

LOCAL BREVITIES.

The Denver overland train from the west came in at 10:30 last night, six hours and a half late. It was delayed by a broken truck. The Missouri Pacific evening train was four hours late.

The German edition of the illustrated supplement of the Bee can now be had at this office at 15 cents each or two for 25 cents. These can be mailed to any part of this country and to Germany for one cent.

A lot of new rocking-chairs have been placed in the parlors of the Paxton hotel. The chairs are beautifully finished and add greatly to the appearance of the place, as well as being a source of great comfort to the guests of this popular house.

Three young men Saturday evening became involved in a quarrel with three attaches of a Jackson street house of ill fame. Shots were fired and a general melee ensued. Officer Pat Mosty tried to secure the combatants but was unable to arrest them. None of the victims were seriously injured.

Richard K. Fox, of the Police Gazette, has written Marshal Cummings, asking that official to send him a photograph of Ed Miller, the local pugilist. The gentleman added in his letter that if the photograph was sent he would return the compliment by sending a dozen copies of the Police Gazette containing the portrait.

The Evening Times and Dispatch were consolidated without the consent of P. A. Gavin, who was one of the publishers and proprietors of the Times. Mr. Gavin intends to restrain the publisher of the Times-Dispatch from publishing said paper until his claims are first settled. This may embarrass the Times-Dispatch company.

In the justice court of Judge Bartlett, the case of May Smith vs. Mamie Stiles was on trial yesterday. The defendant was charged with stealing from the plaintiff a gold necklace, Russian diamonds and leather toilet box. Judgment for possession of the property was rendered for plaintiff, together with a verdict of damages in the sum of five cents and costs.

While the highwaymen were going through "Tug" Wilson's pockets on Tenth street, Saturday night, with hands up the reporter took notes of the published interview by making the dots and dashes with his finger nails on his bald pate. "Tug's" delicacy of touch enabled him to trace the hieroglyphics, next morning, and the public and posterity is given the first genuine interview with highwaymen in action.

E. M. Bartlett, Esq., is at present in Ord, Neb., bringing to account a hardware merchant and implement man of that place, one A. Holton. Holton recently bought a bill of goods on account, of Linsinger & Metcalf amounting to \$1,000. Instead of applying the proceeds of the sales of the goods to the payment of his indebtedness to the Omaha firm, he bought a house and lot, deeding it to his wife. Mr. Bartlett will probably file a creditor's bill in equity in the court of Valley county.

To-day Frank Heldt, the man charged with an attempted train-wrecking on the Union Pacific near Schuyler last winter, will be arraigned before a special grand jury in that city. Last night conductor Blakely and Engineers Dolan and Johnson left for Schuyler to testify before the jury. Detective Emery, who played an important part in bringing Heldt to justice, will leave this morning. The train-wrecker is under \$8,000 bonds for the crime of which he is accused. The evidence against him is very strong, and his conviction is nearly a certainty.

Kavolin's Death. Yesterday at 10 o'clock Frank Kavolin died at his residence 1227 South Thirtieth street. It will be remembered that Kavolin was injured by a passing train about a week ago, and his death resulted from injuries received at that time. The funeral will take place to-morrow at 2 o'clock p. m. to St. Mary's cemetery.

PERSONAL.

J. L. Smith has recovered from his late serious illness.

Judge Hill returned from Lincoln Sunday, and went down again this morning.

Mr. E. Rosewater, editor of the Bee, has gone to Lincoln to attend the legislature now in session.

Dr. George L. Miller, editor of the Herald, has returned from his eastern trip and is again at the helm.

J. B. Brunner, superintendent of public instruction, is absent in the country visiting schools and will return Thursday.

Mr. Louis Duane, of Washington, D. C., has arrived in the city and has entered upon his duties as assistant observer at the signal station here.

J. B. Koster and family who have been visiting here the past week, left yesterday via the Q. for Henderson, Iowa, where he is engaged in "biz." of his own.

Francis Hiller, Wisner, James Williams, Lincoln, J. H. Showalter, Fremont, C. L. Hirst, Fallerton, F. G. Hughes, Hastings, Albert Schoenberg, M. A. Smith, Chicago, H. B. Kemble, Bellefonte, Pa., C. H. Newcomb, Chicago, and Peter Homas, of New York, are stopping at the Metropolitan.

The skin is of that delicate nature upon which the most improvement can be made and by the use of Pizzoni's Medicated Complexion Powder all roughness, sallowness and irritation can be overcome leaving the skin delicately white, soft and smooth. This preparation has a world wide reputation, so no fear need be entertained of the result. Sold by all druggists.

