HOLCOMB IS RESPONSIBLE

Attorneys for Defense Contend that Bartley's Bond Was Illegally Approved.

BONDSMEN THUS RELIEVED OF LIABILITY

When the Governor Failed to Approve the Bond on January 3 the Office of Treasurer Became Vacant.

It is now for Judge Powell to determine whether Governor Holcomb violated the statutes of the state of Nebraska when he approved the bond of State Treasurer Bartley on January 9, 1895, four days after the date on which Bartley entered his office and on which it is contended he could only legally approve the bond, and also, whether Governor Holcomb, by so illegally acting, rendered the bond invalid and thus released the bondsmen from all responsibility for the half million dollars defalcation that existed in the state treasury when Bartley vacated it last January. If Judge Powell answers these questions of law in the affirmative the state cannot recover the amount of the defalcation on the bond. So important is this stage of the trial.

These questions have been argued for three days, and the discussion was finally brought to a close late yesterday afternoon. Judge Powell announced that he would not render a decision until all the evidence was in, so that a clear record might be made of the case for review by the supreme court, to which tribunal it will be carried, whichever party wins. Thus, when the case is taken up again on next Monday morning, the introduction of testimony will be resumed. The defendants will commence at a point where they left off when the argument of the last questions was commenced. They were trying to show by witnesses that Governor Holcomb refused to approve the bond on January 3, 1895, when the state objected on the grounds that it was immaterial whether or not the approval of the bond occurred on that day. This at once brought the questions discussed during the past three days to the front. When the argument was completed yesterday afternoon Judge Powell said that he would allow the defendants to show what occurred in relation to the bond on January 2 and 3.

Throughout the trial so far the defendants have taken the position that if Governor Holcomb performed the duty laid down for him by the statutes the suit on trial could never have been instituted. This stand has been advanced most strenuously during the past three days during the arguments. Yesterday afternoon it was presented succinctly to the court by General Cowin in a statement which he had written beforehand in order that he might not be misquoted. This statement arraigned Governor Holcomb for violating the plain provisions of the statutes in allowing Bartley to enter upon his second term of office.

In the outset General Cowin stated that when Governor Holcomb failed to approve Bartley's bond on January 3, 1895, Bartley lost every right and privilege to the office of state treasurer he had acquired by his election. Thus the office became vacant and Governor Holcomb had no authority to approve his bond on January 9. In approving it he violated the law. General Cowin then continued:

"By ignoring the plain provisions of the statutes Governor Holcomb permitted Bartley to occupy the office of state treasurer without the shadow of right or title for two years. Had not Governor Holcomb approved the bond, when he had no authority to do so, this case would not be in court.

"But worse than this followed as a consequence of ignoring these statutes. The law provides that when a treasurer succeeds himself his bond shall not be approved until he has produced and fully accounted for all funds and property that should be in his hands.

NEGLECTS HIS DUTY.

"The state claims that Bartley should have had at the close of his first term, in cash, bear in mind in cash, the sum of $958,068.75. It was the duty of the governor to see that this cash was produced, and again bear in mind, produced, or accounted for. The method was simple, the money, cash, could legally be but in two places, state depositories and in the state treasury; the money lawfully in the state depositories need not be produced, but the money in the state treasury was required to be produced, and it was the duty of the governor to examine the same and know that it was all there. There was in depository banks $461,549.76. This left $496,518.99 in cash which the treasurer was bound under the law to produce, and which the governor was bound to see, and it could not be lawfully in any other place than the state treasury.

"Now the startling evidence is given that of the $496,518.99 which Bartley was bound to produce from the state treasury, he did not and could not produce but $47,000.00; he had no more. There was then $449,518.99 that Bartley was bound to produce and which the governor was bound to have produced, that Bartley did not have and could not produce, thus showing a defalcation of $449,518.99 at the end of his first term.

"But still worse is to come. When this startling evidence was introduced the attorney general made an attempt to escape the consequences, and how? By endeavoring to show that Bartley had illegally disposed of the money. The question was asked Bartley's deputy whether it was not a fact that Bartley had certificates of deposit representing state funds in banks other than state depositories, and it developed that he had some and some open accounts, but how much the deputy did not know. Here, then, was the proof positive showing that Bartley had before January 3, 1895, illegally disposed of state funds, and this illegal disposition is brought out by the attorney general to deny a defalcation of the first term.

