JURY FINDS FLOTH GUILTY

Returns Verdict of Manslaughter as the Result of Its Deliberations.

FINDING SATISFACTORY TO BOTH SIDES

Court Room Packed to Suffocation with Spectators and Others Interested in the Case.

No playhouse ever held a larger crowd in proportion to its capacity to accommodate spectators than the criminal court when the jury in the Harry Floth case filed into the box yesterday afternoon to announce its verdict. The windows and aisles along the walls of the room were jammed until scarcely another man could have found standing space, and the attorneys' enclosure before the bench held a throng of lawyers and their friends who laid claim to seats on arms of chairs or on tables, wherever they could find them, by privilege of their court connections.

As the jury had been out only three hours, the word shortly before 3 o'clock that an agreement had been reached was unexpected, but it did not find the spectators or those more deeply interested in the verdict unprepared. The court room filled in a very few minutes. Judges, jurors and attorneys were in the places and awaiting some little time before Floth, led by deputy sheriffs, made his appearance. There was a deputy on either side of him and behind followed his father and mother. Floth walked briskly across the room to his chair. In his movements there was nothing to indicate that the ordeal through which he was passing made the slightest impression on him, but a glance at his face disclosed how trying had been the nerve-wrecking three hours of suspense due to the deliberations of the jury. The old look of confidence and indifference had disappeared from his face, leaving in its place an aspect of fear and worry.

As Floth took his seat at the attorney's table he glanced at the jury. Not one of the men in the box had the temerity to return the look. Floth guessed the reason why they kept their eyes in another direction, and at this point his courage forsook him. His father and mother pressed close to him and whispered in his ear, smiling as they did so, but the hope was not infectious, as he did not raise his eyes again till the reading of the verdict was finished.

"Gentlemen of the jury, have you reached a verdict?" asked the clerk.

"We have," was the answer, and the foreman arose, extending to the bailiff a large white envelope. The hush following the clerk's words: "We, the jury, do find the defendant guilty of the crime of manslaughter, as he stands charged," was so marked that the ticking of the court clock could be heard in the farthest end of the room. Floth raised his head and stared contemptuously at the jurors, but as before, he found none of them brave enough to return the glance. If either Mr. Floth or Mrs. Floth was a prey to their feelings they did not show it and all three walked resolutely through the crowd out of the room when the sheriff led the way back to jail. The penalty for manslaughter is from one to ten years.

During the last day of the trial it developed that a serious question as to the eligibility of one of the jurors to serve as a judge of his fellow men might be raised by the attorneys for either side in the event of their being dissatisfied with the verdict. The juror referred to was said to have been an inmate of the prison at Sioux Falls. Under the statutes of Nebraska a man who has been convicted of felony can not qualify as an elector, and only electors are eligible for jury service. Discussions regarding the probability of a new trial being necessary were rife, but it happened that the verdict of the jury was satisfactory alike to the attorneys for the prosecution and the defense. The name of the juror who caused the discussion is Frank Barrett, a man whom the police remember for his connection with the notorious McCarthy gang.

HE SEEKS TO ESCAPE ALIMONY.

Novel Item of Liabilities is Listed in Bankruptcy Proceedings.

By a peculiar coincidence among the liabilities of two persons who filed petitions in voluntary bankruptcy yesterday in the United States district court appears an item representing alimony ordered by a Nebraska district court to be paid to a divorced wife.

The first case was that of William A. Bentley of Omaha, formerly of Lincoln, who at one time was heavily interested in real estate in the capital city. His debts are mainly deficiency judgments in cases where land was taken upon mortgages. He lists $31,099.27 in liabilities, of which $2,296 is alimony. He has no assets.

Fountain L. Beatty, a former resident of Tekamah, but at present a citizen of Lincoln, files application for release from his obligations, listing debts of $2,605.66, with no assets. Of the debts $1,000 represents what he was ordered to pay to his divorced wife.

SUES SEVEN INSURANCE COMPANIES.

Lura D. Barnard Asks Them to Pay for Her Hotel.

Trial of seven cases against as many insurance companies has been begun by Lura D. Barnard before Judge Munger. The cases were combined for the purpose of taking evidence, as it is admitted that the testimony will be practically the same in all of them.

In 1898 Mrs. Barnard, a resident of Omaha, owned the New Peoria house of Peoria, Ill., which was later destroyed by fire. It was insured for $25,000 in these companies, each one carrying a certain proportion of the risk. After the fire the companies offered to repair the structure, but the owner demanded payment of the proportion of the loss from each, the total loss being estimated by appraisers at $19,631. Refusal of payment resulted in the suit.

