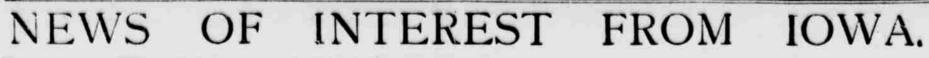
THE OMAHA DAILY BEE: MONDAY, DECEMBER 2, 1901.



COUNCIL BLUFFS.

MINOR MENTION.

Davis sells drugs Stockert sells carpets and rugs. Mets beer at Neumayer's hotel Drs. Green, office 303 Sapp block. Welshach burners, Bixby & Son. Elegant X'mas photos at Schmidt's. Woliman, scientific optician, 49 Broadway Dr. Stephenson, Baldwin block, Elevator, Jewell court, Tribe of Ben Hur, will meet Miss Barnett of Omaha is guest of Miss

Dorlands on Avenue G.

Missouri oak body wood, \$5.59 cord. Wm. Welch, 23 N. Main st. Tel, 128. New shipments of elegant picture frame nouldings at C. E. Alexander & Co.'s.

Ed Schleketang has gone to Colorado Springs to attend the funeral of David Gray.

Miss Della Hamilton of Sloux Falls, S. D., is visiting her slater, Mrs. J. A. Wiatt of Fourth street.

Radiant Home stove, guaranteed not to track Sold by Petersen & Schoening, Merriam block. Alderman E. C. Brown went to Des Ioines Saturday to visit Governor-elect

ummins

Mrs. Rapalje left yesterday for San Fran-isco, where she will remain during the vinter with relatives.

Mrs. Card and daughter. Pauline, of Legan, Ia., are guests of Mrs. Mary Mike-sell of First avenue.

Mrs. E. A. Houghton of Washington, D. C., is guest of Dr. F. W. Houghton and family of Pierce street. The University club will meet Wednesday fternoon at the home of Mrs. F. J.

chnorr, Seventh avenue. Parents of bables born last Christmas please give name and address to F, care Bee office, 19 Pearl street.

Bee office, 19 Fearl street. The Ideal club will meet Tuesday after-noon at the home of the president, Mrs. Thomas Metcalf, Bluff street.

Word has been received here of the death of David Gray at Pueblo. Mr. Gray was formerly a resident of this city.

W. S. Bulliard and family left yesterday or Chicago, where Mr. Bullard will at-end the national live stock exhibit. Claude B. Matthan of -- Burlington loket office returned y sterday from a lait in Chicago and Wyoming, Ill.

Tuwey Mowrey, 2-year-old daughter of Mr. and Mrs. W. Mowrey, 311 Thirteenth avenue, died Saturday. The funeral will be today.

Petersen & Schoening, Merriam block, have the most complete line of Hot Blast stoves in the city and at prices that will surprise you.

The annual tax sale of delinquent prop-rcy will commence this morning in the punty treasurer's office. Treasurer Arnd will wield the hammer.

The general reception of the Council Bluffs Woman's club will be Friday after-noon, with the members of the current topic department as hosteases.

Mrs. P. G. Mikesell, who has been seri-ously ill for several months, was in a critical condition last night, and it was not expected she would survive until this morning.

The ard department of the Council Bluffs Woman's club will meet tonight in the club-rooms, with Miss Maude Smith as leader. The program will be devoted to Rembrandt von Ryn and his work.

The change in the assignment of the police force for December places Officers Plattner, Chaar and Gallagher on the night detail and Officers Wilson, Swanson and J. L. Smith on the day beat.

The annual meeting of the stockholders of the Odd Fellows' Hall association will be Wednesday evening. Alderman Hammer is president of the association and invites all Odd Fellows to be present.

The literature department of the Council Bluffs Woman's club will meet Thursday afternoon in the clubrooms, with Mrs. B.S. Webster as leader. The topic to be consid-cred is "Ancient Persian Literature." said:

The next meeting of the household eco-nomic department of the Council Bluffs Woman's club will be December 12, with Mrs. George H. Richmond as leader. These subjects will be on the program: "Chemia-try of Cleaning" and "History of Bacteria."

