### MORE DAMAGING EVIDENCE.

Liveringhouse Has to Admit Some More Very Peculiar Expenditures

FATAL "QUIETING" OF A PATIENT.

Noisy Patient Ziegler Died After Taking a Dose of Medicine-Dr. Test's Irregular Calls on the Inmates.

Lancoln, Neb., June 27 .- | Special to THE BEE. |- The investigation into the conduct of Steward Liveringhouse and Superintendent Test of the Hastings insane navium was resumed this morning before the board of public lands and buildings. All the members of the board were present. Governor Thayer was a most interested auditor throughout the session,

Liveringhouse was placed on the stand and was examined regarding the signing by employes of a payroll which was introduced. The names on it were those which have appeared in connection with duplicate youch. ers. The witness said that none of the employes in question had signed the roll presented and that some of their names had been written by himself. He could not state exactly when the pay had been drawn, but thought it was about the middle of April He bad never notified the board about the trawing of the duplicate vouchers until he admitted it a short time ago. Regarding the sum of \$425 which appeared in the cash account.

sum of \$425 which appeared in the cash account, he had no vouchers to present, having been called away too soon from the asylum. It was shown, however, that he had been notified at 5 o'clock on Wednesday and didn't leave Hastings till 2:30 o'clock next day.

Liveringhouse admitted he had hired his mother-in-law's horse to haul the mail, and had paid divers sums amounting to about \$100 for the same; that he hired a horse from a man pamed Pierce, and for a month kept at the asylum a horse belonging at the asylum a horse belonging to Druggist Hurst. The state at the time had a horse of its own.

The board then asked explanation of two youchers for \$70 and was told that they were by way of payment as chaplain.

The witness then admitted that the warrant for the duplicate vouchers, \$584.62, had been put into his personal account at the bank in Hastings. The investigation then turned in the direc-

The investigation then turned in the direction of the overdose of medicine to the patient Ziegler. Witness had heard it rumored that a patient named Ziegler had died of an overdose of medicine. There was no record of the investigation. Governor Thayer, Dr. Stone and Mrs. Smith had, he claimed, investigated the charge and concluded that Ziegler had died from natural causes. The attendant, Loofburrow, who administered the dose, was still at the asylum. was still at the asylum.

Witness didn't remember that a woman hamed Brigham had been found one morning dead in bed, although he had buried her. The inquiry showed that Zeigler had been given thirty drops of paraldahide and Dr. Stone said that that was only half a dose The latter had administered a teaspoonful Does the night watch prescribe for the pa-

No. I know nothing except from hearsny. Dr. Stone said that thirty drops of paraldi-hide would produce from four to seven hours

The witness then stated that he knew George Smith of Beatrice, who was at one time an attendant at the asylum as also that Loofburrow, the man who administered the everdose to Zeigler, was still employed at

Secretary Allen-How are we to know how many employes there are at the asylum
of the employes don't sign the pay roll.
They do sign the pay roll; they sign all the

rolls except the one you have there.

Mr. Durnell then asked the witness to detail the duties be performed at the asylum.
Witness did so claiming that he did everything except attend to the medical work. Beatty had been bookkeeper and received \$50 per month for his services with board, washing and lodging for himself and wife.

If witness had not worked as he had it ould have cost the state much more. He cost to the state of only \$75. For all of this Work witness received pay only as steward. He then claimed that instead of \$1,365.95. which it was claimed the institution has paid for drugs the last six months, the amount be divided as follows: \$35.54; drugs, \$611.87; merchandise other than drugs, \$616.95; wines and liquors,

He then went over a couple of vouchers showing many of the items included in the foregoing were glass, putty, paints and oils, foregoing were glass, putty, pants and other articles not kept in stock by the prehants of Hastings, which the druggist

The witness then stated that he had made a comparative showing of the cost of the Hastings and Norfolk asylums as shown by the records in the auditor's office. The ex-pense of the former for the time in question was \$38,267.63 and of the latter \$34,695.35. The expense of the Hastings Institute over and above that of Nortolk was owing to the deficiency with which difference of \$12,000. He said further that because of the deficiency, goods cost a great deal more than they otherwise would. The coal subject was then introduced, the

Nebraska fuel company claiming that Steward Laveringhouse had furnished them with no estimate, and consequently did not afford them a chance to compete.

