

JUDGE GORDON IS WINNER

City Council Dismisses Its Impeachment Proceedings Rather Suddenly.

LACK OF JURISDICTION IS ASSERTED

Members Take Ballot in Executive Session and Announce Result—All Barriers Between Gordon and the Bench Are Removed.

After a brief consideration of the arguments presented in the Gordon case the city council dismissed the case yesterday afternoon on the ground that the councilmen believed they had no jurisdiction. The finding of the council was as follows: "The council, having heard the arguments of the council to entertain the charges preferred against Samuel I. Gordon, police judge, have decided to dismiss the case for want of jurisdiction."

There was no reason for such a decision from the council. It was the attorney W. J. Connelley, in discussing the matter, "It was an easy way for the councilmen to slip out of the tangle and show a desire to shift responsibility."

It will never be known how the council voted. The decision was arrived at in executive session and the members refuse to disclose the result of the balloting.

"The council had jurisdiction in the case. There is no question about that," remarked Councilman Hascall after the verdict was brought in. "The decision establishes a bad precedent in that it makes it appear that no city official can be tried anywhere but in a court. Still you notice that the council did not state any ground for lack of jurisdiction in its finding."

"The verdict is not a direct decision on the power of the council to try a city official. It was contended by the attorneys for Judge Gordon that proper notice was not served on the defendant. That, or many other reasons set forth by the defendants, may be construed to be the ground upon which the council based its verdict. This decision removes the last barrier between Judge Gordon and his seat in the police court. The city attorney stated after the verdict was returned that he knew of no other means of bringing Judge Gordon on trial on this charge referred to against him by the Board of Education."

City Attorney's Speech. "This is a case in which the councilmen must be governed by their judgment and not by their sympathies. It is a case in which the law must be considered. Men have been removed from office in Nebraska in spite of the efforts of the wives and daughters to create sympathy. Many good men have failed to perform the duties of their offices and no influence should blind members of the council to a recognition of Judge Gordon's shortcomings."

Such was the speech which City Attorney W. J. Connelley made yesterday when he resumed his argument in the trial of Judge Gordon. Judge Gordon's daughter and daughter-in-law sat by him throughout the entire morning. It was their presence which prompted the city attorney to warn the councilmen against any attempt to play upon their sympathies.

For two hours Mr. Connelley talked concerning the constitutionality of the ordinance under which steps have been taken to remove Judge Gordon for failure to perform his duty. He contended that the council has full jurisdiction in cases concerning city officials.

"You should have no hesitation in trying this case and passing upon its merits. To the councilmen of Omaha the power has been given to regulate the acts of city officials. If this ordinance were unconstitutional there would be no means of removing or punishing a dishonest official. The treasurer could appropriate money with impunity were this ordinance void," said Mr. Connelley. "Each city official would be a czar, free from any higher authority and at liberty to manipulate city affairs at will."

The city attorney dwelt at length upon the decision of Judge Sullivan of the supreme court, who held that the district court had no jurisdiction over the case brought against Judge Gordon before that tribunal. This decision, the city attorney contended, points clearly to the jurisdiction of the council and makes the duty of the councilmen clear.

Defense is Presented. The city attorney was followed by an attorney for the defense, who argued that the impeachment of a police judge was a matter beyond the authority of the city council. The office is a constitutional one, he said, and as such can only be filled or vacated by a joint session of the state legislature.

"The fundamental law of the state," said the attorney, "is the constitution, and behind it stand the people of Nebraska who enacted it. Its provisions are beyond any court, council or legislature, and so when it guaranteed Judge Gordon that his term could not be curtailed before two years passed he was assured in that permanency, in spite even of a legislative revision of the charter. When the constitution fixed his salary at \$2,500, another charter could not cut it down during his term of office."

"Now the same constitution stands behind Judge Gordon today, assuring that he cannot be tried or removed from office except as specified in the constitution for officers elected under its provisions. Judge Gordon can only be removed as you would remove a governor or a secretary of state. He must be impeached before a joint session of the legislature, a majority being present, and a majority of the members-elect concurring in the vote."

Send articles of incorporation, notices of stockholders' meetings, etc., to The Bee. We will give them proper legal insertion. Telephone 238.

ADVANCE NOTICE BY BOSTON STORE.

