AND AGAINST BEMIS

Test many in the Impeachment Case All in and Argument Begun.

CONCLUSION MAY BE REACHED TODAY

Hazeall Made to Feel Uncomfortable on the Witness Stand-Charley Bruner's Defective Memory-Macomber's Plea for the Mayor.

The hearing on the specifications filed by Managers Hascall and Wheeler charging Mayor Remis with malfeasance and misconduct in office is closed, to far as the intro-Juction of testimony is concerned, nothing new remaining to be done but for the attorneys to sum up, make their arguments and wait for the decision of the court.

All of the testimony was in at the time of the taking of the noon recess yest rday, and at 2 o'clock in the aftern on the lawyers comnenced making their arguments, which will consume all of the afternion and a large portion of the time today.

When the court convened yesterday there was a remarkably small number of persons present, though both of the managers were on hand, occupying chairs near their lawyers. Hefore getting down to busines there was some cross firing upon the subject of the introduction of rebuttal evidence, after which the mayor stated that Le hoped that when the proper time arrived he would be allowed to address the court with reference to the renegade conspiracy which had been organized against him by Hascall, Wheeler and the corpora-tion combines which were trying to ride into power for the purpose of raping the city

BRUNER AND HIS MEMORY. The judges informed the mayor that that was a bridge that would be crossed when it was reached, and then Councilman Charles E. Bruner was called as a witness. Contrary to his usual custom Bruner was as meck as Moses is alleged to have been, and as innocent as a lamb, although he had a as innocent as a lamb, attached he had a memory that was not two inches in length. He could not remember whether or not he had been approached with a proposition to sign the impeachment articles, though he thought that it was possible. He could remember nothing about electric lights, and, fact, he was without any memory. The mayor was again recalled, and testi-

fied that he acted in good faith when he took steps to keep the members of the Army of the Commonweal from starving. feeling that an emergency existed and that immediate action was nece sary. AN ELECTRICIAN'S EVIDENCE. Edward F. Shurig, city electrician, was called as a witness by the managers. had held the position for two months. Wit-ness had had some experience with the phofometer in measuring the caudle power of are lights, but not a great deal, as that was not in his line, it belonging to another branch of the profession which he had not studied. Under the best of conditions, perfect accuracy in securing tests by the photometer

were next to impossible, though such inac-cury would not exceed 5 per cent. In the electric profession the photometer was not regarded as an accurate test for measuring lights. The Brush and the Thomson-Houston lamps, witness said, were the arc tamps in general use and a lamp of 480 watts known as a 2,000-candle power, nominal, are When the electric instruments of the city

City Electrician Rheem, they were found to e in very bad condition. When cross-examined, Mr. Shurig testified that the photometer was not an electrical in-strument; it was for measuring the illumination of a lamp and not for measuring the power that was back of the lamp. Witness did not know who injured the electric light testing instruments, as they had been in the possess'on of L. M. Rheem for two months

after M. G. Cowgill was deposed by the city Councilman Bechel testified in behalf of the managers. Witness investigated the electrical department of the city during the time when M. G. Cowgill was the city electrician and from what he found he regarded him as

Bechel knew of no conspiracy to oppose Cowgill because he could not be manipulated by Wiley and the electric light com-pany. Witness voted for the Wiley bills for reason that he thought they ought to be

When cross-examined witness testified that the fight on Cowgill was led by Wheeler

one of the managers. L. M. Rheem, who was appointed city elec-trician by the faction in the council which was lead by Managers Hascall and Wheeler, went upon the witness stand. Witness found a photometer in the office when he took tharge, but as he never had occasion to use such an instrument, he did not pay much attention to what it was,

