THE OMAHA DAILY BEE.

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IMMENSE CLEARANCE SALE OF HOLIDAY GOODS AT BIG STORE THURSDAY

Early buyers will have the advantage of complete assortments and at the BIG CUT IN PRICES announced today should not delay their purchases.

Agents for Butterick patterns.

Out of town patrons should get their orders in at once.

HAYDEN BROTHERS

Letting Down The Prices

Jewelry Department

We have just purchased 5,000 pieces of sterling silver novelties of the leading manufacturers of the east and tomorrow we place them on sale at one-third of their regular value. We will give you a few prices—

Sterling Silver—Every article guaranteed 925-1000 fine

SHOE HORNS, FILES CUTICULES BUTTONERS SEALS, COMBS Tooth Brushes, etc

49c

3,000 3-piece child's sets, from 10c up.

Quadruple plated butter dishes, pickle caster, berry dishes, nut bowls, syrups, dinner castors, etc., etc., positively worth $3.00 each; choice, $1.48.

The best Q'd-plated 4-piece gold line, hand engraved tea set; regular value, $8.00; for tomorrow, $3.48.

Ladies' sterling silver chatelaine watches $2.59.

Hundreds of ladies' and gents' solid gold and gold filled watches, with all the best make of movements, $4.95 up. The celebrated P. S. Bartlett or G. M. Wheeler, Waltham and Elgin, 17-jeweled, nickle movements, in a gold-filled hunting case, warranted to wear 20 years; watch complete, $16.75.

Rogers' 12 Dwt. knives or forks, six pieces, $1.19.

Do You Want a Present

For Your Friends?

Come in Thursday.

Our Great Book Sale!

2 Toy Books for **1c.**
2 Toy Books for **5c.**
Toy Books **5c** to **25c.**
All the New Books on sale.
Bibles and Prayer Books on sale.
Chicago Record Cook Book **75c.**
Handkerchief Cases **25** and **50c.**
Glove Cases **25** and **50c.**
Collar and Cuff Boxes **50c.**
Satin Belt Hose Supporters with Satteen Hip Shield Silk Elastic and Button Clasp, only **25c.**
Elegant fancy Side Elastics **10c.**
Beautiful Garters in Glass Case **25c.**

Grand Handkerchief Sale!

Big Cut in Fancy Art Goods.

Beautiful Hand Painted Novelties **10c** and up.

HAYDEN BROTHERS

Colored Wool Dress Goods

FOR CHRISTMAS PRESENTS.

A full suit of 7 yards, all wool silk mixtures, checks in dark colors, overshot weaves, brocades in two-toned effects, plain and checked canvass weaves in dark shades and all wool henrietta cloth in all the new winter shades. These goods are cheap at $4.50 per suit—our Chrismas price only $2.48.

Black Wool Dress Goods

FOR CHRISTMAS PRESENTS.

8 yards of all wool black French serge, rich lustre, 36 inches wide, worth $3.50—our Christmas price only $1.98 per suit.

7 yards of the very finest made double warp black silk finished henrietta, 46 inches wide, worth $12.00 per suit—our Christmas price only $6.98 per suit.

Any of the above dress goods can be ordered by mail, and money refunded if goods are not satisfactory.

Headquarters for Black Dress Silks

Black silk dress, a most suitable Christmas present.

Black silk dress pattern, consisting of 12 yards of plain black Peau du Soi, most stylish dress silk very fine quality and nothing better to wear, worth $12.00 per pattern; special price per pattern, only $6.98.

Black brocade silk dress pattern, consisting of 12 yards of handsome brocade, gros grain or satin, in both small, medium and large designs a very fine quality, handsomely finished and fully worth $12.00 per pattern; our special price, per dress pattern, only $7.98.

Plain black satin dress pattern, consisting of 10 yards of elegant heavy plain satin duchesse fully 27 inches wide, has no flaws or imperfections, has a beautiful smooth finish and is guaranteed to wear; worth, per pattern, $15.00; our special price, per pattern, only $9.98.

Orders by mail will receive prompt attention.

Big Bargains in Holiday Goods in Ladies' and Gent's Furnishings.

500 dozen men's colored bosom shirts in all the latest patterns, 48c.

Men's fine satin suspenders, black, blue, white, pink and drab at 50c.