Mr. Liveringhouse admitted that they had

received bids for clothing but not for grocer ies, and that at one time Mr. Kipp of Hast logs had refused to furnish groceries because of the absence of money. Witness stated that he had exercised the same care in making purchases as he did in his own affairs Soveral times merchants had kicked because he had cut down some of their over charges He disclaimed all intention of acting disre spectfully to the board by not appearing before when first written to.

Gessler Lee, formerly a supervisor and an ttendant of the asylum, knew the attendant of the asylum, knew the patient, Ziegler, who had died from an overdose of medicine. The latter had been making a noise. Loofburrow came into wit Loofburrow came into witnesses' room for a spoon, but could get none 

Next morning the patient was unconscious So remained until he died at 12:35 p. m Witness in the morning reported the condi-tion of the patient to Pinckney, the supervisor whose duty it was to report to Dr. Test The latter did not call upon the unconscious man until 11 o'clock in the morning. The doctor was also irregular ing. The doctor was also irregula in his calls, four and five days elapsing with out his visiting the wards. The witness claimed that about a pint of beef, iron and wine would be used by the male inmates in three days, and that three pints of whisky

would last for a month.

This feature seemed to make it difficult to account for the wine and liquors ordered. Lee was cross-examined by Darnell, but was not shaken in his statements. The board

took a recess until 1 p. m.
Lee stated that he had left the institution of his own free will, and had asked and re-ceived a recommendation from Dr. Test, and

Attorney general-At the Mendota insane asylum, where you formerly worked, how often did the physicians visit the wards daily!

Lee-Twice every day. How often did Dr. Test visit them? Sometimes once a day. Sometimes four or five days would elapse and he would

not come in the wards.

Did you mention the cause of Ziegler's Yes. I said that to some people I thought the drugs were the cause of his

How much beef wine and iron was used? The last month! was there, about one pint was used on the male side every three days.

This was introduced because Liveringhouse has previously stated that in the liquor bill

mait was probably included. How much whisky! Three pints of whisky in about a month. liow many male patients?

The witness also stated that there was an yven at the asylum, and that bread had been baked in it; also that Loofburrow was coarse

# N. B. FALCONER

# GREAT CASH CLEARING SALE COMMENCING MONDAY

One Thousand Different Articles at a Reduction of 25 to 50 Per Cent. Subjoin Some of the Prices. We Have Not Room for All.

DRESS GOODS DEPT.

Dress Robes, camel's bair, cheviot, with rich trimmings, cost \$12, for \$3.50. A lot of wool stripes and checks we have always retailed at 25c and 30c,

our moving price 12tc. Arlington Checks, 54 inches wide, the regular price of which is 49c, our moving price 194c.

One-half wool Challis we sold at 20c and 25c, moving price 14c.

All Wool Challis, our regular price 65c, now 47±c. Printed Mohairs, worth 45c, moving

price 19c. Printed Canton Crepe, lovely designe, strictly all wool, 37tc; regular price 65c. SILK DEPT.

Our 75c Colored Satin, moving price 25c. Very useful for children's dresses. 22-inch Colored Surah Plaids, sold by us at \$1 and \$1.35, for 50c and 65c.

China Silks, our 65c quality for 29c. Figured China Silks, \$1 a yard, will be sold at 624c.

Cheney Brothers' best 24-inch goods

Cheney black ground colored figures. 32 inches, regular price \$1.50, in this sale \$1.15.

Colored Satin Rhadames, our \$1.25 quality for 75c. Our \$1 Black Silk Grenadine will be sold for 65c. One piece 48-inch slightly imperfect.

Regular price \$3, will be sold at \$1.50. A lot of Colored Failles at 65c, worth Also a lot of Black Gros Grain Silks at similar sweeping reductions.

BLACK GOODS. Black Silk Warp Henriettas, never sold less anywhere than \$1.25, in this sale 75c. We guarantee these goods perfect in every respect.

Our 75c Nun's Veiling, with side band, 421c.

LINEN DEPT. Damask Table Cloths, ranging in price rom \$5 to \$8, will go at \$3.98.

