

COURT IS IN NEED OF HELP

Judge Fawcett Gives His Opinion Relative to Reinforcing Supreme Bench.

SAYS THE BEE'S SUGGESTION IS TIMELY

New Light is Thrown Upon the Constitutionality of Proposition and Judge Fawcett Takes Issue with Those in Doubt.

Judge Jacob Fawcett, of the equity bench in the district court, has addressed his opinion to the array of legal expression that has been made relative to The Bee's suggestion that the district judges of the state may be called upon to assist the supreme court in dispatching the great volume of business that has accumulated. Judge Fawcett has just returned from Nebraska City, where he has been holding court as a substitute for the regular judge. He was not in Omaha at the time The Bee secured interviews with the other local judges. Judge Fawcett says: "I think The Bee's movement to bring about some plan which will relieve the tremendous pressure upon the supreme court is a good one, and I sincerely hope that it may result in something being done. So far as the constitutionality of the proposed plan is concerned, I would say that I think it would be just as constitutional as the act creating the commission. If the legislature has the power to create a commission to aid the supreme court it certainly has the power to provide any other method of doing so. Of course the main and ultimate relief for the supreme court should be by increasing the number of its judges. It is absurd to think that the business of that court which required three judges at the time the court was first organized, can be done now with the same number of judges. The state has grown wonderfully, and the business in that court has increased enormously, and is bound to increase still more. In my judgment, the work of the supreme court of Nebraska can no longer be properly done with less than seven judges, and the constitution ought to be amended at the earliest possible date so as to provide for that number. "I have read with interest the various articles which have appeared in The Bee on this question, especially the article written by Judge Morrison, and it seems to me that the judge has left very little room to be said. I would, therefore, sum up my views by saying that in the main I endorse what Judge Morrison has written. "Attorney John W. Richardson says he has not given the reinforcement proposition any thought and will not express an opinion either as to the constitutionality or the policy of The Bee's suggestion until he has made a careful study of the question. "Attorney R. W. Richardson says: "I am as anxious as anyone to have the supreme court reinforced, but I am opposed to any temporary makeshift. I believe the state of Nebraska is big enough to have a greater number of regular judges on the supreme bench, and then the remedy would be permanent. "Almost every attorney in Omaha is talking about the congested condition of the supreme court docket, and all concede that something will have to be done to bring relief. Many shrewd litigants, who now necessarily wait their cases through the district court for the express purpose of having the issue shelved in the supreme court. The cases, under present conditions, will not be settled by that tribunal short of four or five years, and in many classes of litigation a delay for that length of time is equivalent to a favorable judgment in the lower court. "Judge Frost favors Plan. LINCOLN, Neb., Feb. 1.—To the Editor of The Bee: In response to your request for my views of the plan proposed by The Bee to relieve the supreme court, I would say that I heartily approve of any plan that will lessen the delay which now necessarily exists in that court. Even if the dockets of the district courts should grow a little, that would be better than to have that of the supreme court continue so large. It is important to litigants that their cases be disposed of promptly, and the present congested condition of the docket of our court of last resort frequently amounts to a denial of justice. "I have no doubt that if the judges of the supreme court should request the assistance of the district judges, that the latter would readily respond. However, little would be accomplished by calling in a judge for a few cases. Better results would be attained after becoming accustomed to the new line of work. "Of course the opinions prepared by the district judges would get validity only by reason of the supreme court making all decisions its own. Respectfully, LINCOLN FROST, Judge Third District.

Judge Thompson Would Aid. GRAND ISLAND, Neb., Feb. 1.—To the Editor of The Bee: In response to your inquiry in regard to your suggestion of the district judges helping the supreme court out with their crowded docket, received. "I would say that I would be willing to give some time to that work, if it is established that it is constitutional. I believe that the plan would work well and would certainly aid in relieving the present conditions. It probably would require at least a legislative act providing that as a part of the duties of the district judges when called upon. "As something must be done, the plan of The Bee is certainly entitled to due consideration. The constitutionality of the proposition is one for the supreme court. I remain, very respectfully, JOHN R. THOMPSON, Judge Eleventh District.

