WORK OF THE CITY COUNCIL

Mayor Bemis Vetoes the Barber Asphalt Repair Bill for 1892.

SUSTAINED BY A VOTE OF THE COUNCIL

Resolutions from the Board of Public Works—Paving Problem Goes to Supreme Tribunal for Final Disposition—Other Business.

Mayor Bemis' sound judgment and a vigorously worded veto killed the Barber asphalt repair claim for 1892, amounting to $16,515.71. The receipt of the veto at the special meeting last night was a surprise to the supporters of the asphalt claim. They were evidently unprepared for it. Some of the members, notably Councilmen Parker, Specht, Thomas and Bechel, who have voted for the claim every time it has come up, wheeled into line and voted to sustain the veto, which was as follows:

To the Honorable, the City Council of the City of Omaha.

Gentlemen—I have the honor to report that I have approved appropriation ordinance No. 53, with the exception of an item in favor of the Barber Asphalt Paving company of $16,515.71 for making repairs on asphalt streets during the year 1892, which I have vetoed for the following reasons:

First—The pretended contract under which the Barber Asphalt company claims to have made repairs was never made in pursuance of any advertisement for bids and was not let to the lowest bidder, as it should have been, and considering the manner in which it was secured I believe the same to be fraudulent and void.

Second—The price allowed the Barber Asphalt company for making repairs I believe to be excessive.

Third—The Barber Asphalt company has failed and neglected to keep its asphaltum streets in a proper condition of repair. Notwithstanding the fact that the Board of Public Works has approved of the work done by the Barber Asphalt company during the year 1892, it is a notorious fact known to almost every citizen in Omaha that many of our asphaltum streets during last year, as well as during preceding years, were neglected and left in a disgraceful condition. It is also well known that many of our streets which have been paved with asphaltum still remain in such condition. I believe that if the Barber Asphalt company is to receive pay for the entire surface of certain paved streets it should keep such streets in a proper condition of repair before it can reasonably demand pay according to the contract rates even though said contract was a valid one.

Fourth—For the reason that said Barber Asphalt company, in order to keep its pretended contract in force and to prevent the city from abrogating the same, has commenced a suit against the members of the Board of Public Works to enjoin the cancellation of said contract and to compel specific performance of the same by the city, and has thereby prevented and restrained the city from cancelling said contract, as it long since should have done.

Fifth—It is a matter of record as well as of common notoriety that for many months prior to the period of time covered by this item of $16,515.71 the Barber Asphalt company willfully ignored the orders of the Board of Public Works, relating to the repairs of asphalt streets and refused to take repairs which had been ordered by said board. As the result of said willful refusal and neglect on the part of the Barber Asphalt company to make repairs, the claims of the Barber Asphalt company were disallowed and have never been paid, nor has any action ever been commenced in the courts by the Barber Asphalt company whereby its rights and the rights of the city under said contract could be determined.

I am thoroughly convinced that no allowance should be made to the Barber Asphalt company for repairs on asphalt streets until it has first been determined by the courts whether the so-called repair contracts of the Barber Asphalt company is valid and binding on the city. If it is not binding it is manifest that the Barber Asphalt company can only recover the fair reasonable amount for the repairs by it actually made.

For the reasons stated, and until a final decision of the courts is obtained, I believe that no allowance whatever should be made to the Barber Asphalt company for any repairs.

The roll call on the veto proceeded without interruption until Mr. Howell's name was reached. He said he was glad to know that his confidence in the mayor's judgment was not displaced. Mr. Parker said the same. The other members voted without the customary explanation.

The vote on sustaining the veto was as follows: Ayes, Bruner, Elsasser, Howell, Jacobsen, Parker, Specht, Steel, Thomas, Bechel—9. Nays, Edwards, Hascall, Wheeler—3.

Paving Problem Discussed.

The following resolution from the Board of Public Works was read:

Whereas, This board has received from the city clerk, ordinance No. 3,590, ordering the improvement of Twenty-sixth street from Farnam street to Half Howard street in street improvement district No. 512, which ordinance was passed by the city council June 22, 1893, and approved by the mayor June 23, 1893; and

Whereas, By the provisions of said ordinance this board is ordered to cause the work of paving in said improvement district to be done and to enter into a contract for the same with the lowest responsible bidder under the specifications on file in the office of said board; and

Whereas, Said improvement district was created by the mayor and city council by the passage and approval of ordinance No. 3,462; and

Whereas, Said improvement district No. 512 was so created without any petition from the property owners owning property along said street ordered to be paved; and

Whereas, The only requests for paving said street from property owners owning property along said street ordered to be paved were two petitions, one dated May 15, 1893, and received by the city clerk and presented to the city council the same date; the other received by the city clerk May 25, 1893, and presented to the city council the same date, having attached thereto the certificate of the city engineer showing that more than a majority of the property owners in said district had petitioned for paving and had designated as the material desired to be used for said paving vitrified brick, class A; and

Whereas, No advertisement for bids for said material specified in said petitions of said property owners was made subsequent to such designation and no bids for said material were received subsequent to such designation, but the advertisement for bids for such material for said district was made subsequent to the passage and approval of said ordinance No. 3,462, creating said district, and in pursuance of the provisions thereof; and,