PROVISIONS OF LAW.

Section 4 of the depository law provides that the taking of any money out of the vaults of the treasury department for any other purpose than the payment of warrants legally issued or for the purpose of depositing the same in banks selected as depositories under the provisions of the act is a felony subjecting the treasurer to punishment in the state penitentiary for the term of not more than two years, or to a fine not exceeding $5,000.

"If then any part of the shortage of $449,518.99 was attempted to be accounted for by Bartley at the close of his first term as indicated by the question of the attorney general by certificates of deposit in banks other than state depositories such attempt was only producing further evidence of the embezzlement of the money; and not only that, but producing positive testimony that the treasurer was then guilty of the felony prescribed by the statute. These certificates of deposit were proofs positive that section 4 of the act had been violated, and that the treasurer at that time was subject to the penalty therein provided. Yet notwithstanding all this the bond bears the endorsement, 'Approved this 9th day of January, 1895. Silas A. Holcomb, Governor.'

"And yet in language by no means choice the bondsmen are denounced by the attorney general for appealing to the court for that protection to which they are entitled, under the law, to have their rights and liabilities determined, not by the power of the court, which the attorney general invokes, but by the judicial, impartial and fearless judgment of the court, which we invoke."

ATTORNEYS DISAGREE.

This arraignment of the governor was made late in the afternoon session at the conclusion of Attorney Bartlett's argument. When court convened the latter resumed his remarks, which had been interrupted by the noon recess. Early in his remarks, while speaking upon the matter of the approval of the bond by the governor, he said: "We are not complaining of any act of the governor."

"I do not agree with that statement," interrupted General Cowin, and Attorney Bartlett said no more on that point.

Attorney Bartlett denied that if Bartley was debarred from denying his liability for his acts, the estoppel extended to his sureties. He maintained that in line with this argument, if Bartley usurped the office his bondsmen could be held liable for his acts while he was holding this usurped position. It was by this line of reasoning that the state insisted that the sureties should be held liable for Bartley's acts after the office of treasurer had become vacant by the neglect of the governor.

"Shall these bondsmen be ruined for an act, the lack of an act on the part of the governor?" demanded Attorney Bartlett.

The references to the governor made in the argument called Attorney General Smyth to his feet in his defense. He said: "These bondsmen are insisting that there has been something reprehensible about the conduct of Governor Holcomb in connection with this bond. I don't know on what grounds they base it. According to their contention, Bartley was not entitled to hold office because his bond was not approved by the governor. Governor Holcomb and Bartley went in at the same time. Therefore, when Governor Holcomb commenced his term, Bartley's term had commenced. Governor Holcomb thus had to approve the bond after Bartley entered on his office. What did Governor Holcomb do wrong in that?

OBEYED THE PEOPLE'S WILL.

"Again, according to the contention of the bondsmen, Governor Holcomb allowed Bartley to hold the office after it had been vacated by the failure to approve the bond at the time fixed by law. The people elected Bartley by a large majority, and wanted him. The question then that confronted the governor was: Shall I permit this man, if he gives a satisfactory bond, to hold this office, since he is the choice of the people, or shall I select someone whom the people have not passed upon? Governor Holcomb permitted him to remain in the office upon giving a satisfactory bond. What is there in that that these bondsmen or any fair-minded citizen can complain of?

"When it comes to the question of an accounting at the end of the first term we will meet it."

When Attorney General Smyth concluded General Cowin arose. His first remarks were directed to the manner employed by the attorney general in the conduct of the case.

General Cowin spoke particularly of the attitude assumed after ex-Secretary of State Evans had been called to the stand by the bondsmen to show that the bond had not been filed on January 3, 1895, as the endorsement on the back showed. Attorney General Smyth stated then that he would proceed to bring suit against "those fellows," meaning Evans and Secretary of State Piper.

THREAT OF TYRANNY.

"Evans was threatened by the great state of Nebraska with prosecution," exclaimed General Cowin. "Why? Because he swore that he had not placed the bond on file before it had been approved by the governor. If he had filed it before it had been approved he would have violated his oath of office and would have been liable on his bond. That threat was becoming to tyranny, villainy and robbery."

