THE OMAHA DAILY BEE: FRIMAN, OCTOBER 15, 1897,

# DION GERALDINE'S HEARING

Stenographic Report of Testimony Taken also on that bid, then put in another bid, really as one bid, stating that if allowed Before the Committee.

knock off \$700. PECULIAR ADMISSIONS OF THE ACCUSED

Witnesses Tell of How He Shifted Specifications and Manipulated Matters in Connection with the Contracts.

(Continued from Second Page.)

not think it would be necessary. So I discontinued the use of the peint. KOUNTZE TELLS OF THE SOIL.

Kountze-I will explain here in regard to the soil, having owned that property for a long while, that when I first knew that tering them six inches; there is a bevel on the piling so that when you drive it this bevel will wedge it up against the next pile as it comes into the ground. ritory up there the west end of the layoon was a swamp, commonly known as a slough, and at times was entirely immpassable; could Kountze-Your bid explicitly provides that it was not driven. If sheet piling is not drive through it. As you went further cast it was at a greater elevation and the soil allowed to be set in the trench instead of being driven, deduct \$700. was good. About the time of platting Kountze Place I graded a good many of the streets and the su plus earth that I had was filled feet and six inches. about half way between Twentleth street and Kountze-You don't so explain it in the Twenty-fourth street, and that accounts for that loose earth that you encountered going

Connolly-The plans and specifiations do. through there. Geraldine-Yes, to counteract that effect I bid from the plans and specifications. My bid reads, I believe, "according to plans I had pure clay drawn by wagons and strung along the lagoon to fill in back of the plics and specifications" and the plans and specifications provide for that. and tamped. Resonater-The specifications call that

white lead shall be liberally applied to the tongue and groove joints before driving. Now, you stated that it had been omitted in the when you were making out your bid, or after delivering it, any information that actual work to a considerable extent. To there would be any change made in the what extent his it been omitted or what propertion of it?

plans and specifications over those in the tians on which you bid \$7,100? Connolly-No, sir. I had no indication Geraidins-Approximately one half. Rosewater-Was there any reduction made or the white lead and the work from the whatever, or any idea, that there would be contract price?

any change made. Rosewater-Your bid for labor as you made it included all the labor and included Idinc-We settled at the contract In the construction of this work the Garaldine contractor was required to do more than the contract calls for. The exposition com-Connolly-My bid provided for driv the contract calls for. The exposition com-pany wis responsible for the delivery of driving pany wis responsible for the delivery of the mainstay piles, driving the sheet piling, the lumber and the contractor was obliged driving the backstay piles and performing to stop several times to wait for it. At the all the labor that was attached to the job east end of the work the foreman for the complete. And my bid for the labor, if the contractor put the waing and caps on the sheet piling that was driven against the back walls and terrace. It now stinds there, It was not a part of the contract. The con-tractor had entraced by the sheet piling was allowed to be set in a trench, which was to be ex-tractor bed entraced by the sheet piling was to be ex-tractor bed entraced by the sheet piling was allowed to be set in a trench, which was to be ex-tractor bed entraced by the sheet piling was to be ex-tractor bed entraced by the sheet piling was allowed to be set in a trench, which was to be exwhich were discussed and considered and my price on the labor was \$2,100, making a finally agreed to settle the matter by setdifference in that trench of \$700 for labor for me. Kountze-Mr. Connolly, you have a foot note here in your bid. Will you please ex-plain it? You say, the timber to be deliv-

thing at the contract price. I deducted noth-ing for the omission of the paint and he received nothing for the extra work that his men did or the expensive delay caused by our failure to deliver the lumber. ared to me on railroad in the exposition Resewater-Were these facts reported to grounds? the executive committee or to Mr. Kirken Connolly-Providing that the exposition

Geraldine-No. slr, they were discussed verbally with Mr. Wattles, who was acting of the department at that time, but manager no written report was mide

Rosewiter-I want to call Mr. Connolly. Resewater-You were one of the bidders for the work on the lagoon? Coan lly-Yes, sir, I was one of the bld-

ders. Recewster-And you submitted a bid under

first advertisement for the lagoon? Connolly-Yes. sir. Rosewater-And that bld, with all the

others, was rejected. Connolly-Yes, sir. That is, I was told it was rejected. \$7,800?

Resewator-After your first bid was re-

jected did Mr. Geraldine ask you to make a revised bid, and on what conditions? commined at the time that you made this id? That is, that it should be only a foot Connolly-Yes, sir; he did. I called on Mr. Geraldine, I believe it was the following bid?

in depth and six inches driven, or was that day, or probably the second day, to ascer-tain who was the low bidder on this work, lone after? Concolly-No, at no time. The only differ ence was, Mr. Geraldine told me the day I and he told me at that time that I was not and he told me at that time that I was not. He said for me to make up another bid, and be asked me for a bid on what I would do to provide all the labor for driving the piles and sheet piling, provided that the exposiwas in his office that if he allowed a trench to be excavated two feet in depth what de-duction will you make from your original bid? That was all. He told me to make a bid on that basis, that we dig a trench two tion company would furnish the materials. He also asked me at that time to make an-other hid, to bid in another way. That is, the same way really, only instead of driving feet deep and set our sheet piling in there and drive them six inches, to keep them solid and fast at the bottom: that is all, the sheet pile two feet six inches in depth. Resewater-If you had been allowed to to dig a trench around the lagoon and set furnish white pine on the specifications as the piling, the sheet piling, into this trench and drive them six inches. Instead of two made any material deduction from the price Oriska Worben and Adelaide Nye have good feet six inches, just drive them six inches, and what my figures would be on that basis. been done out there? that you did make? You know what has

trench as indicated by Mr. Geraidine, and driving them six inches? Connolly-Yes, sir. There was both ways. the retailers and manufacturers of the state. JUSTICE I bid to do the work according to the plans and specifications as originally drawn, and There were many good things to eat and drink at the bangaet and a good time wee given to everybody. This morning the visitors will be driven over the city by the Omaha members of the association and they will visit the local

to dig this trench and set the piles in there and drive them six inches, that I would brewerles and distilleries. Kountze-Are you quite sure, now, that your bid provided for that?

