Alleged Slaver of Fanny Tate Taking

THEY BOTH WANT THE NAME.

Messre. Boyd and Crawford Go to Court Over an Appellation.

WHICH THEATRE IS "THE BOYD" NOW?

History of the Case and Claims of of the Parties-Suit of the Lighting Companies-Wants Big Damages.

The injunction case of James E. Boyd against the American bank building company and O. M. Carter was called before Judge Irvine yesterday morning. The defendants had filed an answer to the petition and to properly get before the court, the plaintiff

asked for time to file a reply. This was granted and the case continued until 2 o'clock. In some respects this may prove to be a celebrated case. Months ago Mr. Boyd soid the property at the corner of Fifteenth and Farnam streets to the American bank building company. The deed conveyed the property known as "Boyd's Opera House," together with all of the appurtenances. A short time thereafter Mr. Boyd commenced the erection of the Boyd theatre on Harney, between Sixteenth and Seventeenth streets. In due time the bank leased the Boyd opera house to L. M. Crawford of Topeka. Mr. Crawford made preparations for the opening of the theatrical season, put posters on the dead walls, inserted advertisements in the newspapers, all of which conveyed the idea that the attractions would appear on the boards at Boyd's opera house. Boyd, realizing that the advertisements were detracting from his new theatre, secured a temporary injunction new theatre, secured a temporary injunction restraining the lessee of the old house from using the name "Boyd." Since the date of that order, which was June 17, the lessees have billed the town for a show at Boyd's opera house, and now Judge Irvine is inclined to think they are in contempt of court.

At the afternoon session Judge Irvine At the afternoon session Judge Irvine

heard the arguments of the attorneys and took the case under advisement until Monwhen he will hand down a decision, day, when he will hand down a decision.

Mr. Montgomery for the bank and also for Crawford reviewed the history of the construction of the opera house, its sale to the bank and its lease. Crawford leased the house in good fai h and with the understanding that the name "Boyd" should go with the lease. At the time that Boyd sold the proposition had be intention of building another. erty, he had no intention of building another theater and in consequence thereof, there was nothing said about the name being stricken from the dead walls and bill boards. Later he carried the idea of another theater and had O. M. Carter write to Crawford telling him that some other name would have to be selected. The bank bought the property and in so doing bought the name, which gave it a legal right to lease. Boyd was in doubt about using his own name on the new theater and even went to Carter to obtain his permission so to do. Mr. Montgomery argued that the name was the trade mark; that the tenants of the building navertise as having their place of business in

view of the situation and held that the sale of the property failed to convey the name. The new Omaha Thomson-Houston electric light company has got into a lawsuit with the Northwestern electric light and power company. The Omaha illuminating company is also made a defendant. According to the averments in the petition that was filed last night away back in 1886 plaintiff sold the defendant the Northwestern electric light and power company appliances, attachments and fixtures of the value of \$15,357.85. A few months later the Northwestern company went out of business by leasing its plant and outfit to the Omaha illuminating company. The debt followed the lease, and later on the Thomson-Houston gathered in the old company. The plantiff avers that the Thomson-Houston people agreed to pay the indebtedness but has failed to do so. Plaintiff now asks that the balance, \$5,355,83, be paid, and that the Thomson-Houston company be restrained from interfering with plaintiff in its attempt to collect pay from the old company. Thomas Hayward has sued the Omaha

the "Boyd opera house block." Mr. Goodwin for Mr. Boyd took a different

street railway company to recover the sum of \$10,100. On May 11, John, the six-year-old son of the plaintiff, was run over and killed by a West Leavenworth street car at Thirty seventh street, while stealing a ride. Plain-tiff alleges that his son was in no wise responsible for the accident, and for this reason asks for a judgment against the com-On December 1, 1890. Lewis Rinaldo and

William Feiter formed a partnership and en gaged in the business of handling cast-off clothing at 1105 Farnam street. By the terms of the agreement Feiler was to furnish all o the cash, against which Rinaldo was to put his experience, and in addition thereto was to receive a salary of \$15 per week. The firm has now dissolved and Rinaldo is sucing for \$329 and also asks that Feiler be restrained from continuing the business. M. A. Disbrow & Co. have brought suit to recover \$704.61 from the Howell lumber company for goods sold and delivered.

