against so much delay in transacting business.

Hull of Harlan retorted that it was a trifle peculiar that such solicitude for economy of time should come from one who monopolizes more time of the house than any other member. Jenkins replied: "If I didn't have any more brains than you have I'd keep still entirely." Hull appealed to the chair to restrain personalities. Speaker Gaffin mildly suggested that he hoped the gentlemen would resign from further indulgence in that line. Jenkins responded that he had been compelled to indulge in them in self-defense, nevertheless he would apologize for them.

Pollard of Cass desired to know why, with so much unfinished business on hand, the house could not go into committee of the whole and transact some of it.

Clark of Lancaster made a sarcastic speech, in which he accused the populists of not being able to do anything without a caucus, and said he would support Rich's motion in order that they might take a day off for caucus purposes. The test vote came on Jenkins' amendment, which was defeated by 52 to 25. The house then adjourned until 10 o'clock tomorrow morning.

The object to be accomplished was prosecution of the Douglas county contest case. It is admitted that there is no more evidence in sight, but it is evident to the populists that nothing can be accomplished by their element until the contests are out of the way. It is understood, however, that no more witnesses are to be summoned, and the adjournment is for the purpose of settling in caucus the whole thing and getting it out of the way. The populists are hopelessly divided on the question. This is admitted by the leaders.

SENATORS SPREADING THE EAGLE.

Day Spent in Eloquent Debate on Matters of Little Moment.

LINCOLN, Jan. 27.—(Special.)—The senate played to the galleries all forenoon and the galleries were edified. The whole morning session was taken up with the consideration of a motion offered by Senator Mutz of Keya Paha, requiring all standing committees of the senate to make an immediate report on the status of bills in their possession. The sympathy of the senate was clearly with the senator from Keya Paha, but his motion was bitterly opposed by Senators Fritz, Ransom and Howell. The motion, after a protracted discussion, was agreed to and enforced. The list of standing committees was called and each chairman was required to inform the senate of the number of bills before him, what disposition had been made of them, and what effort was being made to expedite business.

Mr. Mutz commenced his fight immediately after the preliminary work had been cleared away. He offered his motion and it was immediately seconded.

Mr. Talbot of Lancaster asked if the motion was not out of order, inasmuch as it sought to change a standing rule of the senate. The chair held that the motion was clearly in order.

Mr. Ransom of Douglas insisted that the motion made by the senator from Keya Paha was a part of a ridiculous proceeding, calculated to win the disapproval of the people of the state. He characterized as senseless the proposal to take up the time of the senate with reports from the thirty-nine standing committees and thus delay the actual business of the session and waste the money of the taxpayers. He thought the senator from Keya Paha should go to the bookkeeper of the senate for the information.

Mr. Mutz in reply stated that he would be satisfied with whatever judgment the people of the state passed upon his action. He offered the motion, he said, because he could see no other way to do business than to compel the chairmen of the standing committees to do their duty. If the reports showed that the senators who were at the heads of the standing committees would not work, the senate would see that they were placed where they would have to work.

Mr. Beal of Custer stated that he could see nothing objectionable in the motion. If the chairmen of the several committees were doing their duty they would not be hurt.

Mr. Conaway of York moved the previous question and the debate ceased. The motion was then agreed to by a vote of 26 to 6.

Mr. McGann of Boone then moved a reconsideration. He thought that the senator from Keya Paha was delaying the work of the senate. This motion precipitated another debate which was brought to a close only when Mr. Beal moved the previous question. The motion to reconsider was voted down. The rules were then suspended and the standing committees, through their respective chairmen, made verbal reports upon the status of the bills before them.

The senate then took a recess until 2 o'clock, after listening to the reading of the inevitable batch of new bills.

NEARLY KILLS ONE OF RANSOM'S BILLS

After recess the senate took up bills on third reading and in so doing very nearly administered a death blow to one of Ransom's measures affecting Douglas county. The bill was senate file No. 14, providing that the number of county commissioners in Douglas county be reduced from five to three. The bill had been advanced to third reading with no protest or opposition. Consequently, when the bill received the negative vote of nearly every member of the senate, there was some surprise. Senator Ransom barely saved the bill by requesting just before the vote was announced, that it be recommitted to the judiciary committee. The senate agreed. The vote on the bill was as follows:

Ayes:

Farrell,	Grothan,	McGann,
Feltz,	Howell,	Ransom,
Gondring,	Johnson,	Weller—9.

Nays:

Beal,	Fritz,	Osborn,
Caldwell,	Graham,	Ritchie,
Canaday,	Haller,	Schaal,
Conaway,	Heapy,	Steele,
Dearing,	Miller,	Sykes,
Dundas,	Muffly,	Watson—20.
Evans,	Mutz,	

FREE SILVER DEBATE SPRUNG.