M'CARTHY TIRES OF PRISON LIFE.

Applies for Release on Ground that He Was Sentenced Illegally.

Judge Slabaugh has issued a writ of habeas corpus commanding the warden of the penitentiary at Lincoln to produce Tom McCarthy before him in court next Wednesday for a hearing on an application for release, because of a legal technicality in connection with his sentence. McCarthy is a member of the gang which went by that name a few years ago. In the crowd was a brother, Vic McCarthy, and a brother-in-law, John Gallegher. Tom McCarthy is serving a sentence for shooting with intent to kill.

One night in 1895 members of the McCarthy gang visited the dwelling of Adam Kas, an Englishman who owned a small produce farm a short distance south of Albright, with the intention of looting the premises. He had a younger son and these two resisted the McCarthys, keeping up a continuous fight for nearly an hour. In the shooting both father and son were struck by bullets, the younger man having been riddled by lead about the head and shoulders. In the trial that followed "Vic" and Tom McCarthy received long sentences, but "Vic" afterwards escaped from the sheriff and has not been heard of since. The technicality on which Tom McCarthy relies to gain his release from the penitentiary is that he was convicted in Sarpy county and sentenced here. The attorneys contend that the sentence should have been imposed in the same county as the convicion. Judge Slabaugh will decide the point on Wednesday.

Sues for Reinstatement.

The suit brought by George G. Irey to recover his seat on the Board of Education from his successor, Morris Levy, is before Judge Keysor on a motion by the attorneys for the board to quash Irey's complaint. At the time Irey's seat was declared vacant he was absent from the city. Levy was then elected to fill the vacancy. Irey seeks to recover the place, asserting that he was not removed by a majority vote of the board and that he had not abandoned his residence in the city, making the action of the board illegal.

Court Notes.

Minnie Burnett has sued Oliver P. Burnett for a divorce, alleging extreme cruelty.

The jury in the case of Otto C. Birney against the Chicago House Wrecking company failed to reach an agreement and was discharged after having been out for three days.

Irene E. Sweet has commenced suit against Clarence A. Sweet to secure a divorce on the ground of non-support. Plaintiff asks for the return of her maiden name, Irene E. Godfrey.

Richard S. Horton, trustee, has commenced suit against Jessye Lawrence and Daniel W. Shull to recover $256 on a concession for operating the "Boston Luncheon" at the exposition.

Judge Dickinson has granted a decree in the case of St. Mary's Magdalene church against the city, declaring null and void grading taxes on property on Douglas street, between Sixteenth and Twentieth.

MASONS FINISH THEIR WORK

Grand Officers Elected and Installed for Ensuing Year—Omaha Gets Next Conclave.

The annual conclave of Royal Arch Masons of Nebraska, which has been in session in this city since Wednesday, concluded its work and adjourned late yesterday afternoon. The next annual meeting will be held in this city at Masonic temple. Several other cities wanted the honor, but there was a preponderance of sentiment in favor of Omaha.

The forenoon yesterday was taken up in the election of officers, which resulted as follows: John S. Harman, Tecumseh, grand high priest; James W. Maynard, Omaha, deputy grand high priest; George P. Spohn, Superior, grand king; B. F. Thomas, Omaha, grand scribe; Frank W. White, Plattsmouth, grand secretary; L. D. Richards, Fremont, grand treasurer.

In addition to the foregoing list of elective offices, the following appointive places were filled: Grand chaplain, Abram Cressman, Schuyler; grand lecturer, Robert E. French, Kearney; captain of the hosts, Francis McGiverin, Fremont; principal sojourner, Robertson Geinger, Plattsmouth; royal arch captain, William W. Wright, Wymore; grand master of the third vail, Robert W. McGinnis, Fremont; grand master of the second vail, Frank Wright, Alliance; grand master of the first vail, Robert A. Smith, Tekamah; grand sentinel, Jacob King, Omaha.

The afternoon session was devoted mainly to installation of the new officers, and these ceremonies ended the session. The annual conclave brought to Omaha a large number of visiting Masons from various parts of the state.

PERSONAL PARAGRAPHS.

