HAYDEN'S See our exquisitely beautiful, most complete, convenient and gift-suggesting displays of dolls, toys, games and holiday goods of all kinds, filling the entire main floor. HAYDEN'S

The finest showing in America. You are invited to drop in and inspect whether you buy or not. No elevators to ride or stairs to climb. You are sure to find What you want. All goods are arranged to make selections easy. Every article placed where it can be examined. All prices plainly marked. Special sales on jewelry, watches, silverware, books, fancy goods, Thursday

Come this evening if you cannot find time through the day.

A big force of extra clerks will be on hand Thursday to give all prompt service—no waiting—no matter how big the crowd.

All Steel Saving Banks, with combinations, an instructive and useful gift—worth 50c, at 19c.

35c Doll Trunks, at 19c.

One hundred styles of box games, very entertaining, regular price 10c, on sale at 3c Look through these.

We have absolutely everything that is new, novel, instructive or entertaining in toys and holiday goods, conveniently arranged and priced, fully 30 to 50 per cent lower than any other house.

Attend Thursday's big sales get what you want and save money.

Prices cut on dolls, toys, games, etc., in the home of Santa Claus. Little things for little tots at little prices. See our beautiful and most exquisite line of dolls, in all sizes, all materials, all colors, all shapes. Every taste can be pleased at a saving of fully 50 per cent. More dolls than all Omaha combined. We are almost giving them away to close them out before Christmas.

OUR HOBBY HORSES, Velocipedes, Wagons, Doll Buggies and large useful toys of all kinds—we have cut the prices almost in two for Thursday's sale.

Our regular fine $1.50 Hobby Horses reduced to 75c.

Iron Wheel Go-Carts, a very desirable gift, worth 75c, at 39c.

Regular $2.00 Crokinole Boards, Thursday 95c.

Your choice of all steel train, fire engine, hook and ladder, worth 50c, Thursday at 19c.

A few sample prices on cold weather Goods—We carry the celebrated Peck and Snyder Skates.

Men's or boys' Skates, regular 75c, special, 49c

Men's and boys' nickel-plated, regular $1.25, special 79c.

Ladies' Skates, regular $1.25, special 79c.

Boy's Coasters, usually sell for 35c, special 19c.

Ladies' Skates, regular $1.50, special $1.10. Girl's Sleds, usually sell for 35c, special 19c.

Great Sale of Fine Xmas Slippers AND Shoes

Two big eastern Slipper Stocks on sale at less than wholesale prices, from Hazen B. Goodrich & Co. and J. I. Benedict & Son. The greatest fine Slipper manufacturers in the world.

The "Brooks Bros." and "Ultra" Shoes for women; "Merriam" Shoes for children; "Stetson" Shoes for men, on sale at $1.00 to $2.00 less than others ask for inferior makes.

Ladies' 50c Velvet House Slippers for	25c	Ladies' Fine $1.75 Felt Kid Foxed Juliet Slippers for	$1.23
Ladies' Fine $1.00 Turkish House Slippers for	49c	Ladies' Fine $2.00 Satin Fur Trimmed Juliet Slippers for	$1.35
Ladies' Fine $1.50 Felt Turn Sole House Slippers for	98c	Child's Fine 60c Velvet House Slippers for	25c

MEN'S AND BOYS' SLIPPERS.

Men's 50c Velvet Slippers for	25c	Men's Fine $1.35 Goat Everett Slippers for	$1.00
Men's Fine 85c Velvet Embroidered Slippers for	49c	Men's Fine $2.00 Goat Faust Slippers for	$1.48
Men's Fine $1.00 Velvet Embroidered Slippers for	65c		

Watches, Clocks, Jewelry

Big Special Sales Thursday. The most complete assortment in America. Buy while selecting is easy.

Handsome 8-day, large size iron clocks, best movements, guaranteed for 10 years—on sale at..... 4.95

Beautiful new line of new China Clocks, fancy hand decorated cases—on sale at..... 1.85

Watches Thursday at Big Saving

Boys' regular $3.00 American watches, in fancy nickel cases—reduced to..... 1.98

All the best movements, sizes and cases. Select a watch now and we will hold it for you until wanted.

Special Silverware Sale

The most appropriate and pleasing gifts.

Berry dishes, quadruple plate, fancy crystal bowl, worth $4.00, Thursday at $1.50.