The joint resolution directing Senator John M. Thurston to vote for any and all measures favoring the free and unlimited coinage of silver at a ratio of 16 to 1, was placed on its final passage. Before the ayes and nays were called Senator Murphy, republican of Gage, was recognized. He said in part:

Mr. President, I regret exceedingly that it is made necessary for me on the floor of the senate to be compelled to take a partisan position here. Up to this time I have desisted from all attempts to introduce the question of party into the deliberations of this body. I regret the effort now made to bring partisanship into this body. This resolution, brought here by the distinguished senator from Douglas county, throws down the gauntlet of partisanship on the floor of this chamber, and on behalf of the minority I am compelled to take it up. The resolution is offered with the evident purpose of humiliating one of the greatest senators Nebraska has ever selected to represent this state in the congress. It is offered for the purpose of instructing Senator John M. Thurston to cast his vote for that financial policy conceived in Chicago last summer and repudiated by a plurality of nearly 1,000,000 votes at the last November election. I could pass it by as the product of blind and misguided partisanship did I not know that it was offered by the senator from Douglas county in a spirit of buncombe.

The resolution, Mr. President, is not clothed in the virtuous garb of sincerity and honesty. It simply seeks to instruct Senator Thurston to cast his vote for that financial heresy that was at the best election quietly and placidly laid away in its last long resting place by the votes of more than 7,000,000 freemen and by the largest and most decisive plurality ever cast against a pernicious policy since the dawn of time. I trust that this resolution will not be agreed to.

Senator Ransom sent to the secretary's desk and had read an interview given to the public press by Senator Thurston regarding the pending resolution. He also had read a letter written by Senator Thurston to Barney Johnson, ex-representative from Nemaha county, as follows:

OMAHA, Jan. 20, 1895.—Hon. B. Johnson, Lincoln, Neb.: Dear Sir—Replying to yours of the 18th inst., will say: On the matter of ratio for the coinage of the American product of silver I should prefer the ratio of 16 to 1—falling in this, the best ratio that could secure the necessary votes to enact a law. Understand me, however: This is expressly upon the condition that our legislation shall provide for the coinage of the silver of the United States only, the silver product of any other country and that we are not to admit to our mints until the nations of the world are ready to join us in international bimetallism. Yours truly, JOHN M. THURSTON.

Senator Ransom then spoke vigorously in reply to the remarks made by the senator from Gage. He asserted that the resolution only sought to comply with the clearly expressed wishes of Senator Thurston upon the occasion of his election. He quoted from Senator Thurston's address upon that occasion and insisted that Senator Thurston could have no possible objection to the Nebraska legislature taking him at his word.

SMITH CALDWELL'S EXPLANATION.

When the roll was being called Senator Caldwell, republican of Nuckolls, explained his vote. He called attention to the fact that the distrust excited in all parts of the country over the triumph of the populist party in Nebraska had become so evident that Governor Holcomb felt impelled to give to the public press an interview in which he pledged his party that no action should be taken by the legislature which would bring discredit upon the state. That interview was spread to all parts of the United States by the Associated press. When it caught the eye of the senior senator from Nebraska that distinguished statesman also came to the front with a defense of his state. With an eye upon his chances for re-election two years hence Senator Allen went Governor Holcomb one better. And yet, the senator from Nuckolls continued, it was by the vote of Senator Allen alone that this country today was living under the Wilson bill, the most damnable tariff measure ever inflicted upon a suffering people. It was the vote of Nebraska's senior senator alone that deprived the farmers of this state of the foreign market for their food and meat products which had been secured by the reciprocity features of the McKinley law.

Senators Conaway of York and Talbot of Lancaster also made brief arguments against the resolution in explaining their votes.

The roll call was then completed and the resolution agreed to by a strict party vote. The senate then adjourned.

WELL PAID FOR HIS DAY IN JAIL.

David Nehr Secures Damages from John A. Dobbs, Whose Dog He Shot.

BEATRICE, Jan. 27.—(Special.)—In the damage suit of David Nehr against John A. Dobbs, the jury, after being out all night, returned a verdict this morning, awarding the plaintiff damages in the sum of $245, which, of course, throws the costs upon the defendant. The Dobbs-Nehr dog case, as it is known, has become famous in Gage county. Nehr shot and killed a valuable dog owned by Dobbs, for which he was arrested, tried, convicted and sentenced to one day in the county jail, which sentence he served. The case was taken to the supreme court and reversed, whereupon Nehr brought suit for $10,000 damages against Dobbs, with the result stated above.

Republican Club Elects Officers.