B. M. Frees of Creighton is in Omaha.

E. M. Westervert of Lincoln is in the city.

B. S. Winkins of Norfolk is at the Murray.

P. A. Yeast of Hyannis is at the Merchants.

C. G. Newman of Kansas City is at the Millard.

H. H. Whipperman of Wakefield is at the Murray.

J. C. Houck of Grand Island is at the Merchants.

R. C. McDonald of Fremont is at the Iler Grand.

R. C. Dustan of Salt Lake is staying at the Millard.

M. E. Shultz of Beatrice is registered at the Millard.

Fred M. Mason of Boston is stopping at the Millard.

N. G. Evans of Hastings is a patron of the Henshaw.

City Attorney W. J. Connell has returned from St. Louis.

A. A. Cressman of Crete is stopping at the Iler Grand.

W. W. McKenney of Blair is quartered at the Henshaw.

W. T. Johnson of Pawnee City is staying at the Iler Grand.

Max C. Degen of Aurora, Ill., is registered at the Merchants.

J. A. Good of Albany, Mo., is quartered at the Iler Grand.

S. M. Houghton and wife of Deadwood are guests of the Henshaw.

Paul McCormick and wife of Billings are guests of the Iler Grand.

E. P. Savage of Sargent, lieutenant governor-elect, is at the Iler Grand.

E. M. Searle, jr., and J. W. Welpton of Ogalalla are putting up at the Merchants.

William Stuefer, state treasurer-elect, and D. C. Giffert of West Point were at the Iler Grand Thursday.

C. B. Sexton, H. A. Schoknecht, L. M. Eberson, H. L. South and Arthur Bell of St. Louis are in Omaha.

Will B. Welshans of The Bee left Wednesday night for a three weeks' southern trip. During his absence Mr. Welshans will visit for some time in New Orleans.

E. C. Harris, president of the First National bank at Chadron, is a visitor in the city. Mr. Harris was formerly a Union Pacific superintendent and has a wide acquaintance in Omaha railroad circles.

Mr. and Mrs. John Grant left last night for Painesville, O., to visit their daughter, Miss Edna, who is attending Lake Erie college. Mr. and Mrs. Grant will spend the holidays in Cleveland and return to Omaha about January 1.

F. M. Tyrrell, I. J. Ayers and G. M. Smith of Lincoln; M. E. Shultz and Jessie L. Shultz of Beatrice, Mr. and Mrs. C. E. Burnham and daughter of Tilden, Mr. and Mrs. George A. Brooks of Bazile Mills, J. D. Haskell of Wakefield and J. E. Jenkins of Schuyler are state guests at the Millard.

Nebraskans at the Merchants: W. S. Cook and J. H. Mitchell of Wakefield, John Copeland of Bloomfield, S. B. Scace of Wayne, L. F. Stockwell of Shelton, H. J. Smith of Howells, S. S. McKelvey of Cozad, E. W. Hooton of Ewing, A. C. Russell of Henderson, Dr. T. E. Stuck of Hoolbrook and P. T. Hiccock of Falls City.

Can't Dispute This.

Because it is a Local Transaction and the Citizen is on the Spot to Confirm It.

The reader of this will concede, first, that what follows having taken place in Omaha, can easily be investigated and proved to be true; second, that there is a vast difference between opinions publicly expressed, by a resident of Omaha in Omaha local papers and the opinions daily met with in the same paper's columns given by people living in Maine or Montana. Read this case and acknowledgge both points.

Mrs. B. F. Brown, of 510 William street, says: "For six or eight months I had more or less trouble with my back. I told my husband that I thought my kidneys were the cause and when I saw Doan's Kidney Pills advertised, I procured a box at Kuhn & Co's drug store, corner 15th and Douglas streets. They did the work for my case, and the symptoms which had bothered me soon disappeared. I can recommend Doan's Kidney Pills as a valuable kidney medicine."

For sale by all dealers, price 50 cents. Foster-Milburn Co., Buffalo, N. Y., sole agents for the United States.

Remember the name, "Doan's," and take no substitute.

NEW BOOKS AND MAGAZINES

Omaha Readers Are Buying More Books of All Kinds Than Ever Before.

MANY ATTRACTIVE HOLIDAY VOLUMES

Recent Fiction of the Most Entertaining Kind to Satisfy All Tastes, as Well as More Solid Reading for Studious Minds.

Observers have frequently remarked that as a city grows older the demand for literature increases. Whether this is due to a proportionately larger leisure class or to an advancement in education has never been definitely settled, but the fact remains that books are much more sought after in the older and more metropolitan cities than in the towns of recent growth. Omaha has already reached some dignity in years for a western city, and, true to the general rule, there is a very perceptible increase in the number of readers. The book stores of the city have been thronged all the week with holiday purchasers. The books selected range all the way from the standard works on history and biography up to the latest works of fiction by the latest popular authors. The sales of juvenile books have been especially large, for the evident reason that there is nothing more desirable in the way of a holiday present to the average boy or girl than an attractive new beek.

