## HOWE POINTS OUT THE WAY

Associated Press Must Live Up to Its Contracts Under Any Statute.

SHOWS HOW WORLD-HERALD MAY GET NEWS

Combats the Statement that the Sheet Would Be Financially Ruined if It Did Not Receive the Report of the Associated Press.

The closing arguments in the case of The Bee Publishing company against the Associated press were begun yesterday by John D. Howe, speaking for The Bee. Mr. Howe took occasion at the outset of his remarks to signed by himself, in which he stated that he make a personal reply to some animadversions made yesterday afternoon by R. S. Hall, the attorney for the World-Herald, that E. W. Simeral, one of the attorneys for The Bee, was a gentleman by profession. Mr. Howe in a written statement said:

Bee, was a gentleman by profession. Mr. Howe in a written statement said:

Your Honor: Last evening, before adjournment, and during the progress of the argument by counsel for plaintiff, the learned counsel for one of the parties, Mr. Hall, spoke of Mr. Simeral as "a gentleman by profession." To Mr. Howe, now addressing your honor, he said, in effect, that when he spoke of the adequacy of the news agencies or associations other than the Associated press, that he, the said Howe, did not believe what he said.

The speaker desires to testify in behalf of his associate, Mr. Simeral, that he is an honorable lawyer, a gentleman, and, what he could say of no one else he knows, a hero every day of his life.

As to the probabilities resting on the testimony in respect of the sincerity of the speaker, he submits that, when the United press went to pieces, its membership would naturally be sought after, not only by the Associated press, but by rival organizations in the same business, and that the violent and lawless scramble of the managers of the Associated press, but by rival organizations in the same business, and that the violent and lawless scramble of the managers of the Associated press to secure these members, is evidence that it was anxious to secure them, at whatever cost, to prevent their joining a competing organization; and is convincing evidence that there are formidable rivals of defendant in the field of which defendant is afraid.

One word more: I trust I may be pardoned for calling the younger members of the bar, counsel herein, by their Christian names in court; they have grown up here and this is, in part at least, a mitigating circumstance. Ferhaps, I have no right to protest, being myself in the wrong in this way, against being called John or Johnnie by my learned brother, Mr. Hall. That is the exclusive privilege of my family. I do not like to be called (if I must have a title), "Squire," as was the custom to call lawyers in my native section in my youth.

WORLD-HERALD'S LIMITED REPORT.

WORLD-HERALD'S LIMITED REPORT. Mr. Howe resumed his argument at the point at which he was interrupted by the adjournment of the court Tuesday evening. He took up the off-reiterated state-ment that the World-Herald would be ru-ined financially and otherwise if it did not succeed in breaking down the legally exe-cuted contract between the Associated press and The Bee. He showed by reading affidavit after affidavit that other news gathering associations, equally as well equipped as the Associated press, stood ready to furnish the World-Herald with a news report over leased wires to the extent of 50,000 words daily. He showed that up to April 1 the World-Herald had been printing an average of but 1,500 words a day in its afternoon edition and 7,500 words in its morning edition. He showed that the Laffan news bureau was giving these other news associations the exclusive use of the New York Sun's news report and he placed a copy of that great newspaper in evi-dence, saying that it would be a proud day for Omaha when The Bee or even the Worldthe New York Sun

Mr. Howe replied to the several points made by Attorneys Estabrook, Lambertson and Hall. The first named speaking for the Associated press, laid great stress upon that section of the statutes of Nebraska which requires press associations doing business in this state to treat all newspapers on an this state to treat all newspapers on an equality. Mr. Howe denied the right of the Associated press to claim the protection of this provision of the statutes, showing that that association had persistently refused to ness and death of our beloved brother. this provision of the statutes, all refused to ness and death recognize the law, had never filed its articles Michael O'Hern. of incorporation and its constitution with the secretary of state and that if it had it would be compelled to live up to its contracts, made in pursuance of its constitution and by-laws.

THE BEE AS A NEWS GATHERER. In the afternoon Mr. Howe continued his argument, going exhaustively into the questions of law entering into the case.

