

TELEPHONE PATRONS OBJECT

Lincoln Citizens Secure Legal Advice in Their Fight for Lower Rates.

THEY WILL APPEAL TO THE COURTS

President Vost Declares that the Charges to Capital City Subscribers Are as Low as They Can Be Profitably Maintained.

Lincoln, Dec. 2.—[Special to The Bee.]—The Nebraska telephone people still refuse to believe that there is to be much of a storm in Lincoln. They have so far neglected to become excited over the efforts of the citizens of Lincoln to effect a reduction in rentals. At least, that is what they say.

Upon the other hand, the citizens who are directing the movement in favor of lower rates are very much in earnest. The meeting last evening was not largely attended, but all who were present expressed themselves vigorously. About forty subscribers to the Lincoln Telephone exchange were present. As a result of their deliberations they decided to employ attorneys and go to the courts for relief. To this end the services of Judge Brody and Attorney Atkinson, Woolsey, Gosthardt and Davis were secured, all volunteering to work without compensation. Their plans are not yet matured, but it is thought that they will ask the courts for a mandamus requiring the telephone company to reduce its rates. This is the advice tendered by several of the attorneys, but a great many subscribers do not seem to understand by just what law the mandamus requiring a corporation to reduce its rates can be based upon.

President Vost on the situation. The local manager of the Telephone exchange in this city informed The Bee this afternoon that no more telephones had been taken out today. He had removed all that were in controversy yesterday. He stated that he had held a brief conversation over the wire with President Vost at Omaha in regard to the matter. He was emphatically of the opinion that the rates were as low as they could be maintained at a profit to the company. The company would not reduce rates at present and would therefore decline to listen to any proposition looking to a reduction.

Another effort will be made at the next meeting of the city council to induce that body to take up another ordinance. Chairman Atkinson of the committee will appoint a committee of three prominent citizens of each ward to present the matter to the council at its next meeting Tuesday night.

The business men are now thoroughly organized, with C. A. Atkinson as chairman, J. H. Harley as secretary and treasurer and with an executive committee composed of A. D. Kitchen, Major McArthur, E. H. Woolsey, J. H. Harley and A. S. Raymond. Committees have been canvassing the business men for their signatures to the agreement to remove the telephones unless the rates are reduced.

Lost an Ear in a Fight.

Patrick Burke, a bookkeeper in the employ of John Fitzgerald of this city, is under arrest on the charge of mayhem, as charged by John Markin, a barber employed at the Capital hotel. Burke was in a P street saloon last evening quarreling with a bartender over a disputed bill. Markin dropped in, and in an attempt to be funny asked Burke why he didn't pay what he owed. Burke proceeded to the bar for a drink and a fight ensued, in which Markin's ear was chewed by his antagonist. Markin carried the piece of his ear to the saloon and the police called and arrested Burke. He was taken to the police station and a fight ensued, in which Markin's ear was chewed by his antagonist. Markin carried the piece of his ear to the saloon and the police called and arrested Burke. He was taken to the police station and a fight ensued, in which Markin's ear was chewed by his antagonist.

Charged with Breach of Trust.

Louis Meyer, a well known citizen of this city, was today charged with breach of trust by the State Savings bank and Ledger & Strauss, both of Des Moines. The charge is made by a petition filed by the clerk of the district court. The petition asks the court to restrain the Union Savings bank of Lincoln from collecting a judgment against the estate of Meyer for \$100,000. The plaintiffs allege that in March, 1892, Meyer borrowed from them through Meyer a sum of \$100,000. A short time after borrowing the money he died and the claim against his estate was sent to Meyer for collection. The notation on the check plainly states that the money was to be paid to Meyer, and that Meyer is the assignee of the claim. Meyer's action in assigning the judgment to the Union Savings bank was fraudulently done.

District Court Notes.

The Associated press filed a petition and bond in the district court today, asking that the case in which the State Journal of Lincoln seeks to restrain it from stopping its press report to that paper be transferred to the federal court on the ground that the case involves the interests of parties located in more than one state.