Of all the holiday books there is none that ought to appeal more strongly to the general reading public than "Lucile" by Owen Meredith (the earl of Lytton), recently issued in a beautiful new edition by James Potts & Co. of New York. It is bound in flexible leather covers, beautifully stamped with the title and with full gilt edges. The print is large and clear and the paper of good quality, making it, aside from the contents, a most attractive volume. Being designed especially for holiday purposes each volume is enclosed in a handsome box.

L. C. Page & Co. has added another attractive holiday volume to the long list of valued publications already mentioned in these columns. It is entitled "Shakespeare in Music" by Louis C. Elson and is a collation of the chief musical allusions in the plays of Shakespeare, with an attempt at their explanation and derivation, together with much of the original music. Few of the readers of Shakespeare are aware of how much of his musical material can be traced home; many are unable to follow some of the poet's most subtle metaphors because they are unfamiliar with the musical works to which he refers, or with the song or melody which enriches the scene. It is a work that will throw much light upon some of the dark places in the text, so that it is a really instructive and valuable work as well as being an exceedingly attractive holiday volume.

The success of Miss Howard Weeden's "Bandanna Ballads" last year augurs well for "Songs of the Old South," her new volume, which contains twenty-four poems and as many drawings of the "old-time" southern negro, whom no one has ever depicted in just the same way as the author. Eight of the pictures in this book are reproduced in color and its general makeup is that of a holiday gift-book. The sentiment and picturesqueness, the musical rhythm and humor of the plantation darky are apparent in every page. It is a charming book. Doubleday, Page & Co. Price, $1.50.

"The Old Town on the River," by Miss Flora Bullock, is an edition de luxe in every respect. It is a beautiful Nebraska book, descriptive of the fairest region in Nebraska, written, illustrated and published by Nebraska people. Nebraska City is the old town described, and the author has written of it in a picturesque style in keeping with all the exquisite illustrations furnished by Messrs. Tyson & Rice, photographers, and Miss Harriet Herchey, artist. The book cannot fail to interest you if you like things of beauty. In literary merit, in paper, printing and general effect, it is far above the ordinary, an ideal Christmas grift. The Ivy Press, Lincoln. Price, $1.00.

"The Powers that Prey" is by Josiah Flynt and Francis Walton. The authors of the ten closely related stories which make up this volume have spent most of their lives studying the sociological problems of tramp and criminal life. Mr. Flynt writes: "So far as I am concerned, the book is the result of ten years of wandering with tramps and two years spent with various police organizations." The stories are a contribution to sociology, and yet, viewed as stories, they have unusual interest because of their remakable vigor and their intense realism. McClure, Phillips & Co., New York. Price, $1.25.

The present remakable epoch of popular American fiction has seen various sections of our country made the field for novels of unusual success and now, through the able pen of Charles Clark Munn, New England presents its candidate for favor among the character novels of the day. "Uncle Terry: A Story of the Maine Coast," in some respects, resembles "David Harum," thought it is said to have been more than half completed before Mr. Westcott's work appeared. The author is a man in active business and, while the story is carried with a strength and knowledge which shows the keen man of affairs, there is running through the book the grace and tenderness of a truly sympathetic admirer of nature, and the tone is everywhere pure and wholesome. The book is tastefully illustrated and is of a decidedly holiday aspect. Lee & Shepard, Boston. Price, $1.50.

"Parlous Times," the posthumous book by the late David Dwight Wells, shows that the author of those two delightful farces, "Her Ladyship's Elephant" and "His Lordship's Leopard," contemplated writing a serious international novel of tragedy, intrigue and love, but, like the comedy man in the theater who is booked to play high tragedy, he soon found himself out of his element and at length gave himself up to the temptation to introduce ridiculous incidents and recite bright dialogue. Serious novel readers may hold up their hands in horror at the liberties that Mr. Wells takes with the conventionalities of fiction, but no one who craves for rich, wholesome amusement can consider himself unpaid from having read the book from cover to cover. All that is impossible and extraordinary assumes the appearance of reality, and the illusion by a curious tour de force is most seriously maintained. Incidentally one receives vivid impressions of London's smart set, viewed from the anteroom of a foreign legation. In fact, the atmosphere of diplomacy permeates everything. J. F. Taylor & Co., New York. Price, $1.50.

