

WANTS HIS MONEY BACK

Action Brought Against Colonel Keith to Recover Ninety Cents.

PATRON DIDN'T GET HIS MONEY'S WORTH

Newspaper Men Support the Contention of the Plaintiff that the Game Was Very Foul.

In Judge Vinson's court yesterday Lytle I. Abbott made an effort to free himself from a discount which he has been receiving since he was named as a patron in the case of the Burlington road. He alleged that in view of the indifferent quality of sport served to the patrons and the useless umpiring of Champion Jeffries he was entitled to collect 90 cents from Colonel Keith for money expended in the time spent in view of the fact that the amount was said to be due for entrance and carfare and the remaining 30 cents was supposed to represent the value of Mr. Abbott's time for two hours.

VALIDITY OF LAW ATTACKED

Burlington Asks that Its Rates Be Not Interfered With.

The Chicago, Burlington & Quincy railroad has filed a petition in the United States circuit court to restrain the Board of Transportation of the state of Nebraska from in any way interfering with the freight rates established by the plaintiff.

The railroad in this action attacks the validity of the law creating that state board and alleges that the board has no legal evidence for the reason that the law was not passed by the legislature under the title which it now bears.

The petition states that the Burlington road operates 3,229.4 miles of road in the state of Nebraska, involving an expenditure of \$25,583,195; that the principal freight carried over this line is composed of live stock and grain and that the State Board of Transportation has attempted to lower the rate on these commodities to a point where the income will not afford adequate returns for the labor performed. The bill concludes with a prayer for a temporary restraining order pending the hearing of the cause and a perpetual injunction against the Board of Transportation and its secretaries, enjoining them from interfering with the rates established by the plaintiff. The application for a temporary restraining order is set for hearing Thursday.

Mrs. McDonald Seeks a Divorce.

Lydia Estelle McDonald has filed a petition for divorce because of improper words and rude conduct which her husband, Herman McDonald, is said to have adopted toward her. Her marriage was contracted on June 17, 1899. Mrs. McDonald says that all went merry as a wedding bell for a full month. On July 19, however, her husband failed to treat her with his former consideration and in a sudden burst of temper he said to have applied to her as "a damned upthorn." Mrs. McDonald continued to live with her husband until April, 1900, when he is said to have thrown her clothing out of the house and to have threatened her life on sight. In spite of her feeble physical condition Mrs. McDonald was forced to endure such treatment. The petitioner asks that her maiden name, Corey, be restored to her.

Father Sues Saloon Keeper.

Howard O. Clark has begun suit for \$1,500 damages said to be due for moral and physical injury done to his son, Lawrence, by George W. Tierney, saloon keeper at 101 South Thirteenth street. The bondsmen of Tierney, Tim Driscoll and Jerry Shanahan, are included in the petition. Clark says that prior to last January his son, who is 15 years old, was a sober, industrious and provident boy employed at the wages of \$1 per day. Soon after that time young Clark is said to have frequented Tierney's saloon, where he squandered his earnings and rendered himself unfit to work. As a result, the father says, the boy was discharged and the family deprived of the benefit of his earnings.

Sues to Collect Salary.

Charles F. Robertson, who has been in the employ of the city's legal department until this spring, has brought suit for the collection of salary alleged to be due for January, February and March, 1900. Robertson claims that he was entrusted with the duties of the position during the absence of the incumbent, but has been unable to secure the approval of the council to his bill for \$250. The city's counsel takes the ground that Robertson was engaged during the three months in certain public duties connected with the legislature and did not carry out his contract as an employee of the city.

Nightmare Is Convicted.

Ed Nightengale was convicted yesterday afternoon of highway robbery committed in South Omaha on December 16. The offense occurred in daylight in the saloon of John N. Burke and the robber secured \$104.80 in money, several drafts and revolvers. A peculiar phase of the case is that the saloon keeper claims to have recognized Nightengale at the time, but for six months neglected to file any complaint against him. The defense set up an alibi. The penalty for the offense is from three to fifteen years.

