

WANT THE SALE SET ASIDE

The West Point Creamery Property In the United States Court Again.

J. R. JOHNSON MAKES A BID.

More Money Offered Than Secured at the Receiver's Sale—A Church in Dispute—Court Notes—State Fair Matters.

(FROM THE BEE'S LINCOLN BUREAU.)

When B. D. Brown, the heavy New York speculator, failed in 1881, he was largely interested in the West Point Butter and Cheese association, in Cuming county, Nebraska. These interests he assigned to the Middleton National bank, to secure loans previously made. Fearing that the bank would get possession of the property, Abram Poole, who claims to own \$80,000 worth of the West Point stock, went into the United States court and secured the appointment of a receiver and an order for the sale of the entire plant. The sale was made February 4, when Messrs. Brink, Clark and Dusenbury, representing the stockholders of the Middleton (N. Y.) bank, bid in seven-eighths of the property for \$36,000, the remaining eighth consisting of odds and ends going to various parties for \$9,000. Saturday last the report of the sale was made to Judge Dundy, who allowed five days for interested parties to show cause why it should not be confirmed.

Yesterday afternoon S. R. Johnson of Omaha made an offer of \$67,500 for the outfit, an increase of \$2,500 over the sale price, and deposited \$10,700 with the court as a guarantee. At the same time the attorneys for the plaintiff, who had been clamoring for a confirmation, suddenly changed front and asked the court to set the sale aside, and Mr. Ransom of Nebraska City, representing the purchasers vigorously denounced the Johnson bid as a job on the part of the plaintiff to freeze out the lawful owners and beat the creditors by another sale, at which they could bid the property in for about \$40,000. Judge Dundy set Saturday morning for a final hearing, and said that in no case would he cancel the sale unless he had ample security and guarantee that the property would bring at least \$67,500. The receiver reports that the plant is depreciating rapidly and will be worthless unless put in charge of business men and operated on a speedy basis.

A CHURCH IN DISPUTE. A novel and interesting case, involving the ownership and use of the German Lutheran church at Nebraska City, was placed before Judge Dundy next in order on motion of F. W. Rottman and others, for an injunction to restrain H. H. Bartling from continuing in possession of the premises. Rottman suggested that the title of the church edifice rested with the synod of Pennsylvania, under whose control and authority the society lawfully is, and that some time ago Bartling and some of his associates secured a deed, in the name of the Nebraska synod, contrary to their pledges, and greatly to the injury of the good name and morals of the German Lutheran church, at the same time attempting to hold the building for the rival organization.

IN THE DISTRICT COURT. Judge Pound yesterday made an order directing Sheriff Melick to destroy the Oak Creek dam, and to return to the defendants in the case of Charles E. Herdman vs. F. A. Carruthers and the Nebraska Stock Yards company do not comply with the orders already issued to remove the obstructions. Martha E. Stewart vs. William Alexander et al. Mandate from the supreme court for execution is issued.

Amos Peck vs. Peter Rose. Same. John A. Hibbs vs. John M. Gregory. Release of judgment by John S. Gregory, assignee.

David May vs. Lewis and Emily Scholten. Suit on promissory note for \$95.

At a meeting of the board of managers of the state fair, held yesterday, Austin Humphrey of Lincoln, was chosen general superintendent, W. R. Bowen of Omaha, superintendent of gates and tickets, and O. M. Druse of Lincoln, master of transportation. A premium list for 1886 was arranged and referred to the secretary for completion. The latter officer was also authorized to advertise for bids on all printing required this year. The following superintendents of classes were chosen, after which the board adjourned.

Class 1—Horses, H. H. Clark of Lincoln.

Class 2—Cattle, D. V. Stevenson, Falls, City.

Class 3—Sheep, William Dunlap, Duncan, Clarks.

Class 4—Swine, David Richardson, Clarks.

Class 5—Poultry, J. R. Moghan, Lincoln.

Class 6—Farm products, W. D. Wildman, Culbertson.

Class 7—Dairy products, S. C. Bassett, Gibbon.

Class 8—Educational, Professor W. P. Jones, Fremont.

Class 9—Bees, honey, etc, Ed. Whitcomb, Friend.

Class 10—Champion, J. R. Nelson, Fairbury.

Class 11—Mechanics and arts, J. B. McDowell, Fairbury.

Class 12—Machinery, John Doolittle, Lincoln.

Class 13—Instruments, etc., George Brooks, Brazile Mills.

Class 14—Fine arts, Mrs. S. C. Langworthy, Seward.

Class 15—Woman's work, Mrs. W. E. Gosper, Lincoln.

Class 16—Agricultural implements, W. R. McCully, Hastings.