TWO ELKS ON SORROW ROLL Many Attend the Lodge Services in Hener quarantine regulations. of the Dead. Doyle-Burns Case to Resume

gather in the city yestenday to renew the MEMEORY OF S. HASS AND J M. FENLON big mining suit trial this morning. Judge Green is expected here in time to convens

Victor Bender and Emmet Tinley Deliver the Addresses and a Double Quartet Renders Unitable

Music. Members of Council Bluffs lodge of Eiks great expectations by both sides.

gathered Sunday afternoon in the large hall EX-CHIEF OF POLICE SHOT their handsome clubhouse to pay that ribute to the memory of their departed James F. Shanley of Sloux City Vicbrethren which the order in common paid throughout the country.

This impressive service, known as a lodge sorrow, was open to the public and many responded to the invitation to be present. The handsome lodge room, with its many

gram.)-Jomes F. Shanley, four years chief electric lights and the members of the lodge of police of Sloux City and who is well seated in rows around the hall, while the known to western police officials, was shot center was occupied by the visitors, prethis afternoon while standing at a window sented an impressive appearance. At each in his home. The shooting was accidental, of the officer's stations was a magnificent a twenty-two-caliber rifle in the hands of bouquet of roses. The two addresses were Joe Malloy, a deliveryman, being discharged delivered by Victor E. Bender and Emmet as he was loading it. The ball crashed Tinley and the music was by a double quarthrough a window in the Shapley house. tet consisting of Mrs. I. M. Treynor, Mrs. The doctors who operated on Shanley found Robert Mullis, Mrs. F. M. Loomis, Miss ten holes in his intestines and say his con-Fannie Davenport and Messrs, Treynor, dition is critical. Rigdon, Aitchison and Lewis, with Mrs. Ida Wies Seybert as accompanist Rev. C. W. Miss Porter Dying of Wound Calfee, pastor of the Broadway Methodist SIOUX CITY, Ia., Dec. 1 .- Miss Porter.

church, by invitation acted as chaplain in who was shot at Cherokee, Ia., by her the absence of Rev. George Edward Walk, sweetheart, Harry Hortman. Saturday rector of St. Paul's Episcopal church, who night, is dying. Hortman, it is alleged had gone to Sioux City to deliver an address | said he meant to kill her. at the memorial services of the Elks there. The service was the first lodge of sorrow NOTES OF PLAYS AND PLAYERS held by the Council Bluffs lodge. Although organized two years ago with the largest Live Topics Concerning Some of the

charter membership in the history of the Theatrical Stars and order, there were no deaths in its membership the first year and the lodge particlpated with the Omaha lodge in its memorial

services across the river. This year, how-Blanche Bates and Frank Worthing maj go to the altar together ever, the lodge had two members to mourn, Lily Langtry has rejected Cecil Ral-eigh's "A Queen of Society." Samuel Haas, whose death occurred December 6, 1900, and James M. Fenlon, whose Henry Clay Barnabee celebrated his 58th birthday in Philadelphia, November 14 death occurred September 35, 1901. Both Duse, it is reported, may play in an Ital-an version of Pinero's latest creation. were charter members and had always taken an active part in the work of the lodge. 'Iris Prior to the services the members of the

In "A Woman of No Importance" Rose Coghian may once more come to the front as a star. lodge gathered in the large reception room on the first floor and from there marched George Grossmith, the English comedian, will pay this country a professional visit early next year. to the lodge room in double file, the officers following. After the opening cere-Charles Wyndham has decided upon evival of Henry Arthur Jones' comedy The Crusaders. monies according to the ritual, the double quartet sang the anthem, "Heaven is My Home," the solo part being sung by I. M.

The city of Cleveland is to try a theater hat will appeal exclusively to the pleasure and patronage of children. Treynor. Then the members of the lodge that sang the opening ode, which was followed and patro William H. West is recovering, in San Francisco, from the effects of the opera-tion he underwent recently for cancer of by prayer by the acting chaplain. Rev. C. W. Calfee. Mrs. F. M. Loomis sang a solo.

the throat. Victor E. Bender, esteemed lecturing snight, delivered an eloquent address. He aid :s singing at private entertainments. She will make her debut in grand opera at Covent Garden in April. knight, delivered an eloquent address. He

Their Orbits.

