

LEGAL FIGHT OF BROTHERS

Two Claimants of the Estate of John Thompson, Sr.

EACH PRESENTS A WILL TO THE COURT

Several Branch of Promise Suits in Which Lincoln People Are Interested—Bank Examiner McHugh's View of Mosher's Case.

LINCOLN, Neb., Feb. 24.—[Special to THE BEE.]—In Judge Tibbett's court today was to be seen the spectacle of two gray-haired men, brothers, fighting over the estate left by their father.

In 1859, John Thompson, Sr., a well-to-do farmer living in West Oak precinct, died, leaving two sons, John and James, and a daughter, all of middle age. Soon after his father's death James presented for probate a will dated December 15, 1857, cutting off John and his sister with only a few hundred dollars, and giving the balance of his estate to James. Soon afterwards John appeared with another will, dated December 19, 1858, in which James got but \$1 and John the bulk of the estate.

John objected to James' will on the ground that it had long since been canceled and annulled, and was not the last will and testament of their father. James objected to the John's will on the ground that undue influence had been brought to bear on the old man during his last illness, and related that he had a conversation with his father at his father's solicitation to come to America, and had promised the farm if he would take care of his father. He entered into the possession of the farm and improved some \$2,500 worth, and thought he was entitled to it.

The lower court held that John's will was the last valid one and James' appeal is now being heard. In the latter part of 1887 the father had brought suit to annul the will in James' favor and quiet the title finally decided in his favor. The property interests involved are about \$25,000.

Branch of Promise Case.

William Baird asks the district court to dismiss the case for \$5,000 damages for breach of promise of marriage brought by Rose Weir. He admits that he wrote a letter proposing marriage and that he at that time had the desire to marry her, but afterwards they mutually agreed that they were unsuited to one another by reason of their habits and temperaments, and the engagement was broken off by mutual consent. He intimates that her desire for punitive damages arose only when she found out he had married another woman.

City in Brief.

Company D, Nebraska National guards, gave its second annual ball at Temple hall last evening. It was a very pleasant event, and there were present a number of officers of the militia, the local civil infantry company and Grand Army men.

The feature of the program for this evening at the carnival was the tableaux prepared by Mrs. Ladd and Miss Lulu Clark, representing humorous pictures from the illustrated publications. Vocal and instrumental selections were also given.

The board of education has agreed to do in a clerical way with the affairs of the Capital National bank states that in the report which Bank Examiner McHugh sent to the comptroller of the currency, that even if Mosher's relatives did not come to his assistance the bank would pay out 70 cents on the dollar.

In district court today Minnie Deatherage secured a divorce from her husband, Newton, on the ground of abandonment, and Jesse W. Coppe, formerly of Superior, was granted custody of her two children, aged 11 and 12. Adams asks for a divorce from Irvin Adams because he cruelly abused her in endeavoring to compel her to enter a life of seclusion for his benefit.

Harry Johnson, aged 9 years, living at Twenty-ninth and Porter streets, had an accident this morning by being pushed over an embankment by a playmate.

The board of education has issued a lengthy circular setting forth the financial condition of the schools, and giving the reasons for closing them two months earlier than usual. The board declines to stretch its powers and extend the term of school, but the appropriation if the city council is allowed to have supervision over the funds to the extent of saying how much the school shall be.

The numerous parties furnished in the as equally numerous cases against the Capital National bank and Mosher, and Outcall ask that the attachment be dissolved. At present they are the parties to whom Mosher and Outcall had transferred their property, and they claim that their assignments were made to secure their own interests, and are not endorsed. Mosher and Outcall also make affidavit that they transferred their property for the purpose of defrauding the bank, and to cheat or defraud any one.

Judge Hall and a jury are engaged today in hearing the case of John Carr against the city of Lincoln for \$100 damages for personal injuries sustained by driving into an unprotected ditch in East Lincoln.

The prohibition convention came to an end last evening by the address of George St. John of Kansas. It was a radical talk for prohibition and declared that woman suffrage was the only way to secure it.

Miss Laura Engler, a pretty young school-teacher who has charge of the West Lincoln young ladies, was arrested today on complaint of Mrs. Charles Keener, who alleges that the schoolmistress unduly punished her 10-year-old daughter Alma yesterday afternoon. The case will be heard tomorrow morning.

PERM. Neb., Feb. 24.—[Special to THE BEE.]—The First Baptist church members held a festival in their church Wednesday night. A pleasant time was enjoyed by all present. The net proceeds were about \$70, which will be given to the pastor, Rev. B. Beckwith.