HASTINGS, Jan. 27.—(Special.)—The Republican League club met in the court house last night and elected the following officers for the ensuing year: President B. M. Parmenter; vice president, Will S. McKinney; secretary, Edward Wilson; treasurer, Harry Haverly; executive committee, William Lowman, chairman; U. S. Rohrer, W. W. Miles, E. N. Hasman, C. J. Hamot; committee on program, Edward Wilson, Judge Cessna and Adam Breed.

After the election of officers several good speeches were made by members of the club. Mr. Pierce of Omaha was present and addressed the club. The next meeting of the league will be held in the court house on Monday night, February 15.

Loses His Life in a Hotel Fire.

FREMONT, Jan. 27.—(Special.)—A telegram was received here last night stating that Emory A. Mullison of this city lost his life in a fire in the Windsor hotel at Fort Smith, Ark., yesterday morning. No further particulars were given. Mullison was 27 years old and unmarried. He had resided here about ten years. At the time of his death he was employed as a traveling salesman for a wholesale stationery house. He was a member of the Knights of Pythias and Odd Fellows. His remains will be brought to Fremont for burial.

Preparing for the Next Chautauqua.

BEATRICE, Neb., Jan. 27.—(Special.)—The chautauqua officials are already busily engaged upon arrangements for the assembly of 1897, and the program will be fully up to any that has preceded it. Rev. T. DeWitt Talmage is among the many attractions already secured. Dr. Davidson, than whom there are no better chautauquan directors anywhere, is assisting in the work of securing talent.

Ask for the Receiver's Removal.

JOHNSTOWN, Jan. 27.—(Special.)—The creditors of the wrecked State Bank of Ainsworth have filed a protest against the approval and allowance of the report of the receiver and have asked that he be removed and R. S. Rising, president of the Bank of Ainsworth, be appointed in his stead. Judge Kincaid will hear the case on the first day of the coming term of the district court.

Giving Lessons at Masonry.

LYONS, Neb., Jan. 27.—(Special.)—Grand Master Tully of the grand lodge of the state is here this week holding a school of instruction in Masonry. Several Masons met at the Masonic hall last night, when the grand master gave instructions in the first and second degrees. The school will continue today and tomorrow.

For the Benefit of the Book Fund.

NEBRASKA CITY, Jan. 27.—(Special.)—The first of a series of entertainments to be given for the benefit of the new library book fund was held last night at the opera house. Fred Emerson Brooks, the California humorist, was the attraction. His humorous readings and recitations pleased the large audience.

Hand Hurt in a Corn Sheller.

BEATRICE, Neb., Jan. 27.—(Special.)—H. T. Beals, residing southwest of the city, had his hand caught in a corn sheller yesterday and badly wounded. It was necessary to take the machine apart to release the injured member. The attending physician thinks no amputation will be necessary.

Hog Thieves Give Farmers Trouble.

LYONS, Neb., Jan. 27.—(Special.)—Hog thieves are causing considerable trouble just west of town. B. R. Rusco lost two fine hogs one day last week. The hogs were tracked nearly to Bancroft, where their trail was lost.

Before Retiring....

take Ayer's Pills, and you will sleep better and wake in better condition for the day's work. Ayer's Cathartic Pills have no equal as a pleasant and effectual remedy for constipation, biliousness, sick headache, and all liver troubles. They are sugar-coated, and so perfectly prepared, that they cure without the annoyances experienced in the use of so many of the pills on the market. Ask your druggist for Ayer's Cathartic Pills. When other pills won't help you, Ayer's is

THE PILL THAT WILL.

NEW CHARTER FOR LINCOLN

Principal Proposal is a Salary for the Police Judge Instead of Fees.

MAYOR GRAHAM'S COMMITTEE AT WORK

Scheme is Separate and Distinct from the Charter Now Being Incubated at the Populist Hotel by the Populists.

LINCOLN, Jan. 27.—(Special.)—Recently Mayor Graham appointed a committee to recommend to the legislature certain changes in the city charter. This has nothing to do with the new "populist charter," which has lately been in process of incubation at the Lincoln hotel, and which contemplates the Fire and Police commission for the city. Mayor Graham's committee has concluded not to recommend the union of the offices of mayor and police judge, as was at first contemplated, at a salary of $1,500 a year. The populists also had this scheme in view, but dropped it because their judicial adviser, Judge Maxwell, informed the legislators that it would be unconstitutional. But the republican charter committee will recommend that the police judge be paid a fixed salary instead of relying on the fees of the office. At present the Lincoln police judge does not get his salary of $1,500 unless the fees from offenders against the law amount to that sum. Judge Waters, the present incumbent, has been quite judicious in charging the fines, especially if by so doing the family of the prisoner was likely to suffer a hardship. When the question has arisen whether the prisoner shall pay the fine and the mouths of his family go empty he has generally remitted it, although perhaps suffering a pecuniary loss himself.

