PICTURES

LINCOLN, Nov. 23.-(Special.)-It is evi- Taking Testimony as to Who Was dent that the defense in the George Washdent that the defense in the George Washington Davis murder case is putting in stronger testimony that at any of the previous trials. Ed Huffman testified this election contest was taken here today before city. It is enamel or French calf and morning that he was fairly well acquainted the referee, J. F. Cordeal, appointed by the \$5.00. We also have it in the \$3.50 and with the section gang at that time em- supreme court to investigate the charges \$4.00 qualities. Send for our illustrated cur stock of a thousand and one things up an unusually large quantity of these played by the Rock Island company and that of election frauds in this county, as charged catalogue, free. on the night of the wreck they were indi- in Judge Welty's petition for a mandamus. vidually and collectively drunk. This in- Before the taking of any testimony Welty formation was shot out of him before the withdrew all charges of fraud against County court could interfere in response to an objection by the prosecution, and it reached the jury for all it was worth. The court would not permit the testimony to be considered on the ground that the men whom Huffman saw drunk had not been identified. Huffman saw drunk had not been identified as the ones who repaired the trestle, if, in-

de d, it had been repaired.

T. J. Stepney, a colored barber, is a brother of Eph Corneal. His evidence was sensational. He testified that on one occasion he was present when Captain Billingsley and R. J. Green, attorneys for the Rock Island road, called upon Corneal. The latter was in bed. One of the attorneys gave Corwas in bed. One of the attorneys gave Cor-neal a handful of silver and told his wife that if she needed anything to let him know. Corneal is one of the witnesses for the prosecution. Huffman said that he had been told by George Botts, another witness for the state, that he (Botts) was in receipt of \$3 per day for being a witness in the case. WAS RUNNING VERY FAST.

J. C. Puetz, a traveling man, said that he boarded the train at Fambury and that he barded the train at Fambury and that after leaving that point it made a tremendous rate of speed, nearly sixty miles an hour. He said the train swayed so heavily that he was afraid to cross the platform from the smoker to another coach. Cross-examined he said he had filed no claim against the company, although he was one of the injured in the wreck. Charles Monte, a brakeman on the Bur-lington train that came up to the wreck shortly after the accident, said that he shortly after the accident, said that he heard Harry Foote, a brakeman on the fated train, say that they were running at great speed when the wreck occurred. Conductor Lawson of the Burlington testified to the same effect. He added that a slight defect in the track, such as a loose joint, would be dangerous when the train had gained a high rate of speed.

It is thought the trial will not be concluded before Wednesday of next week.

cluded before Wednesday of next week.

A man giving his name as Walter Dover was at the police station this morning, charged with having escaped from the Asylum for the Insane. He is the person whose description tailied so closely with that of Thomas Finn, who was arrested for taking a hat from a local store. THEATER MANAGERS QUARREL.

The annual row is on between the two local theaters and the belligerent managers are snarling at each other. Last winter the trouble broke out over the appearance at the Funke of Pauline Hall. Manager Church of the Lansing said that the actress was billed for his play house and there was some talk of legal proceedings. This year the disturbance arises over Dave Henderson's "Sinbad." Each manager says that it will give the play Thanksgiving day, and it is understood that the company is signed for both houses. Today the Lansing people were spreading paper for the show, but it is said that it will be seen only at the Funke. In addition to this there is a rumor affoat that Jacob L'tt has an eye on Lincoln with a view to erecting here another opera house similar in size and appointment to his Grand opera house at St. Paul and including Linguistics. coln in his circuit. There is a feeling in Lincoin that the better class of attractions which make Omaha fail to drop down to this city and people here cannot understand it. NEEDS OF WESLEYAN UNIVERSITY.

The needs of the Nebraska Wesleyan unltomorrow morning in the Methodist pulpits of this city. A collection will also be taken in behalf of education. General Order, No. 12, issued from the

adjutant general's office, authorizes the surgeons of the Nebraska National Guard, who are members of the Association of Military surgeons of the United States, to wear the insignia of that association on all occasions

of ceremony.

A record of military service has been furnished from the adjutant general's office to E. H. Gibson, late of company K, First regiment, Nebraska cavalry, who enlisted at Omaha, December 8, 1862, and was discharged at Omaha December 1, 1864.

In the supreme court today was filed a motion for a rehearing in the case of the American Water Works company, plaintiff, against the state of Nebraska, ex rel, W. J. Walker, defendant in error. In the former hearing the defendant secured judgment. The

nearing the defendant secured judgment. The motion filed by the attorneys for plaintiff, Cornell & Ives, is as follows:

"And now come the abova named plaintiff in error and moves the court for a rehearing in the cause for the following reasons." sons. First. The decision of the court is based on the assumed fact that the service based on the assumed fact that the service charged for, and which the relator refused to pay for, had been already paid for by the relator, whereas the record shows the contrary to be true. Second. The decision of the court is that the rule in controversy in this case unlawfully discriminates between citizens in the same condition, whereas the record shows that, although the rule discrimination between citizens such discrimination nates between citizens, such discrimination is justly made between citizens in different conditions—a discrimination which is unlaw-

Omaha people at Lincoln: At the Lindell

—J. O. Epeneter, Aug Meyer, C. E. Danforth,
L. Liske, M. F. King, James Allan, Richard
Smith. At the Capital—J. S. Bangs. At the
Lincoln—O. H. Osbourne.