Cake Stands, at $1.50 and $1.98.

Butter dishes, worth $3.00 at $1.25 and $1.50.

Your choice of a great odd lot of Rogers Bros.' and other good makes of table spoons and forks.

In Rogers' and other good makes, 17c.

Tobacco jars, in the silver plated tops, 25c.

A full set of nut picks and cracks at 25c.

Puff boxes 25c.

Child's silver plated three-piece sets, at 25c.

Ladies' sterling silver Nethersole bracelets at 50c.

Child's three-piece desk set, at 49c.

Opera Glasses A splendid showing of all the best makes, at a big saving in price—Very seasonable and desirable at this season. You can save money by buying here and now.

35c 12 mo. Books at 12½c

We sell the books—5,000 elegant 12 mo. books 12½c each. 3,000 elegant 16 mo. books 12½c each. $1.25 copywright books 25c. Albums on half price. Crepe Paper 5c roll. Initial hemstitched Handkerchiefs 5c.

50c Wool Gloves and Mittens at 25c.

300 dozen sample Mittens and Gloves, the entire line of one of the largest manufacturers in this country—everything new in gloves and mittens, worth up to 75c, all go in this lot at 10c, 15c and 25c.

Men's $1.50 Kid Gloves at 98c.

Ladies' $1.25 Kid Gloves at 75c, in all the new shades.

The largest line of Ladies' Fancy Aprons in Omaha at 25c and up.

Ladies' $1.00 Wool Fascinators at 25c.

Men's $1.50 and $2.00 Sweaters at 98c.

Men's $1.00 Silk Suspenders at 50c. Men's 50c Suspenders, with leather ends, at 25c.

Men's 50c and 75c Neckwear at 25c.

Men's $1.50 Mufflers at 98c.

Men's 75c Cashmere Mufflers at 25c.

COLLAR AND CUFF BOXES.

The bargain of bargains—only 25c each, 4 colors.

25c Celluloid Combs, fancy, 10c.

300 sets Military Brushes $1.50.

400 sets Military Brushes $2.00.

500 sets Military Brushes $2.50.

HORN ALLIGATOR Pocket Books are the latest. We have the finest line in the city.

$5.00 genuine Horn Alligator Pocket Books $3.00.

$10.00 genuine Horn Alligator Pocket Books $7.00.

$8.00 genuine Horn Alligator Pocket Books $5.00

Ladies' Garters.

These goods come in fancy glass boxes and make fine gifts.

25c Garters 10c.

35c Fancy Garters, glass box, 15c.

50c Fancy Garters, glass box, 25c.

$1.00 Fancy Garters, glass box, 50c.

50c Satin Belt Hose Supporters, 25c.

Holiday Gifts.

The wonder of all is a complete line of hand-painted Celluloid Handkerchief Boxes, Glove Boxes, Jewel Boxes, Tie Boxes, Cuff Boxes. Goods worth 50c to $1.00; your choice for 25c.

Our line of Celluloid Goods never equalled.

Beautiful Toilet Sets, 69c.

Elegant Manicure Sets, 98c.

Elegant Toilet Sets, 75c.

The greatest line of Fancy Toilet Boxes at $1.00, $1.50, $2.00 and $3.00.

Albums at Half Price.

The largest line of New Albums ever seen in Omaha.

$1.00 Albums 50c. $1.50 Albums 75c. $2.00 Albums 98c. $2.50 Albums $1.25. $3.00 Albums $1.50. $4.00 Albums $2.00. $5.00 Albums $2.75. $6.00 Albums $3.00. $8.00 Albums $4.00.

Holiday Handkerchiefs.

Just to start the ball, 1,000 dozen 10c Initialed Handkerchiefs 5c each.

35c fine embroidered handkerchiefs 19c.

50c fine embroidered handkerchiefs 25c.

$1.00 pure linen embroidered handkerchiefs 50c.

$5.00 real lace handkerchiefs $2.50.

$10.00 real lace handkerchiefs $5.00.

Greatest Piano Sale That Ever Took Place in Omaha.

