WILL BROKEN CREIGHTON

Mrs. Shelby Awarded the Land Deeded to St. James Orphanage.

PROVISION OF THE WILL INDEFINITE

Judge Fawcett, in Making the Deeision, Cited the Case of Samuel J. Tilden's Will, Which Was Recently Set Aside.

The will of the late Joseph Creighton which has been in the district court for the last two years, was held by Judge Fawcett resterday to be null and void and the property of the deceased, except that portion equeathed to the grandchildren of the testator, reverts to Mrs. John P. Shelby, the only daughter of the testator. The bequest of 160 acres of land to the bishop of Omaha, which has been transferred to the St. James orphanage, is thus declared null and void.

When Joseph Creighton died his will was was found that the bulk of the property had been bequeathed to the children of Mrs. Shelby, but the daughter herself was cut off without anything. One of the conditions of the will provided that 160 acres of land
of the will provided that 160 acres of land
SPECIALTIES IN MEN'S SHIRTS. lying near Florence lake should go to Bishop O'Connor, provided he should survive the testator, and in the event that he should not, the will provided that the property should go to "his successor, the bishop of Omaha." It was further provided that the land should be devoted to some charitable purpose, a preference being expressed for an

orphanage.
The probate of the will in the county court was refused and the case was appealed to the district court. The first trial resulted in a verdict by a jury, which found that the will was invalid. This verdict was set eside and a second trial was had, resulting in a disagreement of the jury. After the second trial the daughter, Mrs. Shelby. waived all her rights to the property bequeathed to her children and the guardian ad litem, appointed to protect the rights of the minor heirs, withdrew from the case. The St. James orphanage, at Benson, had claimed an interest in the case on the ground that Bishop Scannell, the successor of Bishop O'Connor, had transferred to the orphanage the land bequeathed in the will to the bishop.

The withdrawal of the children from the

case left the controversy between the daughter and the bishop, and a motion was filed by the attorneys for the daughter to dismiss the case on the ground that the St. James orphanage had no rights whatever in the case and that the clause bequeathing the land to the bishop was indefinite, and, therefore, vold.

In passing upon this motion Judge Fawcett reviewed concisely the circumstances of the case leading up to the filing of the motion. He said that a ruling upon this motion meant, substantially, that the court must construe the provisions of the will. At the time the motion was filed, the court said, the case had narrowed down to a simple contest over the constuction to be placed upon the clause making the bequest to the bishop. All other features had been eliminated from the contest and the only point at issue was the clause re-lating to the 160 acres of land. CONDITIONS OF WILL INDEFINITE.

After reading from the will the clause referred to Judge Fawcett eaid that the authorities differed very widely as to the validity of a will containing a clause worded In the indefinite manner in which the clause in question was worded. There were a large number of authorities, he said, on both sides of the question and the supreme court of the state, if this case should ever reach it, was just as likely to follow one course as the other. Judge Fawcert said he would take the course that seemed to him to be the best one and would hold that clause was absolutely void. Con-the court said: "In the first the clause conveys the property place, the clause conveys the property to Hishop O'Connor, if he survives the testator. If it had stopped there, there would have been no doubt as to the meaning, but it provided further that in case O'Connor did not survive him the property was to go to the bishop of Omaha. As a matter of fact. O'Connor did not survive the testator and O'Connor's successor was not known to Mr. Creighton. He did not know whether O'Connor's successor was a responsible man or not. Further than that, the provision as to the use of the land is indefinite as to the kind of charity to be benefited or the place where it shall be located. It does not say whether it shall be applied to any denomination or at any point. Under the provisions of the will the bishop would have the right to apply the proceeds of the land to any charitable object any place on the earth I think when a man leaves his property away from his children he ought to sp definitely the disposition to be made of While the authorities differ widely on the conditions of wills, they all agree that the provisions must be definite in some particu-

The court cited the instance of the Samue J. Tilden will, which was field to be void by the New York court of appeals on account of a similar indefiniteness in its provisions and other cares were cited in support of the position of the court.

In conclusion, the court remarked that the fact that Bishop Scannell had deeded the property in question to the St. James rphanage had no bearing in the case, as the deed had not been made until after Creigh-ton died, and at his death, the will being void, the property descended to his daugh-

WILL MAKE IT A TEST CASE Right to Imprison Complaining Wit-

ness is Questioned. The right of the authorities to imprisor complaining and prosecuting witnesses in case complaining and prosecuting witnesses in case tant bearing upon the claims now pending they are unable to give bonds for their before the county board for the return of appearance when the cases come up for the money paid in on account of the lots in appearance when the cases come up for hearing in the district court will, in a measure, be tested in a couple of civil suits that are shortly to be brought against the county The first suit will be brought by Walter Barron, who was the complaining witness against a woman who was sent to the pent-tentiary last December on the charge of resides in Iowa, was passing through the city and was robbed of some money while he was paying a visit to the woman. Both he and the woman were arrested, the former as complaining witness. Last October 5 the complaining witness. Last October 5 the woman, was bound over to the district court complaining witness. Last October 5 the woman, was bound over to the district court and Barron was also held as a witness agains The latter was unable to furnish bonds and was therefore imprisoned in the county jail from the time of the police court hear ing until the trial in district court, sixty five days in all. He put is a claim for wit-ness fees for that time, \$130, and the county commissioners have signified no intention o paying the claim. Suit will therefore b