Plattsmouth Business Changes. PLATTSMOUTH, Neb., Nov. 23 .- (Special.) -A very important business change took place here yesterday when A. H. Wickclosed the bargain whereby bach & Co., closed the bargain whereby Messre. J. V. Egenberger and Robert Troop assumed control of affairs in the large assumed control of affairs in the large grocery store in this city. The new firm was engaged in a like business here a number of years ago under the same firm name. Wickbach will settle up his affairs, and depart for Germany, but is undecided as to whether he will remain there.

Mrs. Herman Herald departed this afternoon for Orient, Ia., to visit her daughter,

The Church of Christ congregation of this city has recently completed some extensive repairs on their church building, and to-morrow Bishop C. M. McCurdy will deliver a dedicatory sermon at 11 o'clock a. m., speaking again at 7:30 p. m.

speaking again at 7:30 p. m.

The Plattsmouth Woman's club was entertained last evening at the home of Mrs.
Byron Clark, on High School hill, in this city. A delightful time was had. Music, cards and socal goasip furnished the entertainment.

tertainment.

Mrs. O. H. Snyder entertained this afternoon at "coffee" in honor of her sister Mrs.

Joseph Reed of Council Bluffs. Those present
were: Mesdames Joseph Reed, Council Bluffs;
Samuel Maugh, S. H. Atwood, Samuel Chapman, C. F. Stoutenbourough, Julius Pipperhery, R. B. Windham, F. E. White and Frank
Wilson.

forty members of the German Evan-

About forty members of the German Evan-gelical church of Plattsmouth invaded the home of their pastor, Rev. M. Schroeder, last evening and completely took them un-awares, their calling being to romind the hostess that her sixtieth birthday had ar-John's Catholic church of this city

St. John's Catholic church of this city will be colemnly dedicated Sunday at 10:30 a. m., by Bishop Bonacum, assisted by several priests. After the dedicatory ceremonies, the bishop will preside at pontifical high mass. The sermon will be preached by Father Nugent of the procathedral of Lin-

Lee Pollard of Nehawka is in the city

Better Than Much Fine Gold. M'COOL JUNCTION, Neb., Nov. 23.— miles north of the city, burned this after-(Special.)—While it is believed that gold noon. Everything was just with the excep-can be found here in the valley of the Blue, M'COOL JUNCTION, Neb., Nov. 23 .-

SECTION MEN WERE DRUNK

the flowing wells are considered by farmers as of much more value than the prospective wealth of the gold fields. The flowing wells are being found near McCool. Two wells have been located in lais county and a number of farmers near here are going to bore for the artesian flow. One thing is peculiar about this artesian flow. One thing is peculiar about this artesian flow. Well using common well augers bore down to a depth of eighty to 125 feet and an abundance of water gushes up about three to six feet above the surface. The valley of the films in which McCool is altuated is dotted with fine improved farms and is considered the most productive agricultural district in York county. Good improved farms here are offered at \$25 to \$35 per farms, which will double and trible in value when the flowing well is bored.

WELTY-NORRIS CONTEST BEGUN.

were examined. The tally showed forty-one votes, the footings in one place forty-six and where written out in full forty. Whether or not the book had been tampered with, experts were unable to determine. One of the judges of election testified that in making the footings a mistake of five or six had been found and that a dispute had arisen.

been found and that a dispute had arisen, but whether it was as to the vote on district judge he was not positive.

It also developed that a person not a member of the election board had assisted with the tally on the night of election, also that the duplicate poll books had not been compared; neither had one of them been deposited with a judge of election until after the conwith a judge of election until after the can vass of the county had been completed. County Clerk McFadden is ill and unable to testify.

Not Guilty of Fast Driving. FREMONT, Nov. 23 .- (Special.)-The jury In the case against Arthur Bauman, charged with violating a city ordinance by fast driving on a business street, brought in a verdict of acquital at 11 o'clock last evening. The little ones acquitted themselves very creditably and showed that they had been

carefully trained.

fine of \$5.

an excellent musical program was rendered. The club is constantly taking in new members and maintains the high standard it has had since its organization.

Judge Marshall this morning sentenced George Irvin, who pleaded guilty to the charge of having in his possession with intent to pass a forged order on H. Blumenthal, to be addressed to Covernor Helcomb six months in the penitentiary and to pay

Busy with His Contest. IMPERIAL, Neb., Nov. 23 .- (Special.)-Judge Welty has canceled the December term of district court of this county, presumably to attend to his contest against S. W. Norris, the republican candidate who thinks he was of district court in this county since September, 1894, Judge Welty having canceled the spring term of 1895.

