THE

CORRESPONDENCE All communications relating to news and editorial matter should be addressed to the Editorial Department.

RUSINESS LETTERS. All business letters and remittances should be addressed to The Bee Publishing Company. Omaha. Brafts, checks and postofflee orders to be made payable to the order of the com

The Bee Publishing Company, Proprietors, The Bee B'ld'g, Farnam and Seventeenth Sts EWORN STATEMENT OF CIRCULATION

State of Nebraska.

County of Douglas.

George B. Trschuck, secretary of The Bee
Publishing company, does solemnly swear
that the actual circulation of The DAILY BEE
for the week ending Dec. 20, 1890, was as fol-Monday, Dec. 15...
Tuesday, Dec. 16...
Wednesday, Dec. 17.
Thursday, Dec. 18.
Friday, Dec. 19.
Esturday, Dec. 20...

State of Nebraska, County of Douglas, | sa. County of Douglas, 58
George B. Tzschuck, being duly sworn, deposes and snys that he is secretary of The Bee Publishing Company, that the actual average daily circulation of The Daily Bee for the month of December, 1889, was 20,048 copies; for January, 1890, 19,565 copies; for February, 1890, 19,561 copies; for March, 1890, 10,815 copies; for April, 1890, 20,564, bles; for May, 1890, 20,180 copies; for June, 1890, 20,201 copies; for June, 1890, 20,562 copies; for Agust, 189, 20,759 copies; for Sentember, 1890, 20,759 copies; for County, 1890, 20,752 copies; for November, 1880, 21,20 copies.

Fworn to before me, and subscribed in my presence, this 6th day of December, A. D., 1890, N. P. Fett, Notary Public.

THE contest goes on, regardless of ex-

THIRD parties are born every day in Kansas. Few of them promise to survive until 1892.

CONGRESS continues to talk nonsense and allow the country to suffer for definite financial legislation.

EVEN John Bull is disposed to add his mite to the disturbances kicked up by the notorious Bull family for the benefit of Uncle Sam.

ABOUT the only thing that Henry M. Stanley saw in Omaha that struck him as offensive and dangerous was the forest of poles and the tangled network of overhead wires.

INGALLS sends word back fron Kansas to Washington that he will surely be re-elected, Perhaps he has joined the Alliance. There is no other explanation of his confidence.

THE proposed senate cloture is hailed with secret delight by democratic organs. It affords the desired opportunity of warming over the wild caloric hurled at Tom Reed a year ago.

THOSE who imagine the home rule conference in Paris will fail of results, do not comprehend the power behind the scene. The party split ties up a snug sum of money in the French bank, and its circulation is essential to union.

ACCORDING to the post-mortem statement of the late "wise and vigilant mayor," Omaha and Nebraska committed an irreparable blunder and reform contracted a permanent black eye when he was enthusiastically retired to private life.

THE motor continues to make mincemeat of men and horses that get in its way. When will the motor be run on the theory that the public has the right to life, liberty and the pursuit of happiness? Probably not until the authorities give it an impressive lesson.

DAVE HILL has a new claim to the presidency. It is the fact that he was snubbed by the mugwump managers of the Reform club dinner, at which Mr. Cleveland claimed that he made the earth. Hill is getting on famously, and may be elected before the day set for the ceremony.

ILLINOIS distanced Nebraska in the aggregate increase of population shown by the census, but Nebraska now turns the tables and leads the Sucker state in the number of political contests. Illinois squabbles over five petty legislative offices. Nebraska takes higher ground and battles for eight state offices, with the governorship as the leading

NEW YORK reveled in another old Knickerbocker blizzard yesterday, the biggest that that Arctic climate has seen since the famous one of 1888. Street traffic was entirely suspended and the town made a business of keeping in out of the weather. It is strange that more than a million and a half of people continue to brave the rigor of that desolate locality while the sunshiny country west of the Missouri is willing to receive another immigrant

REPORTS from North Dakota convey the cheering intelligence that the Northern Pacific will permit the legislature to select a United States senator. It seems the company has already named the successor to Senator Pierce, and merely held the commission out of respect of the law. What caused the change is not known, nor does it matter. The simple fact that the legislature will be permitted to exercise its rights is enough to be thankful for.