Real Estate Transfers.

The following transfers were filed in the county clerk's office Monday and reported for Tax Bee by the Ames' real estate agency January 10, 1885.

Pierce C. Himebaugh and wife to Charles E. Bouten, wd, lot 22 in block 2, in Himebaugh's add to the city of Omaha, \$175.

George W. Ames and wife to Artoinette Jewett Clark, w d, e 1/2 of sw 1/4 of sec 32, 15, 13, e 1/2 of 27000.

Edgar Kothery to Frank Dellone, w d, lot 4, block 12, Isaac & Selden's add to city of Omaha, \$1.

Francis E. Bailey and wife to Ole Olsen, w d 191 ft of e 7 1/2 ft of lot 114 in Nelson's add to Omaha, \$800.

Seal of North Carolina Smoking Tobacco is the best.

BENCH AND BAR.

The Injunction Argument in the Tax-Payers Case.

Suing the Railroads for Ten Thousand Dollars.—A Sensational Mt.

The district court reconvened yesterday morning, Judges Neville and Wakely on the bench.

Early in the morning the hearing of arguments in the celebrated injunction suit of the tax-payers in sewer district No. 19, was begun. Messrs. Kennedy & Gilbert and Judge Lake represented the plaintiffs, the tax-payers, while W. A. Redick argued for the city. The hearing of argument on both sides occupied the court until a late hour in the afternoon. The arguments on both sides were brought to a finish, and decision reserved.

The point at issue as evolved in the argument of both sides, is about this: The taxpayers claim that one clause in the ordinance giving the city the right to make a special sewer levy, namely, that clause which orders the tax levy to be in proportion to foot frontage, instead of assessed valuation of property, is unconstitutional. This, indeed, is true, and has so been decided by the courts. And the counsel for the taxpayers further claim that being unconstitutional, the whole ordinance is unconstitutional, and hence the tax levy in question, being made in pursuance and by authority of the ordinance, was illegal.

On the other hand, it is claimed by the counsel for the city that, admitting the unconstitutionality of this one clause of the ordinance or act passed by the council, that being severable from the rest of the clauses in the ordinance, it does not necessarily invalidate them. In other words, even if the foot frontage clause were legally inadmissible, it is so easily separable from, and so has so light a bearing upon the other points of the ordinance, that it does not necessarily render the whole ordinance illegal. And, furthermore, it is argued the board of public works seeing the unconstitutionality of the clause, have informed the board of equalization and allowed them to adjust the grievances of tax-payers, that in the long run the effect of taxation by foot frontage and by property valuation was very nearly, if not quite the same.

The hearing of the habeas corpus argument of Messrs. A. U. Hancock, of Papillion, and C. A. Baldwin, of this city, in the case of William H. Haynes, the former station agent, charged with, formerly by the Union Pacific road, was to have been heard yesterday but was postponed until to-day.

A SENSATIONAL DIVORCE SUIT.

A divorce suit was filed in the district court which possesses some points of sensational interest. The petition is presented by Daniel McNabb, praying for a decree of divorce from his wife, Annie McNabb, to whom he was married November 11th, 1884. The story of the engagement, marriage and extremely short honeymoon, is in itself a "romance." It appears that Mrs. McNabb came to Omaha from Des Moines but a few weeks since and entered the employ of Mr. McNabb, who is a well-known and successful restaurant keeper. She charmed him and he proposed. It is whispered that the fair siren even persuaded Mr. McNabb to break off an engagement he had formed with a lady in interior Nebraska. This may be a bit of idle gossip, but certain it is that the couple were married and lived happily until December 3, when Mrs. M. deserted her husband, being accompanied of a certain dusky Don Juan, who looms up dimly in the background. The petition as filed alleges general infidelity on the part of Mrs. McNabb. Mrs. Mary E. Diederich sues for a divorce from her husband, Edward Diederich. Grounds, alleged desertion and failure to support.

TEN THOUSAND DOLLARS DAMAGES.

Father Philip Eriack, a Catholic priest of Hebron, Thayer county, Neb., commenced suit yesterday in the district court, against the B. & M. and C. B. & Q. for ten thousand dollars damages. It appears that the reverend father, while passing along Tenth street, on the night of December 11, 1884, fell into a deep excavation, dug and kept open by the railroad companies made defendants in the suit. He sustained severe and lasting injuries by the fall, maiming him for life. He therefore, asks, through his attorney, Gen. Gowen and George W. Shilda, a judgement of the amount named, against the companies in the amount named.

COUNTY COURT.