Class 17—Discretionary, W. E. Hill, Nebraska City.

Class 18—Special premiums, J. M. Lee, Oxford.

Class 13—Speed, J. D. Macfarland, Lincoln.

BRIEF MENTION.

Deputy Auditor Benton is trying to limber his fingers on a new type writer.

Guy Brown, the clerk of the supreme court, is at the Hot Springs, seeking to rebuild a frame wasted by too close application to the important duties of his office.

The Mandeville residence on G street has been bought for \$3,000.

The "Rentz" girl who was rescued from a life of shame at Omaha Saturday last, turns out to be the daughter of an ex-constable in this city, and who was formerly employed in the dining room of the Commercial hotel.

George Fletcher, the collector accused of embezzling \$26 from Charles Slattry, was discharged by Acting Judge Davis yesterday, there being no evidence against him.

The Amalgamated Society of Toughs at their meeting last night passed a resolution admitting to full membership all men who lounge about the corner of Tenth and O streets. The police are accordingly advised to keep their eyes on the chaps who congregate there.

The ladies of the Episcopal church had a sociable Wednesday evening at the residence of Capt. Phillips. The ladies braved the mud and turned out in full force, but the men were conspicuous by their absence.

The state supreme court has adjourned to Tuesday next in order to allow the judges time to digest the weighty argu-

ments made by counsel in the Lincoln bond cases.

Attorney General Leasa is preparing his answer on the order for a reassignment in the case of Fager vs. the State. The points involved are: Whether a judge has a right to question witnesses; what is corroborating testimony; and whether a general verdict holds good where there are two counts in the indictment.

Sales of school lands will be made, under order of Commissioner Scott, as follows: Keth county, February 23, 85,000 acres; Frontier county, February 23, 26,000 acres; Loup county, March 1, 16,000 acres.

STATE ARRIVALS.

B. M. Ford, Nebraska City; J. Breiner, Hubbard; J. A. Bollman, Omaha; D. T. Haydon, Nebraska City; W. H. Allison, Omaha; S. H. Callhoun, Nebraska City; F. N. Carpenter, Syracuse; F. L. Easonson and E. S. Ganow, Nebraska City; H. F. Cady, Omaha; H. H. Bartling, Nebraska City; J. L. Dixon, Omaha.

Long and Short Hauls.

Grand Island Independent. To justify their excessive charges on short hauls, the railroad men always refer to the alleged higher expense on their short hauls. There is some little truth in the statement, that short hauls are somewhat more expensive, though not near enough to make this higher charge a justification of the outrageous expenses on short hauls.

But however that may be, the railroad man ought to acknowledge the obligation, in accordance with his own theory, to make the charge proportionately longer the longer the haul. But he is not consistent enough to do it, especially not when poor Nebraska is concerned.

On the Paul Chicago route, a distance of not quite 500 miles, the charge on wheat is 20 cents per 100 pounds, equal to 80 cents per ton per mile. On the route from Missouri river points to Chicago, a rate of 18 cents per 100 pounds, equal to 72 cents per ton per mile, and the average charge from Nebraska to Chicago, an average distance of 900 miles, is 41 cents per 100 pounds, equal to \$1.64 per ton per mile. The longer the haul the higher the rate. In this way they violate their own principles and deny their own theories, whenever they have a chance to squeeze more out of the people that are unable to resist.

We in Nebraska must pay 57 cents more per ton, or in other words a 71 per cent higher rate than Minnesota pays because, the Illinois rate is 23 cents per 100 pounds, and the people have not courage enough to defend themselves, as they easily could, if they would use their votes in the right way.

In Illinois they have a lower rate for a shorter haul, than we have in Nebraska for our long haul. The Illinois charge for 100 miles of wheat 40 miles is a small fraction over 18 cents, equal to 18 cents per ton per mile, while Nebraska for 600 miles must pay 41 cents, equal to \$1.64 per ton per mile. We, consequently, are charged 47 cents more per ton per mile, than the Illinois people, which is for our long hauls, a rate 83 per cent higher than for short hauls in Illinois, though according to railroad testimony the long haul is by far cheaper than the short hauls.

This proves that the railroad men themselves don't believe in their own theory of the expensiveness of short hauls and the cheapness of long hauls, not any more than they believe in their own doctrine, that the cost of railroad transportation cannot be calculated.

But they consider these theories a nice stock in trade, to blind the people with, to silence those who would attempt to give sufficient attention to these matters.

Girls at the New York Charity Ball.