CORDOVA, the second city and the intellectual center of the Argentine Republic, has been wiped off the face of the earth and 500 lives lost. Like the people of Johnstown, the residents were criminally indifferent to the safety of the city, permitted an artificial lake to be maintained at the head of the valley in which the city was built, and took no measures to strengthen the mud aykes, The inevitable disaster came. The ruins the city and the appalling loss of life gits of reckless municipal neg-

The taking of testimony in the contest for state offices will close next Monday and the volume of evidence will be put in form for presentation to the legislature. Unless some very startling disclos-

THE TESTIMONY NEARLY CLOSED.

ures are made within the next three days the investigation will utterly fail of its purpose and the legislature will be fully justified in declining to waste any time with it. Never in the political history of any state was there a more completely futile effort to sustain an election contest on the ground that the right of suffrage was interfered with and gross frauds were perpetrated. While the result carries no imputation against the contestants, who it is presumed sincerely believed that a large number of their supporters had been prevented from easting their votes, or that there had been a conspiracy to count them out, it is

manifest that Mr. Powers and his coleagues on the independent ticket have been imposed on.

Very early in the investigation it be-

came apparent that the prohibition man-

agers were largely responsible for instigating it, and it is another example, for which the people of the state will have to pay a good round sum, of the disposition of these unappeasable marplots to create trouble whenever there is a chance to do so. Having sent broadcast over the country the most villianous falsehoods regarding the election in Omaha, these people were anxious to find some vindication of their outrageous misrepresentations, and their influence was successfully employed in inducing Mr. Powers to make a contest. They not only failed to get the vindication they hoped for, but have given the people fresh reason to regard them as a mischievous and unscrupulous element. It is now an established fact that one of the most important elections in the history of Nebraska, in which all classes of the people were profoundly concerned, was conducted with exceptional fairness and honesty. Nowhere was any voter prevented from exercising his right, and the few disturbances that occurred in Omaha-less numerous than is common to exciting elections in smaller citieswere due to the offensive obtrusiveness of prohibition ticket peddlers, and were entirely personal affairs. The very best citizens of Omaha-ministers, judges and business men-all of unimpeachable character, have stated under oath that the election in this city was remarkably free from disturbances, and no one was found, here or elsewhere, who knew of a single instance of a voter being prevented from casting his vote. In a word, the entire testimony shows that Nebraska never had a fairer election, and that there has never been less reason for

est expression of the will of the people. While it is the duty of the legislature to hear and determine the pending contests for state offices it will not be surprising if they decline to waste any considerable time on the reading and discussion of a contest that has such a slender foundation.

questioning the result as a free and hon-

SOUTH DAKOTA'S PROBLEM.

The legislature of South Dakota has a problem to deal with that would try the statesmanship of any commonwealth. It is the question of meeting the state's expenses with an empty treasury and the act that the resources of taxation and bond issuing are exhausted.

Many causes have contributed to bring about this unenviable situation. Crop failures and hard times had something to do with it, but it can be said on good authority that the recklessness and stupidity of the last legislature is principally responsible. Governor Mellette warned them in his message of the state's precarious financial situation and urged them to keep the expenses down and find means of increasing the revenue. They did neither. Appropriations were grandly voted to all sorts of state institutions and new offices created with a princely disregard of the expense involved. The only method adopted with a view to averting embarrassment was the submittance of an amendment providing for the increase of the bonded indebtedness by \$500,000. This was defeated by the people, and now the legislature faces a most difficult question. After cutting down expenses to the lowest possible figure it will still have hard sledding to provide for the necessary expenses of the state for the next twelve months.

South Dakota's embarrassment comes at a time when it is to be more keenly regretted than under ordinary circumstances. All western states are feeling very sensitive about their credit the east and the value of their securities. The progress western commodities depends largely on the market for their bonds and mortgages. For this reason, as well as its own credit, it is to be hoped that the South Dakota legislators will find means to provide for the expenses of their state government and to prevent any recurrence of the trouble here-

During the recent amendment campaign South Dakota loaned Nebraska a few of her surplus prohibition orators to advise us that Nebraska must abandon high license in order to be prosperous. Nebraska thought differently and can now say to South Dakota, in solemn seriousness, that among other reforms which can be introduced there, to inrease the revenue and restore the confidence of capital, is the repeal of prohibition and the passage of a stiff license law. That should be one of the first acts of a legislature charged with the duty of regaining for South Dakota the prestige it has lost.

