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# GREAT CLOSING OUT SALE

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### Store for Rent and Fixtures for Sale. All Goods will be Sold for Cash or C. O. D.

N. B. We take this opportunity of thanking the people of Omaha and vicinity for their most liberal patronage, and regret exceedingly having been compelled during the past week to lock our doors on many of our patrons.

# Barr's Dry Goods Company,

16th and Douglas Streets, Omaha.

### WAS THE G. M. BEFOGGED?

Or Had He a Scottish Rite Beam in His Eye?

### A CRITICISM OF THE EDICTS.

An Able Lawyer and Prominent Mason Reviews the Edicts of the Grand Masters of Nebraska and Pennsylvania.

### A Solicited Opinion.

Mr. L. A. Lockwood, chairman on jurisprudence of the Masonic grand lodge of Connecticut, was asked by the grand master to investigate the edicts of the grand masters of Nebraska and Connecticut and render an opinion on the same based on Masonic and civil law. Mr. Lockwood is a New York practitioner of considerable note and is not a member of any Scottish rite body, so that his views are those of an impartial observer. The following is his opinion in full:

J. H. Swartwood, esq., Grand Master of Masons of Connecticut—M. W. Sir: Your request for my views upon the subject matter of an edict of the M. W. grand master of Nebraska, dated July 20, 1889, and of an edict of the H. W. grand master of Pennsylvania, dated May 1, 1889, is equivalent to a command.

Of course the purpose is not to criticize the action of our official brethren, but to cause the matter so far as the principles involved may affect our own jurisdiction, and our own future action in respect to it.

Perhaps no better declaration could be made defining more clearly the status of a grand lodge in respect to the question, than is to be found in the preamble and first resolution of the grand lodge of Nebraska, set forth in the edict.

"Whereas, A grand lodge of Free and Accepted Masons is an independent and sovereign body, recognized and having supreme jurisdiction over no other degrees than those of Entered Apprentice, Fellowcraft and Master Mason, as illustrated and taught by the rituals and secret work adopted by such grand lodge, therefore, be it

Resolved, That this Grand Lodge expressly declines to enter upon any discussion of the history, use or legitimacy of any bodies claiming to confer what is known as the Scottish Rite Degrees, or to be committed to the recognition of any such body, or to the recognition of any body conferring any degree, over which this Grand Lodge has no control, as being Masonic, or as being a part of ancient craft masonry."

After this clear declaration of the status of the Grand Lodge, there was added, for what reason it is difficult to conjecture:

"That we cordially endorse the law as recognized and promulgated by our Grand Master—

1. That two bodies claiming to be Masonic, of the same grade, cannot lawfully exist in the same state at the same time.

2. That the first lawfully constituted authority established in a state, thereby obtains exclusive jurisdiction in such territory, and that any other body of the same grade or rite, entering later within such territory, is in itself unlawful."

It may be that the committee on jurisprudence thought that after they had clearly and specifically defined the policy of the grand lodge of Nebraska, in respect to "what is known as the Scottish Rite Degrees," and had refused to enter upon any discussion of the history, use or legitimacy of bodies claiming to confer what is known as the Scottish Rite Degrees," and had expressly refused "to be committed to the recognition of any such body," as being Masonic, there would be no harm in complementing the grand master by endorsing his first and second resolutions as all reasonable.

They doubtless assumed that these generalizations would not be divorced from the policy of the grand lodge as declared in the Committee's preamble and resolutions, and that the law as generated by the grand master would be construed as relating solely to ancient craft masonry, and bodies having jurisdiction over the same, for they had expressly refused all discussion of all recog-

nition of what is known as Scottish rite degrees as Masonic.

That this was a mistake, is evident from the fact that the issue of this edict, by the grand master, in which, after rehearsing the resolutions of the grand lodge, he "officially declares and makes known, that the one and the same lawfully constituted Masonic authority of the Ancient and Accepted Scottish Rite within the state of Nebraska, is that of the southern jurisdiction of the United States, presided over by Brother Albert Pike; and that all others not acknowledging allegiance to the said southern jurisdiction are unlawful and clandestine."

Is not this a *fait accompli*—a *suicide*. 1. The declaration that it will "enter upon any discussion of the history, use or legitimacy of any body claiming to confer what is known as the Scottish rite degrees, nor be committed to the recognition of any such, or to the recognition of any body conferring any degree over which this grand lodge has no control, as being a part of ancient craft masonry," and then the discussion by the grand master in the edict of this very subject, of the history and legitimacy of these bodies claiming "to confer what is known as the Scottish Rite Degrees," and finally the recognition and declaration that the body presided over by Brother Albert Pike is the "only legitimate and lawfully constituted Masonic authority of the Ancient and Accepted Rite within the state of Nebraska."