MEET IN SEPTEMBER.

Methodist Ministers Coming to Omaha to Confer.

The annual meeting of the North Nebraska conference of the Methodist Episcopal church will take place this year in Omaha, The conference will assemble in the First Methodist church on September 16. There will be about one hundred ministers present at the conference, which will last one week. Distinguished speakers from abroad will be present, and the various departments and in stitutions of the church will be ably represented. Bishop Goodsell will preside and make the appointments for the coming year.

New Hose Ordered.

The board of fire and police commissioners met again yesterday evening for another wrestle with the bids for furnishing 6,000 feet of fire hose, and after three hours of deliberation awarded contracts as follows: Cornelius Callaban & Co. of Boston 1,500

feet Callahan (fabric) hose at 60 cents per

Fabric Fire Hose company of New York

1,000 feet Wax Keystone hose (fabric), at 80 cents per foot,
Akron (O.) rubber works 2,500 feet White Anchor hose (rubber), at 97% cents per foot. Eureka fire hose company 1,000 feet Par-

The latter company was represented by its regular agent, Charles A. Landy, and by the Omaha rubber company.

The total cost of the 6,000 feet will be \$4,007.50, and the hose is to be here within

agon hose (fabric), at 80 cents per foot.

the next thirty days.

Small in size, great in results: DeWitt's Little Early Risers. Best pill for constipa-ion, best for sick headache, best for sour ttomach.

Military Matters. General Brooke, accompanied by Lieuten ant Charles M. Truitt, will depart this more ing over the Union Pacific upon a tour of inspection. Forts Logan and Lewis in Colorado, Fort Douglas in Utab, Fort D. A. Russell in Wyoming and Fort Sidney in Nebraska will op visited.

Colonel flughes, Dr. Bache and Lieutenant Roe left yesterday for Fort Lewis, Col., to inspect and take an invoice of the govern-ment property there prior to the removal of the troops and the abandenment of the post. Lieutenant Nichols of the Sixteenth infantry is in the city.

DeWitt's Little Early Risers. Best little pill ever made. Cure constipation every time. None equal. Use them now.

Pawned in Omaha. C. D. Rawson of Van Meter, Ia., wrote the police department a few days ago that his fine gold watch had been stolen and asked the police to recover it if possible. Yesterday the time piece, chain and locket, all valued at \$160, were pawred at Sam Suyger's place. The articles were recovered and

Mr. Rawson notified. Use Haller's German Pilis, the great con stipation and liver regulator.

THE OTHER SIDE.

Friends of the Smoke Consumer Have Their Say. Mr. T. F. Hanley, representing M. E. Herbert of St. Joseph, Mo., was in the city yesterday and called at this office to make an

explanation of the contract and proposition made by the M. E. Herbert smoke consumer company with the city.

"There seems to be considerable misunderstanding on the part of those concerned in the matter," said Mr. Hanley, "The explanation of the proposition to the city and our guarantee is as follows:

"We propose to furnish the new city hall building with four of the M. E. Herbert smokeless furnaces for the sum of \$3,300, allowing the city to make a practical test for sixty or ninety days when the apparatus is set up complete, and if found to be satisfactory and as we represent it, then the city is to pay for the apparatus. We also further guarantee and agree that the furnaces will positively burn the smoke, add to the capacity of the boilers and be a great saving in

We will also farnish a bond that if the apparatus is not as the company represents it that the same will be removed, and the original plant re-constructed as first planned.