Men's extra fine embroidered suspenders in all the latest patterns, at 75c.

500 dozen men's fine neckties, all the newest patterns, at 15c.

1,000 dozen men's fine neckties, bows and four-in-hand ties, worth 50c, at 25c.

1,000 dozen men's fine neckties, bows and keenhole's 25c.

1,000 dozen men's fine white and colored linen cambric handkerchiefs at 10c.

500 dozen men's wool lined mocha gloves, worth $1.25, at 75c.

500 dozen boys' and men's sweaters, at $1.00 and 75c.

HOLIDAY BARGAINS

We can satisfy you on nice fancy Holiday Groceries. New store, new goods, new prices. It will pay you to come Thursday—while the sale is on.

29 pounds New Orleans clarified sugar	$1.00
1 pound package Seeded Raisins, worth 14c at	8½c
1 pound package Reckenned new currants	8½c
Cleaned Currants, per pound	6½c to 7½c
New Muscatell Raisins, only	3½c
Large new fat stemless Raisins	6c to 7½c
1 pound can Baking Powder, German Sunrise or and other brand	12½c
Cluster Raisins for the table, others ask 20c—we sell them for	12½c
Queen Olives—every one knows that Hayden's Olives are the very best—We buy them in their original casks per pound	30c
Dill Pickles, per doz	10c
3-lb can Tomatoes	6½c
3-lb can New Pumpkin	6½c
2-lb can New Corn	6c
2-lb can New Peas	5c
June Peas, extra sifted	6½c
3-lb cans Heavy Loaf Sugar Apricots	12½c
3-lb can Standard Apricots	9c
3-lb Yellow Peaches, heavy syrup	12c
3-lb New Peaches, standard	9c
5-lb Fresh Rolled Oats	9c
5-lb Yellow or White Meal (fresh)	5c
Ivory, White Cloud or any other floating soap, per bar	3⅞c
Sapolio	5c
1776, Pearline	3 1-3c
New California Prunes, per lb	4c
10c Shredded Cocoanut, fresh	3½c
10 bars Standard Soaps	25c
2-lb can assorted Jams	9c
Bader's Chocolate, per pkg	15c

HAYDEN'S PURE FOOD GROCERY.

37c Since the Decline.

Star, Horse Shoe, Climax or any other brand of tobacco, since the decline, per pound	37c
Duke's Mixture, 1-lb bags	25c
Battle Ax Tobacco, per pound	18¾c

We would not join the trust so you don't have to pay 49c to 65c per pound for tobacco. We will not join any trust to hold up prices.

100 dozen colored fascinators, worth 50c, at 15c.

1,000 lbs. fine imported zephyr, assorted colors, 2½c per lap.

500 dozen ladies' 2 clasp and 4 button kid gloves embroidered back, at 75c.

500 dozen ladies' fine wool mittens, 25c.

10 cases ladies' fleece lined hose, 12½c.

10 cases ladies' fine wool and cashmere hose 25c.

10 cases boys' bicycle hose, worth 25c, at 15c.

500 dozen ladies' combination suits, fleeced lined, at 75c.

500 dozen ladies' vests and pants, fleeced lined, at 25c.

500 dozen ladies' feather boas, at 35c.

Jackets, Skirts, Waists.

Omahas Christmas climax sale. Most marvelous merchandising of fashionable garments for less money than you will have to pay for inferior garments later on.

250 Jackets in all wool materials at $1.98.

200 ladies' Jackets in plain Kersey and rough effects that were $6.50, at $3.75.

Ladies' Jackets in Boucle, Caterpillar and Kersey, silk lined and strapped seams, worth $10 and $12, at $5.75.

300 Jackets, all those swell tailored London box coats in all the new winter shades of brown, red, green, black and blue. All the new fabrics worth $15 to $25, at $9.98.

All our fine silk waists in two lots at $3.75 and $5.75.

All our black brocaded skirts in silk and satin, in two lots, to close out before Christmas at $3.48 and $5.48.

Ladies fleeced lined wrappers, the $1.50 and $2.00 quality, at 98c.