In his argument the other day Mr. Esta-brook devoted himself to an effort to prove that The Bee had no valid contract with the Associated press; that that contract contained provisions which The Bee on its parwas unable to meet. He referred to that part of the contract by which The Bee bound itself to furnish the news from its territory. He contended that The Bee was physically unable to do this, because there were naturally many news items happening within The Bee's territory which The Bee never heard of and consequently could not furnish to the
Associated press. Therefore, Mr. Estabrook
had contended, the contract was void because The Bee could not fulfill its part of it.
Mr. Howe demolished this contention by showing that the constitution and by-laws of the Associated press furnished a complete remedy. He showed that if at any time the Associated press felt that The Bee was not supplying the news from its territory it could confiscate The Bee's shares of stock and deny it the daily news report completely. Mr. Howe, in his general conclusion, re viewed briefly the three periods in the his-tory of the Associated press. He called attention of the court to the formative period, showing that in that period the relations between the Associated press and the United press from October 15, 1892, until late in the year 1893, were amicable, and that the two associations worked in perfect harmony for their mutual interests. Late in 1893 the dis-agreement occurred and from that time down agreement occurred and from that time down to the final collapse of the United press war existed between the two associations. Dur-ing this period of strife war measures were restorted to. And yet in all the years of strife, when the constitution and by-laws of the "Associated press were ignored and set aside, in not a single instance was a contract given to any newspaper without the constigiven to any newspaper without the consent of the local shareholder in the Associated

After Mr. Howe had concluded Judge Key-sor announced that he had already fixed in his mind the leading points in the case and would render his decision this morning.

For Over-Indulgence,

Take Horsford's Acid Phosphate. It preserves and renews the vitality, etrengthens the nerves and stimulates the stomach to healthy action.

Hurned by Gasoline. While cleaning a bed with gasoline yester-day a member of the family of John Metcaif accidentally set fire to the house. Mr. Metcaif was badly burned about the hands while extinguishing the flames. The damage was small. The residence is located at 1111 South Ninth street.

Awarded Highest Honors-World's Fair.



MOST PERFECT MADS. A pure Grape Cream of Tartar Powder. Free 60m Ammonia, Alum or any other adultions 40 Years the Standard.

PLANS MADE FOR GETTING EVEN.

Suit is Brought for Criminal Libel : an Aftermath of the Election. Theodore Bennett was arrested yesterday on a charge of criminal libel, it bring alleged that during the recent municipal campaign and just previous to election day he did charge that E. E. Howell was a member

of the A. P. A. The information against Bennett was filed in police court Tuesday afternoon, but at the request of Howell's friends it was suppressed, they saying that they feared Bennett would skip. Bennett was threatened immediately after the election with prosecu-tion and was told that if he did not make a retraction of the charge he would be ar

In the information it is charged that Bennett did "Injure, scandalize and vilify the name, fame and reputation of Edward E knew that E. E. Howell was a member of the A. P. A. and had sat in a council meeting. It is further charged that "this act was done to prejudice and aggrieve Candidate Howell at the election, because the affidavit was shown to a great many legal voters of the Roman Catholic religion and many other voters op-

posed to the A. P. A."

Bennett is accused of having shown the affidavit particularly to Leonard Hartson and Murray Marburg and of having caused copies to be delivered to divers other persons. All this is alleged to have been done to the great "damage, injury, scandal, reproach and dis-grace of E. E. Howell, personally and as a

candidate for mayor."

The information is signed by C. H. Mc Eckron, a carpenter, who resides at 1716 North Twenty-seventh street. It is stated by Attorney W. S. Shoemaker, who will assist in the prosecution, that McEckron was formerly a member of the A. P. A. He came into possession of one of the alleged copies of the libelous affidavits. Shoemaker is to be sided in the prosecution by George W. Covell. It is given out that the case has been brought by some of the silver democrats of the city who are sore over the defeat of the fusion ticket and particularly over the defeat of the principal candidate they wished to see elected. Howell himself says that he has had nothing to do with the prosecution. When Attorney Shoemaker was asked whether Howell was not really behind the move he

named as the complainant."

Howell said yesterday that he felt no more interest in the case than any other democrat in the city. He stated that he knew nothing about the case until Shoemaker spoke to him about it, and then he refused to pay any part of the expense attaching to the prosecution. According to his statement the case was started by democratical to the statement of the case was started by democratical terms. named as the complainant.' crats out of loyalty to party and to himself. He said further that immediately after elecion he had in mind to prosecute somebody for libel for the circulation of reports that he had been an A. P. A., but found from legal advice that he could do nothing.