Damask Table Cloths, \$9 to \$12, will Damask table cloths \$12 to \$20, will go

FALCONER.

20c Huck Towels, 6 for \$1. 30c Huck Towels, 19c each.

\$1.25 Bed Spreads at 97c. \$1.75 Bed Spreads at \$1.29. \$4 Bed Spreads at \$2.63.

#### WASH GOODS DEP'T.

7to challis and prints at 2to.

10c dress ginhams at 5c.

10c sating at 5c.

15c novelty suitings at 10c. 15c 36-in batiste at 10c.

15c satines at 8to. 35c satines at 15c.

40c milanese, black and white and black, with colored figures, at 250.

25c Oriental crepe, 15c.

40c wash crepe 25c. 40c French Gingham at 25c. 35c French mulls at 25c.

25e Scotch gingham at 16#c. \$7.50 French zephyr robes at \$4.68.

25c tussah cloth at 15c. This is the latest novelty.

#### WHITE GOODS DEP'T.

121c nainsooks at 5c.

25c black and white figured batiste, 12c printed India linens at 9c.

18c printed India linen at 12c. 25c dimittes at 15c. Our 30c black silk band India linens

10c white India linens at 8c. 15c white India linen at 10c. 20c white India linen at 121c.

25c white India linen at 15c. 30c white India linen at 20c. 35c white India linen at 25c. And all our black India linens re

#### GLOVE DEP'T.

25c gloves at 5c. 50c gloves and mitts at 25c. \$1 gloves and mitts at 50c.

duced in the same proportion .

\$1.25 to \$1.50 fine silk mitts and gloves

## in this sale at 75c. MOVING SALE.

#### RIBBONS. RIBBONS.

All Silk Ribbons at 24c a yard. The regular price of these is 124c.

15c Ribbons for 6tc.

17to Ribbons for 9c. 200 pieces of Nos. 12 and 16, at 134c. The regular prices of these are 221c and

#### HANDKERCHIEFS.

Ladies' sheer open work and hemstitched at the extraordinary price of

would be awful cheap at 10c. 121c Handkerchiefs for 61c. 25c Handkerchiefs for 124c.

50c Handkerchiefs for 25c. 75c Handkerchiefs for 3740. LACES. LACES.

#### Laces at 5c.

Laces at 7c. Laces at 10c.

Laces at 121c. Laces at 19c.

Laces at 21c.

Laces at 25c. Laces at 35c.

All reduced from 20 to 83; per cent.

#### MILLINERY DEPT. Special clearance sale of Millinery commencing Monday, June 29th.

We will place on sale all our trimmed Hats and Bonnets, including the remainder of our French Pattern, at onethird less their former price. Untrimmed Hats are also included in

DRAPERY DEPT.

Chenille Curtains, 31 yards long, with heavy fringe top and bottom, \$3.75 a pair; worth \$5.50 a pair; all colors.

IRISH POINT CURTAINS 31 yards long, \$4.15 a pair; worth \$6.50 a pair.

OPAQUE WINDOW SHADES

#### 36 inches wide, 7 feet long, with spring rollers, 43c each, worth 60c.

FALCONER.

#### SHIRT WAISTS.

Boys' fine French Percale Laundered Waists, we will offer them for 95c each, formerly sold at \$1.50. Colors and fit

guaranteed. Boys' White Unlaundered muslin, with linen collar and cuffs, for 60c, formerly sold at 75c and 85c.

25 dozen fancy colored Cambric and Gingham Waists for 29c.

#### LADIES' HOSIERY AND UNDER-WEAR.

100 dozen Ladies' fast black Lisle Thread Hose, to be closed out for 21c a pair, worth 35c.

1 case of heavy cotton Onyx Dye Hose for 25c, absolutely fast dye.

All our fancy stripes and black boot pattern Hose, formerly sold at 50c, 75c 85c and \$1, will be sold at 48c a pair to A very large line of fancy colored

and plain black opera length Hose at greatly reduced prices. Children's fast black ribbed Hose, all sizes, for 15c a pair.

#### LADIES' UNDERWEAR DEPT.

50 dozen Ladies' low neck, sloeveless, Jersey Ribbed Vests, for Sc.

