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BUSINESS LETTERS.
BUSINESS LETTERS. All business letters and remittances should be addressed to THE BEE PUBLISHING COMPANY. OMAHA. Drafts, checks and postoffice orders to be made payable to the order of the company.

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THE DAILY BEE.

Sworn Statement of Circulation. Btate of Nebraska, County of Douglass, Geo. B. Tzschuck, secretary of The Hebring company, does solemnly swear that the actual circulation of the Daily Bee for the week ending Feb. 24, 1888, was as follows:

Saturday, Feb. 18. 16,325
Sunday, Feb. 19. 16,000
Monday, Feb. 20. 16,270 Saturday, Feb. 18
Sunday, Feb. 29
Monday, Feb. 20
Tuesday, Feb. 21
Wednesday, Feb. 22
Thursday, Feb. 23
Friday, Feb. 24

Notary Public.

State of Nebraska,
County of Douglass,
Geo. B. Tzschuck, being first duly sworn, deposes and says that he is secretary of The Bee
Publishing company, that the actual average
daily circulation of the Daily Bee for the month
of February, 1837, 14,176 copies; for March, 1837,
14,400 copies; for April, 187, 14,316 copies; for
May, 1896, 14,227 copies; for June, 1887, 14,187
copies; for July, 1887, 14,233 copies; for August,
1887, 14,516 copies; for September, 1887, 14,349
copies; for October, 1887, 14,333; for November,
1887, 18,226 copies; for December, 1887, 16,041
copies; for January, 1888, 16,206 copies;
Sworn and subscribed to in my presence this
2d day of January, A. D. 1888, N. P. FEIL,
Notary Public.

THE inter-state commerce commission has decided that colored passengers are entitled to travel in such style as their tickets permit. Southern railroads, however, will continue to take palace car fare for smoking car accommodations as usual.

THAT wheat deal in San Francisco about a year ago has proved disastrous to Mr. Flood, it is said. He recently threw all his stocks on the market and Mackay bought them up at his own price. The old Bonanza king now fears that his last days will be passed in an

IT is averred that the sugar trust which was only organized last November, is already paying a profit of 34 per cent on the actual capital invested. The trust should remember that before now greed has overreached itself, as in the case of the gentleman who could not content himself with one golden egg at

Ir little Josef Hoffman's genius is commensurate with the amount of free advertising he is receiving it must be great indeed. He has been examined by some of New York's best doctors, who have begun a dispute as to whether he has been overworked or not. Mr. Abbey, his manager, has begun a suit egainst his father, the reporters are trying to penetrate his seclusion and altogether he fills a large space in the nation's consciousness.

THE Cherokee nation has been almost overrun with intruders ciaimin Indian blood, but whom the blueblooded Cherokees would not recognize. The question as to what should be done with these interlopers has long been in dispute, but the matter has now been settled by Commissioner Atkins. He decides that the Nation has a right to recognize who are lawful citizens. The would-be citizens are decidedly opposed to this ruling. Many of them are old settlers and have accumulated much property, but they will now be asked to leave the territory within ninety days.

SPEAKER CARLISLE was heartily commended when a few weeks ago he ordered the special telegraph wires to be removed from the lobby of the house of representatives, where they were being used by members and the public for stock gambling. The speaker, however, is not firm even when he has all the right on his side. The complaints of some congressmen that the removal of the wires caused them inconvenience induced Mr. Carlisle to modify the order. As a result matters are getting back into the former objectionable shape, and the lobby again presents a daily scene that scandalizes congress. Thus far the lower branch of that body has done nothing to deserve the respect and confidence of the people.

THE case of the wonderful boy pianist, Josef Hoffman, who has been withdrawn from public exhibition on the advice of his physician, recalls the sad story of Jamie Speight, the astonishing violinist, who as "Young Americus" made a sensation some years ago. His father kept him on the stage against the advice of friends and the protests of strangers, until one night the overworked and overstrained little fellow died in his bed. The last words he was heard to say were: "O God, make room for a tired child up in heaven!" Little Josef Hoffman has said that he is worn out, and it is to be hoped he will be permitted toget the rest he needs. Neither grasping parents nor a greedy manager should be allowed to profit at the ex-pense of a young life which if -properly cared for may become of great value to

the world of music.