Suit and attachment proceedings were begun against the cattle company of D. Gurnsey & Co., of this county this week to re-cover \$1,500 of a claim for constructing irrigation ditches on their lands by S. L. Kavanaugh.

Falls City Items of Interest. FALLS CITY, Neb., Nov. 23 .- (Special.)-Norman Musselman is visiting friends and relatives in Beatrice. Jule Schoenheit of Lincoln is in the city at-

tending court this week.

Rev. C. Meyer will move to Plainview to take charge of the Lutheran church at that but one way of placing an insane person in such hospital.

Prof. William Reese was appointed by the mayor as delegate to the Transmississippi congress, which will be held at Omaha Nospend the winter.

Mrs. Ed Minnick of Auburn is in the city The Falls City Produce company is building 500-ton ice house north of the canning fac-

Nebraska City Notes. NEBRASKA CITY, Nov. 23 .-- (Special.)-Dr. G. M. Brinker, the oldest physician in this city, was taken suddenly ill at his home this morning, and it is feared that owing to his extreme age he cannot recover.

John V. Morgan and E. H. Morgan left

last night for Clebourne, Tex., in response to a telegram stating that their father, Felix Morgan, was lying at the point of death at that place. They were accompanied by their sister, Mrs. J. C. Martine. Miss Celia Burgert last evening entertained a number of friends at the home of her pa-

Miss Arvilla Chrichton last evening entertained the members of the Zion Religio so-clety, and the evening was pleasantly passed with a literary and musical program.

VALLEY, Neb., Nov. 23 .- (Special.) -- Mr. and Mrs. William Dubois entertained a number of their friends at their home last evening.
Mrs. M. H. Redfield of Omaha is visiting

Mrs. F. A. Simpson of North Platte is a guest of Mrs. J. J. Miller. Mrs. D. Dennis of Greeley, Colo., is visiting friends here. The beet sugar growers think they have a show to get their money out of the crop, as they have orders to ship ten cars a day until further notice at the contract price, the last sample standing the proper test.

Good for Fall Grain. IMPERIAL, Neb., Nov. 23 .- (Special.)-It began snowing here yesterday morning and the appearance is for a good fall. This is the first moisture here so far this fall. The ground is so dry that it is impossible to do any fall plowing except on lands lying on the river bottoms and along the numerous ir-rigation ditches in the county. The farmers who own land under the irrigation ditches have been busy irrigating their wheat and putting in fall wheat.

Changes at Rosebud Agency. VALENTINE, Neb., Nov. 23.—(Special Telegram.)—Colonel J. T. Oglesby, who came here from McDonough, Ga., in August, 1893, as receiving and shipping clerk for the Rosebud agency, has just been commissioned by President Cleveland special United States Indian agent and disbursing officer. He will be succeeded in his position here by James A. Carroll of Brunswick, Ga.

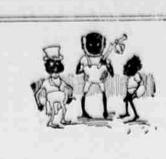
North Loup Paper Suspends. ORD. Neb., Nov. 23 .- (Special.)-The Loyalist, republican and populist, and the only

paper in North Loup, has suspended publica-The Ravenna Creamery company has pur-chased the Ord creamery plant and will open up business in the spring. This is a good point for that business.

GIBBON, Neb., Nov. 23.—(Special Telegram.)-William Jordan, head brakeman of the first section of train No. 19, was found dying beside the track at the east end of the switch at this place this morning. His right arm and leg were cut off. His wife and child live at Grand Island.

M. P. Employe Dangerously Hurt. NEBRASKA CITY, Nov. 23 .- (Special Telegram.)—George Goldsberry, an employe of the Missouri Pacific at this point, was thrown from a handcar this afternoon and injured internally. His recovery is very doubtful.

Otoe County Farmer's Home Burned. NEBRASKA CITY, Nov. 23 .- (Special Telegram.)-The residence of F. W. Robb, nine



THEY HAVE COME AT LAST-

A delayed shipment of the 20th century ladies' shoe, of which we have the sole

### Drexel Shoe Co..

1419 Farnam Street.

LOOKS LIKE A WEDDING-

Be prepared in time-Come to us, who are headquarters on wedding gifts-study bought especially for the purpose. eitles exclusive-in silverware, cut glass, clocks, opera glasses, at \$1.50 and upwards to the choicest gifts in the land, any of which will be highly appreciated.

## Mandelberg,

JEWELER, N. E. Cor. 16th & Farnam Furrier,

SURPRISED LEGAL LIGHTS and Religious Phases of the Bonnie Briar Bush," and Mrs. A. W. Dawes handled "The Strong Types of the Bonnie Briar Bush." An exceedingly clever paper on "Humor and Humorists" was read by Miss Katherine

An elaborate reception was given by the senior class of the university to Chancellor senior class of the university to Chancellor and Mrs. MacLean on Wednesday evening. The affair occurred at the rooms of the university school of music. By 9 o'clock seventy-five of the seniors were present.