109 dozen Ladies' Jersey Ribbed Cotton Vests, for 12ic, worth 20c.

1 case Ladies' fine ribbed Maco Cotton Vests, with tape in sleeves and neck, for 19e each. 200 dozen Ladies' Swiss ribbed Lisle

Thread Vests for 15c, originally sold at 40c each. Ladies' very fine imported Lisle Vests, in ecru and white with silk tapes in sleeves and neck, for 50c, worth 75c.

Ladies' Gauze, long and short sleeves, for 25c and 35c.

## MOVING SALE.

## FALCONER.

MEN'S FURNISHINGS --

\$5, at the low price of \$3.

50c, worth 75c.

SUSPENDERS-

UNDERWEAR --

underwear at 75c and \$1.

30c, 35c up to 50c.

NECKWEAR --

Madras shirts at \$2 to \$3.

Cheviot shirts \$1.55 and \$1.75.

To close we shall offer our entire line

A very fine silk and linen shirt at

A full line of outing flannel shirts at

We shall offer a special inducement

in a fine line of suspenders which we

place on our counter for 25c, worth 50c.

Finer grades at 50c, 75c, \$1 and up to

Men's fine balbriggan and natural

Also a complete line of balbriggan

Light weight merino and all wool

A fine line of fancy striped 40 guage

Extra fine fancy striped hose at 25c,

Onyx dye fast black hose at 25c, 35c,

Summer weight French and English

gents' fancy sitk four-in-hand and teck

scarfs for 25c, formelly sold at 50c to

balbriggan hose at 20c and 25c pair.

summer underwear at \$1.25 to \$1.75.

men's half hose at 16 c, worth 25c.

40c and 50c; color guaranteed.

gray underwear at 50c, these goods are

of fine silk Madras neglige shirts, worth

### FLANNEL DEPT .-

SECOND FLOOR. The greatest bargain of all is our 24inch all-wool plaids and stripes at 124c, regular 40c quality. Suitable for children's dresses and wraps.

Outing flannel in silk stripe 15c, regular 25c.

Outing flannel in silk stripe 35c, reg-

ular 55c. For gents' neglege shirts, ladies' waists, seaside suits and children's dresses, etc.

#### SUMMER BLANKETS-

We have a grand assortment in Italian silk in fancy stripes at \$2, sold by the trade generally at \$2.89, considered a great bargain-for the lounge, bed or traveling.

#### PILLOWS ---

Eider-down, in plain or fancy covering, 15 inch to 24 inch 75c to \$2.25.

CLOAK DEPT .--

LOT 1 AT \$2. Ladies' embroidery suits, all ready made, reduced from \$8.75.

Ladies' Norfolk suits, ready made, of Garner percales, plaited waist with LOT 2 AT \$3.

Ladies' beautiful embroidery suits worth up to \$12. Ladies' challis tea gowns worth up to

Ladies' capes, all new styles, worth

LOT 3 AT \$5.

The choicest line of ladies' ready

made suits worth up to \$24. SILK PERSIAN SHAWLS--

We will put on sale about 25 dozen Ladies' ready made woolen suits

## MOVING SALE

#### in his language and profane to the patients, and that he had been reprinanded for his profanity by Dr. Hall, an assistant physician. Whisky had been used when the patients were sick, and where stimulants, eggnog, etc., were required. The night watch was not allowed to prescribe medicine. The only that witness could account issuing of medicine to Ze the issuing of medicine to Zeigler was because Loofburrow had received orders to that effect. The vial from which the medicine was taken was of two nces and it was at least half full after the Ziegler dose had been poured. The witness didn't know whether Pinckney had reported the occurrence to the physicians, but did know that no physician had visited Ziegler until after 11 o'clock in the morning. He felt that Zeigler had been given an overdose of medicine. He did not have the matter

looked into because he had no authority, and

have complained of it would have resulted in his losing his place. Mr. Darnell then cross-examined the wit ness and ascertained that he had come of his own volition and at the request of the attornow general. It was sought to be shown that the witness had written a letter to Smith (a witness who appeared later), in which it was stated that if he did not get Test in this man-ner he would get him in some other way. But he denied that he had ever written Smith in that manner. He admitted that he had told Dr. Test that he did not think Ziegier had died from the effects of the medicine, because he felt if he hadn't done so, he (the witness) would be lischarged. At the time that he told Dr Test that, he knew it was not true, but he did not want to lose his job. He never knew Smith, the attendant, to tell a lie. It had been reported that the latter had been discharged for using intoxicating liquors, but Dr. Stone said that such was not the case. Secretary Allen—After leaving the asylun