Receiver Morrell of the defunct Nebraska Savings bank today commenced a suit to recover from the German National bank the sum of \$50,000, that being the amount of its assignment upon its stock in the defunct institution. The petition recites that the bank's stock is held in the name of O. H. Wilcox, who is merely a trustee for the bank.

Suits in garnishment were today filed against the individual members of the firm of Clason & Fletcher, when recently failed in this city. It is claimed that the members of the firm have books, papers and accounts belonging to the firm in their possession.

Conditions of the Lawrence Implement company, representing claims amounting to \$175,000, commenced suit in the district court today attacking the legality of the chattel mortgage given by the company to the Lincoln National bank shortly before its failure.

The suit was today awarded a divorce from her husband on the ground of failure to support.

Saved by the Engineer.

Kearney, Dec. 2.—[Special Telegram to The Bee.]—Over thirty feet of the B & M railroad bridge just this side of Newark were burned out last night. The engineer saw the bridge burning in time to stop his train before reaching it, and the flames were put out by the crew. A handcar was telegraphed for and sent down from the burning back, the passengers, men and express. The bridge repairs ordered immediately and the train came over early this morning. The fire was probably set for the purpose of wrecking the train, as the engineer thinks by the looks of things that if he had been fifteen minutes earlier he would have run nearly on to the bridge before seeing his danger.

Narrowly Escaped Death.

NEBRASKA CITY, Dec. 2.—[Special Telegram to The Bee.]—Mrs. Carl Morton, daughter-in-law of the secretary of agriculture, had a narrow escape from a horrible death today. While driving across the Missouri Pacific railway tracks, a freight engine backed down upon the buggy. Prompt action of bystanders, who seized the horse by the bridle and backed him from the track, alone saved her life.

The first genuine snow storm of the season commenced here at noon. Several inches have fallen, and the prospects are that it will continue all night.

Injured in a Runaway.

BEAVER CROSSING, Neb., Dec. 2.—[Special to The Bee.]—As Mr. and Mrs. John Evans, living two miles west of Beaver Crossing, were returning home from church yesterday morning, the harness broke, causing the team to run away. Knowing Mr. and Mrs. Evans out, severely injuring both of them. Mrs. Evans' right arm was broken in two places, and she received some other injuries about the face and head. Mr. Evans received bad bruises about the head and one ear was nearly severed. Both will recover.

West Point Deaths.

WEST POINT, Neb., Dec. 2.—[Special to The Bee.]—Mrs. M. J. Hughes and daughter returned from their extended visit with

Mrs. Hughes' parents in Hot Springs, Ark., Thursday.

Frederick Schmitt had the juvenile band in his office Thursday and after making telephone connection with Omaha gave Central a sample of the boys' fine music over the wire.

Mr. Hodnett had the misfortune, while chopping wood, Friday, to have a splinter strike the lower eyelid and penetrate it to the eyeball. He will probably lose the sight of his eye.

The union Thanksgiving service was held in the brick church and the program was carried out. The singing was fine and exercises interesting. A large attendance was present.

Mr. Hunt and brother are in from Calhoun, visiting with the Zajisek family.

Mrs. A. Radler and daughter, Mrs. Frank Stoller arrived home Friday from a three months visit with relatives and friends in Pennsylvania.

Heavy Fall of Snow.

TERESITA, Neb., Dec. 2.—[Special to The Bee.]—Wednesday night a snow storm set in and Thanksgiving was a decidedly blustering day. Yesterday a second snow storm prevailed and has continued ever since, and today it is five inches deep on a level and is still snowing.

G. I. Wilson was arrested near Ponca this week for disposing of mortgaged property. He was brought back here by Deputy Sheriff Longford and is now in jail awaiting his preliminary hearing.

The meeting of the state grange convenes in this city Tuesday, December 12. Some 500 delegates will be here.

Stuck in the Ice.

