SABBATH STILLNESS REIGNS

Hostilities Suspended at Lincoln and the Battle Field Almost Deserted.

SUPREME COURT PROCEEDINGS.

Another Long List of Interesting Decisions Handed Down-The Congregational Church Dedication-Arrested for Forgery.

I FROM THE BEE'S LINCOLN BUREAU.

Almost a customary stiliness pervades the corridors of the botels this Sunday. and but very few of the law-makers have remained in the city over the first day of the week. The senatorial headquarters of the numerous candidates are practically deserted. The senatorial candidates, whatever may be their real feelings, do not appear disposed to show the resentment and vindictiveness toward each other that has heretofore characterized our senatorial contests. Senator Van Wyck and Mr. Paddock, and Judge Weaver, all in this temporary cessation of hostilities, speak in pleasant terms as they pass by, and it is especially noticable that the warm friends who surround General Van Wyck see very bright and

promising skies on this holy day.

Herold vs State, Error from Lancaster county, Affirmed. Opinion by Reese, J. Maxwell, Ch. J., dissents as to the second clause of the syllabus.

1. Section 28 of chapter 32 of the com piled statutes, being chapter 46 of the session laws of 1883, in so far as it pronibits the fraudulent sale, transfer, secre-tion, encumbrance or disposal of proper ty with intent to defraud creditors, is con-stitutional and valid.

2. Instructions prayed for and refused, examined and held to have been properly Helphrey vs Redick. Appeal from Douglas county. Affirmed. Opinion by Maxwell, Ch. J.

 A judgment only binds parties and privies. A tax purchaser of real estate, not a party to an action to enjoin the treasurer from issuing a deed, nor appearing in the action, is not bound by

2. An action to forcelose a tax hen on real estate may be brought on the tax cer-tificate, where it is alleged in the petition that a deed would be invalid if issued, and such action may be brought within the same time as if brought on a tax deed the title under which had failed.
3. A notice to redeem is not indispensible before bringing an action to forcelose a tax lien, although the failure to give such notice in certain cases may effect

the question of costs. Lammers vs. Com-stock, 30 N. W. R., 251. Hutchinson vs. Hubbard. Error from Kear-ney county. Affirmed. Opinion by Max-well, Ch. J.

Wherein an action by a wife against certain saloon keepers and their bondscertain saloon keepers and their bonds-men to recover for loss of means of sup-port caused by intoxicating liquors sold her husband, the jury returned a verdict for \$300. Held, that the evidence fully sustained the verdict. State Ex Rel Leese vs. Wilkinson. Applica-tion for mandanius. Writ allowed. Opin-ion by Reese, J.

On the first day of January, 1876, the county of D. in pursuauce of a vote of the people so directing, issued and delivered to the Covington, Columbus & Black Hills railroad company, its negotiable 10 per cent, coupon bonds for the sum of \$25,000, that being more than 10 per cent, of the assessed valuation of the county. These bonds were duly regis-tered and certified by the county clerk of D. county and by the secretary and auditor of the state. Afterwards the county refused to pay the interest and an action was instituted against it in the circuit court of the United States for the purpose of collecting the interest due on the coupons. The defense of the illegality of the bonds, owing to the excessive is-sue, was interposed, but the bonds were held valid in the hands of a bona fide ourchaser for value, and judgment was rendered against the county for ₹15,692.91. No proceedings in error or appeallwere then taken for the purpose of obtaing a review of that judgment. The county board then agreed with the holder of the bonds to execute to them twenty-year six per cent refunding bonds, to be substi-tuted for the bonds of 1876, under the provision of the act of February 28, 1883. The refunding bonds were executed and registered and certified by the county clerk, but the secretary and auditor of state refused to register them or to certify that they were lawfully issued, alleg-ing such was not the fact. The county then applied to the supreme court for a mandamus to compel action by the state officers and judgment was obtained in favor of the county, awarding the writ and compelling the certification and registry. After they were certified and registered by the state auditor the county exchanged them for the original bonds of 1876 and the interest accrued thereon, and destroyed the original bonds. In an action to enforce the payment of the in-terest accrued on the refunding bonds, it was held that the county was estopped to deny their validity in the hands of a

bona fide holder of value.

Fudler & Johnson vs Schroeder, Error from Butler county. Reversed and remanded. Opinion by Maxwell, Ch. J. 1. An action appealed from the county court to the district court must be tried on substantially the same issues as were presented in the county court, unless some matter, such as payment, release, etc., has arisen since the former trial.