HASCALL'S EXPERT TESTIMONY. Manager Hascall testified that he was a member of the city council and saw the bids for electric lighting, he being a member of the committee to which they were referred. In the opinion of the witness the Pardee and the Citizens' Electric Light companies were without legal existence.
In rejecting the low bids and then voting

to award the lighting contract to S. L. Wiley's company, witness swore that he had acted in the best interest of the city, notwithstanding the fact that the Citizens' company standing the fact that the Citizens' company bid \$87.50 and Wiley, \$138 per lamp, per annum. He voted to pay the Wiley bills be-cause Wiley had the contract for street lighting and because the city was under obligations to make the payments. Being cross-examined, witness said that Manager Wheeler was very active in elec-tric light matters. Witness had acted in event faith in everything done with refer-

good faith in everything done with refer-ence to council matters. Ever since last January the witness had been in favor of filing the charges against Mayor Bemis, but found some difficulty in finding some one foin him. Witness had consulted with Hitchcock of the World-Herald with refer-since to filing the charges and specifications.

HITCHCOCK'S PART IN THE PLAY. Mr. Clarkson, one of the attorneys, objected to Hascall being questioned upon this point, urging that the testimony was im-

Who were present at that conference?' asked Mr. Connell. Right here the attorneys for the mana-cers squirmed, urging that the question was anfair and a subject which was not material to the issues before the court, and that it was something not brought out in the direct

The objection was overruled and in answer, Manager Hascall said that there was a type-writing girl and some others in Flichcock's office. He could not remember that any councilmen were in the room. Witness went to tell Hitchcock why the charges had not been filed sconer. Hascail did not think that there was any talk about raising money to make the fight against Mayor Bemis, there might have been, but he could not remember. There was talk about putting up money

to carry on the anti-vice crusade, but wit-uess did not know as money had been offered to councilmen to induce them to sign the charges. Councilman Edwards had agreed to sign, but weakened. That was during last the witness said. Hascall did not think that money had been raised to fight the mayor, but was not positive. Witness talked with Wheeler about algring the articles, and at first he refused to mix up in the matter, but when the Cowgill controversy came up, he said that

things had gone far enough and that he was voting for Wiley's bills Hascall testified that he was in duty bound to do so, as the contract was in form. One reason why Hascail voted against the long-time contract to the other bidders for the street lighting componies was because he did not want to do anything that would bind future councils.

do anything that would bind future councils.

"Did you not vote to grant the gas company a fifty-year contract, and did you not vote to give MacDonald a long-time garbage centract?" asked Mr. Connell.

Mr. Hascall tried to dodge the issue, but he was pinned down and had to admit that he cast his vote in that direction. Getting argry, Manager Hascall said that he would have voted for the say contract if it had had voted for the gas contract if it had had

1,600 years to run.
"Judge Hascall," asked Mr. Connell, "dld
"Judge Hascall," asked Mr. Connell, "dld you not state in your report that you re-jected the Pardee and Citizens' Lighting

company bids because some papers were not filed in the county clerk's office?" "Yes," answered the manager. "Was this not to bamboozle the other

imbers of your committee?"
Hascall again dodged the issue and claimed that the bidders did not give a bond, but he was forced to admit that a go d and sufficient bond was offered to be furnished.

Manager Wheeler, the councilman, was the next witness and he remembered all about Cowgill having been named for city elecrician by Mayor Bemis. Witness always voted against Cowgill's confirmation, believing that he was incompetent. In voting for the Wiley bills witness did so for the reason that there was a contract to pay the bills, and for the further reason that the service was as good as in other cities.

Being cross-examined Manager Wheeler

could not remember that just before the charges were filed against Mayor Bemis he called at the city comptroller's office to see if Wiley's warrants, aggregating something like \$1,800, had been signed. He was in the comptroller's office, but could not remember just why he called.

ARGUMENTS BEGIN.

The afternoon session of the court opened agers, urging that it was not for one man to set himself up against the wishes of the people, as the mayor had done in defeating he efforts of the anti-vice crusaders. It made no difference what the intent of the nayor might have been; he should have seen active and vigilant in the enforcement of the laws of the state and the ordinances the city. Not having done so, Mr. Clark-n contended that the mayor had failed to 'If that is true," asked Judge Hopewell,

is he not equally guilty when he fails to inforce other state laws with reference to ommission of crime?"