Whereas, His honor, Judge Walton of the district court, in the recent case of Beard vs Omaha, which involved the right of the city to proceed with paving in certain other districts, has decided that before the advertisement for bids is made the lot owners shall determine the material to be used, and that this is apparent, as he states in his opinion, because no reasonable bid could be made until the material to be used is selected; and,

Whereas, Under the decision of the supreme court in the case of Von Steen et al vs the city of Beatrice, and the decision of Judge Walton referred to, doubts exist as to whether the petitions of property owners hereinbefore referred to are sufficient to confer jurisdiction on the council and mayor to order and require said work of paving to be done, as is ordered and required by said ordinance No. 3,590 by reason of said improvement district having been created without a petition of the property owners, and by reason of said two petitions representing as they do a majority of all the property within said district and fronting along said street ordered to be paved, not having been presented to the council prior to the passage of ordinance No. 3,462 and also by reason of bids not having been advertised for or received for the material designated by said majority of property owners in said improvement district subsequent to their said designation of material; therefore be it

Resolved, By the Board of Public Works of Omaha, that said Board of Public Works, for the reasons recited above, refuses to take any further action with reference to the paving of said Twenty-sixth street from Farnam street to Half Howard street under the proceedings had and taken with reference to the ordering of said paving, and that said Board of Public Works refuses to cause said work to be done and refuses to enter into a contract for the same with the lowest responsible bidder under the specifications on file in the office of the said board as required by said ordinance No. 3,590; and be it further

Resolved, That a copy of this resolution be immediately forwarded by the secretary of this board to the city council and mayor for the information of the council and mayor as to the action taken by this board.

Unanimously Adopted.

Mr. Hascall offered a resolution directing City Attorney Connell to commence mandamus proceedings in the supreme court to compel the board to enter into such contract. The resolution was unanimously adopted.

Another resolution empowered the Board of Public Works to employ an attorney to present its side of the case.

Comptroller Olson was directed to advertise for bids for feeding of city prisoners, the present contract expiring July 1.

Ordinances were passed as follows: Ordering grading of Jones street, from Twenty-second to a point twenty-nine feet west of Twenty-second street, and Twenty-fifth street from Leavenworth to south line of Marsh's addition; changing grade of Pierce street from Twenty-second to center of block between Twenty-fourth street and Twenty-fifth avenue.

MACKAY ON STANFORD'S MONEY.

Bonanza King Says the Late Senator Was the Richest Man in the West.

New York, June 23.—John W. Mackay is not a man who gossips much about the financial condition of those who like himself are great capitalists, but he is reported to have said some months ago that Leland Stanford was the richest man west of the Mississippi river, and that his estate would be found probably to be greater rather than less than the figures which common report has named as the amount of it. The general impression here is that Senator Stanford was a wealthier man than any of those who are the owners of great fortunes in New York, excepting Cornelius and William K. Vanderbilt, the two Astors, William Waldorf and John Jacob, John D. Rockefeller, and if Mr. Gould's estate is to be considered as practically divided property that is probably larger than the wealth which Senator Stanford died possessed of. D. O. Mills may possibly be as rich a man as Senator Stanford, but whether C. P. Huntington is or not he alone knows. The Hopkins estate was considerably less than that which Senator Stanford is believed to have left, and the Goelets of this city, rich as they are in real estate, are not estimated to be the owners of more than $30,000,000. Mr. Mackay's assertion that Mr. Stanford was the richest man upon the Pacific slope was taken as an intimation that Mackay believed his own wealth to be much less than that of Mr. Stanford.

What will become of the Hopkins millions is a question which capitalists here are asking one another with some rather curious comments. It is reported that Mr. Searles, who inherited through the widow of Mark Hopkins some $20,000,000, has become an actual recluse, having built a great wall around the estate at Great Barrington, Mass., whereby he keeps himself concealed from the world and passes his time in meditation and such literary pursuits as delight him. His lawyers manage the estate, they control one newspaper in this city, and there are intimations that Mr. Searles has in contemplation the bequeathing of so much of it as is left after he dies to establish some great public benefaction.

The combination of capital on a great scale which up to March 1 last was so frequent that even associations of capitalists representing as much as $100,000,000 failed to excite comment, since the novelty was gone, has been checked by these financial troubles. Therefore the report that a combination of capitalists seemed to control the electric railway business of the state of New Jersey and involving perhaps a capitalization of as much as $100,000,000, and perhaps more, has excited a great deal of interest here. It is not known who all the capitalists are who have taken part in this enterprise. John D. Crimmins, who is the head of the New York company which is controlled by the Philadelphia syndicate and which aims to secure every street car line in New York excepting the one owned by the Vanderbilts, is one of the greater capitalists interested in this combination and has been one of the chief promoters of the plan. The avowed purpose of this organization is the connection of some of those surburban cities which lie within a radius of twenty-five miles from the city hall in New York on the west side of the Hudson river. There is a population of more than 500,000 in these cities, and the estimate of the promoters of this gigantic enterprise is that even upon so great a capitalization as $50,000,000 the consolidated electric railway systems will pay handsomely.