Miss Marion Bower, an Englishwoman and the author of several novels, is a careful writer and one who takes both her art and her apprenticeship to it very seriously. Her story, known on this side as "John Thisselton," and on the other as "The Puppet Show," has been well received on both sides. It is apropos of this latter book that Miss Bower speaks of her method of workmanship. "I wander here and there," she writes, "sometimes spending months in Switzerland, again wandering in the south of France; this summer getting as far as Canada, and then with a mind stored with new incidents and impression I come home and write busily until another traveling fit takes me, but though I work regularly and sufficiently long hours I do not complete much. For instance, "John Thisselton" was entirely rewritten four times before it came as near to pleasing me as it does now, and one of the chapters, as I know to my cost, insisted upon assuming seven different forms before settling to the one it now wears." The fact that only two books by Miss Bower has been published in the United States within the last seven years indicates the thoroughness of her preparation. These two, not unforgotten, were "Poynton Jacks, Gentleman," and "The Story of Mollie." Her latest work, "John Thisselton," is fresh from the press of Henry Holt & Co., New York. Price, $1.50.

It would seem most appropriate that a Kansas writer, William Elsey Connelley, and a Kansas publishing house should bring out "John Brown: The Story of the Last of the Puritans," for it was in Kansas that the man destined to strike the first hard blow at slavery commenced his life work. Mr. Connelley gives evidence of a decided ability as a historical writer. Though the work is earnest in tone and positive in convictions as to the doings and motives of the famous anti-slavery fighter and Puritan reformer, it is essentially searching and conservative in details and spirit. Mr. Connelley does not make a "God-man" or a new Plutarch hero of his theme. He has sought to show the "conditions" which influenced John Brown's character, and his making as boy and man. He gives—and that is the raison d'etre for his book, and a quite sufficient one, too—a rapid, but clear and keen, yet minute narrative of the long struggle for and against the nationalization of freedom which had its opening chapter in the admission of Missouri, and its closing ones in the momentous period of preparation in the struggle to make Kansas a free or slave state. It is a book that will be of the greatest interest to every student of American history. Crane & Co., Topeka, publishers. Price, $1.

"Forward Movements of the Last Half Century" by Arthur T. Pierson is an accurate and interesting description of the conspicuous missionary, philanthropic and other religious movements during the last fifty years. The volume aims to give not only a valuable record of these progressive steps, but to present incentives for future efforts in the same direction. Funk & Wagnalls Co., New York. Price, $1.50.

Juvenile Fiction.

"Friend or Foe: A Tale of Connecticut During the War of 1812" is by Frank Samuel Child. Those who enjoyed Mr. Child's revolutionary story, "An Unknown Patriot," will be glad to have what is in a way a continuation of that. The sister heroines are daughters of Lois Hardy, who figured in the earlier tale. One of the heroes is from Virginia, one (and a bad one) from the vague southwest, and one—the bravest and best—comes out of a mystery. The atmosphere of the war of 1812 is in the book, but fortunately there is very little fighting. The famous Hartford convention, with its secrecy and its suspicion of disloyalty, lends historic verity to the story, and there is an abundance of adventure, incident and peril to feed the hunger of eager youth. This story, like "An Unknown Patriot," appeals alike to youthful readers and to older ones who count themselves still young. Houghton, Mifflin & Co., New York. Price, $1.50.

"Little Colonel's House Party" is by Annie Fellows-Johnston. The little colonel has had her hair cut and looks like a boy, but is otherwise not greatly changed since last year and the wayward but generous heiress and the pretty daughter of poverty whom she invites to make up her house party during the weeks in which she is left alone, are only less attractive than she. Any girl will enjoy the pleasant talk of the little group and will absorb the little moral without suspecting its presence. L. C. Page & Co., Boston. Price, $1.

"Traveler Tales of South Africa," by Hezekiah Butterworth, is a collection of stories taken from the books of various travelers, hunters and collectors of legends and tales, wrought into pleasant narrative. Like all of Mr. Butterworth's books for boys, it aims at being instructive as well as entertaining and fulfills its purpose well. Dana Estes & Co., Boston.

"Donegal Fairy Stories," by Seumas MacManus, is a collection of Irish tales as the author heard them about the chimneyside. They are wild, improbable tales, but they have sound, human nature at the bottom and the moral is very plain. They are told simply, with much Irish wit and sprightliness and with the pictures by Verbeck they ought to be popular. McClure, Phillips & Co., New York. Price, $1.