General Cowin also denounced the attorney general for offering as evidence Bartley's bond without the approval of the governor, which he intimated was done in order to shield the governor from blame in failing to require the bond to be approved at the proper time. General Cowin stated that the conduct of the attorney general was similar to that of a man who was sworn to tell the truth and the whole truth, who really told only a part of the truth, and who was therefore guilty of perjury.

General Cowin then turned his attention to the matter in dispute. It was at this point that he read the statement which has been reproduced. When he had finished reading he reviewed the position of the defendants.

With the conclusion of General Cowin's remarks the arguments were completed. Judge Powell said he would reserve his decision until all the evidence was in, that a clear record might be offered the supreme court when the case is reviewed there. He announced that the trial would be resumed on Monday morning and that the defending bondsmen would be allowed to introduce evidence by which they expect to show the failure of Governor Holcomb to require the bond for approval on January 3, 1895.

SMYTH CITES AUTHORITIES.

Attorney General Smyth resumed his argument when court convened yesterday morning and continued until 11 o'clock. His discussion was along the same line that he advanced Thursday afternoon. He cited a number of additional authorities in support of his position. In concluding he said:

"Your honor is asked to mulct the people of the state of Nebraska for a half million dollars on account of the merest and driest technicality. The sureties ask it not because they failed to receive their portion of the contract but because the state failed to receive its part. They have received all the rights and things they contracted for. Let it be granted that the state lost something in the failure of the governor to approve the bond in time. That loss was the loss of the state of Nebraska and did not affect Bartley or the sureties at all.

"Relying on the representations of Bartley, made by taking his oath and offering a bond that he was entitled to the office, the state of Nebraska gave him all the rights and emoluments of the office. When now the state asks him and his sureties to make an accounting he can not say, to escape liability, that he was not what he represented himself to be, that his representations were untrue. If he is debarred from making this contention his sureties are also estopped.

Attorney E. M. Bartlett began the reply for the bondsmen. He denied the statement of Attorney General Smyth that the statute giving the governor the authority to approve the bond before the filing on the first day of the term was merely directory and not mandatory. He insisted that all statutes relating to the bond were a part of the bond as a contract and if one was violated the contract was invalidated. The bondsmen had contracted to be responsible for the acts of Bartley at a time when he had a right to the office, having been duly elected, but when Bartley ceased to have this right by not being properly inducted and the office became vacant, the liability of the bondsmen ceased, as the condition that Bartley should be legal or de jure treasurer had not been fulfilled.

There is no need of little children being tortured by scald head, eczema and skin eruptions. De Witt's Witch Hazel Salve gives instant relief and cures permanently.

Browning King & Co. are selling the best $2.50 stiff hat in the world.

A Marvelous Exhibition.

In speaking of a recent exhibition by the Biograph, of animated pictures, the Springfield (Mass.) Republican thus refers to a reproduction of "The Triumph of Modern Railroading," as follows:

"But the most startlingly realistic of all of the pictures was that of the passing of the Empire state express of the New York Central. The picture shows at first the train in the distance, the stretch of track being considerable. A gang of laborers are at work on the roadbed, and as the train approaches they step aside, one or two of the men pausing to strike a farewell blow. Then the great monster comes rapidly nearer, and there is a splash of spray from under the tender as the engineer takes water into his tanks from the little runway between the tracks. And finally the monster sweeps down upon you with such overpowering realism that one feels quite like getting out of the way. As the train, seemingly almost full-sized, plunges across the scene, the porters in their white suits are seen waving their towels from the doors of the vestibules, and even the passengers' faces are plainly seen at the windows. The audience applauded this exhibition with unbounded enthusiasm, and kept up the storm of hand-clapping and cheers until the picture was repeated."

The "Empire State Express" is now being exhibited at the Union Square theater, in New York, the Bijou, in Philadelphia, and at Keith's new theater, in Boston.

Awarded
Highest Honors—World's Fair,
Gold Medal, Midwinter Fair.

DR. PRICE'S CREAM BAKING POWDER

A Pure Grape Cream of Tartar Powder.
40 YEARS THE STANDARD.