Mr. and Mrs. N. C. Goodwin (Maxine Elliott) will close their London theater next week and return to this country, open-ing a tour here about January 1. Henry Guy Carleton is at work upon a new drame of American life. The scene is laid in the south, although most of the characters are of northern nativity.

ell will be tonight. The special policemen WORK FOR IOWA TEACHERS for their pay and Mayor Jennings, it is said, will recommend that the city astume the responsibility and pay them, as

Long Program Prepared for the Annual the county board has refused to do so, A meeting of the Board of Health will Meeting of Their Assecation. be called before the city council session o discuss the best methods of preventing

The Doyle and Burns forces began to

court at 10 o'clock, at which hour the jury

The rulings of Judge Green on the two

motions by the defense to strike out certain

parts of Doyle's testimony and to take the case from the jury and direct a verdict

for Burns are looked forward to with

tim of Careless Haudler

of Riffe.

SIOUX CITY, Dec. 1.-(Special Tele-

was notified to be present.

the spread of smallpox and of enforcing MANY PAPERS AND D.SCUSSIONS

Prominent Educators Who Will Take Part-Trouble in Store for Postmaster at Des Moines - Bailroads and Bankrapter

(From a Staff Correspondent.) DES MOINES, Dec. 1 .- (Special.) - The Iowa State Teachers' association, which meets in Des Moines December 27-30, will have by far the most elaborate program that has ever been given by any education association in the middle west. The four days of the association meetings will be filled to overflowing with good thit.gs. In

fact, there is a growing feeling among educators that the programs have been made too elaborate and complicated and that hi is impossible for anyone to cover any considerable part of the program or get as much good out of it as if the programs were shorter. In the program as prepared for this year's meeting there will be over 100 papers presented, about sixty assignments for discussion of papers, thirty addresses, twenty or more separate reports. two full lectures, besides music, demonstrations, invocations and informal discusstons. The program is so divided that a large part of it comes in the sectional meetings.

The lectures of the meeting will be by Max O'Rell of Paris and J. L. Hughes of Toronto. Others from a distance who are down for audresses are: W. L. Tomlins, Gabriel Bamberger and J. P. D. John. State Superintendent Barrett delivers his annual address. Among the scores of educators of

address. Among the scores of educators of the state who are on the program in some form are: W. N. Clifford, Council Bluffs: C. H. Jump, Sac City: F. E. Lark, Onawa: A. B. Warner, Missouri Valley; G. W. Bryan, Red Oak: Mary Stimson, Shenandoah: Lulu Lester, Creston; C. S. Hammock, Sioux City: A. H. Biggior, Longers, Helen Stone City; A. H. Bigelow, Lemars: Helen Stone,

City; A. H. Bigelow, Lemars: Helen Stone, Red Oak; Lulu Hardman, Council Bluffs; A. E. Parsons, Creston, M. M. Pile, Coun-cil Bluffs; George E. Marshall, Sionx City; Bella Alderson, Creston: Una Con-ner, Sac City; O. H. Marsh, Glenwood; C. Chy, Belia Alderson, Creston, Cha Con-ner, Sac City; O. H. Marsh, Glenwood; C. H. Hoskinson, Corning; E. N. Coleman, Fort Dodge, and J. A. McIntosh. Mount Ayr.
Governor Shaw has a place on the program, also the leading men in the college and Normal school faculties, and many of the county superintendents. A feature of the program is a Sunday program, including a sermon by Bishop Spaulding of Peoria. The educational council, which meets the day preceding the meeting of the associa-tion, will consider once more the topic of "The Sequence of Studies" and give final consideration to the subject of examinaner, Sac City; O. H. Marsh, Glenwood; C.

Making Fight on Postmaster.

A serious effort is to be made here to oust from office the postmaster of Des Moines before his term of office expires. The postmaster is Dr. Schooler, a prac-ticing physician, who was a particular friend of Congressman Hull and secured the appointment through Hull. His ap-pointment was flercely contested and those pointment was flercely contested and those oust from office the postmaster of Des