Our Mr. Brandeis Wires Us that He Has Just Bought at the GREAT UNDERWRITER'S SALE. All of the choicest lots of dry goods, silks and embroideries, Ribbons, laces and draperies, Carpets, curtains and draperies. From the stocks of J. C. Lutz & Co., Chicago, Turner Bros., Detroit, J. L. Brandeis & Sons, Proprietors, Sole agents for Roger Peet & Co.'s fine clothing.

LOCAL GARDENERS GET BUSY

Omaha Truck Patches Now Cut Considerable Figure on the Market.

Omaha gardeners are supplying the market with all of the best quality and all of these are shipped in. The home supply on all other things is of the best quality and the market offers a tempting sight early in the morning.

Strawberries were plentiful yesterday and were of good quality. Good refrigerator makes it appear that all the way from \$2.25 to \$2.50, while some soft berries, express stock, brought all the way from \$1.50 to \$2. This fruit is still coming from Arkansas. Though some of the berries run small in size they are remarkably sweet and of splendid flavor.

Some of the produce men turned yesterday morning to a discussion of the egg crop. The supply is abundant and fresh eggs are therefore easy articles to secure. One of the associations has compiled the statistics of the crop in Nebraska during April and it was stated that, in addition to the local consumption, 100 cars of eggs were shipped out or put in storage every week during April. When it is understood that a carload is supposed to consist of 400 cases, each containing thirty dozen of eggs, some conception of the size of the crop in the state can be gained.

PUTTING HIS TEETH AWAY

Charles Davis Proves Himself a Samaritan Instead of a Pickpocket.

Charles Davis, who was charged with picking the pockets of G. L. Brotherhood while the latter was engaged in having a fit on the street, has been acquitted after a hearing in Judge Altstadt's court. Several witnesses testified to seeing Davis with his hand in Brotherhood's pocket, but this he explained by saying that he picked up Brotherhood's false teeth, which had fallen out of his mouth when the spasm seized him, and put them in his pocket, so they would not be crushed by passing upon their sympathies.

Brotherhood says he lost \$1.40, but Davis, when searched at the station, was found to have only 85 cents on his person.

HARRY WOODWARD IS DEAD

Well Known Citizen of Omaha Succumbs to a Complication of Ailments.

Harry Woodward, for many years a resident of Omaha, died at his home, Twenty-seventh and Half-Howard streets, yesterday morning. Mr. Woodward had suffered from several hemorrhages, but heart weakness was the more immediate cause of his death. Mr. Woodward leaves a wife and two children. He was for twenty years manager of the Barklow Bros. News company and was also secretary of the Lomon Gold Mining company of British Columbia. The local Masonic lodges, in which Mr. Woodward had attained the Thirty-second degree, will have charge of the funeral services.

Mr. F. D. Arnold, Arnold, Ia., writes: "He was troubled with kidney disease about three years. Had to get up several times during the night, but three bottles of Foley's Kidney Cure effected a complete cure. He feels better than he ever did and recommends it to his friends."

For a Summer Trip.

You cannot do better than to visit the east. Specially and historically it is rich in interest, and with the added attraction of the Pan-American exposition—at which you have the privilege of stopping on tourist tickets reading over the Lake Shore & Michigan Southern Ry.—an ideal vacation may be spent. Our publication, "Lake Shore Tours," copy of which will be sent on application, contains outline maps of a number of the choicest and most popular trips, with rates. Chateaus will be interested in the opening of our new and direct line to this famous recreative and educational resort. "Book of Trains" gives full information concerning our very complete passenger service to the east. Address B. P. Humphrey, T. P. A., Kansas City, Mo. F. M. Byron, G. W. A., Chicago.

Announcements of the Theaters. Tonight at Boyd's theater will be given the initial performance of Neil Burgard's engagement of three nights and Saturday matinee in his great creation of Abigail Frie in that beautifully quaint and humorous pastoral drama of New England life, "The County Fair."

Publish your legal notices in The Weekly Bee. Telephone 238. Stonecypher, printer, 1201 Howard St.

BOSTON STORE REMNANTS

Remarkable Sale of High Class Dress Fabrics and Silks Today.

MME. CONNELLY'S & ARLINGTON STOCK

Special Bargains in Light Summer Fabrics, Including Mousseline de Soie, Albatross, Nans Vetting, Dimities, Percales, Organs.

DIES, LAWNS, ETC. RUFFINGS FROM MADAME CONNELLY'S DRESSMAKING STOCK.