OMAHA SECURES FLOUR MILL. Clark Bros. of Leon, Ia., Buy Land Upon Which to Erect a Big Building. A representative of the firm of Clark Bros., millers at Leon, Ia., on Friday effected the purchase of two lots in Boyd's addition, near the Missouri Pacific railway near Fort Omaha, upon which the firm will at once begin the erection of a modern flour and cereal mill, with a capacity of 250 barrels of flour per day. It will also be supplied with the best modern machinery for the manufacture of feed, hominy, corn meal, cracked wheat, graham flour and other grain products. This firm has been operating a plant at Leon and comes to Omaha in order to enable it to go into the manufacture on a larger scale. It was attracted to Omaha as a central point in the great cereal belt of the central west, with favorable transportation facilities. They selected Omaha without seeking a bonus of any kind and will do business on their own capital. This promise to be the starting of an important industry in Omaha and one which is destined to have its effect in the upbuilding of Omaha as a grain market, to which the establishments of plants for local production of grain products is the highest and first essential.

FATHER ACCUSED OF CRUELTY. James Christopher, a Switchman, is Charged with Kicking and Choking His 12-Year-Old Son. James Christopher, sr., charged with cruelty to his children, appeared for trial in police court Friday afternoon. His 12-year-old son, whom, according to the complaint, "he did beat, choke and kick," was accompanied by several sympathizing neighbors who came to prosecute, and the humane society was represented by Rev. John Williams, vice president. The case was continued until February 9. James Christopher, sr., is a Missouri Pacific switchman, living at 1321 North Twenty-second street. His wife died three years ago, leaving him three small children, of whom the oldest is now 12. This boy is making his home at present with Mrs. M. E. Stolze, 2035 North Thirty-first street, and says he will kill himself before he will return to his father. "If Christopher is convicted," said Rev. Williams, "this case will probably be followed by a civil suit to get possession of the children."

FEAR ANOTHER MASSACRE. Indications the Kurds Are Planning to Kill a Few More Christians. NEW YORK, Feb. 2.—Fears have been repeatedly expressed during the last three months that the Turks are planning another general massacre of the Christians in the interior of Turkey. The Kurds, particularly in Kurdistan, are much excited, and it needs only a spark to start them upon their awful work. The World has information which indicates that at Maridin, Bilis, Diarbir and Harput, the principal cities of central and eastern Turkey, the Mussulmans are only waiting a favorable opportunity to repeat their horrible work of rapine and murder of the fall of 1895 and the spring of 1896. Bryan in New Hampshire. CONCORD, N. H., Feb. 1.—W. J. Bryan arrived here this evening and received a rousing welcome. He was the third city he had made a stop in since early morning. The first was Portsmouth, where he addressed a large number of people and awakened much enthusiasm. The second was at Manchester, where he spoke a few words to a crowd which greeted him at the station.

Falling Hair. Does this illustrate your experience? And are you worried for fear you are soon to be bald? Then come worrying for help is at hand. You need something that will put new life into the hair bulbs. You need a hair food, such as... It brings health to the hair, and the falling ceases. It always restores color to gray hair. You need not look at thirty as if you were fifty, for your gray hair may have again all the dark, rich color of youth. And there is no remedy equal to it for curing dandruff. \$1.00 a bottle. All druggists. "I am a barber by trade and have had a great deal to do with your Hair Vigor. I have found it to be the best thing that you claim for it. It has given me the most complete satisfaction in my business." HENRY J. GIBSON, March 22, 1899. Kansas City, Mo. Write the Doctor. If you do not obtain all the benefits you expected from the use of Hair Vigor, write the Doctor about it. Address, Dr. J. C. AYER, Lowell, Mass.

BIRTHDAY PLANS GO AMISS

Picturesque Ingratitude of Grace Underwood, Who Has an Admirer Charged with Burglary.

Because the county attorney had failed to investigate carefully the burglary charge against James Ready, the case ended in police court Friday afternoon, after a picturesque denouement. The climax was strong because wholly unexpected. Ready was charged with breaking into the apartments of Grace Underwood, 115 North Twelfth street, January 18, and stealing a number of articles.