Lee-Yes, to Governor Thayer. With what result? He returned the affidavit to me and said the matter had been investigated by Dr. Stone and Dr. Test and that Ziegler had died from

did you report the Ziegler case to anyone?

natural causes. And as they were physicians he left them to decide. The defendant's attorney wanted to know now he could testify against Dr. Test when the latter had given the witness a recommendation on his own request when he left. Witness said he thought it only what he was entitled to. He also admitted that he had told Dr. Test that he didn't want to remain if he (the doctor) was to be succeeded by Dr. Johnson. The latter, however, heard of the witnesses' fear of being discharged and told him that he need have no fear of that and assured him of a position. It was sought to be shown that the witness had left because the matron had been discharged, and the in sinuation was repelled. Reports regarding the matron had gone to Governor Thayer and

he didn't like them. Witness was then ex-The examination was resumed in the after noon and Gesler Lee asked to be placed on the stand again. He did so for the purpose of removing any doubt from the mind of the board that he had in any manner written to Smith to the effect that if he did not get Dr. Test in this manner he would in some other way. The attorney for the defendant again took hold of him and ascertained that he had been spoken to by Mr. Beatty, the late book-keeper, and bad said to him that the institution needed to be looked after.
Secretary Allen—You said this morning that you had talked with the governor. What

Lee-He said he would take time to look

into the matter and would investigate the matter. (The Ziegler case.) I told him that as for myself, I was under expense. He said that I was in the threatening order and acted in an indignment manner to me.

I called on him a second time. He asked

Did you see him again?

did he say!

me if I would accept a position at Norfolk. As there would be a vacancy there in about three weeks if I would go there, or if I desired a position there, he would see that I would get it. I refused it.
G. J. Smith was the next witness. He had

been an attendant at the asylum, knew Ziegler and testified substantially to the same facts regarding the dosing of that patient as did Lee. He was a room mate of the latter and both he and Lee were in bed in their room when Loofburrow came in looking for a ten spoon. At 5:30 next morn-ing Ziegler could not be roused. If he were raised up he would drop down like a rag, and died at 12:35 p.m. He afterwards talked with Dr. Stone and Dr. Test about the occurrence. A month since, both he and Lee had made duplicate affidavits and sent a copy to the governor setting forth the facts of Ziegler's death. He went to work at the asylum about October 15, 1890, and remained till last spring. He had frequently worked in insane asylums. In Kalamazoo for nearly

four years, Newberg asylum, Cleveland, O.; asylum at Traverse City, Mich. Attorney General—What medicine was adninistered to Ziegler ! Smith-I don't know. From my own opinion I think it was paraldahide.

How often did the attending physician visit the wards! Sometimes every day; sometimes three or four days would elapse without his coming on the ward. Once when he was sick Dr. Stone took his place. How often did physicians visit wards in

the other asylums in which you worked? Usual visits were twice a day. Once in the

norning and once in the evening, generally after supper. vitness was cross-examined by Mr Darnell for the purpose of snowing that he Darnell for the purpose of snowing that he had been discharged for using intoxicating liquors. Witness denied that such was the case. One night he had gone to the asylum under the influence of drink. Dr. Test had found it out and sent for him. They had had a long talk and witness asked if it meant that he was discharged. He said that he had earned his meney and proposed to spend it as he felt

his money and proposed to spend it as he felt After he left Dr. Test he met Dr Stone in the pharmacy and told him that Dr. Test had discharged him. Dr. Stone said that he thought he had the discharging of people and ordered him back to attend to his ward. He went back and remained there for three months. Then Dr. Test sent an order to Pinckney to relieve him. Dr. Test after-wards told witness the matter would have been all right if it had not been for the part Dr. Stone had taken in it. Witness therefore denied that he had been

discharged for drunkenness. An attempt was made to show that Loofburrow had been instructed to report sickness in the wards only to Dr. Stone. This was done to remove the suspicion from Dr. Test that he had been negli-gent in not calling to see Ziegler for nearly five hours after the latter had been discovered unconscious from the effects of Loofburrow's dose. But the witness claimed he knew nothing about Loofburrow's orders.

