From The West

Any of these books will be sent postpaid, "on approval," to be paid for or returned after examination, or, they can be found at the local booksellers.

TERE are books by Western men-two from California, one from Kansas, one from Nebraska, and one from Indiana. All are new authors (indeed, three of these are "first-books"), yet they are without exception, writers of most striking force and originality-men who really count. In a recent interview Mr. W. B. Howells said of two of these men: "Well, there is Frank Norris. He wrote 'McTeague.' I read that book with wonderful interest. Frankly I consider it one of the best novels America has produced. It has its fa we Never was a work of art that hadn't. It makes a promise, and fulfills it, in itself. Mr. Norris has arrived. And Booth Tarkington. His story of Indiana is a splendid piece of work; every whit as good as the novels England sends us over the names of her young men."

Sons of Strength

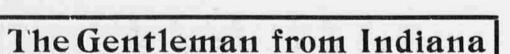
By William R. Lighton.

A Romance of the Kansas Border Wars.

Chicago Times-Herald:

R. LIGHTON displays great psychological insight, strong dramatic sense and much descriptive power. The phenomena of a child's first consciousness, of the awakening from the dream of childhood, is a favorite theme with novelists, yet nowhere has it been more beautifully touched than here. The Outlook:

This is a fine and stirring tale of the Free Soilers of 1854. Incidentally it gives an interesting portrait of that 'heaven-born,' or 'heaven-directed madman,' John Brown. The characters in this story of the Kansas Border Wars have that charm always found when strength and purity meet and are effectively delineated."



By Booth Tarkington.

(20th thousand.)

STRONG and Realistic novel of the "Middle West," which is proving the most successful novel of the season, by a new writer. Mr. James Whitcomb Riley says: "Subtly, yet most kindly observant, with a true artist's feelings and homeheart, he tells of the home-people as he knows and loves them." Cloth, decorated, price \$1.50.



Blix.

By Frank Norris.

T would be difficult to imagine anything more different from Mr. Norris's last book than this charming little love idyll of a young California reporter-novelist. Yet it shows the same vivid reality which caused Mr. Howells to point out "Mc-Teague" as an "altogether remarkable book," abounding "in little miracles of observation, in vivid insight, in simple and subtle expression." Size, 5x71; Price, \$1.25.

By Mr. Norris: "McTeague:" A Story of San Francisco. (5th printing) \$1.50; and "Moran of the Lady Letty," \$1.

The Court of Boyville

By William Allen White.

(7th thousand.)

R. WHITE has few equals as a delineator of the joys and woes of that strange genus, the Boy, and the chronicles of "Mealy" Jones, "Piggy" Pennington, and the other inhabitants of "Boyville" are entirely fascinating. The attractive illustrations, by Orson Lowell and Gustav Verbeek, give an added distinction to a book which is quite unique. Size 5x71; price \$1.50.

By Mr. White: "The Real Issue;" a book of Kansas stories. (Fourth printing.) Price \$1.00.

The Man With The Hoe,

and Other Poems-by Edwin Markham.

(13th thousand.)

TOT for many years has any poem excited so much interest as has Mr. Markham's now famous voicing of the protest against life's inequalities which he saw in Millet's paint-"It is his eager sympathy," says George Hamlin Fitch, "which lifts it into the ranks of the great classics that will not die." This is the author's first collection of poems, with a photogravure of Millet's painting. Size, 5x7½; Price, \$1, net.

Doubleday & McClure Company, 141-155 E. 25th St., New York.

CAN ALLEN TAKE HIS SEAT | sion, as tion."

Interesting Question Raised Whether Governor Can Fill the Vacancy.

SENATE MAY BE CALLED UPON TO PASS ON IT

Opinions of Eminent Constitutional Lawyers Differ on the Subject-What They Say About It.

the vacant senatorship from Nebraska, is entitled to take his seat and whether his credentials will be recognized by the senate. The point has been raised by Captain C. last year. Captain Adams was summoned death, but was unable to talk with him. He was told by his son, however, that what was worrying his father most was that he had not qualified as senator and feared he would never be able to assume the office.