ROMMEL'S NAME WITHDRAWN

Abandons His Desire to Control the Music of the Exposition.

APPOINTMENT NOT FAVORABLY RECEIVED

Manager Lindsey Goes Outside City for Another Man, Recommending Thomas J. Pennell, Now in Italy.

The name of A. Rommel of Mount Pleasant, Ia., who was nominated Wednesday by Manager Lindsey of the executive committee of the exposition for the position of musical director, was withdrawn at the regular meeting yesterday and the name of Thomas J. Pennell, a well known Omaha musician, was substituted. This action was embodied in the following written report to the executive committee:

To the Executive Committee of the Trans-mississippi and International Exposition: Gentlemen—Complying with the written request of A. Rommel I hereby withdraw his name as an applicant for the position of musical director of the Transmississippi and International Exposition. In the place of Mr. Rommel I recommend a man who is well known in Omaha, who is an owner of considerable property in the city and who has lived here for many years. He has filled an important position with credit and is highly recommended by his late employers as being a man of good business ability and unquestioned honesty. He has undoubtedly done as much to advance the cause of music in Omaha as any other person. He is an untiring worker and is considered by good musicians as capable of planning, managing and conducting the music of the exposition. I allude to Thomas J. Pennell. Mr. Pennell is a musician of recognized ability, who is now abroad studying European methods of directing orchestral and other large performances. It is scarcely necessary to state that he has been connected with the leading musical organizations of Omaha for years.

I recommend the employment of Mr. Pennell as musical director of the Transmississippi and International Exposition, at a salary of $100 per month from the time that he begins his work for the exposition until November, 1898. When out of the city on business connected with the musical department, transportation is to be furnished Mr. Pennell and necessary traveling expenses paid. Mr. Pennell states that if elected he will come home at once. Upon his arrival his plan will be submitted to the executive committee for approval. If elected musical director Mr. Pennell shall have full charge of the music of the exposition, subject only to the Department of Ways and Means under the rules and regulations of the executive committee. Respectfully submitted. Z. T. LINDSEY.

When this report was made Mr. Reed moved that the committee go into executive session for the consideration of the subject. This was carried. After about twenty minutes the doors were opened and it was announced that action on the appointment of Mr. Pennell had been deferred for one week.

A birdseye drawing showing the main and north tract of the exposition grounds was submitted for the approval of the committee by A. J. Dockerty. After a critical examination the committee decided to not accept the drawing.

EMPLOY AN INSPECTOR.

Manager Kirkendall reported that he had employed John C. Carney as the inspector to supervise the laying of the water pipe on the exposition ground, and he asked that his action be indorsed. This was done, Carney's appointment to date from October 13.

Mr. Kirkendall also submitted a report on a number of bids which had been received for supplying decorative plants for the exposition grounds to be propagated during the winter and delivered on the grounds next year as required. Mr. Kirkendall stated that the cost of the 100,000 plants covered by these bids would be, approximately, $1,581.75, but he said it would be impossible to state the exact figures until the stock had been examined and passed upon, as it would be necessary to make selections to the best advantage and the price might not be the lowest in every case. The lowest bidders on the several varieties of plants were these: L. A. Moore of Plattsmouth, lowest on geranium, coleus, alternanthera in flats and pots, heliotrope and salvia splendens; P. H. Bush of Lincoln, on achyranthes, centaurea and Madam Sallouriger; Paul B. Floth of Omaha, on pyrethrum, lobelia, ageratum, alyssum and verbena; Henry Peterson of Omaha, on graphalium; Chapin Brothers of Lincoln, petunia; J. F. Wilcox of Omaha, vinca rosea and alba rosea.

In this connection Mr. Kirkendall asked and was given authority to employ a man to inspect these plants offered and select the stock best suited to the purposes of the exposition.

At Mr. Kirkendall's request the maximum cost of the projected service building was discussed by the committee and the outside figure was fixed at $4,000.

The location of the Girls' and Boys' building was brought up by Mr. Kirkendall, who wished to have an expression of the committee regarding the location which should be assigned to this building. The matter was discussed briefly, but no action was taken.

DAY FOR ILLINOIS COMMISSION.

