## NEW BOARD GOES IN

Dmaha Police Force Turned Over to Broatch Vandervoort and Foster.

SUPREME COURT DECIDES IN ITS FAVOR

Last Fire and Police Commission Law Declared Constitutional.

to the original act. State vs Babcock, 23 Neb., 128.

4. In 1887 an act was passed entitled, "An act ir orporating cities of the metropolitan class, and defining, regulating and prescribing their powers and government." In 1889 section 145 of said act was amended by the addition thereto of a provision not affecting its general scope and purpose, and the original section was repealed, the title of the amendatory act being: "An act to amend section 145 of an act, etc., and to repeal said sections as heretotore existing." In 1891 said section was further amended by the addition of a provision not affecting its general object, and the section as amended was repealed, both acts preserving the numwas repealed, both acts preserving the number and language of the original section except as affected by such amendment. In 1895 an act was passed entitled, "An act to amend section 145 of 'An act incorporating cities of the metropolitan class, and defining, regulating and prescribing their powers and government; approved March 32, 1887, and as subsequently amended." Held, That the act last mentioned is not inimical to the constitution on the ground that the original section was repealed by the act of 1889.

5. The provision of section 11, article iit, of the constitution, viz: "No bill shall contain more than one subject and the same shall be clearly expressed in the title," was intended to prevent surreptitious legislation ded, both acts preserving the num-

tain more than one subject and the same shall be clearly expressed in the title," was intended to prevent surreptitious legislation and not to prohibit comprehensive titles. The test is not whether the title chosen by the legislature is the most appropriate, but whether it fairly indicates the scope and purpose of the act.

6. An act which embraces the entire subject matter of a prior act and also additional provisions will be construed as a repeal of the latter by implication.

7. The provision of the charter of the city of Omaha for a Board of Fire and Police Commissioners composed of three members, "at least one from each of the two political parties casting the largest number of votes at the last preceding general election," does not conflict with the constitution of this state or the constitution of the United States in prescribing party affiliation as a qualification for office. If such provision be not mandatory in the sense that it is binding upon the appointing power (a question not decided) it is at least advisory and will be accorded consideration consistent with the comity existing between different de-

not decided) it is at least advisory and will be accorded consideration consistent with the comity existing between different departments of government.

8. The act of 1895 amendatory of the act of 1887 (chapter x, laws of 1895,) was passed over the veto of the governor April 4, but did not under the provisions of section 24, article ill., of the constitution, take effect until three calendar months after the adjournment of the legislature for that session. Held, that the provisions therein for the appointment of fire and police commissioners for cities of the metropolitan class within thirty days from its passage refers to the time when said act took effect as a law.

to the time when said act took effect as a law.

9. In the absence of a special provision to the contrary, the presence of all the members thereof is not indispensable to the transaction of business by a public body or beard. Where members having reasonable notice neglect to attend the meetings of a beard charged with duties to the public the action of those present, if a majority of all or a quorum authorized by statute or by law, is the action of the board and equally binding as it all had attended and expressly assented thereto.

The onlying itself is somewhat lengthy

The opinion itself is somewhat lengthy, made so by the numerous issues raised by the contending counsel. It is as follows: STATEMENT OF THE CASE.

made so by the numerous lasues raised by the contending counsel. It is as follows:

STATEMENT OF THE CASE.

This is an original proceeding in the nature of a quo warranto on the relation of the attorney general under the provisions of section fil4 of the civil code, to determine the rights of the respondents, who claim to be members of the Board of Fire and Police Commissioners for the city of Omaha.

By section 145 of the act of 1857 entitied "An act incorporating metropolitan cities, and defining, regulating and prescribing their powers and government," hereafter referred to as the charter of the city of Omaha, prevision is made for a Board of Fire and Police Commissioners, consisting of five members, to-wit, the mayor and four electors of said city, to be appointed by the governor. In 1889 and 1891 said section was amended by the addition thereto of provisions, to which reference will be hereafter made, but which do not call for notice in this connection. In 1885 an act was passed entitled "An act incorporating metropolitan cities and defining, regulating and prescribing their powers and government," approved March 30, 1887, and as sub-requently amended, and to repeal said section," and which, it is conceded, took effect August 1 following, unless void for reasons hereafter considered. By the last mentioned ac, provision is made for a Board of Fire and Police Commissioners consisting of three members, to be appointed by the governor, attorney general and commissioner of public lands and buildings.

It is disclosed by the pleadings upon which the cause is submitted that on the day last named Said board was composed of the foliowing members, to-wit; Howard B. Smith, Virgil O. Birickler, D. Clem Deaver and Charles H. Brown, all of whom had been in due form appointed by the governor, attorney general and commissioner of public lands and buildings.

It is disclosed by the pleadings upon which the cause is submitted that on the day last named Said board was composed of the foliowing members, to-wit; Howard B. Smit

said meeting. Present. H. C. Russell, commissioner public lands and buildings, and A. S. Churchill, attorney general, whereupon the following proceedings were had: bion. H. C. Russell was chosen chairman protein, and A. S. Churchill secretary. The meeting being called to appoint fire and police commissioners of the city of Omaha.

Whereupon W. J. Broatch was appointed one of the said fire and police commissioners of said city for the term ending December 31, 1896.