2. Procedure. Where change of cause of action does not appear on the face of the petition, it may be set up by the

answer.
3. Evidence examined and held insufficient to sustain the verdict.
4. Where a reaping machine was sold with leave to test the same by using it for one day, Heid, that the word day is to be understood with reference to the usage of farmers in working with such machines 5. Where a machine was sold condi

tionally and notes given for the purchase price, which notes were to be returned in case the machine failed to comply with the warranty, held, that the return of the machine, if properly made, was a suffi-

Autman, Müller & Co. vs Stichler. Error from Greelev county, Reversed and Re-manded, Opinton by Cobb, J. In repleyin, the plaintiff's cause of ac tion depending essentially upon the right to the immediate possession of the property in controversy, a general denial the defendant, puts in issue not only such right of possession, but every collateral fact necessary to the establishing of the same. In such case, held, that nn answer containing a general denial will not be required to be made more

definite and certain.
2 In replevin, damages other than legal interest on the value of the property, as found, for the detention of the property, are recoverable only in case of a return. If the property is not returned the measure of damages is the value of the property as proved, together with lawful interest thereon from the date of the unlawful taking. See Romberg vs flughes, 18 Neb., 579.

Plaintiff's contract of warranty con-

Strued.

Engichart vs Peoria Plow Co. Error from Filmore county. Reversed and remanded. Opinion by Cobb. J. One D. was a local agent for a Harvester machine company for the sale of its machines. He sale a machine to E. takting his note—therefor payable to the order of the harvester company. One of the sent parts of the harvester company. One of the best houses of the season.

Rabbi Benson leaves this morning for the west on official duties.

with a person represented to be the general agent of said company, took said note for his commissions and afterwards assed it to the plaintiff. Held, that the property of the harvester company, in said note was not divested by such inforsement and that the plaintiff could not

Cheney vs. Harding. Appeal from Otoe county. Afterned. Opinion by Cobb. J. An acknowledgement of the service of a summons, in writing on the back of such summons, signed by a person to be served, held to be equivalent to actual legal service of such summons by the company of the price of such summons by the company of the price of such summons by the company of the price of such summons by the company of the price of such summons by the company of the price of summons of the price of such summons and processed. sheriff, to whom the same is directed, made within his proper balliwick.

Palmer vs Belcher, Error from Valley county, Affirmed. Opinion by Reese, J. A summons was issued by a justice of the peace and delivered to the sheriff of the county for service, who returned the same with the manner of service endorsed thereon as follows: "August 23, 1884, re-ceived this writ and on the 23d day of August, 1884, I served the same on the within named defendant, H. J. Palmer, by leaving a copy of the within summons with George Palmer, and by him, the said George Palmer, in my presence at the time of said service, delivered the same, being a true copy of the within summons with all the endorsements thereon certihed by me to be a true copy, to said H. J. Palmer," properly signed by the officer. Held, to be a compliance with the requirements of section 911 of the civil code, and that the service gave jurisdic-

Brown vs Herr. Error from Fillmore county.
Affirmed. Opinion by Cobb, J.

1. In an action, where the cause of action or ground of defense is based upon a conspiracy by two or more persons to perpetuate a fraud upon the party asserting such cause of action or ground of defense, the acts and declarations of one of such company of conspirators in regard to the common design as affecting his fellows-a foundation having been laid by proof sufficient in the opinion of the court to establish, prima facie, the fact of conspiracy between the parties, or proper to be laid before the jury as tending to establish such fact—in pursuance of the original concerted plan and with reference to the common object,

may be given in evidence.
2. The evidence examined and held to ustain the verdict. 3. The instructions prayed and refused, and those given by the court on its own motion, as copied at length in the opin-ion, held, to have been properly refused