L. Westermann, sr., has returned from a visit to Decatur, Ill., whence he was accompanied by his daughter, Mrs. C. E. Schroil of that city who will visit for some time of that city, who will visit for some time with her parents, brothers and Lincoln

friends.

Mrs. William Morgan accompanied her daughter, Mrs. C. W. Nash, Thursday, when the latter departed for her home in Detroit, Mich. Mrs. Nash had been in the city for several days.

The Lincoln club will give its second dance and reception next Wednesday evening at

The Pleasant Hour club will give a danc-ing party at the Lincoln hotel next Friday

Pueblo, Colo.
O. P. Kellogg and wife left Thursday for

tion of any duties in the premises is conceded to be unwarranted and unprecedented in the history of Nebraska executive business. The opinion in full is as follows and is addressed to Governor Holcomb.

"I have carefully examined the transcript of the proceedings in the case of the state of Nebraska expectations and the proceedings in the case of the state of Nebraska emission of the proceedings in the case of the state of Nebraska emission of the proceedings in the case of the state of Nebraska emission of the proceedings in the case of the state of Nebraska emission of the proceedings in the case of the state of Nebraska emission of the proceedings in the case of the state of Nebraska emission of the proceedings in the case of the state of Nebraska emission of the proceeding of the procedure of the proceeding of the procedure of the proce Mrs. Richards, Mr. and Mrs. Missuer, Misses Kirker, Gerrard, Righter, Jones, Conklin, Whiting, Dean, Hammond, Messrs. Macled, Shedd, Folsom, Marlay, Saunders, Wester-mann, Reed and Becher, 1997

Yankton, speaking on the silver question. Superintendent O'Brien of the South Bend fish hatcheries and Tom Parmele, the Louisville banker, were in town together this Atlanta exposition, whither she was ac-companied by the little Misses Dovey of Plattsmouth.

Miss Theresa Shock will leave next week for Portland, Ore.

without saying goodby to friend or foe. They were absent only two days and glad to get home. Parks & Lansing bought a car load of fine porkers of James Weldell, paying \$3.1712.

They will be shipped to Omaha. Elder Hackney, city missionary, in a re-port last evening stated that he expended for the year ending October 1, something over \$500. It was given to the poor in various It was given to the poor in various ways, coal, provisions, transportation, etc. Corsiderable clothing for little and big, old and young, has been donated by various cheritably inclined people. He says that times will be harder this winter and urges all aid societies to bear this in mind. Mrs. George Jenks of Fairland, close to Ashland, is still dangerously ill. The boys and girls, old and young, are enjoying good skating at Ashland today.

Beatrice Charity Minstrels. BEATRICE, Nov. 23 .- (Special.) - The charty minstrels performance given last evening by local talent was a success in every sense of the word, the Paddock opera house being well filled. It was the intention to turn the net proceeds over to the Beatrice Benevolent association, but that organization having manifested so little interest in the success of the undertaking, the young men who put in their time and money in the preparation have decided that they can attend to the distribution of the funds, and will therefore hold a meeting Monday evening for the purnoid a meeting monday evening for the pur-pose of devising ways and means of distribut-ing the surplus in a way that will do the most good for the poor of the city. It is altogether probable that another entertain-ment of a similar character will be given a month or two hence.

Veteran Bootlegger Sentenced. DECATUR, Neb., Nov. 23 .- (Special.)-Snyder, the man who has been selling whisky to the Indians so long, was tried in the district court at Tekamah on three different charges. He pleaded guilty to the first two charges and was fined \$250 and costs and to be confined in jall until paid. He was also found guilty on the third charge, but Judge Duffie has not yet passed sentence. Snyder has violated the law openly and defiantly. The court told him the next offense would cost him the full extent of the law.

LETS THE BRICKYARD GO.

Arthur Johnson Confesses Judgment and Agrees to Foreclosure. Arthur Johnson and his wife, Carrie, no onger have an interest in the brickyards of Johnson & Bro. The records of the district court at least show this, for yesterday Johnson made a confession or judgment and allowed a decree of foreclosure on the property, to be granted in favor of Alfred R. Dufrene, who brought a foreclosure suit yesterday on a mortgage, which secured w note for \$5,500. Accompanying the papers was an applica-

tion for a receiver.