We do not wish to ask the city to pay us for anything we do not furnish. "We have had furnices in operation for several years past and they have given en-tire satisfaction to the parties using them. We can refer anyone interested in this mat-We can refer anyone interested in this matter to the following concerns that have used these apparatus with great success, namely:
A. L. Hoover & Sons, proprietor of the Lindell botel, Lincoln, Neb.; H. G. Buckingham, president of the German-American National bank building, St. Joseph, Mo.; Roberts & Woods, architects, Lincoln, Neb.; McMurtry & Finney, Lincoln, Neb.; John Rowe & Co., Omaha, Neb.; Glendale quarry, St. Louis, Mo.; Camobell university, St. Joseph, Mo.; F. A. Korsmeyer & Co., Lincoln, Neb., and the Turner hall building, St. Joseph, Mo.

"We stand ready to demonstrate to the

"We stand ready to demonstrate to the public, or to the city, ar to anyone else wishing to purchase or make a test of these furnaces that they are as we represent them in very particular." Henry Osthoff, chairman of the council

Henry Osthoff, chairman of the council committee on public property and buildings, said: "I think we are through with our efforts to secure smoke consumers for the new city hall, as it is evident the people do not want them. I shall see Superintendent Coots tomorrow morning and think I shall order him to begin the work of setting the boilers in the basement hall. This will be done without any reference to makng provisions for the use of smoke consum-ers. No doubt the people would like to know why I endorsed the Herbert patent. It was not for boodle or the hope of future reward. I want to give the city the best in the narket and after a thorough investigation I came to the conclusion that the Herbert con-sumer was what we wanted. This conclusion was not arrived at entirely from my own observations. I had testimonials that show that it has performed the work. Boyd put it into his opera house, and there it has been doing good work. But as I said before, the city will have to get along without smoke consumers, as far as I am concerned." Mayor Cushing says the Herbert people may have made a guarantee that they would remove the consumer and place the boilers in their original condition, but that fact was not made known to the mayor or council in an official way. If such a bond was given it was given to the contractor. The mayor wants a test of any consumer adopted and says that such a test should extend through three months in the winter. Contractor John F. Coots said: "I have

noticed several statements in the papers re-ferring to the proposed new smoke consum-ers for the city hall. It is surprising, to say the least, how much trouble some people will take to give the public pointers about matters they know nothing about themselves. I have been holding back the setting of the four boilers for over two months at the request of the committee, in order to use the smoke con-sumers if so decided, and the contract was to be made in my name because I had the original contract for the steam-heating, and this was a change in the work embraced therein. I believe the committee feel sure that the apparatus will do as guaran-teed. I have seen it in operation and know that it did burn the smoke. his was at Mr. Boyd's new opera house and severrl councilmen were present at the time. "I have only the same interest in this mat-ter that all other citizens have, and I believe

hat if the smoke nuisance can be abated it

should be done, and that is proper for the city to take the initiative. If successful, other parties will soon follow their example, thus doing away with a great evil. "The city will ran no risks," con-tinued Mr. Coots, "because Mr. Her-bert will not receive any money until the apparatus is all in and has been thoroughly tested in the winter-weather when in actual use. If the consumer does not fulfill all that the guarantee calls for, he gives a bond that he will remove his work, and re-place and reset the boilers in the manner as set forth in the original plans and specifications without charge, and he is only o receive his pay after the test is made and the consumers proved to be all right. My contract for this work with the city embraces all the above points, and was drawn up by Mr. Poppleton, and I know the city is fully protected. The contract has been ap-proved by the council and I have signed it. I am willing, if so directed, to go on and set the boilers as originally

contemplated, but want the question decided at once so as to cause no more delays." Ex-Governor Boyd was seen with reference to the matter, and said he had two of the consumers placed in his new theatre building, and had satisfied himself in advance that the apparatus was what it was claimed to be

watched the operation of one of these consumers all winter in the Lindeli hotel in Lincoln," said Mr. Boyd, "and I saw for myself that it consumed the smoke. Mr. Hoover, the proprie tor of the hotel, told me that it effected a great saving in coal, and I concluded to put them in my new building. I have an understanding with the agent that the consumers are to be removed if they do not prove satisfies. factory, and I have retained \$200 on the price for this purpose. I think nothing should be left undone to abate the smoke nuisance, and am willing to do my share in that direc-

Information Free. Do you know that any old sore or cut can be absolutely cured by the intelligent use of Haller's Barbed Wire Liniment. Be merci-

ful to your horse and try it.

