

THERE WILL BE BUT ONE BOYD

Judge Irvine Decides the Question of Naming the Theatres. MR. CRAWFORD MUST MAKE A CHANGE.

Acting on the Order of the Court the Old Boyd Has Been Christened 'The Farnam Street Theater.'

Lester M. Crawford can continue in the theater business in Omaha, but he will have to select some other name than 'Boyd's opera house' for the theater at Fifteenth and Farnam streets.

Everybody knows that some time ago, prior to the opening of the present theatrical season, Mr. Crawford titled the town for plays at the 'Boyd.'

As soon as this happened James E. Boyd went into the courts and secured a restraining order to prevent Crawford from using the name 'Boyd.'

Judge Irvine heard the arguments last week, and yesterday morning in presence of the interested parties and a large number of spectators, handed down the following decision, which is given in brief:

'The corporation by James E. Boyd and Thomas F. Boyd its secretary, conveyed the premises to O. M. Carter, the descriptive part of the deed being as follows: Lot 3 block 119, Omaha. The deed recited that it was made in accordance with a resolution passed by a unanimous vote of all the stockholders and conveyed the property together with all the tenements, hereditaments and appurtenances and all of the estate, title, dower, claim or demand whatsoever of the Boyd's opera house association.'

'July 10, 1891, Carter conveyed the property to the American Bank building company by the same description.

'In 1890 Boyd commenced the erection of another building and styled it 'Boyd's theater.' In October, 1891, the American Bank building company leased the old theater to Crawford, the lease reading, all that portion of the building known as 'Boyd's opera house' used as a theater or in connection with said theater for the managing or carrying on the business of a theater, also, all furniture, fixtures and stage machinery therein, for the term of five years from July 14, 1891.

'On November 18, 1891, Carter gave notice to Crawford that Boyd objected to the use of his name on the old building, but Crawford, disregarding this, advertised the house as the Boyd's opera house association conveyed to Carter the rights of the association of the property. These rights were those of the owner in fee simple of the realty, and the theatrical business conducted therein, the corporation had no connection with the Boyd's own business. The use of the name, so far as this action is concerned, relates only to the conduct of the business and not the ownership of the realty. Crawford says that he desires to use the name because of the reputation attached to it by reason of plaintiff's prior management.'

'There is no pretense that the plaintiff at any time transferred his business to Carter, or the other defendants. There can be no possible question as to the ownership of the realty operated to convey a business and the good will thereof which happens to be conducted thereon. Crawford says that 'Suppose The Bee' building company should convey by lot and block numbers its realty. The name of the building is that of the newspaper and the name of the building for a moment that its conveyance, although under the name of 'The Bee' building, conveyed the good will of the newspaper.'

IS IT A CITY OR A VILLAGE?

South Omaha Daily Excited Over a Recent Legal Discovery. ALL BUSINESS INTERESTS INVOLVED.

The City Has no Levy and no Power Now to Make One—Is the Magic Municipality Insolvent?

The business and financial interests of the city are in the throes of anxiety and doubt, the city officials are paralyzed, claim-holders against the city are wild and contractors are on the anxious seat all over the city.

Section 1, of South Omaha charter act, as amended at the last session of the legislature, reads as follows: 'That all cities, having less than 25,000 and more than 10,000 inhabitants as ascertained and enumerated by authority of the laws of the United States in the year 1890, shall be governed by the provisions of this act, and no known as cities of the first class having less than 25,000 inhabitants.'

This provision places this city under the provisions of the old law governing cities of the second class having a population of more than 5,000. Under that law the tax levy is to be made by the county treasurer and by him paid over to the city.

The levy is to be made when the county commissioners make their annual levy and as that levy is already levied no levy can now be made even to the amount of the ton mill limit.

The assessed valuation of the city is \$1,187,000 and the amount appropriated illegally made by the city council, was 33 mills, yielding nearly \$60,000, only enough to meet expenses. The 10 mill law will yield less than \$20,000, or only enough to pay the interest and leave nothing for any other purposes.

The amended charter provides for the establishment of grading districts and the issuance of five-year bonds as to all contracts made are jeopardized like everything else affected by this charter change.