"Nigger Baby and Nine Beasts" is a new book by a new author, Miss Florence Porter, issued by a new publishing concern. "Nigger Baby: a Horse with a Great Soul" is a delightfully strong, naive story of the life and varied experiences of a black race horse. The other eight tales describe the adventures of a girl with wild and domestic animals, whom she understands and portrays with rare intelligence. In one of these stories a thrilling description is given of an Indian raid, in which the lives of the settlers were saved by the quick wit and stubborn devotion of a Mexican burro. "Angel" is the quaint and humorous life of a crow and also a realistic study of a certain phase of child life and character. "Thor" deals with a bear, whose brief experience of civilization left an impression so deep that by it he ruled his kind. Ess Ess Publishing company, New York.

"On to Pekin; or, Old Glory in China," by Edward Stratmeyer. The admirers of the Russell boys and their friends, whose fortunes have been portrayed in the famous "Old Glory Series," will welcome the enterprise of Mr. Stratmeyer in furnishing this book. The hero, Gilbert Pennington, a warm friend of Ben Russell in "A Young Volunteer in Cuba," has become a lieutenant in the regular army and goes from the Philippines with the Ninth regiment to take part in the rescue of the beleaguered British embassy at Pekin by the international forces. Lee & Shepard, Boston. Price, $1.25.

The above books are for sale by the Megeath Stationery Co., 1308 Farnam street.

Harper's Latest Books.

Literary Friends and Acquaintance

By W. D. HOWELLS.

A delightful volume of personal recollections of Lowell, Hawthorne, Emerson, Holmes, Longfellow and life in literary Cambridge. Fully Illustrated. Crown 8vo. $2.50.

Lucid Intervals.

By E. S. MARTIN.

A collection of the most delightful essays, in Mr. Martin's best vein. For charm of style, quaint humor and charming philosophy of life these essays equal the best of Stevenson's. Illustrated. Post 8vo. $1.50.

Eleanor—A Novel.

By MRS. HUMPHRY WARD.

No novel of recent years has been received with more enthusiasm than "Eleanor." It is generally conceded to be the greatest of Mrs. Ward's works. Two Vol. Edition. Illustrated. $3.00. One Vol. $1.50.

A Bicycle of Cathay.

By FRANK R. STOCKTON.

A bright and amusing romance which details the adventures of a young schoolmaster on a summer tour awheel. Illustrated by Orson Lowell. $1.50.

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By LORD ROSEBERRY.

An intensely interesting character study of Napoleon at St. Helena by one of the most brilliant and scholarly of modern statesmen. Crown 8vo. Uncut Edges. Gilt Top, $3.

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A resume of the scientific progress of the century, told in such an interesting manner that it is as readable as a novel. It is an invaluable book to the layman who wishes to keep abreast of the times. Illustrated. Crown 8vo. $2.50.

The Mantle of Elijah.

By I. ZANGWILL.

By far the greatest of Mr. Zangwill's novels. It is not a story of Jewish life, but deals with the social and political life of a British statesman. Illustrated by Louis Loeb. $1.50.

Manners and Social Usages.

By MRS. JOHN SHERWOOD. New Edition.

This new edition of the most famous book of its sort ever published contains many entirely new chapters and is fully illustrated. Illustrated. Post 8vo. Cloth, $1.25.

FRANKLIN SQUARE. **HARPER & BROTHERS** NEW YORK CITY.

CHAOS IN FREIGHT RATES

Shippers Now in Position to Dictate to the Local Railroads.

DEVIATION FROM PUBLISHED TARIFFS

Only One Omaha Road Adheres to Schedule and It Runs Empty Cars—Return to Normal Conditions Predicted.

Notwithstanding efforts of freight officials to keep the matter a secret, it is generally known in commercial circles that freight rates, particularly on merchandise westbound, are about as unstable now as they well could be. As a result, shippers are dictating the rates for which their shipments are moved and the single railroad operating out of Omaha that is recognized as maintaining published tariffs is running its freight trains more for appearance's sake than any other reason.

This condition of affairs has been brought about in the manner peculiar to all rate disturbances. A few weeks ago, subsequent to a meeting of the executive officers in New York, the word was sent along the line that none but published tariffs should be quoted and the soliciting freight agents were in their element, none having any particular advantage over the other, except insofar as natural conditions could be employed in influencing the shippers. This equanimity was undisturbed for a short time and then one of the aggressive lines made the discovery that a competitor was taking business at reduced rates on the explanation that it had contracted for such business prior to the re-establishment of normal tariffs. From that time on sharp knives have been applied vigorously to published tariffs and the inevitable result has attended the pruning process. The one line which followed the reductions made by its competitor on the so-called "contracts" corralled the business for a time, until its increased tonnage suggested suspicious methods, and then there was an open field and no favor.