Money Needed in Utah. Chief Seavey received a telegram from Ogden yesterday asking him to forward the two \$100 bills taken from Eraest Conk some time ago. The message stated that the money was wanted as evidence to assist in procuring indictments against the persons implicated in the steal. The chief did not send the money because Attorney Alec Green had entered suit in Justice Edgerton's courfor Conk for the return of the money. This

case is quite a mixed up affair and may puzzle the lawyers some before it is finished. The Latest Conundram. Why is Haller's Sarsuparilla and Burdock like the most popular soap of the day's Because they both cleanse the skin and

leave it soft and velvety. Building Permits. The following permits were issued by the superintendent of buildings yesterday:

Claus Selvers, one story frame cottage, Thirty-first and Marcy streets. Fidelity Oil company, frame barn, Twentieth street and Union Pacific tracks 1,000

Kubbree, one-story brick store, 1342
South Thirteenth street 1,000

corre W. Smith, four-story brick ware-house. Tweifth and Harney streets 13,000

DeWitt's Little Early Risers; only pill to cure sick headache and regulate the beasel

McFarland Inquest. Coroner Harrigan will hold an inquest on William McFarlang at 10 o'clock this morn ing. The jury will view the body at Maul's. and adjourn to McCarthy and Conroy's to hear the evidence,

All Down but Nine. Last night's council meeting was a failure Nine members attended, and after waiting an hour for a quorum adjourned.

DeWitt's Little Early Risers for the liver.

OMAHA CITIZENS OUTING,

Spirit Lake Toronged with a Gay and Happy Crowl.

SCENES AT IOWA'S PLEASURE RESORT.

Mysteries of the Toboggan Slide Described-Sensations of the Beginner-Personnel of the

Party.

HOTEL ORLEANS, Spirit Lake, Ia., July 22,-'All aboard for Arnold's Park, Omaha Beach and the Okoboji Outing club," sings out the captain of the steamer Robert Williams. The staunch little boat is spitting and sputtering at the most terrific rate, and the racket she makes would do credit to the largest ocean greynound. A jolly party of Omahans, with just a sprinkling of Dubuque and Cedar Rapids people come trooping down from the Orleans, and with many a jest and song selzes upon the camp stocis and in a twinkling scatter themselver over the boiler and hurricane decks. John McCormack was there with his wife and guitar. Uncle Jim Risk of the K. K. D. T. Co., divided his gallant attentions be tween Miss Henderson of Dubuque, and Miss Nettie Johnson of Omaha, while Mr. Robert White and Miss Georgia Sharp found much picasure in gazing at the revolutions of the wheel from beneath the same sun shade.

The more settled and staid members of the party were Mr. and Mrs. N. B. Falconer, Messrs, W. J. Van Arman, E. Rand, Hoxie Ciark, and Mr. and Mrs. Lucien Stephens

The trip from the Orleans down the chain of Okoboji lakes is remarkably pleasant. On the south shore of the east lake stand the elegant summer homes of Messrs. Clark of Cedar Rapids and Stevens of St. Louis with their outlying boat houses and pavilions, with smooth shaven lawns sloping gently to the water's edge. Mr. Stevens has over \$5,000 upwated in boats, \$2,000 of which is wrapped up in a dainty little steam launch. A finely appointed boat house with wide vermula inviting to delicious siestas upon the numer ous lounging benches here and there, udd beauty and comfort to the establishment. Passing through the narrows into the next lake of the series, deeper water and still more beautiful shores are reached. The water is now of a lovely sea-green and the water is now of a lovely sea-green and the steamer seems to actually enjoy the ease with which her wheel now sends her bounding over the dancing waves. The strains of McCormack's guitar float out over the water and the jolly Omahans raise their voices in unison and "Seeing Nelhe Home," "Tayern in the Town," "Suanee Ribeer," "Old Folks at Home" and "Gwine Back to Divik" follow, each other in rapid Back to Dixie," follow each other in rapid succession until the voices begin to take a resemblance to that of the solemn bull-frog At Arnold's park the inevitable survivo of the great massacre still holds the fort being encamped in the grove around the hotel, and credulous relic hunters spend their