Faul Vandervoort for the term ending December 31, 1895, and commissions instructed to be issued accordingly.

There being no other business, after waiting until 11 o'clock a. m. of said date, the board adjourned. Record read and approved.

A. S. CHURCHILL, Secretary.

Said respondents subsequently qualified in the manner prescribed by law and will be referred to as the new board. Meesars, Strickler and Smith, upon the appointment and qualification of the new board, recognized the fittle of the latter, and refused to join in resisting their claims to the offices in controversy.

NOT A KEEPER OF CONSCIENCE.

It should be remarked as preliminary to next minimal proceedings and particles of the cause on its merits.

inal section.

NOT STRICTLY A REPEAL.

True, as provided by section il, article ili, of the constitution, "No law shall be amended unless the new act contains the section or sections amended, and the section or sections amended, and the section or sections amended shall be repealed."

But the term repeal is therein evidently employed in the sense in which it was understood at the time the constitution was adopted. It had before that time been definitely settled as a rule of construction that the simultaneous repeal and re-enactment of the same statule in terms or in substance is a mere affirmance of the origthat the simultaneous repeal and re-enactment of the same statute in terms or in substance is a mere affirmance of the original act, and not a repeal in the strict or constitutional sense of the term. (Ely vs. Holton, 15 N. Y. 595; Moore vs. Mausert, 49 N. Y. 332; Fullerten vs. Spring, 3. Wis. 671; Middleton vs. R. R. Co., 26 N. Y. E., 269; Wright vs. Oakley, 5. Met. 496; Pacific Mail S. S. Co. vs. Joilife, 2 Wall 4509, and the rule thus stated has been distinctly recognized by this court. (See State vs. McColl. 9 Neb. 233, and State vs. Wish, 15 Neb. 448.) In the case last cited Maxwell J. uses the following language: "We hold that where the re-enactment is in the words of the old statute and was evidently intended to confinue the uninterrupted operation of such statute, the new act or amendment is a mere continuation of the former act and not in a proper sense a repeal."

The act of 1891 did not abolish section 145, as originally enacted or as amended in 1889, but on the contrary re-enacted it in terms with the exceptions above noted. Nor is the fact that the act of 1891 refers to the section as it appears in the compiled statutes at all material, since it was the original act which was amended, the reference to the compilation being for convenience only. Of the cases to which we are referred by counsel for the old board, Coffin vs. Rich, 45 Me. 507 has been cited as an apparent exception to the rule above stated. (See 23 Am. Eng. Encycy of Law, 515.) But the later statute, as appears from a careful examination of that case, imposed upon stockholders of corporations a liability different from that of the former act, and was construed as a technical repeal rather than a mere re-enactment of the old law. In Louisville & Nashville R. R. Co. vs. East St. Louis, 134 Ill. 656, the facts are not fully reported by a menda by a distinct and complete section." It cannot be determined whether the act referred to was amendatory merely or whether it substituted new and distinct provisions for the original section.

In the

and distinct provisions for the original section.

In the State vs Benton, 33 Neb., \$23, the act sought to be amended had been repealed by implication, leaving nothing to which the amendatory act could apply. In Hall vs Craig, 125, Ind. \$23, the question of the validity of the latter statute was not determined, the court preferring to treat the acts as in part materia. Although earlier decisions of that court seem to sustain the proposition here asserted and may be regarded as exceptions to the rule, other cases cited deal with repeals proper rather than amendatory acts, and need not be examined at length. The great object to be attained by the constitutional requirement is certainly in legislation and to avoid the doubt and perplexity which would inevitably result from the amendment of statutes by reference to sentences or words. As said by this court in State vs Babcock, 23 Neb., 12s: "All that the law requires is that the amendatory statute shall be definite and certain as to the act amended, and germane to the title of the original act." When tested by that rule it would seem that the reference to the prior act as section 145 of the act of 1857 "and as subsequently amended," is not appropriate merely, but is probably the most accurate that could have been devised, since it satisfies the demand of the constitution and is consonant with reason.

ACT NOT BROADER THAN ITS TITLE.

reason.

ACT NOT BROADER THAN ITS TITLE.

It is next argued that the provision of the law of 1895, for the removal by the officers designated as the appointing board, of fire and police commissioners, for official misconduct, is broader than its title, and accordingly invalidates the entire act. But that law is, as we have seen, amendatory of the law of 1887, and not an independent measure, hence we must look for its title to the act last mentioned. We shall not examine the cases citled from other states, since every phase of the question presented has been fully considered by this court. The constitutional requirement, viz: "No bill shall contain more than one subject, and the same shall be clearly expressed in the title," section it, article fil. Const. was intended to prevent surreptitious legislation, and not to prohibit comprehensive titles. The test is not whether the title chosen is the most appropriate, but whether it fairly indicates the scope and purpose of the act.

Authority to remove unfaithful officers is a proper, if not a necessary incident of nunicipal government, and the provision therefor is obviously within the title of the act. "defining, regulating and prescribing the duties, powers and government" of cities of the metropolitan class.

Another criticism of the act under consideration is that it conflicts with certain other sections of the city's charter not therein referred to, among which are mentioned section 149a, chapter 12a, Compiled Statutes, authorizing the appointment of a police matron by the mayer, and section 167, providing that the mayor shall receive, as a member of the Board of Fire and Police Commissioners, the compensation allowed the other members of said board. Section 153a is not found in the act of 1887, but in the act of 1893 entitled "An act to

(Continued on Fifth Page.)