The democrats have had in mind ever since the election the idea of bringing the prosecution. Shortly after Howell's defeat Bennett was called into Shoemaker's office and a demand was made upon him for a retraction. He was asked to say that the E. E. Howell mentioned in the affidavit was not the democratic candidate, but somebody Bennett would not do this, however and he was then threatened with prosecu-

Bennett was arraigned before Police Judge Gordon and pleaded not guilty. The case was set for hearing May 26, and in the meantime Bennett was released under \$500

We Had to Do It. We were compelled to close our store last night at 7 o'clock, contrary to our announcement in The Evening Bee, but we will be opened for business this morning promptly at 8:30. The fifty-two salesmen who worked Herald would print a newspaper with so all day yesterday were compelled to work magnificent a news service as that printed by all last night in order to get the store in shape for business this morning. Should you come later—the announcement on the door will state the time you can get in.

LAIRD, SCHOBER & CO. 1516 Douglas. Card of Thanks.

> JOHN O'HERN KATIE O'HERN

MAMIE O'HERN.

Chief Arthur Coming. There will be an open meeting of division No. 183, B. of L. E., at Royal Arcanum hall, Masonic building, corner Capitol avenue and 6th street, Thursday evening, May 13. Chies Chief Arthur will deliver an address. All locomotive engineers, firemen, conductors, switchmen, brakemen and ladies invited. T. C. LIVINGSTON, C. E.

"Wanted, at once, applications for loans on inside Omaha residence property, \$500 to \$4,000.00; also building loans; special fund to place at once. FIDELITY TRUST CO."

BURLINGTON ROUTE

Money Saving Excursions This Summer. East, west, south. Very cheap.

See ticket agent, 1502 Farnam. EXPOSITION DRAWS THE LABORERS.

Find that There is Nothing for Willing Hands to Do. Six men were charged yesterday with

being vagrants and with sleeping last night n box cars. Each man made the same plea when arraigned in police court: "I came here to get work on the exposi-

During the past two weeks the police have arrested a number of men without means who have been attracted to this city from other points in the hope of obtaining employment on the exposition grounds. When they arrive they find that the local supply of labor is more than sufficient to satisfy the demand. Being without money they are comdemand. Being without money they are com-pelled to sleep in box cars and alleys and to beg for their living. Judge Gordon has dismissed these prisoners with advice to seek employment elsewhere. Most of them have expressed an intention of at once leaving

Bucklin's Aruica, Salve. The best salve in the world for cuts, bruises, sores, ulcers, gait rheum, fever sores, tetter, chapped bands, chilblains. corns and all skin eruptions, and positively cures piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price, 25 cents per box. For sale by Kuhn & Co., Omaha, Nebraska.

Tourist Sleepers Leave Omaha daily for Ogden, San Fran-cisco, Portland, Ore., and other western points, via the UNION PACIFIC. This is an economical and comfortable way

City Ticket Office, 1302 Farnam St. H'DQ'RT'S FOR STEAMSHIP TICKETS.

1502 Farnam Street. The Burlington Tickets Office\_All Lines, STEAMSHIP TICKETS. I am agent for all first-class trans-Atlantic ines. I seil tickets to and from all points

in Europe. No one can furnish you with tickets cheaper than I can. People who buy from me are ticketed by the fastest trains and finest steamships there are. Call write. J. B. REYNOLDS, C. P. A., Burlington Route, 1592 Farnam.

Delegates to Salt Lake. Mayor Broatch appointed on May 8 the did Mercer, who was declared elected. following delegates to represent Omaha et the Transmississippi congress at Salt Lake Entertainment at Creighton College. City July 14: Ex-Governor Alvin Saunders, C. W. Lyman, G. M. Hitcheock, Arthur Smith, J. E. Markel, E. Dickinson, Dudley Smith, Charles Metz, H. T. Clarke and Dan Farrell, ir.

LAIRD SCHOBER RUSHED AGAIN

Despite the Rain, the Store is Blockaded to Almost Suffocation.

**EVERYBODY WAITS UPON THEMSELVES NOW** 

The Doors Opened and Closed Every Fifteen Minutes to Let the Customers Have Elbow Room at the Great Bargain Tables.

Long before 8 o'clock the sidewalk in front of Laird-Schober's was crowded with people, who, with umbrelias to protect them from the storm, patiently waited for the doors to open, and five minutes past eight the doors were locked again.

And such jolly buying as it was yesterday, all day long, with the exception of from noon till 1 o'clock in order to straighten up the stock. Most of the people had been here before and knew the stock about as well as the clerks—and there were fifty of them. They made short work of it, picking out what they wanted, two, three and four pairs at a time. all the clerks seemed to have to do being to ollect the price and wrap up the goods. Such bargain tables were never known of

n Omaha before 25c for baby shoes, 40c for any men's rubbers. 48c for children's \$1.00 spring heel shoes. for baby \$1.00 shoes.