g managed and managed and a state of the AMUSEMENTS. CHREADERS CONTRACT TO BOARD

If Irishmen, orange and green, by birth or descent, do not sie and enjoy Andrew Mack in "An Jrish Gentleman" there is no potency left in the shamrock and no

is not in there it was meant for that. There was no way to get out of it at all. That was the instruction very explicitly patriotism in the sons of the Emerald Isle. laid down by Mr. Geraldine. Kountze-It does not appear in your bid. Connolly-It doesn't? Well, that was the Here is an Irish play, written and played by Irishmen for the most part, with not a single pair of knee breeches save only one intent of the bid. The object was in drivinstance of modern knickerbockers-in the whole extent of it. That in itself is an innovation in Irish plays which should be gratefully received. Moreover, there are no red-coated English soldiers to oppress

peasanity at all, downtrodden or otherwise; and the time of the play is the present. These things would make acceptable a much

eing driven, deduct \$700. Connolly-Instead of being driven two is a very good play besides, well constructed in most parts and admirably in some, full to the brim of heart interest and not too meloframatic, even at its most strenuous plich, to suit the taste of the average the-ater goer. One wishes that Mr. Mack, whose sense of the artistic fitness of things seems in general to be all it should be, would not exploit his sweet tenor voice during his clandestine meeting with his love in a solo

which would surely have awakened every occupant of the house. It is always a pleas-ure to hear Mr. Mack sing in that pure, high, lyric tenor of his, not strong but of that sympathetic quality which plays upon the heartstrings and makes the eves wet But he really should not sing at such a time as that. It isn't done. This, however, is not a serious blemish on a generally en-joyable performance and perhaps the author

is more to blame for it than the actor. Mr. Mack has been seen here before, but never as a star until last night. He has, in

addition to the vocal equipment just men-tioned a very pleasing personality, a fair share of good looks and at least the bemethod. With the assistance of Miss White sages, but one cannot expect all things to be equally well done. Without instituting any comparisons with other actors who oc-cupy the same and adjoining fields, it may be said that Mr. Mack is a better actor than one has been led to expect by the performances of his possible rivals and that

his singing leaves little to be desired. The well chosen company includes Marle Bates, whose admirable character study in "Chimmie Fadden," lingers pleasantly in the memory and who carries a small part would furnish me the material I would perform the labor and they were to deliver the in a manner worthy of the highest praise. Maura Sherlock, and little Florence Olp wins timber to me on the ground. If I was to do the labor and not furnish the material, then wanted the lumber delivered to me there.

all hearts with her pretty face and childish ingenuousness. Of the men, Adolph Jack-son, George W. Deyo and W. J. Mason out if I had got the contract for furnishing he labor and lumber then I would have to deserve special mention. "An Irish Gentleman" will run the week rovide my own material. But that provide that if the exposition company would award out at the Creighton. All the Irish men, wo-men and children should see it and tendere the contract for performing the labor I

would expect them to furnish the lumber to hearted people of other races besides. Bidwell-That foot note, then, applies to Something occurred last evening at Boyd's our bid for \$2,800 and not to your bid of theater. No one knows just what it was, it was good, though; very good. It was called a comic opera and was "Lost, Strayed Connolly-That is all. To the \$2,800 and the \$2,100. Just for the labor. Kounize-Was the question of the trench a Stolen' sure crough. The play was dapted "freely" from the French by J. adapted Cheever Goodwin; the music was by Woolson The plot hangs upon the loss and

recovery of a baby. The music has been gleaned with a skilful hand and is thor-oughly enjoyable. There is a dance in the ourth act that is particularly attractive. The scenery calls for special notice, as it is very seldom that one sees at this longitude such beautiful settings. The stars of the show are Anca O'Keefe

and Lucius Henderson, who appear in some very clever work in the third act. Mile, O'Keefe is a handsome woman in a beautiful gown who sings and acts with an abandon that is captivating. Mable Bouton, her maid, dances so grace

voices and sing in a pleasing manner Charles Dickson and Bert Thayer have rather g parts and

will be given.

Soon to Step Down from the Suprema Bench.