Taylor Steen, who had formerly been an usher and later assistant receiver of supplies at the asylum, next took the stand. He said that his duty was to check and weigh the goods received at the institution. He checked all of them, but did not weigh them all. He did not weigh those from the Hastings houses, but he did those from the Lincoln jobbers. To do this, the goods were removed from the barrels and the latter were The sensation of the trial was reached,

however, when the following was asked: Secretary Allon—Did you know of any trouble between Mr. Liveringhouse and Dr. Tosti Darnell jumped immediately to his feet and said he had had an understanding with th

board that nothing was to be introduced except what was covered by the notice.

Mr. Humphrey said the matter might be immaterial but he could see no objection to its going in. Darnell objected again, but finally it was

decided to hear the witness, Steen-It was about Dr. Test and Mrs. Liveringhouse. Mr. Liveringhouse came to me and asked if I thought that Mrs. Liveringhouse and Dr. Test were acting just right.
What did you tell him!
I said I didn't think that they were. Dr.

Test called a meeting one night afterwards and settled it all. Who attended the meeting! Two or three employes, Loofburrow, Mr. Smith, Miss Buiger and Mrs. Slater. Thi meeting was sometime in October, 1890. This testimony caused a calm to pervade the room which was only the premonition of another outburst on the part of Darnell when the attorney general announced he had two lady witnesses, Mrs. Vanderpool and Mrs. Wheeland, whom he wished to place on the

The defendants' attorney asked for an ad journment till Monday, because he wanted the defense to publish the story with that of the ladies in question. He said it was unfair on the part of the board to insist on matters

outside of the notice. To this the attorney general replied that it was not unjust. The notice included the sub-ject upon which they proposed to examine he women, and to prove it read the notice.

Darnell claimed that was not the notice. served on them-but could not prove the

Finally an adjournment was taken till Tuesday after Frank Darling had testified he had bought goods from Liveringhouse, belonging to the state, oayment for which had been taken out of his wages. He did not know, however, that Liveringhouse had not

#### turned the cash for them to the state, MAY LOSE HIM.

Dr. Duryea Considering Some Very

Liberal Offers. It is practically settled that the First Con gregational church of Omaha is about to lose its talented pastor, Rev. Dr.

most popular of the divine teachers in the west, and is acknowledged one of the most scholarly and brilliant of the country. For some mouths, however, the impression has prevailed that the doctor was not altogether satisfied with his work, and now comes the announcement that he has re-

For three years Dr. Duryea has filled the

pulpit of this church and has been one of the

ceived two very flattering calls to other fields, one from San Francisco and one from It is known that the doctor is considering these calls. He had made arrangements to preach in Minneapolla during the present summer months, but has cancelled this en-gagement and will visit St. Louis and San

Francisco Instead.

The offer from the San Francisco congregation, it is understood, amounts to \$12,000 a year and the manse, and the St, Louis prop-

osition is equally as liberal. Exposition Goes.

Francisco instead.

Omaha will have an exposition this fall. Yesterday afternoon the new coliseum association held a meeting and elected officers as follows: John A. Wakefield, president M. S. Lindsay, secretary; L. D. Poland treasurer; George W. Borglund, vice president, and M. L. Roeder, manager.

It is proposed to pay off the debt of the old association and arrange for a monster exposition to run from September 1 to 36.

There will be a Fourth of July calebrations

## MARRIAGE DECLARED VOID.

Decision.

Judge Hall Hands Down a Remarkable

But Did Not Observe the Nebraska Law-Edney-Baum Controversy-Odds and

Ends.

WERE LEGALLY MARRIED IN MISSOURI.