Was it filled? If not, is not the condition Allen to the vacancy created by the death in Nebraska the same as that in Pennsylvania, where the vacancy occurred during dispatch, but if I have been given its suba session of the legislature, but was not filled. Young Hayward told me his father truth in it. I neither sent nor advised the had examined the precedents and found none sending of dispatches or any other kind of to support him being a senator before he communication to Governor Poynter either qualified by taking the oath of office. I do for or against Judge Allen or any other not feel competent to pass on the question, candidate. The first intimation or knowlbut it seems to me most serious and demanding careful consideration at the hands patches sent to the governor was received of the senate.

Opinions of the Lawyers. This situation presented to a number of

prominent constitutional lawyers has elicited

Judge J. M. Woolworth: "Although I have not looked up the point recently it is my with any member of the Nebraska delegaopinion that Hayward was not a senator at tion and before I knew anything whatever the time of his death. Since he had not duly about them. The fact is, not until 6 o'clock taken the oath of office the status is the last night did I know anything of the nature same as if he had never been elected. The of the contest between the friends of the vacancy would, therefore, date from the last session of the legislature and there is doubt whether the governor has the power to appoint the senator.

Elcazer C. Wakeley: "The question is one involved in politics and falls more within the scope of senatorial procedure

C. A. Baldwin: "The problem is an unique one, and I have never met with a similar one during the forty years I have been conversant with public affairs. There County Authorities Will Have Announceare certainly two things necessary to the election of a senator: First, he must be elected by the legislature, and second, he must be duly qualified. Hayward was never qualified and therefore was not a senator. Whether the vacancy would legally date from the governor powerless to fill the vacancy, is something I honestly don t know.

"Suppose it should have developed prior to Hayward's death that he was a foreigner and had no right to hold office. It seems The question is now propounded whether reasonable in that case that the vacancy William V. Allen, just commissioned to fill would have existed from the expiration of at once announcing the offer of \$400 reward act and failed to take advantage of it, while of the death by violence of Lizzie McAuliffe E. Adams of Superior, who ran for congress its power. The fact remains, however, that father of the dead girl has been in Omaha to Senator Hayward's bedside before his whether sufficiently so to meet the require- trying to urge along steps for the apprehenments of the statute is a grave question."

> Attorney General Smyth Explains. of Senator Hayward. I have not seen the stance correctly, there was not a word of edge that I had with respect to the dison Friday afternoon last, when I was told by one of the members of the Nebraska delegation that dispatches had been sent, that an answer thereto had been received and a reply to the answer forwarded. All these dispatches had been sent and received before I had exchanged a word upon any subject senatorial aspirants, the newspaper dis-

C. J. SMYTH. Family Skeleton in Jail.

even an outline of campaign which resulted

in Judge Allen's appointment. Respectfully,

ments of Rewards Printed.

DILATORY IN REACHING A DETERMINATION

the session of the last legislature, leaving Public Will at Last Be Informed that fault. County Commissioners Will Pay

for Apprehension of Slayer

of Lizzie McAuliffe.

Cards will doubtless be printed and issued the previous term. The situation is not for the apprehension and conviction of similar to the Quay case exactly, as the Stephen C. Van Hynning, who is wanted for Pennsylvania legislature had full chance to trial upon the charge of murder growing out the Nebraska legislature did all that was in on Park avenue one night last August. The Hayward was only half a senator and ever since shortly after her tragic death, sion of Van Hynning. A characteristic assault upon the police in the World-Herald brings to light some interesting facts, which OMAHA, Dec. 14, 1899 .- To the Editor of assuredly do not reflect in any manner up in The Bee: Upon my return this morning the police, who have been appreciably active "The question is," says Captain Adams, from the east I was informed that it was in the matter. The intimation is given in "how can a vacancy within the filling of the stated in a dispatch purporting to come from this assault upon the police that they have governor have occurred if Hayward was in Washington and published in The Bee that not sent out notices of the offer of rewards reality never senator, but merely senator- I actively aided in procuring and sending because they were ambitious to capture the elect? The vacancy occurred at the expira-tion of Senator Allen's term last March. Poynter urging the appointment of Judge ward. Chief Donahus was shown the ward. Chief Donahue was shown the article, in response to which he said:

