THE CITY HALL INJUNCTION.

Continuation of Testimony in the Suit Before the Judges.

HIS YOUNG WIFE ABANDONED.

Death of Mrs. Josiah S. McCormick -Grand Opera House Changes-Florentinian Breaks His Leg-City News.

Hearing of the Injunction Suit. The hearing of testimony in the injunction suit of the BEE publishing company against the city of Omaha was continued yesterday in the district court before Judges Wakeley and Doane.

A number of the councilmen, the mayor and many contractors were present and sat throughout the session. The plaintiff first produced witnesses to prove that building material and labor was much higher at the present time than in the spring of 1886. The defense unsuccessfully attempted to refute this testimony by confining its questions as to the price of stone alone.

Mr. O. J. King was the first witness called. He stated that the advance in building material and labor had been not less than 20 per cent since March 1, 1886. In reply to Mr. Webster's question: "Is not the price of stone in this city less than in the spring of stone in this city less than in the spring of 1886?" witness replied that it was not, as since that time the railroads had advanced the rates on stone from 10 to 12 cents per cubic foot. He had figured on the city hall, but did not put in a bid. On redirect examination witness said that spec-fications for the city hall stipulated that the stone should be surchased in Ohio. stone should be purchased in Ohio. Mr. Louis Heimrod, member of the board

Mr. Louis Heimrod, member of the board of public works, was next called! He testi-fied that the board had never advertised for bids on the basement and superstructure combined according to Architect Myers' plans. In October, 1887, the board had re-ceived notice from the council to stop work on the basement on the ground that the south eiver feet of the east wall was not of the sixty feet of the east wall was not of the proper strength to support the superstruc-ture. The board then wrote to Mr. Myers. asking him to come and make an examina tion of the wall. Mr. Myers came, but prior to his visit the council adopted a resolution instructing the board to lower the east wall. Mr. Myers said that it was unnecessary, as did also the city engineer. The board notified the council of these two opinions but were again ordered to lower the wall. Bids were then advertised for. The superintendent of public buildings esti-mated that the cost of the work would not exceed \$2,200. But two bids were received-one from Brennan & Co. of \$5,850 and one

from Cunningham & Ryan of \$5,500 and one from Cunningham & Ryan of \$6,500. These bids were sent to the council. On cross ex-amination witness said that the above related facts were matters of official record. From appearances he should judge that it was the desire of the connect to make the foundation more to make the foundation more secure. On Dec. 20, 1887, the council ordered the board to advertise for bids for completing the basement and superstructure, the con tract with Brennan & Co. having been

annulled. Mr. John F. Coots was the next witness. He stated that he had been engaged as a builder and contractor for the past twenty-eight years. He had examined the original plans of Mr. Myers. Witness stated that the cost of building material and labor had advanced from 15 per cent to 20 per cent since the spring of 1886. In twitness' opinion the city hall could have been built for \$200,000 in the spring of 1886. On cross examination Mr. Coots stated that he had made a careful estimate of the work, but did not put in a bid annulled. estimate of the work, but did not put in a bid as the bonds had not been voted for at the time, and there were no visible means in the city treasury to pay for the work. Witness also testified to the advance of rates on stone

of from 10 to 13 cents per cubic foot. City Clerk Southard was then called. Wit-ness produced his books and read the resolu-tion offered in the council February 14 to change the location of city hall to Jefferson square and which was referred to the committee on public property and buildings. Witness then read several resolutions adopted by the council concerning the annullment of

for the carrying on of the Brennan contract after the board of public works annulled it; examined into it thoroughly; the reason I was in favor of setting aside the action of the in favor of setting aside the action of the board of public works was that the board had let the contract to Nevins & Co. for \$17,000, when Brennan told me the work could be furnished for between \$8,000 and \$0,000; he did not say anything to me about \$7,000 or \$5,000 extras; J. C. Brennan was on the bonds of Reagan Bros.; the council never sanctioned the transfer of the Reagan Bros. contract to Brennan & Co.; the council recognized that Brennan was acting only for Reagan Bros.; the council never recog-nized Brennan as the contractor; when the Myers plans were rejected I voted to let out Reagan Bros.