TERESITA, Neb., Dec. 2.—[Special to The Bee.]—The New York Star and Comedy company, coming down the Missouri river in a small boat run by gasoline, is stuck in the ice near here. It is not likely they will be able to get their boat any further until spring as the river is frozen over. They left Sioux City some time ago knowing at times along the river, intending to continue down the Missouri river to the Mississippi, thence south.

Mass Sheep Dying.

DESMOIS, Neb., Dec. 2.—[Special to The Bee.]—The heaviest snow of the season commenced falling at 11 o'clock last night and continued today. It is now seven inches deep. The storm is causing great suffering and loss among a bunch of 5,000 sheep which the Warren Live Stock company of Cheyenne, Wyo., shipped in last week. The lambs are dying off like flies.

Severely Injured by a Horse.

TOMAS, Neb., Dec. 2.—[Special Telegram to The Bee.]—While driving horses into a barn today William Johnson, who is working for J. V. Ainsworth, was kicked in the head and nearly killed. His chin was broken, several teeth knocked out and his face badly cut.

REMOVED BY ITS DIRECTORS.

Some Inside History of the Failure of a Kansas City Trust Company.

KANSAS CITY, Dec. 2.—The old adage, murder will out, was fully exemplified in the circuit court here today in the trial of a suit for an insignificant amount brought by the Midland National bank against the Roll Lumber company.

November 4, 1892, the Roll Lumber company delivered a check for \$195 to the Continental Trust company. The trust company endorsed the check and it came into the possession of the Midland National bank, November 5, the day following, the Continental Trust company failed, and as a result the Midland National bank tried to enforce the check against the Roll Lumber company.

The company refused to pay it, alleging that the officers of the Continental Trust company, when they accepted the check, knew the company was insolvent and that they were therefore guilty of fraud.

In the course of the trial Judge Gibson expressed himself vigorously on the course of certain directors, and when Assignee Young testified that the officers of the company took the check from the bank and gave it to the directors, he was brought out to that officers of the company were indicted to it at the time of its failure for almost the entire amount of its deposits, estimated at about \$115,000.

Mr. Young testified that depositors of the trust company have thus far received a dividend of only 3 per cent and that it is very doubtful if they will receive a per cent more. He testified that he held the notes of officers and directors of the bank for nearly the entire amount of its deposits.

The testimony of the assignee was received in a dead silence. For a few moments after Mr. Young had finished not a word was spoken. The judge then said: "It appears from the hearing of this case that three directors of the Continental Trust company have gotten away with about \$115,000 of the assets of the bank, and the company's failure, I deem it a matter of public justice that the prosecuting attorney of this county be notified of these proceedings."

Judge Gibson then instructed the clerk to notify prosecuting attorney Brown of the facts in the case, suggesting immediate investigation. The officers of the company were George W. Toussain, president, and C. E. Elson, secretary. The company was chartered as a trust company, but did a general banking business. It is considered very doubtful whether the officers of the concern could legally do this, and it is said that the feature will be injected into the litigation to which the company's failure has given rise.

KANSAS CITY'S BARBERS.

They Are in a Peck of Trouble Over the Sunday Closing Law.

KANSAS CITY, Dec. 2.—Judge Stover of the circuit court decided that barber shops must be kept closed on Sunday. A temporary injunction, prayed for by J. M. Smith, manager of the Midland hotel, restraining the boss barbers from arresting his barbers, was denied and the restraining order granted by Judge Henry of the court of appeals dissolved. Later, however, it was brought to the attention of Judge Stover that Judge Henry, before the case was transferred to Judge Stover, had granted a temporary injunction Judge Stover at once modified his decision and the temporary injunction will stand until the case can be heard on its merits, which will not be until the next term of court. The decision will not affect the barbers, in which the latter have so far been victorious.

The only effect at present of the decision is to deny the injunction restraining prosecuting attorney Brown from filing information against the Midland barbers. Until the case is heard on its merits next term the Midland barbers cannot be molested for shaving on Sunday.

Three Men Killed.