50c for ladies \$3.00 canvas Oxfords.
75c for ladies \$3.00 and \$4.00 hand turn nd welt shoes.
75c for ladies' \$1.50 jersey leggins. 75c for ladies' tan Oxfords. 75c for misses' \$1.50 spring heels. 98c for children's \$1.75 spring heels.

50c for ladies' \$1.25 overgaiters.

98c for misses' \$2.00 tan shoes. 98c for misses' \$3.00 spring heels for ladies' \$4.00 and \$5.00 shoes for ladies' \$2.00 spring heel oxfords 98c for men's patent leathers, worth up 98c for men's \$5.00 linen lace shoes,

98c for any man's \$2.00 shoe. \$1.00 or less for any man's slipper. \$1.35 for ladies' \$2.50 button and la \$2.00 for any \$4.00 man's calf welt shoe. \$2.25 for ladies' \$4.50 new coin toe welts. \$2.50 for men's \$5.00 tan lace shoes. \$2.50 for ladies' \$5.00 lace welt shoes. \$3.00 for men's \$5.00 and \$6.00 patent leath

\$3.75 for men's \$6.00 full dress shoes. \$4.25 for men's best \$7.00 oxblood lac

Only one object in view-to get out of the retail business and to get out quick. Price value or qualities cut not the slightest figure Every dollar's worth going at smallest prices ever known. We can't do otherwise than lock the doors with such crowds, but if you stand close to the door your turn will come within fifteen minutes. If you see what you want hand it to the clerks and they will wrap it up for you. Everybody helps them-selves now. Come early and come often. You'll get a new bargain every time. Buy

LAIRD, SCHOBER & CO., 1515 Douglas Street. Open till 9 every evening.

TALK OF THE WOODMEN TROUBLE Little Weight Attached to the Adop-

tion of Resolutions. The report from Clinton, Ia., to the effect hat a committee of Modern Woodmen there had adopted resolutions severely censuring the head officers of the order as a result of an investigation is said by local Woodmen to carry little weight. In the resolutions the head officers are charged with loose business management, extravagance and with having had previous knowledge of the alleged shor age of ex-Head Banker Zink of Grand Island. J. W. Houder, who has recently returned from a visit to Fulton, the headquarters of Fulton, while the head officers are in favor of a removal to Rock Island. Therefore the meeting was simply a part of the fight over the location of the head offices.

The local members of the order do not take much stock in the charge of collusion be-tween the head officers and Zink. In fact, they believe that Zink was not to blame for the loss of the \$45,000, except that he may have lacked judgment when he deposited the amount. Of the money, \$30,000 is in th Union National bank of this city and th remainder in bankrupt banks in Grand Island. The loss is looked upon as a com-paratively small one when it is considered that the head banker has in his hands sums ranging from \$400,000 to \$800,000. The less occurred during the panic.

We wish to thank the many friends wh rendered their kind assistance during the continued illness and death of our much be loved daughter and sister Addie MRS. S. THOMPSON.

Notice to the Public.

On and siter May 1 the city ticket and freight offices of the Rock Island Route will be located at 1323 Farnam street, southeas forcer of Fourteenth street.

TO ATTEND THE QUEEN'S JUBILEE. Millionaire Siddon of New Zealand

Going to England. R. J. Siddon, the multi-millionaire and mine owner of Auckland, N. Z., accompanied by his wife and three children, passed through Omaha yesterday afternoon. Mr. Siddon is on his way from San Francisco to New York City, where he will take a steamer for Lon-don. He expects to be present with his famdon. He expects to be present with his fam-ily at the celebration of the queen's jubilee and will also visit relatives in England unti

September,
Mr. Siddon stated that business in Auckland and vicinity was vastly on the im-prove. Much of the revival he thought due to the investing of British capital in the mines. During the late depression the mining of coal, iron and other minerals, which of late years have been found in the tslands in vast quantities, was nearly at a standstill. Auckland is an important coaling sta

been derived from the marine sales of coal in times past,
Mr. Siddon reported that the raising o cattle, sheep and hogs during the past year showed a great improvement over previous years, and that the mutton in particular raised on the islands found a ready sale in the mother country. Mr. Siddon described Auckland as a magnificent city of 75,000 people, the maritime and internal commerce of which has assumed vast proportions. Mr. Siddon and party left for the east last

night over the Northwestern for New York City, where they expect to take the steamer for Liverpool next Saturday.

HE WANTS TO BE A COUNCILMAN. Simpson Will Contest the Sent George Mercer.