After citing the resolution of the grand lodge he does consider the history of these bodies as to which first occupied the territory of Nebraska, and recognizes the southern jurisdiction as the lawful Masonic authority of the territory of Nebraska, and declares the other body called the Ceremonial Rite, and indeed all other bodies except the southern jurisdiction, unlawful and clandestine.

What was his authority to recognize either as Masonic? This grand lodge refused to discuss the history of the Ancient and Accepted Rite, refused to discuss the legitimacy of either, and refused to discuss the legitimacy of either.

But as before stated, criticism of others is not the purpose of this writing, except in so far as it may serve to illustrate the mental fog into which we may run if we permit ourselves to be drawn away from our legitimate business.

And the grand master of Pennsylvania, in his edict, pronounces:

"Whereas, the law in the Masonic jurisdiction of the right Worshipful Grand Lodge of Free and Accepted Masons of Pennsylvania, and Masonic jurisdiction throughout the territory of Pennsylvania, is derived from the so-called Ceremonial Rite, and has been authoritatively ascertained, and follows with an exact prohibition its members from becoming members of, or continuing membership in the bodies of the Ceremonial Rite, by whom it was so authoritatively ascertained, and 'officially declared' is not stated, whether it could be so ascertained and declared by a grand lodge which the grand lodge has no control or jurisdiction, is clandestine or unlawful."

It must be conceded that if a body, by whatever name called, should attempt to confer the degree of ancient craft Masonry, or should declare that it does confer such degrees, the grand lodge, having jurisdiction over such degrees, should at once rightfully declare such body to be "unlawful and clandestine."

Now, if I am informed, notice of the opposing bodies confer or claim to confer the degree of ancient craft Masonry, but while asserting that the right includes these degrees, and that they have lawful authority to confer them, they assert that they elect not to exercise that authority, but to recognize the conferring of their degrees upon those only who have received the degrees of ancient craft Masonry in a symbolic lodge.

It needs no argument to show that a body is not Masonic, at least so far as the grand lodge is concerned, because it confers degrees upon those who have not received the degrees of ancient craft Masonry in a symbolic lodge.

Indeed, so far as the grand lodge is concerned, there is nothing Masonic except what pertains to the first three degrees of Masonry. It can know nothing beyond these, and that they have lawful authority to confer them, they assert that they elect not to exercise that authority, but to recognize the conferring of their degrees upon those only who have received the degrees of ancient craft Masonry in a symbolic lodge.

It is not a body of the same grade and accepted as the Scottish Rite. It can no more have Masonic

knowledge of the numerous secret societies which in great variety surround us on every hand.

Any what authority can a grand lodge declare a body which it does not recognize as Masonic, and which does not intrude upon the jurisdiction of ancient craft Masonry or its legitimate and lawfully constituted Masonic authority of the Ancient and Accepted Scottish Rite within the state of Nebraska, is that of the southern jurisdiction of the United States, presided over by Brother Albert Pike; and that all others not acknowledging allegiance to the said southern jurisdiction are unlawful and clandestine."

Does such law apply to ancient craft masonry? By no means. It can be enacted and applied only by the body itself and enforced only upon the subjects of its jurisdiction. Do our laws bind the members of these lodges? Certainly not as such members. And if the members of our body are also members of the Ancient and Accepted Scottish Rite, our laws operating in respect to all questions affecting the symbolic degrees bind them, because they are within our jurisdiction, being members of our body and so subject to our laws.

So then, when we assert that anything is Masonically unlawful, we mean that it is contrary to or in violation of Masonic law. Masonic law, as this term is thus used by us, means the law governing our institution.

And as with respect to the term clandestine, it means as used in Freemasonry "without lawful authority." But what authority is here meant?

Could we say that one of two bodies was clandestine, within the meaning of the well known term used by Masons, because it has no authority for its existence, from a body other than our own body, within our jurisdiction, which has supreme jurisdiction over the subject matter?

What right have we to prohibit a member of our lodge from joining any secret society, the principles of which, and the practice of which, are not in violation of the precepts of ancient craft masonry.

Should we not recognize and lawfully constitute Masonic authority of the Ancient and Accepted Rite, presided over by Brother Albert Pike, attempt to apply the law to that rite, or even our own law, and declare a grand lodge, or a lodge, or even the highest member of symbolic Masonry clandestine, would it be recognized as lawful by any body or member of symbolic Masonry as *any* force or validity whatsoever.

That every body is to be judged or acquitted or condemned, according to its own laws, is axiomatic.

A crime committed in Nebraska is to be judged and punished, if at all, according to the law of Nebraska.