ALLENTOWN, Pa., Dec. 2.—Ice caused the cable to break this morning at Joel Neff & Co.'s, slate quarry near Staughton as three men were being lowered to the pit to begin today's work. The men were precipitated to the bottom of the pit, a distance of sixty feet, and instantly killed and their bodies mangled in a horrible manner. The bodies were recovered and buried.

FRANK MERN, widower, aged 26 years, father of three children.

HELEN MERN, wife, aged 28 years, leaves a widow and two children.

UNKNOWN HUNGARIAN.

Burglars Make a Hunt. NEW YORK, Dec. 2.—Some slick burglar paid a visit last night to S. O. Burnett's hardware store on Fulton street, Brooklyn.

As a result of it Mr. Burnett lost \$9,729 in stocks and mortgages, a lady's gold watch worth \$40 and \$20 in cash, which was all stored in a big iron safe in the rear of the store. The safe all battered and broken about the lock and handles where the burglars worked to get into it. The police are at work on the case.

Poisoner Myer's Trial.

NEW YORK, Dec. 2.—The trial of Dr. Henry Myer, charged with having poisoned a number of persons in order to secure the insurance on their lives, will be begun Monday next.

CARLETON'S STRONG CASE

Efforts Made by His Attorneys to Secure a New Trial.

TESTIMONY SECURED BY DETECTIVES

Several Jurors Alleged to Have Served When They Should Have Been Recused for Cause—Points Easily Overcome by the State.

FREMONT, Dec. 2.—[Special Telegram to The Bee.]—Judge Marshall convened the district court at 1:30 p. m. today for the purpose of hearing the arguments for a new trial in the Carleton murder case. The question elicited very much interest and the court room was crowded with people eager to hear what good reasons could be adduced to subject the county jury to a new trial to determine the guilt or innocence of the man already convicted of the crime of murder.

The defendant, Carleton, appeared the perfect picture of health and apparently of contentment, with his pleasant, though very anxious appearing little mother beside him, and watched the case with the intense eagerness that characterized him during his former trial. The defendant's attorney consumed an hour in waving through the deposition in the case. His special effort was to impeach three or four of the jurymen in the case. The affidavits of J. P. Wheeler, Thomas Storer, James Hill and William T. Martin were introduced to prove that juror A. K. Hill had made the statement that the evidence in the case was not new to him and that he had made up his mind that Carleton was guilty before he entered the jury box and he found no reason to change it later.

CRONIN'S MURDER.

Mrs. Andrew Foy's Story of the Crime—The Real Criminals.

CHICAGO, Dec. 2.—Mrs. Andrew Foy, who will be the first witness for the state in the Cronin trial, will, it is reported this afternoon, testify that Dr. Cronin was killed by a reporter's chief witness by Dick Conroy, the long missing suspect. The report has it that Martin Burke, now dead, forced Cronin, while a policeman, still on the force here, and whose first name is said to be Michael, stood guard at the door. Conroy is represented to be the only one who struck the doctor, and only Burke, Conroy and the anonymous policeman suspect were in the cottage. Thomas O'Sullivan is said to have acted as guard at the rear of the cottage, outside. Coughlin, at present on trial, according to the current narrative of what Mrs. Foy will testify, was not at the cottage until after Cronin's death, when Coughlin arrived in company with Mrs. Foy's husband, Andrew Foy.

The man who drove Cronin to the Carlson cottage is said to have been Martin Dawn of the Chicago Police Department, the purchaser of the furniture discovered in the cottage, and who is accused of renting the flat at 17 Clark street, was, it is alleged, James Conroy, a grocery clerk whose whereabouts are unknown. Mrs. Foy is represented as having learned these details as a result of meetings held at her husband's house.

Foy is the man supposed to have been mistaken for the little German Kuno by the milkman Metz. One Joe McKenna is alleged to be the person who drove the doctor to the Carlson cottage, and the wagon was utilized to carry the corpse.