An order of the beautiful and continued to the control of the cont \$500; A. S. Woboda, business building, \$400; H. Quesner, business building, \$1,400; F. Tichota, blacksmith shop and tools, \$700; V. Krasi, drug stock, loss unknown; H. Becker, merchandise stock, \$10,000; T. Rhode, market. \$500: F. Schmeiser, residence and household goods, \$800; bank building \$2,500; F. Schmidt, business building, \$1,400 Dietrich, blacksmith shop and tools, \$700; Neuveman, buggies, harness, John Greve, boot and shoe stock, \$1,400; R. M. Herre, jewelry, \$150; J. Chmela, harness, robes, etc., \$590; Joseph Brodhun, damage to

> GAGE COUNTY TOWN BURNED. Filley Visited by a Disastrous Fire-

usiness building, \$500; William Parr, sa-oon, damage, \$100; Uher Bros., business

residence and

building, \$200; A. Schlote, residence and household goods, \$1,500; C. C. Whipps, Dodge

List of Losses. BEATRICE, Neb., Sept. 17 .- (Spic'al Telegram.)-The little town of Filley, in the eastern part of Gage county, was the scene of a disastrous fire at 2 o'clock this morning. the loss being estimated at about \$11 000. Spontaneous combustion is the accepted theory as to the cause of the fire. L. B. Canfield, hardware and harness dealer, lost on building and contents, \$4,500; insurance, \$3,300; W. C. Hill, implement dea'er, loss on building and stock, \$5,000; insurance, \$1,500; George and A. B. Waddington, loss on building \$1,000; insurance, \$600; Amos Wright, build cupying Wright's building, loss on notions,

Big Glass Works Damaged by Fire. ALEXANDRIA, Ind., Sept. 17 .- The American plate glass works in this city caught fire at 8 o'clock tonight, and at 10 o'clock the main building, 600 feet long, was enveloped in flames. The fire originated from the igniting of escaping gas from a defective pipe in the casting room. The plant is the largest of the kind in the world.

Major Doxey, president of the Glass Works
company, arrived from Anderson on a special train with a lot of firemen, and at midnight the fire was under control. The furnaces and building containing the grinding nachines are not injured.

Octavia Elevator Burned. OCTAVIA, Neb., Sept. 17 .- (Special.)-Last was consumed by fire. The inhabitants by great efforts managed to save neighboring lumber and coal sheds. The milk separator building belonging to the Nebraska Creamery association of Fremont, which adjoined the elevator, was consumed and with it one stock car belonging to the Elkhorn.

The origin of the fire is as yet unknown. total loss will reach nearly \$8,000 in all; insurance light.

Little Girl Run Down by a Motor. BEATRICE, Sept. 17 .- (Special Telegram.) This evening as a motor car was going vards of the crosing of Bell street, Ruby, the little 5-year-old daughter of Ed Delude, was struck and almost instantly killed. The little girl, after crossing, turned and in at-tempting to get back was struck on the head and knocked down and one of her feet catching in a wheel or some part of the gearing of the car, she was dragged some distance. A little colored boy, who saw the accident, called to her, warning her not to try to cross and also tried to catch her and stopped only just in time to save himself. An examination showed that the little

one's neck was broken, a bad wound on the PLATTSMOUTH, Neb., Sept. 17 .- (Special Telegram.)—Quite a crowd of witnesses from Louisville were in attendance at Judge Archer's court this afternoon giving testimony in the case wherein Henry Gable is charged with shooting Adolph Steincamp with intent to kill. The judge bound the defendant over

At Southampton-Arrived-Lahn, from New At Boulogne-Arrived-Vendam, from New Bremen-Arrived-Saaler, from New At New York-Arrived-Westerland, from Autwerp; Mohawk, from London; Rotterdam, from Rotterdam.

to the district court in \$2,500 bonds.

NAME THE JUDICIAL CANDIDATES. IT WAS NEBRASKA'S NIGHT

Republican Conventions of Several Districts Make Selections. DAVID CITY, Neb., Sept. 17.—(Special the Fifth judicial district held here today, S. H. Sedgwick of York and H. M. Kellogg of Hamilton were nominated on the first ballot by a combination of York, Hamilton and Saunders counties.

HILDRETH, Neb., Sept. 17 .- (Special.)-The republicans of Franklin county placed in nomination Saturday at Bloomington the following ticket: Treasurer, J. J. Chitwood; following ticket: Treasurer, J. J. Chitwood; clerk, R. A. Glenn; clerk district court, J. E. Montgomery; county Judge, R. S. Douglas; sheriff, Frank Moritz; superintendent public instruction, Miss Tillie McClellan.