A crime committed in Pennsylvania is to be judged and punished, if at all, by the law of Pennsylvania. It may happen that the act unlawful in one state would not be lawful in the other, and the punishment in one state might be different from that of the other.

When, therefore, bodies or persons are declared unlawful or persons are declared unlawful, it means unlawful because of violation of the laws of the grand lodge, and clandestine, because without authority of the grand lodge.

But the grand lodge neither has nor makes any law to govern any person other than its own subjects.

controversy, between these parties, belongs not to ancient craft masonry. No grand lodge, on principle, could have jurisdiction over it, except by the consent and request of both the contending parties.

Would it be wise to exercise such jurisdiction over it as such a grand lodge? I can only say that we are bound to recognize or obey it! Surely not. It can have no jurisdiction over us.

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Union Pacific and other councils: T. G. Mazzara, S. P. Morse and Rev. Dr. Dougherty. The public meeting will be attended by delegates from all the councils of the state, as well as the officers of the supreme council, George Kier, deputy supreme regent for Nebraska, was present and gave the council an account of the public meeting held in Chicago recently, and also a financial statement of the order for 1889.

R. O. F. Supreme Representative John Morrison of Lincoln, or "Uncle John" as he is familiarly called, was in the city early this week. Supreme Representative Shropshire was in the city during the week attending to the packing and shipping of his household effects. He started for Montana Thursday evening. Under the law of the supreme lodge Mr. Shropshire's removal from this state creates a vacancy in the office of supreme representative, which the grand chancellor fill by the appointment of a successor. It will, therefore, be necessary for Grand Chancellor Macfarland to appoint some one to serve out the term of Mr. Shropshire, which does not expire until the year 1892. E. E. French, formerly grand keeper of records and seals for a number of years, has been mentioned as the probable successor of Mr. Shropshire. Mr. French filed the office of grand keeper of record and seals in the most excellent manner. He is one of the best posted men in the state all the intricate points of Pythian law, and is eminently qualified to succeed Mr. Shropshire, who is considered one of the brightest members of the supreme lodge.

At its last session the grand lodge passed several new laws. According to Pythian law these laws should have been submitted to the supreme chancellor for approval before they became operative. This has not been done and therefore the laws are not in force. Among other changes the grand lodge provided that withdrawal cards should be furnished the lodges free of charge instead of charging 50 cents apiece for them as has been the custom. This law was not submitted to the supreme chancellor and is therefore not in force. Notwithstanding this fact the grand keeper of records and seals has been furnishing withdrawal cards to the various lodges free of charge instead of charging 50 cents for them under the law as it stands. He thereby lays himself liable for the deficiency which will appear in his accounts by reason of this breach of law.

Oriole lodge gave a very pleasant party to a few friends and members Friday night. The affair was just large enough to make the affair a most enjoyable one and no effort was spared by the members to increase the pleasure of the guests. The inspection of the various divisions will commence tomorrow night and continue every night during the week.

R. G. E. The Knights of the Golden Eagle will give a St. Valentine ball and banquet at the hall, 114 and 116 North Fifteenth street, on the evening of February 14.

A. O. U. W. Arrangements have been made for all lodges of the A. O. U. W. of Omaha, South Omaha and Council Bluffs to attend service at a body at Trinity cathedral, Sunday evening, February 10. By agreement the various lodges will assemble at the lodge room of No. 14, Barker block, corner Fifteenth and Farnam streets, at 6:45 o'clock, sharp, on the evening named, and proceed in a body to the church.

I. O. O. F. Two Brothers eminent of Council Bluffs visited Hebronia encampment, No. 2, Thursday night. Grand Patriarch I. P. Gage of Fremont was also present, and a very pleasant fraternal visit was enjoyed.

ANCIENT RELICS. An Omaha's Interesting Heritage From Old Tim's.

H. B. Ivey, esq., of this city, returned last week from Chester county, Pennsylvania, where he has been visiting amid old home scenes. He brought back some very interesting old records and a flat lock rifle that his grandfather carried in the war of 1812.

The souvenirs of ye olden time were presented to him by his father John Ivey, who is a retired iron merchant, residing at Cuyola, Chester county, Pa.

The documents consist of fine parchment instruments, records of transfers of land in Chester county, under dates of 1784, 1789, 1794, 1801 and 1839. They are from one grand and one half foot in size, and for the most part have been tinged by time to the color of autumn leaves. The parchment is probably the heaviest ever used for such purposes, it seeming that little more than the wolf itself had been taken from the sheepskin in order to make it ready for use. The writing, which was done with a quill pen, is so exquisite and true as to appear at first glance to be steel engraved. It is interspersed with fine German script work.