From now until January 1st we will cut the price on every piano on our floor. Any one thinking of purchasing a piano for Christmas should not fail to attend this sale. We guarantee to save you from $100 to $200 on your purchase. Every piano guaranteed to give satisfaction or money cheerfully refunded. We will have an extra force of salesmen to wait upon you. No pianos sold to dealers. Here are a few of the pianos that will go in this sale: Chickering, Fischer, Franklin, Knabe, Jacob Doll, Behr Bros., Lester, Marshall & Wendell, Haines, Briggs, Ivers & Pond, Weber, Kirkman, Bana and Singer. Pianos sold on easy terms if desired. New pianos for rent. Pianos tuned, moved and repaired. Catalogues furnished to out-of-town customers on application. Tel. 683.

OPTICAL DEPT.

Fine Gold Spectacles on sale at reduced prices. Lenses exchanged free for purchasers.

Christmas Candy Sale.

The purest and freshest Candies, nicely put up, at the very lowest prices:

Butterscotch Wafers, worth 30c, at lb.	15c
Very fine Mixed Candy, per pound	10c
Broken Peanut Candy, per pound	10c
Yankee Peanut Candy, per pound	10c
All-Day Suckers, per pound	10c
Cocoanut Drops, per pound	15c
Candy Glass, per pound	10c
Tip-Top Caramels, per pound	10c
Conge Caramels, per pound	12½c
Cream Caramels, per pound	20c
Fudge	25c
Chocolate Creams	20c
Fine quality Marshmallows, worth 60c, at	35c
Cream Almonds	30c
Butter cups	25c
Pipe Stems	25c
Fine assortment Bon Bons and Chocolates, box	25c
Very finest, worth 75c, at	40c
Candy Canes	5c and 10c
Candy Rings, pound	15c

TEN PER CENT DISCOUNT TO CHURCHES, SCHOOLS, ETC.

Omaha's Leading Silk Dept.

Offering the finest line of Silks, all at special sale price for Christmas presents.

Beautiful all silk, fancy stripe, waist silk, worth up to 75c, for 27c yard.

50 pieces of handsome Crepe de Chene, all silk, 24 inches wide, black and all colors, makes pretty party gown, on sale for a short time, 75c.

The new Silk Flannel for waists, pretty colors and black, now all the rage, best quality, 89c.

New rich Royal Persian Panne Velvet for waists or trimming, worth $4.00, on sale now at only $1.98.

Black Taffeta, 27 inches wide, good, heavy, rustling quality, worth $1.00, for 59c.

1,000 Black Silk Dress Patterns on special sale—worth $25.00, on sale at $15.00—worth $18.00, on sale at $11.90.

Dress Goods.

500 exclusive dress patterns, made especially for Christmas, by Priestly of Bradford, England, and Coutiere of Lyons, France, at $1.00 to $10.00 per yard. Every pattern bought by a gentleman will be either exchanged of money cheerfully refunded if not entirely satisfactory.

Sheet Music.

Haydens' carry all the very latest Sheet Music and sell at the very lowest prices possible.

Tomorrow we will place on sale such hits as the following at only 19c per copy, regular price 25c: I Can't Tell Why I Love You, Just Because She Made Dem Goo Eyes, Way Deep in My Heart, Bridge of Sighs, It's Just Because I Love You So, Way to Win a Woman's Heart, For Old Times' Sake and Without You, Love, Ah, Let Me Die; the last two by Charles K. Harris. We also have lots of nice music we can show you at only 10c and 15c per copy.

Great Reduction in Price of Canned Goods

We purchased the entire pack of one of the largest canning factories in the country. Being in need of money, they accepted our cash proposition. All the goods were put up this year and are fresh, new goods.

2-lb. can Corn, finest packed, worth 15c can, our price	5c
3-lb. can Tomatoes, worth 15c can, our price	7½c
2-lb. can String Beans, worth 12½c can, our price	5c
2-lb. can Lima Beans, worth 18c can, our price	7½c
2-lb. can Early June Superfine Sifted Peas, worth 25c, our price	12½c
3-lb. can Pumpkin, worth 15c, our price	9c

DRIED FRUITS.

5 pounds Santa Clara Prunes for	19c
3 pounds California Prunes for	25c
3 pounds large fancy Oregon Prunes for	27c
3 pounds fancy New York Apples	24c
3 pounds San Jose Peaches for	24c
3 pounds Butte County Peaches for	29c
3 pounds fancy Extra Large Muir Peaches for	34c
5 pounds 4-Crown Raisins for	29c
3 pounds Virginia Blackberries for	27c

TEAS AND COFFEE.