Myers plans were rejected I voted to let out Reagan Bros. By Mr. Webster—The contract with Reagan Bros, has never been annulled; the council directed them to suspend work. The bill presented by Brennan was handed over to the court by Mr. Lee. W. F. Bechel testified—Have been presi-dent of the council for nearly three years; am on the committee to whom the bill was re-ferred; am not in favor of allowing Brenferred; am not in favor of allowing Bren-nan's claim if it is not fair and honest; have had no understand-ing with any one what action I shall take, nor entered into a collusion with any one in reference to it; have not the slightest idea or intention of moving the city

slightest idea or intention of moving the city hall from its present site. Cross-examined by Mr. Hall. — Have heard it talked that an effort might be made to move the hall; have heard some of the members of the council talk of moving it; don't remember that a resolution was introduced in the council to-wards moving the hall. W. J. Broatch, testified: Am mayor of the city of Omaha, will not allow any ciaim of

city of Omaha; will not allow any claim of Brennan & Co. that is not correct; have had no conversation with any one as to allowing it; will not allow it if it is not just and hon-est; was present at the council meeting that annulled the Myers plans and the Brennan contract; made Brennan sign the resolution before I would sign it: am not in favor of the moving of the city hall site; would veto a resolution of the council should it pass one

Cross-examined by Mr. Hall.—My opinion is that the hall should not be removed; it has been brought to my mind in various ways, pro and con; my object in having Brennan sign the resolution annulling his contract at the time was that it might protect the city from any law suit he might bring against the city; Mr. Connell was present, but I don't believe he suggested it; don't know as he was representing any one at the time; the resolution I approved was done with the understanding that it released Reagan Bros.

and Brennan & Co. from their contract. Mr. Tillson recalled by Mr. Webster. The records show that August 18, 1885, \$495 was ordered to be paid out of the board of educa-tion bonds for grading; this sum was taken out of the \$25,000 bonds.

Mayor Broatch explained for the Brennan endorsement for the annuling of the contract appearing on the back of the Myers' annulment was that he was not aware that there were two separate resolutions, and they be came mixed up. It was his intention to have the endorsement on the paper relating to the

George C. Whitlock, testified; Am the building inspector of the city; am one of the committee to examine Brennan's accounts; have seen none of the papers; have no in-tention of allowing Brennan & Co. more than what is just, have not thought of it in fact; sent a communication to the city council in reference to lowering the east wall; don't know what became of the communication. Cross-examined by Mr. Hall-Have had no

talk with Architect Myers in reference to the basement of the city hall building; the city hall would be unsafe with the basement on which the east wall was to be built; noti-fied the council to that effect; the basement of the city hall where the east wall rests is four feet below grade; the wall would crack on such a basement; if the basement was seven feet deep the wall would not be as likely to crack; never put up a building of the character of the city hall; looked at the Myers plans once; have not made a thorough examination of the work. Councilman from Lowry testified—Am one

of the committee appointed to examine Brennan & Co.'s bill; have made no examination of it; have no intention of allowing the bill if it is not just and proper: have taken no steps for the removal of the city hall from the present site; have no intention of moving