coin for mementoes of the massacre, which should have been exhausted long ago. There is no prettier scenery to be found anywhere than abounds around West Okoboji, Emerald points, rocky coves, and smooth, sandy beaches are seen in every di-rection. A short landing at Arnolds and the boat continues on up the east bay to the grounds of the Okoboji Outing club of Omaha. The club grounds are at Pikes Point, a high headland putting out into the water and covered with a fine grove of shade trees. The point is eighteen miles from the Orleans, just one hour and a half by steamer. Long before reaching the point a large "some-thing" is seen projecting out into the water, around which screaming maidens and hilarious youngsters were shooting with a racket like a circus band and plunging into the coo waters only to bob up serenely, gasping for breath and discharging the water from mouth, nose and ears; but they were ready for another plunge, for the fun is glorious. One just about has time to yell and wish that you were not there, when siz-z-z-kerchunk-and the waves have swallowed you completely and your fear is all gone. The nething," as may have been surmised, was the new toboggan slide of the Omaha Outing club.

Disembarking at the little dock the party was most hospitably received by Mr. and Mrs. Baum and Mrs. John L. Kennedy. Mr. and Mrs. D. C. Patterson soon joined the gay crowd and all were piloted over the inb grounds. The place is most sightly, standing on an eminence overlooking East bay of West Okoboji lake and including a fine stretch of beach. The central pavilion in which is included a dining room accommo dating one hundred persons, and the billiard room and kitchen. It is a fine structure built after the most approved summer resort tyle with broad verandas and large windows. Baxter, an expert caterer Spirit Lake has charge here and prides him-

self upon his cuisine. Mr. F. W. Gray is erecting a handsome cottage directly in front of the pavilion and fronting the lake. In the coziest of wall tents with board floors nicely carpeted and hung with portieres and womanly knick-knacks are domiciled Mrs. Kennedy, Miss Day, Mr. and Mrs. Baum, Mr. and Mrs. Pat-terson and children, Mr. Burr of Lincoln and family, Mr. and Mrs. Whitney of Omaha, Mr. and Mrs. Hostetter, Miss Funk and Messrs. St. John and Hathaway.

A large delegation of Omaha people are expected shortly and the club grounds are rapidly assuming shape. The campers are happy as crickets and avow they never ate so much in their lives and they look it too. They are as brown as berries and freckled as guinea eggs and they appear as healthy as a farmer's boy. would not exchange their tents for all the sea side resorts on the continent. The loud tooting of the Williams called the merry makers away all too soon from the charming place and agreeable company. A delightfu un up the lakes and the Orleans was reached in time for a dinner which was patronized so heartily that the cooks became alarmed and the waiter was carried out in a dead faint when one lady of the party ordered "the same thing all over again" for the third time. Spirit Lake is an appetizer without a doubt.

For Schlitz lear apply to R. R. Grotte, For sale; first-class saloon and restaur ant, 1416 Farnam street, Ed Wettig,

Furniture. Visit S. A. Orchard's special sale de partment, as you may find just what you need in the furniture line at very much reduced prices. Continental block, 15th

and Douglas street. Hub Collins' Mishap. Mr. M. H. Collins of the firm of Hartman & Collins has received a telegram stating

that his brother, Hub Collins, the second baseman of the Brooklyns who was injured in a collision in the New York game on Monday, was not so badly nurt as was at first reported and would be ready to take his place again in a few days. Don't be discouraged about that eczema till you have given Ayer's Sarsaparilla a persist-ent trial. Six bottles of this medicine cured the complaint for George S. Thomas of Ada,

Ohio, when all other remedies failed to afford Who Owns This Barn? Rasmus Peterson has caused the arrest of William Agee for stealing a barn valued at \$100 and moving it away. Agee claims that he bought the property from one Lewis Raher, and says he made the purchase in good faith

good faith. Don't patronize foreign wines when you can get a better one at home. Try Cook's Extra Dry Imperial Champagne.