Mr. Drey of Lincoln and Miss Randol of this city were married Wednesday evening at 7:30 at the bride's residence on Neal avenue. A large crowd of friends was present.

Mr. Wambold, president of the Open Horse Collar company of Blair, and Miss Smith of this place were married at Blair. A masquerade ball was given by the Peru Cornet band Wednesday evening in Meier's hall.

McKielgan's Private Secretary. BEAVER CITY, Neb., Feb. 24.—[Special Telegram to THE BEE.]—Charles M. Kelley, a prominent young democrat of this place, has just received the appointment of private secretary to Congressman McKielgan, and his duties will begin with the Fifty-third congress.

Secured Family Prices. YORK, Neb., Feb. 24.—[Special to THE BEE.]—At A. Nickel's sale held yesterday, thoroughbred Poland China hogs sold from \$10 up to as high as \$100.

L. F. Andrews' new farms near York sold this week for \$25 per acre.

A Child Engaged. The pleasant favor, gentle action and soothing effect of Syrup of Figs, when in need of a laxative, is the father or mother, be costive or bilious, the most gratifying results follow its use; so that it is the best family remedy known and every family should have a bottle.

LOW RATE EXCURSION. To Houston, Tex., and Return—\$25.00. My eleventh special excursion to Houston, Tex., will leave Omaha Monday, February 27, 1893. Tickets good to return until June 1. Transit limit 15 days in each direction, and good to stop over at pleasure.

For all particulars, address R. C. Patterson, 425 Range Building, Omaha.

ANNOUNCEMENTS. John D. Hopkins' Transcendental Specialty company will give two performances at Boyd's theater today—a matinee at 2:30 this afternoon and the regular evening performance at 8. The engagement will close to-

morning. Remember the Sunday matinee and the cheap prices.

Probably no concert company has been here of late years could present such a strong array of artists as the Nordic Opera and Concert company, which appears at the Grand Opera house, March 1. Nordica, Skalchi, Campanini, Del Puente and Fischer are singers who have gained their reputations in the principal opera companies of both Europe and America.

The general scenes in the play of "Gentleman Jack" presented a view of the campus at Payne college, the Madison Square garden, Corbett's training quarters at Asbury park and the historic scene of the Olympic club at New Orleans. Assurance is given that all these scenes were especially painted from photographs taken on the spot. An unusually large attendance of ladies is expected at the matinee performance, as has been the experience in other cities. A careful selection was made by Manager Brady in securing the present company, the individual members of which were culled from such admirable organizations as A. M. Palmer, Augustin Daly and Daniel Frohman's companies. Corbett will appear at the Farnum Street theater two nights, Friday and Saturday, and Saturday matinee of next week.

Louise Imogene Guiney and Mr. William Seymour advised the "Crust of Society" from Dumas's novel, "The Dem-Nonde." The scenes have been seen in this country under other titles. From the plot it will be seen that the subject is a dangerous one to handle delicately, that is without giving offense, but it would be well nigh impossible to present such a piece and have it wholly devoid of suggestiveness. The play is so concentrated on having presented the thread of the story, with so little objectionable matter, for while to the observant mind the facts are sufficiently clear there is nothing to offend either the eye or ear. The "Crust of Society" will be seen at Boyd's new theater next Monday and Tuesday, February 27 and 28. The sale of seats for both nights will open this morning at 9 o'clock.

Strangely Entitled. The advertising of Hood's Sarsaparilla appeals to the sober, common sense of thinking people, because it is true; and it is always fully substantiated by endorsements which in the financial world would be accepted without a moment's hesitation. They tell the story—HOOD'S CURES.

Hood's Pills cure liver illa, jaundice, biliousness, sick headache, constipation.

SPECIAL LOW RATES. To Mobile, Ala.

On Monday, March 6, my second excursion will leave Council Bluffs for Mobile, Ala., 60,000 acres of choice farming and fruit growing lands along the line of the Mobile & Ohio R. R. at from \$1.50 to \$5.00 per acre. Stop over privileges at all points south of Jackson, Tenn. For further information and a descriptive land folder call on or write to

Room 301 Merriam Block, Council Bluffs, Ia.