She was in her forty-second year and had lived for many years in this city, having come here from Michigan. She was the daughter of the late George Mills, sr., and sister of George T. Mills, of this city. She was a woman of imposing presence and exceeding personal courage, having on two Cross-examined by Mr. Simeral — Have been a councilman since 1886; am in no busi-ness at the present time; was a member of the council when the contract was let to Reagan Bros.; remember the time the board of public works annulled the contract; voted to overrule them; before doing so talked the matter over with Counciloccasions caught burglars, at night time, in doing so talked the matter over with Council-man Lee, in fact all the members; the reathe intruders over to the police, having kept the intruders over to the police, having kept them at bay with a revolver. In another case prowlers were driven from the house by the use of the same weapon. In January of this year she went to New York, accompanied by her hus-band and physic an, Dr. Coffman, to receive treatment at the hands of she most noted surgeons in the metropolis, but returned after having consulted Dr. Emmet, with the knowledge that science could do nothing to afford her relief. This opinion was in accord with that of Dr. Coffman, by whom she was accompanied. The funeral will take place on Wednesday next from the family residence at 2 p. m. The remains will be interred in the family value in Prospect Hill cemetery. the intruders over to the police, having kept son I voted against the annulment was that the board had no right to annul it and re-awarding the contract to some one else without advertising; did not consider at the time that the Reagans had not lived up to their contract; had no conversation at the time with Reagan Bros, or Brennan & Co.; was present at the meeting of the council on the 6th of February; the sergeant-at-arms noti-fied me of the meeting; he met me on the street; voted to annul Architect Myers' plans; thought it was a good idea; would have stood by it regardless of the mayor's action; have never made a thorough investigation of Myers' plans; the specifications are lacking; they do not designate how the wood and iron should be used; am not a contractor or builder; investigated the plans when the Nevins & Co. contract was submitted; do not think the contractors could bid intelligently The Throat - "Brown's Bronchial Troches" act directly on the organs of the voice. They have an extraordinary effect in all disorders of the threat. on the plans and specifications; had no talk with Brennan & Co. about letting them out with Breman & Co. about letting them out on their contract: never talked with Brennan on the city hall question; voted to repudiate the Myers plans, thought it to the best in-terests of the city; think the best thing we can now do is to settle with Mr. Myers and look for a new city hall, use the present basement if possible; knew we had \$200,000 to go ahead with the work, but did not consider it sufficient; we ought to have a larger building, buy more ground and put up a \$350,000 building if the people will stand it; think a better building than the one pro-posed can be had for \$200,000; have never seen any buildings elsewhere to make me think so; my opinions are based on the way the work has been carried on so far; also that Mr. Myers changes his mind altogether too often. THE GRAND OPERA HOUSE. on their contract: never talked with Brennar Contracts Let For a Thorough Remodeling. It is given out officially that the plans for the remodeling of the Grand opera house have been completed, and the contract for the work is now about to be submitted. The work embraces a complete transformation, both as to exterior and interior, and the work will be let to only the most competent mechanic. The plans call for completeness in every detail. The stage will be reduced in width, but will be heightened in proportion and an effort made to make it one of the most too often By Mr. Webster-I believe that Mr. Myers commodious and best appointed stages in the country. The interior of the house will be of the most modern plan, and the accoustic properties most particularly looked out for. The house will be conducted on the most liberal plan, and only the best attractions booked. The directors of the building think there is a bright future for the house by the

Mike McMahon, George Hyde, John Keene, discharged: M. J. Horrigan, dilirium tae-mons, ten days; J. Lillegberg, \$5 and costs. Larceny—Joe Lancaster, thirty days. Seidenberg's Figaro is the only long Havana filled 10c cigar for 5c on sale everywhere.

MYSTERIOULY MISSING.

Fairchild F. Robinson Leaves His Bride in Omaha. Some time ago there appeared in this city a young man named Fairchild F. Robinson.

He was an Irishman, a graduate of the Dublin university, and a personage of much culture and refinement of manner. He made a pleasure trip around the world and came to Omaha via San Francisco. He applied for an editorial position on the city dailies, and did some little work in this line for the BEE. Three months

in this line for the BEE. Three months ago he left Omaha and went to Europe for the purpose of getting some money coming to him through his father's estate. He visited his old home at Bradford, secured a portion of the legacy bequeathed him, and then, after a round of pleasure in the cities of London, Paris, Vienua and Berlin re-embarked for this country. On board the Cunarder he made the acquaintance of a lovely young woman who was en route to America, for the purpose of getting married. Robinson became madly enamored of his fair companion of the voyage and the day before their arrival in New York proposed marriage to her himself and was accepted. On reaching New York the couple were imme-diately joined in wedlock. The honeymoon was spent in Gotham, and then the young couple came to this city for permanent resi-

was spent in Gotham, and then the young couple came to this city for permanent resi-dence. Robinson told his friends here that he had taken possession of his father's estate in England, had sold out to an advantage, and married the sweet heart of his boyhood days at his old home in Bradford. He was here but a week or so when he formed a partnership with Mr. E.T. Mitchell, formerly of Mitchell & Leyonmerk, real estate agents, for the purpose of car-rying on a wholesale grocery commis-

