

MAYOR BROADCH SUSTAINED.

The City Attorney and Salmon Licenses.

CATTLE DEALER'S CONVENTION.

A Plea For Holding It in Omaha Next Year—Stevenson Still at Large—Court Notes—Other City News.

Must Hold Their Licenses. City Attorney Webster, in response to a request from Mayor Broadch, gives the following opinion on the transfer of liquor licenses and the transfer of a saloon from one location to another:

Replying to your favor of the 19th inst. in which you ask my opinion as to the legality of a party holding a license for the sale of liquor and transferring the same to another party; also as to the transfer from one location to another, I have to say:

Section 3 of chapter 414, entitled "Liquors," compiled statutes page 414, says, "The license shall not be transferred."

There is no provision in the statutes of this state or the ordinances of this city that expressly prohibits a person holding a license to sell liquors removing his business from one location to another. Section 3, above referred to, however, requires that "the license shall state the place where the liquor is to be sold."

Section one of said chapter provides that license may be granted "upon the application by petition by thirty of the resident freeholders of the precinct where the saloon or saloons are proposed to be kept, setting forth that the applicant is a man of respectable character and standing and a resident of this state, and praying that a license be issued in his name."

What would be the effect on the foregoing requirement of the statute, if one holding a license to sell liquors were permitted to move his business freely from one place to another and sell liquor there? How easily might a person residing in one precinct obtain the required petition, fulfill all the conditions precedent to the issue of the license, and receive the license, and then move to another precinct and there sell liquor?

NATIONAL CATTLE DEALERS.

A Plea to Secure the Next Convention for Omaha. Speaking about national conventions brought to the mind of a well-known cattle dealer in this city that a gathering of a national character which Omaha ought, and probably could secure with a certain amount of effort, for next year, is the convention of the National Association of Cattle Dealers.

THE COURTS.

What Was Done Before the Judges Yesterday.

Through their attorneys, Messrs. Thurston & Hall, the following parties filed petitions against John Freyhan yesterday in the circuit clerk's office. All of them are for dishonored acceptances.

W. W. Johnston & Co., of Omaha—three drafts—\$700.50, \$502.67 and \$622.39. Sour Mash Distillery company, of Owensboro, Ky.—three drafts—\$650.25, \$714.51 and \$648.72.

E. H. Taylor & Co., of Frankfort, Ky.—two drafts—\$410.29 and \$255.38. The jury in the manslaughter case of John Kelly, who killed Jimmy Nunez on the 5th of last July, returned a verdict of not guilty. The accused was immediately released.

The Kennard Glass and Paint company filed a suit yesterday in the district court against Messrs. C. Rosenzweig for \$450 for goods sold. The payment of the bill was secured by a chattel mortgage.

An interesting case was decided in the suit of Hatcher, Gladd & Co. vs. Frank Kennard. The plaintiff sued for \$150 as remuneration for the sale of property valued at \$1,000. Kennard agreed to pay the amount referred to, provided he received the \$11,000 net for the property. The plaintiff, it seems, exacted a similar sum from the purchaser on the ground that unless it were paid, the property could not be secured. The purchaser did pay the extra \$150. When Kennard heard of this, he refused to pay his \$150, but was satisfied to pay \$75. The case came up, Parlo Godwin appearing for the defendant, making the defense that Kennard's agreement had been secured by misrepresentation, and the jury returned a verdict in accordance with this idea.

The jury in the case of John H. Noyse vs. Stephen Noyse, who killed James Nunez on the 5th of last July, returned a verdict of not guilty. The accused was immediately released.

This was an action before Judge Hopewell for an amount alleged to be due on a note. John L. Miles and James Thompson filed a suit against H. S. Noyse yesterday for possession of premises alleged to be held unlawfully by the defendants.

Maud Metz filed an action in the district court yesterday for a divorce from Charles Metz. She says that she was married to him in November, 1884, at Mitchell, Dakota, and that he deserted her two days after the wedding. She also asks that she may have restored to her her former name—Maud Carey.

The case of Riley vs. O'Connell before Judge Wakeley yesterday afternoon. It is an action for damages alleged to be caused by the sale of liquors by the defendant to the plaintiff. The case was not finished at adjournment.

It is probable that no more cases on the criminal docket will not be taken up before Monday morning.

Three suits were filed in the county court yesterday. One was by J. O'Connell to recover money on several protested acceptances, as follows: Cochran Fulton Co., of Louisville, Ky., \$400; Mound City Distilling company, of St. Louis, \$800.01; W. H. Thomas & Son, of Louisville, Ky., \$329.33.