FIELD am

RETIRES

LABORS CEASE ON THE FIRST OF D CEMBER

otice of Retirement Has Been in President's Hands Since April-Term Exceeds That of Any of His Predecessors.

until October 9.

afternoon:

with the immeasurable importance of this court. Now and then we hear it spoken of as an aristocratic feature of a republican government. But it is the most democratic of all. Senators represent their states and representatives their constituents, but this court stands for the whole country, and as such it is truly "of the people." It has, indeed, no power to lecislate. It cannot appro-ple and for the people." It has, indeed, no power to lecislate. It cannot appro-ple a dislar of money. It carries neither the purse nor the sword. But it possesses the power of declaring the law and in that is found the refeguard which keeps the whole mighty fabric of government from rushing to destruction. This negative power, the power of resistance, is the only suffy of a popular government, and it is an additional assorance when the power is m such hands as yours. With this I give place to my successor, but I can never cease to linger on the memories of the past. Among the com-pensitions for all the hard work that a seat on this bench imposes have been the init-inactes and friendiships that have. been pentations for all the bard work that a seat on this brach imposes have been the inti-macles and friendships that have been formed between its members. Though we have often differed in our opinions, it has always been an honest difference, which did not affect our mutual regard and re-spect. These many years have indeed been years of labor and of toil, but they have brought their own rewards; and we can all join in thanksgiving to the author of our being that we have been permitted to spend so much of our lives in the service of our country. With profound respect and regard. I am, my dear brethren, very sincerely and al-ways yours. STEPHEN J. FIELD. REPLY OF THE COURT. WASHINGTON, Oct. 14 .- It was announced at the supreme court today that Justice Stephen J. Field of California had notified President McKinley of his intention to retire as a member of the court and had informed his colleagues of this fact. The members of the court, after adjournment at 4 o'clock today, called in a body on the retiring justice to pay him their respects. Justice Field, it is learned, notified the

president last April of his intention to retire. but the president did not acknowledge it REPLY OF THE COURT.

Following is the court's reply

REPLY OF THE COURT. Following is the court's reply: SUPREME COURT OF THE UNITED STATES, WASHINGTON, Oct. 13, 1897.— Dear Brother Field: We are profoundly moved by the letter in which you an-nounce to us your retirement from the bench. The termination of a judi-cial career of such length and distinction cannot fall to inspire among all your coun-trymen, and, indeed, wherever the realm of jurisprudence extends, a keen sense of loss which to your colleagues assumes the aspect of a personal bereavement. For the init-macy necessarily incident to the conduct of vork so constant so evacting and of such vital importance as ours, inevitably draws us together by thes of the closest character, which cannot be dissolved without emotions of deep sadness and regret. We feel that our parting involves not simply the depriva-tion of the assistance afforded by your learning, your vast experience and your car-nesiness in advocacy of your convictions, but the severance of these relations which have contributed so much to lighten the have control part with you as a member of the court without a fervent expression of hope that you may be soared for many years to enjoy the repose you have so toor-oughly earned and the commendation be-sowed on good and faithful service. We nee, dear brother Field, your affec-tionate brether. The following letter, addressed to the chie The tonowing fetter, audressed to the chief justice and his associates, was given out this afterizon:
Near the close of last term, feeling that the duties of my office had become too arduous for my strength. I transmitted my resignation to the president, to take effect on the 1st day of December next, and this he has accepted, with kindly expressions of regard, as will be seen from a copy of his letter, which is as follows:
"EXECUTIVE MANSION, Oct. 9, 1897.—Hon. Stephen J. Field, associate justice of the supreme court of the United States, Washington—My dear sit: In April last Chief Justice Fuller, accompanied by Mr. Justice Brewer, handed me your resignation I wish to express my deep regret that you feel compelled by advancing years to sever your active connection with the court of which you have so long been a distinguished member.
"Entering upon your great office in May, issi, you will on the last of next December have served upon this bench for a period of thyrolour years and seven months, a term longer than that of any member of the court since its creation and throughout a period of special importance in the history of the country, occipied with as grave public questions as have ever confronted inta tribunal for decision.
"I congratuiate you, therefore, most heartify upon a service of the count will sustain a great loss, but the high character and great ability of your work will now live and long be remembered.
"Upon your retirement both the bench is appointment." "Upon your retirement both the bench is appointment.
"Interful distinction, Nor can is overlook that you received your countryme." "Upon your retirement both the bench is appointment.
"With personal esteem and sincere best wishes for your contentment and happinery for work will now live and long be returned and the country will sustain a great loss, but the high character and great ability of your work will now live and long be returned.
"With personal esteem and si justice and his associates, was given out this

ionate brethren. MELVILLE W. FULLER, the American silk industry. MELVILLE W. FULLE JOHN M. HARLAN, HORACE GRAY, DAVID J. BREWER, HENRY R. BROWN, GEORGE SHIRAS, JR., E. D. WHITE R. W. PECKHAM,

Fort Huachuca, Ariz., for duty. The president apparently has not decided upon the appointments that Justice

Field's retirement will occasion, save that Attorney General McKenna will be nomilays: nated for the supreme bench unless some cauce intervenes between now and December o prevent it. Mr. McKinley has made some discharged. inquiries of political callers which have led them to believe that his mind is pretty well made up on Mr. McKenna as the next jue WASHINGTON, Oct. 14.-United States tice of the supreme court, but to none of them, so far as can be learned, did he men-Consul Smythe at Carthagena, in a report te ion the matter of a new attorney general. the State department, says that as a result RUSSIA AND SEALING QUESTION.

Czar's Government Enforces Ver: States. Strict Regulations.

WASHINGTON, Oct. 14 .- Although formal conferences on the Bering sea question will manufactured into buttons. not open until after the arrival of the Japa-

nese delegates, yet the presence here of two of the Russian delegates has permitted the authorities to inform themselves quite thoroughly as to the attitude of Russia or the protection of the seals. It has brought out the fact that Russia takes an advanced position in preserving its seal herds, and has more stringent laws and regulations in that direction than any of the countries intherested. Under the Russian system a zone thirty miles wide is established around the

ceal islands belonging to the empire. The seals found within this zone are regarded as exclusively Russian, and no one other than the inhabitants of the islands can take a seal within these limits. This gives the

oreign sealer who attempts to operate within

praiser of merchandise in the district o New York; Edgar T. Wheelock of Wis consin, register of the land office at Wauseau Wis.; Henry G. McCrossen of Wisconsin. ceiver of public moneys at Wauseau, Wis. T. J. Buford of Oregon, agent for the Indians at Siletz agency, Ore.