The other case is of a similar character.
During the early part of January last John
Kehoe and Thomas J. Ford, two strangers
passing through the city from Denver, met a
woman and were robbed of \$50. At the same
Improper woman and were robbed of \$50. At the same time they had a row in a hotel, which re-sulted in the arrest of several parties, and which was given publicity at the time. Lizzie Reynolds was the woman charged with the theft. She was held to the district court under \$600 bonds to answer to the charge of largery from the parker. charge of larceny from the person. Friday of the preliminary hearing until the dis-missal of the case Kehoe and Ford were im-prisoned in the county jail, as they were unable to give necessary bonds for their ap-pearance as witnesses in the case when it

court. In the large majority of the cares the victims are strangers who are unable to put bonds for their appearance at the trials.

After this date we shall sell no goods upon credit. Our books are closed.

CONTINENTAL CLOTHING CO. March 1, 1897.

HAYDEN BROS.

These Prices Against the World. NEW SPRING NOVELTIES. AT LOWEST PRICES 35-in two-toned novelty Dress Goods, Bro-cade effects, in the leading spring shades, regular 25c goods, on special sale Monday at

tures, in the very latest weaves of Granite Brocade, figured, plain, mixtures, overshot and broche, regular price \$1.50, special sale Monday at 98c 50-in Black all wool coating serge, mohair finish, extra heavy and firm, always sold at

50 and 40-in novelty, silk and wool mix

75c yd, special sale price, 39c. SILK SPECIALS.

We lead them all in silks. New Kai Kai Wash Siiks in immense asortment, 25c 20-in white Jap eilk, splendid for wear

and faunders nicely, 29c. 27-in Black India Silk, excellent quality For Monday only we will sell a full 27-in Black Satin, all silk and finest quality, for

LINEN AND DOMESTIC SPECIALS. 72-in Table Linens reduced from 75c t

68 and 72-in very fine Table Damask beautiful designs, worth \$1.50, for Monday only, at 75c. 200 fine linen sets, worth up to \$9 set, a effered for probate in the county court. It \$1.75, \$2.75 and \$3.50; beautiful goods.

was found that the bulk of the property had 100 doz bureau scarfs, worth \$1, at only

> 250 pes Outing flannel, worth Sc, at only White goods in checks and stripes, worth

500 doz men's fancy laundered shirts, new spring styles, worth \$1 and \$1.25, go at 50c 100 doz men's brown mixed sox, regular price 10c pr, on Monday 4 prs for 25c.
2 cases of Boys' Extra Fancy Cotton Hose, fast black, all sizes, 15c per pr, worth 25c. 100 doz Ladies' Corsets, our regular 750

corset, goes on Monday at 49c. FOR MONDAY ONLY. Extra wide Oriental laces, 5c. \$1.50 fancy lace collars, 49c Denison's best English Crepe paper, 7140 oll, regular price, 25c.

100 yd silk thread, 1c spool All colors dress buttons, 5c doz. Best 4-vd velveteen binding, 714c bolt. SPECIAL SALE SHEET MUSIC.

The McKinley edition is here early. Over ,000 gelections, every one a Masterpiece, at 10c copy. There is nothing cheap about this edition but the price. Write us for catalogue.

TUMBLER SALE. 5,000 doz of \$1.25 per doz flint blown tum-1,000 sets of knives, regularly sold at \$2.50 per set, on sale at 69c. 500 Handle Axes, regularly sold at \$1.25 on sale at 29c each. HAYDEN BROS.,

Selling the Lehmann Wall Paper.

Rev. Frank Crane's Lecture. Rev. Frank Crane's lecture at the First Methodist church tomorrow evening promises to be one of the most largely attended entertainments of the season. The lecturer has a host of friends and admirers in Omaha, who will doubtless be glad of this opportunity of seeing and hearing him again. This lecture is said to be his masterpiece and was first delivered as the Fourth of July oration at Chautauqua, N. Y., last year, where it created a decided sensation. Dr. Crane has a keen sence of humor and is a good story teller and those who attend will enjoy rare treat. An admission fee of 25 cents will be charged, the proceeds going to the Chautauqua college.

MAY SET UP ANY DEFENSE

Important Decision in Certain Case Brought Against the County. A legal point of great importance to the taxpayers of Douglas county was passed upon by Judge Dickinson yesterday, be ing a ruling in favor of the defense under the statute of limitations urged by the county against the payment of the claims now pending against the county on account of money paid on the purchase price of lots in Douglas addition.