Alleged Embezzler Arrested.

Deputy United States Marshal Charles Powers and James Allen are in Peoria, Ill., where they went to arrest William H. Wyatt, who was arrested at Holdrege, Neb., on charge of embezzling the funds of the post-office at Industry, Ill. Wyatt was located at Holdrege by the postoffice authorities last week and was arrested Sunday.

Court Notes.

Judge Vinson has called the civil docket, containing a list of seventy cases. The People's church has filed notice that it holds the agreement entered into with the People's church of Spokane to be henceforth null and void.

In the United States district court yesterday the trial of the case of the United States against Lester Hall was begun. Hall is accused of selling liquor to the Indians. Sam Hoff has been granted a judgment for \$1,000 against William S. Miller. The amount represents a mortgage on property which Sloop allowed to be sold by default of taxes.

Deputy United States Marshal James Walling has returned from a trip to Nebraska, where he arrested John Foster and his father on charge of selling liquor to Indians.

Sheriff Power and Deputy Tom Flynn made a journey to the State Asylum for the Insane yesterday in company with Jacques Gervais, an insane musician, formerly residing on South Thirteenth street. In the Lucy Ladd will case the petitioners moved yesterday that the court take the element of undue influence out of the hands of the jury, the motion being sustained by Judge Keyser. A similar motion was overruled by Judge Estelle in a former trial.

John Schumacher has brought suit to compel the Crane-Churchill company to surrender its rights to the premises occupied as offices and warehouse. It is alleged that a mortgage has been foreclosed on the ground leased by the defendant which renders its holding void.

Frank Sturges is endeavoring to collect in Judge Slaughter's court a draft for \$125 for supplies alleged to have been furnished to the Human Improvement company. The draft was accepted by W. V. Miller, the manager of the company, but the defendant enters the defense that Miller had no authority to take such action. It

claims that the draft should have been paid by the Hotel Building and Supply company in pursuance of a written contract existing between them.

Crane & Crane have begun search in the district court for the sum of \$230 which is said to have gone into the pocket of an unknown person. The suit is directed against John M. Lindgren, the Conservative Building and Loan association, Albert Frank and Frank Broadwell. A judgment decree of \$230 is said to have been paid into the district clerk's office at the time of the passing of one realme to another. The books contain no notation corresponding to the alleged payment and the courts are asked to locate the missing money.

NOT CONVENTIONAL ENOUGH

Mrs. O'Connor Objects to Proceedings at a Funeral and Gets Into Trouble.

Mrs. Margaret O'Connor, 1213 Pierce street, was arrested yesterday for being drunk and for interfering with the obsequies of C. E. Hunting, the Burlington engineer who was killed Sunday in a wreck near Alliance. After telling her story to Captain Hall at central station she was released on her own recognizance to appear for trial Wednesday.

The Hunting's live at 1217 Pierce street, just two doors from the O'Connor home. About 1:30 Monday afternoon as four pallbearers, under direction of W. A. Mello of Mello's undertaking establishment, were attempting to get the casket into the house they heard a yell and looked around to see the well-nourished figure of Mrs. O'Connor bearing down upon them. Supposing she was one of the mourners and that the yell was her expression of excessive grief, they gave the matter little attention and proceeded with their work.

"The hall was so narrow," said Mr. Mello, "that we couldn't get the coffin into the house by the door, so I sent two of the pallbearers inside and directed the other two to shove the casket through the window to them. The box was just balanced on the sill when the enraged woman burst upon us."

"She seized Mat Gilbert, one of the pallbearers, by the coat collar and gave him a jerk which tilted the coffin and endangered the repose of the corpse. Then I grappled with her, diverting her attention while the pallbearers whisked the casket inside and out of her reach."

"Then I went inside and thrusting my hand out of the window, attempted to close the shutters, but she aimed a savage blow at my hand with a club."