Another Change in View

Russian citizens exclusive rights over the

position of the Nicaraguan Canal commission and in the place for the engineer mem-

ces at 7:45. The \$25 000 intersection bonds ordered issued by the city council some time ago will be sold at the same time as the bonds on the Farnam and Center street districts,

and Mrs. S. B. McCormick this evening, October 15 in the parlors of the First Presbyterian church. Their friends are cordially

Euclid Martin has been appointed adminisinitic of the estate of William J. Maxwell, who was killed on a farm near Sydney last f the new United States tariff a most nota-August. His bond is \$5,000. The estate is ble increase has followed in the shipment of vory nuts from that port to the United said to be wotth \$3,500.

The new tariff on vegetable ivory autions has caused the crude article to be Engraving company plant has been transshipped to the United States instead of ferred to Mary Fairbrother. The considera-Europe, where it was formerly largely

Edward Jackson was arrested yesterday for riding a bleycle upon a sidewalk near Twentieth and Pacific streets. The pavemeat is being taken up at this point and the wheelman sought to avoid the bad places by

Mrs. Josephine Frazier has been arrested for petty larceny. For some time past she has been working for the family of Joe Danbaum, 608 South Seventeenth street, Yesterday Mrs. Danbaum missed some silverware, table linen and other articles valued in all at \$15.

A warrant is out for the arrest of John WASHINGTON, Oct. 14.-It is stated that Hourihan, formerly employed as a night bell another change is to be made in the com- boy at the Delloue hotel. It is alleged that a few nights ago Houriham visited the room o Elmer Ballard, Fourteenth street and Capitol avenue, and took clothing valued at

I. W. Johnson will be arrested for an as-

sault upon Andrew J. Gustopherson, at Nine-teenth and Clark sterets. Last night the

two men purchased a growler and adjourned to Gustopherson's rooms. Trouble arose over a game of cards and Johnson is said to have

knockei Gustopherson dawn. Joseph Gebell, father of Frank Gebell,

boy who was run over and killed while crawl-

ing under some railroad cars in the South

Omaha yards on September 2 of this year, has begun suit in the district court to re-cover damages of \$5,000 from the Chicago,

Anne Kubanek has started suit in the dis-

band, Joseph, on the grounds of drunken-ness. The couple were married on September 17, 1889 in Lincoln, and have three children.

The wife desires the custody of the children and also as alimony a reasonable part of her

Leo Baroch says in connection with the

arrest of D. D. Robb, charged with perjury by James Whalen of the Omaha Garbage

company, that it is unirue that he (Baroch)

has been out of the city. In the case pend-

says is a falsehood and that he has been in

FORECAST OF TODAY'S WEATHER.

Partly Cloudy with Light Local

Showers and Cooler.

WASHINGTON, Oct. 14.-Forecast for

For Nebraska-Fartly cloudy weather;

For South Dakota-Theatening weather:

possibly light local showers; north to east

probably light local showers; cooler and

no way connected with the affair.

winds shifting to northeasterly.

ict court to secure a divorce from her hus-

Rock Island & Pacific company.

husband's \$75-a-month salary.

209 and 211 So 15th St. bicycles and cast iron goods. A decrease is shown in raw cotton, leather, lard and fresh fish. The consul mentions the decrease in County Judge Baxter has appointed J. Nelthe exports of silks to the United States and n Stewart administrator o fthe estate of says it is due to an unfavorable season, but also to the steadily increasing competition of Catherine Erben.

A permit has been issued to R. L. Young build a two-story frame dwelling at Thirty-first and Dodge streets.

course at Temple Israel this evening. Serv.

LOCAL BREVITIES.

**OVER 2,000** 

Fall and Winter

**DESIGNS!** 

THINK OF IT!

invited

According to a bill of sale that was filed with the county clerk yesterday, the Omaha

tion in the instrument is \$1.100.

using the sidewalk.

News for the Army. "The Comparative Basis of All Things" will be the subject of D., Leo M. Franklin's dis-WASHINGTON, Oct. 14 .- (Special Tele gram.)-Post Chaplain Walter Marvine has been ordered from Fort Spokane, Wash., to Leaves of absence: Lleutenant Thomas A. Roberts, First cavalry, extended twenty-one Lleutenant William H. Allaire. Ewenty-third infantry, extended fifteen days. Private Jobn Lanini of the Twenty-second A farewell reception will be given Dr. Infantry band, Fort Crook, has been ordered Helps American Industry.

All our work is made under our own personal supervision -by the most skilled and competent tailors of Omaha, We



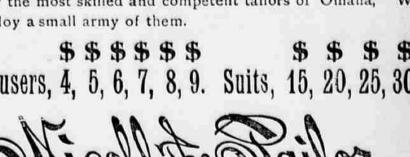
Can you not make a suitable selection from such a generous variety?

It's our aim to please the buyer of a \$15.00 suit as much

as it is to satisfy the purchaser of higher-priced garments. We couldn't afford to offer you a mean style, inferior

trimmings or poor workmanship at any price.

employ a small army of them.



lonnolly-Am I sure? Yes, sir. Kountze-For the driving of the piles six

cording to that instruction I bid.