Opened a Saloon.

The Arcade saloon at Fourteenth and Dodge was entered by burglars Tuesday night and the till was depleted to the extent of \$45. The burglars pried the bars from a rear window and took the money out through the

A very small pill, but a very good one. DeWitt's Little Early Risers,

PRICES REARING.

a Preliminacy Trial. The case against Jake Price charging him with the murder of Mrs. Fanny Tate was called in police court Testerday afternoon for preliminary hearing. A large crowd of curious people as well as a dozen or more witnesses were on | hand. Dr. Charles C. Allison, who made the post-mortem examination, was the first witness. The physician

gave substantially the same testimony that

was given before the coroner's jury at the inquest. Nothing new was developed. Death was caused by suffocation by violence.

Dr. Swanson, who was called by Officer Fields when the body was first found, stated that life was extinct when he arrived. Beyond determining that point witness stated that he made no further examination of the body. Mrs. Johnson who was a near neighbor of Mrs. Johnson who was a near neighbor of the Tate family told of her seeing Price setting on the door step at Mrs. Tate's house about 9:30 o'clock on the night of the murder. This closed the testimony for the day and the case was continued until 2 p. m. today. During the hearing Price sat near his counsel, Attorney Lapsley, and appeared more like a spectator than the star of the performance. When court adjourned he was taken back to the county jall.

taken back to the county jail.

Parents Read This. July and August are anxious months for mothers who carefully watch over their little ones. Hot days and frequent changes of temperature are liable to produce cholera morbus. How satisfactory it should be for purents to know that Haller's Pain Paralyzer is both a pleasant and effective remedy for all summer complaints. It soothes and relieves all pain and griping and always effects a complete cure

Flour, Flour, Flour. Down goes the price at Brown's C Gilman's Gold Medal per sack, \$1.25. Omaha Milling Co., Reliance persack,

Silver Leaf flour per sack, \$1.15. Snow Flake per sack, \$1.15. Minnesota Superlative per sack, 95c. Davis Royal No. 10 per sack, \$1.60. Pidsberry Best per sack, \$1.60.

BROWN'S C.O. D., 16th and Capital av.

SOUTH OHAHA.

Visited by Crete Officers. A delegation from Crete, consisting of Councilmen W. S. Chruelir, L. H. Denison cashier of the First pational bank, M. E. Haight, superintendent of the water works F. M. Cornell, and superintendent of the elec-tric light plant, M. W. Thompson formerly of this city and S. H. Swayne visited the city yesterday to inspect the electric light plant. The Crete water power was lately washed out and these gentlemen are inspecting plants before making any changes. The were well pleased with their Magic city

Clan Gordon Piente. Clan Gordon, No. 63, Order Scottish Clans, will hold its annual pienic at Arlungton, Saturday, August 15. The following committee will have charge of the arrangements: Chief A. C. Troup, Harry Lowrie,

Past Chief Judge George W. Shields, Thomas Falconer, John C. Buchanan, Frank H. Cantlie, W. B. Rutherford, J. W. Mc-Donald and George D. Shand. The train will leave on the Fremont, Elzhora & Missouri Valley at 8 o'clock. Righ-Priced Stock.

Tuesday a bunch of fifteen beeves averaging 1,473 pounds sold at \$6, the second \$6 sale made at the yards this year, and yester-day hogs sold at \$5.55, the average of the prices paid being \$5.49 2-3, the highest price reached since November 16, 1885, when the top was \$5.60. The bulk was at \$5.35@5.50 the same as yesterday and the average \$5.42. Truly the holders of good stock are having a

Baptist Social. The Baptist church was filled with well pleased friends at the Japanese wedding and Aside from cellent and well presented entertainment a fine lunch was served, and a large assemblage, as is usual with the social Baptists,

was well entertained.