AMERICANS have so long boasted over the public school system of this country that we have unconsciously come to regard it as the best in existence. It was therefore something of a surprise to the National Educational Association in Washington when President Elliott, of Harvard university, recently read a paper before that body showing that it is sadly defective and below that of France and Germany. He very justly censured our books of instruction. They are filled with cumbersome rules which consume the energies of the youthful mind while trying to master them. The trouble with many of the institutions of this country is that while they were good for the times which gave them birth, they have not been changed with the changing conditions of existence. Our public school system is much in need of radical reform in many essen-

Western Securities. There seems to be a concerted move

ment on the part of the seaboard press to prevent the further investment of eastern money in western realty. The fact that speculators have abandoned Wall street during the past two years and placed their money in western first time, but for some reason or other really has caused the stock exchange to it has not received the attention which rise in indignant protest against what they call the town lot craze in the west. The organs of Wall street are now busily engaged in denouncing as buncosteerers the men who point out the financial advantages resulting from careful and legitimate investments in city property west of the Missouri river. Every statistic which can be distorted to the disadvantage of the west is paraded in double-leaded characters for the purpose of preventing a further outflow of money from New York for western investment. The local columns are filled with interviews with bogus travelers who denounce as a mushroom growth the advance of the country west of the Missouri, and the editorial columns bolster up their correspondents.

But for all this, shrewd and wealthy capitalists, who have reaped a rich harvest as the result of their personal inspection of western real estate, decline to take the second-hand opinions of the purchased writers of the eastern press. Their bank accounts, increased handsomely by a conservative investment of loanable funds, give the lie to the figures of the newspapers. The prosperous condition of the line of great cities extending from north and south along the Missouri are standing commentaries on the falsity of the eastern press. The annual reports of the loan and trust companies who have found western investments, properly placed, the most profitable of all channels in which their money, has been invested, disapprove the assertions of the attornevs of Wall street. The annual reviews of carefully collated statistics published by cities of one hundred thousand and upwards show conclusively the solid and substantial foundation upon which the rise in real estate throughout the western country has been based. A rapidly increasing wholesale trade, a phenominal growing industrial prosperity, a tributary country settling up with active and industrious farmers and merchants drawing their supplies from the great distributing points of the west, millions of dollars of home money invested in substantial and permanent building improvements, all combine to

give the he to the cry of mushroom

growth which is so persistently foisted

That there has been speculation in

paid organs of Wall street.

western realty no one can deny. Speculation is an American characteristic and is found wherever opportunities for money getting present themselves. It is present in the most conservative of manufacturing interests. It is found in the manipulation of the stocks of the most substantial corporations, but the fact that speculation is present does not invalidate in these cases the sound opportunities for investment which good properties in either manufacturing or railroading afford. A wise business man who brings to the purchase of realty or to the loaning of money upon real estate security the same methods which he would adopt in his own countng room has no reason to fear that he will be made the victim of "town lot bunco steerers." Personal investigation, the exercise of common judgment based upon observation and the information derived from others should be the prerequisites in real estate investments just as they are in the conduct of other kinds of business. The great cities of the west, in which Omaha includes herself, court the fullest and the most comprehensive investigation of their status. The value of reality in these great and growing communities of the west is based upon conditions which in every other city in the country and in the world has made properly selected real estate the most favorable and the most profitable channel for investment for capital. It is because the crimes of Wall street have driven from the stock exchange all conservative business men that these sharks and jobbers are now raising the cry that the reason why money no longer flows into the coffers of the

ling the honest and conservative investors of the east.

brokers is that western town lot

bunco steerers are deceiving and swind-

Convict Immigration. Governor Ames of Massachusetts a few days ago sent to the legislature of that state a message calling attention to the alleged practice of sending criminals to this country from Great Britain, and suggesting that congress be asked to take action in the matter. The governor states that there seems adundant evidence that persons are released from the penal and reformatory institutions of Great Britain on the condition that they go at once to the United States or Canada, and it is believed that many of those of this class who go to Canada soon cross the line to this country. Very few of these people come to America with a view to reformation, but to continue the pursuit of their criminal career, and sooner or later nearly all of them find their way into our jails and penitentiaries. The most experienced and desperate criminals in this country come from abroad, and most largely from England. The English burglar, of whom "Bill Sykes" is the type, is the most daring and reckless of his class, and the Eng-

lish pickpocket the most expert among his order of criminals. The information upon which Governor Ames based his message was submitted by the state board of lunacy and charity. It appears that early in the present month there arrived in New York and went thence to Boston an English burglar who had been released from prison in England and assisted to this country. This man stated that previous to his release the governor of the prison had asked him to accept transportation to this country, and through the agency of a society in Manchester, England, organized to secure the transportation of convicts to America, his fare was paid to Boston. | postal convenience" and the intellectual He was accompanied to the steamer by an agent of the society, who provided | population.

him with sufficient means to reach relatives living at Holyoke, Mass. The board cited other cases of assisted crimipals which had come to its knowledge.

