 15. For tickets time tables, etc., call at company's offices



The defendants on the other hand say that in May of this year they entered into a contract with Mallory, by which it was contract with Manory, by which it was agreed that they, were to run the affairs of the Omaha Boiler Compound company from May 1, 1895, to May 1, 1896. Mallory agreed to turn over everything and in return the defendants agreed to furnish the necessary capital and energy to operate the company for a year. The defendants further allege that they have stood by the contract, but that Mallory has repeatedly broken it. Therefore they ask that the suit be dismissed.

Decided Against the Bank.

The case of the Middleboro National bank against James Richards and others was declded by Judge Duffle yesterday in favor of the defendants.

The defendants in the sult were the bonds men of Richards & Co., who were awarded the contract of building the court house at Blair. The contract provided that the con-tractors should furnish material from the Bohn Manufacturing company of this city and gave as payment some notes, which later came into the possession of the plaintiff bank. The contractors failed to pay the notes and suit was brought against the bondsmen.

The defense was made that one of the bondsmen, Epeneter, did not sign the bond himself, but that his name was attached to it without authority and by his son. There-fore the other bondsmen held that the bond was not legal, although approved by the Board of County Commissioners of Washington county, because they had agreed to sign it only on condition that Epeneter's name was attached.

To Bring a Justice to Time. Louis D. Loevy and the Equity Clothing company have applied to the district court for a writ of mandamus to compel William A. Karling, a justice of the peace of Ciontarf, to take an appeal bond. It is alleged that in a suit that was brought against the two plaintiffs by Mrs. N. Yager before Justice of plainting by Mrs. N. Yager before Justice of the Peace Karling Mrs. Yager obtained a judgment for \$7. On the last day allowed by law the attorneys for Loevy and the clothing company desired to file an appeal bond with the justice of the peace, but they were unable to find him. When application was made on the following day Karling re-fused to accept the bond until the costs of the case had been paid. The attorneys told him that they would pay them in course of time, but Karling wanted to see the money. He refused the bond and issued an execution on the judgment.

Mrs. Ruddy and Her Divorce. Amelia Ruddy denies the allegations advanced by her husband, Thomas H. Ruddy, in the petition for a divorce which he re-cently filed in the district court. She says that at various times her husband has beaten her and failed to support her and that she is more entitled to a divorce than he. She claims, more-over, that since he filed the petition he has induced her to live with him under a memory induced her to live with him under a promise that he would withdraw the suit. In view of this promise she desires that the suit be dismissed by the courts.

Republican Mass Meeting. A grand republican rally will take place tomorrow evening, the 28th inst., at Patter-son hall, under the auspices of the Swediah-Fon hall, under the auspices of the Swedish-American Republican club. Judge W. W. Keysor, Judge J. F. Baxter, Dr. John A. Euauder, Hugh A. Myers and other promi-nent speakers will address the meeting. The Scandinavian Glee club will entertain the audience with some of the selections which have made their organization deservedly famous. Executive committee.

A New Store in Town.

A New Store in Town. It is rumored that the building now oc-cupled by the Equity Clothing company is about to be turned into a large dry goods store, the Equity people, it is understood, having consented, for a consideration, to vacate. Mr. Loevy of the Equity would not talk, but acknowledged that his house had decided to go out of business before De-sember 1.

Samuel Burns is having great success with the dinner set sale and will continue another week, from \$4 to \$20. See front window.

| Wanted. City loans. Powell & Potter.

named Izard. Pulaski, and then the trouble began. Izard was knocked into the gutter, and in falling \$21.30 to Hot Springs, Ark., and Return VIA THE WABASH RAILROAD. his head hit the curb, causing the blood to flow freely. Officer King interfered and placed both parties under arrest and lodged hem in jail.

WABASH KAIDHOAD. On October 20th to 30th the Wabash will seli at one rate, good returning until Novem-ber 15th, Remember the Wabash is the quick-est and best route. For tickets and further information call at Wabash office, 1415 Far-nam st., or write G. N. Clayton, N. W. P. Act Omsha Neb. Agt, Omaha, Neb. Administrator's Sale.

Of groceries, wines and liquors at H. Pundt's old stand, 1218 Farnam in quantities Pundt's old stand, as invoiced at first cost. L. RAAPKE, Adm.

CALIFORNIA OR TEXAS.

Via Santa Fe Route. For lowest rates on tickets and best ac-commodations call on or address E. L. Palmer, P. A. Santa Fe route, room 1, First National bank. Omaha.

Columbia Metal Polish. Cross Gun Co.

Lincoln and Return. The Chicago, Rock Island & Pacific will sell tickets to Lincoln and return October 28 to November 1, good to return November 2, at one fare for the sound trip. Ticke office 1602 Farnam street.

Fire sale of shoes. Special bargains for Monday. 16th and Capitol avenue.



The Choir Wants It-If your church does not own a pipe organ, or has one that's no good-the committe should be sent to us direct. We are selling the best pipe organ in existence for a very small price and on terms to suit.

A HOSPE, Jr., Music and Art, 1513 Douglas St.

If You Cough A11 At

(No matter how little)

You Need LA GRIPPE COUGH CURE

If you don't have any faith in any thing, you've "tried so many" come and get a sample of La Grippe Cough Cure free. The first dose gives you faith, and the first 25c bottle will cure your cough.



MRS. J. BENSON, Corset Sale. Broken lines of Corsets will be closed out at half price and less. One lot at 69c will include corsets that were \$1.50. Dress Form Corsets, 69c, worth \$1 25; Armorside Corsets, 87c. Misses' Corsets, 38c, regular price 75c. Yatese & English Corset, 87c, worth \$1.75; extra size \$1.00, worth \$2.00. Corsets, \$1.12, worth \$2.25. J. B. Corset, \$1.75, worth \$2.75. Delsarte Corset, spoon clasp, very strong, for stout ladies, price \$1.37, never sold less than \$2.45. Best Abdominal Corset, \$1.38, worth \$2.75. Corset for 38c, worth 75c. Waists Ladies' V Waists 69c, regular price \$1.50. Delsarte

Waist, drab, 87c, worth \$1 75; black, \$1.45, worth \$3.00. Children's Waists, 25c up. Children's Waists, 38c, worth 75c Ladies' black and white sateen striped Skirts, 62c; black with colored embroidery, 87c; Black Skirts, wool lace trimming, 87c.

Special price on Hosiery

Monday

Buy four pair Men's, Ladies' or Children's Hose and we give you a pair of the same price for nothing.

We have a grand stock of Hosiery, all the nost desirable kinds in cotton fleece-lined wool and cashmeres from the lowest prices up, and we guarantee you never bought the goods as cheap before. Ladies and Children's full regular hose 15c up.

Try our Ladies' and Child ren's fleece-lined underwear.