The transaction gains, interest from the The transaction gains interest from the fact that the property is just present a matter over which there is a considerable amount of legal dispute. It will be remembered that some years ago Johnson was a party in a sensational divorce suit as respondent. His wife, Minnie, obtained a divorce from him and a considerable amount of alimony was granted her. Johnson has failed to pay this alimony promptly, and consequently a short allmony promptly, and consequently a short time ago his former wife levied upon the brickyard to obtain satisfaction. Johnson defended on the grounds that the brickyard was not his property, but the property of Johnson & Bro. The case has not yet been

Cutting of an Alley Enjoined. porary restraining order enjoining the city from cutting an alley through his propfrom cutting an alley through his prop-erty, between Twenty-first and Twenty-second streets, from Paul to Charles streets, and from collecting the special taxes levied for the work. Horbach alleges that the alley is unnecessary, that the principal property owners adjoining have not peti-tioned for it, that it will cause him great damage, although the city has decided that it will work a benefit, and especially that the alley would be put there for the benefit of one man, who remains unknown.

Piles of people have piles, but DeWitt's Witch Hazel Salve will cure them.



PLEASANTLY

WE MEAN BUSINESS, SURE-

Our Thanksgiving week sale of muffs, capes, gloves, boas, robes and rugs at the cost of making is something never before attempted by any furrier. We have made fur goods, and to close them out in season we think it better to come out even on them than to hold them longer. Sale Monday, Tuesday and Wednesday,

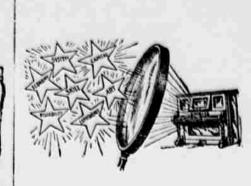
G. E. Shukert,

Fifteenth and Harney. 208-210 N. 16th-North of New P. O. Music and Art. 1513 Douglas St

If you buy furniture at all within the next year you should not miss this chance. Every piece of furniture in the house cut and cut hard.

We want your order, and will get it if you get inside the store.

Hedgcock & Odell,



EXAMINE IT CLOSELY-

abound. In fact, the Kimball is the only plane on earth that combines all the good qualities of all, without the defects of any. Besides, it's the lowest priced high grade plane made. Our easy terms are another

A. Hospe, jr,

Peculiar Decision of the Attorney General | Morrissey. of Nebraska.

REPLIES TO THE GOVERNOR'S QUERY

But Insists on Making the Board of Public Lands and Buildings Play a Prominent Part.

LINCOLN, Nov. 23 .- (Special.) - Attorney Jeneral Churchill has filed a remarkable Bauman was convicted in police court and appealed to the district court.

"Cinderilla" was given at the Normal school chapel this evening by a company of children under the direction of Mrs. Delario. opinion in the case of Andrew Debney, the tence of death and declared insane since the Lincoln hotel. the closing paragraph of an opinion requested by Governor Holcomb the attorney general has brought down upon himself the ridicule of quite a number of legal gentlemen by bringing the Board of Public Lands and Duildings into an affair with which it by Governor Holcomb the attorney general In the place of the usual literary pro-gram at the Woman's club this afternoon bringing the Board of Public Lands and Buildings into an affair with which it has nothing whatever to do. Its assump-

of Nebraska against Andrew Debney, in relation to his insanity, and also have carefully examined the statutes bearing upon the same. It appears from the proceedings that they have regularly pursued the course pointed out elected judge over Welty in the Fourteenth in the statutes, Criminal Code, sections 553, judicial district. There has been no term 554 and 555 being sections 7283, 7284 and 7285 of the Complled Statutes of 1895. And in answer to the question as to what step, if any, should be taken to have the condemned incarcerated in the hospital for the insane during his insanity, pending the execution of the death sentence, would say that in my opinion the statute governing insane persons contemplates that a person convicted of homicide may be confined in an insane h sp tal, for it is provided in section 3662 of the statutes, in a proviso: 'No patient who may be under charge or conviction of homicide shall be discharged without an order of the board of trustees.' From this it would some to contrustees.' From this it would seem to con template that a person convicted of homicide may be confined in one of the hospitals for

HOW IT MAY BE DONE. "By section 3339 the board of commissioners defined, and by section 3340 it is provided: Applications for admission to the hospital must be made in writing in the nature of an information, verified by affidavit; such information must allege that the person in whose behalf the application is made is believed by the informant to be insane and a fit subject or custody, and treatment in the hospital that such person is found in the county and has a legal settlement therein, if such is known to be the fact, and if such settlement s not in the county, where it is, if known, or where it is believed to be if the informant is advised on the subject.'

"The information required by the section just quoted in my opinion is jurisdictional The next three sections point out the pre-ceedings and what the commissioners must find. These, as it seems to me, are prerequisite to confinement in the hospital. "It will be noticed that one of the thing required by section 3342 is whether, if in sane, such party is a fit subject for treatment and custody in the hospital. While this man might be insane, as found by the jury, yet his commission might find that he was not fit subject for treatment. In this particular case, or in this class of cases, I am of the case, or in this class of cases, I am of the opinion that the sheriff ought to make the application in the nature of an information, verified by his oath, in which he ought to state, in addition to the charge of insanity, that Debney has been charged with the crime f murder in the first degree, and had been tried and convicted, an appeal taken to the supreme court, where the judgment was af-firmed; that he was under sentence of death; that a jury had been impanelled under the provisions of sections 553 and 554, and that he had been adjudged insane and the sentence uspended by the order of court pending such nsanity, and the insanity commissioners, if they find the prerequisites essential to his commitment to the hospital, in their war-rant of commitment should recite these facts, n addition thereto, in order that the superntendent may know that he is convicted of homicide, and that he cannot be discharged except upon the order of the board of trustees, or instead of the board of trustees, the Board of Public Lands and Buildings. "I will further say that if he should be cured in the hospital it would be the duty of the superintendent of the hospital to inform the Board of Public Lands and Build-