Clarkson said that he did not con that there were corrupt motives on the part of the mayor, but he did not pro-pose to stand by and have The Bee come out at the end of the trial and say that the court should rebuke the managers of the impeaclment. If Hascall and Wheeler were

on trial, Mr. Clarkson did not think that there would be any cry that the court should reluke the managers.
Attorney Macomber, replying to Mr. Clarkspoke until the adjournment of the court for the day, handling the managers without gloves, urging that the prosecution was wholly without merits and should have been dismissed when the testimony of the managers was in. It was the most

damnable outrage ever perpetrated upon any citizen. There had been nothing but in-

inuations, without any attempt to show

errupt motives in any act which the mayor CONTEST WITH PLUNDERERS. When Mr. Bemis became the executive of-

icer of the city he was at once confronted corporations, all seeking to plunde e treasury. The struggle was a long one because he was met with opposition by such men as Hascall and Wheeler, who voted to allow the electric light company \$18,000, all in a lump, and that after the bills were four times vetoed by the mayor. Mayor Benis had given the city a business administration, and from the evidence of the managers' witnesses it had been proved that his acts had been free from co.ruption, though he had been maligned because he would not submit to the dictation of cor-

"Mayor Demis," said he, "has lived in Omaha for many years. Of upright habits, appearance distinguished for gentle and kindly bearing, a morality and charity always responsive to the right, a large experience in travel and extensive property interests in Omaha, a sympathy for the poor and the struggling masses, the republican party turned to him as a worthy candidate. To that office he brought the varied experience of his active and successful busdidnte. ness life. He realized the practical condi-ions of this people organized as the city of Omaha, and entered his important official station with a determination to give the city careful and honorable administration. Conronted by the great aggregations of wealth organized into corporations and plundering the city, he entered into a long and constant struggle to protect the rights of the people. Now, not for his neglect, not for his omis-sions, but because of his uprightness, he the malignity of Hascall and

Suits at 45c on the Dollar-Other Attractions Throughout the House. THERE WILL BE A BIG SALE OF REM NANTS FRIDAY AT HAYDEN'S.

5c yard, in plain colors. Yard wide percals, best grade, in mill emnants, 5c, worth 15c.

Indigo blue catico, full pieces, slightly imperfect, 3½c yard, 3½ percale mill remnants, 3½c yard, 36-inch wide serge, in plain black or navy, worth 25c, in mill remnants from 1 to 5 yards, 3½c yard. mourning prints in mill remnants

Plain oil colors in red blue, green or ellow calico mill rimnants, 3½c yard. Yard wide bleached muslin on sale Friday

the yard.
Mill remnants of best lining cambric 2the Remnants of table linen, double width sheeting, flannels and wash goods at prices

away down to sell them quick. BOYS' SUITS. A saving of fifty per cent on boys' and children's suits for Friday and Saturday. Suits from the Isidor Kaufman & Co. New York stock. Were these goods bought in a regular way the price could not be less than York stock

louble what we quote. All wool boys' suits, ages 4 to 15 years, made in the very best manner, choicest patterns and the newest cuts. Regularly these suits would sell for \$3.50 to \$5.00. In this sale \$1.75 and \$2.50.

Boys' fancy suits, ages 4 to 15 years, of the finest blue and black clay worsteds, cheviots and cassimeres. In all the latest patterns and cuts. Double breasted coats Every garment warranted to be of the very finest tailoring. They sell regularly for \$6.59 to \$7.50. Your choice of 1,800 suits for Friday and Saturday at \$3.50.

The greatest line of Boys' long pants suits, ages 12 to 19 years. Suits at from \$2.50 to \$8.50. Positively a saving of 35 per cent on

NOTION SPECIALS. 25c slegant celluloid photo frames at 10c; 35c ones at 15c. 50c celluloid boxes at 23c.

\$1.00 celluloid boxes at 43c, 600 yards spool cotton 5c. Ladies' satin belt hose supporters 25c,

Special line of black silk balts at 28c, 50-

HAYDEN BROS., Wholesale Retailers. Schlitz Roof Garden opens Saturday.