WHAT OF BOYD'S ACTS! SAINT EDWARD Neb., Dec. 25 .- To the Editor of Tun Bun: In the daily of the 22d inst., in answer to the inquiry of M. A. Hostetter, you say that Mr. Boyd would be governor until the supreme court should pass upon his citizenship. Should your premises be correct, what would be the effect of his official acts while acting as governor, should the court decide he was not a citizen? Re-

R. F. WILLIAMS. spectfully, Every official act of Mr. Boyd as governor would be legal. The principle that the official acts of every public officer are valid during the period of his

encumbency is well established. Some years ago Isaac Griffey of Dakota county was given credentials as dis-

by E. K. Valentine and the supreme court held that Valentine had been elected by a majority of two and a half votes. How the court reached this conclusion we never have been able to ascertain. Suffice it to say that Griffey was ousted from the bench after he had occupied it for over twelve months. Although the court held that Griffey was not elected and therefore had no right to assume and discharge the functions devolving upon judges of the district court, Judge Griffey's decrees on the bench were never catled in question They were as valid in every respect as those of any other de facto judge. The same principle would apply to the official acts of Boyd during his incumbency as governor, even though he should be found ineligible for that office by the supreme court.

INDIAN EDUCATIONAL WORK. The committee on Indian affairs of the house of representatives will soon give attention to the Indian appropriation bill and one of the things expected of it is an increase in the school appropriation, so that the educational work among the Indians may not only be continued but enlarged. This work has made good progress under the present administration and attained a degree of efficiency never before reached. New school houses have been constructed and old ones enlarged and supplied with better facilities, a judicious course of study has been put into successful operation, text books of a uniform series have been provided, the attendance has been largely increased, and the morale of the teaching force has been elevated. The secretary of the interior, in his annual report, says there is improvement both in the school children and in the disposition of the parents to have them taught. There are now 246 Indian schools, 94 of which are contract schools. and the total attendance is a little over twelve thousand.

General Morgan, commissioner of In

dian affairs, whose zeal in his work merits and receives the heartlest commendation, has just returned from a tour of observation occupying three months, and he bears emphatic testimony to the great improvement that has been wrought in the government schools, their present satisfactory condition and the hopeful outlook for the future. Similar testimony comes from Hon. Daniel Dorchester, superintendent of Indian schools, who has been almost continuously in the field for more than a year and a half, from General Whittlesey, secretary of the board of Indian commissioners, and from Prof. Painter of the Indian Rights association. In the cases of several tribes almost every available child of suitable age is now in school, and within a comparatively short period there will be in these tribes a new generation of English speaking people with scarcely a vestige of the Indian tongue or Indian customs remaining. In other instances the great mass of the children are yet unprovided with any proper school facilities, and are growing up in ignorance, superstition and barbarism, making little progress and with little hope of improvement. It is manifestly the duty of the government to do for these tribes what has been done for the others, and there is no

good reason for delaying the work. Commissioner Morgan estimates that after providing for buildings, etc., a lit tle more than \$3,000,000 would be required as an annual expenditure for the education of 15,000 boarding pupils and 6,600 day pupils. This sum is not so large as to warrant any hesitation in increasing the school appropriations from year to year until the amount is reached. The appropriation for the current fiscal year is \$1,842,000, an increase of 35 per cent over the appropriation of last year. What is asked is a like increase for the next year, which would bring the sum up to about two million five hundred thousand dollars. There can be no question that intelligent public sentiment is overwhelmingly in favor of making ample provision for giving to all Indian children of school age a common school English

PUBLIC CONTRACTS.

and industrial education.

The people of Omaha have been lavish n creating and fostering franchised corporations. Rights and privileges which at first were considered of no great value have been dispensed with reckless prodigality, and monopolies built up that turn to plague the creators. The liberality of the city has been shamefully abused, and the privileges granted made a vehicle of offensive meddling in political affairs.

The rights of these corporations are beyond the reach of legislation. Meanwhile the power of the council regarding corporations should receive the attention of the charter revisers. Under the present charter there is practically no limit to the power of the council in creating a brood of minor monopolies, and that power has been exercised in one conspicuous instance.

The contract with the Electic light company extends over a period of five The corporation enjoys free of cost the right to cumber the streets and alleys with poles and wires, yet the taxpayers are obliged to pay an extravagant price for lights-a price far in excess of a reasonable profit on the investment. The valuable privileges granted this corporation not only does not benefit the city one cent, but have actually made an insatiable

The power of the council in the matter of contracts should be sharply defined and limited. In this age of improvement it is folly to make long contracts, because new methods and new inventions all tend to a reduction of cost, and the taxpayers should not be deprived of the resulting benefit. It is the part of wisdom to encourage competition in public contracts, and to that end the council should be prohibited from making contracts for a longer period than one year.