Attorney J. S. Cooley, representing the defendant, showed that his client and the complaining witness had long been on terms of cordial intimacy. He then asked her: "Where were you at the time of the alleged burglary?" "I was at home," she replied. "I was over on the south side, attending a birthday party." "When you returned to your rooms did you miss anything?" "Yes, sir, I missed a dresser, a bracelet with six silver hearts on it and a ring. "A dresser? Do you mean to say he carried off the furniture?" "Yes, but there was another dresser in its place. "As good as the one you lost?" "Oh, very much better. It was a nice, new dresser." "Anything in place of the bracelet and ring?" "No, but I found them afterwards. I'd mislaid them; that was all." "Those birthday party was it you attended?" "Mine."

A few other questions brought out the fact that Ready had arranged the birthday party to lure her away from the house so he could get the new dresser in place without her knowing it. He had planned a birthday surprise, but the coincidence of the mislaid bracelet and ring had led to a misunderstanding of his generous action. "You'd arrest Santa Claus for burglary, wouldn't you?" asked the judge, in disgust, as he dismissed the case. Blind Boone will give a concert at Y. M. C. A. hall for the benefit of the A. M. E. church, Thursday evening, February 8. Every day needs at every day prices. For further particulars read the big store's ad on page 7. The New Short Line to St. Paul, via the Illinois Central, leaves 7 a. m. and 7:35 p. m. Solid, wide vestibuled trains. Investigate this at 1402 Farnam street.

FIGHT WHILE THE TEAM RUNS

Spirited Scene in Which a Grocer and His Assistants Contribute to the Gaiety of Nations. The spectacle of a runaway team hitched to a delivery wagon, with three men fighting in the bed of the vehicle, was one of the diversions which interested people on North Twenty-fourth street Friday afternoon. The runaway alone would have been worth the price of admission, but with the fight thrown in for full measure it equaled the chariot race in "Ben Hur."

A few minutes before the triumphant entry, C. T. Varner, a grocer at 2120 North Twenty-fourth street, drove his delivery wagon out of the alley into the street. As he emerged upon the street Charles Kelpin and Frank Blanquist appeared before him in a single buggy. They disputed right of way. Neither driver was disposed to yield. Hot words passed, and both sides deny striking the first blow, but both agree that there was a fight and a runaway, and that they had difficulty in maintaining a footing amid the jumping soap boxes and rolling syrup kegs. Kelpin and Blanquist accompanied Varner to the police station and gave themselves up on a charge of assault. They will be tried Monday.

Manitou Water

We are agents in Omaha for the celebrated MANITOU WATER and shall be pleased to receive orders from clubs, restaurants, dealers or families. Since moving our retail store to the corner of 16th and Dodge we shall have increased facilities in our old location for the storage and caring for mineral waters and shall give this branch of our business special attention. We buy our waters direct from the springs and thus are in position to name the lowest prices, as well as guarantee absolutely fresh and genuine waters. Over 100 kinds mineral waters in stock. Sherman & McConnell Drug Co. S. W. Cor. 16th and Dodge. Laboratory and Warehouse, 1515 Dodge St., (Old location).

The Most Popular Line

Denver Salt Lake San Francisco Portland Superb New Equipment. DINING CARS. PALACE SLEEPERS. BUFFET SMOKING AND LIBRARY CARS. FREE RECLINING CHAIR CARS. NO CHANGES. SOLID COMFORT. City Ticket Office, 1302 Farnam. TEL. 310.

Burlington Route THE WORST OF THE WINTER is still to come. Escape it Go where cold weather is unknown—where you can bathe, shoot, saunter along the seashore or fall in a hammock all day long—Florida—Cuba—Puerto Rico. Rates are attractively low. And the St. Louis Flyer, leaving Omaha at 4:55 p. m. puts you well on your way in a single night. Ticket Office, Burlington Station, 1502 FARNAM ST. Telephone 250. 10th & MASON STS. Telephone 310.

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ROBBED DURING A CLINCH

In an Impromptu Sparring Match in a Saloon W. M. Brooks is "Touched" for \$55.

While engaged in what he supposed was a friendly scuffle with two comparative strangers in the Owl saloon, 1314 Douglas street, about 10 o'clock yesterday morning, W. M. Brooks, 355 North D, was robbed of a purse containing \$55 in bills and a 50-cent minkie bag over the Northern Pacific railroad. Brooks identifies Chris Thompson, the bartender, as one of the men who robbed him, and he is now in the city jail. When searched a \$20 bill, which Brooks believes belongs to him, was found in Thompson's possession. Brooks says the scrimmage started in an impromptu sparring match between him and Thompson. They grappled. The other man in the case shouted "break away," and when they didn't he immediately this self-appointed referee pretended to part them by force. It was during this three-cornered tussle, Brooks thinks, that he was robbed. In jerking the purse from his inside pocket two buttons were torn from his vest.