The profits which a rapid transit system may furnish to those who own it when it is built in the midst of a rapidly growing community are illustrated by a proposition which the owners of the Metropolitan railway company are now considering. They propose before long to issue a stock dividend of some $6,000,000, and they will justify this issue on the ground that it represents capitalization property, since it provides for a permanent obligation of the company representing the vast sums of money which have been paid to those whose property has been injured by the erection of the elevated structures.

There were a number of ladies and gentlemen yesterday from Council Bluffs at Courtland beach. Several went in bathing.

Y. M. C. A.'s Doings.

This afternoon, if the weather is favorable, the men's services held on the grandstand, Athletic park, will be addressed by Rev. S. B. Barnitz, D.D., of Des Moines, Ia. Dr. Barnitz is one of the finest speakers in the Lutheran church and is now attending the conference here. The Young Men's Christian Association Brass band will assist in the musical services of the day. Its absence last Sunday was unavoidable on account of the nonarrival of the select sacred music ordered from New York. The music, therefore, for this day will be in accord with the services.

The second open air service will be held at 4:30 p. m. at Rodgers' park on Sixth and Williams streets. It will be addressed by a delegate to the Lutheran conference. The musical services here will also be a special feature. Mr. Briggs of Kansas City will sing.

Colonel Bird's bible class will be held as usual at 3 o'clock. The morning bible class will be held by Mr. L. T. Haven.

Tuesday evening next a game of basket ball will be given at the athletic park at 7:30. The grandstand will be open to the members and their ladies and to visitors, also, free of charge. This is becoming a popular game, and affords much amusement.

The meeting of the new reception was held last night. C. J. Mattern, esq., is chairman, and fifteen members were present. Mr. S. F. Abel was elected secretary of the committee. The appointments were made so that there would be three members on duty each evening to welcome and entertain strangers. The members of the committee are of the brightest and most vigorous young men of the association.

Mr. L. I. Abbott, who is at the World's fair to see how cheap the fair can be seen by a young man, reports that he will be able to "surprise the natives" at his lecture on Thursday evening.

Nebraska Bible School.

The Nebraska Bible school will be held a Crete, July 18-26, under the auspices of the Gospel union.

The committee in charge has secured some of the best instructors in the country, among them: Rev. C. I. Scofield of Dallas, Tex.; Rev. T. A. Steven, secretary-treasurer of the China Inland Mission, who has spent seven years in China as a missionary; Mr. Aug. Nash, formerly state secretary of the Young Men's Christian association of Nebraska; George S. Fisher, secretary of the World's Gospel union, and others.

Rev. W. C. Stevenson of McCook, who is well known to all Christian endeavorers of the state, will have charge of the singing. There will be early morning meetings for prayer, forenoon and afternoon meetings for bible study, and missionary and consecration meetings in the evening. Christians of all denominations are most cordially invited. Board will be furnished at the dining hall on the grounds. All will be made comfortable in tent or cottage as desired. The entire expense for the eight days on the grounds will only be $5. It will be necessary to bring bedclothes and toilet articles. A fare and a third has been secured on the certificate plan. Further information will be gladly given by addressing C. P. Stealey, state secretary, Lincoln, Neb. The meeting will be held on the Chautauqua grounds just after the close of the assembly.

The switchback is becoming a great favorite at Courtland beach and promises a handsome return to the association who had the enterprise to open a first-class resort, such as the new beach is.

SANDWICHED WITH SPORT

Annual Picnic of the Three Councils of the Royal Arcanum.

FAT MEN IMITATE FLEET ATALANTA

Ladies Show Proficiency in Rowing and Running Races—Courtland Beach Crowded with a Happy, Fun Loving Throng.

The annual picnic held yesterday afternoon and evening at Courtland beach by the members of the three councils of Royal Arcanum of Omaha and South Omaha was a most delightful success in every respect.

Although the weather looked somewhat lowering, the attendance was large. The games and sports were taken up promptly on time and went through with a snap and zeal that was highly entertaining. The program of sports was announced to begin at 4 o'clock. Long before that hour there were scores of gentlemen and their ladies on the grounds and ready for the fun. Arrangements had been made with the management of the beach for the exclusive use of the upper floor of the pavilion for members of the Arcanum. This made an admirable place for viewing the races and for lunch prior to the time of dancing.

With the exception of the rowing race, the tub race and the swimming match, the foot races and other contests took place on the broad drive in front of the pavilion and along the beach between the lake and the pavilion. The first contest called was the "topf-schlagen" match. It is a German sport and consists of blindfolding a number of men and letting them strike a certain number of times at a row of bottles on the ground. The man who succeeds in breaking the most bottles in a given time is declared the winner. W. B. Perry of South Omaha succeeded in smashing about everything in sight during the onslaught and was awarded the prize, consisting of a case of assorted pickles presented by the Gedney Pickle company.

The quoit pitching contest was won by Dale Graham, who walked away with a fine box of cigars donated by Eicher & Kiplinger.

Queens of the Oar.

The ladies rowing race was very exciting. There were four teams in the race. The scull propelled by Mrs. C. D. Sutphen and Mrs. J. L. Johnson came in ahead by a neck or two and they took home the prize, consisting of a pair of solid silver miniature oars donated by Hayden Bros.