The police court docket yesterday morning was continued seven defendants, two plain drunks, and two frequenters of houses of ill fame. One fine of \$5 and costs was exacted, and two prisoners were given light sentences in the county jail.

Charles Smith (colored) was arrested yesterday night as a vagrant and suspicious character and made his presence most obnoxious during the long hours by singing ribald songs and insulting the officers. When brought before Judge Herka yesterday he told so much of the story of his life that he was much to the regret of the blue coats. He was requested to stop and go out the usual way. Smith, however, said he'd go where he pleased. He then started to run, but was caught and brought back. Judge Herka promptly ordered him behind the bars, and Charles will have several days to ponder over his infraction of police court rules.

MORTUARY MATTERS.

Facts About Those Who Have Departed This Life.

Two more victims were yesterday added to the death list at St. Joseph's hospital, and are now at Barrett & Healy's. They are John Connor, aged thirty-one years, who died of brain fever, and Charles Watkins, aged twenty-one years, who died of consumption. Both worked in South Omaha. Thomas Colbert, of Shely, Neb., a friend of Connor's, who was notified of his death, said that the residence of Watkins' friends is unknown.

Scarcely Worth Noticing.

OMAHA, Oct. 27.—To the Editor of the Bee: In your issue of to-day I find a letter which may be the means of injuring the reputation of one of Omaha's leading ministers if the misstatements the letter contains are not corrected. The writer who signs himself "Loyal," an indication of cowardice by the way, quotes from the Republican, the following statement, attributed originally to Rev. Lamar: "I am a southerner, and I am a southerner and even to the soldier core and I would fight the nation of the United States. Our 'loyal' friend, without taking the trouble to find out whether Rev. Lamar has been correctly quoted, makes several statements which are entirely untrue. The Metropolitan prohibition club. One who will make such unjust and such uncalled for remarks about such a man as Mr. Lamar is scarcely worth being called an enemy. The truth is that Mr. Lamar said that the first fight he ever had was in defense of a little colored boy, and that he was killed. Under circumstances he believed he would fight that battle over again. He also said that the south was wrong in the 'late unpleasantness' and that he was glad that slavery was abolished. The report of our meeting published in the Omaha Republican contained several other lies which are scarcely worth being called an enemy. The provisions of the act relative to the issue of licenses cannot be defeated in any such manner. To meet this difficulty, however, it may be suggested that the presentation of a petition of thirty freeholders of the precinct to which he has come, and the receipt of a license under a license issued to him in the precinct from which he has removed. Such would not alter the case. The license would still be selling under the original license. The original license was issued upon the petition of the freeholders of the precinct from which the license was removed and not upon the petition of the freeholders of the precinct to which he has come and where the sale of the liquor is proposed to take place." Here the writer says that he has come to another precinct to which he has come, he must first comply with all the provisions of the statute, pay the full license fee, file a new bond and receive a new license.

The Reporter Was Asleep.

OMAHA, Oct. 27.—To the Editor of the Bee: A communication signed Loyal, and charging the Rev. A. W. Lamar, pastor of the First Baptist church, with being a "rebel" and with giving utterance to treasonable sentiments was printed in your paper to-day. The "utterances" were in the report of a sermon published in the Republican, and Mr. Lamar is out of the city. I hasten to offer the following explanation: On Monday morning Mr. Lamar, in conversation with me, said that he had read in the Republican a report which he characterized as a misinterpretation of the words he had used. He spoke in his sermon of a misunderstanding of the word "rebel" and of a boy with a colored servant, as a result of which he had thrashed the servant. While he was speaking of this the Republican reporter had suddenly and inconsiderately supplied the rest. In the absence of Mr. Lamar, I trust the Bee will say that he is a loyal citizen of this republic, and that he is not engaged or likely to be engaged in any attempt to foment trouble between the sections.

It Was a "Republican" Fabrication.

To the Editor of the Bee: In Wednesday's Bee there was a letter under the caption of "In the Wrong Pew," and signed by "Loyal." In it he quotes from Monday's Republican a very disloyal sentence said to have been spoken by Rev. A. W. Lamar, on Sunday last. Allow me to say that Mr. Lamar spoke no sentence which bore any resemblance to the one quoted. It was a pure fabrication. If by giving his country the word "rebel" and obeying its laws, by loving the people, black and white, rich and poor, and trying to do them good; if by winning the deep respect and confidence of his people, and preaching to them a pure gospel; if by being loyal to his Great Master and to truth; if all these constitute disloyalty, then Mr. Lamar is about the most disloyal man I know.