ings; also the governor and the sheriff, and then it would be the duty of the board to order him delivered over to the sheriff upon the warrant of the governor for the execution of the sentence." Governor Holcomb has not yet officially decided what he will do in the premises, but it is considered likely that he will early next week order Debney to be taken to the asylum at Norfolk, and there kept for life, or until such a time as he might recover his mind.

LINCOLN'S SOCIAL SIDE.

LINCOLN, Nov. 23 .- (Special.)-The various links of Lincoln's social chain have rattled rather musically during the past week, but on the whole no particular coterie has been bolsterously giddy. The 6 o'clock tea given y Miss Maude Harrison was an attractive Dainty china and glossy linens adorned the tea tables and chrysanthemums were the floral decorations. This is the era of the chrysanthemum in social functions were the noral decorations. This is the era of the chrysanthemum in social functions and by the side of each plate reposed a mammoth flower. The big parlors rang with mirth and the grouping of guests was especially fortunate. Tea was served in four elaborate courses. Nearly fifty were present on this eventful Saturday evening. Among them were: Mrs. Barbour, Archibald Scott, Mrs. Taylor, Meissner, Miss Jones, Conklin, Louise Pound, Lillian Trester, Jessie Jury, Olive Latta, Nell Mullon, Hallie Hooper, Lulu Clarke, Bertie Clark, Charlotte Clark, Stella Rice, Anna Broady, Grace Broady, Lena Dewesse, Georgia Camp, Stella Elilott, Florence Winger, Lottie Wheedon, Mable Richards, Thompson, Davis, Josie Freeman, Stella Kirker, Alice Richter, Laura Houtz, Willa Cather, Burr and Grace Lemming. "Recent Scotch Fiction" was the principal topic discussed by the Woman's club at its literary and business meeting at the Nebraska conservatory yesterday. "Altruism as Portrayed by the Scotch Writers" was disbraska conservatory yesterday. "Altruism as Portrayed by the Scotch Writers" was dis-cussed by Mrs. G. W. Bell. Mrs. J. P. Maule led the discussion upon the "Spiritual

Omaha's Contention Before the Interstate Commerce Commission.

ARGUMENTS SET OUT IN THE BRIEF

How the City Has Been Discrimi nated Against in Tariffs to the Southwest and In Favor of Kansas City.

Arguments and briefs have been filed be fore the Interstate Commerce commission In what has come to be known as "The Omaha case." Attorney W. D. McHugh of this city, who represents the Commercial club, sent his brief yesterday for filing before the commission. The name of J. E. Utt. freight commissioner of the Commercial club, appears on the document, Mr. Utt having been active in the preparation of the figures showing the discriminating rates from which Omaha and South Omaha have

suffered. The title of the case is the Commercial club of Omaha, complainant, against the Chicago, Rock Island & Pacific Railway company; the Chicago, Rock Island & Texas Railway company; the Missouri Pacific Railway company; the Burlington & Missouri River Railroad company in Nebraska; the Kansas City, St. Joseph & Council Bluffs Railroad company; the Missouri, Kansas & Texas Railway company; the Atchison, Topeka & Santa Fe Railway company; the Gulf, Colorado & Santa Fe Railway com-Hon. W. J. Bryan has returned from a Gulf, Colorado & Santa Fe Railway com-cur of Minneapolis, Duluth, Fargo and pany; the Houston & Texas Central Railroad company; the International & Great Northern Railroad company and the Texas & Pa-cific Railway company, respondents. The case is an epitome of the grievance

that Omaha has had for a number of years Mrs. D. A. Campbell has returned from the against the railroads doing business in the southwestern country, and which have per-sistently given the South Omaha stock yards and the merchants of Omaha very much the Ed G. Yates of Holton, Kan., formerly in business in this city, is circulating among Lincoln friends.

Mrs. J. C. McMahon is home from a short visit with her parents in Tamora, N.b.

and the merchants of Omaha very finder the worst of it. Year in and year out the packers and live stock shippers of Omaha and South Omaha have made pilgrimages to the meetings of the traffic managers of the roads in question, and have appealed and Miss Theresa Shock will leave next week for Portland, Ore.

Went to Seek Their Fortunes.

ASHLAND, Neb., Nov. 23.—(Special.)—Four of Ashland's "promising young men" left country. None of these efforts have borne for the second of the second made before the Interstate Commerce mission, where the case is now on for hear-

> The brief of Mr. McHugh alleges that th respondent companies in fixing for the transmission of freight Omaha and southern and southwestern points, especially Texas points, unjustly and illegally discriminate against Omaha, and that the rates thus fixed between Omaha and such points are too high, excessive, unreasonable and unjust.