President Wattles reported that he had received notice from Chairman Harper of the executive committee of the Illinois Exposition commission to the effect that the Illinois commission would leave Chicago for Omaha Tuesday of next week, and would arrive in Omaha the next morning. Mr. Harper stated that a strong effort would be made to have all the members of the Illinois commission in the party, and that there would probably be fifteen or eighteen men, all told. The commission comes for the purpose of talking over exposition matters in general, as related to the connection of Illinois with the Transmississippi Exposition, and to select a site for the Illinois building, which will be erected at a cost of about $20,000.

The question of securing the old Coliseum building on North Twentieth street for the meetings which will be held in connection with the exposition, which has been under consideration several times, was brought up by a communication from Secretary Metz of the Knights of Ak-Sar-Ben, who asked that a proposition be made for the use of the structure. It was finally decided that no proposition would be made, which involved the leasing of the building, but it was suggested that it be made into an auditorium suitable for large conventions, etc., and that the exposition would undoubtedly use it for certain occasions.

Just before the meeting adjourned, Manager Rosewater called attention to the fact that the Board of Directors had made no provision for filling the vacancy in the committee which would be caused by his resignation as manager of the Department of Publicity and Promotion. He said he did not wish to leave the work without turning it over to whoever may be chosen as his successor, and he suggested that a special meeting of the Board of Directors be called at once to take action on this matter, as that body was the only one having authority to fill such vacancies. After some discussion it was decided to call a special meeting of the directors for 4 o'clock this afternoon.

Strike Situation Unchanged.

The strike situation at the exposition grounds remains unchanged. The strikers are still on the watch and have not given up the attempt to win over the contractors. Encouraged by the success of their efforts with Birchlow, they are laboring with the other contractors and express the conviction that another victory will be credited to them within a few days.

Bucklen's Arnica Salve.

The best salve in the world for cuts, bruises, sores, ulcers, salt rheum, fever sores, tetter, chapped hands, chilblains, corns and all skin eruptions, and positively cures piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cents per box. For sale by Kuhn & Co.

There will be a republican meeting at Plvonka's hall, 24 and L streets, South Omaha, on Saturday evening, October 16. The Hon. J. H. Van Dusen, Hon. W. F. Gurley and Hon. C. J. Greene, as well as a number of the candidates, will be present. Music by the South Omaha band.

Homeseekers' Excursions.

Via the Missouri Pacific railway, on Tuesday, October 19, to points in Arkansas, Kansas, Southwest Missouri, Oklahoma, Texas; also to certain points in Virginia, Tennessee, Kentucky, Alabama, etc. For further information call at city offices, Thirteenth and Farnam streets. T. F. GODFREY, J. O. PHILLIPPI, P. & T. A. A. G. F. & P. A.

PASSENGER AGENTS ALL RIGHT.

Chauncey Depew Says So and It Must Be.

William C. Barnes, traveling passenger agent of the Missouri Pacific, has just returned from Nashville, where he attended the annual meeting of the American Association of Traveling Passenger Agents. He declares that it was an unqualified success. The association fixed upon Chautauqua lake as the next meeting place, because it wanted a summer resort rather than a city. Mr. Barnes says that if the New York state resort had not captured the meeting Old Point Comfort would have done so. The invitation from Omaha was well received, but the passenger men had previously determined not to hold their next meeting in any large city.

The local passenger men who could not attend the meeting are now being regaled with bright excerpts from Chauncey Depew's address, which Mr. Barnes has thoughtfully committed to memory. Here are some of them: "The railway business is the only business, profession or occupation of any kind that cultivates the imagination. The traveling passenger agent and the passenger agent anywhere is the literary cuss of the railway world. The literature which he gets out is the most astonishing thing that is gotten out from the press. And the most astonishing thing about it is that so many people believe it.

"It has been fashionable in the past and is quite frequently fashionable now to claim that the railroad man is the enemy of the republic, and while the lawyers, and while the shyster, the professional politician and the disreputable man may be elected to public office, the railway man must be tabooed and must be deprived of the recognition which his talents or his position or his relations to his community entitle him. Now, we have submitted to this for a great many years. There are 1,000,000 of us now, and there will be 1,500,000 of us ten years from now. These associations, promoting our pride in our profession, will bring about, and ought to bring about, a feeling at the earliest possible moment that when any demagogue seeks to climb up on our reputations we will close his career. And we can do it."