Fred W. Simpson, the defeated fusion canlidate for the city council from the Ninth ward, has filed a petition in the county court contesting the seat of George W. Mercer, republican councilman-elect from the same ward. The summors in the case is returnable June 7 and it is likely that the hearing will come on a day or two later. In his petition Simpson alleges that at the recent city election, in the several wards of the city, 463 votes were cast for him and no counted by the judges and clerks of election. He asks for a recount of the votes and alleges that if this is done the result will show that he received more votes than

A contest in oratory and elecution, in-terspersed with a musical program, was Smith, J. E. Markel, E. Dickinson, Dudley Smith, Charles Metz, H. T. Clarke and Dan Parrell, ir.

DIED.

DIED.

WORTHY—J. J., May II, 1897, aged 47 years, Funeral from residence, 2123 South Fortysixth avenue, Thursday, May 13, at 10 a.m. Interment at Evergreen cemetery, FLOWERS—Amasa W. of Cleveland, O. May 12, 1897, at the residence of his daughter, Mrs. M. Marke, Inl. Yates street, Funeral services from residence at 2 p. m., Thursday, May 12, Interment at Forest Lawn, Friends invited. (Cincinnati papers please copy).

The Markel of May 13, at 10 a.m. Interment at Forest Lawn, Friends invited. (Cincinnati papers please copy).

BOSTON STORE ISELLS THE SHOES,

The Only Real Shoe Bargains and the Only Blk Shoe Sale. TODAY AT SOSTON STORE.
ALL NEW STYLES.
Men's \$3.00 calf shoes, \$1.59.
Men's \$5.00 calf shoes, \$2.50.
Men's \$6.00 Cordovans, \$2.50.

Men's \$7.00 patent leathers, \$2.50. Ladies' green aboes, \$3.00.

Ladies' \$5.00 black, tan and wine and ahogany color lace shoes, \$3.00. Ladies' \$4.00 lace and button shoes, \$1.98. Ladies' \$5.00 tan Oxfords, \$2.25. Ladies' \$2.50 black, tan and wine Oxfords, 1.50 and \$1.59. Infant's, misses', child's and boys' and youth's shoes, at 39c, 50c, 69c, 75c, 89c and \$1.00, \$1.25 and \$1.50, worth nearly double.

BOSTON STORE, OMAHA, 16th and Douglas. PROPERTY OF FORD IS ATTACHED.

County to Hold Him on Depository Bond. Attachment and garnishment proceedings were commenced in the district court yesterday afternoon by the county of Douglas against Charles E. Ford to prevent him from removing his property from the jurisdiction of the courts and thereby preventing the county from recovering anything in an action against him on the bond given to the county by the Midland State bank as a guaranty for deposits by the county in that

When the Midland State bank closed its doors in September of last year there was \$20,620.93 of the county's money on deposit in the bank. This county depository, it having given a bond for the protection of county funds, the bond being for \$50,000 and signed by Charles E. Ford, Charles A. Sharp and Maria A. Johnson. The county money on deposit in the bank at the time it failed was divided as follows: Douglas addition judgment fund, \$12,353.84; bridge fund, \$1.742.69; road imrovement fund, \$6,524.40, making a total of \$20,620,93.

It came to the ears of the county atotrney that Ford has been making preparations lately to get his property out of the way in order to prevent an execution being issued against him, and attachment proceedings were started at once to prevent the conummation of such a plan

The best of all pills are Beecham's.

WITNESS DUGAN CHANGES HIS MIND. Prefers to Testify Rather Than Go to

"I won't go on the stand until I get my witness fee." cried Jimmy Dugan in police court vesterday when he was called upon to testify in a case. He lives at Fourteenth and Ohio streets. Police Judge Gordon tried to remonstrate with him, but Dugan would not have it. Finally the court said: "I'll send you to jail for five days if you

lon't take that stand." 'Then I'll sue you and the whole county, yelled Dugan. When the police judge or dered the court officer to remove the recalcitrant witness to the station, Dugan wilted and took his seat on the stand and gave his

This incident occurred in the trial of Abe Williams, who was charged with committing an assault and battery upon P. M. Norgard of Fourteenth and Locust streets. The trouble was over a dog. The animal was in Norgard's possession and Williams claimed it. Norgard refused to give it up until he was recompensed for the food he had ex-pended on the animal for some weeks. The dispute ended in a fist fight. After a full hearing Judge Gordon dismissed the case.

The True Remedy.