The respondent roads are members of the Southwestern Traffic association, which fixes for its members the rates between Texas points and Kansas City, and Omaha, St. Louis and eastern cities. The roads are also members, or some of them are, of the Western Freight association, which fixes rates between southern and southwestern points and Omaha, Kansas City, St. Paul, Minneapolis, Duluth and

western cities. WHEREIN RATES ARE UNJUST. The complaint charges the respondent railroad companies with establishing excessive rates and unjust discrimination against Omaha in the following particulars: 1. In making class rates between Omaha and Texas points. 2. In making rates on sugar from Texas points to Omaha. 3. In making rates on cattle shipped from Texas points to Omaha. 4. In making rates on packing use products between Omaha and Texas ints. In making the rates complained of the railroad companies arbitrarily divide the territory into sections, known as the "St. Louis territory," the "Kansas City territory," the "Chicago-Cincinnati territory," and so on. Omaha is in none of these diviand so on. Omaha is in none of these divi-sions of territory. Here's where the trouble

arises. Inside of these respective territories the railroads entirely ignore distances and geo-graphical location. For instance, the rate between Texas points and Moline, Ill., is the same as the rate between such points and Gallatin, Mo., though Moline is 264 miles farther from Texas. St. Joseph gets the same rate to and from Texas points as Kansas City, though seventy miles north of Kansas City. Omaha is not included in any "territory" by the railroads. The rates between Omaha and Texas points are based upon the rates of the "Kansas City territory" and the maximum Omaha rates are limited and the maximum Omaha rates are limited by the rate of the "Chicago-Cincinnati terri-tory," which is based on the rate of the "St. Louis territory."

Now how does this scheme work, so far as Omaha is concerned? Here are some figures. The rate between Omaha and Texas points is the following differentials higher than the rate of the "Kansas City territory:" On first-class, 20 cents; on second-class, 18 cents; on third-class, 15 cents; on fourth-class, 13 cents, and on fifth-class, 10 cents. The tariff sheets provide, however, that when this differ-ential is higher than the sate between cities in the "Chicago-Cincinnati territory Texas points, then Omaha shall be the Chicago-Cincinnati rate. The Chicago-Cincinnati rate is the following differentials higher than the rate of the "St. Louis territory:" On first-class, 20 cents; on second-class, 16 cents; on third-class, 12 cents; on fourthclass, 10 cents, and on fifth-class, 7 cents Thus the maximum Omaha rate is the last named differentials higher than the rate fixed for the "St. Louis territory," including Fort Madison, Davenport, Moline, Rock Island and many other points hundreds of miles farther from Texas than is Omaha.

There are many instances in which the rate to the "St. Louis territory" is the same class rate given to the Kansas City territory class rate given to the Kansas City territory; but in all instances the differential sgainst Omaha is enforced. Thus in many cases shipments under class rates are hauled from Moline and Rock Island, Ill., and Fort Madison and other points in eastern Iowa to Madison and other points in eastern lows to Texas at a smaller charge than is made from Omaha to such Texas points, though in the Omaha case the haul is shorter by several hundred miles. The differential charged Omaha is so heavy that it would in many cases make the Omaha rates to and from Texas points higher than the rate from Chicago

ON SUGAR AND CATTLE. Omaha has just as strong a complaint to make on the sugar rate as on the class rate just quoted. Sugar takes a commodity rate. The supply of sugar to Omaha, Kansas City,

APPEAL FOR JUST RATES St. Joseph and Lesvenworth comes mainly from the Pacific slope and the remainder almost entirely from the south. The shortest line for the shipment of western sugar to the line for the shipment of western sugar to the four cities named in by the way of Cheyenne. The distance by this route is 227 miles farther to Kansas City than to Omaha, yet the roads make the same rate on sugar to both points. But it is different on sugar from the south. Omaha is emphatically denied the same rates as Kansas City on sugar from Texas points, and is compelled to pay a higher rate. To make the discrimination still more flagrant miles nearer the territory named. But when and is compelled to pay a higher rate. To make the discrimination still more flagrant against Omaha, it is but necessary to notice that Atchison, Leavenworth and St. Joseph. all north of Kansas City, and St. Joseph seventy miles north, all get the Kansas City rate, while Omaha must pay an increased rate. It does not require a tariff expert to observe the discrimination. When the distance is in favor of Omaha the other towns get the Omaha rate. When the distance is igainst Omaha this city has to pay a higher

ate.