Political Notices. Hereafter the Bee will make a uniform charge of 2 cents per word per insertion, in advance, for political notices

No notice to be less than 50 cents. Candidates can publish cards at the same

LOW RATES

To Kansas City and St. Louis. Account of the "Priests of Pallas" at Kan-sas City and the parade of the "Veiled Prophet" at St. Louis, Mo. The Missouri Prophet at St. Louis, ac. The Missouri Pacific Railway company will sell round trip tickets to Kansas City at one fare. Dates of sale October 1st to 7th, limited for return until October Sth. Also to St. Louis from September 28 to October 6th. One way rates

also reduced. For further information call at deput, Fifteenth and Webster streets, or city offices, northeast corner Thirteenth and Farnam.

THOMAS F. GODFREY.

J. O. PHILLIPPI.

A. G. F. and T. A. A. G. F. and P. A.

A New Train to Chicago. Commencing August 12, the "Omaba and Chicago special," via the Chicago & Northwestern railway, leaves Omaha daily at 5:45 p m., and arrives at Chicago 8:45 next morning. Vestibuled dining car, Wagner sleepers and chair cars form the equipment of this train, and are all up to "Northstandard. 1401 Farnam street, city ticket office.

Associated Charities of Quaha. The annual meeting of this association will be held in the Young Men's Christian assorooms on Monday evening, October 1, at 7:30. John Laughland, secretary.

Joyce, millinery. 1624 Douglas street.

CITY COUNCIL PROCEEDINGS

Union Depot Ordinance Passed by a Vote of 12 to 6 Last Night.

UNION PACIFIC GETS ALL IT ASKED

Members Explain Why They Think the Ordinance Should or Should Not Be Passed-President Howell in a Peculiar Position.

At an adjourned meeting of the city cour cil last evening the union depot ordinance which provides for the submission to the people of a proposition to allow the Union Pacific railroad to complete the construction of the depot at Tenth and Mason streets was passed by a two-thirds vote, which was as follows: Yeas-Back, Bechel, Burkley, Edwards, Hascall, Holmes, Lemly McAndrews, Parker, Specht, Wheeler Howell-12. Nays-Bruner, Cahn, Elsas-

ser, Jacobsen, Saunders, Thomas-6. The conditions named in the proposition are, briefly, that the city shall give the railroad a clear title to all the property now actually held by the company, while the Union Pacific shall release to the city all the property now claimed by the city, and also its claims for the refunding of special taxes and the original \$150,000 bonds. A somewhat unusual incident, was the facthat two members voted for the passage of the ordinance, but declared that if it was

sustain the veto.

When the council was called to order Holmes and Bruner were absent, and or motion of Wheeler a call of the house was ordered. Ernest Stuht happened in about that time and was entrusted with the task of hunting up Bruner, while the sergeaut-atarms went after Holmes. Then the doors were locked and the members present took off their coats and settled themselves com fortably for an uncertain period. The recre ant members were found in the course of couple of hours, however, and shortly after 10 o'clock the council was ready for business. On motion of Hascall the rules were sus-pended and the ordinance was placed on its

vetoed by the mayor they should vote to

bird reading. Wheeler took the floor to read a petition signed by Herman Kountze, Thomas L. Kim ball and other property owners asking that the depot proposition be submitted. This was placed on file, and Saunders requested that the final consideration of the ordinance be postponed until next Tuesday night. said that he had heard that the Union Pa way, and he wanted time to investigate these rumors before he was ready to vote. He was supported by Eisasser and others, but the majority prevailed and overruled the HASCALL TELLS WHY.

Hascall modestly admitted that he had had something to do with the ordinance from its inception. He made a long speed in favor of the ordinance, in which he de clared that the only thing to do was to pas the ordinance now and get a depot, and if the railroad facilities of the city expanded so render it necessary, the structure at Tenfh and Mason streets could be torn dow and a union depot erected which would let in any other roads. He wanted to know what rights the Rock Island railroad had in Omaha, anyway, as it had never bought right of way in the city or spent a cent to advance its interests.