DEDICATION SERVICES. To-day occurs the dedicatory services f the handsome First Congregational church of Lincoln, which, now freed from debt, will receive the final service in its history of construction, Rev. Dr. Magoun will deliver the sermon and a choice choir, comprising the following members, will have charge of the music: Mrs. P. V. M. Raymond, director and organist; Mrs. C. S. Lippincott, soprano; Miss Bertha DeWitt, alto; Mr. Everett Eddy, tenor, and Mr. J. B. Burnaby, hasso. The morning programme is as follows: Organ prelude; invocation; hymn, "I Love Thy Kingdom, Lord"; responsive reading of scripture; anthem, "O, Praise the Lord"; financial statement, T. H. Leavitt, church treasurer; music, duet; thank offering; music, "As Post the Heart". Pants the Heart''; sermon, Rev. George Magoun, D. D; song, "Nearer My God to Thee''; dedication prayer, Rev. Lewis Gregory; benediction; organ postlude. The evening services, while not as elaborate as the morning, will be of exceptional interest, Rev. A. F. Sherrill, D. D. of Omaha, delivering the sermon. His-torical reminiscenses will be given and the choir will render some choice selec tions in music. It may be stated as an al-most foregone conclusion that the membership and friends of the church will crowd the house to overflowing with attentive listeners.

FOR PASSING FORGED CHECKS. A man giving his name as J. O. Hewitt was under arrest at the police station yes-terday charged with passing forged and ess checks. found was a check for \$100 on a Walioo bank, and this is evidently evidence against him. For several days a number of firms in this city have been victimized in small amounts by some sharper and the police have been actively at work ferreting out the chaps. A number of saloon men were among the victimized and also restaurant men and small deal-The checks were mostly on banks outside the city making it easy to work for several days without discovery. FOR FALSE IMPRISONMENT.

Yesterday in the county court the case of Kausas City Ann, as the female in question is known in police circles, against Officers Malot, e and Kinchlow was called for hearing and after some evi-dence was taken the case was continued until Monday. This female is one of the quartette who were arrested a few nights ago by these officers at which time an incipient riot was in progress among at least a portion of them. At the trial of these arrests K. C. Ann was acquitted by a jury and now commences a case against the officers for false imprisonment. rumored that there is some revenge along with all the mixture.

A CASE OF BAD TREATMENT. . The police yesterday picked up in front of a saloon near the depot an aged, de crepid individual, who lying on the walk in the intense cold of the day, was well nigh frszen when taken in. When taken to the fail the man's name was found to be George E. White, from Linn Grove lown, and he was a cripple who moved about on crutches selling cards containing doggerel poetry and gaining sympa-thy as an old soldier. He had entered saloon and put that within him which stole what little locomotion he had and as it was understood, was then put out to freeze or live, just as it might hap-pen. If it had been night the latter result would evidently be recorded, and as it was, his call was a close one.

T. P. A. NEWS AND NOTES. C. W. Chambers departed eastward on trip over the road, his destination,

Elliott, state agent of the Glidden Barb Wire Co., of Dekalb, Ill., catled at Post A. headquarters Monday. George H. Clarke, secretary of Post A., and Q. L. Martin left the first of the week for Omaha with their samples.

William Bolland, representing Simmonds & Co., Ill., visited Lincoln Post A.

cinb rooms Wednesday.

The chairman of the sick and relief committee of the local post called at the home of the absconding traveling man, J. E. Wilson, and found Mrs. Wilson almost destitute. Relief was promptly furnished, but not because Wilson was a T. P. A. as he never belonged to the or-

Colonel Colby Friday introduced a bill in the state senate, a portion of which, at least, is of interest to the T. P. A. membership. The bill calls for passen-ger rates to be limited to 3 cents per mile, and the amount of baggage to a person to be fixed at 250 pounds, and the boys who are bothered with extra haggage expense would be glad to see the limit raised.

THE WEEK'S AMUSEMENTS at the theaters the past week has been confined at the opera house, with the exception of one evening, to the produc-tion of the "Naind Queen" which although almost a total product of home talent, has delighted Lincoln people to such an extent that the audiences have exceeded the seating capacity of the house each evening. On Tuesday evening Mr. and Mrs. Florence will give the members of ature a lesson in the production of the "Mighty Dollar," and the universal favorites that they are with Lincoln anusement lovers will accord to them one of the best houses of the season.

AFTER LIFE'S FITFUL FEVER

Death of General George M. O'Brien, Vice Commander, G. A. R.

PRINCE - DINGLEY RACE.

The Test Insurance Case-The Baptist University-The Oratorio Society-The Clearance Record -Other Local Matters.

Quietly Passed Away.