He Was Not Correctly Reported.

OMAHA, Oct. 27.—To the Editor of the Bee: I noticed an article in your paper last evening, signed "Loyal," talking exceptions to Rev. A. W. Lamar's address last Sabbath afternoon at the temperance meeting. I was present and heard the address and there was nothing in his remarks to which any one can take exceptions. He was not correctly reported and I know him to be a strong union man and loyal to the old flag. As Rev. Lamar is my successor as pastor of the First Baptist church, I feel it my duty, in justice to him, and to the church, to say that he is pastor, to make the above statement.

The Wuertherich Case.

John Wuertherich, the saloon keeper arrested for tendering City Treasurer Rush a worthless check, was released on bail. Yesterday morning he appeared at the treasurer's office and paid the amount in cash. Mr. Rush is satisfied that Mr. Wuertherich intended no fraud, but the dishonoring of the check was simply due to his negligence, or rather to the mistake of the bank clerk who failed to credit him with a check which had been paid to him. That amount referred to, provided he received the \$11,000 net for the property. The plaintiff, it seems, exacted a similar sum from the purchaser on the ground that unless it were paid, the property could not be secured. The purchaser did pay the extra \$150. When Kennard heard of this, he refused to pay his \$150, but was satisfied to pay \$75. The case came up, Parlo Godwin appearing for the defendant, making the defense that Kennard's agreement had been secured by misrepresentation, and the jury returned a verdict in accordance with this idea.

Railroad Notes.

The new line of the Chicago & Schuyler, has been opened from this city, the distance being fifty miles, the shortest route between Omaha and that point. The train for the latter place leaves here at 10:05 in the morning, reaches Schuyler at 1:15 in the afternoon, and returns to Omaha at 5:00 p. m. The stations on this new branch are Ashland, Memphis, Itasca, Macon, Prague and Niangua.

Mrs. B. G. Fenner and daughter of Fort Calhoun, are visiting Mrs. G. W. Logan.

STEVENSON AT LARGE.

Failure of the Police to arrest the Assaulter of Lulu Espy. The Bee of Monday last contained an account of an outrage perpetrated on a young woman of this city, named Lulu Espy, who now lies in a mangled condition at her boarding house on Howard street. The party who committed the assault is a young tough named Sam Stevenson. He induced her to take a ride with him in a buggy, and when they were in an unfrequented neighborhood Stevenson dragged the young woman from the vehicle and attempted a flagrant assault upon her, in the accomplishment of his purpose beating her over the head with a revolver and hitting her mouth with sand to stiffen cries and protestations. It was claimed that the police had been given a warrant for the arrest of the assaulter, but if so, notwithstanding that Stevenson had been at large, he has not been apprehended. This is evidence of the fact that the police are not exercising every ordinary interest or intelligence in giving rise to the fear that they are willing to let the affair drop out of public attention and permit the assaulter to go unpunished. The fact that Stevenson is a conceited, giddy tough, who claims to have backing and influence, and a general store of devilry which places him beyond the reach of punishment for his acts. He plumes himself as an amateur prize-fighter, and for that and other claims, must, he thinks, be allowed to act as he feels disposed. But he ought to be deprived of this feeling by immediate arrest and punishment. Such an outrage as that above referred to would have been punished by lynching in many communities, and it is a disgrace to the police that they have not yet arrested the perpetrator.

SOUTH OMAHA NEWS.

The meeting of the city council has been again postponed until Friday night. The dummy and other trains were compelled to use the same track on account of the wreck near Sheeley's station. The new lumber yard is being put in shape near the B. & M. tracks north of the stockyards. The pile driver and engine was moved up to Lake Provonki to put down the piling for the tunnel. The B. & M. depot is now in course of erection and the workmen are making good headway.

Mrs. Henry Locher yesterday presented her husband with an eight pound baby girl. About 11 o'clock yesterday morning the freight car standing on the side track near Fowler's Packing house, started to move and ran down grade a quarter of a mile, striking three empty stock cars on a crossing switch and derailed them. A young yard man was standing on one of the stricken cars and jumped in time to escape with his life. The trucks were knocked from three cars and the boxes turned on their sides.

Rats and Eggs.

In front of a sixteenth street commission house, there sat yesterday fourteen pairs containing eggs shells. Each egg had been broken open on the small end and the meat sucked out. The proprietor stated that last June he had stored several barrels of packed eggs and eleven of them had been gnawed into by rats. The rodents had multiplied so in numbers that he actually used for a man to enter the cellar alone. Wednesday night four negroes with half a dozen tenets entered the cellar and succeeded in killing nearly two hundred rats. The rats were taken out of the barrels of eggs were taken out. The merchant estimates his loss at about one hundred and fifty dollars.