In the mass of glittering generalities forming Cleveland's stock in trade, there is an occasional glimmer of political truth. The latest comes in the form of a confession, in which he admits that 'we, as a party, had, in these latter days. been tempted into paths which avoided too much the honest insistence upon the definite and clearly defined principle trict judge. His election was contested and fundamental democratic doctrine."

The defeat of Mr. Parnell at Kilkenny was

In simple, every day United States, this means that the democratic party will in t he future as in the past dispense with the services of the alliance, labor, prohibition, greenback, free silver coinage and all other parties as soon as it is securely in control of national affairs. For the present, however, these assistant democratic parties must be encourage d and fostered by lavish promises. THE main reason advanced in justification of the western railroad combine was the paralysis of receipts caused by petty wars. It was asserted that business was falling away and receipts also,

and that an iron-clad syndicate was necessary to prevent the corporations rushing headlong into bankruptcy. It is painful to note that a friendly organ, the Railway Age, rudely punctures the pretentions of the corporations. Reports of earnings for 11 months of the year received from 145 railroads show an inerease, compared with the same period of 1889, aggregating \$34,854,920. Only 11 out of the whole number reporting show a decrease, a trifle of \$222,151. Another significant fact is that the largest gains were made by western roads, nearly all of them represented in the new syndicate. The figures demonstrate that the volume of business and the gross receipts were greater than ever before, and if the net returns are not satisfactory to the stockholders and speculators, it is because extravagance ran riot in the management of the roads. Any attempt to squeeze the public, in view of the liberal patronage accorded to the corporations, should be resisted by every legitimate means.

THE democratic press had concluded that Attorney General Miller would be appointed to the supreme bench and is making up for its disappointment by saying that Henry B. Brown isn't much of a man. The best testimony is to the effect that he is entirely worthy of the honor conferred upon him. Michigan says so unanimously, regardless of party.

IT FALLS to the lot of few men to enjoy public confidence and esteem to such an extent as Judge Gresham. In a majority of the complimentary references to the new justice of the supreme court, regret is expressed that the honor was not bestowed on the distinguished Indiana

In an interview Mr. Parnell intimates that as soon as he has destroyed the nationalists, the liberals and Gladstone he will undertake to rout the Catholic church. Mr. Parnell is going to be a very busy man for the next few years.

THERE is no scarcity of plans for reorming taxation, but the most desirable reform at present is to assess and collect taxes on all property in sight.

BEN BUTLER has given up his legal practice, but there is no evidence in sight that he will relinquish the practice of running for president.

It is surprising even to the councilmen the vast amount of tax shirking to be found in the city when they go after

THE published reports of the local banks show that the rumors of financial stringency do not apply to their vaults. In the present condition of affairs, the

banks enjoy the coin of vantage. THE city clerk is determined that no guilty tax shirker shall escape.

Song of a Germ. New York Herald. When I was an atom I served a term As office boy to a cholera germ. But now I've grown so great that I Am known as the monarch of the bacilla. The Lone Star Prohibitionists.

Chicago Tribune. There were 1,684 prohibition votes cast in Texas last month. The figures show that there is an average of about one prohibition voter for every 163 square miles of Texas land. A prohibitionist must be a lonesome man down

The Result of Champagne.

Mr. Cleveland's attempt in his speech at the reform club banquet to read Blaine out of the republican party indicates that the fumes of champagne from the assembled lemocrats must have got into his head.

Warbington and the Insanity Dodge. Kansas City Journal. Young Mr. Warbington of Omaha, whose ense of modesty impelled him to burl a chair through one of Bouguereau's paintings, boldly plead guilty upon being arraigned in the district court, until he learned what was the penalty of his offense, when he changed his plea at the expense of his principles and hired a lawyer to defend him. We shall next hear of Mr. Warbington setting up the defense of emotional insanity.

Breezeville's Horrible Streets.

New York and Philadelphia are bewalling the condition of their streets and take occasion to berate their respective municipal governments in the accents of wrath every day. If it is any comfort to these individuals to know that their misery has company they may be assured that many of the street crossings in the world's fair city are one sticky, mucitagious paste of mud-homogene ors in color, consistency and compositionimpetiginous, defcedant, recrimentitious and nidorous.

THE CANDY PULL.

A. B. Luce in Chicago Tribune. You kin talk abouty'r op'ras, y'r germans. an' all sich, Y'r afternoon r'ceptions an' them pleasures You can feast upon y'r choc'lates an' y'r creams an' ices full. But none of 'em is ekel to a good old candy

Fer ther' is any perfume like the lasses on A bublin' an' a dancin', as it keeps a risin' While the spoon goes stirrin', stirrin', till the kittle's even full, No, I recly think there's nothin' like a good old candy pull.