Six boys were arrested this afternoon in the third story of the state house for disorderly conduct. The arrest was made at the instance of the head janitor. Five of them claimed to be students and one, George Bostwick, aged 16 years, gave his vocation as that of a printer. The other five gave their names as Clyde Low, Will Lindsey, Fred Beebe, aged 16 years; and John Lewis and John Miller, aged 14. All but Lindsey, who gave his residence as Iowa, are Nebraska boys. One of them, it is claimed, pushed one of his legs through the ceiling sending down a shower of plaster in front of the room of Deputy Supreme Court Clerk Rose. The boys were taken to the police station in the patrol wagon and locked up until tonight when they were all released on bail to appear for trial tomorrow morning.

Detective James Malone filed suit in county court today against the Rock Island railroad company for $504. He says that on or about November 1, 1895, he was employed by the representatives of the company to assist the officers in procuring evidence to be used in the case of the State against George Washington Davis, accused of wrecking one of their passenger trains, and so remained until January 4, 1896. He says he was to be paid whatever his services were reasonably worth, and this he thinks is just $504.

J. D. Johnson, one of Lincoln's oldest and most respected merchants, dropped dead this morning just after rising from the breakfast table. The cause assigned is apoplexy. He leaves a wife, three sons and a daughter.

FROST KEEPS THE ICE MEN BUSY.

Thousands of Men at Work in Nebraska Cutting Congealed Water.

ASHLAND, Neb., Jan. 27.—(Special.)—Two hundred men commenced work at Fisk icehouse here this morning. About 100 men were unable to find work. The ice is about twelve inches thick and of excellent quality. The weather continues very cold. A number of local dealers have also commenced filling their icehouses. Men have come in droves from all parts of the country to get work, some without covering for their hands and no overcoats. They have suffered in consequence.

HEBRON, Neb., Jan. 27.—(Special.)—The ice and coal men are happy. One hundred men are hard at work on the Blue river cutting and packing ice. The ice is nearly twelve inches thick. A number of business men are having their private ice houses filled. So far no injury to cattle from the blizzard has been reported. Corn men say this cold weather will dry out the ground-cribbed corn so that it will be fit for market in a few days. Yesterday eighty-six loads of shelled corn came to this market and were loaded into cars on the Rock Island for shipment to Kansas City.

STROMSBURG, Neb., Jan. 27.—(Special.) The thermometer has registered as low as 18 degrees below zero for several mornings here. The cold weather is very acceptable to all interested in corn, as it has put it in an excellent condition. The ice harvest has begun and it is of very good quality.

FORT CALHOUN, Jan. 27.—(Special.)—It has been very cold here since last Saturday. The mercury has ranged from zero to 15 degrees below. This cold weather is what is needed to preserve the many thousands of bushels of corn that is piled up in cribs and otherwise, and it was beginning to steam, and there is no sale for it. The farmers are burning what they do not feed. There were fears here that the ice crop would not be good, but the ice is now between ten and twelve inches thick, and is fine.

BEATRICE, Neb., Jan. 27.—(Special.)—Ice men have begun the harvest in Indian creek, where the ice is nine inches thick, and will begin cutting on the river tomorrow, where the ice will be from six to eight inches thick.

HURON, S. D., Jan. 27.—(Special Telegram.)—Little has yet been learned of the stock losses on the ranges from the storm. It will be several days before replies to inquiries are received. Intense cold continues and it is feared the storm is not yet over. No trains were west or north this evening, because of the drifting snow. The train snow bound at Highmore for four days, came in last night with a large part of the state's money, a squad of militia and sixty passengers. Over 200 sacks of delayed mail arrived last night and this morning, the first from the east since Friday.

LUSK, Wyo., Jan. 27.—(Special.)—The coldest weather of the winter, with a strong wind from the northwest, drifting snow and the mercury down below zero has prevailed here for several days. It is now clear and still. The snow has drifted from the hillsides and stock of all kinds is doing well.

Bury the Victim of the Fire.

PLATTSMOUTH, Neb., Jan. 27.—(Special.)—The funeral of George Fletcher, the man who was found dead in the B. & M. shops yard at the time of the fire Monday night, took place this afternoon. The deceased was a member of Germania lodge, No. 81, Ancient Order of United Workmen, and that organization took charge of the remains. The freight car repair shop shut down during the afternoon to permit the men to attend the obsequies of their departed foreman. The remains were buried in Oak Hill cemetary.

Violinist Gives a Concert.