Farmers' Excursion. Special rates to Cherokee county and return, where I have for sale 100 of the finest farms ever saw lying under the Belmont canal. Delightful climate; farmers have been plowing all winter and are seeding what now. You apply the water, and the crop grows, and there is never a failure. Forty acres will raise more than the best quarter section in any locality where the irrigating system is not used. The first crop will pay for every acre cultivated. For terms and particulars call on or address W. H. Green, room 215 Karbach block.

THE REALTY MARKET. INSTRUMENTS placed on record February 24, 1893.

WARRANTY DEEDS. Emily Barber to J. Carr, lot 4, block 1, Walnut Hill, \$1,000.

E. F. Ritter and wife to C. A. Wierhoff, lots 11 and 12, block 4, Denman Place, \$1,400.

E. J. York and wife to M. J. Saunders, lot 13, block 13, \$1,800.

It's said to Walnut Hill, \$1,800.

Warrant Deeds. W. H. Green to Linger & Metcalf company, lots 1 and 2, block 5, Walnut Hill, \$1,800.

Albama Planck and wife to J. A. Dodge, lot 12, block 13, \$1,800.

Albama Planck and wife to Henry J. Manly, lot 10, block 13, \$1,800.

John H. McGee and wife to Henry J. Manly, lot 11, block 13, \$1,800.

J. J. McGee and wife to W. D. Youlen, lot 12, block 13, \$1,800.

L. A. Harris to Clara Elliott, lots 14 and 15, block 13, \$1,800.

Francis Smith and wife to E. W. Snow, W. 1/2 lot 8, block 120, Omaha, \$50.

DEEDS. R. M. Richmond (special master) to W. H. Waddell, lot 7, block 17, Omaha, \$1,000.

Total amount of transfers, \$22,920.

Children and Frost Bites. A few applications of Chamberlain's Pain Balm will relieve the itching and burning sensation caused by frost bites and chilblains, and its continued use soon effects a permanent cure. This Balm is also a sure cure for rheumatism. 50-cent bottles for sale by all druggists.

AT BEDTIME I TAKE A PLEASANT SLEEPERS DRINK. THREE MORNING FEEL BRIGHT AND NEW MY COMPLEXION IS BETTER. My doctor says it is my protection against liver and kidney ailments, and a pleasant drink made from berries, and is prepared for use at all seasons.

LANE'S MEDICINE. All druggists sell it, and a sample will be sent free of charge for a few samples each day. It is better than any other medicine for the cure of all ailments.

"Improvement of the Order of the Age."

It is unnecessary to mention the points of superiority possessed by the Smith Premier Typewriter, as it is now so well known.

When it was put on the market rivals said it would be a failure. Time has shown them wrong in every particular, and has proved that it is the best and most perfect typewriter ever invented, and today it stands far ahead of all other typewriters.

THE SMITH PREMIER TYPEWRITER CO. Cor. 17th and Farnam Sts., Omaha, Neb. E. M. HAYES, Manager.

Caution!

Don't be deceived by ignorant, unscrupulous fakirs and confidence men, assuming to offer "Indian Remedies," and who pretend that their nostrums are made by the Indians.

KICKAPOO Indian Sagwa

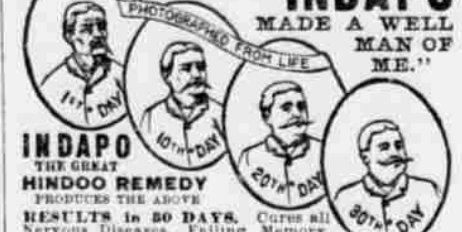
and other Kickapoo Indian Remedies are THE ONLY GENUINE INDIAN REMEDIES MADE AND SOLD IN AMERICA.

The word "Kickapoo" is copyrighted, and they dare not steal that.

Be sure you get "Kickapoo Remedies," and see that every bottle or package bears this authentic signature thus:

Wanted—Male Help. SALARY OR COMMISSION TO AGENTS TO sell Kickapoo Remedies. For full particulars apply to the proprietor, J. H. Hayes, 101 South 15th St., Omaha, Neb.

FREE! Send three 5c stamps to post-agent, and we will mail you free a thrilling and intensely interesting book of 173 pages, entitled "THE KICKAPOO INDIANS." Tells all about the Indians.



INDAPO THE GREAT HINDOO REMEDY. RESULTS IN 30 DAYS. Cures all kinds of skin diseases, including eczema, psoriasis, and other ailments.

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W-OMAHA SAVINGS BANK MAKES LOANS on real estate at lowest interest rates. Loans for \$500 up to \$10,000. For full particulars apply to the bank.

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