"Then she began packing up and down in front of the house shaking her fists at it and threatening violence. When an officer came to arrest her she threw a brick at him."

At the police station Mrs. O'Connor explained that she objected to the mode of taking the coffin into the house. It should have been taken in through the door, not through the window, she said.

Cheap Insurance.

Many a man has been insured against Bright's disease, diabetes, or other dangerous ailment by a fifty-cent bottle of Foley's Kidney Cure. Myers-Dillon Drug Co., Omaha; Dillon's Drug Store, South Omaha.

THE BALTIMORE & OHIO RAILROAD.

The First Railroad to Introduce Automobile Service.

The Baltimore & Ohio railroad has established electric automobile service at Washington, D. C., in connection with its train service, being the first railroad to introduce this mode of transportation regularly to and from its railway station.

The automobiles are of the latest electric pattern, absolutely noiseless in regard to machinery and running gear. They are provided with luxuriously deep cushioned seats, with electric lights and "timepieces." The small trucks can be carried on the supports at the rear of the vehicle and the top of the cab provides ample room for small traveling bags and hand luggage.

The splendid streets of Washington are particularly favorable for this high class electric mode of transportation. Reaching a speed from ten to fourteen miles an hour on any of the streets excepting in the business portion.

It has been arranged when special service is desired, passengers on trains approaching Washington from the east will notify conductor before arrival at Baltimore and on trains from the west will notify conductor before arrival of train at Washington Junction.

The rates for this extraordinary service are extremely reasonable and the Baltimore & Ohio railroad, with its advanced ideas and methods, is to be congratulated in being the first to inaugurate regularly this latest invention in transportation service.

A Place to Spend the Summer.

On the lines of the MILWAUKEE RAILWAY in Wisconsin are some of the most beautiful places in the world to spend a summer vacation camping out or the elegant summer hotels. Boating, fishing, beautiful lakes and streams and cool weather. These resorts are all easily reached from Omaha. A book describing them may be had upon application at the Chicago, Milwaukee & St. Paul Ry., city ticket office, 1504 Farnam street, Omaha. Round trip tickets, good returning until October 31, now on sale.

F. A. NASH, General Western Agent.

Cheer Round Trip Rates.

On June 21, July 7, 8, 9, 10 and 18, and August 2, the Illinois Central railroad will sell tickets, limited until October 31, as follows:

St. Paul, Minn., and return.....\$12.45
Minneapolis, Minn., and return.....12.45
Duluth, Minn., and return.....15.95
Waseca, Minn., and return.....10.35
Superior, Wis., and return.....14.95
West Superior, Wis., and return.....14.95

For full particulars call at Illinois Central city ticket office, No. 1402 Farnam street.

Excursions.

Denver, Pueblo, Colorado Springs and return.....\$19.00, June 5, 19 and 21, and July 3, 7-10.
Hot Springs, S. D., and return.....\$15.40, June 5, 19 and 21, and July 3, 7-10.
Glenwood Springs, Colo., and return.....\$21.00, June 5, 19 and 21, and July 3, 7-10.
Ogden, Salt Lake City and return.....\$40.00, daily after June 1.
Philadelphia and return.....\$22.00, June 5, 19 and 21, and July 3, 7-10.
\$20.75, June 14, 15, 16.

Ticket Office, 1502 Farnam St. Tel. 250.

Burlington Station, 10th and Mason Sts. Tel. 125.

THE BURLINGTON STATION

Burlington Route

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MEN'S UNDERWEAR 11C

Best Store Places on Sale Today Entire Wholesale Stock Men's Underwear.

AT 11C, 25C, 39C, 50C, 75C AND \$1.00

This is the Sale of the Wholesale Stock of Men's Underwear that We Have Been Preparing You For During the Last Few Days.

AT BOSTON STORE, OMAHA. GREATEST MEN'S UNDERWEAR SALE EVER HELD IN OMAHA.

1320 dozen Men's Fine Underwear on sale today.