The case at bar was that of Henry Abrahams and Henry Spigle against the county of Douglas, the plaintiffs seeking to recover from the county \$1,800, alleged to have been paid to the county as part payment on four lots in Douglas addition and which were bought by the plaintiffs. alleged that they purchased the lots May 6, 1887, paying \$1,890 in cash and giving their joint notes for the balance, amounting to \$3,616.67. No further payments were made and foreclosure proceedings were com-menced against them. They alleged that hey discovered the irregularity in the sale of the lots and deeded the lots back to the county, claiming to have understood that their notes and money were to be returned

to them. In this case the county set up the defens that the statute of limitations would apply to the money and that the claim was out-lawed. The plaintiffs moved to strike out this portion of the answer of the county and was upon this motion that the ruling was made. The sustaining of the motion mean he removal of the only defense on which the county stood. In the argument it was urged that this defense had not been made in the proceedings before the Board of County Commissioners and it was alleged that the county was debarred from raising any point which had not been made in the proceedings before

the board.

AGGREGATE OF THE CLAIMS. In passing upon the motion Judge Dickin-son held that the members of the Board of County Commissioners acted simply as a board of auditors in passing upon claims and that the claimants might appeal from their cision if it was unfavorable to them, or any taxpayer might appeal to the courts as against the allowance of a claim, but that the issues were not properly made up until the district court was reached and that the county might then set up any defense, re-gardless of what might be done by the board. The ruling upon this point has an impor-Douglas addition. These claims aggregate about \$125,090 and represent those purchasers who did not bring suits in the distric court against the county to recover the money paid in by them. The county has de-termined to urge the statute of limitations as a defense against the payment of these claims, on the theory that it is the duty of from the person. Barron, who now the commissioners to take advantage of every ants being inclined to take the position that the defense of the statute of limitations would not hold good in court. The ruling of Judge Dickinson, in the opinion of Mr Beckett, will have the effect of inducing these claim ands to agree to a compromise which will be to the interest of the tax-payers of the county, and will save all hands the expense of lawsuits. It also establishes the right of the county to urge this defense in these cases and increases the probability of the county being successful in its defense in the suits which may brought on these claims.

Improper and deficient care of the scalp will cause grayness of the hair and baldness. Escape both by the use of that re-liable specific, Hall's Hair Renewer.

Hops After the Street Railway.

OMAHA, March 6 .- To the Editor of The Bee: I notice there has been introduced in the legislature bills intended to compel the Omaha Street Railway company to vestibule prisance in the county jail, as they were importance as witnesses in the case when it mame to trial. They are about to bring suit the rate of \$2 per day.

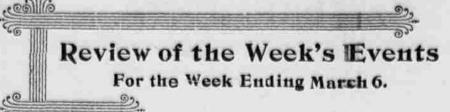
If the suit is lost by the county and it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is compelled to pay over the witness fees it is to bundee Place and Florence. Without the proposed over the witness fees it is to bundee place and Florence. Without the proposed over the propose for witness fees for the entire time and the rate of \$2 per day.

If the suit is lost by the county and it is compelled to pay ever the witness fees it is believed that the action will in a measure change the system of holding prosecuting witnessee. Otherwise an additional drain of hundreds and even thousands of delars yearly would be put on the county attorney.

Yearly would be put on the county attorney.

The person cases occur frem the person cases occur from the person anti-monopoly legislature to impose an un-reasonable and unjust law on them simply because they have the power to do no. I believe these bills to be against the good of the public and should not be passed. FAIRPLAY.

> The Neb. Seed Co., 520 N. 16th, sells ands of higher grade than eastern houses.



FOREIGN.

CUBA-March 1: President Cleveland sends to congress correspondence relative to American citizens arrested in Cuba: United States supreme court reverses decision of district court for Florida in Three Friends case, holding neutrality act applicable to Cuba. March 4: Unconfirmed report at Key West that crew of Competitor have been

TURKEY-GREECE-March 1: Town of Candiamo falls into hands of Cretan insurgents, also fortress of Vavaros, where were 3,000 Mussulmans. March 2: Powers present identical notes to Greek government declaring intention to make of Island of Crete an autonomous state under suzerainty of sultan and demand Greek vessels and troops withdrawn within six days; all relations between courts of Athens and St. Petersburg broken off; Mussulman gen d'arme at Canea in revolt over arrears, subdued by Italian marines; report at Canea that 2,000 Mussulmans in fortress near Malissa have been massacred. March 3: King George of Greece, replying to a memorial urging union of Crete with Greece, said he was not deviating by a hair's breadth from the original policy announced. March 4: Decree issued at Athens calling out reserves of 1891, 1890, 1889 and 1888 within three days swelling Greek forces to 100,000 men; Greek

newspapers counsel resistance to mandate of powers.