PLEASANT DALE, Neb., Jan. 27.—(Special.)—Prof. Hansen, the Scandinavian violinist, gave a concert in the Methodist Episcopal church here, which was greatly appreciated. It was a cold night and the concert was poorly attended. He will return soon and give another concert and will be assisted by local talent.

Supposed to Know of a Murder.

INDIANAPOLIS, Ind., Jan. 27.—The police have under detention Carl Harvey, Edward Phillips and Laura Spoon, who are supposed to know something of the murder of Frank M. Redmond, the fireman who was shot by an escaping robber Friday night. Witnesses from Greenwood tell the police that Harvey and Phillips are the men who brought the supposed murderer to that town in a buggy Saturday night. The woman is held for information she is thought to possess as a mutual friend of Harvey and Phillips.

Could Not Save the Children.

LOUISVILLE, Ky., Jan. 27.—A special to the Evening Post from New Roe, Ky., says: News was received here from Cumberland mountains, about forty-five miles from here, that two children, one the child of Dan Elkins and the other a visitor, were burned to a crisp in a fire which destroyed the room in which the children were sleeping at Dan Elkins' home. The other inmates of Elkins' house escaped in time to extinguish the flames and save enough of the house to have shelter from the cold.

GOSSIP FROM THE STATE HOUSE.

Report of the State Experiment Station is Handed In.

LINCOLN, Jan. 27.—(Special.)—The Tenth annual report of the agricultural station of Nebraska was today presented to Governor Holcomb by Chancellor MacLean, and is now in the hands of the printer. The station is in charge of the governing board of regents. The executive committee is composed of C. H. Morrill and Chancellor MacLean. The visiting committee comprises Robert W. Furnas, Brownville, and P. H. Barry, Greeley Center, of the State Agricultural society, and E. F. Stephens of the State Horticultural society. The station officers are: George E. MacLean, director; J. Stuart Dates, treasurer; William W. Martin, clerk, and F. M. Taylor, secretary. In his report the chancellor says that the policy contemplated having the work of the station directed practically by the station council. This has been done and monthly meetings of the council held. Cooperation with societies in experimental work has been secured, and the executive work cared for at the office of the director in the university building. The past year has been noteworthy for building improvements. The station office in Nebraska Hall has been renovated and new shelving added. Bulletins and newspapers have been classified. Enlarged quarters for the United States weather bureau have been secured. Particular attention has been directed to the beet sugar industry and many practical experiments have added to the knowledge on this subject. Quite a large herd of Jersey cattle has been added to the stock at the station.

A number of changes have been made in the work which greatly tend to its benefit, while monthly weather reports have been turned over to the United States signal service. Many people are under the impression that this experiment station is a purely state institution and dependent on state funds and appropriations. This is not true. From the government horticultural fund there is received annually $15,000, which is all expended for the benefit of the station, and, incidentally, the state.

The board of managers of the Girls' Industrial Home at Milford held its quarterly meeting this afternoon in the office of Land Commissioner Wolfe. Affairs affecting the interests of the home were discussed and several minor changes recommended. One of the topics under discussion was the recent report that an attempt would be made to place the institution directly under control of the Board of Public Lands and Buildings. The board comprises Mrs. J. W. Dawes, president, Crete; Dr. Freda Lankton, vice president, Omaha; Mrs. S. A. Latta, treasurer, Lincoln; Mrs. Gertrude McDowell, corresponding secretary, Fairbury; Mrs. C. H. Gere, recording secretary, Lincoln; Mrs. Clara S. Carscadden, superintendent; Mrs. Elizabeth Kent, matron and Dr. Julia E. Teele, physician, of Lincoln.

Bank Examiner V. E. Wilson of Omaha was a visitor today at the office of the State Banking board. The annual report of the board is not yet completed, but it is expected soon to be laid before the public.

State Oil Inspector Edmisten will issue his report tomorrow.

The annual report of the regents of the University of Nebraska is out. It has been reviewed by The Bee and its substance published.

Articles of incorporation of the Free Coinage and Mining and Milling company were filed today with the secretary of state. The incorporators are J. G. Smith, M. L. Powers, C. W. Smith, B. F. Stouffer and J. E. Frick. The authorized capital stock is $1,000,000. The principal place of business is Fremont, Neb., and the general purpose of the corporation is mining and dealing in mining shares.

Adjutant General Barry today issued a circular letter to all company commanders of the Nebraska National Guard, ordering them to send in requisitions for clothing by February 10.

Twenty-two county clerks met this afternoon at the Lindell hotel, held a short session and adjourned till tomorrow morning at 9 o'clock. They expect to remain in session a day or two. Matters in relation to revenue and taxation were considered at the meeting today.

REFUSES TO PURCHASE THE PARK.

Fremont City Council Rejects the Chautauqua's Proposition.