> "It is entirely uncalled for and not founded upon fact. To show that we have not been neglectful in the matter, I need only tell you that immediately after the so-called murder (for we do not think it was a murder, although Van Hynning was undoubtedly responsible for the girl's death), as soon as we could learn the name and description of the fellow we sent out over 100 letters to the marshals, chiefs of police and sheriffs of surrounding cities, embodying his description. At the bottom of each letter we sad rewards offered for Van Hynning's apprehension and urged officers everywhere to use every endeavor to locate him. Knowing that he had worked before in railroad camps, we sent these letters also to the timekeepers of over twenty of these cames. It was reported that Van Hynning had worked at a camp at Alliance for one day just after the murder, but we investigated the report and found that there was nothing patches from here which I saw not giving in it. It was reported that he had worked for a contractor named Tom Cushing, but we got hold of Cushing and found out that he had only worked there before the murder. Recommended a Reward.

Family Skeleton in Jail.

Framework in pointer and rais more within the scope of senatorial procedure than faw. The constitution says that the governor may fill a vacancy temporarily when it occurs during a legislative recess. Now, you could hardly say that a vacancy existed before the death of Hayward, even though he had not qualified. The senate has never observed any consistent precedent in matters of this sort and the opinion of cutside attorneys are of no value one way or the other. Allen presents his credentials to the senate. George W. Doane: "There is no doubt in my mind but what Hayward was to all intents and purposes a senator. Wether he ever took the carb or not I do not know, but the presumption of the law always is that what ought to be done and what one is entitled to do is done. There was certainly no legal vacancy while Hayward was centained to their own satisfaction that consulted one of the commissioners myself, and I consulted Coroner Swanson and got complained that his son was a very nels activate with the commissioners and the county attempt to the commissioners and the county attempt to the county attempt announcing the reward. He assured the ing of withdrawing the reward. appointing his successor."

"I was nearly dead with dyspepsia, tried doctors, visited mineral springs and grew doctors.

If was nearly dead with dyspepsia, tried doctors, visited mineral springs and grew doctors.

After county authorities that if they did not propose to have the circulars printed the police.

DeWitt's Little Early Risers purify the local doctors are doctors.

DeWitt's Little Early Risers purify the doctors are doctors.

DeWitt's Little Early Risers purify the local doctors are doctors.

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DeWitt's Little Early Risers purify the doctors are doctors.

DeWitt's Little Early Risers purify the successor.

DeWitt's Little Early Risers puri

WILL GET THEM OUT AT ONCE tend to the printing of them, and he rurnished the necessary description of the fugi-JUDGE HOPEWELL IS CITED

> "Since that time he has visited the com missioners frequently in an effort to have them get out the announcements. At one time he was told that they were in the hands of the printer, but when he asked the name of the printer he was unable to se cure it. We have done all we could to hurry up the issue of the announcements, and they are not out it is certainly not our

> Efforts of the Girl's Father. Confirmatory of this statement of the facts t may be said that Mr. McAuliffe, father of the young woman, was circulating around among the city and county officers today en deavoring to secure the printing of the announcement of the rewards for circulation among officials of surrounding sections. He called upon the county commissioners and gleaned the information that the original description of the prisoner furnished the commissioners by Secretary Karbach had been lost, and upon this information he called upon the secretary and secured the description anew. This he furnished the county ommissioners and yesterday Commissioner Hoctor said that the cards would probably be out during the day. He said that the commissioners had agreed to print the announcements because the chief declared tha there was no city fund to pay for such work, but he had always supposed that such print ing should be furnished by the police department. About ten days ago Sheriff McDonald had represented to the commissioners that the reward was of little avail unless there could be found some way in which to ad-