Connolly-Well, now, as far as driving

the piles I don't know. Probably it was not in the bid, but that was the instruc-

tion that Mr. Geraldine gave me, and ac-

PROVISIONS OF THE BID.

Rosewater-Did you have at any

If

time

ches ?

I did that. So he also asked me at that time to make a bid between the difference in yellow pine and white pine. I told him then I did not think I could give him a bid on yellow pine, for the simple reason that I could not get any figures from the lumber dealers to guarantee to me that they would deliver the lumber by September 10. I told him if I was not pinned down to the 16th day of September then I thought I could give him a reasonable figure. But he wirned one at that time to do nothing unless I could stand by it, and I concluded I would not do that, because the lumber claimed they could not get it here. bid in on it that was probably a little high but I could not furnish the lumber at that

figure. NO TALK OF CHANGES.

Rosewater-If you had been given to the th day of September could you have done

that work? Connolly-Yes, sir; I could, One week was all I wanted on the yellow pine and on ers' association was organized. The dissolu-

the white pine there was no question about doing the labor in that time, because I had lots of time and time to spare.

Resewater-When you made your second bid did you complete your bid and make your estimates on the original plans and specifi-cations, excepting so far as you have stated here in relation to the depth to which the sheet piling was to be driven?

Connolly-Yes, sir. There was no other plans or specifications to bid from at that time, only the original, only just this verbal conversation that Mr. Geraldine and I had about digging the trench. That was the only difference at that time. There was no difference in the specifications or plans. as secretary. Mayor Moores was introduced and made the

Kountze-There were no other modifications at this time between you and Mr. Geraldine than simply the question of digaddress of welcome. He said that in these days, when good times were surely returnging the treuch and setting the sheet piling ing to the state, everybody seemed to be glad cancelly-No, sir; there were no other somewhere. They had been kept at home for

modifications of the contract considered or spoken of. Not at that time nor any other time. The only difference was that originally the sheet piling was to be driven two feet themselves. He extended the full liberties and six inches and in this a trench was to of the city to the visitors and hoped they dug and the piles were to be driven six inches-set in the trench and driven six inches.

Kountze-There was nothing said about using any other changes, nothing said about using yellow pine, nothing said about the manner yellow pine, nothing back with wire, as was

Connolly-No. sir; no, indeed.

Kountze-No drawing to show? Connolly-No drawing. No, sir; I will tell you when I found that out. The plans were identically as drawn at that time, Kountze-Being no difference whateevr

excepting as to the matter of the trench? Connolly-Yes, sir; just the trench. The only difference was in driving the piling, or in setting in the trench and then driving

six inches. -And your bid in the second in stance was for setting the plies in the

SLEEP SKIN-TORTURED

And rest for tired mothers in a warm bath With CUTICUEA SOAP, and a single application of CUTICUEA (officient), the great skin cure. CUTICUEA REMEDIES afford instant relief. and point to a speedy cure of torturing, dis-figuring, humiliating, itching, burning, bleeding, crusted, scaly skin and scalp humors, with loss of hair, when all else fails.

Sold throughout the world. FORTHE Date AND CURM. Conr., Sole Freps., Hoston. SKIN SCALP and Hair Brautified by

Connolly-Yes sir. Rosewater-And you know what the difference is between the work as done now by Creedon & Mahoney and the way you were bidding? If you had been allowed to bid for the work as it is now done, have you any idea what difference it would be in value and what deduction you would have made from your original bid? Connolly-Well, now, I could figure it up in a moment. I would say (this is not as near as I could give it exactly) that I could have made \$700 difference.

ne at the track at the grounds.

(Continued Tomorrow.)

STATE RETAIL LIQUOR DEALERS.

Reorganize Old Association on Stronger Basis! Late yesterday afternoon the Douglas

County Retail Liquor Dealers' association dis- large. solved and the Nebraska Retail Liquor Deal-

A. Copeland of 2225 North Twentieth tion of the one was to some extent predicated street, lost an overcoat from the seat of his upon the organizhtion of the other. The buggy. He had left the vehicle standing at buggy. He had left the vehicle standing at Sixteenth and Manderson streets, and re-turned to find the garment missing. Mrs. M. Underwood missed a saddle from a load of merchandlse which was being conveyed to the Webster street depot. The article was taken between that place and 1711 Har-ney street, from which number Mrs. Under-wood was removing her mode. transition occurred at Germania hall, where convention of the retail liquor dealers was There were about 100 of the men in attendance, and the session possessed con-siderable interest to those present. The meeting was pursuant to a call, issued with view to reorganizing the old state associawood was removing her goods.

The delegates were called to order by John Chronic coughers are stupid bores and C. Therney of this city, who stated the object of the meeting. He was made temporary should be forced to use Dr. Bull's Cough Syrup, the only infallible remedy. chairman, with William Maloney of Omaha

PERSONAL PARAGRAPHS.

A. C. Powell is dangerously ill. Dr. A. Bear of Norfolk is in Omaha W. S. Summers of Lincoln is a visitor in

Two Cases of Theff.

the city. E. F. Stephens of Crete is registered at so long, owing to the hard times, that they were glad to get away now that they felt

the Barker. C. Calkins of Corning, Ia., is registered at they could do so without financial injury to

the Barker. C. B. Whitney and W. P. Kane left last

night for Chicago. would enjoy themselves to such a degree that they would be willing to return again next J. C. Dahlman, chairman of the democratic year during the exposition and stay a num-

state committee, is in the city. Mr. and Mrs. George A. Joslyn have re

turned home from an eastern trip. State Senator George A. Murphy of Beatrice was in the city yesterday.