OTHER LANDS-March I: Japanese government decided to adopt gold standard at ratio of 32% to 1, silver to be gradually withdrawn; report of 2,000 insurgents killed in recent battles at Silang and Las Marinas, on Philippine islands; pope celebrates anniversary of his coronation at the Vatican. March 2: Diplomatic relations between Great Britain and Venezuela restored after several years of interruption. March 3: Serious disturbances of insurrectionary nature reported from Uruguay and Brazil; cabinet meeting at Madrid agreed on an extraordinary credit for purpose of fitting out six additional war ships. March 4: Advices from Samoa that ex-King Tamasea, with strong following, is threatening King Malletoa at Apia, and no war ships at present in the harbor. March 5: Prospective negotiations for return of flags captured by Mexicans in war of 1847 provokes demonstrations of hostility at Guadalajara.

CONGRESSIONAL.

HOUSE-March 1: Bill introduced to prohibit transmission of detailed accounts of prize fights by mail or telegraph, and bill passed providing for transmission to Washington of presidential election returns by mail, and abolishing the system of messengers. March 2: President's veto of immigration bill received. March 3: Immigration bill passed over president's veto by vote of 193 to 37; naval bill passes with senate amendment, fixing price on armor plate at \$300 per ton.

SENATE-March 2: House amendments to bill for international monetary conference agreed to, leaving bill ready for president's signature. March 3: Bills passed amending law permitting right-of-way to steam roads through public lands, to set apart portion of certain lands in Washington state as a public park to be known as Washington National park, amending copyright laws so as to prohibit unauthorized use of words implying copyright, and authorizing Galveston & Great Northern railway to build railway through Indian Territory.

LEGISLATIVE.

NEBRASKA-HOUSE-March 1: Passed resolution endorsing international arbitration and urging representatives in the United States senate to use their efforts toward confirmation of arbitration treaty with Great Britain now pending; bills read for first time to provide for organization and government of irrigation ditches upon streams not exceeding ten feet in width, to declare void contracts, trusts or combinations with view to lessen free competition in importation or sale of articles imported into this state, and to provide for a state inspector of beer, wine and alcoholic liquors and deputies. March 3: Bills recommended for passage to appropriate \$25,000 for a state normal school at Scotla, Greeley county; to authorize county judges to appoint judges and clerks of election; providing that any woman of the age of 21 years and upward be authorized to vote on all officers and questions at all but general elections, and making gold coin and standard silver dollars a tender in payment of all debts, both public and private. March 4: Amended Transmississippi Exposition bill, carrying \$100,000, passed without the emergency clause, by vote of 70 to 20. March 5: Bill passed appropriating \$25,000 for a state normal school at Scotia,

SENATE-March 2: Bill to regulate stock yards at South Omaha recommended for passage. March 3: Omaha charter bill with slight amendments recommended March 4: Passed bill repealing law of 1895 for payment of bounty on sugar and chicory; joint resolution passed proposing an amendment relating to investment of permanent school fund. March 5: Omaha charter bill passed. OTHER STATES-March 2 Missouri house passed bill fixing railroad fares in the state at 2 cents per mile; Al Tucker, farmer of Ottawa, Kan., arested in Kansas senate chamber, charged with attempted bribery, offering to Senator Jumper \$1,000 to support the Hanna stock yards bill, and warrant sworn out for arrest of R. S. Boyd on similar charge; Hanna stock yards bill defeated and straight populist measure passed by Kansas senate. March 5: Colorado legislature in joint session adopts report of committee on investigation of Leadville strike, which recommends arbitration; Representativee Martin Brickley of Montana expelled from legislature for self-confessed bribe-taking. Montana senate passed house bill ap-

POLITICAL.

propriating \$15,000 for Transmississippi Exposition.

March 1: Municipal elections throughout Iowa, with exception of larger cities reversed result of last fall elections, when all went republican. March 3: Senator Sherman tendered resignation to Governor Bushnell of Ohis and official appoint ment of Marcus A. Hanna as his successor forwarded to Washington. March 4: William McKinley inaugurated as President of the United States; inaugural address outlines plans and views that will govern his administration, urging need of revenue reform to the end that expenses and income of government balance, advocating necessity of currency reform, promising to assist congress in steps toward creation of a commission to consider revision of our coinage, banking and currency laws; calls for convening of congress in extraordinary session on March 15, 1897; counsels re-enactment and extension of reciprocity principle of law of 1890; also steps toward restoration of our merchant marine; opposes territorial aggrandizement and favors improvement in naturalization and immigration laws, enforce ment of statutes against trusts and the arbitration treaty with Great Britain; Judge Munger appointed Editor T. J. O'Keefe of the Hemingford (Neb.) Herald as United States court commissioner for Box Butte county and adjacent territory. March 5. President sends in cabinet nominations, all of which are confirmed without opposition, as follows: Secretary of state, John Sherman of Ohio; secretary of the treas ury, Lyman J. Gage of Illino's; secretary of war, Russel A. Alger of Michigan; at torney general, Joseph McKenna of California; postmaster general, James A. Gary of Maryland; secretary of the navy, John D. Long of Massachusetts; secretary of interior, Cornelius N. Bliss of New York; secretary of agriculture, James Wilson of

COMMERCIAL AND INDUSTRIAL.