The charge that the practice prevails in Great Britain of deporting criminals to this country is not now made for the so grave a matter demands. It is to be supposed that since the governor of a state, acting upon the official information of a responsible board, has thought so seriously of the matter as to present it to the legislature and suggest that congress be memorialized to take recognizance of it, something will be done. There is a law, perhaps sufficiently stringent in its terms, intended to keep foreign criminals out of the United States, but it has been very fully shown that it can be eluded. It may be doubted whether it be possibly to frame a law that could not be, unless it were made as offensively inquisitorial as are the laws of most European countries relating to persons entering and traveling in those countries. Such a law would very likely not be approved by popular sentiment in the United States. But it does seem that the government of the United States may very properly, in the assertion of international right and comity, demand of the English government that if the practice anywhere exists within its jurisdiction of releasing criminals on the condition that they go to this country, and assisting them to come here, such practice shall be abandoned and adequate safeguards and penalties provided against it. Toleration of such an abuse must aggravate it, and too little attention has thus far been given the matter. It may not be wise to accept in full faith the statement of criminals who have come here. but the way is open to trustworthy official information. There is an would probably have little difficulty in learning whether there exists in that city a society organized to secure the transportation of convicts to this country, and it is within the functions of our minister to ascertain whether the alleged practice is carried on, and if so to

what extent. Crime is rapidly increasing in the United States, and statistics show that a very large percentage of the criminals arc of foreign birth-men and women who have been trained to crime before they came to our shores. They are the most daring and desperate violators of law and the educators of criminals upon the people of the east from the drawn from the ranks of American-born youth. The existing law is not sufficient to keep them out and some more effective measure must be provided. Perhaps the governor and legislature of Massachusetts may be able to induce congress to give this matter the serious and prompt attention it merits.

A Question of Names. Mr. David Dudley Field, uninfluenced by the ingenious argument of the fair Juliet that there is nothing in a name, thinks so seriously of the importance of giving the prospective new states appropriate names, different from those which designate the territories, that he, a few days ago, addressed the house committee on territories on the subject. He especially objected to the retention of Washington and New Mexico as state names. . Of the former he said that to have a state of Washington would be to invite tremendous confusion in our letters, as there are a great many counties and postoffices of that designation in the country. As to New Mexico he remarked that it is not a name at all, "but only the designation of an unnamed fragment." He suggested that "Montezuma" would be a majestic name for a state, though there were several others that would be anpropriate, as "Monzaua," "Guadaloupe' and "Christabal." For Washington he would substitute "Tacoma," "Yakima," or "Walula." He protested against North Dakota and South Dakota, and thought it would be worth while to keep the territory out of the union until it could adopt some exclusive name, as Yankton or Pembina, or both.

The committee appears to have been impressed with the views of Mr. Field, for in the bill agreed upon authorizing conventions in the territories to take the preliminary steps for statehood it is provided that the people of Washington territory and of New Mexico shall vote on the question whether the names of the prospective states shall be respectively "Tacoma" and "Montezuma." Very likely there will be none to disagree with the view of Mr. Field that the question of the name of a new state is not merely of local importance, but that the whole people have rights in the matterrights of postal convenience and æsthetic rights"-though we should say the former was entitled to very much more consideration than the latter. This country is unquestionably rich enough in native names, at once euphonious and appropriate, not to be compelled to depend on commonplace designations for our states or cities. But while it is desirable to draw upon these the necessity of a reasonable degree of simplicity in the names adopted, so that they can be easily memorized by all who read and write, must not be lost sight of. On this score there can be no objection to "Tacoma," while there would be to the other names suggested by Mr. Field as substitutes for Washington, and although "Montezuma" would present no difficulty to educated people, there are a great many who would never be able to mentally grasp it as a whole, while "Guadaloupe" or "Christabal" would be beyond the intellectual reach of a large majority. Such names as Nebraska and Omaha, for example, quickly become familiar to even the juvenile mind, and there is a very large proportion of the people who as to a matter of this kind do not grow. It would not do to wholly ignore such as unworthy of consideration. Let there be given all reasonable regard to the resthetic side of this question of names, but with due reference to the "rights of

limitations of a very large part of the

Change the Commencement Exercises. A sensible petition was sent to the board of education by members of this year's high school graduating class. The petition asked that the graduating exercises, which take place in the latter part of June, be changed from the manner now in vogue. IIt has been a timehonored custom, and in fact one of the requirements for receiving a diploma, that graduates deliver an oration or

read an original essay on commencement day. This practice has been strictly adhered to up to the present time. The young men and young women who have been graduated from the high school have all passed through this ordeal. When the high school attendance was small, and the graduating class numbered only a dozen members, exercises of this character were not so much out of place. But at present, when the number of graduates aggregates a score or more, and when the courses of instruction are so varied, an exhibition of oratory for commencement exercises is at best a meaningless dress parade. In the first place, nobody is deluded into the belief that commencement exercises afford a fair index of the graduate's four years' school work. Yet everything is done to hedge commencement day with a halo of glory for the graduates. With superficial mental training a dunce may with oratorical dash win the applause that ought to go to the more meritorious but modest student. Again, the subject matter of the essays is either pilfered bodily from magazines and cyclopedias or inspired by accommodating instructors. The saddest commentary on superficial education is an essay read by a sixteen-year-old graduate on subjects which are beyond possible comprehension of an immature mind. This is nothing more nor less than playing parrot. Such graduating efforts are a sham and American consul at Manchester who a snare. The main purpose of education is to teach young men and young women to think and form opinions for themselves.