Black brilliantine and mercerized sateen ruffings for the bottom of skirts and petticoats, enough for any lady's skirt. These are all finished and ready for the bottom of skirts and petticoats and are actually worth \$1.50, go on sale at 25c each.

Remnants of high cost dress goods from the Connelly dressmaking stock, all the highest price goods, worth up to \$3 yd., in plain and fancy materials, many in skirt lengths or waist lengths, go at 50c and \$1 yd.

Thousands of remnants from the Arlington Mills exposition sale, black goods, fancy goods, novelty silk and wool goods, brilliantine, all on sale at 25c yd., many worth \$1.50 yd.

75c quality Albatross and Nans's velveting. In lengths from two to three yards, but many pieces to match, in cream, light blue, pink and dark colors, on main floor, 25c yd. NEW CHARLES AND SILK MOUSSELINE DE SOIE.

These magnificent summer fabrics in all the new colorings, in lengths from two to five yds., but many pieces to match, actually worth 75c, go on sale tomorrow at 35c yd.

REMNANTS OF SILKS FROM MADAME CONNELLY'S STOCK. Beautiful foulard silks, broadened silks, taffeta novelty silks in waist lengths and skirt lengths, go at 50c and 60c and 90c yd.

Remnants of silk in short lengths, for fancy work, millinery trimmings, neckwear, dress trimmings, plain and fancy broadened silks, go according to length, at 25c, 15c, 10c, 5c and 2c each.

REMNANTS IN BASEMENT. 25c lawns, dimities, organdies, etc., in short remnants, go at 1c yd.

Thousands of yards of standard prints, black and white and fancy, go at 25c yd. 10,000 yds. 36-inch percales, worth 12 1/2c, in short remnants go at 2 1/2c yd.

25c satens in all colors go at 5c yd. 25c lawns, dimities, etc., in long remnants, in all the up-to-date patterns, colors and designs, go at 5c yd.

15c Scotch and chambray ginghams, in long remnants, go at 6 1/2c yd. Thousands of yards of white goods, India linens, lace striped lawns, dimities, etc., worth up to 50c go at 10c yd.

35c imported ginghams, in all the newest designs, go at 10c yd. 25c mercerized foulards, in all the latest colors and designs, go at 15c yd.

25c dotted mull, in the newest spring patterns, in long remnants, go at 12 1/2c yd. J. L. Brandeis & Sons, Proprietors, Sole agents for Rogers Peet & Co.'s fine clothing.

OFFICIAL ROUTE TO ST. PAUL.

Modern Women of America. The Illinois Central has been selected as the official line from Nebraska to the head camp meeting at St. Paul, June 10-15.

A rate of one fare for the round trip will be made for this occasion. For full particulars and copy of illustrated Woodman circular, address W. H. Brill, D. P. A., Omaha.

J. P. Hartigan is not in our employ and is not authorized to sell our goods or transact any business for our account. Peet Bros. Mfg. Co.

For Sale—A new, late style Kimball piano at a bargain. Inquire G. B. Tschuck, Bee business office.

HAYDEN'S UNDERWEAR PURCHASE.

The Entire Muslin Underwear Stock of a New York Manufacturer SECURED AT 100 ON THE DOLLAR. Our buyers secured the stock of a New York muslin underwear factory that was forced to close at a ridiculously low price. The purchase includes finest gowns, corset covers, chemise and drawers, all dainty, stylish and highest grade garments. In fact, the very best made. These goods have been received and checked and will go on sale beginning Friday morning on our big bargain tables in main aisle. The price on these fine garments will be only 25c, 30c, 40c, 50c and 75c. Not a garment in the lot worth less than 75c, and as high as \$2.00. The immense quantities and assortments and the astonishingly low prices at which we sell them make this the greatest bargain opportunity ever offered you. Come early Friday. HAYDEN BROS. Read Hayden's great remnant sale. Stonecypher prints anything. Tel. 1310. Job printing, 427 Paxton block. Tel. 1440.

Deader'n a Mackerel

That's what SCHAEFER'S SURE DEATH does to bugs—and it don't make any difference what kind of bugs. It's the greatest preparation made to kill 'em. If you use it once you'll not need it 'till you get 'em again—50c for a pint.