Tariffs Reduced to Minimum.

The result has been a shaking up of freight tariffs until they have about reached the minimum where business is handled at little, if any, profit to the railroad companies. According to the statement of a well-informed official, there will likely be no attempt to increase rates until January 1, and meantime shippers will derive a big pecuniary profit in the possibility of transporting their freight at less than tariff rates. Realizing that the reductions will not be operative for any great length of time, shipments are being rushed and all of the railroads are doing a large volume of business, but the revenue is naturally far short of what it would be were normal tariffs in effect.

"There is no denying the fact that freight rates are decidedly unstable just now," said a well-informed freight official yesterday. "The condition is now, as at all times, unwarranted and will assuredly not continue longer than the present month. January 1 is usually a day of good resolutions with railroads as well as individuals and I expect to see all rates brought up to published basis by that time. Meantime, the advantage to the shipper is indisputable and I, for one, have never yet been able to see where the railroads came in for any share of benefit."

Cattlemen Are Interested.

A novel cargo is now enroute from Dillon, Mont., to Troy, O., over the Union Pacific and Milwaukee roads. It is a special trainload of bulls, and railroad officials interested assert that never before have there been so many bulls in one shipment. The train will consist of twelve cars, and will be in charge of J. S. Combs of Dillon, the consignees being George Peters & Co., at Troy. The animals are said to be as fine stock as could be gathered in the entire state of Montana, and inquiries at the local offices of the Milwaukee and Union Pacific have been numerous from cattlemen who desire to inspect them when they go through. The date of their arrival has not yet been determined, but all of the inquiries will be answered as soon as definite information is at hand.

Excursion to Old Mexico.

A novel trip has been arranged by the Burlington and connecting lines for twenty-five people from Indianola, Ia., and Omaha who want to make a trip this winter through historical old Mexico. The journey will be in charge of an experienced conductor, and every arrangement has been made to make the trip successful. The party will start January 22 and reach Omaha on the return February 16. Ten days will be spent in Mexico, and on the return a day and night will be given to New Orleans, where the Mardi Gras festivities will then be in progress. It is expected that some of the members of the party will be so delighted with the southern points visited that they may want to remain longer than the time scheduled, and as a consequence a return limit of nine months will be made on all the tickets.

Avert Rate War.

CHICAGO, Dec. 13.—The threatened war in passenger rates between Chicago and St. Paul and Minneapolis has been averted. The interested lines arrived at a settlement of their difficulties today by the adoption of an agreement to strictly maintain tariff rates on all classes of passenger business from this date. An adjourned meeting will be held tomorrow, at which the general party rate situation will be further discussed.

J. J. Hill in Erie Directory.

NEW YORK, Dec. 13.—At a meeting of the board of directors of the Erie Railroad company held today, James J. Hill of the Great Northern Railroad company, Norman B. Ream of Chicago, a director of the Baltimore & Ohio and Pullman companies, and Robert Bacon of J. P. Morgan & Co., were elected directors in the place of Messrs. Quintard, Goodwin and Williamson.

Huntington Holdings Not Sold.

NEW YORK, Dec. 13.—Charles H. Tweed, chairman of the board of directors of the Southern Pacific Railway company, said today that there was no truth in the revived report that the Huntington holdings in the property have been sold.

Railway Notes and Personals.

H. F. Fisher, traveling freight agent of the Missouri Pacific, left Wednesday night for a business trip to Minneapolis.

Assistant General Passenger Agent Phillippi of the Missouri Pacific is able to be in his office again after a several days' absence, caused by sickness.

W. F. McMillan, general agent of the Burlington at Cleveland, is a visitor at local headquarters while enroute home from a trip to Salt Lake City and Denver.

General Manager A. C. Jones of the Western Car Service association has returned from Sioux City, where the rules of the association will become effective Saturday. Mr. Jones left Bert Horner, formerly of the local offices of the association, in charge at Sioux City.

THE REALTY MARKET.

INSTRUMENTS placed on record Thursday, December 13:

Warranty Deeds.