Several local organizations have been formed among the women to fight the suf-rage movement. The women who are ad-vocating a change in the lows law are quite active and expect to induce the leg-islature this winter to endorse the idea Omaha Water company to exercise franchise free from the city's option

a inrowing open the door of suffrage to purchase without compensation to the si and without submission of the question WOTTER

women.
SUPREME COURT SYLLABI.
No. 10552. Kountze against Omaha. Appeal from Douglas. Affirmed. Amcs. C. Division No. 3. Reported.
1. A special statute relating to a particular subject will not ordinarity be held in consistent with a general chartment of such a nature that but for the special gratite it would have included the subject of the latter. In such case the general act, and this is so whether the general and special particular one which is the subject of the same statute or in independent acts adopted at the same or different times.
B. Section 10 of the Omaha. Cly charter
Within the scope of the cashier's during the same statute or in independent acts adopted at the same or different times.
Within the scope of the cashier's during the same statute or in independent acts adopted at the same or different times.
Within the scope of the cashier's during the same statute or in independent acts adopted at the same or different times.
Within the scope of the cashier's during the same statute or in independent acts adopted at the same or different times.
Within the scope of the cashier's during the same statute or in independent acts adopted at the same or different times.
Within the scope of the cashier's during the same statute or in independent acts adopted at the same or different times. such a nature that but for the special nature it would have included the subject matter of the latter. In such case the gen-eral act operates according to its terms on all the subjects embraced therein, except the particular one which is the subject of the special act, and this is so whether the general and special provisions are contained in the same statute or in independent acts adopted at the same or different times. 2 Section 110 of the Omaha city charter act held not to be violative of any consti-tutional guaranty and to be valid. No, 10085, Farmers Bank of Nebraska City against Garrow. Error from Otoe, Affirmed, Albert, C. Division No. 3. Re-ported. but also a guarantee of his competency.
skill and dilligence in the discharge of his duties.
Within the scope of the cashier's authority and so long as he is apparently seting on behalf of the corporation the cashier is directions may control the assistant cashier and the teller, and the latter may not be required to look beneath the surface of his superiors acts. But when he is led to believe that the cashier is withing the bank a funds for his own ends, irregularly and without authority from the directors, the assistant cashier has no more right to aid in or contrive at such misappropriation than if it were being perpetrated by a stranger.
The fact that the bond of an assistant cashier of such bank, who was one of the directors, and that the assistant cashier such bond, and that such bond is sufficient to establish the acceptance of the bond is shown by the minutes of the bank is sufficient to establish the acceptance of the bank is sufficient to establish the acceptance of the bank is sufficient to establish the acceptance of the bank is sufficient to establish the acceptance of the bank is sufficient to establish the acceptance of the bank is sufficient to establish the acceptance of the bank is sufficient to establish the acceptance of the bank is bown by the minutes of the bank is sufficient to add that such bond is shown by the minutes of the bank is sufficient to establish the acceptance of the bank is sufficient to act bank and the acceptance of the bank is bown by the minutes of the bank is of the damage complained of must be the such bond is provided of directors.
Most and the test and conjectural and proximate result of the eagligence and not a remote and conjectural.
Dist, Bostwick against Keller. Appeal

Affirmed. Albert, C. Division No. 3. Re-ported. 1. Where a question is submitted to the jury by the court, after the request of a party for its submission, such party will not be heard to say that a finding thereon adverse to him is not sustained by suff-cient evidence. 2. The assignment in a petition in error that a verdict is contrary to law is not sufficiently specific to entitle it to consid-eration in this court. 3. A party will not be heard to complain of an instruction, when the matter ob-jected to in such instruction is in sub-stance embodied in one tendered by him-self.

stance embodied in one tendered by init-self. 4. It is not error to refuse to give an in-struction tendered when the same ground is covered by instructions given by the court on its own motion. No. 10390, Peters against Killian. Error from Cass. Affirmed. Ames, C. Division No. 3. Reported. 1. Proceedings in bastardy are purely statutory and the courts can try such is-sues and make such orders in them as the statute contemplates and none other. A settlement between the parents of an il-segitimate child, in order to be operative as a stay or termination of such proceedings, must be of such manuer as the act prescribes

one. 1944. Bostwick against Keller. Appeal from Buffalo. Affirmed. Norval. C. J. 1. A copy of an appraisement of lands made for the purpose of judicial sale must be forthwith filed with the clerk of the district court of the proper county. 2. When the record is silent as to filing of a copy of the appraisement it will be must be of such nature and made and at-tested in such manner as the act prescribes and the district court can take judicial cognizance of none other. In that proceed-ing the court cannot try the issue whether the father or the mother of the child is the more suitable person to be entrusted with tested in such manner as the act prescribes and the district court can take judicial cognizance of none other. In that proceed-ing the court cannot try the issue whether the father or the mother of the child is the more suitable person to be entrusted with its custody. No. 10287. School District No. 39. Hall County, against School District, Grand Island, Neb, Error from Hall, Judgment, Duffle, C. Division No. 3. Reported.