Then the exercise o' pullin' how it sets the cheeks aglow, While the tongue makes merry music as the hands go to and fro,
An' with scarcely hidden laughter, the eyes
are brimmin' full,
Fer the happiness is honest at a good old

candy pull.

It's true we miss the music an' the ballroom's crush an' heat. But ther' isn't any bitter that stays behind the sweet, An' I think the world' be better, an' its cup o' joy more full If weonly had more pleasures like the good old candy pull. OTHER LANDS THAN OURS.

a severe blow, but he announces his determination to fight on and to get the opinion of every man in Ireland on the issue. He will appeal from Kilkenny to the remaining 102 boroughs and divisions. He is bent upon fighting to the end and refuses to surrender unless Ireland by a decisive majority of all the constituencies shall repudiate his leadership. Under these conditions the Kilkenny election is not decisive. It is a temporary reverse for Mr. Parnell in the course of his political adventures. It is only a tentative vindication of the policy adopted by his opponents. In view of the inevitable prolongation of the contest the victory of Mr. Davitt will be reassuring only to those who have been dreading the fatai, effect of a first triumph of Mr. Parnell in alienating English sympathies and disheartening Gladstone. The Irish leader Mr. has been repulsed, but not vanquished. The faction fight is to be continued with no immediate prospects of the crosing of the breach. Mr. O'Brien aspires, indeed, to be a peacemaker, but this is an irrepressible conflict which does not admit of compromise. The best policy which the followers of Mr. Mc-Carthy can adopt is to challenge Mr. Parnell to resign his seat and then to nominate Mr. Davitt against him. That would be forcing the fighting, and public opinion in the island would be favorably affected by so marked a display of confidence. But even a victory in Cork would not be decisive. Mr. Parnell would appeal next month against cork as auntily as he does now against Kiikenny The fatal mistake was made when he divided his party and refused to sacrifice his pride and his ambition for the sake of his country and his principles. "Divide and rule" is a better maxim for an empire than for an uncrowned king-the leader of a national

Those who have been accustomed to regard Siberia with horror as a terrible and desolate waste colonized exclusively by the criminal population of Russia will be surprised to learn that there are two enterprising nations, namely, the English and the Chinese, who consider it sufficiently attractive to be worthy of invasion. The conquest upon which they are bent is of an economic rather than of a political nature, and their object is to secure possession, not of the rulership, but of the trade and commerce of Siberia, the value of which, according to Baron Nordenskjold, the highest authority on the subject, is stupendous. Siberia, he declares, surpasses the North American continent in its area of cultivated soil. Its forests are the largest in the world, and its mineral resources are immense. While the Russians are striving by every means in their power to exclude the Chinese who, much to their dismay, are swarming along the auriferous banks of the upper Yenisel river, they are disposed to foster and assist British enterprise in Siberia. The animosity between the Muscovites and the English, which is so marked in the European portion of the czar's mighty empire, seems to be replaced by feelings of warm friendship east of the Ural range. English engineers have been selected to devise the system of irrigation which is to transform southern Siberia into the greatest cotton-yielding country of the world; English capital has been bespoken for the construction of the Trans-Siberian railroad, and exceptional facilities, including a remission of all import duties, have been granted to the British pioneers of trade upon the Siberian rivers.

The formal inauguration of the congress of Japan, which took place on November 29, is the most important event of the day. There has never been, in modern times, a successful instance of the establishment in an Asiatic country of the institutions on which a representative government rests. An attempt was made some years ago to plant a representative body in Egypt; but when it was explained that the successful working of a parliamentary regime required the coworking of an opposition party as well as an administration party, not one of the Egyptians was willing to place himself in open opposition to the government, and the experiment was abandoned. Indeed, in countries outside of Asia and Africa, where the people had been previously educated by local self government, it has been found impossible to imbue national representation with healthy life. Throughout Latin America, the election of members of national congresses is to this day a farce. Outside of the United States, Great Britain and its colonies, France, Germany, Italy, Holland and Belgium, there is no real representative government anywhere in the world. This does not imply that no such government shall ever exist outside of these countries. The world moves, and men learn as they live. France has made wonderful progress since the states general met to register the decrees of the king. Spain is slowly learning that the citizen's first duty is to take part in public business. And from the Japanese press it appears that the Japanese people are resolved to give their new parliamentary system a fair trial.

