

SAYS SPALDING IS OUT OF IT

Andrew Freedman's Attorney Considers His Letter a Surrender.

ALLUDES TO ELECTION AS ONLY FICTION

Declares Action by Freedman Useless, as Spalding Has Virtually Conceded His Failure of Title.

NEW YORK, Dec. 24.—Delaney Newell, attorney for Andrew J. Freedman of the New York base ball club, again today in a letter today replying to and commenting upon the document addressed to the National league clubs on Saturday last by A. G. Spalding. The letter was addressed to the Boston, Cincinnati and St. Louis clubs, and was as follows:

You have called my attention to a letter received this day by you from Mr. A. G. Spalding and have asked me what effect, if any, it has upon the present controversy. It seems to me that the letter amounts to a withdrawal on Mr. Spalding's part from the office of president-secretary-treasurer of the National league. He informs you that he "must refer to meet further and president-secretary-treasurer of the National league, and goes on to say that it is "up to such clubs as may desire to have a meeting may see best for its own interest."

Never Legally Elected. Mr. Spalding was never elected president-secretary-treasurer of the National league, his pretended election being based upon authority. The courts have taken this view of it, and the injunction and Mr. Spalding's consent to have come to the same conclusion himself. Every act of a part of the National league, by which he undertook to elect a president, director or other officer, in the absence of a majority of that body, and the persons who held their respective offices by such authority are open to the charge of usurpation of the functions of the office.

WASHINGTON, Dec. 24.—A. G. Spalding, who was elected president, secretary and treasurer of the National Base Ball league by a faction of that organization at its last meeting in New York, had a conference today with Edward B. Talcott, one of the former stockholders in the New York club, the object of which was to induce Mr. Talcott to resume his connection with the latter organization and to endeavor to purchase the interests of President Freedman. Mr. Spalding said that in his opinion nothing would so popularize the game in New York as the return of Mr. Talcott to an active participation in the sport, in that city. Mr. Talcott will take the matter under consideration, Mr. Spalding hopes he will act favorably on it.

MAKES NEW RECORD FOR MILE

Riders Contesting on Boston's Ten-Lap Track Drive Large Crowd.

BOSTON, Dec. 24.—The new ten-lap bicycle track in Park square was opened tonight. It was pronounced by all participants in the events of the evening the best indoor track in this part of the country. An enthusiastic crowd of 12,000 people was present. The champion rode an exhibition mile, unpaced, on a motor bicycle in 1:28.4-5, which is a new indoor record for New England. He paced Jimmy Michael in a two-mile exhibition, which the latter did in 3:24. There were good fields of riders in all of the races. The summaries:

LANGE BACK ON THE DIAMOND

Big White Stocking and Dick Harley Sign to Play with Detroit.

DETROIT, Dec. 24.—The Tribune tomorrow morning will say that William Lange, the former Chicago infielder, and Richard J. Harley, who was with the Cincinnati team last year, have both accepted the terms offered them by the Detroit American League club. It is said that Lange will play first base, while Harley will play left field. Harley's signed contract is understood to be on its way here.

PLAN TO DEPOSE J. T. BRUSH

Reported that Spalding Faction Will Get National Franchise Held by Him.

CINCINNATI, Dec. 24.—The Commercial Tribune tomorrow says John T. Brush of Indianapolis will soon be succeeded by Colonel J. D. Ellison of Columbus and Cincinnati associates in the ownership of the Cincinnati club of the National league, backed by the Spalding faction. Next spring Mr. Brush will find himself opposed by another club, and that one a member of the National league, in other words the National league, with A. G. Spalding at its head, has found means of taking the franchise from Brush and placing it in the hands of a local company. Brush will have the base on the Western avenue grounds, but will have no team, for the players go with the franchise, and that will be in other hands.

PLAYERS HAVE A GOOD DAY

Three Favorites and Two Well-Supported Horses Are the Winners.

SAN FRANCISCO, Dec. 24.—The players had the better of the horses in the turf today, as three favorites and two well-supported horses won. Edgardo was the medium of the day, being the favorite in the long event and won easily from Hagdad, a 3 to 1 long shot, who was the favorite for the race. Another longshot was in

SOUNDS ENGLISH WARNING

British Consul Says His Country Needs Radical Changes.

MUST BE AROUSED FROM ITS LETHARGY

Will Be in Third Place of World's Commerce, He Feels—Behind in Educational Work Also.