W. M. Repine, editor Tiskilwa, Ill., Chief. says: "We won't keep house without Dr. King's New Discovery for Consumption, Coughs and Colds. Experimented with many others, but never got the true remedy until we used Dr. King's New Discovery. the order, says that the meeting adopting No other remedy can take its place in our the resolutions represented only eleven camps home, as in it we have a certain and sure home, as in it we have a certain and surto extend out gratitude to our ested in the retention of the headquarters at etc." It is idle to experiment with other remedies, even if they are urged on you av just as good as Dr. King's New Discovery. They are not as good, because this remed has a record of cures and besides is guar anteed. It never fails to satisfy. Trial bo les free at Kuhn & Co.'s drug store.

> MASONS CONFER THE DEGREES. Reunion to End with a Banquet Next

> The reunion of the Scottish Rite Masons o the southern jurisdiction of the United States is progressing at the headquarters in Masonic Temple hall, Sixteenth street and Capi tol avenue. Semper Fidelis chapter yesterday conferred the fifteenth and sixteenth legrees and the seventeenth degree that of Knight of the East and West was conferred in full form upon a class of eight candidates. In the evening the chapter conferred the eighteenth degree, Knight of Rose Croix, upon a class.

> This morning St. Andrew's precentory will confer the nineteenth, twentieth and twenty-first degrees in full form and this evening the thirtieth degree will be con-ferred. The class is constantly increasing in numbers as the highest degrees are reached and it is expected that for the thirty-first and thirty-second degrees the class will be at least double what it was when the reunion

Friday will be devoted to conferring the thirty-first and thirty-second degrees in full form and the reunion will terminate with a grand banquet Friday evening.

BURLINGTON ROUTE.

\$22.50, Omaha to San Francisco, June 29, 30 and July 1, 2 and 3. Stop overs. Tourist cars through to San Francisco. Coolest, most comfortable, most picturesque oute. Reserve berths now. J. B. Reyvolds, C. P. A., Burlington Route, 1502 Farnam.

Rack Island Route. City ticket and freight offices, 1323 Farnam street.

ORDINANCE FOR THE PEDDLERS. Features of the Document Now Before the City Council.

The new council has begun operations by introducing another peddlers' ordinance, which is now under consideration. The new ordi nance differs from the present one only in the respect that it provides a way in which the peddlers can secure a license for one or three months, instead of being compelled to pay for the entire year and in advance.

For a two-horse wagon, for instance, peddiers now have to pay a fee of \$30 per year in advance. Under the proposed ordinance they can do the same or they can pay \$10 for three months or \$5 for one month. It is urged that it is a hardship on many 57 the peddlers to competitiem to pay \$30 at once. It is also contended that the proposed ordinance will be liable to abuse. As the season nance will be liable to abuse. As the season properly only lasts about six months, the peddlers who are not permanently engaged in peddlers who are not permanently engaged in the business can take out a license for three months about July!1 and get the cream of the business to the detriment of the regular peddlers who have paid \$30 for their license for the full year. I Lisence Inspector Hurst says that if the peddlers are allowed to take out monthly licenses it will be impossible for on inspector to keep track of them and of the frequent issue of licenses.

Marriage Licenses. Permits to wed have been issued to the following parties by the county judge: Name and Residence. Joseph Eret, Perry, Okl....... Anna Smanz, Omaha John G. Doffin, Cuming county, Nebraska. Fanny Heiduk, West Point, Neb.....

CASTORIA For Infants and Children.

Erik Nelson, South Omaha..... Mary Peterson, South Omaha..

BROATCH'S ATTORNEYS WAIT

Their Ardor is Cooled by the Knockout Administered Tuesday.

NO HURRY TO PUSH CASE AGAINST MOORES

Opinion is Quite General that the Ex-Mayor is About Rendy to Drop His Contest Proceedings and Quit.

During the proceedings in the courts in the mayoralty case Tuesday the attorneys for ex-Mayor Broatch stated a number of times that they would crowd the other side hard and fast to push the case to trial at once and would make every effort to have the case put at the head of the call in order that it might be heard without any delay and settled within a short time. They gave notice that they would call the matter up in Judge Powell's court yesterday would ask that the other side be required to at once file its answer to the petition in quo warranto so that the issues could be joined without delay.