NEW ENTERPRISES-March 1: Rubber factory of the L. Candee company at New Haven, employing 1,000 hands, resumed operations after protracted idleness; work begun preliminary to erection of new B. & M. depot at Omaha; First National bank Edgement, S. D., cap tal \$50,000.

CRIMES AND CASUALTIES.

FIRES-March 1: First fire in ten years at Casey, Ill., destroyed stores of F. & B. Lee company, E. L. Shinkle, D. C. Sturdevant, R. A. Lee, M. G. Cockenour, M. Sanford & Sons, Hancock & Clark, Fuqua & Son's bank, and others, total loss \$200,000; works of American Plate Glass company, Alexandria, Ind., loss \$40,000, fully insured. March 3: Power house of Union Traction company at Philadelphia, two men killed, damage \$250,000, fully covered; boarding house of Mrs. Mary Ferrel, Wheeling, W. Va., three persons fatally burned. March 4: A. Streicht & Bros,' wagon factory, Oshkosh, Wis. loss \$100,000; butcher shop of Anton Pral, Linwood, Neb., loss \$1,500, no insurance; sport-ing house near Beatrice, loss \$2,500, partially insured. March 5: Two large blocks at Worcester, Mass., loss \$60 (0) to \$600 0 0, eight firemen seriously injured; residence of Dr. J. G. Neff, Sterling, Neb., loss \$500, covered.

ACCIDENTS-March 3: Mertle Haner, 13-year-old boy at Exeter, Neb., kicked recently by a horse, died from effects. March 5: Terrific windstorm caused much havoe in sections of Kentucky, West Virginia and Arkansas, in some towns demolish ing and unroofing buildings; gas explosion in mine 44 of Kansas & Texas Coal company at Huntington, Ark., burned thirty-five men, all seriously and some fatally; landslide wrecked train on Missouri Pacific at Bonnette's Mills, Mo., causing cremation of mail clerk, fatal burning of fireman and serious injury of engineer; passenger train from Pittsburg to Cincinnati run into by freight at Hill's station, causing serious injury on and slight injuries to ten others. MURDERS-February 28: James Andrews, miner at Terry, S. D., found murdered

in his cabin, near Lead, suspicion pointing to William Gill, prospector, who was arrested. March 1: John Owg shot and fatally wounded by Bill Sawtelle at Hayden Colo., quarrel over carde. March 5: Negro arrested for burglary at Elgin, Tex., riddled with bullets by mob. SUICIDES-February 28: James Clark, school janitor at La Crosse, Wis., hanged

himself in the school house, aged 55. March 3: Louis Johnson, Danish farmer near Kennard, Neb., found hanging in his granary.

OTHER CRIMES-February 28: Ex-State Treasurer Bartley released under \$50,000 bonds at Lincoln, Neb. March 1: Brace of burglars arrested at Sioux City, caught in the act. March 2: Dr. McCleese's jewelry store at Marne, Ia., burglarized gold watches, thirty, chains and considerable money. March 3: Jury at O'Neill find Raymond Musser, tried for murder of George A. Spence last December, gui ty of manslaughter; decision of lower court in case of Theodore Durrant, found guilty of murder of Blanche Lamont at San Francisco in 1895, sustained by supreme court; William Miller, who murdered James Coffee on Crazy Horse creek about ten days ago, arrested on Powder river; John Corwine, defaulting United States navy paymaster at Newport, R. I., arrested at Chicago, confessing to peculations in last two years amounting to \$10,000.

MORTUARY.

February 28: Thomas Cummings, Omaha, former city murshal, aged 64; Prof. Edward Thomson Nelson, chair of science in Ohio Wesleyan university, died at Washington, D. C. March 1: M. J. De Buriet, Brussels, former premier, lately Belgian minister to Portugal; Mrs. Edward Terry, London, wife of proprietor of Terry's theater; Edward Chase, St. Louis, for twenty-six years manager St. Louis Clearing House association, aged 73. March 2: Nathan L Simpson, Nebraska City, Neb., pioneer, died in Sherman county, Kansas; Mrs. Albert L. Towle, Niobrara Neb., pioneer and prominent in Reflet corps circles; Thomas Kennedy, Oakdale Neb., war veteran. March 3: General Guiterrez, San Jose, Mext, candidate for presidency of Mexican republic for term 1898-1902; Nelson Wheatenoft, New York, actor, aged 45. March 4: Francis Swedhelm, West Point, Neb., aged: 74, pioneer; Mrs. Miller, wife of Major W. H. Miller, Canton, S. D., ploneer. Mirrch 5: State Senator Albert Wells, leader democratic party, at Springfield, Ill., diedbat Quincy, aged 56 Mrs. Chauncey Lamb, Clinton, Ia., wife of millionaire lumberman, aged 77; Ass Fisk, San Francisco, noted money lender, aged 80.