tional bank. Sution. Error from Clay. Reversed. Duffle, C. division No. 3. Reported.
1. On the trial of a case appealed from justice court the plaintiff cannot complain for the action of the court in admitting compatent evidence effered by the defendant in support of a material allegation of the answer on the ground that such allegation presents a new issue not interposed in the justice court where no objection was made to the answers by motion or otherwise, but plaintiff joined issues there on by filing a reply. Plaintiff should have moved to strike from the answer any new issues made in the district court which were not properly pleaded and which he did not wish to try.
No. 10491. Yoy against McHugh. Appeal from Holt, Judgment. Suffixed No. 1 and the state is no personal liability against the owner of the land. Such tax must be collected, if at all, by a sale of a particular tract against which it is charged and upon which it is by the state made a specific lien.
2. A plaintiff is entitled to relief to the extent that the averments of his petition are sustained by the proof.
3. A variance between an averment of a plantiff is not to be deemed material unless it has misled the adverse party to his pretious the mole a specific lien.

resident of the subject of examina-tions. Prof. A. W.-Stuart of Ottumwa is now president of the association. and it is deemed probable that President Shelton of Simpson college will be the next president. Prof. A. W.-Stuart of Ottumwa is now president of the association. and it is deemed probable that President Shelton of Simpson college will be the next president.

4. The tax lien upon real estate existing in favor of the public is ordinarily ex-tinguished by payment. The exception to the rule is where land has been sold by the unity treasurer and taxes against the me becoming afterward delinquent are id by the holder of the tax sale certifiaccruing prior thereto, receipt of the amount thereof subsequently with knowi-edge of the loss will constitute a walver of

4. But where all the property covered by

cate. No. 16502. Perdew against Tillman. Error from Butler. Reversed. Day, C. Division No. 1. Reported. 2. The law presumes that the officer mak-ing the assessment performed his full dufy and until the contrary is made to app ar it

Art

Calendar

Dr. Searles & Searles, Omaka, Neb

"The Century Girl"

nal cost.

Division No. 1 Reported. 1 In an equity case where there is no bill of exceptions preserved the only ques-tion presented by the record is whether the decree is supported by the pleadings. 2 The mere fact that the pleadings show that two contiguous long owned by the same person were assessed, taxed and sold together does not of uself render the tax proceedings illegal. **FLORIDA SPECIAL**

will be presumed that the lots were so altuated as to render their assessment to-gether necessary No 10519 Pettimene against Fitzgerald Appeal from Cass. Affirmed Day, C. Division No. 1. Reported.

Hastings, Con

CHICAGO to ST. AUGUSTINE Pullman Palace Sleeping Cars. Through Without Change. Every Wask-

BIG FOUR ROUTE

Effective Monday, January 6, 1902, the "Hig Four" will operate through Pull-man service, Chicago and Indianap-olis to St. Augustine, without change, via Checimnati and "Queen & Cres-ent"-Southern Rx.-Flant System-and Florida East Coast. Sleeper will run on "Big Four" regular train No. is in connection with the magnificent "Chicago and Florida Special" from Checimnati. The train consists of PULLMAN VESTIBULED SLEEP-COMPOSITE OBSERVATION CAR, VESTIBULED BAGGAGE CAR.

SCHEDULE OF THE



P.3 Chicago, daily except Sunday.... Lafayette, daily except Sinday.... Indianapolis, daily except Sunday. A. Indianapole, daily except Sunday. 5:3 A. Greensburg, daily except Sunday. 5:3 A. Clachmati, paily except Sunday. 5:3 A. Clachmati, paily except Monday. 5:3 A. Jacksonville, daily except Monday. 5:3 For full information and particulars as to be a superficient of the superficiency of the superficience of the superficience of the superfi chedules, rates, tickets, etc., call on agent 'Big Four Route.'' or address the under

WARRENJ, LYNCH, W. P. DEPPE. Gen. Pass. & Tkt. Agt. Asst. G. P. & T. A CINCINNATI, O.