KEARNEY, Neb., Sept. 17.—(Special Telegram.)—In the republican judicial convention at Ravenna today Judge H. M. Sinclair of Kearney was nominated on the first ballot. Wall of Sherman county and Gutterson of

Wall of Sherman county and Gutterson of Dawson were the other candidates, but made speeches after the nomination pledging their upport to the ticket. VALENTINE, Neb., Sept. 17,-(Special

Telegram.)—That the judicial convention of the republican party, held at this place to-day, would be one of the utmost unison was a foregone conclusion, but that the two pres-ent incumbents on the bench in the Fifteenth judicial district should be nominated by acclamation came somewhat in the nature of a surprise, as several of the western counties came instructed for a local candi-date. At 2 o'clock Chaltman Trommershausser called the convention to order. Colonel Johnson of Atkinson was elected temporary chairman and Dr. Knight of Alliance secretary. After the usual committees had been appointed a recess of twenty minutes was taken. The report of the commit-tees made Hon. Charles H. Cornell perman-ent chairman and Sanford Parker and Dr. Knight secretaries as well as directing the order of business and adopting resolutions re-affirming the national platform and their allegiance to the party. Hon. M. P. Kin-kaid and Hon. Alfred Bartew were renominated by acclamation, Cherry county only casting its vote for Hon. J. Wesley Tucker, its home candidate. After speeches of acceptance by the nominees, several prominent republicans present spoke. John Trommershaueser was re-elected chairman of the judicial committee and one of the most enthusiastic conventions ever held in the dis-

NELSON, Neb., Sept. 17.—(Special Telegram.)—Nuckolls county republicans held the largest convention here today ever held in the county, there being 133 delegates present. A spirited contest was witnessed over the choice of sheriff. Nine ballots were necessary to determine the candidate. Some sharp discussion resulted over the introduction of are consisted over the introduction of a resolution proposing a change from the delegate convention to the primary system. The resolution was voted down by an overwhelming majority. The best of feeling prevailed. The ticket: J. C. Gilmore, treasurer; F. E. Bottenfield, clerk; T. C. Laird, clerk district court; Seth C. Worsen, best of the control of the court of the c clerk district court; Seth C. Warren, sheriff Miss C. A. Gorby, superintendent; A. W. McReynolds, surveyor; Dr. C. O. Robinson coroner; delegates to state conven-tion, Frank Lawson, S. P. Mc-Corkle, I. A. Wright, W. A. Berg-stresser, S. T. Caldwell, A. C. Felt, A. C. Maynard, R. K. Hill, G. L. Day, J. K. Nor-wood, J. F. Keifer, C. E. Adams and A. Wiggins. The convention requested Hon. S. A. Saarle, to recommend. A. Searle to nominate the delegation to the judicial convention, which is as follows: G. L. Day, J. D. Stein,

judicial convention, which is as follows: G. L. Day, J. D. Stein, I. W. H. Dean, G. W. Stubbi, S. T. Caldwell, I. John Senman, D. W. Montgomery, S. Y. Baird, J. M. Stanley, E. D. Brown, H. W. Short, M. A. Ruble and Frank Coleman.

NORTH LOUP, Neb., Sept. 17.—(Special.)—The North Loup republican club met at the town hall last night for the purpose of resorganization and election of officers for the coming year. A healthy enthusiasm based on the settled conviction that this is a republican year, made itself manifest in every member and the work was entered into with a vim. E. S. Sears was elected president and J. H. Babcock secretary, assisted by an executive committee of eleven members. executive committee of eleven members. County Clerk Kokes, who is a candidate for re-election, was present, as was also Th son, candidate for county judge, and Rev. Mr. Maimann, candidate for county superintendent. Rev. Mr. Maimann made the principal address of the evening, being followed by remarks by Thompson and Kokes. SIDNEY, Neb., Sept. 17.—(Special Tele-gram.)—On Saturday the republican county convention will be held here. The following Tuesday the populists hold theirs. The demwill not have a convention, but will present their candidates by petition

OAKLAND, Neb., Sept. 17.—(Special.)— The Burt county republican convention assembled here today at 1 o'clock p. m., and nominated this ticket: J. F. Piper, treas-urer; A. M. Anderson, clerk; F. E. Ward. Judge; W. A. Harding, superintendent; L. Cook, clerk of the district court; W. Pratt, surveyor; F. Simon, coroner; A. White, commissioner, Second district. Ju . T. Dickinson was permitted to select the delegates to the judicial convention. A let-ter from Judge Hopswell was read, with-drawing from the race, and heartly en-dorsing Judge Dickinson. Judge Dickinson nade the following motion, which was en-made the following motion, which was en-thusiastically endorsed by the convention: "That the delegates to the state convention cast the votes of the delegation for Judge M. R. Hopewell for supreme judge, and use all honorable means to secure his nomi-nation."

IMPERIAL, Neb., Sept. 17.—(Special.)— The Chase county populist convention convened here Saturday. Four precincts cut of fifteen were not represented. The following ticket was placed in nomination: E. B. Sut ton, county treasurer; W. T. Brass, sheriff, Charles Branerd, superintendent; Phillip Sum-mers, coroner; and Frank Fulke, commissioner of Second district. For the offices of county clerk and judge no nominations were made, pursuant to an agreement with the democrats just prior to the convening of the convention. There has been an earnest effort made by the democrats to fuse with the populists, but the proposition does not meet with a very hearty endorsement by the mid-dle of the road populists, and many will not support the ticket nominated today on account of the trade made by the two rings, which have been holding nightly meetings to the end of fusion.