FREMONT, Jan. 27.—(Special.)—The city council transacted considerable business at its session last night. The proposition to purchase a part of the Chautauqua grounds for a park came before the meeting. When it was first brought up the Chautauqua people wanted to sell the tract for $12,000, and a strong petition was introduced for a special election to vote the money. A remonstrance which contained more names than the petition was filed, and the proposition has been postponed from time to time. Last night the Chautauqua people filed another proposition, offering to sell the same tract for $8,000, and include with it the hotel and all improvements. After some discussion the ordinance providing for submitting to the people the plan of purchasing the grounds was defeated, only three councilmen voting for it. Two of the three announced that they voted aye because a majority of their constituents were in favor of it.

C. D. Marr appeared before the council in behalf of the school board and asked to have the occupation taxes turned over to the school board. He stated that the tax levy for the coming year would not be sufficient to defray the expenses of running the schools. The board had cut salaries and reduced expenses in every way possible, and he thought the city having money in its treasury ought to help them out. No action was taken. The school board is in an embarrassed financial condtion, and unless more money can be raised, the board is at a loss what to do. Superintendent Miller says that if more money cannot be had, it will be necessary to discharge twelve teachers and the run the lower grades half a day. The High school building will not accommodate the students next year. It is already crowded, and the next entering class will number about ninety.

ATTACK ON THE SUPREME COURT.

Attorneys for Arthur Duestrow File a Sensational Motion.

ST. LOUIS, Jan. 27.—Ex-Governor Charles Johnson, Charles Nowland and John W. Booth, Arthur Duestrow's attorneys, have completed their motion for a rehearing by the supreme court of the motion for a new trial of the famous case, and it will be forwarded to Jefferson City. The motion will prove one of the sensations of the year in a legal way. If the allegations contained in it can be substantiated it will involve the supreme court in a scandal of serious proportions. In fact, although the life of a man is involved, this circumstance will be completely overshadowed by the gravity of the charges against the court, or rather against the judge who wrote the opinion, for it will raise the question of the competence of the court and the legality of its acts.

The principal point upon which the motion for a rehearing is based is a direct charge that the court did not read the record in the case as it is required by the statutes. The attorneys for the defendant do not insinuate or beat about the bush in making this charge. They state it plainly and in unmistakable language in the first clause of their motion.

The motion attacks the opinion itself, and claims to find in that document ample proof that the court never read the record of the case. This, it is alleged, is shown by numerous erroneous statements in regard to testimony, which are accepted by the court as part of the record, but which do not occur therein. The inaccuracies are numerous, but only the most glaring ones are cited in the motion. In the seventh section of the court's opinion a reference is made to the expert testimony introduced by the state. Among the experts who testified is mentioned Dr. George A. Krebs, and a little lower down reference is made to Dr. Krebs' testimony. Now, as a matter of fact, Dr. Krebs never testified at the trial, and no other expert gave testimony at all similar to that ascribed to him by the court, so that the error cannot be simply one of name. Half a dozen other instances are quoted.

Duestrow's attorneys virtually charge that the state's prosecutor was allowed to write the opinion for the supreme court.

Attempt to Oust Pingree.

DETROIT, Jan. 27.—Attorney Fred Baker said this afternoon that he would bring the question of Governor Pingree's right to hold the offices of both governor and mayor before the state supreme court on next Tuesday. The method of procedure is not outlined, but it is believed it will be in the form of an application for mandamus to compel the common council of Detroit to order a special election for mayor.

FIRE BRIGADE IS DIVIDED

Life Members and Active Members Are at War at Plattsmouth.

EACH SIDE WANTS EVERYTHING IN SIGHT

Superannuates Have Taken All Paid Offices and Seek to Remit Fines Among Themselves—City Council Interferes.

PLATTSMOUTH, Neb., Jan. 27.—(Special.)—The volunteer fire department of this city is in the throes of internecine strife, and is divided against itself. The department is composed of two classes of members, life members or superannuates and active members, and the two classes are at war one with another. For some long time internal dissension has marked the organization for its own, and the culminating point of open eruption occurred when the superannuates, not satisfied with grabbing all the paid offices, manipulated affairs so as to revoke all fines and penalties standing against the members of their class for non-attendance at meetings, etc., and reinstated them in time for the annual election of officers. The actives, however, by a brilliant stroke captured a prior meeting, and then amended the by-laws in such manner as to render life members ineligible for office. That precipitated the conflict, and the city council has been endeavoring to adjust the differences, and to re-establish peace, but up to the present without effect.