James B. Sheean, one of Broatch's attorneys, stated yesterday in Judge Powell's court that the matter would not be called up until the latter part of the week This apparent lack of interest may be par-tially accounted for by statements made Tuesday by one of the judges, and also by C. J. Greene, one of the attorneys for Mayor Moores. Judge Keysor, in passing upon the quo warranto case, quoted a number of secions of the Nebraska statutes relating to quo warranto proceedings and said the language of all the sections plainly indicated, to his mind, that the plain intent of the legislature was that quo warranto proceedings could only be brought against any offi-cer actually performing the duties of the

Subsequently, while Attorney Wright, for ex-Mayor Brostch, was making a talk about demanding that the other side be compelled to file its answer, Mr. Greene remarked: "I would just as soon tell the gentlemen, now, that we shall insist that the quo warranto proceedings were improperly brought and proceedings were improperly brought and they are at liberty to use that information for what it may be worth."

The attorneys for Broatch refuse to admit that these remarks have any bearing upon their present actions, but it is generally conceded by attorneys that the Broatch faction will be compelled to commence its quo warranto proceedings all over again. The opinon is quite general that Broatch and his followers will drop the matter, now that he has been beaten at every turn

THOMAS APPLIES FOR AN ORDER Asks to Sell Assets of the Midland State Bank.

Receiver J. W. Thomas of the Midland State bank has filed a motion to be allowed to sell the assets of the bank now remaining n his hands at public sale. This motion will be argued before Judge Scott this morning. The motion is based on the reports of the receiver recently filed in accordance with the order of the court.

March 30 the receiver was ordered to sell the assets of the bank at private sale and to report the result of the sale to the court. May 3 and May 10 reports were filed showing that the receiver had been unable to sell any of the assets at private sale. The reports showed that some of the accounts had been educed slightly, but no sales were made The motion to sell at public sale is contested by attorneys representing certain of the stockholders, but Judge Scott gave notice at the time the order was made to sell at private sale that it would be followed at the proper time by an order to dispose of the assets a

Asks Divorce and Maiden Name. Grace H. Green has applied for a divorce sertion and nonsupport. She informs the ourt that she was married to Green in Council Bluffs September 23, 1892, and asks that her maiden name, MacDonald, be re-

CASSIDY ORDERED UNDER ARREST. Fails to Obey Court Decree Requiring

An order for the arrest of Frank O. Cassidy was issued yesterday by Judge Scott. Cassidy's wife was recently granted a divorce from him on the grounds of cruelty, esertion, non-support and infidelity. Pending the trial of the case, Cassidy was ordered to pay his wife \$5 per week tem-perary alimony, but he failed to do so. When

the decree was granted it provided for alimony at the rate of \$15 per month and this, too, Cassidy failed to pay, according to the allegations in an affidavit filed by his former wife. On this showing his arrest was or-dered and the warrant placed in the hands of the sheriff. Anxious to Lose a Hand.

Isaac Smith was arraigned in police court vesterday on the charge of vagrancy. He explained that he came here for the purpose f having a hand amputated, but did not have the money with which to pay for having the operation performed. The member he lesired cut off is badly crippled and paralyzed. The injury was the result of blood poisoning received while working in the fields. Smith was discharged with the advice to apply to ome medical college.

There is nothing so refreshing as Cook's mperian Champagne. It's pure, healthy and

ourishing. Had too Many Stamps. A. W. Mitchell and George Andrews were rrested last night on North Sixteenth street with a small quantity of 2-cen street with a small quantity of 2-cent stamps in their possession. It was found afterward, however, that they had disposed of several dollars' worth of stamps to a pawnbroker named M. Marowitz. The men were charged with being suspicious charac-ters. The stamps are supposed to have been

Not everyone can go South for March, but almost everybody can spend a dollar or two for Scott's Emulsion of Cod-liver Oil. If you have got a lingering cough or are run down; are weak and exhausted by reason of the Grippe, ask your doctor if Scott's Emulsion isn't just what you need in the emergency. The combined virtues of the Cod-liver Oil, the Hypophosphites and Glycerine as prepared in Scott's Emulsion will give you flesh and strength rapidly and help you back to health.

AT THE HEN'S CONVENTION.



Always Truthful-Always Satisfactory-Always Safe.

## Another New One.

Yesterday we opened up another new line of Men's Underwear in the new Danish Brown color and made from pure Maco yarn, which we will sell at 35 cents a garment while they last. This makes four different lines we are showing at 35 cents. We are also showing three different lines at 25 cents and six different lines at 40 and 45 cents. It is a fact that we buy more and sell more Men's Underwear between 25 cents and 65 cents than any one house in America. It is also a fact that we sell Men's Underwear from 25 to 40 per cent lower than any house that you know. If you want to get the best Underwear for your money get it here. If you want the most desirable Underwear get it here. If you want the most reliable Underwear get it here. If you want Underwear that will be just exactly as represented get it here.