> MONTH SPECIALIST All Diseases and **Disorders of Men** 10 years in Omaha VARICOCELE and

HYDROCELE oured N. P Method new, without catting, pAL A loss of time. Δ^{i}

SYPHILIS cured for life and the poison the system. Soon every sign and symptom disappears completely and forever. No "BREAKING OUT" of the disease on the skin or face. Treatment contains to dangerous drugs or injurious medicine.

drugs or injurious medicine. WEAK MEN from Excesses or VICTIMS TO NERVOUS DEBILITY OF EXHAUSTION. WASTING WEAKNESS with EARLY DECAY IN YOUNG and MIDDLE AGED, lack of tim. tigor and strength, with organs impaired and weak STRICTURE cured with a new Home Treatment. No pain, no detention from tusi ness Kidney and Bladder Troubles. CHARGES, DW Conseitation free. Treatment by Mail. Call on on or address 119 So. 14th St.

A woven wire cot was stolen late Satur-day night from in front of Durfee's furni-ture store on Broadway. A short time afterward it was sold at a second-hand goods store on Lower Main street, but the police have been unable to secure any clew to the thief.

Mrs. F. R. Kist, 2319 Avenue C, has com-plained to the police that while in a mil-linery store on Broadway Saturday even-ing she placed her pocketbook, containing 330, on the counter while making a pur-chase and that when she turned round to get it it had disappeared.

The Athenian club will meet Friday after-ncon at the home of Mrs. F. A. Sackett, This will be the program: "Louis XII, Francis I and Henry II." Mrs. William Hig-geson: "Renaissance Under Francis and Henry," Mrs. L. Bunting; "Literature, Francols Rabelois," general discussion. The New Contemp club will be will be a Weight

The New Century club will meet Wednes-lay afternoon with Mrs. S. W. Creel, 820 Avenue B. This will be the program: "The browth of England." Mrs. Baird, leader; The Religious Reformers of England." Mrs. McCune, "The Magna Charta." Mrs. dorgan; "Review of Reviews." Mrs. Wyatt. The Science of Science Sc day afterno Morgan: "Review of Reviews," Mrs. Wyatt. The entertainment given at the Dohany theater tomorrow night, entitled "Merry Milk Maids and Jolly Farmers," under the aurpices of U. S. Grant company, uniform rank, Knights of Pythias, promises to be a very interesting affair. The make-up of the cast is composed of local talent, some of whom are very clever on the stage, and as a whole those who go will certainly enjoy the event to the fullest extent.

Gravel roofing. A. H. Read, 541 Broadway.

Davis sells paint.

Real Estate Transfers.

These transfers were filed Saturday in the abstract, title and loan office of J. W. Squire, 101 Pearl street:

Squire, 101 Fearl street:
P. E. Johannsen et al. referees, to Claus Rathiens, part nwb, nwb, 15-75-38, and lots 1 and 2 of official piat of nbg nbg 16-75-38, ref. d.
F. C. and E. H. Louigee and wives to Harry E. McMillen, nbg swb, and neb, swb, 23-74-41, w. d.
Sarah J. Woods to Joseph E. Woods, lots 3 and 4, block 21, town of Avoca, w. d. \$ 2,10 5,700 Avoca, w. d. Peter Sandstrom to William Driver, standstrom to Will 10.00 3,000 1.20

Total five transfers \$12,600

N. Y. Plumbing Co., telephone 250.

Davis sells glass.



FARM LOANS 5.24 Negotiated in Eastern Nabraska and Iowa, James N. Casady, 17., 126 Main St., Council Bluffs.

Iowa Steam Dye Works 304 BROADWAY, COUNCIL BLUFFS. Make your old clothes look like new. CLEANING, DYEING and REPAIRING Phone A621

To me there is nothing more touching and impressive in the outward demonstrations of the order of Elks than the simple and expressive symbolism of the outstretched hand. In our gayer moments it is the signal of felicitation and goodwill, and in the hour of sorrow indicative of the loyalty of the brotherhood, suggestive of a mother's love, and tenderness, and an earnest of a safe haven provided by the Father of us all—the outstretched hand, innumerably multiplied until it becomes a circle of protection, a wall of strength, in which the faitering soul is encouraged to new endeavor.

Address by V. E. Bender.