Cahn called attention to the last paragraph of section 3 of the ordinance, which provided that the deeds and conveyances should not be delivered to the Union Pacific pletion of the depot and the delivery of the deeds for the property coded to the city. This was followed by a proviso, which allowed the deeds to be delivered by the mayor and council at any time when the Union Pacific should put up a sufficient bond as surety. He wanted the proviso eliminated, and in support of his position read an opin-Woolworth, which held that the deeds were delivered to the railroad the courts might refuse to give the receivers authority to construct the depot, and in that case the city would have no recourse except a lawsuit, the result of which would in any case be doubtful.

Wheeler took occasion to remark that Mr.
Woolworth's course.

Woolworth's opinion was a piece of sophistry such as no common pettifogger would think of presenting to a court.

Cahn's amendment was defeated by

stereotyped vote, and Wheeler moved the previous question, on which the ordinance was read for the third time, and the roll was called. This was a season of speech making, and nearly every member occupied several minutes explaining his vote. HOWELL'S CHANGE OF HEART.

President Howell said that two weeks ago he had opposed the ordinance, on the ground that it did not provide for the entrance of other roads into the city. Since then he had spent several days in investigating the matand had held conferences with various Union Pacific and B. & M. offici is. They had assured him that if the ordinance was passed they would not object to entering into an agreement covering the entrance of other roads. On this understanding he would vote

roads. On this understanding he would vote for the ordinance, but if it was vetoed by the mayor, and if the promised agreement was not then in the hands of the council, he should vote to sustain the mayor.

Burkley held the same views. Saund responded the ordinance on the ground that he did not sufficiently understand the situation, and Jacobsen, Cahn and Elsasser voted no because it did not sufficiently protect the in-terests of the city. The ordinance was de-clared carried, and the council then ad-

Salt Kheum Cured.

About ten years ago I commenced taking Hood's Sarsaparilla for salt rheum. At that time my hands were one complete sore, and I had to have them bandaged. After taking about six bottles of Hood's Sarsaparilla the sores were all healed. From that time to this I have kept Hood's Sarsaparilla in the house and have had no occasion to employ a doctor.—Mamie Hausen, 2517 Dodge street, Omaha, Neb.

Hood's Pills cure billiousness. Schlitz Roof Garden opens Saturday.

The Wickly for the : ampaign. The Weekly Bee will be sent up to No vember 15, covering the entire campaign, for 10 cents.

VERY LOW RATE.

On September 25th and October 9th the Missouri Pacific will sell tickets at one fare for the round trip (plus \$2.00) to all points south and southwest, limited to 20 days from date of sale, with privilege of stopping off going and returning. For perticulars call on or address depot agent, 15th and Webster, or city offices, northeast corner 13th

THOS. F. GODFREY, P. & T. A. J. O. PHILLIPPI, A. G. F. & P. A.

Omaha and Chicago Limited Fifteen-Hour Train.

Leave Omaha at 6:35 p. m. and arrive at Chicago 9:40 a. m. via C. M. & St. P. Ry. for Chicago and all points east. Trains made up and started from Omaha, assuring passengers clean and well aired cars. The only line running a solid vestibuled el ctric-lighted train from Omaha direct. No waitlighted train from Omana thing for through trains.

Elegant chair cars, palace sleeping and dining cars. Ticket office, 1504 Farnam streat.

C. S. CARRIER.

Ticket Agent.

Just a Little Paster. The "Northwestern" Number Six, leaving Omaha 4 p. m. dally, now arrives at Chicago 7.59 a. m., instead of 8.15 as formerly, "Just little faster." Don't confuse this with the On aha Chicago special, which still leaves at 5:45 p. m. daily and-arrives at Chicago 8:45 a. m. No need to change this train.

5:45 P. M. at Omytha, 8:15 A. M. at Chicago The new vestibul d train now running on "Northwestern" east daily.