The democrats will held their convention

September 28. September 28, CRAWFORD, Neb., Sept. 17.—(Special Telegram.)—Dawes county's populists in con-vention here today nominated the following tloket: Treasurer, Senator H. G. Stewart, sheriff, P. G. Cooper; clerk, J. G. Harmon clerk of court, T. B. Coxey; county judge, E S. Ricker; supprintendent of schools, G. T Clark; coroner, G. B. Rosea; surveyor, G. P. Garrison. After the licket was nominated Messrs, W. H. Westover and L. P. Golden, consider Golden, populist nominees for judges, ad-dressed the convention.

PECULIAR TRAGEDY AT SCRIBNER. Fred Hartman and Wife Found Dead

SCRIBNER, Neb., Sept. 17.—(Special Tele gram.)-Since Sunday Mr. and Mrs. Fred Hartman of this place have been missing and an investigation this evening resulted in the discovery of a terrible tragedy. She now lies dead in the lower room of their residence in the east part of town with a hole in her neck and he hangs to a rope in an upper room. A coroner's inquest will be held to-morrow. The entire matter is a mystery.

Crawford Woman Killed. BIG SPRINGS, Neb., Sept. 17 .- (Special Telegram.)-Mrs. Carpenter, a lady living ten miles north of here, while returning from Ogulalla last night was thrown from the wagon and died from the injuries this morning. She had taken her son-in-law, John Orr, to the above town on his way to Omaha. He is now in Omaha in company

New Woman a Factor at Sidney SIDNEY, Neb., Sept. 17.-(Special Telegram.)—The new woman is becoming a stern reality here. A class in physical culture has been organized and the ladles will shortly have a full-fledged gymnasium. Bloomers will be a prominent feature.

Telegram.)-At the republican convention of Another Great Parade Along Omaha's Brilliantly Lighted Streets.

VIEWED BY THE ADMIRING THOUSANDS

Cuming County's Float Walks Away with the First, While that from

Merrick County Captures the Second Prize.

It was Nebraska night and was characterized by such a showing as would be possible only in Nebraska. There were floats from the various counties of the state, rich in ma terial and artistic finish; there were bands galore, and their music was a most enjoyable feature of the parade; there were pretty girls in charge of the floats; there were steam engines and steam threshers with caliope attachments, cowboys and Indians, a devil's furnace and a palace of Ceres, advertising cars of the most unique design and crowds that were in a mood to appreciate and ap-

plaud every attraction. The parade was billed to start from Sixteenth and Izard streets at 7:30 o'clock, but it was nearly an hour after that time before Marshal Mount was enabled to give the order to march. The delay was occasioned by the inability to get the heavy floats in line sooner. The parade moved south on Sixteenth to Douglas, east to Tenth, south to Farnam, west to Eighteenth, north to Douglas, east to

Sixteenth and north to Izard. All along the line of march the streets were simply massed with spectators, and it was only by herculean efforts and constant vigilance that the police managed to preserve llance that the police managed to preserve any semblance of order. On Douglas and Farnam streets, and especially in the vicinity of the reviewing stands at the corner of Eighteenth and Farnam, the crowds were so dense that progress along the streets was seriously impeded and efforts of the police to prevent delays were unavailing. The taking features of the parade were most heartily cheered all along the line of march.

RED MEN WERE AT THE FRONT.

RED MEN WERE AT THE FRONT. Sergeant Her, commanding a squadron of mounted police in full uniform, cleared the street from curb to curb. The Nebra-ka State band of Lincoln, under the leadership of Robert S. Browne, with twenty-six pieces, led the long procession, immediately pre-ceding a band of the Independent Order of Red Men of Nebraska. The Red Men were commanded by Grand Sachem Charles Warner, ably assisted by Sachem Charles War-ner, ably assisted by Sachem Fred Ahler and Prophet F. E. Hodges of the Omaha tribe. Scouts E. J. Nelson and J. W. Mer-riam and thirty Red Men made up the contingent. Then came the rough riders of the plains, headed by Rattlesnake Pete, Long Haired Burke and "Kid" Nuckolls. These attractions formed the general introduction to

the spectacle which followed.

The first division of the parade was in charge of Marshals M. H. Collins and H. J. Penfold. It was headed by the First Regiment band, Nebraska National Guards, one of Omaha's finest musical organ'zations. The Kearney float was given the place of honor in this division. It was a complete model of in this division. It was a complete model of the celebrated cotton mill, the only one of its kind in the west. The model, which was about twenty feet long, rested upon a base formed of Nebraska products of the field, orchard and farm, the whole being tastefully arranged. The Central City float came next. representing a pair of sea horses drawing a huge ocean shell, the latter being filled with agricultural products. Upon a raised divan in the center of the shell rode Miss Gertie Persons, one of Central City's charm-Persons, Thomas Hull and Howard Sell-