Matrimonial.

Wednesday evening L. Edward Corby, proprietor of the Esmond hotel on North Sixteenth street, was married to Miss Blanche I. Kinney, of Charlotte, Mich. The ceremony was performed at the residence of Newton Hall 1343 North Seventeenth street, by Rev. A. W. Lamar, of the First Baptist church. The reception occurred at the hotel where a pleasant evening was spent in dancing and other social amusements. An excellent supper was served, and all the guests. The presents were numerous and rich and the happy recipients were warmly congratulated on the auspicious manner in which their connexions married life.

An Artistic Zither Player.

Last evening a Bavarian Bavarian zither player, rendered a number of delightful selections on his instrument at the Deutsche club rooms, and infatuated the members of that organization. Some of those present, including the Rev. A. W. Lamar, said that Mr. Lennip is the finest zither player they ever heard.

Thomas Carlyle.

The great Scotch author, suffered all his life with dyspepsia, which made his own life miserable and caused his best and truest friends not a little pain, because of its fretfulness. Dyspepsia generally arises from disease of the liver, and as Dr. Pierce's Great Peppermint Cure cures all diseases of this great gland, it follows that while all cannot be Carlyles, even with dyspepsia, all can be free from the malady, while emulating his virtues.

George Francis Train and Omaha.

George Francis Train first set foot upon Nebraska soil in 1863. His coming marked an epoch in the history of Omaha, and for that matter in the history of the country. He came here to assist in the formal breaking of ground for the Union Pacific railroad. This event occurred on the afternoon of December 2, 1863. Mr. Train was then in the prime of life—a stalwart, robust, handsome, large-headed man, with dark, curly hair and auburn chin whiskers and moustache. He had returned a few months before from Europe, where he had made himself famous by his bold and fearless defense of the union cause in Great Britain and his championship of the Irish people and their struggle against Tory domination.

Prof. N. D. Cook.

Room 6, 1514 Douglas St., Omaha, Neb.

Fire Department Notes.

Two four-wheeled hose carts have been ordered for the department, and when they arrived will be placed in the houses of Nos. 4 and South Twelfth street, and 5 on Twenty-sixth street. Old No. 4 hose cart, a two-wheeled vehicle, has been transferred to No. 3 engine house on Harvey street. In the last mentioned place a winding staircase has been substituted for the angular one which formerly led to the dormitory; the chemical engine has been moved nearer the entrance, and much more room has been given to all the companies in the place to respond quickly to all alarms of fire.

The members of Engine Company No. 2 have added to the decorations of their dormitory a pair of large beautifully polished grey horns, of dimensions, finished to a point and handsomely upholstered. They rest upon a cushion of velvet, and connected with a small pouch, which may be used for a variety of purposes. The horns are the gift of Mike Kelley, the well-known stereotyper, who is a great friend of all the members of the company.

Rabbi Benson's Lecture.

This evening Dr. Benson will deliver at the Jewish synagogue a lecture upon the subject of "The Lady of Society." This lecture was announced for last Friday evening, but owing to a call meeting of the Y. M. H. A. at the synagogue, Dr. Benson spoke on the subject of the "Aim and Object of the Young Men's Hebrew Association," and deferred the above-named lecture for tomorrow evening. The divine services at the synagogue will commence at 7 o'clock. The following is the programme of musical recitations from the efficient synagogue choir: God is Our Hope.....Weber Praise the Lord.....Mozart Spirit of Love Divine.....Weber Teach Us, O Lord.....Horn

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THE CROWNS

Of customers in our store every day tell the story of the business we are doing. We are determined to keep it up, and the more the public favor us with their patronage, the more will we show them that we appreciate their confidence, and will strive to retain it. Just now Overcoats are in great demand, and are going off like hot cakes. The styles and prices take. But as fast as the piles are disappearing from the counters they are replenished by new and choice arrivals, which our buyer is daily sending us from the east. We have new styles to show every day, and the prices we mark them at must be very tempting, as the people buy them so quick. Evidently there must be a great difference between our prices and those of other houses.

Other departments that are booming are Gloves, Underwear and Hosiery. Our corner window this week gives you a small idea of what we are doing in the latter lines. Where could you get such a good scarlet all wool shirts and drawers at 45c each, or such all wool seamless socks at 15c a pair? Other houses would think they give you bargains when they charge you twice the money for such goods.

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