rein estate agents, for the purpose of car-rying on a wholesale grocery commis-sion business. Mr. Robinson having formed an advantageous connection with Hazard & Co., New York, one of the largest grocery firms in the world. This connection was ef-fected through the influence of excellent let-ters of endowment herein the course Yeb. ters of endorsement brought by young Rob-inson from London houses, and the way was thus opened here for him to a large and lu-crative business. They opened their office in the Hellman block, and the territory covered by them and their agencies extended west to the Pacific coast. But to bring a long story to an abrupt close. Robinson disappeared a few days ago in such a mysterious manner as to engender the greatest misgivings among

his friends. His young wife is in much distress, and while she thinks her husband has gone to New York, she can conceive of no reason why he should depart without notifying her of his errand and intentions. The telegraph has been liberally used, but as vet no tidings have been received of the miss ing man.

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Competent locomotive engineers and

firemen will be given permanent employment upon the lines in the Burlington system. Men entering our service will be paid full pay as per our sched-ules. Will be given full protection and be guaranteed employment, as long as they fulfil our requirements and prove competent. Apply to P. H. Johnson at B. & M. Passenger depot, Omaha.

> MORTUARY. MRS. JOSIAIL S. M'CORMICK.

This weil-known and estimable lady, after a lingering and painful illness, died at her residence on the northwest corner of Eighteenth street and Capitol avenue yesterday morning at 6:30 o'clock. She was the wife of

Mr. Josiah S. McCormick, long and well known in this city and a member of the real estate firm of Remington & McCormick. She was the mother of Harry McCormick, now a young man, and of Mrs. Arthur Remington.

FOR SALE. City, County and State Rights FULTON'S BOOK, "Why Priests Should Wed." Announcement to Bookselle

Book Agents and Others.rs, This is the most famous book of modern times. A is now to be offered with exclusive territory to a hi-ted number of dealers. This book, "Why Frie Should Wed," by Rev. D. Justin D. Fulton, is with doubt the grantest book that has been involutioned the ninetcedith century. It is the book which been many times suppressed on the charge of scenity. It is the book which all the power's of Kog an Oatholic Charch have been brought to beau crush, but without avail. Publishers refined to p has it; printers to print it; binders would not bind the printers to print it; binders would not bind

40,000 DOLLARS 40,000 DOLLARS was offered for its suppression after it was found that the law could not touch it. Newspapers were afraid to advertise it: public halls broke their con-tracts and would not let br. Fulton speak from their platforms; Boman Catholic papers have tried to blacken his character and to boycott the buyers of his book. These many efforts to crush it have made it the best known book in the world today. The press of two continents has teemed with the different stages of the controversy, and the American public of freedom. At last the book is done, printed and hound under the auspices of a syndicate of wealthy and influential men, who determined that it should be placed before the people on so broad a basis that every man and woman should have an opportunity to how of

THE HORRIBLE FACTS it contains. To this end they decided to send the instrious author of the book throughout the wor to lecture in the great halls of all the larger effice. America and Europe. It was not to sell the book to to give it away to the buyers of it sets to his b turgs. To accomplish this the syndheate purchas of the

300,000 COPIES OF THE

350,000 COPPLES OF THE BOOK 100,000 of which were finished before a copy had been shown to the public, and on the 33d of January. J88 Dr. Fulton's Crusade opened at Mechanics Hall. Bos ton before 10,000 people; on the second night I.30 people were present; 7,000 coples of the book were disposed of the first wee. The syndicate then me with obstacles that have compelled them to change their plans.

with obstacles that have compelled them to change their plans. The demand for the books was so great in every city, as soon as the Crusade and left it, and also ad over the country, as soon as it became known that it was possible to get the books, that shrewd specu-tators would buy thousands of the lickets in order to sell the books at \$2 and upwards per copy. To stop this speculation the Fulton syndicate have decided to place the book in every city, county and state in american at once on the following basis: The party or parties, be they booksellers, agents or private indi-viduals, who will agree in the next fitteen days to take the greatas number of books for a given locality will be given **EXCLUSIVE RIGHTS**