Special Roast Rio Coffee, worth 17½c	12½c
Golden blend Santos, worth 20c, only	15c
Family Java and Mocha, worth 35c	25c
Broken Java and Mocha only	10c
New Tea Siftings only	20c
Fancy Drink Sun Dried Japan only	35c
New Young Hyson and English Breakfast Tea	37½c
Breakfast Fired Japan for	42c
11 bars best Laundry Soap for	25c

TOBACCOS.

3 pkgs. Cut Plug for	10c
1 lb. Duke's Mixture for	30c
1 lb. Triumph for	25c
1 lb. Durham for	50c
Uncle Tom for	5c
Star, per plug, for	43c
Battle Ax, per plug, for	36c
Nerve Navy, per plug, for	38c
Standard Navy, per plug, for	37c
Fruit Juice, per plug, for	35c
Newsboy, per plug for	38c
Climax for	42c
Globe, per plug, for	42c
Star, per plug, for	43c
Horseshoe, per plug, for	42c

HAYDEN BROS.

OBTAINS DIVORCE IN SECRET

Illinois Husband Secures Decree in Nebraska Which May Be Annulled.

WAS NOT EVEN RESIDENT OF THE STATE

Wronged Wife Makes Disclosures in a Petition Filed in District Court that May Cause Trouble.

A petition has been filed in the district court that discloses a romantic story of an Illinois man who played a part in a marital drama a good deal like that of the heavy villain in a Bowery theater. His name is Charles Smith, and two states furnished the settings and scenic effects for the several acts that go to make up the sketch. Smith is said to be worth a vast sum of money; at at any rate he is the owner of a farm in Champaign county, Illinois, and his father is rated by mercantile companies among those classed as extremely wealthy and prompt to pay.

On January 3, 1900, Smith applied to the courts for a divorce from Agnes Smith, whom he said he had married in Bloomington, and who deserted him a few months after the ceremony. As Smith represented that he was a legal resident of the state and as there was a default by the defendant Judge Keysor granted a decree on February 13. The petition filed in the courts yesterday morning is by the divorced wife, Agnes W. Smith, and it specifies that the husband was not a legal resident of the state and that the decree was obtained by fraud.

Agnes Smith lived at Bloomington when Smith first bought his farm near that of his father at Broadlands, Champaign county, Ill. The couple met at a dance and as the girl was a belle of the town Smith at once became a devoted admirer. His courtship met with no success at first. As his pride was piqued because of this circumstance he is said to have made boasts among his companions that he would marry the girl in spite of all odds if a lavish layout of money and persistent efforts would accomplish the end.

Smith Keeps His Word.

True to his word, Smith kept in front of his many rivals for the girl's hand and finally persuaded her to consent to marriage. They became man and wife in Bloomington on March 1, 1899. On June 22 of the same year the couple planned a trip to Bloomington for Mrs. Smith, the object being to attend a Sunday school convention in session there and to take advantage of the occasion to make a brief visit with friends. On Mrs. Smith's arrival at Bloomington she was shocked to receive a letter from her husband informing her that it would be needless for her to try to return to her home with him, as he would not live with her longer.

The woman went back to the Broadlands farm and found the dwelling and other buildings deserted. From Smith's parents nothing could be learned of his whereabouts and when she found a way to enter the house at the farm and was about to build the fire in the kitchen stove to prepare a meal Smith's brother is said to have assaulted her and forced her to leave the premises. It was not until November 6 that news of the divorce reached her. Mrs. Smith informs the court that her husband never lived in the state of Nebraska, but came here only for the purpose of procuring the separation from her. She maintains that she was never notified of the divorce proceedings and the decree was obtained fraudulently and for the express purpose of wronging her. The plea of infidelity, on which the suit was based, she declares to be false, as the man, George Brown, with whom she is said to have been intimate, is not even an acquaintance, but that the name is fictitious.

The plaintiff asks that the decree be set aside and that the case be opened up, so that she may make a defense. Mrs. Smith's attorneys say that they will have a hearing in the case as soon as possible and that it may be necessary to have Smith brought back from Illinois by the sheriff to answer to charges in connection with the case.

CRIMINAL CASES DISPOSED OF.

Punishment Meted Out to Four Offenders in Judge Munger's Court.