Pianos—

a holiday offering

Sixty beautiful new pianos at special prices for glad, make your selection now, we will reserve the piano and deliver it Christmas eve if you so desire. In this special holiday sale we offer the largest and finest selection of beautiful new pianos, including twenty-one different makes, ever shown in Omaha; they are all new nearly every one having been received within the last ten days. $135 buys a new piano, fancy case. $175 buys a new upright Emerson, fancy case; $195 buys a new upright Vose & Sons, fancy case, and so on up to the price of the CHECKERING PIANO, the king of instruments, the excellence of which admits of no reduction. STEINWAY, FISCHER, KNABE and IVERS & POND among our offering.

New pianos to rent.

Specials in Linens.

Large size bedspreads worth $1.50, at 89c.

Huck and damask towels, knotted fringes, size 25x52, worth 50c, at 25c; all linen napkins, worth $1.50, at 98c doz.

58-inch all linen table damask, 50c kind, 25c.

All linen crash towel, worth 8c yard, at 5c yard.

Pure linen tea cloths and 1 dozen napkins to match, worth $4.50, at $2.75 suit.

All linen huck and Turkish towels, worth 17c at 10c.

Hayden Bros.' Xmas Fruits Candies and Nuts—

Finest line of Fruits, Dates, Figs, Bananas, Lemons, Nuts and Candies in Omaha.

Finest Mixed Nuts, only - - - - **7½c**

Fine New Dates	7½c
New Figs	10c
Fancy Oranges	15c
Fancy Lemons	15c

We have everything in the Fruit line—Come early and secure your Candy order—Read these prices on Candies.

Special mixed for the Xmas trees, pound	15c	Bon Bons	20c
Candy Canes	5	Marshmallow	25c
Almond Bar, each	5c	Italian Nugget	25c
Cracker-Jack, pound	15c	Opera Creams	25c
Finest Xmas Mixed	12½c	Boston Chips	20c
Fancy Mixed, (3 pounds for 25c)	10c		
Caramels, pound	15c		
Best hand made Chocolate	20c		

Special prices given on all Candies to the schools.

Don't forget that we are having a great sale on Butter, Cheese and Crackers.

Come to the GREAT TRANSMISSISSIPPI HEADQUARTERS Far Anything You Want.

TOY DEPARTMENT.

Santa Claus' Headquarters

The place where you find the crowds is at the Big Store of HAYDEN BROS. Toys are going lively, buyers are more numerous, and sales are larger than ever in the history of our business in Omaha up to this time.

Every one says we are showing the handsomest line of Celluloid Novelties in Omaha in Collar and Cuff Boxes, Toilet Sets, Smoking Outfits, Handkerchiefs and Glove Cases. Large stock of new style Albums.

Dolls in all sizes, style and description from 1c up to $10.00.
Christmas Tree Ornaments 1c, 3c, 5c each.
Best grade of Candles 5c and 10c a box.
Candle Holders 10c a dozen.
Transparent Slates 5c and 10c each.
Brass Drums 15c, 25c, 45c, 75c and 95c.
Tops 5c, 10c, 15c and 25c.
China Tea Sets 5c, 25c and 50c a set.

Largest and best selection of Books, Sleds, Wagons, Carts, Doll Buggies, Chairs, Tables, Rockers, Blackboards, Iron and Tin Toys—in fact anything desirable you find here at the Big Store. Our advice is to all, buy now before the stock is all broken, for the way toys are selling now the quantities will not hold out. Make haste for **Santa Claus' Headquarters at the Big Store.**

HAYDEN BROTHERS

STOCK YARDS REDUCES RATES

Patrons to Have the Benefit of a Lively Competition.

LOWERS ITS CHARGES FOR FEED

Competition of Kansas City and Other Points Brings About What Was Sought by Legislative Enactment.

The Union Stock Yards company yesterday voluntarily reduced its rates for feeding live stock in its yards. It did so of its own accord, but it had to take the action in order to compete with the yards in Kansas City and other points, whose rates were attracting stock shippers. The cut brings the rates down to the Kansas City level, making them 60 cents per hundred for hay, 60 cents per bushel for corn and rates for other feed in proportion.

The new rate is quite a radical reduction, the old ones being over 33⅓ per cent higher. Hay has been selling to the stockmen at the yards for $1 a hundred and corn has been quoted at $1 per bushel. These rates have been so much higher than those at Kansas City that stockmen were commencing to send their stock to the latter market. The matter was brought up at the recent meeting of the stockholders of the company and the result was the passage of a resolution authorizing the reduction.