New, Bright and Up-to-Date are the Chicago and Minneapolis-St. Paul trains via the Illinois Central. Particulars at city ticket office, 1402 Farnam St. Never a better dollar's worth than you get at the big store of Hayden Bros. Their ad is on page 7.

PREMIUMS TO BE REDEEMED

Money is Now Available to Meet Payments on All Warrants Issued at the State Fair. The Nebraska State Board of Agriculture is now in a position to pay the premiums awarded at the state fair in 1897, a total of \$4,000. In reference to the payment, E. McIntyre of Seward, Neb., treasurer of the board, says: "Of the unpaid state fair premiums granted in 1897 a very considerable number are held in and about Omaha. The board desires to make public the fact that it has recently secured the \$2,000 due for each of the years 1898 and 1899. I am authorized to pay face value upon the 1897 warrants upon their presentation at the First National bank at Lincoln."

"For a lame back or for pains in the chest there is nothing equal to a piece of flannel dampened with Chamberlain's Pain Balm and bound on over the seat of pain," says Mr. Ralph Jordan of Burke, N. Y. "Pain Balm is the best liniment I ever used."

The "Twin City Limited," Pullman Palace Sleepers Broad Vestibuled Throughout. VIA NORTHWESTERN LINE. From Union Passenger Station, Omaha, 7:20 p. m. daily. Note—Also inquire about the day train. A Friend, who used the Illinois Central Limited to Chicago, says it's a "beauty." Will tell you about it at 1402 Farnam street. "Satisfaction always" is the aim of the big store of Hayden Bros. Read their ad on page 7. Drs. Lord and Rustin, 501 Paxton block. DIED. MCKENZIE—Mrs. George, at 7:40 a. m., Friday, February 2, aged 69 years, leaving a father, husband, five sons and one daughter to mourn their loss. Funeral will be held from her late residence, 804 North Twenty-fourth, Sunday, February 4, at 2 p. m. Interment Forest Lawn cemetery.

WASH LONE SOAP Results is what you look for—WASH LONE SOAP gives the best results at all times. Save fuel—save labor—save time. SCHAEFER CUT PRICE DRUGGIST Cor. 16th and Chicago Sts.

BROMO LAXATIVE 10c Cures Grip While You Sleep. BROMO LAXATIVE is prepared from the private formula of one of Chicago's busiest physicians, who, during the great grip epidemic of 1892, successfully attended over 2,000 cases of the disease, using Bromo Laxative in 90 per cent of his cases. Regular Price 25c Our Price 10c WALDRON & CAMPBELL, Cut Price Druggists, 222 South 16th St. Omaha.

HAYDEN'S The Offer We Make You in Our Cloak Department for Saturday is Unprecedented, Unequaled and Un-known in the Cloak Business. As you all know, this is not a Cloak department of a few dozen jackets, but a stock of fully \$75,000 worth of the finest garments manufactured. That is why this offer is unprecedented. Your choice of any ladies' coat in this department, either in velvet plush or cloth, in any style 7.50 That is made, for only 7.50 The lining alone costs more. Second choice—500 Jackets, in boucles, kerseys and caterpillars, in plain black and colors, only 2.98 The linings alone cost more. 350 Jackets, black, kersey and beaver, with high storm collars—there is no lining—at 98c Capes Also Meet the Butcher's Ax. Ladies' Plush Capes, percaline lined and interlined and trimmed with tibet all around; also ladies' boucle Capes, 30 inches long, worth \$6.00, for only 1.98 Ladies' Electric Seal and Astrakhan Capes that sold for \$50.00, now only \$22.50. Suits Also Get the Ax. We have exactly 300 Ladies' Suits. They go in two lots: 175 Man-tailored Suits, worth up to \$25.00, for only \$10.00. 125 Suits, in colors and black, worth up to \$15.00, for \$6.98. Ladies' Dress Skirts Meet a Like Fate. One lot of blue, gray and brown mixtures, all sizes, percaline lined and interlined, worth \$5.00, for \$2.98. One table of plaids, stripes and plain color skirts, at \$1.98. 15 dozen ladies' Underskirts, in pretty effects, 25c. Ladies' new spring Underskirts, in an elegant variety of patterns and materials. We have the new mercerized skirt, in five styles and nine different colors, at \$2.75. They come with pleated and ruffled effects and are very stylish and very pretty. 175 ladies' silk Underskirts, all in one lot, worth \$7.50, for \$2.48. 200 children's Jackets, ages 4 to 12, for \$1.50. 1 table ladies' Silk Walists, worth \$7.00, for \$2.50.