It is high time that stagey commencement exercises were discarded and superceded by something more stimulating to good scholarship. If the board of education thinks it necessary that commencement exhibitions should be kept up, let the exercises be such as to reflect the real work and mental grasp of the graduates.

It is only by falling in with the progressive ideas of education that the board can raise the standard of scholar ship in our schools, and so do away with shams and show.

POLITICAL POINTS.

General Sheridan says the talk of his presidential prospects has even lost its beauty as a joke for him.

The old-time gossip about Governor Beav er's having a presidential bee in his bonnet

has been revived. The republican state committees of Tennessee and Mississippi are reported to be in favor of Sherman for president.

Some of the New York republicans are trying to start a Hiscock boom. It is not necessary to say that Hiscock is willing to be "A good platform for the republicans at

this time would be a moderate and judicious reduction of the tariff, and stiff civil service reform ideas," says the Boston Transcript.

The Keokuk (Iowa) Gate City (Rep.) thinks "the race between Allison and Sheridan, with Gresham a good third and likely to come in by a dash at the end and win the race.

In his sleeve Mr. Cleveland says: "Who cares what I wrote about a constitutional amendment prohibiting a second presidential term? The amendment has not been adopted."

Indiana has some very sound presidential timber. Walter Q. Gresham and Benjamin Harrison are in the front rank, and one of them may come in handy when the convention meets. It is not probable that the Massachusetts

giving the governor three terms providing they can elect him. Governor Ames will be renominated. Wild geese have put in an appearance for the first time this season at Jefferson City. A large number of Missouri politicians are

republicans will depart from their custom of

engaged just now in . chasing around that Mr. Blaine has a lively knowledge of the difference between "will" and "shall." This was shown when he said, "my name will not be presented," instead of "shall not

Governor Hill of New York is being criticised for spending \$800 of public money for a new piano for the executive mansion at Albany. The opinion seems to be that he would have been wiser had he bought an or-

gan. Senator John P. Jones, of Nevada, is un derstood to be the controlling spirit of General Sheridan's presidential boom. It is claimed that a literary bureau in Mr. Sheridan's interest is in operation, conducted by a former member of his staff.

John Sherman is credited with making the best time on record in answering a question. It was done inside of one second in the fol lowing form: Interviewer-Are you thinking of writing a letter of declaration, senator! Sherman-No, not at all.

The Burlington (Ia.) Hawkeye (rep.), concludes that "the impression predominates that Mr. Blaine meant what he said," and adds: "There is also apparent a feeling that the prospects for harmony in the party have been much improved by his letter, which o itself is enough to justify acquiescence in Mr. Blaine's decision."

Governor Hill's attitude in reference to the presidential nomination, as developed by his cautious deportment at the Brooklyn gather ing of democrats, is one of masterly inactivits, as McClellan used to put it. He is not exactly in the field against Cleveland, but is near enough the fence to jump over and take a hand in the scrimmage, provided he sees a favorable opening.

The Maine republican papers generally en dorse the votes against the Blair bill of the Maine republican senators. The Portland Advertiser says: "Last year the senate passed the Blair educational bill by twenty five majority. This year the majority is ten Next year it will be nothing." The Portland Press says: "Senator Blair must be convinced by this time that what his pet scheme has most to fear is examination.

Any Way to Get There.

New York World, It begins to look as though Dakota, Montana, Washington and New Mexico would ride into the union on an omnibus instead of an old-fashioned stage coach.

Would Bankrupt the Country. St. Louis Republican. Mr. Huntington and Mr. Adams should

people of the United States owe their corpo rations without unnecessary delay.

Exceptions to All Rules

New Orleans Picamene. It has been said that "the receiver is as bad as the thief." There are exceptions to this sweeping assertion. A railroad receiver may be a very good sort of fellow, and one willing to give the earnings of the road to the directors instead of wasting them on stockholders.

It Would Test His Skill.

The pupils of the Boston cooking school have been learning how to make sardine sandwiches. This is well; but the composition of the railroad ham sandwich is believed to be a mystery which can only be revealed by some practical iron founder.

Glad of Any Refuge.

Sceptical California papers are publishing story about a man in Los Angeles who received a sentence of fifteen years in the state prison with many manifestations of pleasure. He explained to the astonished court that he was glad to be sent to a place where he wouldn't be talked to death about the land boom.

A Mean Administration.

New York Tribune. A republican officeholder cant make himself solid with this administration no matter how hard he tries. A republican postmaster was recently displaced by a democratic postmistress. The ex-postmaster felt that he hadn't been treated fairly, as there was no charges against him, except that he was a republican. And in order to get the best of the administration he married the postmistress. But the scheme didn't work, as they were both promptly bounced.