When the gent's sack race was called the faces of the entire multitude began to grow broader under the anticipation of fun ahead. There were nine starters in the race and after bobbing about and hopping along over the race course like so many decapitated chickens for about one minute and a half, C. R. Hurley flopped his frame across the goal considerably in advance of any of his competitors. A dispute arose as to whether the winner was the man who got to the goal first standing, rolling or crawling, or the man who got there first on his feet without falling at all. It was finally agreed that is was a go-as-you-please race and the man who reached the goal first in any manner whatever, just so he kept the sack on, was the winner. Mr. Hurley took home a fine pair of slippers donated for the contest by Drexel & Rosenweig.

There must have been something like twenty ladies in the egg race. They ran in squads of six, and the winners in each squad then had the tug o' war to conclude the contest. Miss Louis Blank won a solid silver spoon presented by the Union Pacific council No. 1069, Royal Arcanum.

Obesity Was in It.

The fat man's race was for blood. It was also for a ham put up for the winner by the Cudahy Packing company. There were eight human Jumbos in the 100 hundred yard race, and Thomas Hoctor of South Omaha won by fully five feet.

There were nine pairs of three-legged men who contested in the 50 yard race for a pair of featherweight chairs donated by the Columbian Chair and Cane Manufacturing company. The human tripod formed by the union of Dale Graham and George Anderson won the race by a good long lead.

The girl's running race was one of the most exciting events of the entire program. Several of the girls were veritable sprinters. Miss Emma Potter, a fair-haired lass of about 14, carried off the prize consisting of a box of fruit tablets donated by the Cudahy Packing company. The boys' race was won by Herman Metz.

Then all eyes were turned toward the boat house pier, where half a dozen men and boys were cutting capers in the water with tubs. It was the tub race, and after the usual ducking and plunging about the race was declared won by George Andrews. He carried home the solid silver hat brush donated by the Lee-Clarke-Andreesen Hardware company.

In the Swim.

There were four starters in the fifty yards and return swimming race. George Andrews was an easy winner and got the handsome bathing suit presented by Browning, King & Co.

After lunch, which some enjoyed in the pavilion and others under the trees on the lawn, the band began to fill the air with snatches of melody and dancing began. Those who did not care to dance took to the boats or the bathing suits, and for an hour or more there was more fun in that vicinity than could be piled up on a ten-acre lot. The switchback was kept humming, the refreshment department met with a rush all along the line and everything went merry as a marriage bell.

The success of the picnic was due largely to the admirable manner in which it was managed. Charles B. Gedney, master of ceremonies; judges, A. P. Connor of the Union Pacific council; F. R. Straight of the Pioneer council; F. A. Broadwell of the Knoxall council, and A. P. Brink, at large, were among the most active and efficient in making the picnic an enjoyable affair.

THEY DON'T AGREE.

County Clerk and County Treasurer Looking Through Different Glasses.

There is a storm gathering in the vicinity of the court house and it has been brought on by the fact that the commissioners have instructed the county treasurer and the county clerk to comply with the law, relative to the making and keeping the duplicate tax lists and receipts of the treasurer's office. What the result will be no one will attempt to predict until after the clouds roll by and peace has been restored in the several departments.

The Bee gave recently notice that the commissioners had authorized the clerk and the auditor to make up the lists and also publish some of the opinions of the treasurer, relative to the cost of the work and the future expense that would have to be incurred by following out such a plan.

Chairman Stenberg jumped into the arena to say that the county treasurer was talking through his tile and that the new departure was something that was intended to be a great saving to the taxpayers of the county. In the first place Mr. Stenberg points to the fact that when the American National bank went to the wall the treasurer gave it out that there was only $20,000 tied up in the suspension, when in fact the sum aggregated $77,611.56, of which nearly one-half belonged to the general fund. He says that he went to the office of the county treasurer for the purpose of getting figures on the amount of the deposit and that it was fully one week before he could secure the information. This one matter, the chairman says, shows the necessity of having a duplicate set of books.

During all of the time when the large amount of money was in the bank, warrants were being presented and payment refused, simply for the reason that the treasurer did not know the condition of the funds. Had he known their conditions, he could have drawn against this account and stopped the interest on at least $85,000 of the warrants drawn against the general fund, and which have been hawked about the streets for months. Further than this, the chairman states that large sums of money are in the other banks of the city, and that every day warrants are presented and payment refused, simply because the custodian of the general fund does not know how much money the county has to its credit.

Under the proposed plan the clerk will be so complete that each week the commissioners can tell at a glance just the amount of money that remains in the treasury and can order warrants paid in accordance with the balance as shown by the statement. Not only this, but at the same time they can tell the amount of the uncollected tax and figure accordingly.

All of the commissioners and the clerk are of the opinion that that the county will save enough in interest alone, during the next year, to pay for making up the books which will be needed. To show that the new plan is business, they point to the fact that the city pursues exactly such a plan; that it collects and disburses more money than the county and that there are less clerks than in the office of the county treasury at the present In the city treasurer's office, one man attends to the making of the triplicate receipts and makes them out by working half an hour each day, which fact the commissioners think will explode the statement that the additional work will require the services of two additional clerks in Mr. Irey's office.