- Best Pills 60c
King's Discovery 20c
Listerine 20c
Her's Meat Whiskay 60c
Ker's Prescription 20c
Cramer's Kidney Cure 20c
Uncle Sam's Tobacco Cure 20c
Kucan Hair Tonic 20c
Ker's Hair Restorer 20c
Dr. Karl Cramer's Penroyal Pills \$1.00
Duffy's Malt 20c
Ker's Lung Balm 20c
Scott's Emulsion 20c
Ker's Root Beer 20c
Pinkham's Compound 14c

SCHAEFER'S Cut Price Drug Store.

S. W. Cor. 16th and Chicago Sts. Goods delivered FREE to any part of city.

Two for Five

A SOFT HAT and A STIFF HAT for \$5.00.

Why Pay \$5.00 for One.

BLACK, The \$2.50 Hatter 107 So. 16th St.

A GUARANTEE

That Guarantees

We are authorized to "BACK UP" the guarantee of quality of SHERWIN-WILLIAMS PAINT which is on the label of every can.

This is the wording of guarantee: "WE GUARANTEE THAT THE PAINT WHEN PROPERLY USED, WILL NOT CRACK, FLAKE OR CHALK OFF AND WILL COVER MORE SURFACE WITH BETTER AND WEAR LONGER AND PERMANENTLY LOOK BETTER THAN OTHER PAINTS, INCLUDING ZINC, WHITE LEAD AND OIL." We hereby agree to forfeit the VALUE OF THE PAINT and the COST OF APPLYING IT if in any instance it is not found as above guaranteed.

We fully guarantee to each and every purchaser of Sherwin-Williams paint the fulfillment of the provisions of the above guarantee.

Sherman & McConnell Drug Co.

New Location, Cor. 16th & Dodge.

The greatest reduction ever known in

Cut Prices of Pianos

has taken place at the warehouses of Schmoller & Mueller. Mr. Mueller who is gone to New York to attend the meeting of the National Piano Manufacturers' association, secured 10 carloads of high grade pianos at his own price. The goods are shipped and we must have room to store them—therefore every instrument in the house is offered regardless of cost.

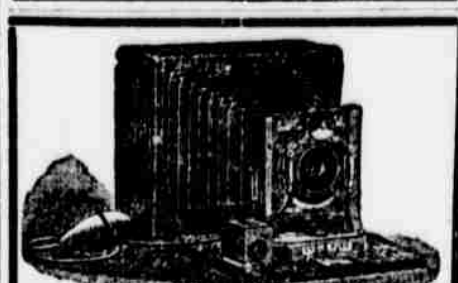
- \$600 Pianos only \$300.
\$500 Pianos only \$250.
\$400 Pianos only \$200.
\$300 Pianos only \$150.

Beautiful square and upright pianos at \$25, \$45, \$65 and up. Every instrument a genuine bargain. It will pay you to investigate our stock and prices before buying. Write for catalogues, prices and terms, or pay us a visit of inspection.

SCHMOLLER & MUELLER,

The Largest Piano House in the West.

1313 Farnam St., Omaha. TELEPHONE 1025.



Now is the Time for a Camera: Just as the Leaves Are Coming Out.

See the new No. 3 Pony Patent, \$11. Has double lens, with Improved Victor shutter, swing back, reversible back, double lever and brilliant finder, with solid leather carrying case. Notice the price—\$11.00. We have all the other new makes. Call or send for new catalogue.

THE ROBERT DEMPSTER COMPANY

1215 Farnam Street. Exclusive Dealers in Photo Material.

LAW BOOKS

A. W. KINSMAN, 112 So. 25th Ave., Omaha, Neb.

Foot Dressing



Don't get into the habit of paying more for your shoes than we sell them for.

This is the season when you look for cool foot dressing and this is a good store to find it in.

- WOMEN'S OXFORDS—medium weight, opera toe, neat, solid, cloth top, full line of sizes. 1.25
WOMEN'S OXFORDS—heavy soles, English toe—just the thing for street wear, full line sizes. 1.25
WOMEN'S OXFORDS—black or tan, kid, with or without cloth tops, solid, durable, comfortable. 1.50
WOMEN'S PRINCESS—low shoes, in black kid, neat, pretty and comfortable, elastic in front, no lacing, easy to get on, serviceable summer shoe for street or house. 1.50
WOMEN'S OXFORDS—neat style in coin toe, turned sole—with or without cloth tops, full line of sizes, regular price elsewhere \$2.25, here for. 1.75
WOMEN'S SOUTHERN BUTTON—a neat, comfortable good, good looking turned sole summer shoe, for. 1.90
WOMEN'S SOUTHERN TIES—with or without patent leather tips, neat, dressy, warm weather shoe, same shoe brings \$2.50 elsewhere, our price. 1.90
CHILDREN'S SLIPPERS AND SUMMER SHOES—the most complete, popular priced line of pretty footwear for the little ones, that are being shown in Omaha.