> His Religion. Boston Globe.

She goes to church, the pious pet, 1 To hear the parson preach; I go to drink those lessons in No mortal man may teach.

She goes to church the guileless girl To pour her soul in prayer; And so do I, but if she knew For what, oh, would she care

We kneel together and I pray She may be mine. And then Falls from her lips, like prophecy, A low, half hushed "Amen!" I doubt me of idolatry

Since in the rubric of my heart I find my sermon in her smile, In her sweet voice my psalm: Her very presence in the place

Breathes a celestial balm To piety like mine, mayhap, The parson might demur:

For while she goes to worship God I go to worship her. To me she stands for all that's bright

And best, below, above, My heart is but a shrine for her, And my religion Love.

I worship her, and shall for aye, Whether I die or live; And He who made her what she is That worship will forgive.

He is no tyrant envious, Cruel and cold and grim; Blest be His holy name, He knows In her I worship Him.

THEY DANCED.

An Effort to Stop Mrs. Magrane's Party Proves a Failure.

night at Mrs. Magrane's dancing school there was other music besides that intended for the dancers, and though there was for a short time a regular war of words the little woman carried her point. It appears that she had rented the Metropolitan hall for every Saturday evening during the season for her dancing school. She generally ends her dances between 10:30 and 11:00 p. m., but a week ago last night to accommodate the d to rept the hall to other parties from the hour of 10, she closed her school at that hour. Las evening while her school was in progress she was handed a note from Dave Kaufman, the manager of the hall, notifying her that the hall had been rented to the Metropolitan club after 10 o'clock, and that she must vacate at that time. Mrs. Megrane sent back word that she herself had the hall for the whole evening and she did not propose to vacate it until her usual time. This defiant note brought up Julius Meyer, who informed Mrs. Magrane if she and her class were not out of the room by five minutes after 10 he would turn the gas out and leave them in darkness. The young gentlemen present did not approve of the manner in which their teacher was being talked to and they rallied to the rescue. As they grew earnest in manner Julius beat a they grew earnest in manner Julius ocat a hasty retreat, and returned shortly with Max and Morstz Meyer. Their talk also had no effect upon Mrs. Magrane, and according to his threat Julius turned off the gas. How-ever he could only find the stop cock for the central jets and extinguished these. The jets on the wall still burned as brightly as ever and the dancing continued unremittingly until 10:30. Sometime during the course of the squabble Max Meyer lost a valuable diamond from one of his shirt studs. SHUN SIEGFRIED.

A Newspaper Man Has Damaging Proofs Against Him.

H. S. Reed, business manager of the Western Resources, printed at Lincoln, with grip sack, is at the Millard, boiling over with indignation in consequence of the manner in which he and his paper have been treated by one C. A. Siegfried, of late in the employ of the Western Resources in drumming up "ads" for its columns. Mr. Reed hurried thither from Lincoln in response to a tele phone dispatch from the Canfield house that they had drawn a draft on the newspaper firm for \$10 worth of meals and sleeping, all of which was enjoyed by Siegfried. Mr. Reed, upon receipt of these tidings, and being anxious to commune with Siegfried upon some previous "mistakes of his life," namely, beating hotels at Norfolk, Nebraska City, Lincoln and other cities in the state while in Lincoln and other cities in the state while in the employ of Mr. Hale, the agent of the Mutual Life Insurance company and the Resources, and securing money under false pretenses at Lincoln, and with a view in con-sequence of these disclosures of dis-posing Siegfried of his credentials as unfit to further represent the Resources, came on to Omaha and arrived here Friday. came on to omain and arrived here Friday.
Upon personal investigation Mr. Reed says
he discovered that Siegfried had also worked
the Merchant's hotel on the strength of the
Resources, and had also collected \$4 from
Sievers, the seed man, for an "ad" which he

had not sent to the office.

Accidentally Mr. Reed met Siegfried in the Millard Friday night, and he made as excuse for his shortcomings that he had been drunk and promised to make full amends for drank and promised to make full amends for his conduct Saturday morning. Upon these promises Siegfried was allowed to depart, but up to last night had not kept good his prom-ise, and Mr. Reed promises to give him an airing through the Western Resources that will put a stop to his impositions on hotel keepers and business men.

PET ALLIGATORS. Two Curious Souvenirs of Cleveland's

Trip in the South. CHARLESTON, S. C., Feb. 25.-President

Cleveland and party arrived here at 9:40 this morning and were received by the mayor and a committee of eight alderman and citizens. They drove through the principal streets with a military escort. Upon the arrival of the train a salute of twenty-one guns was fired. At least 40,000 people were on the streets during the passage of the party who were received with cheers. The party left Charleston at 11:15. The President's train was loaded down with flowers, the baggage car being entirely filled with floral offerings ical fruits. Two pet alligators are a please let congress know how much the part of the curiosities from Florida.