One of the commissioners said that the statement that they could have the books at any time for the purpose of checking up the cash sounded well, but that it was not true. He had been into the office for the purpose of doing the work, but had always been unable to get hold of the books, for the reason that they were in use.

WITH NEBRASKA PRODUCTS.

Manufacturers and Their Guests Stuffed With a Home Grown Menu.

It was to be supposed that the members of the Manufacturers and Consumers association knew all there was to know about Nebraska manufactures, but they had an experience yesterday noon that was a revelation in that line even to them, just as it was to several guests of the association who accepted the invitation to partake of the "Home Industry Lunch," served under the auspices and direction of that organization.

The lunch was served at 12:30 in the lodge room on the seventh floor of The Bee building, and the novel feature of it was that everything on the table was of Nebraska manufacture. From the top of the lengthy bill of fare to the bottom every article was the output of a Nebraska factory, and manufactured by a member of the association that is making the successful fight for home industry in this state.

The idea of setting out a purely Nebraska lunch originated with Secretary Holmes, and it was the greatest kind of a success in every particular. Members had cheerfully responded to the request to so send in their respective products for the lunch, and when they finally took their places around the long tables that extended the full length of the room, they were treated to a most pleasant surprise, for there was hardly a man of them who, even after witnessing the great and varied exhibits at the recent exposition, had any idea that such a variety of edibles were manufactured in this state. There was everything necessary for a first class lunch; in fact, there were so many things that it was impossible for one individual to sample them all.

The tables were very attractively arranged, pyramids of the lightest rolls, biscuit, bread and sandwiches being relieved by cut flowers and natty bottles of condiments. In stand trays across the room were huge blocks of ice, in which were imbedded great bowls of iced tea, the whole beautifully garnished with smilax and roses.

Here is the menu, which was handsomely lithographed by Ackermann Bros. & Heintze, and gotten up as a souvenir:

Oat Meal Mush.....Quail Brand
Corn Bread.....Velvet Meal
Nebraska City Cereal Mills, Nebraska City.
Ham Sandwiches:
Victor Rolls.....C. C. White, Crete
Rex Brand Hams.....
..Cudahy Packing Company, South Omaha
Bread—"Reliance"..Omaha Milling Company
Biscuits—"Gold Medal"..S. F. Gilmore, Omaha
Butter.....Hayden's Creamery, Dodge
Saratoga Potato Chips..George Wolz, Fremont
Sweet pickles, Columbia catsup, Columbia chow chow, Columbia mustard, German custard, } Gedney Pickle Co., Omaha.
Worcestershire sauce, Salad dressing, French mustard, } The Chemical Mfg. Co., Lincoln.
Vinegar.....Haarman Vinegar works, Omaha
Crackers and fancy cakes.....
.....American Biscuit and Mfg. Co., Omaha
Strawberry and raspberry preserves, Puritan maple syrup, } Farrell & Co., Omaha.
Corn Starch Blanc Mange.....
Argo, Nebraska City, Starch Company, Nebraska City.
Mixed Candy...{ Kopp, Dreibus & Co., Omaha / Voegele & Dinning, Omaha
Coffee:
Gilt Edge.....
.....Lincoln Coffee and Spice Mills, Lincoln
Perfection.....
.....Consolidated Coffee Company, Omaha
Chicory...German Chicory Company, O'Neill
Iced Tea.
Momo...Consolidated Coffee Company, Omaha
Crystal Lake Ice...South Omaha Ice Company
Cigars.....Adelina, J. H. Richards, Omaha
Boiled Shirts:
Capital City Shirt Company, Lincon; Nebraska Shirt Company, Omaha.
Purity Baking Powder.....
Manufactured by Purity Extract company, Lincoln.
And

German yeast, Manufactured by German Yeast company, Omaha, were used in making the bread, rolls and biscuits.

The Lincoln Pottery company of Lincoln furnish the pitchers, the Western Tinware Manufacturing company of Omaha furnish the tinware.

Ackermann Bros. & Heintze of Omaha lithographed the bill of fare.

Secretary Holmes read the report of the recent exposition, showing the total expenses to have been a little short of $3,000, and the receipts $484 less than that. He did not think that the deficit represented a loss, as he was satisfied from reports already coming in from manufacturers that the exposition was an immense success, and would be of untold benefit to the manufacturers of the state.

Short congratulatory speeches were made by President Gibbon of the Commercial club, R. B. Peattie of the World-Herald, President Page of the Manufacturers association, S. J. Alexander of Lincoln, Chadwick of the Omaha Milling company, and Secretary Wedge of the Builders and Traders exchange.

PAYING THE PENALTY.

Judge Dundy Passes Out a Few Sentences to Violators of Law.

Whatever suspense or uncertainty may have lingered in the minds of several United States prisoners confined in the Douglas county jail relative to the sentence that hung over their heads was removed yesterday when Judge Dundy finished distributing the penalties that had been gathering against them.

Four counterfeiters and a soldier convicted of manslaughter stood up to take the dose prescribed.

Harry Lynn, the leader of the Nebraska City counterfeiting gang, was first called. Attorney Pat O. Hawes appeared in his behalf.

"What have you to say for your client?" inquired the judge, looking over his spectacles at the attorney.