Lincoln, Neb., June 27 .- [Special to THE BEE. |-Judge Hall of the district court has decided that the marriage of S. G. Owen to Mrs. Jennie Desch was illegal and void, because the lady had not been divorced from her first husband six months at the time of her marriage to Owen. As the marriage occurred in Kansas City, and was perfectly legal according to the laws of Missouri, the opinion of Judge Hall has created more suprise and discussion than probably any decision that has been handed down in the district court for years. It has been generally understood that a marriage that was legal in the state where it was performed was legal wherever the bouple went, who were united Judge Hall, however, declares that, although according to the laws of Missouri, Mrs. Desch was legally married to Owen and that they were actually man and wife as long as they were in Missouri, yet the minute they crossed the Missouri line and came to Ne-

wife of Mr. S. G. Owen. This remarkable opinion has naturally created considerable agverse criticism. Juoge Tibbetts, however, with whom Judge Hall consuited, declares that Hall has authority and good reasons for the decision. Other attorneys, however, ridicule the opinion.
One of them, who does not wish his name

braska the lady ceased to be Mrs. Owen, the

entioned, says: "It is simply a remarkable error of judg-ment. Marriage is a civil contract and a civil contract that is good in Missouri is legal throughout the whole United States. When Mr. Owen and Mrs. Desch applied for a marriage iteense in Missouri, there was no legal impediment to their marriage. After the ceremony was performed Owens saiuted the woman as his wife and introduced her as such and she was actually his wife. How absurd to assert that the holy bonds of matrimony were shattered the min-ute the two crossed the Missouri river and landed in Nebraska. Judge Hall might as well declare that every marriage in the United States not in strict accordance with the forms of the Nebraska statutes was illegal, and the minute any persons who had been married according to the statutes of a state different to those of Nebraska should happen to come into Nebraska that they could be arrested for criminal intimacy and sent to the penitentiary." It is reported late this afternoon that Mrs. Owen's attorney will take the case to the supreme court,

The motion for a new trial filed by plain The motion for a new trial filed by plain-tiff in the case of Edney vs Baum was sub-mitted last evening. This motion was vig-orously opposed by the Baums, notwithstand-ing the fact that a few weeks ago J. E. Baum published a statement that he would apply for a new trial and seek in court vindication from the charges of fraud and decoit made and proved against him he the relativity. and proved against him by the plaintiff.
This motion is supported by a large

EDNEY-BAUM CASE.

ber of affidavits, seven or eight of which are made by the jurors themselves, including the foreman, showing improper interference and persistent efforts of all the Baums, and especially J. C. Baum, to surreptitiously ap-proach the jury and secure a verdict favor-able to them. Such interference, and the fact that on Arcor day, during recess of court, some of the jurors visited the premises

in controversy privately with persons in the interest of the Baums, are among the grounds for which a new trial is asked. The judge took the matter under advisement. ODDS AND ENDS. The latest addition to the Lincoln club is Mr. Root, late with the Rockford club of the

Interstate league. He was with Pittsburg last year. The case of Charles M. Leighton vs H. T. Clarke of Omaha, in which some \$50,000 was involved, has been dismissed by Judge Field Leighton claimed that Clarke owed him \$10. 000, while Clarke, in addition to making some grave charges, claimed Leighton owed hum about \$25,000 in addition to having defrauded him out of the collection of \$19,000 insurance The perpetual injunction asked for by J. R Webster to restrain the city and particularly the grading contractors from destroying th

corner monuments from which surveys of lots are made, has been granted and the city ordered to replace those removed. junction against the Lincoln paper mill com pany to restrain it from running its waste water and refuse into Salt creek The Republican Valley Railroad company has filed articles of incorporation with the secretary of state. The headquarters of the company is to be at Omaha, with a branch office at Hastings. The stockholders at their annual meetings will choose a board of seven directors, to serve one year or until their successors are appointed.

An Erjoyable Social Event.