To me there is nothing more touching and

mother.

districtione in and, innumerably multiplied in the store on Broadway. A short time afterward it was sold at a second-hand goods store on Lower Main street, but the police have been unable to secure any clew to the thief.
The Atlas club will meet Thursday aftermoon at the home of Mrs. J. M. Barstow, South Sixth street. This will be the program: "Current Events," Miss Breebe, "Southern Scenery," Mrs. Jacob Sime; "Art Institute of Chicago," Mrs. Clifford, "Rubens," Mrs. John Sylvester.
John Lindsey and Dan O'Connell will have a hearing in police court this morning on the charge of disturbing the peace. They were arrested late Saturday night for the associations made possible by this order is shown of the body, sharing with us our pleasures and doing their individual and all of us. With us they sat in the see-sation when he refused to serve them with free drinks.
The Oakland Avenue Reading club will meet Friday afternoon at 2 at the home of Mrs. J. H. Cleaver, First avenue, Among important matters to come up for consideration is that of the lecture course to be given by the club this winter.
Mrs. Sweet: "A Filst 200 Avenue C, has component of the settine of the settine of the club this winter.
Mrs. F. R. Kist 200 Avenue C, has component at 2 at the home of Mrs. J. H. Cleaver, First avenue, Among important matters to come up for consideration is that of the lecture course to be given by the club this winter.
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Mrs. F. R. Kist 200 Avenue C, has component with on the far the assoling of the baser and the induce of the baser and the induce of the baser anot the induce of the basere

Speech by Emmet Tinley.

At the close of Mr. Bender's address I. M.

Treynor sang "Lead, Kindly Light," and then followed an address by Emmet Tinley. esteemed leading knight, who said:

Then followed an address by Emmet Thiley.
 then followed an address by Emmet Thiley.
 advance notices as had been agreed upon."
 advance not the state of not here comes in advance of the file of the state of not here address of old vinces.
 advance of the fall of the state of not here address of old vincentes."
 advance of the fall of the state of not not state not not state of not not state of not not state of not not s

the sublime. Our dead we mourn and their memory we cherish most sacredly. With reverance we dwell in our thoughts upon their lives we dwell in our thoughts upon their lives we dwell in our thoughts upon their lives and in sorrow contemplate their deaths. Yet mourning has no place in the pagentry and display of memorial occasions. Eulogy for the dead and comfort for the living are its more fit pirposed. We will not further invade the sacred portais reserved for veiled grief. The heart's tracst tear shrinks from public gaze and shuns the boldness of in-trusion and display. Without learning some lesson from this occasion we have not only idled away some precious moments, but away some precious moments, but desecrated a sacred and solemn office, Following the address by Emmet Tipley the choir sang the anthem, "Abide With Me, "with Mrs. Robert Mullis as soloist, Thau came the closing exercises according to the ritual of the order, and the doxology was sung and the benediction pronounced by the chaplain.

City Council and Health Board. The monthly session of the city coun-

It will probably take Mr. Crane three or four years to exhaust the popularity of "David Harum," and he is one of the few actors who are not troubling themselves about a new play.

Frank Pixley, the author of "King Dodo" who has lately been resticating with Mrs. Pixley in Switzerland, sends word that he expects to be home in December. His new opera is practically completed. Sir Henry Irving and Ellen Terry's engage-ment in New York, was the most successful this talented pair has played in the big metropolis. Almost \$10,000 a week was taken in in excess of their last engagement.

Isabel Irving has taken Jessie Bate-man's place as Charles Hawtrey's leading actress in "A Message from Mars." Miss Bateman having returned to England on account of the serious illness of her

Rev. Freeman Wills, a brother of t late W, H. Wills, and author of "The Or Way," has collaborated with Rev. Fre erick Langridge in a dramatic version Stanley Weyman's latest novel, "Con Hannibel" Stanley Hannibal.

At the close of the present season, when her contract with E. H. Sothern expires, Cecilia Loftus will become a member of Sir Henry Irving's company. She will play the younger leading woman's roles, her first part being Marguerite in Faust.

The story that May Irwin would retire from the stage after this season proves to be true and not a press yarn. Henry B. Sire, Mias Irwin's manager, now vouches for the correctness of the story and says he has no bookings ahead for his star.

John Dunsmure, the basso and leading man in Marguerite Sylva's "Princess Ch'c" company, has resigned. He says: "My part in the plece was not congenial and the management failed to feature me in the advance notices as had been agreed upon."