MEXICO WOULD BE REPRESENTED.

sissippl Exposition.

Secretary Wakefield has received copies of he Mexican Herald, published in the City of Mexico, which give accounts of the reception f the exposition committee by President Diaz and editorial comment upon the enterprise. The Herald takes advanced ground in favor the streets by the middle of next week of Mexico being officially represented at the The change in the weather changed the exposition and expresses the conviction that President Diaz will use his efforts to secure suitable appropriation for that purpose. In as possible, as such closing the editorial comment the Herald accumulated that a ays: "We are heartly glad that Mexico is to almost impassable. ays: be represented there and shall urge our read-ers to take part in the exposition in so prac-tical a way that the American people of the creat west shall know this country for what it is—a busy, progressive land, full of enter-prising and intelligent people."

Freeze Stops Work on Streets. The freezeup Friday night had the effect

of preventing a lot of Omaha's idle labor from securing employment yesterday. Encouraged by the prospect of open weather, the members of the Board of Public Works had prepared to begin active operation on the streets yesterday. The plan was to put a force of men at work and to clear un program. The members of the anxious to get the streets cleaned as soon as possible, as such an amount of refuse has Herald accumulated that it makes the crosswalks

825 Reward.

The above reward will be paid and no questions asked for the pocketbook containing rings, keys and money lost on 26th and Harney. Address F 65, Bee.

CITY COUNCIL PROCEEDINGS

Water Works Question Passed Over Owing to Absence of Councilman Allan,

FOUR NEW ARC LIGHTS ARE ORDERED

Mayor, City Attorney and Council Hold a Secret Session After the Regular Meeting to Consider

The report of the special committee on the water works question did not materialize at the adjourned council meeting yesterday afternoon. This was on account of the absence from the city of Councilman Allan. The councilmen who oppose the proposed settlement with the water company demanded a call of the house as soon as the council was called to order, but when they were assured that the water question would not be brought up the call was dropped and the

The first additional are light that has been ordered in over a year was directed placed at Seventeenth and Nicholas streets. This was declared to be an emergency case, as the corner in question is absolutely dark. It proved to be a precedent, for it was immediately followed up by the location of additional lights at Fourteenth and Williams streets, Burdette street and Military aveliments with the business man, and after he meets a few who give him this kind of a reception he is not to nue and Thirty-sixth street and Ames ave-

The council again accomplished its stage trick of overriding an ordinance with a res-olution by granting permission to a local firm to construct a cloth sign over the side-walk on one of the principal business streets.

the Eleventh street viaduct and approving the plans and specifications was introduced and referred to the committee on viaducts and railways.

also of the market season. Referred to committee on police. of a sergeant-at-arms was passed on third reading. Burkley, Duncan and Wheeler voted "No."

Immediately after adjournment the

MRS. R. H. DAVIES, MILLINER, has just returned from the east with the largest and finest assortment of pattern hats ever shown in Omaha. Call Monday and see them 1520 DOUGLAS ST.

DIED.

ANKELE—Charles A. age 51 years, Wed-nesday, March 3, 1897, at Denver, Colo. Funeral Sunday, March 7, at 2 o'clock from residence, 1334 South 24th. STEGBERG-E. Dora, aged 11 years 16 months 11 days, beloved daughter of Mr. and Mrs. John Stegberg Saturday morning, March 6. Funeral from family residence. and Mrs. John Scholard from family residence, 4931 Lafayette avenue. Sunday at 2 p. m., March 7. Interment Mount Hope cemetery. Friends invited.

Quick! Leave Omaha—5:05 p. m.—EXACTLY. Arrives Chicago—8:20 a. m.—NO LATER. THE BURLINGTON'S "VESTIBULED

FLYER. Swift, safe, luxurious

Henry Lehmann's entire stock of wall pa-

per, shades, paints and glass go on sale Monday at % to % Lehmann's prices. Lehmann's goods were too costly for this market. He had to close. Our spot cash secured his entire magnificent stock. Here are a few prices.

Hayden Bros.

White Blanks, odds and ends, per roll, 1c

Lincrusta, Waltons, etc., at % former

prices. Room mouldings at 1/2 Lehmann's

COMPLAIN TOO MUCH OF THE CITY

Retail Dealers' Association Will

Work for an Improvement.