vertise it, and the sheriff had been directed to ascertain the probable cost of the printing and report. Reward by State Will Be Announced. the theory of the police that upon reaching the the lines and the whip from his hands that | into to that effect is void. the girl was thrown from the buggy, strikthe central portions of the city, but rather away from them. But while they are not

inclined to think it was a deliberate murder, the police have not neglected any avenue of information that may lead to the apprehension of Van Hynning. They speedily

me and said he would recommend it. Two or three weeks after that the commissioners did authorize the offer of a reward of that amount. Oscar Karbach, secretary for the chief of police, at once called upon the commissioners to urge the printing of a circular announcing the reward. He assured the county authorities that if they did not or an office of withing and they are pronounced.

Two or three weeks after that the commissioners and about all that be has been able to do has been to put in such time as he could spars from work in punching up the county commissioners. At one called upon the commissioners that they were thinking announcing the reward.

The for not guitty in the case of John Shannahan, the South Omaha saloonkeeper, tried for the murder of Ed Joyce.

Shannahan sat in the court room along—side of his wife and baby when the verdict was announced. He made no demonstration, but joy was written on his countenance of the commissioners that they were thinking as the words "not guilty" were pronounced.

After being out twenty for the surface of interior of Ed Joyce.

Shannahan sat in the court room along—side of his wife and baby when the verdict was announced. He made no demonstration, but joy was written on his countenance of the commissioners that they were thinking the reward.

After being out twenty for the surface of interior of Ed Joyce.

Shannahan sat in the court room along—side of his wife and baby when the verdict was announced. He made no demonstration, but joy was written on his countenance of the allegations of description.

After being out twenty for the surface of interior of Ed Joyce.

Shannahan sat in the court room along—side of his wife and baby when the verdict was announced. He made no demonstration, but joy was written on his countenance of the allegations of description.

After being out twenty for the purchase of the counterior of Ed Joyce.

Shannahan is not not guity in the case of John Shannahan, the south Omaha saloon the counterior of Ed Joyce.

Shannahan as in the court room a

He is Directed to Appear Before Judge Scott and Explain.

NEW CHAPTER IN DODD HABEAS CORPUS

Lull in Contempt Proceed-

ings Against Preachers.

Keepers of the Two Missing Children Are Also Ordered Into Court-

Ex-Judge M. R. Hopewell of Tekamah formerly of the district court bench, must appear before Judge Scott and make explanation concerning the part he is said to have taken in the case of the Dodd chilthe court on habeas corpus proceedings. This is simply an additional chapter to a lengthy and somewhat sensational story of the bench now occupied by Judge Scott. The order citing the appearance of Judge Hopewell also includes J. L. Barnes and wife of Alma, Neb., and J. D. Gordon and families are drawn into the case by reason of the fact that they are the keepers of two Dodd children, Clara and Marvel, who have not yet been produced in court despite the prolonged efforts of the court and subordinate officers. These children were given to the Barnses and the Gordons by the Ne- INFORMATION FOUND DEFECTIVE. braska Children's Home society, defendant in the habeas corpus proceedings. A deputy

sheriff has been sent after the parties men tioned and he will probably make a return on the writ when court opens today. The allegation against Judge Hopewell is Chief Donahue explained the reasons of that he has given advice to the effect that the police for thinking that the death of the the keepers of the children do not need to young woman was not an intentional act produce them in court. The specific point upon the part of Van Hynning. He had to be explained is by what authority the taken the girl out driving and they had gone Gordons and the Barnses and Judge Hopeto the extreme western limit of the city. It is well are holding Marvel and Clara Dodd.