Much of the story is reported as having been learned by Mrs. Foy from her husband, the reporter, and Mrs. Foy says that her husband frequently spoke of Cronin as a "worse spy than Le Cronin," and that on the night of May 4 he was absent from home, returning in the morning, musty and disheveled, and explaining to his wife that he had helped remove another Le Cronin.

The wife is said to have asked in horror if he had committed a murder. "Murder nothing?" Foy is said to have answered, "I have killed the spy; you don't call that murder?"

Defendant Coughlin is spoken of as the chief of the supposed expedition against the spy, whose name he is said to "subserve the good of the cause." Coughlin is reported to have been seen by Foy when they entered to kick out the pretense from the doctor and say, "There, you won't tell any more tales."

O'Sullivan, who had also entered the house on this day, and who is said to have expostulated, and it was also owing to the woman's objections that a plan to fill the trunk with dynamite was abandoned and the journey to the lake farm was begun.

Mrs. Foy is alleged to have been cautioned by Coughlin, some days ago, "to keep her mouth shut and not worry about her husband; that she and other children would be taken care of." It appears, if the story can be relied upon, that Mrs. Foy has been bribed by Coughlin for leading her husband into the affair.

The wife of Conroy's alleged part in the plot was the renting of the flat on Clark street—popularly supposed to be the place abandoned as being too public a place—at an apartment house on the corner of Clark and Dearborn streets, and afterwards by J. P. Ryan of that place. Foy is said to have brought home the chisel with which the doctor was killed and hid it between the mattress of Mrs. Foy's bed.

Mrs. Foy's testimony, if given as above, will be in the nature of hearsay, and it is while men in this winter are in many ways, will succeed in excluding the bulk, if not all, of such a story as related. Her appearance on the witness stand, whether it be true or not, and regardless of whether the current of her testimony is not correct, has long been eagerly awaited by those familiar with the case.

WOOLEN MILL BURNED.

Three Firemen Injured in a Large Fire at Philadelphia.

PHILADELPHIA, Dec. 2.—The large woolen mill of James S. Cochran & Brother at Tenth street and Columbia avenue burned last night. The loss is \$225,000; insurance \$100,000.

Three firemen were injured during the fire. They were: WILLIAM HELBERG, struck on the head by a falling brick; JOHN BRITTON, a leg broken by falling from a ladder; and JOHN WILSON, who was overcome by smoke.

The origin of the fire is not known. The fire was a stubborn one, lasting almost four hours. Mr. Cochran states that in view of the poor business outlook he will not rebuild, but 325 operatives are thrown out of employment.

WINTER HAS COME.

Eight or Nine Inches of Snow in Iowa and Extreme Cold in the North.

CEDAR RAPIDS, Ia., Dec. 2.—Another heavy snow storm is prevailing. The snow now lies eight to ten inches on the level. There is no wind and no trouble in the way of blocking up, as was apprehended.

ST. PAUL, Dec. 2.—The mercury this morning in St. Paul was still below zero, the weather bureau reporting a low at 7 o'clock, at which hour it ranged from 42 to 107 below throughout the northwest. It is growing slightly warmer today, but colder weather is promised for tomorrow.

CHICAGO'S NEXT MAYOR.

Democrats and Republicans Place Candidates in the Field. CHICAGO, Dec. 2.—The democrats and republicans held conventions today to nominate candidates for mayor. The former nominated John P. Hopkins and the latter George H. Swift. A fight was promised in the democratic convention, but it ended in a love feast.

To Test the Lottery Law. KANSAS CITY, Dec. 2.—On warrants sworn out by W. T. Quarles, chief of police of Kansas City, Kan., two agents for lottery company situated on the state line between Missouri and Kansas have been arrested. They are charged with selling lottery tickets. The arrests were made on the recommendation of Attorney General Little to County Attorney Cobb to make a test of the Kansas gambling statute as applied to lottery men. Both men under arrest gave bonds for their hearing, which is set for next week.

RECEIVERSHIP MADE PERMANENT.