"There was quite a tendency shown in many of the costumes worn at the charity ball last week for starchy effects," says the New York World, "some of the young girls looking like the traditional 'white and morning' in their gowns, or white gowns, bespangled with silver or gilt stars, or like the old time angels of the boards who was taken up into the clouds in the last act of a moving scene. The change in evening dress for young girls has been very radical. For the last two seasons it has been the thing for a girl to look like a very aesthetic statue, slim, spindly and very much in the style of the year she bursts forth like the dowers that bloom in the spring, tra la, skirts upon skirt, piled like Ossa on Pelion, until she resembles a floating mist. It is the old story of the chrysalis and the butterfly. Last year she was fettered up in the narrow confines of a stately silken gown, with clinging skirts; this season she spreads herself like a green bay tree. In the old days of dress, however, whatever was right, especially when the dress is worn by a pretty girl. So one becomes easily reconciled to any change. Certainly the girls at the charity ball were very becoming in their new gowns. The charm of the present style is its freshness and girlishness. There was a great contrast shown between the toilets of the maids and those of the matrons. These night, and this is at it should be. Tulle and muslin seem to be a girl's prerogative, and she never appears so lovely as when arrayed in these filmy fabrics; but the adoption of gilt spangles is perhaps in more questionable taste. It is somewhat like painting the lily or throwing perfume on the violet."

An Exciting Glove Contest.

Pittsburg Chronicle: "I saw an exciting glove contest last night," remarked the snake editor, as he took off his No. 11 ear-muffs. "Where was it?" asked the sporting editor, with great interest. "I don't see it in the morning papers."

"No. I was the only newspaper chap there."

"That's good; we will have a scoop on it."

"A clean scoop. Are you ready for the details?"

"Yes; go ahead."

"It was in Allegheny."

"All right. Get it down."

"On Federal street."

"Federal street?" In surprise.

"Yes; on Federal street, in store. A Troy Hill woman was trying to get a No. 4 glove on a No. 7 hand. Oh, it was exciting."

The sporting editor turned wearily away.

An Army Mule Retired with Honor.

Oakland (Cal.) Times: No mule is better known or more revered than "Old Goose," of Leavenworth, who is now at the Shell Mound farm, near Alameda, where government horses are taken care of. She is now over 40 years old, and has not yet given up her usefulness. "Old Goose" was brought to this coast in 1849 by Gen. Kearney. She has borne through flood and field, and has borne some of the bravest of our heroes on the warpath. Moore was mounted on "Old Goose" when he was killed at San Pasquale. She has done good service at most of the military posts on this coast, and is well known by all the old army officers who served on the Pacific slope. Gen. Sherman, on a recent visit to the farm, recognized this old pack mule, and said that this faithful servant should be pensioned. She is now retired from service and draws her regular rations.

A board of officers at the Springfield, Mass., armory are investigating new models of carriage boxes, designed to facilitate quick loading. One model presented has a string attached at one end which passes over three sides of the box. It is held in position simply by the paper fastened over it. A light pull tears this cover and opens the end, when the cartridge can drop into the slide unhampered.

THE GRAND ARMY GATHERING

General Thayer Elected Commander and General O'Brien Vice.

REUNION TO GRAND ISLAND.

Fairfield Notes—The Iowa Legislature—In Search of a Missing Daughter—A Forger Captured at Hebron.

The Grand Army Meeting.

Red Cloud, Neb., Feb. 18.—(Special Telegram)—At a late hour last night the Grand Army of the Republic held its General Thayer of Grand Island, department commander; General G. M. O'Brien of Omaha, senior vice commander; Colonel Morrill of Falls City, junior vice commander. The present medical director and chaplain were re-elected.

Council of Administration—C. A. Holmes of Tecumseh; B. H. Cook of Lincoln; P. C. Cane of Riverton; A. C. Cole of Nebraska City; L. Richards of Fremont.

Delegates to the National Encampment—Sam B. Jones of Omaha, Colonel Carr of Lincoln, R. B. Patton of Red Cloud, R. J. N. Edwards of Seward, M. W. Stone of Wahoo, J. Osborne of Blair.

Delegates at Large—H. A. A. Alle of Omaha. The Grand Army encampment adjourned to-night. The officers of the Grand Army and Women's Relief corps were publicly installed with impressive ceremonies. The next annual encampment will be held at Omaha and the reunion at Grand Island next fall. The national convention will be at San Francisco. General Thayer made two brief but eloquent speeches this evening, being frequently interrupted by enthusiastic applause. His appearance on the platform for installation as department commander brought forth three rousing cheers and a cheer.

General O'Brien and Colonel Morrill were installed as senior and junior vice commanders.