The second division, in command of Mar-shals Max Meyer and J. C. Colt, was led by the West Point band in handsome maroon and white uniforms, trimmed with frogs of silver braid, and under the leadership Harry Raile. It marched ahead of the Cum-ing county float, one of the handsomest in the parade. This float, designed by J. P. S. Neeley of West Point, represented an allegorical tableau, entitled "The Temple of Ceres." It was 10x15 feet in size. On each corner rose a pillar surmounted by a globe There were four of these pillars, represent-ing West Point, Beemer, Wisner and Bancroft, the four principal towns of the county. In the center of the float rose a dome crowned dais, upon which was seated the Goddess Ceres, impersonated by Mrs. Joseph Zaycek, wife of the popular county clerk of Cuming county. Mrs. Zaycek wore a crown in which were encrusted \$5,000 worth of diamonds, furnished by Max Meyer. The entire float was worked with seeds and grains entire float was worked with seeds and grains and so artistically had the mosaic work been done that one could hardly realize that nature had grown the material for such beautiful handicraft. The Seventh Ward Military band of Omaha marched next and just ahead of the Beatrice float. This was the largest float in the parade, being forty feet in length. It represented the thirty years' history of Gage county. On the forward truck was shown a sod shanty, patterned closely after the home sod shanty, patterned closely after the home erected by Daniel Freeman on the first home-stead ever entered in the United States. Upon the rear truck was an allegorical tab-leau representing the proud position of the city of Beatrice. Upon a raised pedestal in the center and standing beside an enormous cornucopia was placed the Queen of the Blue. At each corner of the pedestal were living statues, marking the progress of Beatrice Queen of the Blue was impersonated by Miss Ella Cox, Miss Elizabeth Farrer representing Agriculture, Miss Cornelia Shultz Commerc Miss Mary Dean Manufacture and Miss

riet Ewing Art.
The Union Pacific was typically represented by the next float, which consisted of an eugine, tender and a fast mail car, all "life size." The engine and car were the city and were perfect reproductions of the big locomotives which traverse the overland route. The train was in charge of Conductor Tom McGovern, Engineer George Everett, Fireman P. E. Cusick, and Brakeman F-ed Busch. Following came the Durant Hose company, eighteen men in line, under com-mand of Chief John Reed.

The Douglas county float naturally brought out cheers along the entire line of march. It was a mammoth affair, thirty feet in ngth and nearly as high. float was an enormous ear of corn, ten feet in length and four in diameter. Above the ear of corn was the legend, "Douglas County, the Key to the State." An immense key nearly ten feet high and thick in pro-portion gave ocular proof of the truthful-ness of the legend. The driver mounted a pumpkin three feet in diameter. The float was designed by E. G. Soloman and Oscar

FLOATS AND MORE FLOATS. The third division started off with Hawkeye Independent Order of Odd Fellows' band of Council Bluffs, under the leadership of E. R. Touser. There were twenty-two members, arrayed in cadet gray uniforms decorated with black braid and black fatigue caps. Their playing was as good as any in he parade.

the parade.

The Cudahy float, which followed, was a huge display of the products of the firm, which were arranged in pretty effects. A great can occupied the center and was topped with an illuminated crown and adorned with tiny globes, which flashed out at intervals in the colors of the Knights of Ak-Sar-Ben. In front and behind, facing the street, were nanels in yellow, red and green, in the center panels in yellow, red and green, in the center of which was either the initial or name of the firm, displayed alternately in the same colors. Arranged all about were cans of the different products of the firm. Crowning the whole float and on the front was a great bull, while in the rear at the corners two hogs were sitting on their haunches, holding aloft Ak-Sar-Ben bannerettes. The float was drawn by six horses and guided by as many

ttendants on foot. The affair was in charge Behind came the float of D. T. Mount, diwided into four apartments, in each of which gram.) This city and county was laid out a bed of coal. Four lanterns resentatives to the state fair.

### THE BEE BULLETIN.

Weather Forecast for Nebraska-Generally Fair; Cooler; Westerly Winds

1. A. P. A. Police Bill Held Good, Oodge Almost Wiped Out by Fire. Nebraska Night in Omaha.

Hot Day at the State Fair. 3. Dull Racing in a Simoon.

Cracks Meet on Gravesend's Track. 4. Editorial and Comment. 6. Council Bluffs Local Matters.

New York Republican Convention. 7. Commercial and Financial.

Weather Crop Bulletins for the Week. One Lincoln Receiver Charges Fraud. 8. Prize Winners at the Turner Trials.

9. Scott Turned Down at Lincoln. Treasury Holding Its Own.

10. "A Chance Meeting." II. Sketch of Successful Spreekels. Antiquities Made While You Walt.

12. Competing with Convict Labor,

EVENTS OF TODAY. At the Fair Grounds:

Judging in All Departments, Band Concert at 10 a, m. Racing at 2 p. m. in the City:

Matinee at the Creighton, 2:30 p. m. Matinee at the Boyd, 2:30 p. m. Bench Show at Creighton Hall. Civic Parade, 8 p. m.
"Derby Winner" at the Creighton After
the Parade. Roland Reed, Boyd's, 8 p. m.

hung from the corners and threw out the drawn by four spirited horses, driven J. Handwright, who was in charge of the

A unique affair was the float of the Evans Nebraska Shirt company, an African court on whoels. Martin Meyer of the company, black as the ace of spades, sat on his dignity and a throne in the rear end, with a number of equally black boys about him, fanning his august brow with huge paim leaves. In front, dressed as attendants of the court, were grouped the members of Silvertongued had risen and breakfasted before daylight in quartet, James Smith, John Bruce, W. M. Lewis and L. J. Proctor, All were dressed in gay costumes, and to add effect to the the quartet sang songs when the bands would permit.