Yesterday the criminal docket of the United States district court was called for the trial of cases. There were five cases on the calendar, but in every instance but one the defendants changed their minds and entered pleas of guilty. The first to receive sentence was Gottlieb Messener, a boy who said that his sole offense was purchasing liquor, which he was estopped from delivering to an Indian by the interference of the police. He was given sixty days in jail and a fine of $100 and costs, the minimum sentence. E. M. Lingle drew the same sentence for the same offense. Alva Myers, who pleaded guilty to selling liquor to Indians, was released on his own recognizance, as he had been an inmate of the Douglas county jail for nine months while awaiting trial.

The lucky man of the lot was Alfred L. Hough, a resident of the reservation, who was charged with the same offense. He has been in jail for a month or more and each day has written a letter to the president of the United States asking him to interfere in his case and prevent oppression by the lesser officials of the government. His appeals finally brought a response from the private secretary of the president, in which it was said that the matter had been referred to the attorney general. When he was arraigned a few days ago he announced that the attorney general would appear in his behalf, and today the charges against him were dismissed, as the district attorney, thought an insane asylum more suitable for him than the county jail.

John H. Eich, the embezzling mail carrier, pleaded guilty and his case was passed for sentence.

With this case the docket for the day was cleared and Judge Munger began the consideration of civil cases upon motions pending.

Court Notes.

Articles of incorporation for the Oscar Milsap company have been amended to change the name of the concern to the Dauntless Manufacturing company and increasing the capital stock to $100,000.

Judge Baker is hearing the case of the state against Bill Vester and John Elliot on the charge of assault with intent to do great bodily harm. The men are said to have assaulted A. I. Henderson on the night of July 29.

Chester Romig, by his father, James B. Romig, has commenced suit against the World-Herald Publishing company to recover $375 which he alleges is due because of the defendant taking from him without cause a carrier's route for which he paid $250 on December 10.

The defendants in the four suits brought to recover damages from the water works company on account of the personal injuries and loss of life caused by the Patterson block fire last year have filed motions to remove the cases to the United States court. The plaintiffs in the cases are: Ida L. Wilson, Laura B. Holt, Emma J. Rex and Charles T. Wilson.

Mayor Allen R. Kelly of South Omaha was released from the custody of the sheriff yesterday by filing with the clerk of the district court a bond of $1,000, with Patrick J. King as surety. Kelly's attorneys have announced the intention of carrying the habeas corpus case to the supreme court for a ruling of the higher tribunal on the question whether Kelly, as mayor and an executive officer, can be prosecuted under the statute relating to bribery and specifying that only ministerial and judicial officers can be punished.

A. R. Harvey, receiver for the Metropolitan Plumbing and Chandelier company, has filed a report showing that he has collected $168. He asks to be discharged.

W. K. Potter, receiver for the Nebraska Savings and Exchange bank, has filed a report showing that the assets of the defunct concern are $27,762.27 and the liabilities $102,693.65. This does not include the capital stock.

Judge Fawcett has granted a decree declaring null and void paving and curbing assessments on Harney street between Sixteenth and Twenty-sixth and enjoining the city treasurer from attempting to collect the taxes. The decision was in the case of William A. Paxton, jr., against the city.

Judge Fawcett has granted a decree of divorce in the case of Ella M. Dodson against Charles H. Dodson, allowing the plaintiff allimony in the sum of $1,000 and giving plaintiff custody of the child, Loa, every day but Saturdays and Sundays during school time and allowing the father to have her during vacation.

George M. Lydick of Herman has filed application in the United States district court for adding to be adjudged a bankrupt. Lydick is a victim of the Herman cyclone. His drug store was demolished in the storm which visited the village and he has been unable to get started again. His debts are $7,236.39 and assets $180.

One of the largest list of liabilities filed in the state under the bankruptcy law is that of William E. Barkley, jr., of Lincoln, whose application was filed yesterday. He lists debts of $153,968 and assets of $150. The principal creditors are the receiver of the defunct Lincoln Safe Deposit and Trust company and the creditors of that institution. Barkley owned 803 shares of stock of a par value of $100, on which was due $90 per share deferred payments and $100 per share assessment, called for by the receiver.

Announcements of the Theaters.