The new rate takes the sting out of the case over the rates that is now pending in the federal court. So much dissatisfaction prevailed among the stockmen over the existing rates that the last legislature passed an act reducing them. The schedule therein fixed provided for a reduction of over 25 per cent. (All the rates were cut in two and to the result was added 25 per cent more.

The stock yards management insisted at once that the new rates thus provided were too low and consequently one of the stockholders in the company, Greenlief W. Simpson, commenced an action in the federal court restraining the company from putting them into effect. A temporary restraining order was issued, but the case has not yet come up for final hearing. The state has became a party, Attorney General Smyth having intervened as a defendant.

The new rates put into effect by the company for feed are lower than those fixed by the legislature. The action therefore wipes out one of the issues in the case. Before the new schedule could be put into force, however, it was necessary to obtain the consent of the federal court. As a consequence Judge Woolworth, attorney for Simpson and William A. Paxton, appeared before Judge Munger and informed the court that both parties in the suit had agreed to the reduction.

JUDGE MUNGER'S ORDER.

The following order was therefore issued by Judge Munger:

It appearing to the court that the defendants, the Union Stock Yards company of Omaha, limited, proposes on account of competition between it and the stock yards companies at Kansas City and other points, to reduce its charges for hay and grain below those heretofore and now charged by it for those purposes, so that the same will be less than those fixed by the legislature complained of in the bill in this action, the plaintiff by his counsel consenting to a modification of the injunction accordingly,

It is ordered that the injunction heretofore allowed by this court restraining the said company from reducing its charges for feed, including both grain and hay, be and the said is hereby modified so as to permit the said company to reduce its charges now and heretofore made and exacted for those purposes to a rate of charges as low or below those limited and prescribed in the said act.

It is further ordered that this order shall not otherwise affect the injunction heretofore granted.

But while the reduction sweeps away some of the issues in the federal court cases, important ones still remain. There is as much objection to the rates for yarding as those for feed, and these have not been reduced whatever. The legal fight will therefore remain to be waged over the reduction of the yarding rates.

The stock yards management still insists that the new rates for feed are too low to be profitable, and maintains that they involve a loss to them. They felt compelled to reduce the rates, however, in order to be able to compete with the yards at Kansas City and other points, where the low rates for feeding were attracting the stockmen who have been patronizing the South Omaha yards.

MISSOURI PACIFIC'S NEW OFFICE.

Hellman Block to Be Occupied by the Omaha Headquarters.

The Missouri Pacific railway will probably change the location of its general and city freight and passenger offices in this city on March 1, 1898. It has secured from the Mutual Life Insurance company a contract to fit up the east half of the first floor of the Hellman block, on the south side of Farnam street, west of Thirteenth. The place that has served as a store and later as a museum will be handsomely furnished and painted and efforts will be made to make 1301 Farnam street the finest railway office in the city.

It is understood that the Omaha Gas company will occupy the entire ground floor of the Merchants National bank building after the removal of the Missouri Pacific to the latter's new quarters.

Farmer Refuses to Bite.

A young farmer on his way from Cheyenne, Wyo., to his home in Rock Island, Ill., had a brush with a couple of confidence men at the Union depot this morning out of which he came unscathed. The young man stopped over in Omaha for about an hour and was approached by a couple of these smooth gentry while looking at the new depot building. The old gag of a carload of hardware, a bill of lading and a check was sprung, but the young man was suspicious. Instead of producing, he edged along the platform until close to Officer Storey. Before he could make known the case to the officer the thieves broke away and ran up Tenth street. There is a description of the men at headquarters and the police are on the lookout for them.

United Presbyterians.

Some of the United Presbyterians of Omaha have felt for some time that the members of the several churches were not well enough acquainted. That this error might be corrected the Central church, Twenty-fourth and Dodge, will give a reception Thursday evening to the brethren of the other three churches—First, Park avenue and South Omaha. Invitations were read from the several pulpits last Sabbath, and the indications are that a large crowd will be present. It will be a very informal affair, without any set program, only a little music and some light refreshments.

Cook's Imperial Extra Dry Champagne is the pure juice of the grape naturally fermented. For bouquet it has no superior.