In the case of Charles Banks, of the Post and Telegraph, vs. G. M. Hitchcock, a suit for alleged money due on advertising, the action was dismissed at plaintiff's cost.

The case of Frenzer vs. A. D. T. Co. was decided in favor of plaintiff. The suit was brought to recover value on a pane of plate glass broken by an employe of the District Telegraph company while putting in a call box. Application was made for the appointment of an administrator for the estate of George L. Chamberlain, the engineer killed at the Elkhorn disaster of last winter. A hearing will be given on the 20th inst.

Setting a Trap.

Mr. John S. Brandt, proprietor of Turner hall, has in his yard a large ice box in which he keeps his meats. On Saturday night, two weeks ago, some fellow stole from the box a fine real roast, which had been purchased for John's Sunday dinner. This did not make John very mad but last Saturday night he had in the box some breakfast bacon and a quantity of beautiful ducks which were to furnish subsistence for him during the Sabbath, and some fellow got into the box and carried off the whole business. This did make John mad and he has fixed upon the box a bear trap which will give the next thief a warm reception. This fact is mentioned so that the next one may work a little bit careful.

Railway Cleanings.

Superintendent Smith, of the Union Pacific, has received from Superintendent G. Lovell, of the ninth division of the railway mail service, the new schedule to be adopted in that district, embracing all through mails via Buffalo, Suspension Bridge, Toledo and Detroit line of the Lake Shore & Michigan Southern and lower peninsula of Michigan. Time in this schedule is based on the 24-hour scale; 12:00 is noon, and 24:00 is midnight.

BLOOD ON THE MOON.

A Sensational Episode in the Real Estate and Law World.

Mr. H. E. Patterson and Mr. Richard Hall have a Picnic with a Female Sharper.

Sensational items have been very scarce in this city for some time, but at last the ice has been broken and a full fledged sensation has found its way to light and is now, for the first time, given to the reading public.

It is about in this way. About a month ago a fine appearing, well-dressed little lady entered the real estate office of Mr. R. C. Patterson. She was accompanied by a gentleman and she introduced herself as Mrs. L. W. Denmore and stated that the gentleman who accompanied her was her husband. She stated to Mr. Patterson that Mr. Richard Hall, of the law firm of Thurston & Hall had some money which belonged to her and that she desired to get it and buy three lots in Patterson's subdivision, build a house thereon and make Omaha her home.

She purchased the lots of Mr. Patterson, verbally, and took her departure. She said that her husband, who accompanied her, was a carpenter by trade, but was now engaged in soliciting life insurance and orders for crayon work. That he would build the house himself upon the lots she had bought. About one week afterward she again visited Mr. Patterson's office and stated that the gentleman who had accompanied her on her former visit was not her husband but a cousin who had tried to assist her in getting her money from Mr. Hall. She then said that her husband was living in the east and was suffering from some brain trouble and was not able to attend to his business and she was here to attend to it for him. Mr. Hall refused to pay over the money without an order from her husband.

She told Mr. Patterson that if he would see Mr. Hall and tell him that she was going to invest the money in land that he would doubtless pay it over to him. She then wanted Mr. Patterson to let her have about two-thirds of the amount to buy furniture with. She agreed to give him Mr. W. F. Cady, of the Chicago Lumber company, as security that Mr. Patterson would not be liable for the amount; Mr. Patterson gave Mr. Hall his personal guarantee that he would not be held liable for the second payment of the money whereupon Mr. Hall paid over to Mr. Patterson the sum of \$248.

Time rolled on and as Mr. Patterson did not hear anything from Mr. Cady he refused to invest the money. The woman said that Mr. Cady was out of the city and would return in a few days when all would be fixed up. In the meantime she bought a lot of furniture to furnish rooms, and referred the merchants from whom the furniture was bought to Mr. Patterson. That gentleman told them that he had some money belonging to the lady and would pay it over as soon as he was secured.

The matter run along in about this way until Saturday last, when the man Denmore appeared upon the scene. The woman, her husband, Mr. Hall and Mr. Patterson all met in Mr. Patterson's office and there was blood on the moon. The woman and her husband exchanged compliments and the money was repaid to Mr. Hall by Mr. Patterson.

Sunday afternoon the woman and her husband again met in Mr. Hall's office, and at this meeting the moon was covered all over with blood. The man Denmore accused his wife with having registered at the Occidental hotel with another man under the name of Mr. Smith and wife, and the woman accused her leige ord with criminal intimacy with a colored woman in the east, and so the war of words was kept up until the man could stand it no longer, and beat a hasty retreat from the room.