Notes About the City. L. F. Hilton is down from Blair. The King's Daughters will meet this afternoon. Miss Barbara Hyman has gone to Atlantic,

Ia., to visit friends. E. S. Price of Chicago has arrived to join Swift & Co.'s force, George W. Masson and Alfred A. Gary have returned from Chicago. Fred Murphy, one of Plattsmouth's leading business men, is in the city.

Miss Margaret Groff of Horton, Kan., is the guest of friends in the city. Peter Mallala of the Omaha Packing company has gone to Detroit, Mich. Several new members were initiated in Citizens Alliance No. 11 last night, A hated lump-jaw met the fate of Inspector Howard's condemnation vesterday.

Justice A. L. Sutton will go with Attorney Joseph W. Edgerton to Hot Springs, S. D. C. C. Clifton of the commission firm of Dorsey Brothers & Clifton has gone Wahoo.

Mrs. E. Murphy and son James P. Murphy left last evening for Denver, where they will reside. Mrs. Howard, wife of Stock Inspector

Ciark Howard, has gone to Springfield to visit friends. John B. Smiley of this city has been granted a patent on a combination window

shelf and bracket. Councilman William M. Wood has gone far as Chicago with Mrs. Wood, who will spend the summer at Mount Clemens, Mich. The embezziement case of Slater, Savage & Keliy against John Ward of Ashland was lismissed by Justice Breen for want of pros-

Wyatt & Hopkins of Genesee, Idaho, had a train load of grass cattle in, coming around by the Northern Pacific on account of a washout.

The evening Enterprise, the new evening paper published by Albert E. Brigham and A. H. Powers, made its initial bow to the expectant public Tuesday evening. H. Schaeffer's complaint of maybem against John Frey was dismissed by Judge king this forenoon after a hearing, the

prosecution failing to prove a case. A petition is being circulated and is being generally signed requesting the city council pass an ordinance providing a license fee of \$5 a day for fruit and other curbstone venders.

Miss Anna Merrill, a popular young lady, is the proud possessor of a fine gold watch, set with diamonds, a present from her generous father, A. H. Merrill of the exchange.

Mrs. Corrigan, wife of County Commis-sioner Peter J. Corrigan, Mrs. Anna Corri-gan, mother and Miss Mary Corrigan, sister of the commissioner, have gone to Denver or receipt of word that Mr Corrigan was worse Policeman Hughes at 2 o'clock kicked in a

door at Bachman and 'Anderson's saloon, Twenty-fifth and 'N streets, and put out a fire caused by an exploded lamp and thus aved the building and contents from being Of the 3,015 cattle and 5,752 hogs received Tuesday, 1,649 cattle and 1,707 hogs were shaughtered in the local packing houses and 561 cattle and 3,397 hogs were shipped. Al-

most two-thirds of the receipts were shipped.

DRPRICE'S Ceam Baking Powder.

Used in Millions of Homes-40 Years the Standard

WHERE HE GOT THAT

If you meet one of your intimate friends on the street with a nobby light derby hat set jauntily on his head, and a satisfied "I've saved a dollar" sort of a smile on his face, you can wager your saccharine existence on the fact that "here's where he got that hat." We have taken all our light derbys that have sold at two fifty, two seventy-five and three dollars, put them all in one grand lot, and you can take your choice for

That means that you can buy as good a hat of us this week, for a dollar and a half, as you can buy of the regular hatters for four dollars.

LOOK A' THEM SHOES.

YOUR Shoes, we mean. Those old, slip-shod, run-down-at-theheel shoes that you've worn so long. About time you had a new pair, isn't it? We have just received the first shipment of two of our leading shoes for the fall. The first one at

\$1.25 A PAIR

is much better than in former seasons. It is a good, solid workingman's shoe, with solid sole leather insoles and counters. It comes in either congress or lace, in narrow, medium or wide, in any style of last or toe, and is worth one seventy-five.