Spain has just tried its first experiment with universal suffrage. The election of onehalf of the new provincial councils took place a few weeks since and the complete returns have been received. They show that in forty out of the forty-nine councils the conservatives have obtained a stight majority. Madrid, with a fine attempt at impartiality, has returned ten liberals, two ministerialists and four republicans; while in Catalonia, the Basque provinces, Bilbao, Navarre and Aragon the Carlists have secured a majority. The followers of Senor Sagasta have had some successes, but according to Madrid correspondents great apathy was shown by the voters everywhere, save in the capitals of the various provinces. At any other time these letters would not have possessed much significance. It happens, however, that the election to the new cortes, which has been fixed for February next, will, owing to the adoption of universal suffrage in both cases, take place under much the same conditions and consequently the present returns afford some index to the prospects of Senor Canovas del Castillo and his ministry. As far as can be judged, the rival parties will meet in the cortes, each sufficiently strong to harass and hamper the other and to prevent the executive from exhibiting that strong and serene front which is indispensable to all good government. Senor Canovas, no doubt, has the signal advantage of being in office, and like all his predecessors in power he will doubtless employ the well recognized and traditional methods for main taining his hold on the constituencies. There can be little question that when Senor Sagasta, though at the head of a nominal parliamentary majority, was asked by the grown to make way for the present Spanish prime minister, it was shrewdly computed that Senor Canovas would be able, through the active areacy of the minister of the interior, to make a considerable impression on the Spanish electoral bodies. In the preliminary encounter he has obtained only a moderate success, and when the elections to the cortes take place we imagine that the atmost he can hope to achieve will be to prevent his various rivals from ousting him at once from his present position.

This from a Congressman. Sinux City Journal.

The number of representatives in congress ought to be reduced rather than increased. There are too many members of congress and too many sessions of congress. The country needs economy and quiet.

THOMPSON LEFT TWO WILLS.

The Trouble Over an Estate That Was Conveyed to Different Heirs.

A CONTEST BETWEEN TWO BROTHERS.

Another Danger in Wildcat Insurance -Two Boys Steal Valuable Paintings-A Pickpocket Caught-Other Lincoln News.

LINCOLN, Neb., Dec. 26 .- | Special to THE Ben. |-The probate court calendar for this afternoon contains the somewhat noted Thompson will case. James Thompson, sr., was a farmer living near Crounse, in the northeastern portion of the county, with a son named James in this country and one named John in Ireland. The old man made a will leaving his property to James. He was eighty years old and was desirous of obtaintaing a loan of money on a quarter section of land, but the loan agent objected on the ground that the company he represented would not make a loan to a party of great age. The loan agent thereupon suggested that the land be conveyed to James A., his son, a man about forty years of age, who would make the loan and give the security. This course was pursued and the toan obtained.

The old gentleman afterwards wanted the and deeded back to him after the loan was paid, but his son refused to do so. He then began suit to recover the land, and while the suit was pending the old man made another will, leaving the farm to John, dying soon afterwards. John came to this country and prosecuted the suit began by his father against James. The two wills were filed for protest, but nothing was done in the matter, as the other case had been taken up to the supreme court. On October 1 that tribunal decided partially against the son, holding as follows

That a preponderance of the testimony es-tablished the fact that the conveyance of J. was not intended to be absolute, but to en-able him to effect the loan, and in an action by the father thereafter brought J. would be compelled to convey subject to the security for the loan.

1. Before the death of the testator his will is not admissible in evidence to show title in

2. The plaintiff having died after the case was submitted to the court, but before judgment, and it being apparent that the defend-ant had rights in the premises, the cause is remanded to the district court with leave to the parties to file supplemental pleadings and take further testimony and for the court to settle the ultimate rights of the parties.

It is upon this status of affairs the case comes up this afternoon, and if the court follows the ruling of the supreme court, the last will will be probated. The case will go up, it is said.

YOUNG ART CONNOISEURS. Among the articles used in decorating the store room in the Billingsley block, where Episcopal fair was held lately, oil paintings from Mr. H. H. Boggs' parlor One of them is a Rocky mountain scene and is valued at \$100. These two were left in the store room a day or two after the fair and on Wednesday it was discovered that they were missing. The matter was put in the hands of the police and it was discovered that the thieves were two tweive-year-old boys named Fred Crum and Clyde Newell. The lads had taken the pictures home and told their parents that they had found the pieces of art in an alley. The pictures were readily sur rendered by the parents in each case, they being greatly chagrinned when they learned how the boys got the paintings. Mr. Boggs was delighted to get the pictures back and decided not to arrest the lads.