The Retail Dealers' association is taking

up the agitation in favor of Omaha mer-

which they live, and at the meeting next

Tuesday night this matter will be one of

the principal subjects considered. In talk-

to attribute all their commercial troubles to a poor business. I know of men who,

when they needed no goods in a certain line

instead of openly saying to the traveling man that such was the case, would take or

a despondent air and declare that they could not sell them if they had them and for that

him this kind of a reception he is not to be blamed if he goes away and circulates

the report that the city is dead in a commer-cial sense. What we need among our busi-ness men is a little more charity for con-

ditions, which will cause them to speak well of their city and not attribute every ill to

the lack of advantages for business. The retailers will try to instill this doctrine

through a vigorous campaign in behalf of

Mr. Hospe also said that there were other

important matters to come up at the meet-ing next Tuesday evening, in which every

retailer in the city will be interested. He said another visit will be made to Chicago

in a few days to call upon the commission

tion in insurance rates as promised by th

Gordon Disposes of Family Troubles

has disturbed the neighborhood about Thir-

tieth and Hamilton streets and was finally

brought into police court, was temporarily finished yesterday. H. D. Flske was convicted on two cases of assault and battery and fined \$10 and costs on each. E. M. Walters was fined \$10 and costs on the charge of assault and battery. The other two cases, which were against the women of the families, were dismissed.

special mass meeting will be held by

all the paper hangers of Omaha at the Labo

temple, 17th and Douglas sts., at 3 p. m. Sunday, March 7. All jobbers are cordially invited to attend. COMMITTEE.

For your furnace use Wear Nut coal; \$4 per

NO ONE DIES

of Pulmonary Disease

Twenty per cent; one person

in five; die of Pulmonary dis-

saved by the timely use of "77,"

Dr. Humphrey's famous Specific.

Since "77" came into general

use, the fatality has decreased

and it only remains for its adop-

tion as a national remedy to rob

Dr. Humphreys' Homeopathic Manual of Dis-

Sold by druggists or sent on receipt of 25 cents

our climate of all its terrors.

eases at your Druggists or Mailed Free,

who takes "77" in time.

commission some time ago.

4 to endeavor to secure another reduc

HAYDEN BROS.

Fine Gilts, from per roll 4c to 8c.

\$1.50 pressed papers, 15c up.

40c line of ingrains, 5c.

750 special at 10c.

White Blanks, good quality, per roll, 2½c. White Blanks, best quality, 3½c. Good Gilts, odds and ends, per roll, 2½c.

the New Charter.

council took up the regular order of business where it left off Tuesday night.

ELEVENTH STREET VIADUCT.

Stuht's ordinance ordering the repair of

The amended curfew ordinance, which was introduced some time ago, was favorably reported by the committee and passed.

An amended market place ordinance by Mercer extended the limits of the district and also of the warket research. The ordinance authorizing the employment

bers of the council, with Mayor Broatch and City Attorney Connell, held a conclave in the president's private office. The nature of the secret session was not explained and councilmen assumed an air of mystery when pproached on the subject.

After the members had congregated in th private office and the sergeant-at-arms had been placed on guard at the door, Mayor Broatch explained that it was essential that the city officials should take some action to prevent the adoption of some of the features of the proposed new charter. These were liscussed at some length. City Attorney connell contended that the passage of the charter as now proposed would bankrupt the city. The most serious feature was the clause which prohibited the issuing of renewal bonds to aggregate more than \$500,000. The renewal bonds already issued reached about the terror of the serious control about that amount, and the effect of the law was to prevent the city from issuing any more bonds of like character. Several other features came in for criticism and the understanding was reached that the city at torney and as many members of the coun-cil as could make it convenient would go to Lincoln this week to endeavor to prevent the passage of the charter.

Six-Thirty P. M. Train. of the CHICAGO. & ST. PAUL RY. Best service. ELECTRIC LIGHTS, City office: 1504 Farnam.

For beautiful sweet peas and other flower seeds go to Neb. Seed Co., 520 N. 16th.

ease; Colds. Grippe, Pneumonia, Consumption, who could be

WASHINGTON BY LE WHILE TO Tickets at 1502 Farnam St.

New conditions have arisen, and the firms that give the greatest values will sell the pianos in the future. Why can we make prices that cannot be duplicated? Because we Buy for Cash, Have Low Rent and Pay No Commissions or salaries. We sell Pianos on a profit that would not pay one-third of the expense incurred under the old conditions. We have no competitors.

The only place you can purchase NEW Ivers & Pond, Vose & Sons and Em-

erson Pianos, Waterloo Organs. Schmoller & Mueller. N. W. Cor. 15th and Dodge Streets.

A. C. MUELLER—Plano Tuner.

GUDAHY'S OND CONDAMINATION OF CUDAHY'S OND CONDAMINATION OF CONDAMINATION OF CUDAHY'S OND CONDAM WORK AND GOES FURTHER THAN ANY OTHER LAUNDRY SOAP