Samuel A. Hutchinson, general traveling passenger agent of the Union Pacific railway, also represented the Omaha railroaders at the great reunion. He is returning home via Chicago and is expected here within a few days.

OTHERS LIKELY TO MEET THE CUT.

Burlington Not Alone in Reducing Rates to Colorado.

The announcement that the Santa Fe's freight department had extended the cut in rates from the Missouri river to Colorado common points to shipments of the first, second and third classes caused some consternation in Omaha freight circles yesterday. The Burlington originally made the cut to Colorado points, but its reduction extended only to shipments below the third class.

Asked if the Burlington would meet the reduction made in the rates on the first three classes of freight, Chief Clerk Brock of the B. & M.'s freight department yesterday said: "Undoubtedly we shall. Our cut did not contemplate any reduction in shipments of the first, second and third classes, but all roads will probably now fall in line with the cuts made by the Santa Fe."

Out Inspecting the Lines.

General Manager Dickinson, Superintendent of Car Service Buckingham, Superintendent of Machinery McConnell, Chief Engineer Pegram and some of the other officials of the Union Pacific railway left for a trip over the line yesterday. The party will be gone about a week. While in Salt Lake it is expected that arrangements will be made for restoring the through Pullman car service from Omaha to Portland via the Union Pacific, the Oregon Short Line and the Oregon Railway & Navigation company.

Advance in Immigrant Rates.

NEW YORK, Oct. 15.—The managers of the Joint Traffic association, after considering the recommendations of the New England, Canadian and trunk lines, have approved the following proposed advance in immigrant rates, effective January 15, 1898: From New York to Chicago, $15; from Boston to Chicago, $14; from Canadian points and Portland to Chicago, $13.50; from Philadelphia to Chicago, $13.55; from Baltimore to Chicago, $13.45.

Grain Rates Advance.

CHICAGO, Oct. 15.—All-rail rates from Chicago to the Atlantic seaboard on grain and grain products have been advanced 2½ cents. It was the intention of the eastern roads to advance the lake and rail rates also, but the Soo line refused to participate in the advance, and therefore the lake and rail rates will remain as they are until the close of navigation.

Death of a Railroad Man.

W. J. Jeffers, general agent of the Denver & Rio Grande at St. Louis, died at his home in Chicago yesterday. He was a brother of President Jeffers of the same road. During his six weeks' illness his office at St. Louis was in charge of Philip B. Doddridge, formerly of the Missouri Pacific's freight department, in this city. No appointment to fill the vacancy has yet been announced.

Railway Notes and Personals.

Assistant Superintendents Stillwell and Fox of the Rock Island were in the city last evening en route east over the road.

Frank Austin was locked up yesterday. He is suspected with being connected with a number of late thefts reported to the police.

Ike Kline, arrested for defacing Tom Mulvihill's billboards with boycott placards, was yesterday fined $10 and costs in Judge Gordon's court.

Traveling Passenger Agent E. B. Rowland of the Grand Trunk was in the city yesterday. He returned to Chicago last evening, accompanied by his niece, Miss Grace, of this city.

What was regarded as an indication of cooler weather appeared in the Union Pacific weather report yesterday. It was: "Snow, all along the line from Oregon to Evanston. General depth of three inches, and at some points drifts are deeper."

On Sunday next, October 17, the Kansas City, St. Joseph & Council Bluffs railway will change the arriving time of its day express from Kansas City. On and after that date it will arrive in Omaha at 5:40 o'clock p. m. instead of at 6:10 p. m. The arriving time at the Union Pacific transfer, Council Bluffs, will be changed from 5:55 p. m. to 5:20 p. m.

Napoleons hats, all colors, just received at Browning King & Co.

For wedding and anniversary presents go to Burns, 1318 Farnam street.

Union Pacific.

"The Overland Limited."

The most SUPERBLY EQUIPPED train west of the Missouri River.

Twelve hours quicker than any other train to Pacific Coast.

Call at Ticket Office, 1302 Farnam St.

Meiklejohn Coming West.