COULTER'S CASE IS ENDED

Ex-Deputy City Treasurer Will Not Face a Jury in Omaha.

COUNTY ATTORNEY DROPS PROSECUTION

Enters a Nolle Prosequi in the Matter and Allows the Accused to Go Free from Danger of Trial.

Jerome C. Coulter, ex-deputy city treasurer under Henry Bolin, will not be tried on the charge of embezzling the funds of the city of Omaha.

Immediately after the arrest of Henry Bolin in June, 1895, Coulter was arrested and charged with the embezzlement of some $21,000 of city funds. He was arraigned in police court, waived examination and held to the district court. Not being able to give bail, he remained in the county jail for several months, after which he was released on bonds. During the trial of Henry Bolin, that resulted in his conviction, Coulter assisted the prosecution in securing evidence and, after the trial the case was continued. Since that date the trial has been continued from term to term until now when the case has been settled and the defendant has been allowed to go free.

When the case against the Bolin bondsmen was called before Judge Scott a few weeks ago, Coulter was on hand and assisted Expert Wentling in the preparation of the schedules and also testified to the conditions that existed in the city treasurer's office during Bolin's first term. Immediately after the conclusion of the introduction of this testimony, Coulter returned to St. Louis, where he is employed. Expert Wentling also departed, going beyond the jurisdiction of the court. At that time it was stated by the county attorney that the criminal case against Coulter would be called this morning. It was called as promised and as soon as Judge Baker convened his court, County Attorney Eldridge entered a nolle.

Asked why he pursued this course, the county attorney said: "Our principal witness, Wentling, has left the city and we cannot compel his attendance. The papers on which we relied have disappeared and to go to trial would result in an acquittal. By entering the nolle, we save the county a big expense and reach the same results as we would obtain if we pressed the case."

Policy on Levi Wilson's Life.

John N. H. Patrick has brought a $20,000 suit against the Northwestern Mutual Life Insurance company and in his petition he asks for judgment in that sum. The plaintiff alleges that some years ago one Levi Wilson insured his life for the sum of $20,000 with the defendant, paying the required premiums on the policy, and that afterward the policy was assigned to the plaintiff.

The plaintiff in the case alleges that Levi Wilson is now dead and that the insurance company has failed and refused to pay the policy.

Jail Almost Empty.

There are fewer prisoners in the county jail than there has been in years, all of which is due to the fact that Judge Baker has crowded the work of the criminal court and has succeeded in trying nearly all of the cases that have come up from the police court. He has not only tried all of the cases that were on his docket at the time of the convening of the September term of court, but has tried many cases that have been filed within the last two weeks.

Notes of the Courts.

The trial of the Shelby-Creighton case was resumed before Judge Scott yesterday morning. It will require the balance of the week to complete the introduction of testimony.

Cora Parks has asked the court to divorce her from her husband Byrd Parks. She alleges desertion and in addition to seeking a decree she requests her maiden name, Cora Collier.

Ena Henderson has sued the city of South Omaha in an action to recover the sum of $10,000 damages, alleged to have accrued by reason of a change of the grade of Twenty-fifth street, between A and I. The plaintiff avers that by reason of the change in the street grade her property has become worthless.

Arguments in the case of the city against the bondsmen of Henry Bolin, ex-city treasurer, continue, with Attorney Mahoney arguing for the defendants. Attorney Connell will close for the city today. Judge Sisbaugh has his instructions prepared and will deliver them as soon as the arguments are completed. It is thought that the case will go to the jury tomorrow evening.

The attorney general has filed his replies to the answers of the defendants in the case of the State against the bondsmen of Joseph S. Bartley, ex-state treasurer. He enters a general denial except as to the allegation of the death of John Fitzgerald. This he admits. The defendants in their answers charged that they were not liable under the bond on account of its not having been filed in time. The case is now on Judge Dickinson's call, pending a motion to continue. The judge will pass upon the motion next Saturday morning.

POGERTY DIES OF ALCOHOLISM.

Old Soldier Suddenly Expires Where He Had Sought Relief.

James Fogerty, an ex-soldier and an old resident of this city, died at the county jail shortly after 4 o'clock yesterday morning.