"I want to call your attention to the fact that this is the first offense of the prisoner," said the attorney, "and that he is only an innocent farmer boy. You are a judge of human nature as well as a judge of law, and I am sure that you can see by looking at this young man that he is not a bad man. His face is enough to make his sentence a very light one."

The judge and the spectators smiled at this for as a matter of fact the fellow had a face like a fourth grade blackboard map of Australia.

"Could your client pay a reasonable fine if I should impose one?" inquired his honor of the attorney.

"I don't think he could, your honor, for I believe I have got all the money he had," blandly replied the irrepressible Pat.

Even the grave and solemn dispenser of justice had to smile at this frank admission on the part of the attorney.

"I will give you a fine of $100 and confinement in jail until the 1st day of January," said the judge, and the prisoner sat down.

Private Baxter, convicted of manslaughter during the present term, was given a fine of $10 and confinement in the Douglas county jail until the 17th day of next March.

Frank Hall and Tom McCarthy, also convicted of counterfeiting, were fined $100 each and sent to jail for six months.

William Chesen, a weak minded individual, found guilty of passing a counterfeit dollar, was fined $100 and confined in jail until July 4.

Struck by a Train.

New York, June 25.—The 3:15 train from Jersey City on the Newark branch of the Jersey Central struck a carriage. The carriage contained Mrs. Williams and a daughter. Mrs. Williams and child were instantly killed.

PROMISED TO PINCH THEM

Offenders of the Law Will Receive No Mercy from the Judge.

JUDGE SCOTT LECTURES THE CONVICTS

Says He Will Keep Douglas County's Space in the Pen Fully Occupied if He Gets on the Criminal Bench—District Court Doings.

Yesterday morning Judge Scott called Annie Brown into court and sentenced her to a term of seven years for having killed Bella Monda Arnold. The case was tried at this term of the court and the Brown woman was convicted of manslaughter, the charge being that while both women were in a disorderly house on Ninth street a row broke out and the Brown woman picked up a lamp from a table and threw it at Bella Arnold. When it struck her it exploded and the oil burned her so severely that she died a few hours later.

In passing sentence the judge said that the prosecuting attorney erred in charging the crime and that the information should have charged murder in the second degree instead of manslaughter, and then directing his attention to the defendant he read her a lecture which was intended for the other disorderly characters of the city. He said:

"It seems that you and others seem to think that you can carry on your nightly orgies, terrifying the whole city and making it unsafe for a man to walk along Ninth street after nightfall. This is an appalling spectacle to be tolerated in a city that exists in a Christian land, where it is to be presumed that law and order prevails. I say that it is appalling to think that you and other women and also men of your color will conduct yourselves in such a manner, when it is a fact that this country has expended billions of money and that enough men to make two states have laid down their lives that you might have your freedom and equal rights with those who possess a lighter complexion.

"If you wanted to be, you could be just as respectable as any white woman, and right here I want to say that I have a good deal more respect for you than I have for a white woman who engages in the occupation which you have been following. If you were a white woman I would give you the full limit of the law, but as you have not had the benefit of a moral education, I am compelled to let you off with a lighter sentence.

"If I live and have charge of the criminal docket next year I shall give you plenty of company at Lincoln, as I have determined that the people of this city pay enough money into the treasury each year to entitle them to that protection which will make their persons and their property so safe that they can walk any of the streets and at any time of night without fear of molestation."

Dismissed by the State's Error.

In the case of the state against Bernard Kohn, charged with having secreted a large quantity of goods with the intent of defrauding his creditors, Judge Keysor sustained the motion to quash the information and the case was dismissed. The case grew out of the Kohn & Harris failure and, after the attachments had issued, the sheriff found the goods secreted in the basement of a store room on Fifteenth street. Yesterday the case went out of court on account of an error of the county attorney. In the police court, where he filed the information and where the preliminary examination was held, he failed to charge the amount of the goods so secreted. The court held that this was a fatal defect in the information.

Suing a Bathing Resort Keeper.

Abigail A. Brotherton, administratrix of the estate of Hiram S. Brotherton, deceased, has brought suit against the Manhattan Beach Improvement association in an action to recover the sum of $5,000 damages, alleging that the members of the association were responsible for the drowning of her son in Lake Manawa on August 8, 1892.

To prove that the members were responsible she avers that on the day before mentioned the lad went to the lake to bathe, and that while there he hired a bathing suit and went out into the water. In addition to this she alleges that the beach company failed to put up notices, cautioning the bathers not to go into the deep water. On account of this failure, Hiram went out where the water was ten feet deep and there was drowned. Moreover she avers that the management failed to provide the means for resuscitating those who might be overcome or insensible by strangulation.

District Court Cullings.

Judge Ferguson is still confined to his room by sickness, and it is doubtful if he will be on the bench again during the present term.

The dismissal docket for the term was called by Judge Scott yesterday, and for various reasons 289 cases went out of court. This was the largest dismissal docket that was ever presented in the history of the county.

G. B. Blakeley and Albert B. Persinger have sued Frank Johnson, the former for $870, and the latter for $951. The suits grow out of the failure of the Sidney bank, which occurred in June, 1889, and of which bank Johnson was the president.