Beet Sugar Factory Project. Commissioner Utt of the Commercial club has been negotiating with eastern parties for

Omaha, and expects to have a proposition of a favorable nature to submit to a public meeting, to be hold Maturday afternoon next at 2 o'clock at the rooms of the club. Real estate owners and farmers of Douglas county

are especially invited. Millimery Opening Joyce millinery opening takes place Saturday, September 29, Monday and Tuesday, October 1 and 2, at 1624 Douglas street.

HOMESEERERS' EXCURSIONS

Via Chicago, Rockilstand & Pacific Railway Sept. 25th and Cod. 9th, one fare for the round trip, with \$2 miled, good twenty days from date of sale. For full particulars call at Rock Island ticket office, 1602 Farnam street.

A Remarkable Achievement in Railroad Affairs Was the running of the Exposition Flyer cago and New York via the Lake Shore A handsome litho-water color of this train

Agent, Chicago. CHICAGO, ROCK ISLAND & PACIFIC RY

may be secured by sending 10 cents in silver to C. K. Wilber, Western Passenger

California Tourist Excursions. "Phillips Rock Island" personally conducted excursions. First through car leaves Omaha Friday, Oct. 12th, at 1:35 p. m., and weekly thereafter during the winter season call at Rock Island ticket office, 1602 Farnam

CHARTER AMENDMENTS.

committee Meeting This Afternoon to Consider Changes in the Law.

The committee recently appointed by Mayor Bemis to discuss necessary amendments to the city charter met at the mayor's office yesterday afternoon. The committee includes the following citizens: J. H. Dumont, A P. Tukey, W. S. Poppleton, J. H. Winspear V. O. Strickler, J. N. Cornish, J. L. Kennedy, G. H. Boggs, St. A. D. Balcombe, L. D. Fowler, George W. Donne, Andrew Rose water, John D. Howe, W. J. Connell and The mayor notified the council of the

appointment of the committee some time ago and suggested that the council name ive councilmen to co-operate with the gentlemen named by him. This was opposed by Hascall, in whose moand three councilmen added to the com-mittee previously appointed by President Howell to consider the matter of the concolldation of county governments. Hascall ontended that this committee would be able take care of any amendments that might be needed and there the matter was dropped One of the most important matters to which the attention of the committee will be called will be that connected with the assessment of property. The committee will e asked to devise an amendment by which the assessments may be equalized and be under one definite head instead of being made by numerous different and often responsible individuals as at present. The question of hat provision of the charter relating to paving so that the council will have power to order streets repayed when it is required for the public interest, will also be brough

up.

The only business transacted yesterday afternoon was to perfect an organization by electing A. P. Tukey chairman and F. B. Milar secretary. On motion of Mr. Kennedy, Chairman Tukey appointed a committee of three, consisting of Messrs. Munro, Rosewater and Kennedey, to meet the city council and endeavor to induce it to co-operate with the committee.

Before the committee was called to order some time was passed in an informal discussion of Mr. Resewater's paving amendment scheme, and the members seemed gen-erally in favor of the proposition. Mr. Boggs and Mr. Howe opposed it on the ground that they were among the property owners who had been taken in by the wooden block paying and they contended that the city should answer for their credulity by paying the entire expense of repaying out of the general fund. The next meeting of the com-mittee will be held next Wednesday at 2

LOCAL BREVITIES.

The Seventeenth infantry, enroute from Fort Russell, Wyo., to Columbus barracks, Ohio, will pass through Omaha about noo

Rohrbough Bros, have been granted a per-mit for the completion of the fourth floor the new Hoston store at Sixteenth and buglas streets, at a cost of \$3,500. Elmer Moss and Miss Flora Sebring were carried Wednesday evening, September 26, at the home of the bride's parents, 1319 South Nincteenth street, Rev. Charles W. Savidge

officiating. Charles Conning, charged with burglarizing R. S. Half's residence, has been placed on trial in the district court. His partner,

George Harner, was convicted of the same charge earlier in the week. Harry Griffin and John R. Brittain were tried yesterday before Justice Smith on the charge of assaulting with intent to rob Gus Hartman, a saloon keeper at Fifty-fourth and Dodge streets. Judge Smith discharged the

defendants. Some days ago, when the republican caucus some days ago, when the republican caucus was held in the Fifth ward, Jim Kyner's gang was hopelessly snowed under, after which Jim organized a bolt, getting up a petition delegation, with himself as one of the delegates. Since then Jim has pulled off and Dr. Nichols put in his place.