TAKING THE TESTIMONY.

Injunction Suit of the Bee Company Before the Court.

THE CITY HALL CONTRACT.

Story of Its Inception-The Arrangements With the Board of Education-Delays and Poor Work Exposed.

The Injunction Suit.

Judges Wakeley and Doane occupied the bench yesterday forenoon when the hearing in the Beg injunction suit against the mayor, school district and the city council in reference to the city hall building was called up. Attorneys Simeral and Hall appeared for the Ber company and City Attorney Webster, assisted by Councilman Hascall, represented the city's interests. Several councilmen and hangers-on were in the audience when Mr. Simeral arose and read the petition of the plaintiff. Mr. Webster made a reply that lasted until fifteen minutes after 13 o'clock, when court took a recess until 2 o'clock. At that hour it reconvened and Charles Connoyer, ex-secretary of the board of education, was the first witness called. He testified that he was a member of the board of education when the city hall contract was made; a committee consisting of Councilmen Goodrich and Schroeder from the council came to him and said they were going to build a city hall and that they wanted 'the board of education to join them. The site for the building was on the corner of Farnam and Eighteenth streets. They showed plans of the building, made by Mr. Myers. They showed quarters for the board of education. After the bonds had been voted, the grading was begun and when it was finished a bill of \$190 was sent to the board to be paid, which was paid. In the fall a proposition was submitted to the voters to vote \$25,000 in school bonds for the building. At that time \$400 of this \$25,000 had been paid. In the June following we put the \$25,000 in our estimates to the city council. The basement was begun the city council. The basement was begun in 1886; think Regan Bros. were the original builders. The board of education paid \$20,000 in that year into the city treasury for work on the basement. The money was paid to the city treasurer in pursuance of the contracts with the city. The cost of building in 1885 was less than in 1886

Cross-examined by Webster-Mr. Myers presented the plans at the preliminary meeting. The committee from the city council acted as though they had authority to accept them; did not know that they had not been accepted; did not understand that a com-mittee from the board and one from the council was to accept the contract; remember making a contract in July, 1885, whereby the plans were to be accepted by committees; the plans were accepted and provisions made for the rooms for the board before the contract was signed; it was Mr. Myers, the committee from the council and our committee who selected the rooms from the plans; the committee made the agreement to accept the rooms; the Myers plans were not before the board when the committee de-cided upon the proposition to cided upon the proposition to vote \$25,000 for the building; the Myers plans were presented between the making of the proposition and the signing of the contract; Mr. Rosewater, to the best of my

knowledge, was not present when we signed the contract; only Mr. Points and myself were present. witness was shown the contract in ovhibit "B," and remembered then that Mr.

Rosewater was present. Continuing Mr. Connoyer said: We turned the \$25,000 bonds for the building of the city hall over to the city treasurer. The money was to be used for that purpose; have no personal knowledge that it was paid out by him for that purpose; am not a contractor or builder.
Examined by Mr. Hall—The committees

from the board, city council and Mr. Myers were present when the quarters set apart in the plans for the board were accepted. St. A. D. Balcombe testified: Am chairman of the board of public works; am custodian in my capacity of the plans of the city hall; there has been more than one set of plans furnished by Mr. Myers for the base-

ment and sub-basement.

The witness was asked if he knew why two sets of plans were submitted, to which Mr. Webster objected, claiming that the rec-ords were necessary to show that. Judge Doane overruled the objection. Mr. Balcombe, continuing: I can only tell from the records why two sets of plans were

prepared.

Mr. Webster again objected, and Mr. Simeral said that he proposed to show that the work was being done by piecemeal.

Mr. Balcombe—The second lot of plans were drawn and specifications made for building the basement and sub-basement, independent of the super-structure; these were made in 1888; the city had previous plans: made in 1886; the city had previous plans; can't tell why a separate contract was made for the basement; the first contract was let to Reagan Bros., September 3, 1886; I became a member of the board June 1, 1887; the contract was let prior to my entering the board; on the first day of June considerable work had been done on the sub-basement, but very little on the basement; the records show when the work was begun; examined the work about the first day of July, 1857; the contract called for the work to be completed July 1, of that year; it was not completed, and never has been; the board of public works annulled the contract in November for non-compliance with the contract and its various stipula-tions; I communicated the fact to the city council; the council overruled us, and sent us official natice that the Reagan Bros. were reinstated and directed to go on with the ione on the sub-basement, but very little or reinstated and directed to go on with the work to a finish; this was December 10, 1887; Reagan Bros. commenced work, and did a small amount of work on the stone work; they continued it for eight or ten days; cold weather drove them off, and then they went to work again; the next step taken was by the city council annulling the contract with them; sprevious to this annulling the Reagan Bros. made demands for pay from the board of public works; Breanan & Co. have never put in any claims to the board of public works; I have no personal knowledge that they put in any claims to the council; Reagan Bros. contract price was \$48,640; the board of public works in writing notified the council of the way the work was being carried on; it was based on the report of the architect, who inspected the work and

reported it to the board of public works.