Mrs. L. N. Bohne of Grand Island was installed president of the Women's Relief corps; Fannie J. E. Bright of Tecumseh, senior vice; Mollie V. Cook of Lincoln, junior vice; Gertrude H. Connell, treasurer; Mrs. Dr. H. K. Painter of Lincoln, chaplain; Mrs. Carroll of Aurora, conductor; Vina Leavitt of Red Cloud, guard.

Delegates to the National Encampment—Mrs. E. B. Knight of Inavale, Mrs. Dr. Painter of Lincoln, Mrs. Harris of St. Paul. Delegate at Large—Mrs. E. Bright of Tecumseh.

The relief corps will convene in Omaha at the time of the encampment. During the encampment committees were appointed on the location of a soldiers' home and a permanent location of the reunion. A large amount of other business was transacted and resolutions adopted which have not been made public.

In his speech in front of the opera house, General Thayer, in behalf of the encampment, thanked the citizens of Red Cloud for the hospitalities extended; also, referring pathetically to the hardships endured during the war by the brave boys in blue in camp and on the battlefield.

Fairfield, Bad and Good.

FAIRFIELD, Neb., Feb. 18.—(Special.)—John Prall, a prominent business man of this place, was arrested yesterday before Squire Todd on the criminal charge of adultery. The case was postponed until the 27th inst., Prall giving bond to appear at that time. On the day following his arrest Mr. Prall was sued by John Sperry, a minister of the Seventh Day Baptist persuasion, and his husband of the same persuasion. Mr. Prall is accused of committing adultery for \$10,000 for alienating his wife's affections and disrupting his otherwise happy home. Both Prall and Sperry are middle aged men, and both have large families.

About six weeks ago Miss Nash, a milliner of this place, fell through a trap door in the floor of the post office, resulting in serious injuries, from which her physicians say she is not likely to recover. It is rumored that she is about to commence suit against Postmaster Leander Brewer for \$10,000 damages. This, coupled with the fact that Dennison Howe, a democrat, has lately been appointed postmaster, tends to make the case interesting.

City of Omaha to Ephraim Engler: Parts of lots 3 and 4, block 1833, Omaha, c. e. \$22,000.

Jens M. Norlem and wife to Herman Moeble: Lot 6, Hickory Place add, Omaha, w. d. \$1,100.

John A. McShane (widower) to Edward Jones: Lot 4, block 28, West Side, Douglas county, w. d. \$2,100.

John L. McCame and wife to William C. Blackburn: Lot 15, block 8, Hanson's Co. Omaha, w. d. \$1,900.

John L. McCame and wife to Otto Baumann: S 80 feet of lot 3, block 1, Kirkwood add, Omaha, w. d. \$1,900.

John L. McCame and wife to Edwin L. Patrick: Lot 8, block 248, and out lots 243 and 244, city of Florence, Douglas county, c. e. \$8,000.

Peter Boasen and wife to Essie Wallace: 10 acres on N line of sw 34, sec. 17-10-13, Douglas county, w. d. \$10,000.

Thos. A. Greig and wife to Jane M. Creigh: Undivided 1/2 of lots 9 and 10, block 2, Marsh's add, Omaha, w. d. \$1,100.

John Bell R. L. to Samuel R. and Nell R. Macleod: Part of lot 4, block 5, Brooklyn, Douglas county, w. d. \$75.

Charley Walker, colored, was fined \$1 and costs in police court yesterday afternoon for throwing ashes on the sidewalk.

James Demorest, who was recently arrested for an assault on Dr. Search, is again confined in the central police station, on a charge of petit larceny.

James Dailey, who has figured frequently in police circles as a sneak thief, was arrested yesterday drunk and disorderly. He has but recently been released after serving a short sentence in the county jail, and stands a good show for another one. Jim's longest term in the care of Joe Miller was 113 days, and he grew fleshy then on a diet of bread and water.

The case of Paxton & Gallagher vs. Edgerton was on trial in the district court yesterday before Judge Neville. The suit is the outgrowth of an attachment issued in 1884, on the stock of a man named Eggart in favor of Branch & Co. Edgerton was the constable who served the papers, and after he had taken possession of the goods, Paxton & Gallagher replevined them on a bill of sale which they had secured the night before. The present suit is for the purpose of recovering from the latter the amount of the costs of the replevin.

He Was Fooled.

"I went to the opera the other night," remarked a fellow passenger to his driver, "and I was badly fooled."

"Fooled! How was that?"

"Why, I thought it was something that would interest men in our line of business. From the title, and so I got a gallery ticket."

"What was the title?"