Mrs. E. H. Sprague started on a three tail liquor dealers had in his possession a cer tificate signed by a number of his fellow citi-zens, setting forth that he was a lawabiding weeks' visit to Chicago last night.

City Comptroller John N. Westberg left yesterday for a short trip into the country. citizen and a first-class man. The law re quired that they should have a certificate Mrs. M. C. Goodson of Macon, Mo., was in efore they would be allowed to engage in the the city yesterday en route to Marysville, business. From that standpoint the judge argued that the men before him must be

Cal. James Rivett, T. L. Phelps and A. W. from among the best citizens of the state or they could not have those certificates. He Hart are Lincolnites registered at the Barker. then made a few suggestions to them relative

Miss Florence Ashbrook and Miss Olive the pulposes of the proposed organization. As a basis for the association to work upon White are New York arrivals stopping at the Barker.

the constitution and by-laws of the National association were adopted. Other matters E. T. Jeffries, an official of the Denver & Rio Grande rallroad, was in the city yester day on his way east. pertaining to the business of liquor selling discussed and the session continued ill

W. J. Mason, stage manager, and ten memafter 7 o'clock before adjourning. The ghost of the prohibition campaign was flaunted be-fore the delegates by a motion that a combers of the Andrew Mack company, are domiciled at the Barker.

J. S. P. Weeks, a civil engineer of Lin-coln, has been in the city reviewing the progress of the new union depot. mittee be appointed to see if the treasurer of the old Liberal league in this county did

not have some money on hand which really belonged to this association. This motion did not prevail and after some further talk B. K. Sherman and wife of South Farmngham. Me., are visiting in the city and will proceed tomorrow to Anaheim, Cal. ingham. the whole subject was quietly shoved to one

Nebraskans at the hotels: W. Emming-ton, Pender; J. A. Harris, Broken Bow; H. H. Hake, Grand Island; J. J. Sullivan, Co-Permanent officers were elected as follows John C. Tierney of Omaha, president; Wil-liam Maloney of Omaha, secretary; F. Rumbus; John Wilson and James Wilson, Kearney; B. H. Irwin, Linfoln; G. W. Deer-Muchow of Hastings treasurer, and Jerry McMahan of Omaha assistant secretary. Del-DeWitt; William Mowbray, Lincoln; Murphy, Madison; W. E. Hart, Coza ing, DeWitt; H. Murphy, egates to the national convention of the re-tail liquor dealers to be held at Indianapolis Cozad William T. Mellvain, Brainard; A. M. Jacob, next Tuesday were elected as follows Will

At the Millard: H. E. Reynolds, Dixon. llam Butte of Omaha, Mr. Stanton of Tilden and Joe Schronier of David City; alternates. Ill.; W. D. Jones, Colorado Springs; H. F. Hoffer, Rochester; L. Henton, New York; A. Charles Krug, H. Rohlff and August Loerke. Charles Krug, H. Rohlff and August Loerke. The delegates were instructed to try to secure the next national meeting for Omaha for next year. The state association agreed to meet in this city again next year on the first Tuesday after the first Monday in June. In the evening the delegates were fur-nished with a banquet, interspersed with music, at which abort adresses were made

where for your contention and the you have so well carned. I am, dear sir, very truly yours, "WILLIAM MKINLEY." My judicial carcer covers many years of service. Having been elected a member of the supreme court of California, I assumed that office October 13, 1857, holding it for later part of the time being chief justice. On the 10th of March, 1853, I was commis-ioned by President Lincoln a justice of the supreme court of the United States, taking the oath of office on the 20th day of the following May. When my resignation takes effect my period of savince on this bench will have exceeded that of any of my pred-cossour, while my entire judicial life will have embraced more than forty years I may be pardoned for saying that during all this period, long in comparison with the product of the the swittness of a tale that is told—I have not shunned to de-clare in every case coming before me for decision the conclusions which my deliber-ate convictions compelled me to arrive al. It is a pleasant thing in my memory that my appointment came from President Lin-coln, of whose appointees I am the last sur-vivor. Up to that time there had been no representative here of the Pacific coast. A new empire had risen in the west whose law swere those of another country. The land titles were from Spanish and Mexican grants, both of which were often overlaid by the claims of the first settlers. To bring ofder out of this confusion, congress passed an act providing for another seat on this bench, with the intention that it should be life by some one familiar with these con-flicting titles and with the mining laws of them skillful d by some one familiar with these co ther members of the cast are equal to the equirements of their parts. The long waits between the acts need no

illied by some one fumiliar with these con-flicting titles and with the mining laws of the coast, and as it so happened that I had framed the principal of these laws and was moreover, chief justice of California, it was the wish of the senators and representatives of that state, as well as blose from Oregon, that I should succed to the new position. At their request Mr. Lincoln sent my name to the senate, and the nomination was unanimously confirmed. This kindly wel-come was extended in March, but I did not at once enter on the discharge of the duties of the office, for the reason that as chief justice of California I had beard arguments in many cares, in the disposition of which be expected in future. The performance last night was the first of the season. The audience was fairly large and was so enhusiastic that encores were frequent. This evening the second and final performance