Fogerty called at the police station Tuesday morning and stated to Captain Mostyn that he had been on a prolonged "jamboree" and was anxious to sober up. He wished to be sent to the county hospital. On the suggestion of the captain Fogerty went to Judge Gordon and asked to be committed to the county jail on a charge of drunkenness. He was sentenced to thirty days and was taken to the jail in the county prison shortly after 1 o'clock that afternoon. He appeared much better during the evening and went to bed at the usual hour. At 4 o'clock one of the prisoners notified Jailer Shand that Fogerty was dead. Upon examination by City Physician Reich it developed Fogerty died of alcoholism.

Fogerty was about 50 years of age and so far as is known has no relatives living in this city. He was formerly employed at Rothery's saloon at Eleventh and Harney streets. The remains were taken in charge by Coroner Burkett.

Kaffir Corn for Export.

MINNEAPOLIS, Kan., Dec. 15.—Grain buyers in this county have received orders during the past ten days from export grain dealers in New York to purchase large quantities of kaffir corn. The seed is to be shipped to Egypt and other African countries where recent experiments with kaffir corn have been very successful.

ON JUDGE GORDON'S AFFAIRS

Chairman Mercer Talks of the Police Court Situation.

HIS INVESTIGATION WILL BE THOROUGH

Judiciary Committee of the City Council Will Go to the Bottom of the Alleged Irregularities of Practice.

Chairman Mercer of the judiciary committee of the city council says that he has not decided what he will do in regard to the demand of the Board of Education for an investigation of the police court, which was referred to his committee. He says on general principles he believes that a thorough investigation should be made. He is not personally familiar with the abuses alleged but he does think that when people are constantly being released who had been convicted of similar offenses under previous police judges, it is desirable that the cause should be discovered. There is no question of the fact that the city is spending $75,000 a year for police protection which is a farce. Men were being knocked down and robbed on the principal streets of the city almost in broad daylight and the police seemed to be absolutely powerless to prevent it or apprehend the criminals. The only thug caught was secured by the citizen whom he had selected as his victim and even then they had been compelled to telephone to the police station half a dozen times before they could secure the assistance of an officer to take the thief to jail. Under the present order of things thugs can lick down the front door of any citizen's residence, strangle and rob him and get away without the slightest apparent danger of detention. It is time that something was done, and as a property owner he was in favor of any measure that promised relief.

In regard to the proposed investigation he is not clear how to proceed. He has no definite knowledge of evidence which may be secured. If he can obtain the necessary information he is ready to call the committee together at any time and make the most thorough investigation possible.

SCHEME TO ABOLISH GASOLINE.

City Council is Offered a Prospective Good Thing in Lighting.

There has been a good deal of speculation in regard to the reason why the city council has continued to postpone the approval of the gasoline lighting contract after unanimously deciding to approve it three weeks ago. The promised action has been put off from one week to another on one pretext or another and the majority of the members of the council were not aware of the real reason for the delay. It develops now that there is a scheme on foot to dispense with gasoline lights altogether and give the entire business to the two local corporations. It is stated authoritatively that in a short time the electric light company and the gas company will submit propositions contemplating the lighting of the entire city, and that the contract now pending is being held back until these propositions are received.

The abolition of the gasoline lamps is not a new idea, but has been discussed more or less favorably for two years. The gasoline lights have been a source of constant complaint, and the majority of the members of the council are inclined to consider them out of date. City Electrician Schurig has always favored the substitution of arc lights as far as possible and during the last year or two a large number of these lamps have been put in by removing enough gas or gasoline lamps to offset the expense in each instance. In most cases an arc light was substituted for seven gasoline lamps, and it is asserted that a marked improvement resulted. Last year Mr. Schurig drew up a detailed plan for a rearrangement of the arc lighting system, but it was never fully carried into effect.

Mortality Record.

The following births and deaths were reported at the health office during the twenty-four hours ending at noon yesterday:

Births—W. Glaxthansand, 2912 Izard street, boy; Edward Grunswald, 1914 North Twenty-sixth, girl; Martin Clasen, 420 Walnut, boy; Fred Borghoff, Twenty-second and Leavenworth, boy.