On Friday evening of last week a party of young ladies and gentlemen from the First Methodist Episcopal church assembled on invitation at the home of Mr. and Mrs. J. O. Phillippi, 2416 Cass street. From the silver haired little girl who greated the guests at the door to the beaming countenances and hearty handshakes of the host and hostess, everything assured the young people a cordial welcome. A fine of 10 cents, to be de voted to missionary work, was imposed or overy one who failed to shake hands with all the guests. The result does not prom ise much for the heathen. A pleasant hour was spent in conversation, when the party was called to the dining room to par take of an elegant repast. After dinner the party again assembled in the parlors where the evening was pleasantly spent. There i no more hospitable home in our city than tost of Mr. and Mrs. Phillippi, and it is known to acores of young people who have from tim to time been made partakers of its hospitality.
The following named ladies and gentiemen were present: Misses Pryor, Philibrici Ada Philibrick, Ball, Griffiths, Van Wagener McKnight, McClintock, Taylor and Ruth Phillippi, Messrs, Hartley, Hazleton, Harri-son, Hollander, Roberts, Thomas, Cortelyou, Mellen, Mickel and Stollard.

Friday evening twenty employes of the Festner printing company gathered at the residence of Mr. and Mrs. Julius Festner, 1355 South Seventeenth street, to assist the former in celebrating his birthday. what was the surprise of the callers to learn that it was also Mrs. Festner's birthday and the fifth anniversary of their wedding. The evening was pleasantly passed, the employes presenting their chief with a beautiful

Celebrating a Triple Anniversary.

Old Employes Discharged. At the close of last winter's Indian war

quartermaster's department one-fourth on July I.

At the time it was beleived that this order did not apply to the department of the Platte. It does, however, and last night sixteen of the men employed about the headquarters received their notices. The men go from the government storehouses and after Wednesday morning will be looking for other jobs. Many of the men have been in the employ of the government from ten to twenty years.

PERSONAL PARAGRAPHS. I. E. Doty of David City is at the Paxton. E. G. Howe of Grand Island is at the Mil-

W. A. Howard of Lincoln is a guest at the E. A. Brown of Nebraska City is at the Dr. B. H. Birney is spending Sunday in

H. H. Robinson of Kimball is a guest at G. C. Barker and wite of Beatrice are at George Donohue of Norfolk is a guest at

the Dellone. Colonel E. A. Slack, proprietor of the Cheyene Daily Sun, was in the city yesterday and called upon THE BEE. Senator Van Wyck was in the city yester-day, en route to Creston, Ia., where he spoke last evening to a large gathering of farmers. Mr. and Mrs. George E. Crosby, 824 South Twentieth street, are enjoying a visit with their daughter, Miss Helen R. Crosby, and nicce, Miss Belle M. Kirk of Newark, N. J.

N. C., Daily Globe, and formerly an editorial writer on The Bee staff, is in the city. Mr. Fairbrother has made a hit among the tar heels, having shown them some of the news-paper methods of the wild, wooly west, Mr. F. M. Parker, en route from Spokans Falls to Philadetphia, visited in Omaha ves-terday, the guest of Huteninson & Wead. He visited The Bez building, and was very

such pleased with improvements in Omaha

At Fairbrother, proprietor of the Durham

since he was here last, although he has trav-eled a great deal, having been to Australia since his last visit here in 1889. Miss Celia Lockey of Oshkosh, Wis., sister of Mrs. L. A. Blackman, left for her home last Thursday evening. Miss Lockey has been visiting her sister for several months past, and during her stay in Omaha has made many warm friends. In all social gatherings she was a shining star. Her many associates and friends deeply regret her

Dr. Birney cures catarrn. Bee bldg.

Fire and Police Matters. Officers Keyes and Kissaue and Fireman Nelson of hose company No. 4 were each

gine house at Thirty-sixth and Jackson streets would be about completed by July 1. mmiltee on property. Secretary Brownlee was instructed by the

ment of the new houses. No pusiness was transacted at the excou-Milling Firm Fails.

RED WING, Minn., June 27. The milling firm of R. Grogg & Co. at Carson Palls, nus made an assignment for the benefit of crali-

granted ten day's leave of absence by the fire and police commissioners at their meet-Frank Mezik, tillerman of truck No. 1, tendered his resignation, which was accepted. Chief Galligan reported that the new en-

board to request authority from the councit to purchase four sets of harness, 6,000 feet of hose and some horses for the equip-

The chief wanted authority to place a hose company at the house for duty on the Forth of July. The request was referred to the

I cider went out to reduce the force inth, tors. Liabilities, \$150,000; assets, \$63,000.