There will be no matinee at Boyd's the ater Saturday afternoon of "Lost Straved or justice of California I had beard arguments in many cases, in the disposition of which and especially in the proparation of opin-ions, it was fitting that I should particleate before leaving that bench, and I fixed the 20th of May as the day on which to take, as I did, the oath, because it was the eighty-second birthday of my father, who indulged a just pride at my accession to this ex-alted position. At the head of the court, when I became one of its members, was the venerable Chief Stolen," owing to the company being booked to open in Denver on Sunday night and it not reach there in time if it gave tince here. This is to be regretted, a matinee here. This is to be regretted, as quite a few theater parties were formed who signified their intentions of attending in a body. All the boxes were sold but one and the advance sale for seats was very

At the head of the court, when I became one of its members, was the venerable Chief Justice Taney, and among the associate jus-tices was Mr. Justice Wayle, who had sat with Chief Justice Marshall, thus constitu-ing a link between the past and the future, and, as it were, binding into unity nearly an entire century of the life of this court. Dur-ing my incumbency three chief justices have passed away, leaving me precious re-membrances of common labors and intimate

it the protective regulations already made out to carry them further by increasing the width of the zone considerably beyond thirt niles. The Russian authorities have found by experience that many of the female seals nembrances of common labors and intimat o more than thirty miles to sea in search and agreeable companionship. IN WAR TIMES. of food. The wish is to make the zone so wide that it will extend to the furthest point

one.

have passed away. leaving me precious remembrances of common labors and intimate and agreeable companionship. IN WAR TIMES. When I came here the country was in the mids of war. Washington was one great camp, and nex and then the boom of cannon could be heard from the other side of the Potomae. But we could not say "inter-arma silent leges." This court met in result seesion, never once failing in time or place, and its work went on as though there were no sound of battle. Indeed, the war itself simply added to the amount of litigation here as elsewhere. But the war ended in a couple of years, and then came the great period of reconstruction and the last amendments to the feieral constitution. In the effort to re-establish the nation, to adjust all things io the changed political, so-clai and economical conditions, questions of ar-reaching import were developed-questions of personal liberty, of constitutional rishts, which, after oftimes heated discussions before the people and in the halls of congress, came to us for decision. I do not exaggerate when I say that no more difficult and momentous questions were ever presented to this or any other court hereon And now that those limes of angry debate deep feelings and judicial decision have passed it is pleasant to realize that the excepted not simply of necessity as so prescribed by the fundamental law, but in the main, as in thameseves both correct and wise. The out of this court hereon and now that these that prevailed prior the present merely of the sourt here on the other was decleved by one, continuing even to the present the of the way based. It is pleasant to realize that the conductions announced by this court have been accepted by the fundamental law, but in the ways followed by one, continuing even to the present time of mary lease so the under the prevent of the source of the sourt hereon and carried through. Inventions have multiple the conventences, of the sourt hereon and carried through. Inventions have multiple of cases the uddition and the have bee to which the females go for food. Edgar R. Holmes, Ayr, lamp holder, lowa-George F. Arp, Spirit Lake whistle for gas or gasoline engines; Horac Osceola, horse foot protector, South Dakota-Arthur F. Crandall and G. W. Byrnes, Bereford, form cabinet.

WASHINGTON, Oct. 14 .-- In view of th eports of the expected founding of a new

the interior has appointed E. B. Reynolds of Hagerstown, Ind., special Indian agent. Also the following appraisors of abandoned mil-itary reservations: Oliver C. Applegate and Rufus S. Moore, Fort Klamath reservation Oregon; Edward S. Archer and George W Rutherford, Fort McDermitt reservatio:

PEOPLE ACCEPT THE RESULT.

PEOPLE ACCENT TIME Rescont. If it may be said toat all of our decisions have not met with the universal approval of the American people, yet it is to the great fory of that people that always and everywhere has been yielded a willing obschene to them. That fact is eloquent of the stability of popular institutions and demonstrates that the people of these indications are completed self govern-

ber of the body. Since the commission was appointed no less than five army engineer not only on the islands, but extend ing thirty miles seaward. A British or Japa officers have been appointed to this place of nese scaler cannot operate within the zone have been invited to accept it. except to buy skins of the Russian inhabi

Assignments in the Navy.

Appointments by the President.

day made the following appointments:

Michael Nathan, New York, assistant ap

WASHINGTON Oct. 14 -- The president to-

tants of the islands. The Russian that selves are permitted to kill only bachelon WASHINGTON, Oct. 14 .- The Navy do scils, it being against strict regulations to partment today issued orders to Commodore kill females or pup seals. The females are Howell, at present in command of the guarded with special care, as killing one fe League Island navy yard, to take command male is regarded as equivalent to killing three seals, namely, the female herself, her of the European squadron, relieving Admiral Selfridge; and Commodore Dewey, president of the Inspection board, to command the rup on land and her unborn pup. The Russian authorities see that these reg Asiatic station, relieving Admiral McNair. lations are enforced. A fleet of governmen ships patrols the thirty-mile zone and any

New Fourth Class Postmasters. WASHINGTON, Oct. 14 .- (Special Tele

these limits is selzed. As a rule the seized scalers are taken to Vladivostock, their catch gram.)-Fourth-class postmasters appointed today; Nebraska-Seneca, Thomas county, onfiscated and severe punishments inflicted This has led to many protests, but Russia William H. Killian; Thedford, Thomas has maintained thus far its rigid regulations Charles E. West: Weissert. ounty. galnst foreigners within the thirty-mile Custer county, Henry Burlinghame, lowa-Spaulding, Union county, A. A. Whitmer, It is understood to be the wish of Russia

Robinson to Retire.

the forthcoming conference not to ston WASHINGTON, Oct. 14 .- Augustus G. Robinson, assistant quartermaster géneral, will be placed on the retired list of the under the forty ytars' service clause. He is a netive of Maine and was graduated at the military academy in 1853.