Last night at nine minutes to 12 o'clock General George M. O'Brien died at his residence, 612 South Eighteenth street. For the last three days his life had been despaired of, though for several days previously, it was thought he would survive the attack which prostreted him in a most painful manner. The general, unexpectedly to his friends, was taken ill shortly after New Year's, and what was supposed to be a temporary affection soon developed the malignant type which made him almost helpless from outset and finally resulted his death. This announcein ment will be received with a considerable degree of astonishment, because the physique and vigor of the general, and the excellent condition in which he had been, and which, in fact, had characterized his whole life, led his friends to believe that he would be able to recover from the stroke and again appear in their midst. Insensibly, however, the disease fastened upon him with so much strength that, on New Year's morning, those of his family who resided in the city and those who had been drawn hither from abroad, gathered around his bedside and tearfully bade him adieu, because it seemed that he could not survive the ad-

vent of the new year. Despite the anticipations of his medical attendants and the fears of his family, however, the general regained consciousness and seemed to realize the danger in which he lay. His exceeding good nature and indomitable energy came to his rescue and, with returning strength, which followed most skillful treatment on the part of his physicians, Drs. Leisenring and Neville, he resolutely fought the advance of the fell destroyer, who, however, hovered near. So great was his improvement that, for several days, physiciaus, relatives and friends felt that, barring an unfavorable turn, the prostrate gentleman would outlive the attack. This improvement continued until last Thursday night, when, in connection with his ailments and weakened condition, his malady assumed a new form. Medical skill was invoked to relieve him, how-ever, without success. It then became apparent that there was no hope for his recovery, and from that time until the hour mentioned above, he gradually approached the portals of the tomb, which save now forever closed upon him. During his illness he has been, for the greater part, conscious. He has fully recognized all the members of his family, and even longed for members of it who had been separated from him, by both lapse of distance and time. had These, however, by a happy dispensa-tion of Providence and the intervention of electrical and railway facilities, were gradually brought to his bedside only to however, the recognition man who had but a short time to enjoy their presence. Among these were his brother, Captain Nick O Brien, of Cheyenne; his daughter, Mrs. T. Joe Fisher, of the same place,

with her two children, Willie and Lor-etta; his sister, Mrs. M. A. Reichert and son Francis, of Milwaukee, Wis.; his son George, of Scattle, who arrived after a journey of six days, and who will now remain here in the practice of the law; and another son. Nick, train dispatcher on the Union Pacific road at Rawlins, Wyo. These, together with his daughter, Mrs. W. A. McElroy, and her husband, his vife and daughters, Maggie, Bessie and Frances and son Moses, with a number of friends, surrounded his bed, when, with the utmost peace, he resigned his life to his maker. The presence of these loved ones was a consolation which seemed to rob the occasion of its terrors and constituted

a boon not often youchsafed even the

most notable of earth. General O'Brien was born in Garymoile. County Wexford, Ireland, May 1, 1827. He was a lineal descendant of the his-torical house known as the O'Brien's. His mother was a daughter of the cele-brated General Codde. His early education was received from private tutors, after a preliminary training was sent to finish his ne was sent to finish his education in the academy at Coolgariff. In 1815 he entered upon a collegiate course in Wexford. During the famine of 1846-47 he left college and assumed the duties of clerk in the barony of Scarawaish in connection with the public works, for the relief of those suffering from the failure of the crops. He took an active part in the patriotic uprising of 1848, made memorable by the leadership of his kinsman, William Smith O'Brien. Upon the failure of the movement, which resulted in the arrest of many of the leaders, he sailed with his father and family to this country reaching Milwaukee, Wis., June 14th. 1849. There he became a civil engineer and surveyor, and followed that business, during intervals, however, devoting himself to the study of law. In September, 1851, he was married to Miss Kate E. O'Carroll. When the war of the rebellion broke out he entisted as a private on the 13th of April, 1861, in the Clay batallion, in the city of Washington. He became subsequently colonel of the Forty-second Iowa infantry and the last commanding officer of the Seventh Iowa cavalry and carned by gallant and meritorious services the rank of briga dier general by brevet, which rank he held from February, 1865, until his muster out of the service on this 17th of May, 1866. He came to Nebraska on the 19th of August, 1862, in command of an expedi-tion against the hostile Indians, who, at that time, were a menace to western settlers and the extension of the frontier, and served in the plains of this state and Colorado with both credit to himself and command against the repacious attacks of the savages of those days. He was mustered out of the service in May 1, 1866, when he moved with his family to Omaha, where he was successively admitted to practice in the courts of Nebraska and the United States,