Boyd's theater will be dark during the rest of the week, but Christmas week at that popular resort will glow from start to finish with merry Christmas comedy. Opening Sunday, continuing until Tuesday night and including a Christmas matinee, those clever comedians, Murray & Mack, will appear in their great musical success, "Shooting the Chutes." Following them, with entertainments Wednesday afternoon and night and Thursday night "The Man from Mexico" will be given, with George C. Boniface, jr., in the title role, and the week will close with two nights and a matinee of Jerome K. Jerome's delightful comedy success, "Miss Hobbs."

Rose Sydell's "New London Belles" are giving a splendid performance every evening, delighting large audiences. Yesterday matinee was "Eagle's" matinee, which helped to swell the attendance considerably, many members of that prominent order being present. The last opportunity Omaha theater patrons will have in which to see the "Belles" is the Saturday matinee, as there will be no performance Saturday evening.

Beginning with the Sunday matinee, Sheridan's big "New City Sports" come for an entire week, with an interesting olio and two new burlesques.

The four Nelson sisters, female acrobats, at the Trocadero, are certainly the best Omaha has seen in their line.

James A. LaClare is without a doubt the most clever juggler we have seen in many a day. He introduced many laughable turns.

Measurements of Pupils Completed.

This week the teachers in the High school will complete the measurements of High school pupils, which are being taken for Prof. W. W. Hastings of the University of Nebraska, who was recently elected to a position in the International Training School for Physical Education at Springfield, Mass. Prof. Hastings will compile the statistics and report concerning the normal size of High school pupils. A similar report was made last year on children in the grades of the Omaha schools.

The kidneys ache when they are overworked and the trouble gets serious unless promptly removed. Prickly Ash Bitters is a reliable kidney tonic and bowel regulator.

REVISITS HIS OLD HAUNTS

Tom McCarty Comes Up from Lincoln and Looks Down Farnam Street.

KNOWS SOME PROMINENT CITIZENS

Former State and City Treasurers Now Acting as Gardener and Waiter at the Penitentiary.

Tom McCarty, one of the famous family by that name which helped to make lively police history a few years ago, was brought from the penitentiary yesterday by Deputy Sheriff Tom Flynn for a hearing before Judge Slabaugh on a writ of habeas corpus. McCarty's attorneys have raised the point that his detention in the prison is illegal for the reason that he was convicted in Sarpy county and sentenced here.

The misdeeds of the McCarty family were multitudinous in the early days. There were a father, two boys, Tom and Vic, and a son-in-law, John Gallegher. The rendezvous of the gang was an island in the Missouri river a few miles from Bellevue. It was to this place they retreated after offenses committed in Iowa and Nebraska and it was there they had hiding places for the concealing of their booty. Some of the adventures of the McCarty gang read like a romance and, with their Robinson Crusoe-like home, they led an exciting existence until 1895, when they became implicated in a shooting scrape that put an abrupt end to their lawlessness.

As McCarty stood on the steps of the court house yesterday and looked up and down Farnam street he had the demeanor of an eagle just let out of a cage. Being used to the prison garb for so long, his garments set uneasily on him and he kept adjusting them every minute or two. Men who knew McCarty well stopped and shook hands with him on their way to the court rooms and asked about public individuals confined in the penitentiary.

Good Jobs for Former Officials.

"Bolin? Why, Bolin's all right," said McCarty. "Bolin's flunkey down at the 'Hotel Lincoln,' he gives us our fodder three times a day. Waits on the table, you know. He's as fat as a pig and wants out, of course. And there's Bartley; yes, I see him often: Joe is florist for the push. He makes bouquets for the boys, trims the plants, prunes the vines and such like. Joe had bad eyes and he couldn't do the regular line of work, so they gave him something easy. His side partner is an old pal of mine named Simpson. We used to do sketches together down in Sarpy county. Simpson helps Bartley water the plants and put bug powder on the leaves to destroy the insects. They've got a cinch compared to my job," and McCarty laughed, as if the idea of the former city treasurer turned waiter, and the state treasurer in the role of botanist appealed to him as a joke.

"I'm in the blacksmith shop," McCarty continued. "I shoe all the horses owned by the state and repair all the wagons. They put me in the cooper shop at first, but that was too much like work. It took me eleven months to make two barrels, and then the keepers got next and transferred me to the smithy." Someone suggested that McCarty got out in time to go down to the old island and be King of the Figites, who are migrating there from Gretna. "Well, I don't know that I want to go back to the island," said McCarty. "If I ever get out of that place down at Lincoln I'm going to be king of something besides crooks, and they might do, but I'm afraid the island would make me homesick."