A CASE OF MONNUMENTAL CHEEK. One of the most consummate specimens of cheek yet recorded in the wild-cat insurance ine was one that was brought to Deputy Auditor Allan's attention while in Omaha yesterday, and shows a new financial dan-ger that awaits the dupe of unauthorized insurance. The victim is an Omaha gentleman who does not wish his name mentioned while the aggressive party is the ghost of the defunct Manufacturers' mutual fire insur ance company. The letter is written by Thomas L. Kennan, receiver of the dead company, and he not only notifies the gentle-man that the policy for which he paid his money was cancelled but also coolly informs him that he will be expected to "contribute to the payment of the company's debts,' "What do you think of that?" says Mr "This is another argument in favor of carrying on the waragainst the wildcats.

A PICKPOCKET CAUGHT. A telegram from Omaha this morning gave the information that "Tug" Robb, a notorio crook, who has been wanted in Lincoln for some time, was under arrest there. Detec tive Malone will go after him this afternoon. Robb is said to be in a tight boat, the charges of grand larceny and larceny from the per son being marked up against him. The spe-cific crime charged is the stealing of a gold watch from Henry Burcham, a wealthy stockman of Hickman, which occurred in Saunder's saloon, at Tenth and P streets, during far week. Burcham was standing talking to some friends in the crowd which thronged the place, and suddenly discovered that his watch chain was hanging loose from his buttonhole and his valuable—ticker go ne, STATE HOUSE NOTES.

E. A. Marling and H. M. Branson of Boone county are fighting over a \$54 judgment ob tained by the former against the latter. To day Branson appealed the case to the supreme court. ODDS AND ENDS.

James Sharpenstein, a colored youth o dudish proclivities, was arrested last even-ing for pounding J. D. Shaw, porter at the Elks club room. James was found guilty and in default of the fine of \$10 and costs was sent to the county infl.

Jimmie Duniap, a young fellow who has been living in Cedar Bluffs, arrived in the city yesterday to spend Christmas with his parents. They had been living in University parents. They had been living in University Place, but unknown to Jimmic had moved away from there, and he was therefore disappointed. He applied to the police for aid and was taken home by Matt Bracken. U to noon he had not succeeded in finding An overcoat belonging to one of the young

men in attendance at the Christmas gather-ing at the Congregational church was stolen Marshal Menck, after a long and painfu slege with quinsy, was able to be about this

norning, and spent the morning at head-Mrs. Georgia A. Sierth sues for a divorce from her husband, Frederick, on the grounds of desertion. The two have been married twenty years. Andrew Ohlson asks for a di from his wife, Sophie, on the same

grounds. A meeting will be held in University hall risability of organizing a Nebraska academy of science. It is in the opinion of many de-strable to start such a society, which shall embrace in its membership all persons within

SIR MORELL MACKENZIE EXPERIMENTED WITH

PROF. KOCH'S LYM'H

The results of his experiments will be made public shortly. Both Prof. Koch and Sir Morell Mackenzie have for years used and recommended the Soden Mineral Pastilles for Catarrh, Sore Throat Courhs, Colds and all throat and lung

diseases.

Sir Morell Mackenzie said in the Jour nal of Larnygology, edited by him (No-vember No., 1887): "The Soden Mineral Pastilles (Troches), produced from th Soden Springs by evaporation, are par ticularty serviceable in Catarrhal Inflammation, Sore Throat, Coughs, Bronchitis and Lung Troubles."
Dr. Koch said: "A cough for which I

tried many other medicines, which had not the slightest effect, soon became bet ter and has now entirely disappeared.

The genuine Soden Mineral Pastille must have the testimonial and signature of Sir Morell Mackenzie around each

the state who are interested in any of the following departments of science: Anatomy, archaeology, botany, biology, bacteriology, archaeology, entomology, entom lowing departments of science chemistry, engineering, ethnology, enton ogy, geology, histology, mathematics, miner-alogy, ornithology, physics, physiology, psychology, zoology.

THEIR LAST WORDS.

Utterances of Great Men as They Met Death.

Boston Globe: Kiss me, Hardy!

thank God I have done my duty.-Lord Nelson. Head of the army. - Napoleon.

Don't give up the ship.—Lawrence, It is well.—Washington, I must sleep now.—Byron.

I feel as if I were to be myself again. -Sir Walter Scott. Don't let that awkward squad fire over

ny grave,-Robert Burns. Clasp my hand, my dear friend, I die Alfieri. Let the light enter. - Goothe.