Serious charges have been made against the life members in regard to their action at fires, and the former administration of the department has come in for deserved censure. The superannuates—those who have served five years—have developed, so it is claimed, considerable activity in securing life certificates, and, having framed them would, at the call of fire, suspend them around their necks, and with a finger of arrogant pride point to the decorated sign as an immunity from all authority. They would make a dash for the nozzle end of the hose and then, as nozzlemen, secure the stipend of $3 each per fire from the city. A case in point is cited of a brush heap fire on a vacant lot, the alarm being pounded by some practical joker. The hose team first on the scene took in the situation and returned home, when up dashed another company led by a few superannuates, who unreeled the hose, made the coupling, squirted water, and charged the city $17 for the service.

The annual election of officers should have been held the other evening, but the city council has requested a postponement in the hope of bringing about honorable peace, for the sake of the efficiency of the department. The active members contend that all members must be amenable to fines and regulations alike, and the public is with them.

Last night the council sought to settle the contention by revoking the ordinance creating paid officers in the department, and any payment for fire services whatever. This places the department in purely voluntary condition, and only honor and a few taxation immunities will accrue from membership. The present situation is unsatisfactory, however.

Economy in the Public Schools.

OMAHA, Jan. 27.—To the Editor of The Bee: The Board of Education is distributing among the school children a circular statement of school finances with attached blank, in which they request parents to fill out and return, stating whether they are in favor of such tax levy for school as is asked by the Board of Education. The board winds up its circulars by saying that both "the board and the city council desire above all things to know the wish of the people." This subject was thoroughly discussed last year and the board and council received the emphatic sentiment of the taxpayers in general, which was so effective that a slight reduction was made in the taxes. It seems somewhat presumptuous for the board at this time to come blandly before the people, when times are no better, and ask for a levy double that of last year. There is not a corporation or private business in the city that has not had to retrench during the past two years. Yet this business (?) board makes no attempt to economize where real economy is necessary and allows a large debt to accumulate, which it brazenly tells us is caused "by the fact that the city council has failed in the past few years to provide what the board asks for the support of the schools." It says that "many cities larger than Omaha raise in school taxes much greater sums than the board asks," but fails to state that these cities do not receive the amounts in fines and licenses which goes into the school treasury.

The board lays great stress on the fact that its income is decreasing, while the school attendance is increasing. This may be worth while looking into. We know our population is much less than three years ago. If the school attendance is larger it is caused by the fast increasing attendance of children from 5 to 7 years old who attend the kindergarten department. Let the board do away with the kindergarten for the present and make the minimum school age 7 years instead of 5. Many of the large cities are doing this and those who can afford and want their babies amused and taken care of can send them to private kindergartens. This alone would largely decrease the running expense and make it possible for the board to manage within the means of the people. One school alone in the north part of the city employs four teachers in the kindergarten department. Then there is the music and several other extras that are all right if they can be afforded, but at present could be dispensed with as luxuries. Taxes are now so high that many have been forced to sacrifice their property through their inability to pay, and yet we are asked to keep on encouraging this school board in its extravagant management.

Our free school system is a grand thing, but under the present business depression the schools should be brought down to a practical, economic basis, so that every child could get a good common school education and let those who can afford it pay for the extras. I know many cases where men who own their own homes can scarcely dress their children suitable to send to school. To add more to their already heavy burdens would deprive them of the privilege of free education, and yet we are asked to support nurseries and provide for music, art and training departments. Let the Board of Education and the city council look out for the interest of the masses instead of always the classes, and do as many of the common people have to do when they can't get three meals a day—make two do.

ONE OF THE MASSES.

Klein Jury Fails to Agree.

NEW YORK, Jan. 27.—The jury in the case of Jacob Klein, on trial in Brooklyn for arson, reported a disagreement today, after having been out nineteen hours. Klein's counsel will move for his discharge.

ENTERTAINMENT FOR MAIL CLERKS.

Californians Propose to Show Them a Royal Time.

SAN FRANCISCO, Jan. 27.—The twenty-second national convention of the Railway Mail Service Benevolent association will be held in this city during the week of March 15. The holding of a convention in San Francisco has been a project long cherished by the clerks in this division of the service, but the great distance to be traversed by the delegates from the eastern states has hitherto been an insurmountable obstacle. For over a year preparations for this convention have been made by the officers and clerks of the postal service in this city and throughout the Pacific division of the railway mail service. The delegates and their wives, numbering in all about 300, will leave Chicago in a special train over the Burlington route, and will reach San Francisco via Billings, Mont., Spokane and Portland, stopping one day in the last named city. They will arrive in San Francisco March 15, remaining here five days, and will then go to Los Angeles for two days, departing homeward via the Santa Fe route. The special train, consisting of eight Pullmans, will be piloted over the greater part of its long journey by Captain L. L. Troy, superintendent of the Chicago division of the railway mail service. When it passes into the Pacific division at Spokane it will be met by Superintendent Flint, who will remain with it until it leaves his territory again at Albuquerque, N. M. The entertainment in this city will be a bay excursion, a trip to Monterey and the Santa Cruz big trees, a day at the Cliff house and Golden Gate park, and an excursion to Hawards. The evening entertainments will consist of banquets, theater parties and tours of the Chinese quarters. At Sacramento the delegates will partake of a breakfast provided by the citizens, after which they will be escorted to the capitol building and received by Governor Budd. At Los Angeles a trip will be arranged either to Mount Lowe or Catalina island.