Reduced		Reduced	
from		from	To
1 76.00	\$ 35,00	Mahogany Divan \$ 28.00	\$ 19.00
1 Manogany Eductional St. of	9.00	Muhogany Taboret 12.00	8.00
1 Mahogany Iniaid Table 25.00	8.00	I heniece Mahagany Parlor Suit 125.00	63.00
1 Mahogany Parlor Table	1.75	3-plece Mahogany Parlor Sult 45.00	21.00
Oak Parlor Table 260.00		Inhaid Mahogany Divan 90.00	44.00
Oak Sideboard 100.00	47.00	Arm Chair satin damask 60.00	24:00
Oak Parlor Table	5.00	Birch Divan 25.00	14.60
	5.00	Morris Chair 15.90	7.60
	37.00	Combination Book Case and Desk. 36.00	22.00
AND PROPERTY PARTY AND ADDRESS OF THE PARTY AN		5-plece Parlor Set 55.00	29.00
twinted Serie Wood Table	22.00		15.00
Photograph The selection of the Polymer Co	100.00	1 Leather Sofa 125.00	
	13.00	Cordurey Couch 28.00	18.00
Oak Ladies' Desk h.00	4.50	Fine Leather Couch 55.60	55 60
Vornie Martin Desk 50.00	34.00	Mahogany Dining Table 185.00	100:00
Birch Ladles' Desk	12.00	Munic Folding Bed	40.00
Mahogany Rocker 28 00	18.00		16.00
Mahogany Parlor Cabinet 75.00	40.00		12.00
Inlaid Managany Rocker 28.00 Mahagany Parlor Cabinet 75.00 Mahagany Shaving Stand 15.00 Mahagany Shaker leather seat 12.00	8.00	Rolcara Couch 100.60	
Mahogany Rocker, leather seat 12 00	1 5,00		32.00
Mahogany Rocker, inlaid wood seat 15.00	6.00	Hall Rack 100.60	50.00
Billingant was goes forming property		A STATE OF THE PARTY OF THE PAR	

CHAS. SHIVERICK & CO.

Special March Furniture Sale. 12th and Douglas Sts.

"The Overland Limited." To Utah in 2914 hours, California in 8014 hours via the UNION PACIFIC. This is the fastest and finest train in the west. Tickets can be obtained at city ticket office,

1302 Farnam street. Hot water fronts & backs for all cooks & ranges. 1207 Douglas, Om. Stove & Rep. Wrks,

THE REASON WHY

We republish this prescription is that we know it's one of the best used for coughs, and colds— because it's prescribed by a number of good objections—and then it saves you a trip to the foctor—and \$2.00 besides.

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lerce's Favorite Prescription. SCHAEFER CUT PRICE



SUCCESSOR TO GRAY . . .

FRED KRUG

BREWING CO.

213 N. 16th St. SUF IN PHOTOGRAPHS

For a Short Time We Will Make Our \$2.00 Cabinet Mantellos, glossy finish, \$2.50 Cabinet Mantellos, carbon finish

Large Work in Proportion.

Only Knew— They would tumble over each other to get

SHERIDAN COAL. Throw aside your prejudice, try it, and be convinced. Sold under an absolute guarantee — you take no chance.

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Best Set Teeth
Best Teeth, thin plate...
Bridge Teeth
Gold Alloy Filling
Pure Gold Fillings...
Gold Crowns

Gold Crowns ...

AMUSEMENTS. THE CREIGHTON PARTSY 25 1325. TODAY TONIGHT

Seats on sale-25c, 50c, 75c, \$1.00. Matinee-March 9-CISSY FITZGERALD. THE CREIGHTON PARTOR & BLEEFE One Night Only Tuesday, March 9.

-: THE FOUNDL NG:-CISSY FITZGERALD. March 15-16-THE MANDARIN.

BOYD'S L.M.Crawford Unheard of Minstrel Prices MATINEE TODAY_TONIGHT, 8:15. 20th CENTURY MINSTRELS 40 PEOPLE_ALL UP TO DATE.

Reserved seats, first floor, 50c and 25c; alloony, 25c; gallery, 15c. Wednesday ma ace, all seats, 25c. March 11-13-"CHIMMIE FADDEN." BOYD'S | L. M. Crawford | EXTRA. SPECIAL ENGAGEMENT.

Thursday and Friday MAR. 11, 12, 13. CHARLES HOPPER, in CHIMMIE FADDEN

25c, 35c, 50c, 75c and \$1.69. Bale opens Monday, March 8, 9 a, m. NEBRASKA MUSIC HALL.

1309 Douglas. GEO. MITCHELL, Proprietor Performance Every Night from S to 12 For this week, first appearance of Jim Dalton, in his original song and dance, "Going Down to New Orleans;" Clara Boyle, lighting jig and southern reel artist; Edith Flowers and May Cameron, Leo La Reno, Lattle Norma, Harry Osgood, Joe Osborne, Nellie Bond, Mam Cameton, Big Aimon Zrenyi and Mae Dayton. PREE ADMISSION.

HOTELS.

BARKER HOTEL. THIRTEENTH AND JONES STREETS.

140 reoms, baths, steam heat and all modern conveniences. Rates, \$1.50 and \$2.00 per day. Table anexcelled. Special low rates to regular boarders. DICK SMITH, Manager.

MERCER HOTEL THE BEST

\$2.00 a day house in the west. 100 rooms 42.60 per day. 50 rooms with bath, 42.50 per day. Special rates by the month. WINK TAYLOR, Manager.