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SALT LAKE, Dec. 2.—At an enthusiastic meeting of the business men and commercial

novel and I must decline to trespass my opinion about the proposition, as it may be called to set off the Mexican market, which is a world which a leading treasury official used today when a reporter of the Associated press showed him the Denver dispatch saying that the Mexican government had arranged for the coinage of a hybrid silver coin upon which is to appear the Mexican mark as well as the obverse coat of arms. All of the officials of the department with which the reporter talked declared the statements contained in the dispatch were news to them, as they had not heretofore heard anything of it. The opinion was expressed "as it was believed that the Mexican president would not enter into any such arrangement with a state government, as that said to be in contemplation, but negotiate, if at all, with the national government. Assuming that such coins as those described were issued, it is pointed out that they would have a fluctuating value; nobody would take them except for their bullion value, and that they would not have any circulation outside of the state of Colorado. They would not be legal tenders of the United States government would not receive them, and the mints would throw them out as they do Mexican dollars to lighten the burden of the treasury. The profit on the transaction amount to after the transportation charges had been paid on the bullion to Mexico and on the coins on their return to the United States."

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Mr. Marshall Field gives a Million Dollars to preserve in a Columbian Museum some of the Best results of the World's Columbian Exposition. THE OMAHA BEE. Supplements This Generous Gift by Offering to Its Readers 16 BEAUTIFUL ART PORTFOLIOS. A COMPLETE Pictorial History OF THE GREAT WORLD'S FAIR. 256 SUPERB PHOTOGRAPHIC REPRODUCTIONS. From Photographs secured with infinite labor and at great expense by the Official Photographer of the United States Government, each being accompanied by a graphic, interesting, and authentic description, all preceded by an introduction written by Prof. Halsey C. Ives, Chief of the Department of Fine Arts, World's Columbian Exposition. ONE PORTFOLIO ISSUED EACH WEEK. How to Secure this VALUABLE EDUCATIONAL SERIES. CLIP Art Portfolio Coupon as directed in Coupon on page 2 and send or bring same with 10 cents in coin to THE BEE office, Omaha, and one portfolio containing 16 pictures, 11x14 inches in size, with interesting and authentic descriptions will be mailed or given to you. The entire series of 16 Portfolios, 256 Photographs, if purchased at retail would cost, at a low estimate, \$125. No such opportunity was ever before presented. No such opportunity can ever again be offered. REMEMBER—This paper has the exclusive right to make the distribution of these reproductions from the Official Government Photographs. SPECIAL REQUEST—Please favor your friends who may not be regular readers of this paper by informing them of the particulars of this unequalled offer. CAUTION—In sending for Portfolios do not include any other inquiries, requests or business with your order, for it is impossible to answer letters in this department. Send coupons, etc., to ART PORTFOLIO DEPT., THE OMAHA BEE, OMAHA, NEBRASKA.

AMUSEMENTS. 15TH STREET THEATRE POPULAR PRICES. One Week—Matinees Wednesday and Saturday— COMMENCING TONIGHT THE ORIGINAL VERSION OF THE FAMOUS PLAY THE CRUST OF SOCIETY By Arrangement with Mr. John Stetson. The First Appearance in Any City at POPULAR PRICES. 15th Street Theatre POPULAR PRICES EXTRA! LAST PERFORMANCE Matinee TODAY AT 2:30 THE DAZZLER. BOYD'S 3 NIGHTS ONLY, Commencing Sunday, Dec. 3. The Inimitable Orville Comstock. PETER F. DAILEY In J. J. McNally's Latest and Happiest Effort A COUNTRY SPORT. ONE CONTINUOUS ROAR. Under the direction of R. H. and HARRIS, and a company whose names speak for themselves. Peter Dailey, Max Lewis, Frank K. Jackson, Agnes Paul, Richard Carter, Ed. A. Heston, Roland Carter, Geo. S. Gates, Larry Shonk, R. Street, Max Firth, Agnes Paul, Kathleen Ingram, Ray LeVigne, Kathleen Warren, Lily Thurston, Frederika Hopew, Florence Thurston, Lida Ince, The Garden City Quartet.