## Appraisers Appointed.

WASHINGTON, Oct. 14 .- (Special Tele Patents for Western Inventors. gram.)-Charles M. Scribner and Alvin W. WASHINGTON, Oct. 14 .- (Special.)-Pat Eager were today appointed appraisers o ents have been issued as follows: Nebraska lands in the Fort Fred Steele abandoned military reservation, in Wyoming, at salaries -George Grebe, Swanton, horse detacher

of \$4 per diem. Dalce Dally Treasury Statement.

attin, Burlington, clothesline holder; Ash WASHINGTON, Oct. 14 .- Today's state ford T. Dowden, Prairie City, segmenta conveyor for potsto harvesters; Jacob Schilnent of the condition of the treasury: Available cash balance, \$211,766,088; gold reserve, lig, Dysart, trace carrier; Laban Soseman Oskaloosa, wire frace; John W. Thurlow \$149.975.655.

At one time he was quite wealthy.

Oliver Convicted.

inds. For lowa-Fair, followed by cloudy and Deaths of a Day. TECUMSEH, Neb., Oct. 14.—(Special.)—Sid-ney B. Viele died at the home of his son. Otto Viele, in this city, yesterday after an lilness of six weeks. Mr. Viele had been in poor health for some time, and paraity is was the immediate cause of his death. He

Fridays

lliness of six weeks. Mr. Viele had been in poor health for some time, and paralysis was the immediate cause of his death. He For Wyomin.--Generally fair, preceded by showers in southeast portion; colder in southeast and warmer in northwest por-tion; variable winds. cas 74 years of age. He was born in Lucerne. N. Y., and moved to Nebruska from Walren

### Lecal Record.

county, New York, nineteen years ago. The deceased was an old soldier. His wife died last year, and he leaves a family of grown OFFICE OF THE WEATHER BUREAU, OMAHA, Neb., Oct. 15-Record of rainfall and temperature compared with the corre-spending day of the past three years: The funeral will be held at the Saptist church tomorrow at 11 o'clock, Rev. George Scott officiating, assisted by Rev. The burlal will be conducted by he Grand Army post.

PARIS, Oct. 14 .- Tito Crespo, the son of General Joaquin Crespo, president o Venezuela, is dead. He was 30 years of age. ELDORA, Ia., Oct. 14.—(Special Telegram.) —At the county poor farm here this morning Pátrick Smith died at the age of 100 years Omaha for this day and since Maren I. 1897:

LEAVENWORTH, Kas., Oct. 14 .- Joseph W. Oliver, the aged veteran, was found

Reports from Stations at 8 p. m.

council last evening a resolution was unan-imously adopted re iting that inasmuch as the directory of the Transmississippi Ex-parition had refused to recognize organized labor in the work of eracting the expan-tion building, that such union represented in the council he called upon for a small per table it is to raise a fund to be used in a called in a poposition to the bonds which the county will be asked to vote at the coming election. moha, clear cloudy Louis, clear . Paul, clear . venport, clear

was held to await the action of the district court in default of \$800 bonds. T indicates trace of precipitation. L. A. WELSH, Local Forecast Official.

W. Oliver, the aged veteran, was found guilty in the federal court tonight of the attempted murder of Colonel A. J. Smith, late governor of the federal soldier's home mear this city. The governor's home coas wrecked by an explosion of dynamic on June 16 last, and the governor and his fam-ly had a marrow escape. Oliver, the veteran convicted today of the outrage, had previ-ously threatened the governor. 75th Meridian Time. Maximum day ..... Temperatu \$ p. m. STATIONS AND STATE OF WEATHER. a lor apid City, cloudy ... 
 NO
 NS
 OD

 44
 35
 T

 55
 78
 69

 42
 78
 69

 35
 46
 00

 35
 46
 00

 35
 43
 34

 35
 34
 02

 36
 34
 34

 37
 34
 34

 36
 34
 34

 36
 34
 34

 37
 34
 34

Hailens, partly close Kansas City, clear Havre, clear Bismarck, cloudy ... Gaiveston, cleady .

Will Work Against the Bonds. At a meeting of the Building Trades council last evening a resolution was unan-

Bieycle Thief Held for Trial.

Walter S. Phipps, charged with stealing a bleycle belonging to Frank H. Broadfield,

hildren.

Davls.

Sevada; Ezra F. Barnes and Hamilton Mc Cain Fort Hallock reservation Nevada:

Charles M. Ecribner and Alvin W. Eager Fort Fred Steele, Wyoming.

ity in Alaska to be known as Weare, on the Yukon river between the boundary line of British Columbia and St. Michaels with the lesign of making it the capital of the proposed new territory, it may be possible that he Interior department may find it neces sary to locate the new land office there in stead of at Circle City, where it was orig-ianlly contemplated. Official reports have

Circle City Abandoned.

eached here that Circle City has been prac ically abandoned.

Elkins Confers with President. WASHINGTON, Oct. 14 .- Senator Elkins of West Virginia was with the president oday for a long time. Besides discussing West Virginia appointments the president alked over a number of public questions and matters which will come before con gress. The president is very much inter-ested in the campaigns now in progress in

New York City, Ohio and Maryland. When Senator Elkins left the white house it was announced that Dr. D. Mayer of Charleston had been selected for W. Va., consul a Buenos Ayres, Argentine Republic. Appointed by Interior Department. WASHINGTON, Oct. 14 .- The accretary of