The Missouri Pacific office was advised yesterday afternoon that Hon. George D. Meiklejohn, assistant secretary of war, would arrive in Omaha Tuesday morning over that line. He is en route to his own state from Washington on an errand for the department. He will be accompanied by G. A. A. Deane, land commissioner, and H. C. Townsend, general passenger agent of the Missouri Pacific railway.

TRY GRAIN-O! TRY GRAIN-O

Ask your grocer today to show you a package of GRAIN-O, the new food drink that takes the place of coffee. The children may drink it without injury as well as the adult. All who try it like it. GRAIN-O has that rich seal brown of Mocha or Java, but it is made from pure grains, and the most delicate stomach receives it without distress. ¼ the price of coffee. 15c and 25c per package. Sold by all grocers.

Here We Are Again...

Selling fresh eggs 10c dozen—2 loaves of bread for 5c—the choicest groceries vegetables and canned goods at bottom prices.

Wm. Gentleman.
16th and Cass.

Bee, Oct. 15, 1897.

Special Introductory Sale of Hats.

RIGHT inside our Farnam Street Entrance is the big Hat Department of the New Store. There we intend to sell hats. To remind you of this, as well as to introduce our New Hats at new prices, we will have a Special Hat Day Saturday, by which we will fasten two facts in your mind, First that we can sell hats cheaper than you ever saw them sold for—second, that we will. This is how we will start in. We have cleaned out the big window South of the 15th street entrance and have filled it up with hats. There you will see soft hats, stiff hats, black hats, brown hats, grey hats, Cuban hats, Pasha hats, military hats, traveling hats and stay-at-home hats—in fact, every different style of hat manufactured and each style is numbered, from one to sixteen. These sixteen styles of hats embrace all of the prevailing shapes, including Stetson, Dunlap, Miller, Youman, Knox, Christy and Belknap Blocks. Every hat was made specially for The Nebraska, carries The Nebraska label, is sold under The Nebraska guarantee for color and durability, and The Nebraska price on these hats while they last will be One Dollar and a Half. This is the best way we know of to introduce our Hat Department—to save you a clean dollar on a hat and incidentally to make a few pennies for ourselves.

Farnam and 15th. Nebraska Clothing Co. OMAHA. Farnam and 15th.

MILTON ROGERS & SON

Mantels, Tiles, Fireplace Grates.

Carton, Round Oak and Radiant Home

HOT AIR FURNACES.

Estimates furnished for Tiling Floors, Walls, Vestibules, Bath Rooms, etc. Also for Heating Dwellings, Stores, Churches, Schools, etc.

We repair furnaces, fireplaces, tile floors, etc. Inquiries from out of town will have prompt attention. Send for catalogue.

SAPOLIO

IS LIKE A GOOD TEMPER, "IT SHEDS A BRIGHTNESS EVERYWHERE.

"PENINSULAR"

"I smell some'fin' good!"

THE PENINSULAR STOVE COMPANY.
DETROIT CHICAGO BUFFALO

Mothers! Mothers!! Mothers!!!

Mrs. Winslow's Soothing Syrup has been used for over 50 years by millions of mothers for their children while teething with perfect success. It soothes the child, softens the gums, allays all pain, cures wind colic, and is the best remedy for Diarrhœa. Sold by druggists in every part of the world. Be sure and ask for "Mrs. Winslow's Soothing Syrup" and take no other kind. 25 cents a bottle.

Chronic Diseases

In cases not readily cured by the family physician, a short course of treatment at the SHEPARD MEDICAL INSTITUTE may give you quick relief.

SPECIALTIES: — Catarrh and all curable diseases of men and women. Specialists in each department. Tel. 1138.

Consultation Free.

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PHYSICIANS SAY—

I have used Boro-Lithia Water in several cases of cystitis, diabetes, typhoid fever and rheumatoid arthritis, also in a case of endocarditus with the most gratifying results—Thomas J. Galbatcbit, M. D.

I find the Boro-Lithia Water the most palatable carbonated water I ever tasted. Acting as a solvent of uric acid and sedative to the urinary tract, this water is an ideal one when its use is demanded.—Edwin M. Hale, M. D.

I have used Boro-Lithia Water for a number of months in my practice and can heartily recommend it in all diseases dependent upon a want of proper elimination. It is especially beneficial in disordered conditions of stomach, liver, bladder and kidneys.—William F. Rier, M. D.