The evil complained of in the matter of class rates and sugar rates pervades the rates fixed for the shipment of cattle from Texas points to Omaha. In every instance where distance favors Omaha distance is ignored, and the same rate made to Kan-sas City, St. Joseph and other points as to Omaha, while when distance is against Omaha then in every and all cases Omaha is required to pay a higher rate. From Idaho, Utah, Montana, Washington, Oregon and the whole northwest, Kansas City and St. Joseph get the same cattle rate as Omaha, although quired to pay a higher rate. From Idaho, Utah, Montana, Washington, Oregon and the whole northwest, Kansas City and St. Joseph get the same cattle rate as Omaha, although the distance is 200 miles or more in favor of Omaha. Yet on shipments from the south, where the distance is greater to Omaha, though St. Joseph, seventy miles further from the seat of shipment, takes the rate as Kansas City, Omaha has a charge of \$12 or more greater than Kansas City. Thus Kansas City has equality in rates when the shorter haul is in favor of Comaha, and an advantage in rates when the shorter haul is in favor of Kansas City.

Then there is another ds rimit ation againt Omaha in the cattle business. Shippers may

is in favor of Kansas City.

Then there is another d's rimiration against Omaha in the cattle business. Shippers may send their cattle business. Shippers may send their cattle to Kansas City with the privilege of shipping them on to Chicago or other points if the market is not satisfactory at Kansas City, but this privilege is denied the shippers who send their stock to the Omaha market. Thus a shipper of cattle from Texas may send his cattle to Kansas City and, if dissatisfied with the market, may reload them and ship them to Chicago at the balance of the through rate. If he ships them to Omaha and is dissatisfied with the market, and wants to ship them to Chicago, he must pay the full local rate from Omaha to Chicago. Is any further reason wanted why the Texas shipper does not patronize the Omaha market?

DOES NOT END THERE.

Rut this discrimination geis more flagrant the further and sees into it. If, for instance a Kansas City packer wants to ship his packing house products through Omaha to St. Paul, Minneapolis & Omaha control of the Chicago, St. Paul, Minneapolis & Omaha Railway company. Yet the freight charge is exactly the same in each case, which is the full local rate from Omaha to Chicago. Is any further reason wanted why the Texas shipper does not patronize the Omaha market?

DOES NOT END THERE.

Rut this discrimination geis more flagrant the further and sees into it. If, for instance, a Kansas City packer wants to ship his packing house products through Omaha to St. Paul, Minneapolis & Omaha control of the chicago, St. Paul, Minneapolis & Omaha control of the hogs are hauled to Omaha, a distance of 146 miles, and the product is then delivered to the Chicago, St. Paul, Minneapolis & Omaha control of the hogs are hauled to Omaha, a distance of 146 miles, and the product is then delivered to the Chicago, St. Paul, Minneapolis & Omaha control of the hogs are hauled to Omaha, a distance of 146 miles, and the product is then delivered to the Chicago, St. Paul, Minneapolis & Omaha control of the hogs are h

ligher than the rates on packing house products from Omaha. But let the Omaha packer want to ship his products to points south of Kansas City and he is met with a rate from 7 to 10 cents per hundred higher than the rate on the same products from Kansas City. That's a difference of from 61/2 to 91/2 cents against Omaha on business on the same lines of railroads, and on the same rails and the same distances and in

favor of Kansas City.

Even that is not all and it is not the worst discrimination against Omaha in making rates upon packing house products. The railroads have so manipulated the rates upon packing house products that where shipments are destined for points beyond St. Paul, Minneapolis or Duluth they will take these prod-ucts from Kansas City, 200 miles south of

Omaha, haul the product north through

miles nearer the territory named. But when rates are made to the south and southwest, in no instance is Omaha upon an equality in rates upon packing house products. In every instance Omaha shippers are charged 7 or 10 cents per hundred more than Kan-

sas City. A PLAIN ILLUSTRATION. In his argument before the Interstate commerce Commission, presented in the brief forwarded yesterday, Mr. McHugh goes over the law in the case, showing how the rail-roads complained of having persistently and flagrantly violated the interstate commerce law, and have worked against Omaha's interests at every point, and in face of the most emphatic and convincing protests. Mr. McHugh uses as one of his illustrations a fact that shows another case of discrimina-tion against this city right in Nebraska, and in territory that Omaha should have without

warded in one case; in the other case the hogs come to Omaha, 146 miles, and the product goes to Kansas City, a distance of 200 miles, a total haul of 346 miles; just forty-nine miles farther than the haul from Hastings to Kansas City. How are the rate charges? Remembering that when the charges? Remembering that when the product was shipped north the roads hauled, to favor Kansas City, 351 miles farther at to favor Kansas City. 351 miles farther at the Omaha rate, we would certainly think that this trifling distance of forty-nine miles against Omaha would be ignored. Instead of equality in rates in this case, however, we find a differential of 4, 6 and 7 cents per 100 against Omaha. Nothing at all is charged Kansas City for the added haul of 351 miles on the northbound product, while heavy arbitraries are charged Omaha for an added haul of only forty-nine miles on southadded haul of only forty-nine miles on southbound products. The conditions are exactly similar, and the vicious nature of the rate discrimination is thus laid bare."

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