AT BOSTON STORE, OMAHA. ON BARGAIN SQUARES.

AT 11c, 25c, 39c, 50c, 75c AND \$1.00. ON MAIN FLOOR AND IN BASEMENT.

75c MEN'S UNDERWEAR. 25c UNDERWEAR AT 11c.

Your choice of 50 dozen men's plain colored and fancy striped Balbriggan underwear with French necks and pearl buttons, all sizes in shirts and drawers, that we retail at 39c, on sale today at 11c.

On Bargain Square No. 2 we place on sale immense quantities of men's fine underwear in cream, pink, blue, light and dark tans, as well as fancy striped and mottled underwear. Also India gage, Egyptian cotton, Angola mixed, flannel underwear and fancy French Balbriggan underwear, silver gray underwear and fancy Random mixtures. All such goods as would retail at 75c, they go on sale tomorrow on bargain square at 25c, on main floor and in basement.

\$1.00 MEN'S UNDERWEAR, 39c.

On bargain squares on main floor and in basement, your choice of 300 dozen men's fine summer merino, fancy French Balbriggan underwear in fancy colors, fancy mixed Balbriggan, combed Egyptian cotton underwear in cream, pink, blue, light and dark tans, fancy tinted Angola mixture and French combed Balbriggan underwear. All underwear that sells regularly for up to \$1.00, on sale today at 39c for shirt or drawers.

\$1.25 MEN'S UNDERWEAR, 50c.

On main floor on bargain squares and in our regular men's furnishing goods department, we place on sale 223 dozen men's finest \$1.25 French Balbriggan, fancy mixed Balbriggan underwear in pink, blue, light and dark tans, also medium weight Balbriggan underwear and men's underwear in fancy stripes, summer merino, flannel, finished, and a special lot of elastic-seam jean drawers, choice of the entire lot today, 50c each.

\$2.00 MEN'S UNDERWEAR, 75c AND \$1.00. All the highest grade and most expensive men's underwear, consisting of fancy flannel and silk-finished underwear that regularly retails up to \$2.00, go in our men's furnishing goods department at 75c and \$1.00 each.

We wish it to be noted that this is one of those celebrated sales by which we have reached the place we now have among the trade of Omaha. The bargains are something phenomenal, and will pay every man in Omaha to attend this sale. Sale starts at 8 o'clock sharp.

BOSTON STORE, OMAHA. N. W. Cor. 16th and Douglas Sts.

CHANGE OF TIME

On the Wabash.

Commencing Sunday, June 3, the Wabash will shorten the time of the

CONTINENTAL LIMITED.

Leaving Chicago at 12:02 noon, and St. Louis 9 a. m., arrives at New York 3:25 p. m. and Boston 5:20 p. m., giving its patrons better service to their favorite summer resorts.

ALL OTHER TRAINS RUN SAME AS NOW.

Rates via the Wabash are from \$2 to \$2 less than other lines via Detroit and Niagara Falls. For rates, time-tables of trips east or a copy of On Lake and Sea, call on any agent of connecting line, or call on or write G. N. CLAYTON, Room 405 N. Y. L. Bldg., Omaha, Neb.

Rates are lowered.

The Northwestern line has announced some low rates to St. Paul, Minneapolis, Duluth, Superior, Kasota and Waseca, for the following dates:

June 21, July 7, 8, 9 and 10, July 18 and August 2; limit October 31, 1900.

From Omaha to Kasota and return, \$10.40.
From Omaha to Waseca and return, \$10.35.
From Omaha to St. Paul and return, \$12.65.
From Omaha to Minneapolis and return, \$12.65.

From Omaha to Duluth and return, \$16.95.
From Omaha to Superior and return, \$16.95.

Ticket office, 1401 Farnam street.

Two daily trains from Omaha Union passenger station.

An Opportunity to Visit the East.