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810 UNFINISHED SKIRTS, \$2.98.

Tomorrow is the Day of the Grand Sale of Unfinished Dress Skirts. AT BOSTON STORE, OMAHA. Just think of it. \$2.98 for a skirt that is all finished except a hem at the bottom, and a waist-band, made of all wool Scotch plaids, golf suitings and heavy twilled chevrons. They can be made up into golf skirts, rainy day skirts or every day dress skirts. The material alone is worth \$2.00 a yard, but we sell you the whole skirt for \$2.98. As there are only about 300 skirts in the entire lot we advise you to come early to get the first choice. Remember, tomorrow the sale begins. BOSTON STORE, OMAHA, N. W. Cor. 16th and Douglas.

The most of the best for the money is what you get at the big store of Hayden Bros. Read their ad on page 7. The "Twin City Express," Observation Parlor Buffet Cars. Broad Vestibuled Throughout. VIA NORTHWESTERN LINE. From Union Passenger Station, Omaha, 6:50 a. m. daily. Note—Also inquire about the night train. Minneapolis and St. Paul Limited, via the Illinois Central, leaving at 7:25 p. m. Just what you want in the way of equipment and fast time. City ticket office 1402 Farnam street.

Everybody Took a Shot At all the meetings with the exception of the last every one of the bill makers gave a shot at us—roasted and cursed us to a standstill. This will conclude our story, but some day, later on, we will give an account of it. You could bunch the entire bill makers together and not one of them know enough to "bound sand in a rat hole," much less conduct a Hot Air association successfully. Cramer's Kidney Cure 75c Uncle Sam's Tobacco Cure 50c Lotus Cream 10c Perfumery 75c Pine of Chicago Toilet 75c Pyramid Pile Cure 40c Gem Catarrh Cure 40c S. S. S. 25c Pinkham's Compound 75c Dr. Miles' Remedies 75c Carter's Liver Pills 15c Bromo Quinine 15c

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Cloak Stock Divided Into Three Lots

Lot 1—Choice for \$2.50. Lot 2—Choice for \$3.95. Lot 3—Choice for \$10.00.

These Cloaks represent the best that have been shown this season—they are all of the latest cut and lined throughout. The \$10.00 lot is made up of Cloaks that sold from \$25.00 to \$35.00. We have had a good business and as there are only a few Cloaks left, we will close them out, no matter what the loss to us. Come early and be one of the lucky ones.

OK SCOFIELD CLOAK & SUIT CO. 1510 Douglas Street. TODAY YOU CAN BUY Linen Collars, 7 1/2c Men's Arctics, 75c \$1.00 Shirts 50c Seamless Socks 5c Blue Overalls 35c Men's Underwear 15c Storm Ulsters \$3.75 Heavy Caps 25c Flannel Shirts 45c Strong Pants \$1.00

Guarantee Clothing Co., Capitol Ave., Near 16th St. Close to Bennett's. Sole Agents in Omaha for Carhart's Union Made Pants and Overalls—They are the best. OMAHA & ST. LOUIS R. R. WABASH R. R. 41 Miles the Shortest To St. Louis. 28 Miles the Shortest To Quincy. Trains leave UNION STATION daily for St. Louis, Quincy, Kansas City and all points east or south. All information at City Office, 1415 Farnam St. (Paxton Hotel Block.) This Tooth was removed absolutely without pain by the use of vitalized air, given by us only. Leaves no after effects, and can be taken by any one. Always fresh. Extracting 50c Vitalized Air 50c Silver Filling 25c Teeth Cleaned 50c Tall's Philadelphia Dental Rooms 1517 DOUGLAS ST.

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