He continued in the practice of his profession up to the time of his death. Few men were more extensively known throughout the state. His early experience upon the plains, his connection with causes of state import, his affiliation with and interest in the G. A. R., his warm support and association with civic organizations in which he always rose to eminence and dis tinetion his geniality, kindly and eminently social disposition conduced to a popularity co-extensive with the limits of the state itself. No more kindly generous and friendly man graced the walks of any profession. He differed from men, but he never frowned upon them. His smile was always ready to meet the friend or placate the enemy. He believed in reason and enemy. He believed in reason and put his belief into practice, while he ex-erted his influence to correct abuses and

brotherly feeling, which he thought should ever obtain between man and man. Throughout this state, there are few who knew General O'Brien who did not know him as he should have been known, patient, meek, kindly and generous, and who, knowing him, will not shed a friendly tear or express a fraternal regret that he has re sponded to the last and unavoidable cal of both civilian and citizen. At the time of his death, General O'Brien was senior vice-commander of the G. A. R. In the department of Nebraska, and, as a consequence, in view of the election of the commander, General Thayer to the government of this state has to the governorship of this state, he would have been compelled to assume the duties of the position of the latter. But these duties will now devolve upon other men. The date of funeral will be announced hereafter.

All members of the E. M. A. are requested to meet at their hall at 4 o clock this afternoon to take action in regard to attending the funeral of General George M. O'Brien.

MORSE'S DRESS GOODS MONDAY.

New Embroideries Also on Sale, S, P. Morse & Co, will continue their crearing sale of Dress Goods Monday; there must be hundreds who would have come last week but for the inclement weather. One of the great features are the combination suits that are less than

COMBINATION SUITS \$9. These are embroidered and boucle trimmed suits that have never sold less than \$15, some for \$20 and some \$25. All reduced to \$9. S. P. Morse & Co. COMBINATION SUITS \$19,75.

These are beautiful camel's hair and shooda cloth suits, richly embroidered with plush and pridescent trimming— they sold for \$35, \$37.50, and \$40 and we offer you the choice at \$19.75. S. P. Morse & Co. COMBINATION SUITS \$28. These are hand embroidered Paris robe patterns that cost \$10 to import and are

worth \$50 each; our price \$28.

Paris Combination Suits that were \$75
will be sold for \$37.50. Paris Combination Suits that were \$85 reduced to \$12,50.

Paris Combination Suits that were \$100 reduced to \$50. S. P. Morse & Co. ENORMOUS SALE REMNANTS. We have thousands of yards of good remnants in dress goods 2 to 10 yard lengths that will be sold for about half

NEW EMBROIDERIES. Our new embroideries have arrived and will be placed on sale Monday morning. S. P. MORSE & CO.

THE BICYCLE RACE. Prince Defeats Dingley by Hard Work

Other Notes. Fully one thousand people watched John S. Prince, the champion, and Frank Dingley make 500 circuits of the track in the exposition building in their bicycle. race for \$100 a side. A large number of ladies were present, the audience altogether being the largest and best that has witnessed any one race in Omaha. The men were both in excellent trim and made a hot race from the start. Dingley had many backers in the audience and his work showed the force of Prince's statement that he is the second fastest man in the country. Prince and Dingley led in turn and were close together for most of the race. The champion did some tremendous spurting, but could not shake Dingley. At the finish Dingley led until the last two laps, when Prince by one of his phenemenal sparts got the lead and was about forty feet ahead when the fifty raile notch was passed. Both men were loudly applauded at the finish and were surrounded for a long while after the race by congratulating friends. The time of the race was 2 hours, 51 minutes and 31 seconds. This is considerably less than Prince's champion record for the same distance made in Minneapolis, which was 2 hours, 38 minutes and 26 seconds.

AN ATHLETIC TOURNAMENT.

Prof. Kummerow, the instructor in the turnverein, will aid Prince in getting up an athletic tournament, to take place at the exposition building some time this month. The programme will include a foot race, jumping, dumb-bell lifting and other athletic features including a professional handicap bicycle race for miles, in which Prince, Dingtey and Bul-lock will participate. Prof. Stulik, the great Bohemian turner, will also take part in the entertainment.

WILL RACE A SPRINTER.
E. N. Bullock, who has been unsuccessful in his attempt to get a race out of Fred Shaw, has made a race with Hourihan, the sprinter. Bullock is to run five miles on the picycle against Houriban's three miles on foot. The race will take place inside of three weeks.