The Phelps Implement company's building at 1513 Capital avenue was burned out yesterday morning. The alarm was turned in by Block Wachman G. W. Hyde at 4 celek. The stock of the company, consisting of sixty tons of hay and implement and other wagons, was almost entirely destroyed. The loss will amount to \$3,500. There is \$500 insurance on the hay and \$1,100 upon the im

plements and wagons. PERSONAL PARAGRAPHS.

W. J. Biles of Hastings is at the Barker F. E. McGinnes of Frement is a Barker

O. S. Hook of Beomfield is registered at M. Wardell and wife of Grand Island are at the Barker. Hon. E. P. Roggen has recovered from his

George W. Little and wife of Randolph T. J. Majors came in from Peru last nigh

and is registered at the Millard. Major Hulford is able to be on his feet gain and is attending to his official duties. George F. Hamilton, lieutenant Ninth United States cavalry, is in the city on

Lieutenants Welsh and Bell of the Eighth infantry are guests of the army officers at headquarters. George Paties of Ackley, Ia., is in the city visiting his daughters, Mrs. W. D. Percival and Mrs. C. H. Walworth.

N. D. Conger, imspector of the United States weather bdreau, is expected here today to inspect the local weather office Edward Osirander, editor of the Mohawk Valley Democrat, Fenda. N. Y., is in the the guest of his brother, W. B.

Ostrander.

Miss Stells Herman returned home yesterday after a summer spent in the mountains of Colorado and Wyoming, greatly improved in health. Miss Eila F. Marshall of Dayton, O., is in

the guest for a short time of Mrs. Recs. 720 South Twenty-second Miss Marshall formerly resided in Omaha, leaving here about nineteen years ago with her parents, and has still many friends among people who were here in the early 70's, her father having been one of the prominent business men of that time. Nebraskans at the Hote's.

At the Dellone-L. W. Campbell, Cedar Rapids; George Colvin, Aurora; G. S. Kel-ley, Lincoln. At the Arcade-Peter Ebberson, St. Paul; W. C. Jones, St. Helena; J. B. Burkley, E. E. Hart, Cozad; J. B. Yord, Dillon; F. B. Kennedy and wife, Hastings.

At the Merchants—F. J. Champney, Mur-cay; G. W. Hunton, Lincoln; H. O. Lebo, Hastings; Joe Pogue, Wood Lake; J. C. rvin, North Platte; D. S. Hasty, Arapahoe; J. H. Cornell, Valentine; John Byerle, Sou-ia; R. Prittie, Cedar Bluft; J. E. West, Inshville.

JUDGE AMBROSE OVERRULED

He Finds One of His Judicial Acts Unsatisfactory to a Col'eague on the Bench.

HIS ORDER SET ASIDE BY JUDGE SCOTT

Czar Martin's Receiver Case Settled Out of Court at Which Action Judge Scott Took Decided Exception - Hapless Attorneys on the Rack.

Judge Scott held his usual morning matinee yesterday and improved the ccassion to severely censure Attorneys Thomas, Tunnic iff and Burbank for attempting to settle the case of Annette Carter against M. F. Martin, petition for a receiver, a case which has required the attention of the head of the criminal court more or less all summer.

This case relates to the houses of pros tution controlled by Martin, and Annette Carter wanted a receiver appointed so that she could collect money due her. Judge Scott appointed the sheriff as receiver of these houses early in the summer and they have been running under the protection of the court ever since. The rents have been collected and in other ways things moved along much the same as when Martin was

landlord in the "burnt district." One day this week Attorneys Burbank, Thomas and Tunnicliff came to an amicable agreement and agreed to settle the dispute. They went before Judge Ambrose and filed with him the stipulations for a settlement and he signed orders decreeing that the sheriff be dismissed as receiver and that he stop interfering or having charge of these houses any longer. The sheriff was also ordered to turn over all moneys co lected by him since he had been running the places under Scott's instructions, to the defendant, after taking out reasonable fees for his trouble and other expenses incurred.