The woman had engaged a prominent young attorney, J. R. Brotherton, whose office is with Mr. H. C. Patterson, as counsel, and proposes to fight. It now transpires that the woman "worked" Mr. Hall for about \$100, in small installments, to pay her incidental expenses.

The man Denmore appeared upon the scene just in time to save Mr. Patterson and several merchants from getting their feet into the pie pretty deep. It now remains to be seen how the matter will pan out, and whether or not the woman can get any of the money now in Mr. Hall's hands. At all events, Mr. Hall will probably remember the affair to the tune of about \$100.

Army Orders. 1. The leave of absence for seven (7) days granted Second Lieutenant A. C. Macomb 5th cavalry in Orders, current series, from Fort Niobrara, Neb., is extended twenty-three (23) days.

2. On the recommendation of his troop and commander, so much of the sentence published in general court-martial orders, No. 34, series of 1884, from these headquarters as provides for the confinement of Eugene Schickedonz, late private troop F. 5th cavalry, for three (3) years is mitigated to read one (1) year.

3. Private Joseph Gordon, re-enlisted and recruit William C. McNeil, enlisted at Fort Omaha, Neb., are assigned to the fourth infantry. By order Brigadier General Howard.

CABINET CHANGES.

Resignation of the Secretary of State in Cumming's Cabinet.

Mr. P. Desmond, secretary of state, in City Marshal Cumming's cabinet, has tendered his resignation. Mr. John Turnbull takes the place made vacant by Desmond's resignation and Officer Sigwart succeeds Mr. Turnbull. Officer Hinchey, who has been laid up for a while with a sprained ankle will succeed Mr. Sigwart as assistant secretary of the interior, or assistant jailor.

Mr. Desmond has opened a saloon in the old McCook place on Tenth street. There is something strange about the connection between policeman and saloonists. As soon as a man has been upon the police force long enough to "catch on" in good shape, some one sets him up in the saloon business. Four or five police officers have gone this way within a short time, and more will probably follow. Mr. Desmond's opening will occur tonight.

THE COLD WAVE.

Old Boreas Upon Another Rampage in These Parts.

It seems as if Old Boreas had gotten upon his car again and had concluded to inflict upon the people of this section another castigation in the way of very cold weather. The reports from the north are very discouraging, and it looks as if the winter had only begun. Yesterday morning at St Vincent, Minnesota, the mercury marked 35 below zero; at Buford, Dakota, 27 below zero; at Moorhead, Minnesota, and Bismarck, Dakota, 25 below zero. At the signal office in this city at 6 o'clock yesterday the mercury stood at zero. At 10 o'clock it had fallen two degrees and has been falling steadily all day, and Mr. Pollack, the signal officer, thinks that it will be considerably colder, as the wind is in the north.

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1312 AN EXTANT 1312 UP-STAIRS. PREVENTIVE Against Small Pox

Sickness is often caused by people using indiscretion in regard to their wearing apparel. A good warm suit combined with a heavy Overcoat is a preventive from cold. By buying your Clothing at the

Original Misfit Clothing Parlors

1312 DOUGLAS STREET, UP-STAIRS. You can get the above requirements. Combined with that, you get a Merchant Tailor suit at ready-made prices, and have any alterations made if necessary, free of charge, thus enabling every man to get his clothes made to order for the same price that he has to pay for shop clothing,

CAST YOUR EYE AT OUR TEMPTING BARGAIN LIST.

Latest style and elegant garments in silk and satin lined suits and Overcoats, rendering a most opportune chance to secure a bargain.

Table with 3 columns: Suits, Pants, Overcoats. Lists prices for various items like Custom-made suits, Custom-made Pants, Custom-made Overcoats.

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ROYAL BAKING POWDER Absolutely Pure. Himebaugh & Taylor, FINE BUILDERS' HARDWARE In the State. CONTRACTORS' & BUILDERS, ESTIMATES FURNISHED. Buy your Fine Bronzed Hardware at Home for less than Eastern Cities Can Deliver it. Send for Our 250 Page Catalogue, only one issued in Nebraska.

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SEE OUR REDUCTIONS: Suits formerly \$10.00 now \$7.50. Suits formerly \$12.00 now \$9.00. Suits formerly \$16.00 now \$12.00. Over Coats formerly \$24.00 now \$18.00. Over Coats formerly \$8.00 now \$ 6.00. Over Coats formerly \$10.00 now \$ 7.50. Over Coats formerly \$16.00 now \$12.00. Over Coats formerly \$18.00 now \$13.50. Over Coats formerly \$24.00 now \$18.00.

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