A supplemental petition has been filed in that an effort would be made to have liberal outskirts of the city Van Hynning had made the habeas corpus case in which it is set advances to her which were rejected, and out that the organization of the Nebraska that he, being drunk, her refusal angered Children's Home society is not founded on him beyond control. He started the horse at law and that there is no law authorizing any full speed toward the central part of the institution to "receive, control and dispose

The plaintiffs say the habeas corpus might ing the curb and fracturing her skull. It have been disposed of long ago but for the is reasoned that if Van Hynning had meant fact that the sheriff has been unable to murder, he would not have driven toward bring the two missing children into court. There is a lull in the proceedings against Revs. Mackay and Herring and Mr. Harford, against whom fines were entered on the charge of contempt. The attorneys for the bas caused Frank Harris, local manager of defendants have a motion before Judge the Chicago Wrecking company, to appear Scott asking for a new trial. It was presented yesterday morning, but owing to a rush of other cases Judge Scott said he could not take it up until 10 o'clock today. Meanwhile the preachers are at liberty. Failing to get what they seek before Judge Scott, application for a superscieus the court. Judge Scott opened the case at will be made at once to the supreme court

> SHANNAHAN IS FOUND NOT GUILTY. South Omaha Saloonkeeper is

quitted of the Murder of Ed Joyce. After about four hours' deliberation, a jury Judge Baker's court, returned a verdict f not guilty in the case of John Shannahan,

This took place outside of the court room for it is a fixed rule of Judge Baker to allow no demonstration, either of joy or sorrow, around his bench. A few minutes after the verdict. Shannahan took his wife and babe and went home. Sometime within the next few months, he must undergo an other trial for murder, for he killed Ed Callahan at the same time he killed Joyce, and separate information was filed. The facts n each case are substantially the same.

NELIGH BANK WRECKING CASE. Numerous Pooks and Documents Are

Introduced in Evidence. The case of the United States against the Reimers and Allder, the parties charged with wrecking the First National Bank of Neligh, continues to drag along in the United States court before Judge Munger and a jury While the defendants are charged with crime that means the penitentiary if they are convicted, the hearing attracts little atdren, who have for some time been before tention. Few spectators aside from the jurors and interested parties are present Up to this time only half a dozen witnesse have been examined, and so far they have litigation. Judge Hopewell formerly sat on testified from the books of the banks, showing the manner of conducting the business. Bookkeeper Spencer was on the stand vesterday and will be subjected to the questioning of the atorneys for some time yet. wife of Craig, Neb. The Gordon and Barnes He has identified the books, checks and depesit slips, but up to this time has failed to testify to anything of a sensational nature. The opinion of the attorneys seems to be that the case will hang on until Christmas

and possibly longer.

Motion to Quash the Charge of Embezzlement Against T. H. Cooley. The case of Thomas H. Cooley, alleged to have embezzled money during his tenure as treasurer for the several railroads run ning into the Webster street depot, was called in Judge Baker's court Friday afterncon, but by reason of an alleged irregularity in the information the trial did not

The defense filed a motion to quash on the grounds that the information charges four separate offenses in one count, by specifying four different sums of money, each said represent the amount of the embezzlement Judge Baker said he would hear argument on the motion December 22, and until that city, and it was probably in trying to wrest of children," and that any contract entered preliminary is gone through with there is no telling whether Cooley will be dismissed from the court or go to trial.

> MR. HARRIS MUST SHOW CAUSE. Wrecking Company Agent Before

Scott on Allegation of Contempt. George C. Foster, one of the numerous reditors of the late exposition management before Judge Scott to show cause why he is not guilty of contempt of court. It is alleged that the wrecking company razed a building on the exposition grounds which Foster had a lien and that it did so n violation of a restraining order issued by 2 o'clock yesterday, but continued the hear ng until Tuesday.

Mrs. Sarah Virginia Chase was on Friday fternoon granted a divorce from Samuel V. Chase on the ground of nonsupport. Frances E. Peel has sued John F. Peel for divorce, alleging non-support. The Peel were married at North Platte, May 29, 1896

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