Application for Writ Denied.

After hearing the arguments of the attorneys at the afternoon session of court Judge Slabaugh denied the writ and remanded McCarty to the penitentiary at Lincoln. The discussion of the points in controversy required only an hour. In giving a decision the court held that he must take the statutes for authority, even though the supreme court has never ruled on their validity in the particular instance concerned, and find that any district judge has the power to transact in chambers any legal district business that may be brought before him. The finding is in accord with the action of Judge Ambrose in sentencing McCarty in this county when the crime was committed in Sarpy county.

It seemed to the attorneys that all of Sarpy county was in the court room to learn what disposition would be made of the former Sarpy county lion and the throng testified to the awe and admiration in which the people of the Bellevue locality hold the man who was formerly great in their midst.

McCarty took the decision of the court cheerfully. On leaving the room he kissed those of his relatives who are women and shook hands with the men. "I'm behaving well down there," he said by way of farewell, "and I'll be out soon anyway." McCarty neither looks nor acts the part of a desperado. He is tall and large-boned and has the appearance of being as kind-hearted as he is strong.

LARGE ICEHOUSE IS UNSAFE

Any Accident That May Result from an Attempt to Fill It Will Be Considered Criminal Negligence.

Among the buildings which the city inspector of buildings recommended for destruction at yesterday afternoon's meeting of the Advisory Board was the icehouse belonging to Mrs. Benson and located at Fifth and Leavenworth streets. He reported that the building is unsafe and at his request the secretary was requested to notify the owner that an accident which may result from any attempt to fill the house with ice will be considered criminal negligence. Three weeks will be given for defense before the board will take final action in the matter. The inspector was authorized to destroy several small buildings.

George C. Burr was awarded the contract for feeding prisoners at 5 cents a meal. C. R. Cameron, D. R. Cameron, John Wilson, James E. Beacon and E. N. Dahlrash were other bidders

The contract for supplying the city with ice was awarded to David Talbot on a bid of 40 cents per 100 pounds.

Bids were also received on city printing, sewer pipe, cement, sand and lumber, but the contracts were not awarded.

Our Nation's Wealth.

Gold and silver are poured abundantly into the lap of the nation, but our material wealth and strength is rather in iron, the most useful of all metal, just as the wealth of a human being lies in a useful stomach If you have overworked yours until it is disabled, try Hostetter's Stomach Bitters. It will relieve the clogged bowels, improve the appetite and cure constipation, dyspepsia, biliousness, liver and kidney disease.

Mortality Statistics.

The following deaths and births were reported to the city health commissioner for the twenty-four hours ending at noon Wednesday:

Deaths—Lydia A. Ward, 2932 Saratoga, aged 81; Mary E. Elwell, 829 South Nineteenth, aged 32.

Births—James Gilligan, 707 Hickory, boy; John Reynolds, Nineteenth and William, girl.

PLEASED WITH THE BENEFIT

Auditorium Directors Felicitate Over the Success of the Woman's Club Entertainment.

There was little business accomplished at the noonday meeting of the auditorium directors of the Commercial club yesterday. During luncheon and for an hour afterward the directors talked of little else other than the successful benefit entertainment given by the Woman's club Tuesday night.

The directors are more than gratified with the success of the affair. Though the auditorium directorate the committee of the Woman's club having the entertainment in charge wish to make public their appreciation for the assistance rendered by the press, musicians, artists and all others who gave their time and energies in the preparation and rendition of the program.

The exact amount that will be turned into the auditorium fund from the benefit entertainment has not yet been definitely determined. The sum, however, will be between $500 and $600.

VICTORY FOR THE RECEIVER

Sale of Assets of German Savings Bank Will Enable Him to Pay Small Dividend Soon.

The confirmation by the supreme court of the sale of the assets of the German Savings bank is a signal victory for Receiver Thomas H. McCague and the depositors. The stockholders appealed to the supreme court to have the sale set aside for the purpose of delaying the settlement of the estate, which must inevitably result in pecuniary loss to them Now that the supreme court has confirmed the sale, Receiver McCague expects to pay a small dividend, perhaps 2 or 3 per cent, within the next sixty days, and as soon as practicable suits will be begun by him against the stockholders to recover on unpaid stock subscriptions and on constitutional liability. The unpaid subscriptions sum up about $400,000 and the constitutional liability of the stockholders amounts to $500,000.