WASHINGTON, Dec. 24.—A large and ever-increasing number of thoughtful and well-informed people in Great Britain express the serious belief that if radical changes do not come about in the near future the United Kingdom will be relegated to the third position in the ranks of the world's trade and commerce. This statement is made by United States Consul Boyle at Liverpool in his annual report, extracts from which were made public today by the State department.

SEVOY LOWERS MINOR RECORD

Brings Six Furlongs Time Down—B. Rine Has Leg Broken—Other Events at New Orleans.

NEW ORLEANS, Dec. 24.—Four favorable races were run in the first race track record to date. H. Rine was crowded into the fence in the first race, and was killed. Leg broken. O'Brien has been reinstated. Results:

HORSE FALLS AND LOSES RACE

Oricous Slips, Taking Mollie Brooks Down with Her Rider.

CHARLESTON, S. C., Dec. 24.—At the Exposition track of the Charleston Racing association today in the first race Oricous, a heavily played favorite, slipped and fell, bringing down Mollie Brooks and her jockey, Walnutwright. It was an ugly mishap, but the jockey was not hurt. Oricous was killed. Results:

BURGLAR IS CAUGHT IN ACT

Hole in Plate Glass Window Leads to Arrest of Marauder.

A burglar was caught red-handed at 4:30 yesterday morning in the basement of the Walter G. Clark wholesale sporting goods house at 1214 Harney street. At the police station he was identified as George Leonard, who has worked as bookkeeper and salesman for the Carpenter Paper company and for the Lee-Glass-Anderson Hardware company, but who for several months has been out of employment. The police say he has been in trouble several times before. He pleads innocent to the charge of burglary and explains his presence in the basement by saying he had been employed as a private detective.

THERE ARE TWO LULU MCOYS

Chicago Woman Transfers Property to Which She Had no Claim.

CHICAGO, Dec. 24.—An alleged fraudulent transfer of a Kansas farm valued at \$15,000 is the charge against Mrs. Minnie McCoy and her daughter, Lulu McCoy of Chicago, who appeared before a magistrate here today. The two women were arrested in Chicago yesterday on complaint of Charles McCoy, who claims that his sister, Lulu McCoy, is the rightful owner of the land, and that the Lulu McCoy named as the defendant made use of the similarity of names to transfer land in which she had no rightful interest.

MURPHY AND BARTON RETURN

Mr. Murphy Says There is Nothing in Rumors of Consolidation of Local Corporations.

Frank Murphy and Guy C. Barton of the Omaha Street Railway company returned yesterday morning from New York. Rumor said that they had made the journey to the metropolis for the purpose of taking up with eastern investors the merging of the electric companies of Omaha. Mr. Murphy resolutely denied himself to all reporters, pleading a press of business, but while the reporters were present entered into a lengthy discussion of the merits of the Beer war with a woman who had called to solicit funds for the South African destitute.

KILLED IN A SALOON

RICHMOND, Ind., Dec. 24.—In a saloon quarrel at Cambridge City this afternoon in which W. H. Zulkoff, one of the Cincinnatians and Colonel Ellison are interested, the subject at that time was to buy out Erub. An incident in the saloon, however, broke up the party.

AKRON RECEIVES LIBRARY OFFER

AKRON, O., Dec. 24.—Andrew Carnegie has offered this city \$50,000 for a free public library. The city has accepted the offer, and will probably be accepted.

GLADWIN SORRY TO LOSE

East Omahan's Parting Drink Results in Theft of Children's Gifts.

KOHN REFUSES TO ANSWER

Witness Before Grand Jury Balks at One of the Questions Put to Him.

CHRISTMAS IN THE CHURCHES

Special Musical Programs for Services of the Various Denominations.

PONTIFICAL MASS AT ST. PHILOMENA'S

Celebrations of Christ's Nativity Begin at Midnight and Continue Until Late in Evening—Sunday School Entertainments.

Omaha churchmen will celebrate Christmas with services beginning Christmas eve and continuing until late in the evening of Christmas day. Early mass will be said in the Catholic churches at 5 o'clock. The Episcopal churches will begin services two hours later and at 10 o'clock Lutheran churches and congregations of other denominations will hold services appropriate to the day. In the evening many Sunday schools will have their Christmas trees and other entertainments.

LIPTON GETS A PUNCH BOWL

American Friends Are Appreciative and Appreciated by the Yachtsman.