Nebraska Clothing Co

OMAHA

DO YOU WANT MORE?

It seems we have sold pretty near everybody in town shirts, from the amount we have sold. Now we can only say, do you want MORE SHIRTS? Ours at \$1, \$1.25, or \$1.50 beat the world. No shirts fit like ours.

16th and Chicago Streets KELLEY & HEYDEN Haberdashers to His Majesty, the American Citizen. They make shirts.

SOME OF YOUR FRIENDS

will graduate next month. If its a boy give him a watch—if its a girl give her a ring or bracelet—or some nice manicure piece. We have hundreds of nice things to show you. Spend a few minutes at our store.

S. W. LINDSAY, Jeweler, 1516 Douglas St.

FRIDAY IS REMNANT HAYDEN'S DAY in the Bargain Room.

Remnants of Dress Goods, Wash Goods, Flannels, Ribbons, etc., at a trifle of their cost.

- 60,000 yards of Remnants of Wool Dress Goods at 5c, 10c, 15c, 20c, 25c, 30c, 35c, 40c, 45c, 50c, 55c, 60c, 65c, 70c, 75c, 80c, 85c, 90c, 95c, 1.00, 1.10, 1.20, 1.30, 1.40, 1.50, 1.60, 1.70, 1.80, 1.90, 2.00, 2.10, 2.20, 2.30, 2.40, 2.50, 2.60, 2.70, 2.80, 2.90, 3.00, 3.10, 3.20, 3.30, 3.40, 3.50, 3.60, 3.70, 3.80, 3.90, 4.00, 4.10, 4.20, 4.30, 4.40, 4.50, 4.60, 4.70, 4.80, 4.90, 5.00, 5.10, 5.20, 5.30, 5.40, 5.50, 5.60, 5.70, 5.80, 5.90, 6.00, 6.10, 6.20, 6.30, 6.40, 6.50, 6.60, 6.70, 6.80, 6.90, 7.00, 7.10, 7.20, 7.30, 7.40, 7.50, 7.60, 7.70, 7.80, 7.90, 8.00, 8.10, 8.20, 8.30, 8.40, 8.50, 8.60, 8.70, 8.80, 8.90, 9.00, 9.10, 9.20, 9.30, 9.40, 9.50, 9.60, 9.70, 9.80, 9.90, 10.00, 10.10, 10.20, 10.30, 10.40, 10.50, 10.60, 10.70, 10.80, 10.90, 11.00, 11.10, 11.20, 11.30, 11.40, 11.50, 11.60, 11.70, 11.80, 11.90, 12.00, 12.10, 12.20, 12.30, 12.40, 12.50, 12.60, 12.70, 12.80, 12.90, 13.00, 13.10, 13.20, 13.30, 13.40, 13.50, 13.60, 13.70, 13.80, 13.90, 14.00, 14.10, 14.20, 14.30, 14.40, 14.50, 14.60, 14.70, 14.80, 14.90, 15.00, 15.10, 15.20, 15.30, 15.40, 15.50, 15.60, 15.70, 15.80, 15.90, 16.00, 16.10, 16.20, 16.30, 16.40, 16.50, 16.60, 16.70, 16.80, 16.90, 17.00, 17.10, 17.20, 17.30, 17.40, 17.50, 17.60, 17.70, 17.80, 17.90, 18.00, 18.10, 18.20, 18.30, 18.40, 18.50, 18.60, 18.70, 18.80, 18.90, 19.00, 19.10, 19.20, 19.30, 19.40, 19.50, 19.60, 19.70, 19.80, 19.90, 20.00, 20.10, 20.20, 20.30, 20.40, 20.50, 20.60, 20.70, 20.80, 20.90, 21.00, 21.10, 21.20, 21.30, 21.40, 21.50, 21.60, 21.70, 21.80, 21.90, 22.00, 22.10, 22.20, 22.30, 22.40, 22.50, 22.60, 22.70, 