The report of the architect and the proceedings of the board of public works on the same was submitted and accepted as evi-dence as to the conformity of the work with

the plans.

Mr. Balcombe, resuming. The board of public works advertised for blds for work on the superstructure; the bids were to include work above the foundation or basements; the bids did not include heating. August 16 the board awarded the contract to the lowest bidders, Brennan & Co.; we sent our action to the council and they overruled us. Bren-nan's contract was for \$208,640.15; the coun-cil ordered us then to re-advertise; we did so; October 7 bids were again received and so; October 7 bids were again received and rejected by the board; we notified the city council to that effect and they told us to re-advertise; did so; November 4, again received bids; and the contract was awarded to Nevins & Co. for \$248,500; that included the entire superstructure; the council overruled us again; don't know who J. I. Nichols was that made a bid August 15, a check for \$1,000 signed by a bid August 16; a check for \$1,000, signed by T. J. Brennan accompanied Nichol's bid, which was for \$229,703; I turned the check over to Mr. Brennan by order of the city council; when the August bids were reeived the basement was not half completed ceived the basement was not half completed;
Brennan had charge of the work in the
spring of 1887; don't know whether Reagan
Bros. ever did any work there; when I came
into office Brennan represented to me that
he was foreman for Mr. Reagan.

Cross-examined by Mr. Webster—I have
no personal knowledge what work transpired
on the basement prior to coming into office.

on the basement prior to coming into office or the amount paid; estimates in the sum o \$23,105 have been allowed Reagan since came into office: these estimates were fur came into office; these estimates were furnished by the city engineer; don't think the
architect had anything to do with it; don't
know that there is anything in
the contract that absolutely requires
the architect to approve of monthly
estimates; always supposed that the architect would step in and approve the estimates
when the work was completed; it is not completed yet, or don't look as it ever will be;
the board of public works as the matter now
atands have no power over the work; the stands have no power over the work; the

council bave taken that out of our hands; I have some mental reservation as to the estimates furnished the council by the board of public works, and approved by the city engineer; when we advertised for bids for the superstructure it was based on the printed plans furnished by the architect; when the bid of Brennan Bros. for \$203,000 was awarded they came in and said that a mistake had been made, as it should be \$248,000; the October bids were rejected as they were all considered too high; the August, October and November bids were all the board of public works could receive; the council has not paid Reagan Bros. to my knowledge any money other than the estimates sent in by the board of public works.

Examined by Mr. Hall—The J. I. Nichels bid was made at the time the Brennan Bros.

bid was made at the time the Brennan Bros. bid was made for \$208,000; it was then that the Brennan's seid they made a \$40,000 error; it is only two or three weeks ago that the council ordered me to return to Brennan the \$1,000 check he put up for Nichols; it was

the \$1,000 check he put up for Nichols; it was two weeks ago that the council annulled the contract with Brennan Bros.

By Mr. Webster—The board did not award the bid of Nichols; we would have given him the check if he would show up; the person who deposited it, Mr. Nichols, never came to identify himself; Mr. Brennan came, though, and wanted it; the only Nichols who I could find in the city denied all knowledge of it, or that he had ever sent in a check or bid. that he had ever sent in a check or bid.

By Mr. Simeral—I returned the check to
Mr. Brennan; he said it was his check and

his \$1,000.

City Treasurer Rush testified—I am the treasurer of the city of Omaha; when the \$20,000 in school bonds were deposited it was to the city hall fund; it has all been paid out as follows: October 31, 1886, \$2,113.67; December 31, 1888, \$374; January 31, \$611.56; June 30, 1887, \$5,190.65; July 31, 1887, \$50; August 31, 1887, \$8,804.57; October 31, 1887, \$2,628.51, making a total expenditure of the \$20,000; the vouchers may possibly show what was done with the other \$5,000.