J. R. Anderson and wife to Joseph Porter, lot 5, block 19½, Omaha	$1
Ellen Anderson to same, part of Twenty-fourth street adjoining lot 5, block 19½, Omaha	1
G. W. Wattles and wife to R. H. Callihan, lot 4, block 5, Potter & C.'s add	250
H. E. Swelgard and wife to D. A. Woolman, e 40 feet of w 120 feet lot 7, Maloney's add	750
John O'Hearn and wife to W. F. Derbyshire, w 90 feet, lot 10, block 126, South Omaha	1,400
R. H. Brown and wife to E. A. Doherty et al, ne¼ and sw¼ lot 3, in 7-15-10	2,000
A. A. Brown and husband to J. J. Sutties et al, se¼ sw¼ and lot 4, in 7-15-10	3,200
E. A. Doherty and wife to A. A. Brown, ne¼ sw¼ and lot 3, in 7-15-10	2,000
South Omaha Land company to William Wemmer, lot 4, block 46, South Omaha	332
Same to Stephen Volz, lot 8, block 107, same	50
J. C. Robinson and wife to K. A. Ryan, w 20 feet of e 90 feet lots 5 and 6, block 40, South Omaha	1,400
Total amount of transfers	$11,484

SUBURBAN ROAD ASSURED

Promoters of Project and County Commissioners Agree on Details.

CONCESSIONS ASKED FOR ARE GRANTED

County Will Get Ten Per Cent of the Net Profits After Dividend Has Been Paid to the Stockholders.

The new electric road between Omaha and Fremont is practically an assured institution, as the promoters and the county commissioners, on whose attitude the construction of the line largely depends, have reached an agreement as to concessions on both sides essential to the granting of a franchise. The terms and the demands of the commissioners and the railroad men were discussed at a meeting in the court house yesterday afternoon. It was decided that on Saturday next there will be another meeting for the signing of the agreement and contract.

All the concession for which the commissioners held out were acceded to. The organizers agreed to allow the county 10 per cent of the road's net profits after a dividend of 6 per cent had been paid on capital stock in the sum of the actual amount expended in the construction of the road. They agreed also to grade the roads at their own expense and to pay two-thirds of the cost of new bridges. The exact time for the work of construction to begin and the date for the completion of the work will be settled definitely at the meeting Saturday.

The commissioners decided to rent an unused part of the poor farm to the Omaha Athletic association.

Primary Union Meeting.

The regular annual meeting of the Primary Union of Sunday School Teachers will be held Saturday afternoon at 2:30 in the Young Men's Christian association parlors. Election of officers and the Sunday school lesson for the following Sunday will be taught by Mrs. P. L. Perine. All primary teachers are urged to be present.

A cold, cough or la grippe can be "nipped in the bud" with a dose or two of Foley's Honey and Tar. Beware of substitutes. Dillon's drug store South Omaha; Myers-Dillon Drug Co., Omaha.

INVALID CHAIRS.

We carry in stock a large line of rolling and reclining chairs for the use of invalids and cripples,

Call or Send for Illustrated Catalogues and Prices.

THE ALOE & PENFOLD CO.,
Deformity Brace Manufacturers.
1408 Farnam OMAHA.
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You Must Be Quick—

If we're going to be a Santa Claus—We 'll help you to decide—Why not buy something substantial and useful—Nothing will please your mother—wife—sister or brother as much as a pair of shoes—$3 shoes—In these we give the best value ever attempted in a $3 price—the same style as the higher-priced ones—while the quality is better for wear—its heavier—There must be something besides talk in our ladies' $3 shoes else Drex L. Shooman wouldn't sell so many—We know its value.

Drexel Shoe Co.,

New Catalogue Ready—Sent Free for the Asking.

Omaha's Up-to-date Shoe House.
1419 FARNAM STREET.

Our Bicycle Man—

Is tickled all over—He had a whooping good day yesterday—He was loaded with all kinds of orders for fitting castings and repairing heating stoves—cooking stoves—ranges—for making water connections—cleaning out furnaces and cleaning gasoline stoves—We are prepared to do any kind of work or to fit any burned-out-part of castings in any stove or range.

OMAHA STOVE REPAIR WORKS

Telephone 960. 1207 Douglas St.

The Knabe Piano—

of today will outlive the 20th century—Viewed from any standpoint the Knabe is absolute perfection—It will pay you in the long run to buy a piano like this—and as we have now a nice selection of these beautiful instruments in stock, we invite you to give us an early call and inspect them—There is nothing more suitable than a fine Knabe piano for a Christmas gift—We are sole agents and are in a position to give you the very best prices on these pianos—Have you seen the self-playing piano attachment—Apollo?—Ask for it when you call.

A. HOSPE,

Music and Art. 1513 Douglas.