As the paving provisions are the same as in the old law paving matters will not be affected.

The city now has a floating indebtedness of about \$21,000, and in the present phase of the case no provision can be made to pay the same except by a special session of the legislature. The way out of the present predicament was changed by an act of the legislature which was passed by the county commissioners, the council at the second meeting in August cannot make an annual appropriation and as the time has past for the county commission to do so, the financial affairs of the city are exceedingly complicated.

THE LATEST CONUNDRUM.

Why is Hallor's Saraparilla and Burdock like the rest of the world's drugs? Because they both cleanse the skin and leave it soft and velvety.

PERSONAL PARAGRAPHS. J. B. Stewart of York is at the Paxton. Danne Baugh of Hyannis is at the Delone.

Shut Down for Lack of Hogs. Yesterday the Omaha packing company discharged all its killing hogs on the account of insufficient supply of hogs, and during the next few weeks will keep only such men as work as may be necessary to keep the house in order and care the stock.

A Railroad Blockade. Yesterday afternoon Union Pacific employes, acting under orders, ran an engine and several cars down to the Rock Island connection at Albright and blockaded the tracks and connections.

Sons of Veterans Lawn Social. Camp E. K. Wells No. 72, Sons of Veterans, will give a lawn social and Wednesday evening at the city hall, from 7 to 10 o'clock. Mrs. J. G. Gidd of Plattsmouth is at the Delone. S. A. Hall of Plattsmouth is at the Delone.

Notes About the City. Miss Maud Corey, formerly of this city, is the guest of friends. Fred Masters, of the yard's force, has returned from Illinois. Miss Myrtle Wallis will return home to Marquette, Mo. this week.

Decision in Favor of the Chicago. The new taxes sleeping cars of the Chicago, Milwaukee & St. Paul Ry., with electric lights in every berth, will continue to leave the Union depot, Omaha, at 6:29 p. m., daily. Passengers taking this train avoid transfer at Council Bluffs, and arrive in Chicago at 9:30 a. m., in ample time to make all eastern connections. Ticket office, 1501 Farnam street. F. A. NASH, General Agent. City Passenger Agent.

Parlous. Parlous have been granted Privates John Annan company F, Sixteenth infantry, Fort Duchesne, Utah, and Charles S. Allen, company I, Ninth cavalry, at the expiration of which, each at his own request, will be discharged from the service. Luther Douglas, musician, C company, Seventh infantry, has been granted a furlough from August 6 until November 5, 1891.

Marrriage Licenses. The following marriage licenses were issued by J. L. Shields yesterday: Name and address. Acc. 21 Maria Banta. 22 Joseph Seeneey, Rapid City, S. D. 23 Tom Gerlach, Rapid City, S. D.

Deaths. Not one of her hairless less under this head, fifty cents each additional one ten cents. ALTSBAY—Raymond J. aged 7 months, 5 days, son of Charles and Nora Altst. died at Twenty-fourth and Vinton streets, but the saddle and bridle were gone.

Medford Crove was too numerous on the street and for his offense, conducted in the presence of ladies was collared by Officer Montague, and on the hearing Judge King fined the festive Crove \$5 and costs.

OLD SUIT PANTS.

Our regular semi-annual sale of Odd Suit Pants begins today, when we place on sale in five grand lots, all the suit pants left in our store during the past six months. This sale will eclipse in magnitude any previous sale of the kind we have ever held, comprising, as it does, over two thousand pairs of pants left from FIFTEEN THOUSAND SUITS sold this season. This sale is ENTIRELY ORIGINAL WITH US, AND CANNOT BE IMITATED; only a house doing an enormous amount of business being able to lay aside such a quantity of goods during an entire season. We buy no goods for it. Every pair of pants on sale having been left from some suit of which only the coat and vest has been sold. The Pants in this sale are mostly from the better grades of suits, and are made of all wool, and silk and wool cassimeres, chevrots, clays, worsteds, tweeds, homespuns, meltons, &c., in a hundred and ten dark, light and medium shades and colors, as well as blacks; in plain, fancy mixtures, stripes, hair lines, pepper and salt, large and small checks (some checks so handsome that any bank will cash 'em on sight). They are in all sizes from 30 to 40 waists and from 29 to 34 lengths, and taken altogether they comprise the greatest assortment of pants ever shown in any one store at one time in Nebraska.