The combined features of internal antiseptis and irrigation, as presented by Boro-Lithia Water, are highly desirable, affording an agreeable and potent means of combating the many forms of irritation and inflammation that attack the various parts of the urinary tract. I hate found it to be as serviceable practically as it appeared to be theoretically.—Beauford Lewis, M. D.

PRICE LIST BORO-LITHIA WATER.

Half gals., uncarbonated, 1 doz. to case, per case.....$5.00
Quarts, effervescent, 50 to case, per case.....8.50
Pints, effervescent, 100 to case, per case.....10.00
Splits, effervescent, 199 to case, per case.....8.50

Send for doctor's pamphlet giving full information concerning Bor-Lithia Water.

190 kinds Mineral Waters, 40 kinds of Malt and 40 kinds of Malt Extracts.

SHERMAN & M'CONNELL DRUG CO.,
Cut Price Druggists. 1513 Dodge St.
Middle of Block. Omaha, Neb.

Russian Blouse Coats

Just received the latest — the most practical Blouse Coats yet shown—look now while you can get pick of colors. Cold weather will come some day—nothing like being prepared—our cloaks at $5—$6—$8—and $10—are attracting attention—just because they're so good—that's the reason—

WOOL WAISTS.

New plaid wool waists came yesterday—just like the pretty ones we had two weeks ago only these have light lining to make them suitable for winter—price $3.50—its a low price too—for such fine waists—when you come in we'll show you the new plaid velvet waists and Roman stripe waists—also the $5.00 Taffeta waists—All dressmaker made—

O-K-SCOFIELD CLOAK & SUIT CO.
1510 Douglas Street.

THE RUSH TO ALASKA

In the Spring will be Tremendous.

The most profitable business will be in Transportation and Merchandising and in Furnishing Food and Supplies to the multitude of Gold Seekers—in short, a general Trading, Mercantile and Steamship business. It was so in '49—it will be so in '98.

The Alaska Transportation and Development Company

Incorporated Capital $5,000,000 non-assessable

To meet this demand will own and operate its OWN STEAMERS, BOATS AND BARGES ON THE YUKON.

Connecting with its own line of large and magnificent Ocean Steamers,

specially adapted for passenger business—carrying to that country an immense amount of SUPPLIES AND EQUIPMENT for the miners, as well as furnishing them TRANSPORTATION for themselves and their goods and establishing TRADING STATIONS at different points. An opportunity is offered any person, be they of small or large means, to buy shares of stock in this company and PARTICIPATE in the

ENORMOUS DIVIDENDS,

sure to be earned within the next 12 months.

SHARES ARE OFFERED AT $1.00 EACH,

par value, non-assessable, and will be offered for a limited time only.

SAFER THAN SAVINGS BANKS AND BANK STOCKS.

Paying larger dividends. While numerous savings banks and banks have suspended, transportation and trading companies were never seen in the list of failures. This stock is one of the most desirable investments offered the public. The incorporators and stockholders who are connected with this company are men of wide experience in similar undertakings and men whose names are sufficient guarantee of the standard of the company, to wit:

ALBERT C. BLATZ, Pres. Val. Blatz Brew. Co., Milwaukee.
HON. WM. E. MASON, United States Senator from Illinois.
D. G. EDWARDS, Pass. Traffic Mgr. C. H. & D. R. R., Cincinnati.
FRANK A. HECHT, of Chas. Kaestner & Co., Chicago.
CHAS. H. ROCKWELL, Traffic Mgr. C. I. & L. R. R. (Monon Route), Chicago.
W. C. RINEARSON, Gen'l PASS Agt., C. N. O. & T. P. R. R., Cincinnati.
B. W. GRIFFITH, Pres. First Nat'l Bank, Vicksburg, Miss.
FRED A. OTTE, past eighteen years with Shelby Bank, Shelbyville, Ind.
J. M. PHILLIPS, Cashier First National Bank, Vicksburg, Miss.

And hundreds of others equally prominent. Address and make all money payable to

The Alaska Transportation and Development Co.
Fisher Building, cor. Van Buren and Dearborn Sts. CHICAGO, ILL.
CITY OFFICIAL NOTICES.