22.80, 22.90, 23.00, 23.10, 23.20, 23.30, 23.40, 23.50, 23.60, 23.70, 23.80, 23.90, 24.00, 24.10, 24.20, 24.30, 24.40, 24.50, 24.60, 24.70, 24.80, 24.90, 25.00, 25.10, 25.20, 25.30, 25.40, 25.50, 25.60, 25.70, 25.80, 25.90, 26.00, 26.10, 26.20, 26.30, 26.40, 26.50, 26.60, 26.70, 26.80, 26.90, 27.00, 27.10, 27.20, 27.30, 27.40, 27.50, 27.60, 27.70, 27.80, 27.90, 28.00, 28.10, 28.20, 28.30, 28.40, 28.50, 28.60, 28.70, 28.80, 28.90, 29.00, 29.10, 29.20, 29.30, 29.40, 29.50, 29.60, 29.70, 29.80, 29.90, 30.00, 30.10, 30.20, 30.30, 30.40, 30.50, 30.60, 30.70, 30.80, 30.90, 31.00, 31.10, 31.20, 31.30, 31.40, 31.50, 31.60, 31.70, 31.80, 31.90, 32.00, 32.10, 32.20, 32.30, 32.40, 32.50, 32.60, 32.70, 32.80, 32.90, 33.00, 33.10, 33.20, 33.30, 33.40, 33.50, 33.60, 33.70, 33.80, 33.90, 34.00, 34.10, 34.20, 34.30, 34.40, 34.50, 34.60, 34.70, 34.80, 34.90, 35.00, 35.10, 35.20, 35.30, 35.40, 35.50, 35.60, 35.70, 35.80, 35.90, 36.00, 36.10, 36.20, 36.30, 36.40, 36.50, 36.60, 36.70, 36.80, 36.90, 37.00, 37.10, 37.20, 37.30, 37.40, 37.50, 37.60, 37.70, 37.80, 37.90, 38.00, 38.10, 38.20, 38.30, 38.40, 38.50, 38.60, 38.70, 38.80, 38.90, 39.00, 39.10, 39.20, 39.30, 39.40, 39.50, 39.60, 39.70, 39.80, 39.90, 40.00, 40.10, 40.20, 40.30, 40.40, 40.50, 40.60, 40.70, 40.80, 40.90, 41.00, 41.10, 41.20, 41.30, 41.40, 41.50, 41.60, 41.70, 41.80, 41.90, 42.00, 42.10, 42.20, 42.30, 42.40, 42.50, 42.60, 42.70, 42.80, 42.90, 43.00, 43.10, 43.20, 43.30, 43.40, 43.50, 43.60, 43.70, 43.80, 43.90, 44.00, 44.10, 44.20, 44.30, 44.40, 44.50, 44.60, 44.70, 44.80, 44.90, 45.00, 45.10, 45.20, 45.30, 45.40, 45.50, 45.60, 45.70, 45.80, 45.90, 46.00, 46.10, 46.20, 46.30, 46.40, 46.50, 46.60, 46.70, 46.80, 46.90, 47.00, 47.10, 47.20, 47.30, 47.40, 47.50, 47.60, 47.70, 47.80, 47.90, 48.00, 48.10, 48.20, 48.30, 48.40, 48.50, 48.60, 48.70, 48.80, 48.90, 49.00, 49.10, 49.20, 49.30, 49.40, 49.50, 49.60, 49.70, 49.80, 49.90, 50.00, 50.10, 50.20, 50.30, 50.40, 50.50, 50.60, 50.70, 50.80, 50.90, 51.00, 51.10, 51.20, 51.30, 51.40, 51.50, 51.60, 51.70, 51.80, 51.90, 52.00, 52.10, 52.20, 52.30, 52.40, 52.50, 52.60, 52.70, 52.80, 52.90, 53.00, 53.10, 53.20, 53.30, 53.40, 53.50, 53.60, 53.70, 53.80, 53.90, 54.00, 54.10, 54.20, 54.30, 54.40, 54.50, 54.60, 54.70, 54.80, 54.90, 55.00, 55.10, 55.20, 55.30, 55.40, 55.50, 55.60, 55.70, 55.80, 55.90, 56.00, 56.10, 56.20, 56.30, 56.40