LONDON, Dec. 24.—Sir Thomas Lipton today received a magnificent punch bowl as a Christmas gift from John D. Crimmins, J. H. Flagler, Charles Dana Gibson, Judge Morgan O'Brien and nineteen other American friends. The gift was presented to him at a Christmas party given by the Yacht Club of New York. Sir Thomas said: "I cannot say how delighted I am. It merely shows that if a man does the right thing in America they appreciate it as no other people do. I have never received anything that I valued more than this splendid gift from my American friends."

SUCCESS TO INJURIES

Mrs. Wischaker, Who Was Murderously Assaulted by Her Son Dies.

UPPER SANDUSKY, O., Dec. 24.—Mrs. Valentine Wischaker, of Carey, O., who was murdered by her son a few weeks ago, died today. She never knew of her son's ending and never regained consciousness long enough to tell how the assault was committed.

PERISHES IN WYOMING STORM

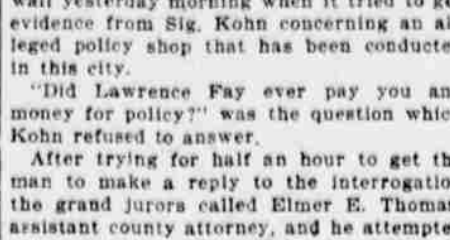
PERGUS FALLS, Minn., Dec. 24.—Ole O. Peterson received a telegram from Wyoming today stating that his son, H. O. Peterson, had perished in the terrible blizzard in that state. The young man had a sheep ranch and was out with his flock when the storm came on. Since its abatement parties have been searching for him, but no trace can be found and hope has been abandoned.

SEASONABLE FASHIONS.

TOPEKA, Kan., Dec. 24.—Kansas milliners, in a meeting at Topeka last evening, made up their minds to raise the weight of corset shipments of four out of the state from 2,000 to 3,000 pounds. They claim other state milliners will not be compelled to take similar action in the same territory, hence the injustice.

TOO MUCH HOLIDAY FUN AND FOLLY

Too much of a good thing! That's what we are all liable to take during a holiday season. Healthy, jolly people will do it and make themselves sick. "In time of peace prepare for war," and have about the house a pleasant, perfect, palatable, positive medicine for sour stomach, sick headache, colic, winds, belching, biliousness, furred tongue, lazy liver, constipation, bad breath, bad taste, all liable to result from holiday over-indulgence. Cascarets Candy Cathartic is what you want; a tablet after a big meal will prevent sickness, or a tablet at night before going to bed, after a good time, will fix you all right for morning, and let you get up clear as a bell, ready for business or pleasure.



Best for the Bowels. All druggists, inc. 50c. Never sold in bulk. Genuine tablet stamped C. C. Guaranteed to cure or your money back. Sample and booklet free. Address: Sterling, Kennedy Co., Chicago or New York.

CALIFORNIA

The quaint old mission towns and the lovely seaside resorts of Southern California are VISITED EVERY YEAR by thousands of tourists who travel Over the Union Pacific because it is the best and quickest route. In addition to the Pullman Palace Sleepers the UNION PACIFIER runs Pullman Ordinary Sleepers every day. Leaving Omaha at 4:25 p. m. These Ordinary Cars are Personally Conducted every Wednesday and Friday from Omaha. A Pullman Ordinary Sleeper also leaves Omaha every Tuesday at 11:20 P. M. For full information address City Ticket Office, 1324 Farnam Phone 316

\$5.00 A MONTH SPECIALIST

All Diseases and Disorders of Men 10 years in Omaha VARICOCELE and HYDROCELE cured. Method new, without cutting and of low cost.

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has all light and Sunday elevator service. Water and gas, as well as electric light are in each room. The rooms are all light and our offices are most attractive. Rents are higher than in inferior buildings.

R. C. Peters & Co.

Rental Agency, Ground Floor, Bee Building.

PENNYROYAL PILLS

CHICKENHEAD'S ENGLISH PENNYROYAL PILLS. Cures all kinds of biliousness, indigestion, headache, neuralgia, rheumatism, etc. Sold by all druggists.

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Death—June C. Timm, East Omaha, aged 2 months. Antonia Benik, 105 South Tenth, aged 1 month. Frank D. Gay, 123 Park, aged 3 months. Janet Stewart, 203 South Seventeenth, aged 71. Esther Peterson, 237 Fort, aged 3. Hilda, 2413 Harvard, aged 1. Paul D. Beraford, 301 Pacific, aged 1. Thelma, 428 Franklin, aged 1. Joseph H. H. South, 1700 North, aged 1. Richard Overton, 122 Cummins, aged 1.

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