The Battle of Aughrim.

John Murvany's famous painting, the 'Battle of Aughrim," was placed on exhibition yesterday at Hospe's art store, and many of Omaha's connoisseurs took advantage of the opportunity to study the magnificent work. The picture is on a canvas 61x3 feet, and is a grand representation of the desperate encounter in that awful cavalry struggle on Sunday, of the Stuart dynasty and set the seal of servitude upon the people of Ireland. Mr. Mulyany, who is a thorough Celt, has seen some of the most sanguinary engagements of the American civil war, and in this painting seems to have been inspired by his native feeling in portraying the great combat for liberty. The picture is full of color and life, and is not o much of a painting as it is a battle. Phose who saw it vesterday were entranced, and as it remains on exhibition for a number of days longer large crowds will undoubtedly avail themselves of the opportunity to see this work of art. Mr. Mulyany has also another noted

battle painting representing Custer's last rally, which has given him a world wide reputation.

The Baptist University. There will be a meeting at the First Baptist church in this city Tuesday, the 11th, at 7:30 p. m., to take steps toward securing the location of the Baptist university at Omaha. The trustees of the Nebraska Educational association meet at Lincoln on February 3 to pass upon several propositions, which will then be submitted to them. This large and fastly increasing denomination propose to found in Nebraska a large and first-class institution of learning. They will expend all their forces upon this one college. If could be located at Omalia it would i of very great advantage to our city. With all our present great advancement we lack very much in the facilities for obtaining a higher education. We have heard that Lincoln proposes to make as good a proposal to the Baptists as they did to the Methodists. What is Omaha going to do about it?

A Police Alarm System. The council committee on police with

the committee on fire and the chief of the fire department have been considering the advisability of supplying the city with a police alarm signal service, and examining into the relative merits of the systems upon which propositions have been made to the council. The committees are unanimous in the recommendation that the service be put in and will meet on Monday to make a choice of establish among his associates the hearty | eystems which they will recommend.

BROS., BENNISON BENNISON

1519-1521 Douglas Street. 50,000 DOLLAR SALE! Money We Must Have. Prices No Object.

Great Remnant Sale Starts Monday Morning! SPECIAL SALE FOR MONDAY AND TUESDAY

OF-This cloak is made Same as Cut. Was \$22.50.

of Imported Frise, trimmed with best quality of black Blare double fur balls, fine Satin lined, and at this price is less than

FOR MONDAY AND TUESDAY

\$14.75 Regular Price, \$25. LADIES'

Diagonal Newmarkets, Never sold less than \$7 Sale Price, \$3.50.

Ladies' Newmarket Astrichan, Trimmed-considered cheap at \$10. Sale Price, \$6. 50 Ladies' Newmarkets,

Was \$18. Now \$12.50. SHORT WRAPS,

Ladies' Astrichan Short Wraps, \$5.

sionals are pleased to tarry here. All en-

foreign artists are numerously patron

ized and intelligently enjoyed. The won-

der has been why some concerted action

has not been taken by Omaha vocalists

for their mutual benefit the pleasure of

the local public and visitors to this pro-

gressive metropolis. It was not alto-

gether a surprise. therefore, when a representative of the Brr was informed yes

terday that active steps had been taken

to form an oratorio society. In fact the

musical child is already born, tifty-one

well known musicians have already

rocked its cradle, and the aid of all mu-

sicians in the city is requested to bring

this precocious infant to a strong, healthy

youth. The new organization will be called

the Omaha Oratorio society, and among

the active charter workers are Mrs. Cof-

ton, Mrs. Martin Cahn, and Messrs, Fred Gray, C. D. Dorman, Northrop and Wil-

kins. Nahan Franko has been selected

director, which fact in itself shows that a

superiority as a musician and his thorough capability as an instructor are fa-

miliar to the Omaha public as well as to

the musical world at large. The society

is, therefore, to be congratulated on its choice. The desire is to increase the

membership right away to 100, and surely there should be no difficulty in doing so here. This being accomplished,

preparations will be made at once for a grand musical festival in May, when the

home society will be assisted by the best star talent obtainable from abroad, to-gether with a grand orchestra. The main object of the society is, of course, to give some life to the musical talent

now lying dormant in Omaha; to culti-

vate a better taste for the beautiful in song, and to add to the pleasure

of the general public by encouraging

At present the charter members have

been holding meetings at the Congrega-

tional Tabernacle on St. Mary's avenue

every Monday evening, To-morrow evening at 7.30 a. m. the next meeting

will be held in the same rooms, and all vocalists in Omaha who desire to aid in

promoting a worthy and enjoyable work

AMUSEMENTS.