In the case of the state against Bert Foley, a saloon man who was convicted of having kept his drinking place open between the hours of midnight and 4 o'clock in the morning, the motion for a new trial was overruled. The motion for the new trial was based upon the fact that in the district court he did not introduce in evidence the provisions of the city ordinances regulating the running of saloons.

Miller & Stotenberg, charged with having sold liquor to a minor and convicted of that charge, were given a new trial. In the police court the information charged that wine was the liquor sold, but when the case was reached for trial in the district court, on motion of the county attorney, the information was amended by striking out the word "wine" and inserting the words "whisky and brandy." The court held that the amending of the information to that extent compelled the defendants to plead to an entirely different crime than the one with which they were charged in the lower court.

The people who had their money on deposit in the Bank of Sidney at the time when that concern went to the wall are now making a raid on F. B. Johnson, who was one of the proprietors, and are making his life a burden by the commencement of suits. The following new cases were brought yesterday: James J. McIntosh, $342.06; Henry Newman, $299.45; Charles C. Nelson, $254.82; Mack Radcliff, $271.78; E. McLermon, $564.95; John M. Adams, $518.81; William J. McCoy, $261.05; Mary Heilman, $300; C. Otterman, $400; Milo M. Fish, $140; Charles German, $183, and George F. Wood, $500.

HOT SPRINGS NOTES.

Farmers Resting at the Health Resort—Chances for the Summer.

Hot Springs, S. D., June 23.—[Special to The Bee.]—Hot Springs is probably suffering like the rest of the world from the stringency in money matters. When banks are breaking and a crash seems imminent, even people of wealth do not pack their grips and hie to some summer watering place to spend the heated term. It is a noteworthy fact, however, that a great many of our visitors are well-to-do farmers and their wives who have made their money tilling their fertile acres and laying up a little every year until they are now the most independent people of the state. Not less than fifty German farmers with their lusty wives from Dodge, Cuming and other counties on the lower Elkhorn have been here in the last three weeks.

The World's fair no doubt takes a big proportion of tourists who would otherwise visit a pleasure resort, and should July and August prove cool months, Hot Springs will not look for many pleasure seekers. The invalids are coming here greatly in excess of any former year and are receiving great benefit. One poor fellow from Alliance, who was crushed in a railway accident, has two silver sections in his back-bone, placed there by physicians.

Hon. Samuel W. Allerton of Chicago, whom Carter Harrison defeated for mayor, has been here for ten days with his wife, who is an invalid. She is regaining her health quite fast, and is now able to ride around the city, whereas when she came she had to be carried from the car. He talks philosophically of his defeat, and says he is able to live without the honor, and no doubt he can, for he has several millions carefully stowed away. Prof. Northrup of the Chicago university is also spending his vacation here. George A. Springer, another Chicago capitalist, who owns the large spring which is the source of Fall river, is here looking forward toward the establishment of a home for worn-out teachers at this place.

The national inspector of soldiers homes, General Averill, has had in mind the location of a $200,000 national hospital and sanitarium for United States soldiers at this place, and has accordingly secured a detail of forty rheumatic and diseased soldiers in active service from Fort Leavenworth, Kan., to come to Hot Springs to spend a month to test the waters. The location of the home here will depend upon the test of the waters.

The town was very much wrought up Thursday by Edna McGregor, the 16-year-old daughter of Melville McGregor, shooting her father with a 38-calibre revolver. It was only a flesh wound and will soon heal up. McGregor had been abusing his family and threatened to kill his wife and choke his daughter, when she got the revolver and let him have it. He was afterwards arrested and jailed. Friday morning he was brought before the court to be bound over to keep the peace, when his wife and he made a contract to separate, she to take all the property and he never to come near the domicile without her written invitation.

Not many Nebraska people are here this week.

GERMAN SOCIETY NOTES.

John Baumer's Birthday Celebration—Minor News of Interest.

A merry party it was that gathered last Wednesday evening at the residence of Mr. and Mrs. John Baumer, corner Burt and Nineteenth streets, on the occasion of Mr. Baumer's 53d birthday.

Mr. Baumer has resided in this city since 1867. Always amiable, he has a host of friends, who came to congratulate him. Among those present were nearly all the singers of the Omaha Saengerbund, of which society mine host of the evening is a member. In anticipation of their visits, tables had been set and spread with a sumptuous luncheon on the extensive lawn west and north of the house, where the party, by the light of many Chinese lanterns, did justice to the provided viands.

After the repast the members of the bund exercised their vocal organs under the direction of their efficient teacher, Prof. Charles Peterson. Joyous songs filled the air in the vicinity until nearly 12 o'clock, when Mr. Schnake arose to recall some history connected with the host's life, concluding with an expression of well wishes on behalf of those present and the hope of many future recurrences of the happy day.

This afternoon the South Omaha U. O. T. B. lodge No. 53 will celebrate its fifth anniversary, at which a new banner is to be unfurled. Invitations have been sent to Omaha lodges and those of other cities. They will be received at 1:30 p. m.

The program includes a parade through the streets and an address by Mr. Jacob Hauck.

A regular contributor from Omaha to Der Ortist, a paper issued at Duesseldorf, Germany, in the interests of circuses, is Max Jansen. His imaginary powers are the same as when Max was a cadet in the fatherland. They encircle the globe.