AMUSEMENTS.

The old English comedy-drama, "The Factory Girl," was played at Boyd's last night by the Marie Wellesley Players. The piece contains much good comedy and as rendered by this company succeeded in pleasing the big crowd that attended. The bill tonight will be the favorite drama of western life, "The Danites." Much interest is being manifested in the bicycle which is to be given away.

The sale of seats for the performance of "Pinafore" next Saturday night at the Creighton theater has surpassed all expectations, and an overflowing house is already assured. The scenes at the box office yesterday morning, when the exchange of tickets for reserved seats was first effected, reminded the observer of days gone by, when theater lobbies used to be packed with would-be purchasers awaiting the opening of the sale. Notwithstanding the large and gratifying demand for seats, a good many desirable places still remain. Holders of tickets, however, are advised to lose no time in getting seats secured.

Principals, chorus and orchestra have been working hard under most efficient leadership, and the results of recent rehearsals indicate a public performance which will be thoroughly enjoyable. The bright little opera is not often sung by so large a chorus, nor by vocalists better fitted to carry the solo parts. Miss Jessie Dickinson will be the Josephine, Miss Helen Hoagland the Buttercup, Mr. Copeland the Sir Joseph, Mr. Wheeler the Ralph, Mr. Tate the Captain and Mr. Haverstock the Dick Deadeye. The stage management is in the hands of Mr. Con T. Murphy of the Columbia theater in Chicago and Mr. L. A. Torrens will direct the musical side of the performance.

The concert to be given here by Madam Lillian Nordica and her company on Monday evening, February 1, at the Creighton theater, will be, without the shadow of a doubt, the musical event of the season. Madam Nordica is to give a concert with a grand company, and she will be heard in some of the numbers that have made her famous. Nordica is not alone a great operatic and oratorio artist, but she is among the first concert singers in the world.

Hoyt's "A Black Sheep" will open a two-night engagement at the Creighton with this evening's performance, when that successful laugh-producer will be presented by the same company which was identified with its protracted runs in New York, Boston, Chicago, and Philadelphia. The pronounced successes of former visits should be repeated during the present engagement, as the play is said to have had new lines and situations added as well as new specialties. The company still includes Otis Harlan in his original characterization of Goodrich Mudd, alias Hot Stuff, Bill Mack, Big Bill Dever as the Frontier Editor, William H. Currie and the Misses Grace Rutter, Rose Sutherland and the Henger sisters. Jeannette St. Henry will be seen as the queen of burlesque. No matinee performance will be given.

Thomas W. Keene, the tragedian, is announced at the Boyd for next Tuesday and Wednesday nights. He has selected plays for his appearance that present him in his most popular characters. Mr. Keene's repertory consists of seven plays, as follows: "Louis XI," "Richard III," "Richelieu," "The Merchant of Venice," "Hamlet," "Othello" and "Julius Caesar." His associate, Charles B. Hanford, appears at some of the matinees in "Ingomar" and "Virginius," supported by Mr. Keene's company. Mr. Keene's tour this season has shown that popular interest in classic plays is still as great as ever. He is one of the few American actors who has great confidence in Shakespearian and other classic works.

The Woodward Theater company will open a two-week engagement at the Creighton with a matinee Sunday, presenting at the same low prices which have characterized its former engagements in this city a repertory of new plays, which will be presented in an acceptable manner. Since the recent visit the company it is said has been enlarged and improved, and Mr. Woodward will present as a special feature a series of animated pictures, produced by use of Edison's improved magniscope. Seats will be placed on sale tomorrow. The usual matinees will be given on Wednesdays, Saturdays and Sundays.

For three nights, commencing Thursday, February 4, Rice's "Evangeline" will be the offering at Boyd's.

Indict Kansas City Gamblers.

KANSAS CITY, Jan. 27.—The grand jury which for the past two weeks has been investigating charges of open gambling in Kansas City today returned thirty-seven indictments against gamblers, including "Boss" Findlay and his satellites. Consternation is general among the profession and many are preparing to leave.

Soon after the indictments were returned a number of men, among them Findlay, were brought into the station. Bond was promptly furnished in each case and the gamblers were immediately released.

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