THE GREAT HEREMANN.

There are magicians and magicians, but the paim of supremacy still belongs

to Herrmann, who will appear at Boyd's opera house Monday and Tuesday nights this week. His sleight-of-hand work has

not been equaled for years past, his feats

are of a surprising and puzzling descrip-tion, and, what is more important, he

possesses the power of keeping his audi-

ence in excellent humor by his running

fire of comic remarks and jokes. In his

entertainment Herrmann performs new

and pleasing tricks. The programme also introduces "The Slave Girl's Dream,"

by Mme. Herrmann, a series of fine and attractive colored movable dissolving views, and "The Vanishing Lady," intro-duced by Herrmann in Paris and New

York. Reserved seats can be secured at

CLARA MORRIS.

Manager Boyd announces that he has secured America's greatest emotional acress. Clara Morris, for two performances at the opera house, on Wednesday

and Thursday, January 19 and 20. She will probably be seen in "Camillo" and "Miss Multon."

West Omaha Schools.

To the Editor of the BEE: In a manner

am responsible for the interview con-

conerning Trustee Taylor's partisan

management of the schools in district No.

53, and I deem it proper to reply to his

sereed of yesterday's date. Every main

the box office.

are requested to be present.

more numerous musical entertainments.

the organization will be built up.

Was \$10.

BENNISON BROS., 1519-1521 Douglas Street.

But few cities of the size of Omaha have as many first-class amateur musicians. It is noticeable, too, that prominent professional and provided in the so-called "High school" could only snell words of two syllables in the so-called "High school" could only snell words of two syllables.

tertainments of a musical character by was he so anxious to have a board formed and the trustee system continued. When

25 Velvet Brocade Short Wraps, At \$10. Was \$15.

20 Seal Plush Short Wraps, Trimmed with fur and tails around. Has

Sale Price, \$16. All Imported Short Wraps,

Choice, \$35, Great Slaughter Children's Cloaks

Any lady wishing to buy any of these Wraps can make a deposit on them, and we will hold them until the balance is paid.

Don't fail to attend this sale. Bring the advertisement and compare the prices and the goods, and be convinced that what we advertise is facts

says the school was mismanaged

under the old regime he says what is false. The people of this city and county know Benjamin P. Knight, ex-county commissioner, Charles A. Taggart, Mr. Heron, now of northwest Nebraska, and Charles J. Ryan, the old officers, too well for any

person like Taylor to injure them one iota by any words of bluff or bluster.

The payment of only \$18 per month for

nue instead of \$30, may be correct, but

Taylor's word is not a sufficient guarantee of its truthfulness. Why is Trustee

Taylor so careful not to say anything

oad school for educational purposes

When he calls the school house owned

by the district on Lowe avenue a "barn,"

he knowingly faislies. It is the best frame school building of its size in this

county, and together with surrounding im-

provements cost nearly if not over \$1,000 about two years ago. Another falsehood is the statement that no one but one ori two old settlers are finding fault with his official acts. Let him consult some of

the prominent people of the district, even within the very shadow of his conditional

is of course proper for the north and

south portions of the district to have schools, but the rights of the eastern and

central portions should also be respected

The insulting closing of Taylor's com-munication, no matter to whom ad-

dressed, is amusing. The idea of Bob Taylor paying taxes or anything else!

The idea of his accusing any one of lying! He is too well known in Omaha

to make such a hazardous opening on the

chess board of personal criticism. I have nothing to do with Trustee Taylor's

schemes—political, religious, or social. I am amply able to reply and protect myself against any of his windy attacks, no

matter how personal they may be. When,

however, he unwarrantedly attempts to

injure the educational interests of my children I will meet him every time.

TO THE SUPREME COURT.

The Phoenix Insurance Co.'s Case

Against the City.

pany vs. the city of Omaha was decided

by Judge Wakeley yesterday in favor

of the city. This is an interesting case,

being a test one involving the interests of

all of the toreign insurance companies

doing business in Omaha. The suit was

brought by the insurance company to

prevent the city from collecting taxes on

the company's premiums in Omaha. The

company's position was that their capital

stock and business was assessed at the

city in which their home office is situated

and that any taxation in Omaha would come in the form of double taxation and

would therefore be null and void. The case was made a test one and the under-

standing agreed upon that the several lu-

case. After a full hearing dudge Wakeley decided in favor of the city, holding that

agreement of attarneys the case will be

Officer Carroll Reinstated.