"Garnet. And there wasn't a street-car conductor or any other kind of a car-man in the whole house."

until they found that Fisher had married another woman in this place. Mr. Flatebo says that he has been unable to find his daughter and child, but Fisher is living with his recently married woman some where in South Des Moines. The old man is very poor and applied to the officers for assistance in finding his daughter.

Short Work With a Forger. HEBRON, Neb., Feb. 18.—(Special Telegram.)—At noon to-day one P. A. Jones, claiming to be a money-lender from West Union (Iowa), presented a note at the First National bank signed by himself and J. W. Mendenhall of Chester. The bank compared the signatures and discovered the latter to be forged. Jones made an effort to escape but was overtaken by Sheriff Green, and on the preliminary examination a clear case was made by the state. The prisoner in default of bail was remanded to jail. It was not three hours from the time that the note was presented at the bank until the forger was behind the bars awaiting a district court. Another note with the name of William Hackett for \$75 was torn up and thrown away by the prisoner.

In the Hands of Uncle Sam. DES MOINES, Iowa, Feb. 18.—(Special Telegram.)—M. E. Frazier, claiming to be a receiver for the Globe Mutual Assessment Insurance company of Indianapolis, was arrested by the United States marshal to-day on a charge of using the mails for fraudulent purposes. He was taken before United States Commissioner Jordan and held under \$1,000 bail.

Free Fight With Pitchforks. DEBILIS, Feb. 18.—At Kilger's court, county Cavan, to-day, a dispute during a game of football resulted in an affray in which bill hooks and pitchforks were freely used. Twenty persons were wounded. One of them is believed to be dying.

ELKHORN'S SCHOOL TROUBLES. The Principal Makes a Denial of the Charges.

To the Editor: I saw in Tuesday morning's Bee an article in which it was stated that Superintendent Bruner had received a letter stating that I had taken a pistol into school and flourished it, etc. This is wholly untrue and entirely untrue without one particle of foundation, as there has been no pistol in the case. The facts are simply these: One of the large boys had been reported to the school board for expelling a smaller boy from his seat on his way past and said the teacher "must go." After a petition to have the teacher discharged had been in circulation one day a remonstrance was started, and the result is as follows: The petition against the teacher has nineteen names upon it, two of which have since signed the remonstrance, and of the others some are not legal voters, while the remonstrance has thirty-six signatures and these are the best citizens of Elkhorn, and among them the majority of the school board. I will further state that Superintendent Bruner visited the school as stated in your article, and not one word was said by any one about a pistol, which shows its falsity, if further proof were necessary. And further, no such disorder has existed as was reported in the Bee. The storm has blown over and the school again moves on serenely. The attendance is large, and, although the weather has been bad, will average nearly or quite equal to that of any other school in the county. Regarding the publicity that has been given to one of the little outbreaks to which, it is said, our village is subject, I subscribe myself, yours, E. ELKHORN, Principal Elkhorn School.

Real Estate Transfers.

The following transfers were filed Feb 17, with the county clerk, and reported for the Bee by Ames' Real Estate Agency: Wm. G. Lands and wife to James Neville: W 460 feet of lot 2, block 115, Omaha, w. d. \$20,000.

Ingar Johnson and husband to Anna Kulkulek: S 30 feet of lot 6, block 8, Kountze's 3d add, Omaha, w. d. \$925.

United States of America to Moses Talcott: 80 acres s. w. 1/4, sec. 39-16-3, Douglas county, c. e. \$1,000.

August Neilson and wife to Nels J. Peterson: Lot 7, block 5, Parker's add, Omaha, w. d. \$3,000.

Charles Corbett and wife to Christian Anderson: Lot 15, block 460, Grandview, Omaha, w. d. \$1,000.

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In order to settle the question as to the proper treatment for persons who have been frozen, Dr. Leptichius has made a series of very extensive experiments upon dogs. He found that of twenty animals treated by the method of gradual resuscitation in a cold room, fourteen perished; one in a placental case in a warm room, eight died, while twenty and twenty-two might die, while the rest recovered quickly and without accident.

DIRECTORY

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ATTORNEYS.

BEVINS & CHURCHILL,

N-W. Cor. 13th and Douglas Sts.

W. J. CONNELLA,

313 S. 14th Street.

GEORGE W. DOANE,

ATTORNEY AT LAW,

Falconer's Block, 15th and Douglas.

GEORGE S. SMITH,

1506 Farnam Street.

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HOLMES & DILLON,

Rooms 5 and 10, Frenzer Block, Opposite Post-office.

JOHN PAUL BREEN,

Attorney at Law,

Rooms 25 and 27, Omaha National Bank Building.

J. W. ELLER,

LAWYER,

Omaha, Neb.

Rooms 7 and 8, Nebraska National Bank Building.

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