BOSTON'S BARBER REGULATIONS.

Board of Health Orders Sterilization of All that Barbers Use on Customers.

A special dispatch from Boston, May 5, 1900, to the New York Sun gives as new regulations of the Boston Board of Health as to barber shops: "Mugs, shaving brushes and razors shall be sterilized after each separate use thereof. A separate, clean towel shall be used for each person. Material to stop the flow of blood shall be used only in powdered form, and applied on a towel. Powder puffs are prohibited." Wherever Newbro's "Herpicide" is used on face or scalp after shaving or hair cutting, there is no danger, as it is antiseptic, and kills the dandruff germ.

Off for Kansas City.

Yesterday at 9:15 General Fitzhugh Lee and party left for Kansas City, where they were the guests of the Commercial club of that city last night. A special committee from the Kansas City club arrived in the city early in the day and went to the Millard hotel, where they met the general's party, which consisted of General and Mrs. Fitzhugh Lee, Miss Ann Lee, Major R. E. L. Michie, Captain and Mrs. J. M. Erwin, Lieutenant G. M. Lee and Mr. Pedigo. After breakfast they were driven to the Burlington depot, where they took the special car for the southern trip, which will include St. Louis.

In Good Standing.

"Every one who has used Chamberlain's Cough Remedy speaks well of it," says Mr. Edward P. Miller of Abbottstown, Pa. People who once use this preparation are seldom satisfied with any other. There is nothing like it to allay a cough or break up a cold. It is pleasant to take, too.

NEW POINT OF LAW RAISED

Assistant City Attorney Trying to End Special Tax Litigation.

SEEKS TO BAR ACTION IN THE FUTURE

Holds that When Purchasers of Land Have Deducted Special Taxes They Are Estopped from Further Proceedings.

Assistant City Attorney James H. Adams has raised a point in contested tax cases which promises to put an end to much litigation brought about through the efforts of property owners to defeat taxes levied for special improvements. He has set up the claim that when in the purchase of property or in foreclosure of a mortgage persons have deducted taxes from the purchase price, or the price fixed by appraisers, they are forever estopped from disputing the validity of such taxes. The fact that a man takes advantage of such taxes and profits by them is, in Mr. Adams' opinion, a bar to any future action to invalidate the taxes.

On Saturday Judge Fawcett will render a decision on this point in a case which involves $1,500 worth of taxes and many other cases involving thousands of dollars will be affected by the judge's ruling. No court in Nebraska has ever ruled in a case of this kind where taxes were questioned, but there are many decisions in similar cases relating to judgments and other liens and the courts have held that when a man takes advantage of any lien he is estopped from contesting it afterward.

The city council has authorized Mr. Adams to employ an abstracter who is now at work examining the records and ascertaining in how many of the contested tax cases which are now pending the property holders profited by the delinquent taxes. Mr. Adams is confident that the courts will refuse to annul taxes in cases where there are transfers on record which show that the contestants at one time admitted the validity of the taxes in question.

"It is a principle of law that a man who seeks equity must do equity," said Mr. Adams, "and many of these men who seek to have taxes canceled certainly have not done equity. They have bought mortgaged property at two-thirds of the appraisers' valuation, less the taxes. The man who owned the equity was compelled to stand the loss and now the property owners want to keep the taxes they collected from him rather than pay them into the city treasury. Such men do not come into an equity court with clean hands."

LEGISLATION IS DISCUSSED

Real Estate Men Talk Over Matters in Which They Are Especially Interested.

The regular weekly meeting of the Omaha Real Estate exchange yesterday was devoted entirely to the discussion of business matters in which the exchange is interested. Various legislative questions were discussed and plans are under way for an active campaign between now and the meeting of the legislature, having for its purpose the securing of such legislation as the real estate men feel they ought to have.

At next week's meeting an editor who for many years was in editorial charge of a leading municipal journal in New York City, will discuss the question of "Municipal Ownership of Water Works." Herman Kountze will also be present at the next meeting and deliver an address.