EXCLUSIVE RIGHTS

EVELUSIVE RIGHTS to that locality. Tememeher the book is the most marvelous book ever published. It tells of the terrable domas of priests and nans, it toutines the abuses of the Roman Catholics: it pictures the Roman Catholic grasp on Catholics: it pictures the Roman Catholic grasp on this and it shows the path of dairy for the future. It has 32 pages, colored borders, unique edges, re-markable binding in illuminated of the and is lifled with suggestive flustrations, and will readily sell at its published price of \$1.20 per copy. The only pinee to get a stock of the books is from the fution Synthesite who today are the sole owners of the subished price of \$1.20 per copy. The only pinee to get a stock of the books is from the fution synthesite who today are the sole owners of the subsequent editions. It has been estimated that the spice in the first six months will run to a unifion copies. The sinte of Massichusetts has been as old to a party mg of making inquiries should bear in mon 1 that the runch as agreed to buy 90.00 copies. All those think ing its to every city, county, or state in America may be deposed of inside the mouth of February, and if they hepe to secureany such rights may net quickly.

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The unusually warm weather forces us to place our light weight goods on our counters much sooner than we intended, and does not give us as much time as we expected to have in which to close out the balance of our winter stock. We have a few heavy weight suits left, and to make an entire sweep with them, have made another and last cut on several already marked down lots and will offer them for this week at prices that will make it interesting for any one to look at them.

The attention of mechanics, machinists and working men 1s particularly called to two lots of good cassimere suits, marked down to \$5.90 and \$6.75. These are splendid bargains as the suits are positively worth double the money. They are strong and honestly made and will wear well-

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Having closed out all our last year's fancy shirts, we have now opened and placed on sale, a fresh, new line. Without exception we show the largest and handsomest assortment of French Percale shirts in town. Beautiful and choice patterns, some of them very fancy, but the prices will not be found at all fancy.

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by the council concerning the annullment of the Myers and Brennan contracts. Brennan & Co. had acquiesced in that annullment. Councilman Mike Lee stated that he had in his possession the written claim of Bren-nan & Co. for their work on the city hall basement. He was ordered by the court to produce it in court during the afternoon. J. B. Piper, secretary of the board of edu-cation, produced the books of the board and read the proceeding of that body with refer-ence to fheir interest in the city hall. Court then adiourned until 2 o'clock. Court then adjourned until 2 o'clock. THE AFTERNOON PROCEEDINGS.

Promptly at 2 o'clock the proceedings were resumed by the recalling of City Clerk Southard. He testified that ordinance No. 1,300 creating the city building and ratifying its present site was approved by the city council April 9, 1887, and was voted upon and sustained by the legalized voters of the city May 3, 1887, by a vote of 3,010 for to 230

against. Edward J. Brennan testified: I am one of the assignces of the contract for the basement and sub-basement of the city hall; February 14 I put in a bill to the council amounting to \$53,100; I claim the difference between \$19,256 which has been paid; there is a bal-ance due of some \$33,000; part of it is due un-der the contract and part of it for extras. By Judge Wakeley—In foruring my bills I against.

By Judge Wakeley—In figuring my bills I deducted from the total amount the quantity of material and labor to complete the contract; the contract price was \$48,640; I put in a bill of \$5,000 for extras. By Mr. Simeral-I have not finished the

work. Cross examined by Mr. Webster. The ex-tras are not under any contract; they were ordered by the city engineer and other city officers in charge; the part of the extras comes from the grading; part of the grading was in the contract and part of it was not; the extras are for grading and change of material; have not received a cent from the material; have not received a cent from the

By Judge Doane—The architect a cent from the some of the extras but did not order them; the extras were for sever pipe and the sink-ing of the basement, the superintendent in charge and the city engineer ordered this done; at the time the chairman of the board of public works took but little interest in the work; the extras were not ordered by the board of public works. By Mr. Hall-My theory is that the archi-

text considered the changes in the sewerage and the depth I should go for foundation, as extras, in fact he told me so.