PRIDE OF BUFFALO BILL

The Adams Express company presented an interior view of an express car with the customary accompaniments of bags of gold, safes, messenger kit, rifles, guard and messengers, but with the unusual adornment of sengers, but with the unusual adornment of a pretty mite of a girl seated in all her glory in the center, "Eve, Adam's express com-panion." Her name was Goldie Ross, and she was regally dressed to comport with her dignified and innocent beauty. Near her was the armed guard, Pete Head, with money bags and chests all about him, and close by was the mesenger, Art Kingsbury, and his helper. The float was in charge of George F. Davis, and was drawn by by four horses. Following was the finest arrayed band in the whole parade, the Gordon Silver Cornet band of North Platte, all resplendent in white and gold, headed by Drum Major F. B. Hardman and under the leadership of Prof. M. Klien. Each member was uniformed in white and black, Russia jackets and capes of white English broadcloth, gorgeously adorned with real gold braid, tight fitting white trousers, jet black leggings and silver helmets decorated with white waving plumes. The uniforms are valued at \$1,000, and were the gift of Hon. W. F. Cody. The band created a marked sensation, particularly as their playing was in keeping with their splendid

appearance.
It was followed by a float of the Hammond Packing company, drawn by four horses, which were led by attendants in white. the float was the car of the G of South omana. About her was her court, representatives of a dozen nations of the world, each arrayed in national costume Among them were four sweet singers, the Hammond quartet, composed of J. B. Smith, J. C. Colley, T. Broadhurst and E. G. Ro-zelle, who entertained the crowds with many selections. The entire float was adorned with products which the company turns out, arranged in pretty designs. A big ca'clum light

line of march. SAMSON'S MEN WERE THERE. Behind came the patrol wagon, with four of the "finest," Driver O'Brien and Officers Poole, Ravencamp and Fahey, with un forms as neat as they could possibly be made and buttons shining like silver. It was escorted by the Omaha military band, in neat and modest blue uniforms, under the direction of M. Anderson, who kept the minions of the law in good humor by their playing and

made the patrol horses pranco along the whole line. An interesting float was that of the Aultman & Taylor company, which was drawn by an engine made by the firm, and which had decided callopean propensities, and persisted in hoarsely uttering the strains of melodious "Home, Sweet Home," to the huge amusement of the crowds. There were two more sections to the float, one representing the arduous threshing process of the olden times with flails, and the other being an up-to-date and the latest improved threshing machine. On the floats were a dozen men in charge of Manager F. L.

crowned with a great cigar, twenty feet in length, comprised Robinson Bros. display. On top was stationed a colored quartet, On top was stationed a colored which sang a variety of plantation songs as which sang a variety of plantation songs as t passed through the crowd. The display In a heavy, brightly painted wagon, A L. Dean & Co. displayed one of their big-

est safes. Behind the parade was the crowning float of the evening, that of the Knights of Ak-Sar-Ben, ablaze with fire and escorted by a resplendent band, which uttered cheerful strains of music to drown the anguished cries of a number of candidates who were being publicly initiated into the order. The float had been delayed because some of the candi-dates had been "accidentally" dropped on the hard pavement, and consequently it missed by a larger portion of the crowds. The float will be shown again in the parade to-night, and in order that it may not be delayed the "dropping on the pavement" por-tion of the initiation will be left out.

The float showed the entire work of initiation. The candidate was hauled up, decapitated, passed through a roller, thrown into a

yawning pit, drawn up again on an elevator and deposited on a blazing gridiron, and once more dumped into the pit, from whence he finally arose, rejuvenated and with a halo around his head. The whole initiation was performed in a blaze of red light, in which the fantastic forms of the initiating knights danced like demons.

Those who had the initiation in charge were: Major Wilcox, high lord high executioner; Ed Allen, grand mofgi; Guy Doane supreme foo-choo; Herb Martin, Lord Dunraven, and two common devils, Alexander

Jeffrey and M. Levy.

After the parade was over the judges met
and awarded the first prize to Cuming and the second to Merirck county.

PLATTSMOUTH COMING TO THE FAIR the Occasion Thursday.

PLATTSMOUTH, Neb., Sept. 17 .- (Special Telegram.)-Through the enterprise of Joe Klein of this city in securing a special train to run from here to Omaha on Thursday afternoon and return late at night and the business houses closing up for that afternoon Plattsmouth will be enabled to show her loyalty to the state fair by attending in a body. Every one from here will don a big red rib-bon with "Plattsmouth for the State" printed upon it. A report of all the tickets sold to the fair in Omaha from this point today shows a total of 206, besides forty holding

transportation.
SIDNEY, Neb., Sept. 17.—(Special Telegram.)—This city and county sends 200 rep-

# AT THE STATE FAIR

Almost All Nebraska Turns Out in Holiday Attire.

OLD SETTLERS AND CHILDREN CELEBRATE

A. J. Weaver Delivers the Oration of the Day.

HISTORY OF THE STATE REVIEWED

Struggles of the Pioneers and Perpetuation of Their Triumphs.

NEARLY 40,000 PEOPLE ATTENDED

Immense Multitude of People Braves the Dust and Heat to Visit the Show Prepared of Nebraska's Products.

Yesterday is the day which was named by the state fair managers as Pioneers' and Children's day, and youth and old age went out hand in hand to admire the wonders of Nebraska's new White City. They went early In the morning to stay all day and dissipate colors of the knights, and the entire affair, any possible doubt that the exposition now in progress will make a new record in the history of state fairs in Nebraska,

Yesterday morning saw what was really the opening of the fair. It was not until late Monday that the last of the exhibits was fully completed and it was not until yesterday that the real force of the vast crowds that will gather at the metropolis was felt at the had risen and breakfasted before daylight in order that he might avoid the crowd by an early start, missed his calculations. The crowd was there before him and the first notor trains were loaded to the footboards.