The police committee of the cannot

have had the case of Officer Edward Car-

roll, suspended by Marshai Commings

for disorderly conduct, under considera-

tion. Testimony was adduced showing

that the charges against Carroli origin

the company should not pay taxes else where upon business done in Omeha. It

taken to the supreme court.

book and to vital points he does not dare refer. In regard to there being a suf-

The case of the Phonix Insurance com-

Respectfully, J. B. J. RYAN.

proprietary interest on Walnut Hill.

about the desirable location of the rail-

the present school room on Mercer ave

1519-1521 Douglas st. GREAT CLOSING SALE

Velvets, Ginghams, Flannels, and everything in the shape of a Remnant.

1 case Silver Grey Blankets, 11-4, At \$2.35 a Pair.

bales Fine Sateen Comforters, extra

Was \$5. Sale Price, \$3.50.

10 bales Cotton Batts, Was 121c. Sale Price, 7%c.

10 pieces Red Twilled Flannel,

20c. was 25c.

100 dozen Ladies' Camels Hair Vests, (pants,) sold all season at

\$1.25, now 98c.

Job 50 dozen Childrens' Camels Hair Vests, (no pants), all sizes, 59c. not One-half Cost

50 dozen Gents' Searlet Shirts and

Drawers,

49c, was 75c.

25 pieces Jersey Flannels, 50c, was 75c.

25 pieces Turkey Red Damasks, 25c.

Choice of our 35c and 40c goods. 50 dozen Fine Huck Towels, 46x24,

25c.

Don't fail to invest a few dollars is our Cloak Department, and secure a Cloak on Payments. A better inrestment than real estate.

BENNISON BROTHERS

COMMENDABLE AND CREDITABLE | ficent number of children in the district Practical Steps Being Taken to Form Oratorio Society.

Det for a graded school it is true. But the law in this respect, as I recall it, only permits the formation of a trustee-board

An Old Timer. Among the row of "suspicious charac ters" before Judge Stenberg yesterday was a fellow who gave his name as George Graham. During the progress of the trial Captain Cormick recognized the fetlow as George Carroll, who was arrested in May last charged, with Smith and Smiley, with the burglary of Linden-holm's store on Tenth street. He was

sent up for thirty days. Frank S. Gibson, brother of W. R. Gibson, from Greenville, Mich., is spending a few days with his brother in this

The Clearance Record. The clearance record for the week ending yesterday is the largest ever known in Omaha, as follows:

Tuesday 1,118,063,28 Wednesday 923,265,18 Thursday 948,828,36 Friday 839,347,36

The board of trade yesterday elected C. A. Fried of the firm of Lee, Fried & Co., as a member of the board of di-Miss Jessie Buckner, daughter of Gen-

eral Buckner, of Confederate fame, has made her debut as a concert singer in New Orleans. A custom with P. T. Barnum is to advise every man who has a wife to give her a signed temperance pledge as a New

Year's gift. In London the price of gas to private onsumers is 3s per 1,000 feet on the north

side of the Thames, and 2s 6d on the south side. The Philadelphia Humane society keeps a boat on runners at the skating club's house on the Schuylkill, ready to rescue

William Tabor, a Pennsylvanian, made fun of the big trees in the Yosmite valley, and John Ashton, a guide, felt it his duty to stab the scoffer twice in the right arm.

any one who breaks through the ice.

A family of eleven brothers, named Christopherson, all good cricketers, played a match at Biackheath, England, against a local team, and, after an excit-ing game, came off the victors.

A man in Ontario can repeat perfectly chapters of the bible, litty-eight psalms, and every collect, epistle and gospel in the ecclesiastical year, accordng to the English Church prayer book.

Br order of the Post of Schooling. CHARLES CONCERNEY ER SCHOOL Omaha, Day, 10th, 1886. deaths.

SPECIALIST.

E.T. ALLEN, M. D.

Dodge sts., Omaha.

Eye, Ear, Nose & Throat

Room & Williams Building, cor. 15th and

Hours 8 to 12 a.m. 2 to 4 and 7 to 8 p. m