City Engineer Tillson testifled-I have

made estimates on the city hall under the name of Reagan Bros; since the annulling of the contract by the council and the stopping of the work I cannot tell what their claim is; Mr. Brennan brought in a statement two weeks ago, which I saw by examination was not correct; I have given Reagan Bros. in estimates \$23,105 on \$25,672, as the amount of work represented by them to have been done; the bill shown me by Mr. Brennan was referred to a special committee appointed by the council; I am a member of that special committee; I have never seen the bill since, and the committee has not met; the work was not done very rapidly on the basement; there was no rapidity of the work on the building; I told the contractor that the work was going on too slow; I spoke to the contractor about it last spring, and he promised to have the work done on contract time, sed to have the work done on contract time, but it was not. I think the cause of the delay in the work was lack of material and enough men. I have never certified to any estimates that I did not think was satisfactory. I have, however, refused estimates on inferior work, which I ordered taken down and rebuilt. When I saw anything going on that was contrary to the plans and specifications I always notified the superintendent in the employ of the city of what I saw, and when he could not correct it I told the contractors that I would not award them any estimates unless they corrected them. There are defects in the basement which the contractors have never corrected, although I have told them

Cross-examined by Mr. Webster-I don't know that the council paid any claims of Reagan Bros. that I did not sanction; if they had I would have found it out. I am not in more than they are entitled to. By Mr. Simeral-The council have allowed extras over my estimates; it was on the

extras over my estimates; it was on the legal twentieth street grading contract.

By Mr. Webster—That was on the legal construction of a contract.

Henry Livescy testified—Was a member of the board of education at the made the contract was made with the city for paying \$25,000 into the city building. At the time I made an examination of the Myers contract; that was in 1885; I am a practical contractor and builder.

Mr. Webster objected to the witness answering the question if the work could be

wering the question if the work could be done in 1886 in conformity with the amount stated it could by the architect. Messrs. Hall and Simeral maintained that the question was a fair one, as it would show that the work could have been done at Myers' figures if the council had shown a disposition to carry on the work. The court directed

the witness to answer. Mr. Livesey continued: between the spring of 1886 and the latter part of 1887 the rise in material was all of 20 per cent, and a building

contracted for at \$200,000 in the spring of 1886 would cost \$240,000 to put up in the summer and fall of 1887.

By Mr. Webster—Labor and building material was higher in 1887 by 20 per cent; the reason why I did not put in a contract for the work was that there are too many according to place in city work and to allow work. people to please in city work and to do work for the city is subject to too much delay. I think a man could have been found who would have done the work for \$200,000 in the spring of 1886; the reason it was not done then was that I do not think the city was in condition to receive bids.

Judge Wakeley interrupted Mr. Webster

by saying that the question was not a rele Mr. Livesey again: If I was satisfied that the money was forthcoming I would have put in a bid to put up the building for \$200,000, but I would not if I couldn't see where the

money was coming from.

Judge Doane again called Mr. Webster to time, as asking questions that were not essential to the topic.

By Mr. Simeral—The difference in prices of material and labor between May, 1877, and

of material and moor between May, 1874, and August, 1887, was chiefly in labor; about 10 per cent on labor, if not more; material raised some, too; the rise between labor and material from the spring of 1886 to May, 1887, was not much; the inter-state law bill in 1887 raised the price of material, lumber being the greatest item; labor followed on the rise. It was fifteen minutes after 5 o'clock when Mr. Livesey closed his testimony, and the court adjourned until 10 o'clock to-morrow morning when additional testimony will be introduced.

District Court.

CARR B. HOLT'S COMPLAINT.

Carr E. Holt yesterday filed a complaint against John Dierks manufacturing company, asking for a judgment in the sum of \$37,500 which he claims to have been his damage by reason of a breach of contract on the part of defendants.

William H. Robertson makes Holt a de-fendant in the action brought against Dierks to recover the sums of \$1,630.50 and \$56 with 6 per cent interest on a lien.

OLOF WANST HIS LAND. Olof Hansen sets forth that he is the owner Olor Hansen sets forth that he is the owner of certain real estate in the city of Florence, the enjoyment of which he is denied by John Ballard and the Omaha and Florence Land and Trust company, and asks the court to give him what he is legally and lawfully his.

WANTS PAY FOR LABOR.

John J. James yesterday complained that
the Nebraska The and Pottery company are
indebted to him in the sum of \$2,020 for
labor, and he prays for judgment in that

To Whom it May Concern. Carpenter's Union No. 58, of Omaha, has appointed a committee of (3) three to wait upon the carpenter contractors of this city, to get them to enter into an agreement in reference to wages and hours for the ensuing

season. A DOG'S SAGACITY.

By Awakening His Master He Prevents a Disastrous Fire. St. Peter, Minn., Feb. 25 .- [Special Tele

gram to the BEE. |-Early this morning the drug store of W. E. Rademacher vas discovered to be on fire. Mr. Rademacher himself resided on the floor above the store and was first acquainted with the fact of the fire by having his dog, Sport, come bounding into the room and by his barking and tugging at the bed clothes, calling the attention of the preprietor and master to the blaze. Owing to the sagacity of the dog the flames were discovered in time to be extinguished, else a large part of the business district of the city would have been burned. A strong wind was prevailing at the time.

"Does our conversation disturb you!"
queired one of the fellows who had been talking in the editorial rooms for an hour or
more. "No, sir," growled the exchange

more. "No, sir," growled the change editor, "your conversation couldn't disturb any man unless he was sensitive to more noise."