In the early part of the forenoon it seemed that the meter company had misjudged the amount of travel. The trains to the fair grounds were eight to ten minutes apart until nearly 3 o'clock, when a two-minute service was put on. The result was that in the early part of the day the motor service was utterly inadequate. The trains were boarded and before they had passed half way around the loop every seat was crowded. When they reached the actual starting point it was impossible to obtain standing room and hundreds of people who were waiting there and along the line to the grounds were obliged to exhaust their patience before there was a possibility of beginning the

there was a possibility of beginning the journey.

At the grounds it was evident an hour after the gates were opened that an unprecedented attendance was a certainty. precedented attendance was a certainty. There were fully 10,000 people on the grounds at 9 o'clock and it reached fully 30,000 in the afternoon. The buildings were filled in all their aisles and passages and the spectacle afforded a vivid impression of what the scene will be during the latter part of the week, when the full tide of the coming thousands swells through the White City.

CHILDREN OUT IN FORCE. There are nearly 14,000 children in the schools of Omaha and it was the prevailing opinion that 90 per cent of them were at the fair grounds during the day. They were on the grounds in droves, some accompanied by their elders, while others elbowed their way, alone with that indomitable pertinacity which characterizes the progress of a lively "kid" through a crowd before which a man would hesitate. They were everywhere in evidence and their long drawn exclamations of aston-ishment and admiration were heard in every, corner of the fair. As it was well known among the exhibitors that the public schools had been closed in order that the children might have an opportunity to see the big show, the exhibitors were disposed to give the little ones all the benefits of their brief the little ones all the benchts of their water vacation and many a man of business was obliged to wait while the curiosities of an exhibit were explained to a group of open eyed children who drank in the wonderful story with breathless astonishment and im-plicit faith.

The ploneers who helped to build a commonwealth on the Nebraska prairies were not so numerous as their grandchildren who thronged around them. Their ranks were thronged around them. Their ranks were broken by the advance of years, but it is doubtful if even the little ones viewed the vast display with more unconcealed satisfac-tion. To the children it was simply a show, the biggest one they had ever seen, but as the gray haired men and women contemplated the city which typified the resources of their adopted state their thoughts went back to the years when they had seen forests and unbroken wilderness on the slopes where the magnificent structures now reflect the morning sunshine and they saw in the vast spectacle before them the fruition of their hopes and years of toil. It was even greater than they had hoped, and as they shook each others' hands and recounted experiences of the early days their pride and satisfaction were too deep for words.

A third feature of the day was the golden rod, which was everywhere noticeable. A vast supply of sprigs of the plant had been prepared for the occasion, but it was ex-hausted early in the day. Thousands had provided themselves elsewhere, however, and but few of the Nebraska visitors appeared without the flower which has been declared the typical blossom of their state. The children were especially true to the golden rod. It has a part in the instruction of every kindergarten, and the child who could not obtain a spray of the flower had lost half the pleasure of the holiday. The committee of the managers on Golden Red day consisted of Mesers. Bassett, Vance and Dooli'tle, and the young women who pinned on the sprigs were the Misses Dunham, Smith, Vance, Bas-

sett. They were kept busy the greater por-tion of the day.

At 11 o'clock the address of the day was delivered at the grandstand by A. J. Weaver, jr., of Falls City. The platform was occupled by the pioneers and their wives. Among them were noticed Colonel C. S. Chase, David Anderson of South Omaha, J. H. Masters of Nebraska City, Patrick McArdle and

Daniel Carpenter. Secretary Furnas said: "Fellow Citt-zens and Pioneers of Nebraska: I use the expression in its strong-est and most impressive terms, use the expression in its strong-est and most impressive terms, By pioneers I mean the men and women who came into this so-called great Ameri-can desert years ago and laid the foundacan desert years ago and laid the founda-tion for all you see around you today. To them more than to all others is due the credit of building up this great common-wealth. In recognition of this the Board of Managers has decided to admit you all and extend to you the privileges of the grounds. We are glad to see you here and are proud to show you this magnificent spectacle of Nebraska resources."

Mr. Furnas then introduced as one of the products of Nebraska Mr. Weaver, who was given an enthusiastic reception, after which he spoke as follows:

ORATION OF THE DAY. "Mr. Chairman, Pioneers and Fellow Citi-"Mr. Chairman, Pioneers and Fellow Citizens: I do not know why I have been asked to address this Pioneer Association of Nebraska, unless it is because, wanting a product of Nebraska soil, you knew of no better place, of no more reliable county to go than to old Richardson. Mr. Chairman in behalf of Richardson county, the southeast cornerstone of our state, in behalf of her pioneers and of all her citizens, I thank you for the compliment. Perhaps you wanted to know also what the young manhood of our state thinks of the structure you have built and what, after you are gone, we propose to do toward

embellishing the superstructure of the founda-tion which was begun in a wilderness and with the reverses of fortune thirty years ago, "What do young Nebrarkans think of Ne-

after you are gone, we propose to do