## Nebraska Clothing Co

## Crescent

Fit Everybody.

In the complete Crescent line there is a bicycle for everyone -old or young, large or small, heavy or light, rich or poor, Crescents are built with consideration for everybody's wants, and those who buy with consideration buy the Crescent. No bicycle fitter than the Crescent - none stronger or more serviceable.

WESTERN WHEEL WORKS. Factory, Chicago. CATALOGUE FREE. AGENTS EVERYWHERE.

MILTON ROGERS & SON,

Exclusive Omaha Agents, 14th and Farnam.

Getting right down to bicycle fine points.

There is one wheel that's king among all others, that will out-last all others and out-strip all others in the point of speed. That's the Monarch Bicycle. Years of patient perfecting, experimenting and advanced manufacture have made the Monarch best. Your this season's wheel-will

it be a Monarch? Monarch Bicycle Mfg. Co. Chicago, New York, London,

Omaha Agent A. B. HUBERMANN. 13th and Douglas St.

> A Good Fellow! Personally the repair man

> > may be one, but the

is not built in his interest. It is however

**Built Like a Watch** 

scientific, simple, strong, durable; detachable sprockets, Sterling fork crown and corrugated hub. Procure catalogue.

Cate City Cycle Co., 424 So. 15th St. OMAHA, NEB.



WHEN COING TO NEW YORK OR PHILADELPHIA TRAVEL BY THE LEHIGH VALLEY RAILROAD.

Soild Trains, Superb Equipment, Dising Car a la Carte. Scenery unsqualled Route of the BLACK DIAMOND EXPRESS, HANDSOMEST TRAIN IN THE WORLD.

Write for advertising matter and full par-Write for advertising matter and full pur J. A. S. RHED, N. W. P. A., 218 South Clark St., Chicago, or

CHAS. S. LEE. General Passenger Agent, Philadelphia, Pa.



with your reflection if you wear garments of our making. Just now our specialty

Choice Spring Suits from \$15 to \$40.

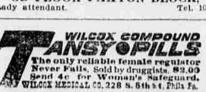
It will pay you to look in at our cloths.

207 S. 15th St. Branches in all principal cities.

HOW CAN YOU

Expect any one to admire you or even feel attracted toward you if you blow a fetid breath in their face? Don't you know that your sitractiveness depends largely on how you keep your teeth?

Beautiful gold filling, \$2.00 upwards. Silver fillings, \$1.00. Bailey, the Dentist. SD FLOOR PAXTON BLOCK,



<u>Patronize</u> HOME INDUSTRIES

purchasing goods made at the following Nebras-ka factories. If you cannot find what you want, communicate with the manufacturers as to what dealers handle their goods. --

BAGS, BURLAP AND TWINE. BEMIS OMAHA BAG CO. Manufacturers of all kinds of cotton and bur-lap bags, cotton flour sacks and twine a spec-ialty. 614-616-618 S. 11th St.

BREWERIES OMAHA BREWING ASSOCIATION. Car load shipments made in our own refra-trator cars. Blue Ribbon, Elite Export. Vienas. Export and Family Export delivered to all parts of the city. IRON WORKS.

DAVIS & COWGILL IRON WORKS. Manufacturers and Jobbers of Machinery, then, at repairing 2 speciaity. 1501, 1502 and 1508. Ackson street, Omaha, Nea. INDUSTRIAL IRON WORKS. Manufacturing and repairing of all kinds of machinery, engines, pumps, vievators, printing presses, hangers, shafting and countings, 1465 and 1408 Howard St., Omaha.

PAXTON & VIERLING IRON WORKS. Manufacturers of architectural from Work, General Foundry, Machine and Blacksmitt work, Engineers and Contractors for Fire Proof Build-ings. Office and works: U. P. Ry, and So. 17th street. Omaha. SHIRT FACTORIES.

J. H. EVANS\_NEBRASKA SHIRT

COMPANY. Exclusive custom shirt tailors. 1516 Farnam WAGONS AND CARRIAGES. A. J. SIMPSON 1409, 1411 Dodge. Pull line of Carriages, Buggles, Phaetons, Ponyarts. Wheele rubber tired. The best is the

TENTS AND AWNINGS AMERICAN TENT AND AWNING CO. Awnings, Tents, Horse Covers, Flags and Ludins, Tents for rent. Salesroom 613 South Sixteenth street. Temphone 406

DYE WORKS. WORKS, 1521 Parasm St.

Dyeing and cleaning of garments and goods of every description. Cleaning of the garments a