SCOTT SAYS HIS SAY. These orders came to Judge Scott's notice yesterday and before taking up a crimi-nal case, which he was hearing, he ordered his bailiff to bring him the equity docket. He said that he had something to say about this case, and while neither the attorneys for the defense nor prosecution were present he was going to make some rulings anyway. He said that he had stayed at home, missing his summer vacation, in order to give this case and other cases his attention and he had hoped that the attorneys would bring it up when he was on the bench in regular session of court. He then remarked that Tunnicliff et al had now gone before another judge, and by playing a trick upon him induced another judge to make an order in the case, taking the matter out of his hands, in fact, completely ignoring him is the attempted settlement of the case. H didn't propose to be ignored. He had always favored young attorneys, he said, and these young men might have reason to regret their action in this instance. He denounced their action in going before Julge Ambrose and securing the order for the dismissal of the receiver, and said it was a rank piece of pettifogging, to say the least. He said that his receiver, the sheriff, had made no report, and as yet he had no means of knowing the exact condition of affairs. He placed all the blame on the attorneys, and exculpated Judge

Ambrose, saying that he was satisfied that the judge had been imposed upon. Scott then ordered that all of Judge Ambross's orders and rulings be vacated and rendered null and void, and he set them aside. He said that he had appointed the shoriff as receiver of these houses, and he would protect the officer from any interference in the discharge of his duties, or any attempts to make him turn over any of the rentals. He said that any one could play a trick of this kind, but it took a gentleman to be a lawyer, and then rere eated his remarks about pettifogging. He said that this case had been before him since its inception and now had been referred to him by Judge Ambrose, who was not ap He called in the sheriff under deputy and instructed him to only fallow his (Scott's) instructions, and pay no atention to any other orders. After thus relieving himself he told At-

sideration to the motion to share these houses as public nulsances in due sen on. ORDERS STILL PRETTY GOOD. Judge Ambrose was seen shor'ly after-wards, and when he was told that Scott had set aside his orders and rulings he had set aside his orders and running had set aside his orders and running simply smiled and said that no one could that except the supreme court, and all the attorneys had to do was to go to court and secure a n cuprence court and secure a man-damus upon the sheriff compelling him to turn over the properly to its rightful custodiens. He said that the attorneys came into his court and asked leave to file their stipulations for a settlement As all the other equity judges were engaged n bearing the impeachment case he signed the stipulations and made the orders in purely a perfunctory manner, which was perfectly legal and right, and that no power on earth except the supreme court could va-cate these orders. When the atterneys wanted to settle the fees he referred them to Judge Scott, who had appointed the re-ceiver. That was all there was to it, so

far as he was concerned.

The attorneys concerned held a hurried meeting in Mr. Burbank's office, but did not make known their conclusions in the matter

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AFTER HIS RUNAWAY SPOUSE. An Iowa Husband's Se rch in Omaha for ills Wife and Child.

Charles Gillespie of Panama, Ia., was at the police station yesterday and reported the lisappearance of his wife and 3-year-old

The two left home Tuesday afternoon, taking the 3:40 train at Tabor, and he thinks they came to Omaha, as his wife attempted o get a through ticket but could not. Mrs. Gillespie is only 19 years old, although she

has been married four years.

According to the husband's story, his wife is inclined to be wild, although he admits that during their married life he has used her badly. They had lived near Panama since April, at which time they removed from their former residence in Brown county, Kansas. The cause of the removal was that Mrs. Gillespie was receiving attention from several men, and from one in particular. The husband thinks that per-haps she has gone off with the latter. No trace of the woman has been found here.

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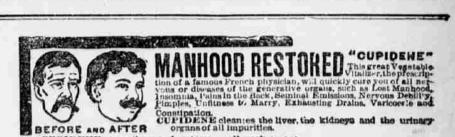
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