Pleasantly and economically is afforded by the tourist tickets on sale via the Lake Shore & Michigan Southern railway on and after June 1. Chautauqua Lake, Niagara Falls, the St. Lawrence river, White mountains and the Atlantic coast resorts are among the more important points reached. Summer edition of "Book of Travel" showing specimen tours, will be of interest in arranging for your trip. Sent free on application to B. P. Humphrey, T. P. A., Kansas City, Mo., or F. M. Byron, G. W. A., room 34, Station building, Chicago.

The new twenty-six-hour Boston train is now in service.

Spirit Lake, Ia.

Quickly and conveniently reached via the Illinois Central railroad. Round trip tickets now on sale at city ticket office, 1402 Farnam street.

Write ad. Sell cuts. Print anything. Stonecypher, 1201 Howard st. Tel. 1310.

HAYDEN BROS.

The Biggest Underwear Sale Ever Held in Omaha at Hayden Bros.

Men's \$1.00 Summer Underwear at 45c. Men's 50c shirts and drawers at 25c. Scriven's patent elastic drawers at 59c. Men's \$2.00 silk shirts and drawers at \$1.00. The best quality of jean drawers with double seat at 39c. Men's \$1.00 and \$1.50 shirts at 29c. 500 dozen men's fine laundered shirts with separate cuffs, shirts that were actually made to sell for \$1.00 and \$1.50. Every shirt in this lot warranted new and perfect and the fit guaranteed or money refunded. All in one lot at 29c.

Ladies' silk vests at 25c. Ladies' 25c hole vests at 15c. Ladies' 25c hole hose at 15c. Ladies' 50c drawers at 25c. Ladies' \$1.00 gowns at 59c.

\$1.50 TUCKINGS, 50c YARD. Grand sale of lace tuckings and all-over laces and embroideries Wednesday at 50c yard.

SPECIALS IN THE BIG SILK DEPARTMENT.

For Wednesday's big silk sale we offer satins in black, white and all colors, Chinas in all shades, all at 25c. A fine grade of yard wide black Jap silk worth \$1.00 for only 59c. We are now holding a big sale on Foulards. Foulards worth up to \$1.40 for \$1.00. Foulards worth up to 95c for 69c. Finest grade of imported washable silk in the heavy cords, some worth up to 75c, all go at 45c. A few new things just received. All colors in 36-in. wide taffetas, new French designs in satin broche, new white hemstitch and corde novelties.

HAYDEN BROS.

EXCURSION RATES

Via Chicago, Milwaukee & St. Paul Railway.

June 2, 3 and 4, Milwaukee and return, \$16.75.

June 14, 15, 16 and 17, Philadelphia and return, \$30.75.

June 25, 26 and 27, Chicago and return, \$12.75.

City Ticket Office, 1504 Farnam street.

F. A. NASH, General Western Agent.

DIED.

MURPHY—Catherine, age 5 years, daughter of Mr. and Mrs. M. R. Murphy. Funeral Wednesday, June 6th at 2 p. m. from family residence in South 36th. Interment Holy Sepulchre cemetery.

A Newspaper Man

That there is no person better known in Omaha than Mr. John Foster is a settled fact, and this is what he says: "While I have always been a homeopathic man in medicine and giving testimonials for it, I have never been a fan of it. I feel that if a word from me will help some unfortunate one who is troubled with kidney disease, that I have done a good thing for humanity. I have been a sufferer for years and tried all kinds of homeopathic remedies without any benefit. I read so many testimonials from Omaha that I got interested and meeting one who was using it I made up my mind to get a bottle, which has proven to me that it is a kidney medicine there is none that can equal CRAMER'S KIDNEY CURE. That it is a wonderful medicine I am convinced of it helped me. I can recommend it to any person suffering from kidney disease."

\$1.00 Bottles, Our Cut Price 75 Cents.

SCHAEFER CUT PRICE DRUGGIST.

Cor. 16th and Chicago Streets.

A POINTER

Arrangements for your Summer Vacation should not be completed without first asking about . . .

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