Frank Murphy, testified: Between the 6th and 14th of February had no special con-versation with a number of members of the city council in reference to the city hall site; had no talk with them in reference to the removal of the site; heard two councilmen say that they were not in favor of a removal; remember having had a conversation with Mr. E. Rosewater; did not tell Mr. Rosewater that if he kept an article out of the BEE m reference to the council demanding 50 per cent from the gas company the city hall mat-ter would be dropped; the conversation I had with Mr. Rosewater was to the effect that two councilmen told me that they were bet in forward menuing the half all all of all all not in favor of moving the hall; also had an informal talk with him in reference to the gas company article.

of the council showing that Hodgson & Son submitted a communication in reference to furnishing plans for the city hall. This was on February 6, 1888, when the Myers plans were cancelled by the city. The plantiffs rested their case, and the defendants took up theirs. Councilman Mike Lee testified: I am

chairman of the committee appointed to ex-amine Brennan & Co's bill; the committee have made no examination of it; I am not familiar with the justness or honesty of the bill as i have not looked at it since I got it from the city clerk; have not entered into any collusion with Mayor Broatch, Reagan Bros., or other members of the council to allow the Brennan claim; when the com-mittee reports it will be made to the council; never had any intention of moving the city

never had any intention of moving the city hall from its present site. By Mr. Hall: Have been a member of the council since April, 1855; have been in the procery and real estate business since that time, and am now in the livery business; have had Mr. J. C. Brennan and J. I. Nichol in partnership with me; they were with me in the real estate business; we were in partnership August 16th, 1857; have known Contractor Brennan since he was working around the court house; knew him the time he went through the performance of assum-ing the contract of Reagan Bros; ann and of the councilment who voted the courter of the councilment who voted the co

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and Mr. Balcombe recommended the bid of Rice & Bassett of \$231,473.81 as a good one to accept, when there were lower bids at the time Owing to the absence of Councilmen Boyd, Kierstead and Bailey, whom Mr. Webster there is a bright future for the house by the satisfactory results which have been demonwished to have sworn, court adjourned at 5

o'clock until 9:30 this morning. District Court.

MR. RAYMOND MUST SETTLE.

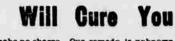
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rectory is composed of liberal and enterprising citizens it is no more than probable that their The suit of McCague Brothers against C. S. most sanguine expectations will be realized The contract for the interior decorations has been awarded to one of the most celebrated Raymond, which was tried some two or three weeks ago, was terminated yesterday artists in the country, as Crossman, of Chi-cago, is on all hands recognized. His name is a guarantee of perfect work, and it is quite certain that Omaha is to be graced with a Thespian temple that will compare favorably with the finest in the country. by Judge Wakely, who handed down his decision in favor of the plaintiffs. The details of the case are well known. A stranger called on Mr. Raymond, purchased some \$600 worth of goods and in payment of same presented a bogus New York draft for \$1,000. Mr. Raymond accepted it and gave his check for the balance on the Omaha National bank. Growing suspicious he tele-graphed the bank supposed to have issued the exchange and found that it was a for-

strated this season, and inasmuch as the di

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or make no charge. Our remedy is unknown to any one in the world outside of our Company, and it is the only remedy in the world that will cure you. We will cure the most obstinate case in less than one month. Seven days in recent cases does the work. It is the old, chronic, deep-sented cases that we solicit. We have cured hundreds who had been abandoned by Physicians and pronounced incurable, and

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bring us a case that we will not cure in less than Since the history of medicine, a True Specific for Syndittich Eruptions. Ulcers, Sore mouth, &c., has been south for but never found until



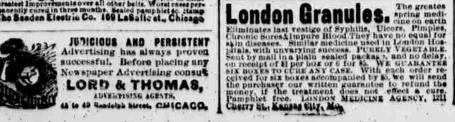
was discovered, and we are instified in saying it is the puly remedy in the world that will positively cure, because the latest medical works, published by the best known authorities, say there was never a true precific before. Our Remedy is the only medicine in the world that will cure when everything else has failed. It has been so conceded by a large number of Celebrated Physicknes. It has NEVER YET FAILED to CTHE. Why weste your time and money with patent medicizes that never had virtue, or doctor with physicians that example and money with patent medicizes that never had virtue, or doctor with physicians that cannot cure you. You that have fried structure as about come to us now and get permanent tellef; you never can get it elsewhere. Mark what we say in the end you must take our kemedy or NEVER immediate the end you must take our be disease, but in one, two or three years after, it appears again in a more borrible form. Investigate our limancial standing through the mer-milie dour writter guarantic that we are fully responsi-ble and our writter guarantic that we are fully respons-ble and our writter guarants to cure. All atters macredly confidential. THE COOK REMENTY CO. Omplue. Nob



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