"LOTS" OF PANTS.

Table listing lot numbers and pant values: LOT ONE, PANTS WORTH FROM \$2.50 TO \$3.00 AT \$1.50; LOT TWO, PANTS WORTH FROM \$3.00 TO \$4.00 AT \$2.00; LOT THREE, PANTS WORTH FROM \$4.00 TO \$5.00 AT \$2.50; LOT FOUR, PANTS WORTH FROM \$5.00 TO \$6.50 AT \$3.25; LOT FIVE, PANTS WORTH FROM \$6.50 TO \$8.00 AT \$4.00.

PEEK IN OUR "PANT"RY WINDOW.

Nebraska Clothing Co.

WE CLOSE AT 6:30 P.M. SATURDAYS, 10 O'CLOCK

NO CURE! NO PAY. Dr. DOWNS.

1818 Douglas Street, Omaha, Neb. Many years' experience. A regular graduate in medicine at Annapolis, Md. Is well versed in the treatment of all Nervous, Chronic and Private Diseases. A permanent cure guaranteed for Catarrh, Stricture, Gonorrhea, Loss of Manhood, Seminal Weakness, Night Sweats, Impotency, Syphilis, Stricture, and all other diseases of the Blood, Skin and Lymphatic System. N. B. If cured or fail for every case I undertake and fail to cure, I will refund the money. Book 'Mysteries of Life' sent free. Office hours—9 a. m. to 5 p. m. Sunday 10 a. m. to 12 m. Send stamp for reply.

Advertisement for DOCTOR AKER'S ENGLISH BLOOD ELIXIR. Includes text: 'FOR SALE BY KUHNS & CO., Omaha.' and 'DOCTOR AKER'S ENGLISH BLOOD ELIXIR WHY? BECAUSE YOUR BLOOD IS IMPURE!'

Advertisement for POND'S EXTRACT. Includes text: 'POND'S EXTRACT. IT'S REMARKABLE SPECIFIC ACTION UPON THE AFFECTED PARTS GIVES IT SUPREME CONTROL OVER ITSELF, HOWEVER SEVERE.' and 'POND'S EXTRACT CO., 76 5th Ave., N. Y.'

Advertisement for HASTINGS ACADEMY. Includes text: 'HASTINGS ACADEMY. BOARDING AND DAY-SCHOOL FOR GIRLS AND YOUNG LADIES.' and 'HASTINGS, NEB.'

Advertisement for CHICAGO FEMALE COLLEGE. Includes text: 'CHICAGO FEMALE COLLEGE. AMERICAN CONSERVATORY, CHICAGO.' and 'CHICAGO FEMALE COLLEGE. AMERICAN CONSERVATORY, CHICAGO.'

Advertisement for KENTUCKY MILITARY INSTITUTE. Includes text: 'KENTUCKY MILITARY INSTITUTE. BAPTIST FEMALE COLLEGE. CENTRAL COLLEGE. ELIZ. AULL FEMALE SEMINARY. WELTHORP MILITARY ACADEMY.' and 'KENTUCKY MILITARY INSTITUTE. BAPTIST FEMALE COLLEGE. CENTRAL COLLEGE. ELIZ. AULL FEMALE SEMINARY. WELTHORP MILITARY ACADEMY.'

Advertisement for Dr. C. GEE WO. Includes text: 'DR. C. GEE WO. 519 1/2 North 16th Street. Office Hours from 9 a. m. to 9 p. m., Every Day. DOCTOR + MCGREW. THE SPECIALIST. SIXTEEN YEARS' EXPERIENCE IN THE TREATMENT OF PRIVATE DISEASES.' and 'DR. C. GEE WO. 519 1/2 North 16th Street. Office Hours from 9 a. m. to 9 p. m., Every Day. DOCTOR + MCGREW. THE SPECIALIST. SIXTEEN YEARS' EXPERIENCE IN THE TREATMENT OF PRIVATE DISEASES.'