\$1.65

is the price of a shoe which we introduce for the first time this fall. It's a dandy. It's a casco calf. Comes in lace or congress, in any style of toe or last, in any width, and in any size. You'll see shoes in shoe stores sold at two lifty that are no better.

Hebraska Clothing Co

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REFUSE SUBSTITUTES

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DOWNRIGHT FRAUD

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ers for the old-fushioned
"porous" plasters and the
many initations of BENSON'S now on the inarket.
BENSON'S is the only
percuis plaster possessing
medicinal value. Be sure

you get BENSON'S

BAD BLOOD!

Pimples on the Face |

Skin Troubles;
Little Scres; Hot Skin;
Boils; Blotches;
Oold Scres; Bad Breath;
Sore Mouth or Lips;
If you suffer from any of
these symptoms, take

Breaking Out;

DOCTOR ACKER'S

ENGLISH

BLOOD ELIXIR

WHY? BECAUSE YOUR BLOOD

e meet not tell you that you require a blood edising, to ensure freedom from the after of its. Br. Acker's English Blood Elikir is the ly known medicine inax will thoroughly cradi-te the poison from the system. Get it from ar drugrist, or write to W. H. HOOKER & 46 West Brendwiss, New York City.

guarantee that Larries was P Discharges & Emissions, P Socrematorrhen Various b

CURE Spermutorrhen Vigor and RESTORE Lost Vigor

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POND'S EXTRACTORILY.

Pond's Extract Co.

13.00

MEN

BEST

when heated etc.

DON'T FORGET

BITES.

SUM-BURN

LAMENESS

from OVER-

EXERTION.

WE CLOSE AT 6:30 P.M.

SATURDAYS, 10 O'CLOCK.

NO GURE! NO PAY.

Ewenty-four double-deck cars were shipped o Boston, six to Indianapolis, three to New York and one to St. Louis.

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"Health and Pleasure on America's Greatest Railroad" is the title of a charming little volume issued by the passenger department of the New York Central & Hudson river rail oad this year, with new and attractive features added to the publication of former years. The book is a "summer book" decidedly, and is enough in itself to tempt the tourist out into the leafy fastnesses of the forests, or to the cool, rocky glens of the mountains.

The frontispiece is a fine view of that noble structure, the Washington bridge across the Harlem, but that is merely a hint of the beauties that follow. No one who glances over the book can fail to get a comprehensive idea of the wealth of scenery through which the road passes, not to mention the invaluable information that is systematically arranged throughout the book in regard to the hotels and boarding houses, the prices of board, the fares, the dis tances, the possible excursion, and, in a word, all that that usually inquiring person, the summer tourist, can posbly think of designer to lov Copies of the book will be forwarded

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"Iuxedo" in the Field. The theatrical colony that has been bivousced here for the last twenty days, breaks camp this morning and start for Lincoln, where it will inaugurate tonight the season of forty weeks in the theatrical world. Minstrel and merry man, comedicane and soubrette, singers, fun makers and musicians, or in other words the forty odd people that go to make up the personel of Thatcher's minstrels allied with Rich & Harris' comedy company in "Tuxedo" pack their baggage and start with scenery, prop erties and costumes to give the first per-formance of their new production this evening. After the dress rehearsal on Tuesday night 'Tuxedo" was attacked with scalpe and pruning knife, alterations were made e scenes were cut, new business was added, and in fact the piece was put through all the vigorous stages of a Russian bath. It

is now in such shape that a triumphal suc-cess is expected on the occasion of its first representation in Lincoln this evening. That Tired Feeling s promptly removed by drinking the tonic Regent Ferro-Manganese waters of Excelsion

Sad Case of Insanity.

J. R. Salmon is detained at the city jail for nsanity, but will be turned over to his friends as soon as arrangements are made to properly care for him. Some time ago Sal-mon caused the errest of his wife charging her with being Insane, and the case is still pending before the commissioners. Protract d illness is the cause of the mental unbalance ng of both parties.

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