Into thy hands, O Lord. -Tasso. What is there no bribing death?-Cardinal Beaufort. It matters little how the head lieth .-

Sir Walter Raliegh. I pray you, see me safe up, and for my coming down, let me shift for myself (as cending the scaffold). - Sir Thomas Moore.

I'm shot if I don't believe I'm dying .-Chancellor Thurlow. Give Dayroles a chair. - Lord Chester-

Independence forever,-Adams. I have loved God, my father, and liberty.—Mme. de Stael. Be serious, -Grotius.

I resign my soul to God and my daughter to my country.—Jefferson.
It is the last of earth.—J. Q. Adams. I wish you to understand the true principles of the government. I wish hem carried out. I ask nothing more.

-Harrison. I have endeavored to do my duty .-Caylor. A dying man can do nothing easy .-Franklin.

Let me die to the sounds of delicious nusic.-Mirabeau. Let not poor Nelly starve. - Charles II. All my possessions for a moment of

ime.-Queen Elizabeth. It's small, very small indeed (clasping her neck).—Anne Boleyn.

There is not a drop of blood on my hands.—Frederick V. of Denmark.

Is this your fidelity?-Nero. You spoke of refreshment, my Emilie; take my last notes, sit down at my piano

here, sing them with the hymn of your sainted mother; let me hear once more those notes which have so long been my clacement and delight, -Mozart, God preserve the emperor.-Hadyn. The artery ceases to beat. - Haller. We will now cross over the river and

est under the shade of the trees .-Stonewall Jackson. It is useless to dissemble, dissolution s near.—Gambetta.

O Swain!—Garfield. I still live.—Webster. Longevity and Country Life. How great the difference is between an urban and a rural population in the average age of all who die, may be conveniently illustrated from the registration reports of Massachusetts, which have now been published for forty-seven years, writes President C. W. Elliot, of Harvard college in the December Forum. In the thirty years from 1850 to 1880, the average of all the persons who died in Suffolk county, an urban county on the seaboard, was 231 years; the average age of all the persons who died in Barnstable, a rural county on the same seaboard, was 37; in Franklin, an inland rural county, 381; while the average age of all the persons who died in the island county of Nan-tucket during the thirty years was very nearly double the average age at death in Suffolk, namely, 46.15. The

same reports show that the annual death rate is uniformly higher in the densely populated counties than in the sparsely opulated ones. Other causes besides lensity of population contribute to produce these striking results; but the main fact remains that a family which lives in the country has a better chance of continuance than one that lives in the city. Moreover, if the family history of he actual leaders, for the time being. in business and the profesions of any American city, be studied, it will usually be found that a very large proportion of them were country bred. breeding generally gives a vigor and en durance which in the long run outweigh

He Only Retaliated.

all city advantages, and enable the well

endowed country boys to outstrip their

competitors.

Boston Traveler: Finnegan (listening to the clock as it strikes)—What's that? Eliven, twelve, thirtane, fourt- Bad cess t'it! Bye gorra, the divil's in it! Tek that, me foine timepiece, an' that! Mrs. Finnegan—Wusha, hivin save u s Phelim, fwhat did yez smash the clock fur? It's the ownly wan we hav! Finnegan-Oi don't give a contynintal. The clock sthruck furrst.

The Difficulty.

Somerville Journal: Amicus-I'dlike to write my own obituary and have what I would say about myself true. Sarcasticus-i'm afraid that what you would want to say about yourself wouldn't be true.

Boils and Pimples

Are nature's efforts to eliminate poison from the blood. This result may be accomplished much more effectually, as well as agreeably through the proper excretory channels, by the use of Aver's Sarsaparilla.

"For several years I was troubled with boils and carbuncies. In casting about for a remedy, it occurred to me that Ayer's Sarsaparilla had been used in my father's family, with excellent success, and I thought that what was good for the father would also be good for the son. Three or four bottles of this medicine entirely cured me, and I have not since - in more than two years - had a boil, pimple, or any other cruptive trouble. I can conscientiously speak in the highest terms of Ayer's Sarsaparilla, and many years' experience in the drug business enables me to speak intelligently."—C. M. Hatfield, Farmland, Ind.

Aver's Sarsaparilla

PREPARED BY DR. J. C. AYER & CO., Lowell, Mass. Price \$1; vix bottles, \$5. Worth \$5 a bottle.

OMAHA. LOAN AND TRUST COMPANY.

Subscribed and Guaranteed Capital \$500,000 Paid in Capital Buys and sells stocks and bonds; negotiates commercial paper, receives and executes trusts; acts as transfer agent and trustee of corporations, takes charge of property, col-

lects taxes. Omaha Loan&TrustCo

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