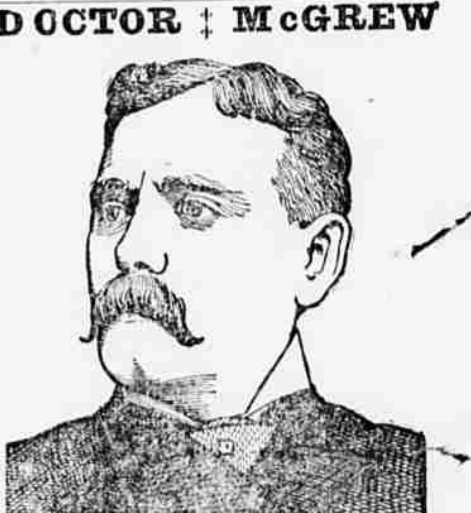


To the Citizens of Omaha and Vicinity:

Dr. C. Gee Wo is a regular graduate of medicine from China, having taken a thorough course of study, extending over eight years, in some of the best Chinese colleges. He offers his services to all those suffering from diseases of the blood, and is confident that in every case he undertakes he can do you good. Most of the ingredients he uses in his remedies are obtained from outside of China, many of them unknown to this country. He charges nothing for examination, consultation or advice. You can call and have a friendly chat with him, and he will frankly state what he can do for you. His consultations and examinations conducted in the utmost privacy and strictest confidence. His remedies are easy to take and perfectly harmless. The most of them act on the blood, purifying it and destroying the microbes or poisons.

Perhaps you are suffering from some disease of long standing and have tried almost every remedy known without success. Would it not be well to try the Chinese mode of treatment, and if you can't get any relief, Dr. C. Gee Wo will examine the case and tell you what he can do? Most of the ingredients he uses in his remedies are obtained from outside of China, many of them unknown to this country. He charges nothing for examination, consultation or advice. You can call and have a friendly chat with him, and he will frankly state what he can do for you. His consultations and examinations conducted in the utmost privacy and strictest confidence. His remedies are easy to take and perfectly harmless. The most of them act on the blood, purifying it and destroying the microbes or poisons.

JOHN H. HAMMETT, South Omaha, (West of Douglas) cured severe cold and rapid consumption, and general debility, and was cured in six months, cured wholly with Dr. C. Gee Wo's medicine. JOHN H. HAMMETT, South Omaha, (West of Douglas) cured severe cold and rapid consumption, and general debility, and was cured in six months, cured wholly with Dr. C. Gee Wo's medicine.



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MOORE'S TREE OF LIFE. Through instruction in English, Science, Art, Music, Latin, with French and German by native teachers. Book-keeping, shorthand, Typewriting, English, and all the modern and useful branches of education. For terms, etc., apply to REV. J. E. ENGLISH, or SISTER DIRECTRESS.

NEW INVENTION. Teeth without plates, removable bridge work, "Dr. Thompson's patent" and dropping down of plates, like anything you like, teeth remain firm. Just the thing for ministers, lawyers and public speakers. Price 10c. Little more than rubber plates, which reach off all Dr. Bailey, dentist, has the sole rights to Omaha and Douglas County, office 3rd floor, Union Block, Omaha.

Advertisement for A BURGULAR. Includes text: 'A BURGULAR requires courage, but imitators have the qualities of a burglar without his courage. Johann Hoff's Malt Extract is so popular that it is being imitated. See that the signature of "Johann Hoff" is on the neck of every bottle. Eisner & Mendelson Co., sole agents, 6 Barclay street, New York.'

Advertisement for BARKER'S Cream Baking Powder. Includes text: 'BARKER'S Cream Baking Powder. Used in Millions of Homes—40 Years the Standard.'

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Advertisement for HOTEL WENDOM. Includes text: 'HOTEL WENDOM. Centrally Located. All the Latest Improvements. Broadway & 11th St., New York.'

Advertisement for UNION DEPOT HOTEL. Includes text: 'UNION DEPOT HOTEL. Corner 11th and Mason streets. This block west of Union Pacific & M. & St. P. Ry. New building, well furnished, every thing first class, excellent location. In Omaha, the best eating and drinking place. Rates, 75c and 1.00. Every day of each an motor cars with omnibus, extra service. Apply to Union Depot Hotel, Omaha, Neb.'

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