Deaths—A. L. Jordan 27, 2428 South Fifteenth, pneumonia, Forest Lawn; Loyd Dixon, 10 months, Fifteenth and Douglas, Forest Lawn; Nora Jensen, 7, 1038 South Twenty-second, croup, Springwell; Paul Lanyon, 80, 419 South Twentieth, Laurel Hill; Mary A. Smith, 77, county hospital, senile dementia, Holy Sepulcher; Nellie Peterson, 30, 2114 Binney, Holy Sepulcher; Flora M. McGuire, 6, 2104 Burt, Forest Lawn; B. Frank Hubbard, 55, Klendike hotel, consumption, Forest Lawn.

Loss Through a Careless Clerk.

The losses to the city by reason of the incompetency and carelessness of former employes and officials continue to appear. Yesterday it was discovered that one of the permanent sidewalk levy ordinances which was passed in 1894 was only partially copied on the tax list by Treasurer Bolin's clerks. One page of the ordinance was copied, but another page, which contained taxes amounting to $800, was left out entirely. Consequently the property owners were ahead that amount. In several cases the owners of the omitted property have certificates from the city treasurer to the effect that all taxes have been paid.

Whether the error can be remedied at this late day has not been decided. City Engineer Rosewater is of the opinion that a new ordinance can be passed to make the correction, but would not express himself positively until he had secured the opinion of the city attorney.

Garbage Investigation.

The garbage investigation, which has been hanging fire before the Advisory board for the last month, was again continued yesterday afternoon. In this case the postponement was on account of the funeral of a relative of Contractor McDonald. The attorneys on both sides were present and agreed that they were anxious to get the matter off their hands as soon as possible and the hearing was made a special order for 2 o'clock Saturday afternoon.

Grading on Center Street.

The grading on Center street has been about completed with the assistance of a few warm days and Contractor Grant promises that the paving will be completed this week. The Sherman gravel which makes the surface has the quality of growing harder and smoother under traffic and by spring the street will be in perfect condition for wheelmen. This will be the first run out of town that has been available for riding except in dry weather.

LAYS CLAIM TO TOWNSITE

Suit Which Affects Ground on Which Yuma, Colo., Stands.

TEST OF IMPORTANT POINT IN LAND LAW

Right of Congress to Suspend General Statutes in Favor of Individuals Called Into Question.

CHICAGO, Dec. 15.—Suit has been brought in the United States circuit court for the district of Nebraska by George F. Emblen, of this city, affecting the whole site of Yuma, Colo. If Mr. Emblen is successful in his suit he can take possession of the land on which 4,000 persons are now living and of enough more land to make up a full quarter section. The Lincoln Land company, a corporation that has established townsites along the B. & M. railroad, would be the loser. It has given guaranty deeds to the present ownership of the property. The question to be decided is of great interest from a legal and constitutional point of view as well as from a financial one. The power of congress to legislate upon the rights of parties to the public lands and to set aside the general land laws in the interest of particular individuals is involved. For ten years the fight in the case has been going on, but now steps have been taken to bring the matter up for final decision.

The quarter section on which Yuma now stands was pre-empted in 1885 by George F. Weed. He did not live on it, but as soon as the B. & M. railroad built a line through it he proved his claim and got a deed. He sold a half interest to the townsite company and the town was started. George F. Emblen had in the meantime contested Weed's title on the ground that Weed had never lived on the land in the way the law required, and that perjury had been committed in making final proofs. A decision was finally rendered in Emblen's favor by the secretary of the interior, and then congress, in December, 1894, passed an act giving Weed the title.

For some time mandamus proceedings hung before the supreme court, but the justices decided they would not pass on the constitutionality of the law unless the question came to them in regular form. The suit begun in the federal circuit of Nebraska by G. W. Ambrose, attorney for Mr. Emblen, is designed to bring the case properly to final decision.

The papers in the above case were received in this city yesterday and in the afternoon they were placed on file with the clerk of the federal court.

Mississippi River Steamer Sinks.

NATCHEZ, Miss., Dec. 15.—A dispatch received here this morning from Bayou Bara, La., states that the steamboat Paragould sank yesterday in the Mississippi river just above the mouth of Red river. The boat and cargo are in bad shape, and the loss will be heavy. The Paragould was owned by the New Orleans and Western Steamship company, and was in trade between Port Chalmette, just below New Orleans and the bends.