The descriptions given of land are novel and amusing. Here is one, taken from the document which bears date of 1784: "Beginning at a black tree at a corner formerly of Thomas Green's land and extending thence by vacant land west southwest 182 perches to a hickory tree and thence formerly by John Pierce's land west 65 perches to a black oak and south 55 perches to a hickory tree and southwest 34 perches to a post and south 37 perches to an ash tree thence by the aforesaid Thomas Green's land east, northeast 347 perches to a black oak and north west 74 perches to the place of beginning, containing 103 acres and the allowance of six acres for roads and highways."

The seals attached to these rare old expanses of parchment are great, rudely made stars of the same material. It is needless to say that these are new and interesting information to many persons, that the new local custom, "indentures," had its origin in the old custom of writing the original and the copy of such records as those just quoted from, on one piece of parchment and then separating the original and the copy of such records.

In after time no copy would be held by the courts as original or genuine unless the edges or indentures fit precisely those of the document on file with the recorder of such instruments.

CONNUBIALITIES. Some marry for the sake of a good companion or to discover their mistake. This is lucky.

It is better to have a comely "helpmeet" of some use than a brilliant one simply of show.

Don't marry a man simply for his reputation. It is likely to be a second hand affair, borrowed from his ancestors.

Many women have married men for their fine estates. But there is no more to an ancient eye worth mentioning.

Marriage is a lottery full of chances. That's what gives it flavor. All like to chance, but few are wise enough to win a prize.

A man and woman are traversing Delaware county, Ohio, getting married by every preacher they come across. The fact they work is to give the minister a \$30-bill and receive \$10 or \$15 good money in change.

The Doctor—Why have I never married? Why—Not in my case. The Doctor—O pshaw, now, everybody knows—come, then, how do you manage it? The Admiral—All at.

The tired wife was struggling along, overburdened with parcels. "John," she wearily and anxiously said, "When we were single you didn't allow me to carry handies. That was because you hadn't so many of them," was his smiling reply. "Why, what do you take me for? Do you think I'm a dummy?"

tion after the knot is tied. It is better philosophy to commence only as you would live afterward. From the matrimonial market the suits of both sexes were called on long ago. Don't expect to marry you. You must guess at some things and take chances for the future on this basis.

A woman named Shaw is the plaintiff in a queer suit in New York state. She was a widow and offered \$14,000 for a husband. A young man accepted the offer and got the money. Now Mrs. Shaw seems to have repented of her bargain, for she began an action against Mr. Shaw in the supreme court in Westchester county, which started on the property, claiming that her husband was only a trustee.

James Gilbert, recently a grant of Barnum's circus, and now employed as a private watchman at Scranton, Pa., will be married on February 15 to a young Hyde Park woman named Williams, who several months ago was prominent among the Salvation army workers. The giant, who towers nearly eight feet high, says his bride is little more than four and a half feet high, and that his love romance, which started long ago, was smoothed over finally, and her consent was given to the match. The wedding march is to be played by a steam trombone, which has been secured for the occasion.

MUSICAL AND DRAMATIC. Dan Collier is playing the part of Old Sport in "A Rag Baby."

John Wild will probably be a member of Edward Harrison's company next season. "The Prince and the Pauper" has made one of the greatest successes known in New York in years.

Miss Fanny Davenport has commenced extensive preparations for an elaborate production of "Theodora" next season.

Manager Augustus Pitou has purchased forty-six acres of land on Lake Simcoe in Canada, and will make it his summer residence.

Sidney Rosefield is making arrangements to produce his new comedy-drama, "The Stepping Stone," in New York in the near future.

Robert Mantel is rehearsing Hamlet and expects to make his debut as the melancholy Dane before the close of the season.

Max O'Rell has written an article entitled "The Modern English Stage Through French Spectacles," for the next issue of the Dramatic Mirror.

Miss Pauline Hamilton telegraphs an indignant denial of the published statement that she is to be married to a Mr. McClelland or any other man.

Joseph Arthur of "Still Alorn" fame, has just finished writing a new play, entitled, "A Long Lane." It will soon have a New York production.

Marie Prescott and Mr. D. R. McLean make their first appearance in New York as joint stars February 10 at the Windsor theater.

Manager T. Henry French will organize a special company to send to California in April, where it will play a four weeks' engagement in San Francisco, producing "Madame and Man," "My Jack," and possibly "Little Lord Eustace." Mr. French will accompany the organization himself and personally direct its management.

Miss Rose Corhan is playing her annual engagements in Cincinnati, where she is popular and usually draws large audiences. On February 10 the popular actress will be seen in Louisville and on February 24 begins a season of two weeks at the Park street theater in New York, where she will appear in "The Gleaner," "Forget Me Not" and "The Wolfpack."