Instructor Watzenborn has notified the members of the turnverein that all those desirous of attending the Milwaukee gymnastic tournament give him immediate notice that hotel accommodations may be secured for them before June 30.

President J. B. Schupp of Central Labor union has been apprised that the Nebraska State Labor congress will convene at Central Labor union hall, 136 South Tenth street Lincoln, on Sunday, July 2, and that arrangements are being made for hotel accommodations.

The "Biedere Schroaben" composing the verein of that name who once owed allegiance to the potentate of Wurtemberg, but have since become subject of a people's government, have decided on a little outing this afternoon at Steyer's park near Coffman station where a picnic is to be given at which their wives, daughters and sweethearts will assist them in having a merry time. Trains will leave at 10 o'clock this morning.

It may not be generally known among the music-loving German population of Omaha that Mrs. H. Haarmann, nee Schunke, lady pianist, who before her marriage occasionally delighted her audiences and friends with her skilled performances on the instrument, is contemplating a pleasant surprise for her admirers of the art by a reappearance in musical circles.

Burglars Enjoy Themselves.

Burglars gained admission to the commission house of the Kirschbraun-Haskell Produce company Friday night by forcing open the front door. The desks were all opened and the contents scattered over the floors, but the vault door was not touched, so far as could be seen.

The thieves secured a box of cigars, a few dollars in postage stamps and postal cards and a silk umbrella. The change drawer which contained a few dollars was overlooked. In the basement they opened up a case of eggs and amused themselves with throwing eggs at a mark on the wall. Old files of paper, the accumulation of several years, were scattered about, and it will require no little amount of labor to put them in place again.

Brown is Bagged.

Detective Hudson returned from Kansas City yesterday afternoon with Thomas Brown, a colored man, who is charged with having been implicated in the robbery of Altman's clothing store at Sixteenth and California streets March 22. The store was thoroughly ransacked by the thieves, who got away with as much clothing as they could carry. A number of colored women, among whom was Belle Arnold, recently killed by Anna Brown, were arrested for concealing the stolen property, but the evidence against them was not sufficient to convict.

Brown was one of the persons who escaped, and the authorities have been using every means to apprehend him but with no success until the other day, when he was arrested in Kansas City. He will be arraigned on a charge of burglary.

Marriage Licenses.

The following marriage licenses were issued yesterday:

Name and address.	Age.
William A. Sloan, South Omaha	26
Laura M. Chadd, South Omaha	25
Peter A. Peterson, Omaha	27
Maggie Clifton, Omaha	19
Oscar Anderson, Omaha	25
Mary Swanson, Omaha	22
Albert Sjoberg, Omaha	35
Agnes Sandberg, Omaha	18
Sem Cohen, Omaha	24
Mollie Sommer, Omaha	20
Davis G. Sturrock, South Omaha	27
Grace E. Sage, South Omaha	20
Joseph Osmera, Omaha	26
Mary Bartar, Omaha	19

AMUSEMENTS.

Farnam St. Theater. Popular Prices
ANDREWS OPERA CO
40 PEOPLE 40
Will present Alfred Collier's brilliant comic opera, "DOROTHY," Sunday, June 25. Large Chorus. Full Orchestra. Magnificent Costumes.

RUNNING MEETING
ONLY 4TH OF JULY ATTRACTION.
Fair Grounds
$3,000 in Purses.
4th, 5th and 6th.
Special rates on all roads entering Omaha.
For particulars and privileges, Address,
J. A. Tuthill, Sec'y,
Omaha.

SINCE moving to my new location at 218 S. 16 St., my trade has increased to such a degree that I am taxed to the utmost to attend to it, although I have doubled my clerical force. I am selling Diamonds, Jewelry and Watches every hour in the day and every minute in the hour. These extensive sales require me to replenish my stock continually, and for that reason I am able to show my customers the very latest ideas in artistic jewelry and silver novelties that the designers in the big factories can turn out.

Another thing: I have fitted up, in the third story of the Commercial National Bank Building, the most complete work-shop in the west, where I employ three skilled workmen manufacturing and repairing jewelry, and for the past three weeks they have been working night and day.

Yours for progression,
D. W. VAN COTT
FOR THE
VAN COTT JEWELRY CO.
218 South 16 Street

Souvenir Spoons
Fancy Key Rings
Paper Knives
Silver Hat Pins
Silver Garters
Silver Spectacle Cases
Silver Combs
Smelling Bottles
Tie Holders
Stamp Boxes
Valise Checks

June is the nuptial month. Don't overlook me when you buy your wedding gifts . . .

Come and see my new store. Don't matter whether you buy or not. Will be glad to see you.

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REASONABLE RATES FOR
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THE PULLMAN HOTEL
55th St. and Washington Ave. Three blocks from main entrance. Best R. R. and street car service. First-class cafe. Rates $1 to $2.50 per person. Write for circular.

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This Season's Manufacture.
AS LOW AS CAN BE BOUGHT IN THE CITY.
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BIRNEY'S Catarrh Cure cures catarrh All druggists. 50c cents.

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Giving full information how to secure an easy and speedy cure sent free to the afflicted by the
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