Clara Morris made her debut as a lec-turer at Indianapolis. Ind., on November 18. Her address upon the stage and its people was thoroughly enjoyed by a large audience. Her tour will continue through the season under the direction of Thomas Broadhurst.

century in titled affluence. The Augustin Daly Musical Comedy com-pany in "San Toy" has quite cantured Chi-cago, the critics giving this attraction the credit of being one of the most enjoyable and tuneful comic operas seen in that city in several seasons. Samuel Collins as "Li" has scored an especially noteworthy hit, both with the public and the critics. His grotesque methods, rollicking humor and impromptu jokes have been highly commended. He is spoken of as a come-dian with very flattering future prospects. Mr Collins is a graduate from the "com-tinuous" and is a cousin of Samuel Gom-pers, president of the Federation of Labor. The Bostonians have scored a big hit in timuous" and is a cousin of Samuel Gom-pers, president of the Federation of Labor. The Rostonians have scored a big hit in De Koven and Smith's "Maid Marian." which is pronounced the legitimate suc-cessor to "Robin Hood." Mr. George Rog-ers, the critic of music for the Philadel-phia Inquirer, a written of twenty-five years' experience, has written Reginald de Koven a letter in reference to "Maid Marian." In which he says: "In my indgment it is easily the best thing you have done, and the hest thing any American composer has done in this class of composition. It is fresh, bright, spontaneous and yilal: full of melodic invention and harmonie skill, thoroughly artistic and musicianly. The song for Barnabee with chorus in the first act, the snake-charmer's song, the love duo and the concerted music in the tast act are worthy of Sullivan at his best, and the whole thing, musicially is most interesting and admirable. Pray accept my congratu-lations. They are alike diisnierested and sincere."

pointment was hercely contested and those who were opposed to him are now laying plans to make trouble for him, and if they cannot secure his removal will at least make it impossible for him to secure re-appointment. They will lay before Presi-dent Roosevelt evidence of several serious appointment. They will lay before Presi-dent Roosevelt evidence of several serious violations of the civil service law. The fact that President Roosevelt has made several removals for similar cause has given Schooler's opponents hope of suc-cess. One of the specific charges against Schooler will be that he promoted his son to one of the best positions in the post-office without either merit or precedent to guide him. The boy was a clerk at a soda fountain when appointed to a place in the postoffice after civil service ex-amination and in a remarkably short time he was given one of the best clerkships. A little later he supplanted a man as super-intendent of carriers who had held the position many cars. He was promoted

position many cars. He was promoted over the heads of many others, who, under

the civil service law, are entitled to pro-In another case a clerk to the motion. postmaster was appointed over the heads of many in line for promotion. Postmaster Schooler affects indifference to the attacks upon him and defies his enemies. The

prospect of a pretty fight ahead is good. Dolliver Will Incorporate.

The town of Dolliver is to be incorporated. The town is now about three years old and upon petition of freeholders the district court has set December 17 as a day for voting on the question of incorporation. The town of Builer Center, in Butler county, has just gone out of existence and the postmaster has been dropped. It was at one time a flourishing little city and was platted to become a county seat.

Patriarchs Militant Meeting

Arrangements are being perfected for the annual meeting of the Patriarchs Militant of lows. M. A. Raney of Marengo, who is department commander of the order, estimates that between 500 and 600 of the Patriarchs will attend the annual convention in February. Aside from the prominent Iowa Odd Fellows there will be present General Seckner of Illinois, General Grundon of Missouri, Colonel Nichols of Nebraska and Colonel Street of Minnesota. The first meeting will be the evening of February 20 and the decoration of chivalry will be the next day. The meeting will be held this year in Marshalltown. The pro gram of competitive drills has not yet been completed.

Check Put on Bankruptey. The officials of the Chicago, Milwaukee

& St. Paul railroad have issued an order to employes notifyng them that where employes resort to the courts in bankruptcy proceedings to escape ordinary debts the will be discharged from the service of the company. Complaint has been made by merchants and others at division points that railroad employes, many of them earning large wages, have gone into bank-Merry ruptcy to escape payment of store bills in some cases amounting to but a few dollars, and this while it was plain that the employes might pay out after awhile by the exercise of ordinary prudence and economy The movement of the Milwaukee company to put a stop to this practice is believed to foreshadow a similar movement for all the lines. An effort is to be made to resist in court some of these bankruptcy applications which have come into federal court from railroad centers in lowa. Women Opposed to Voting.

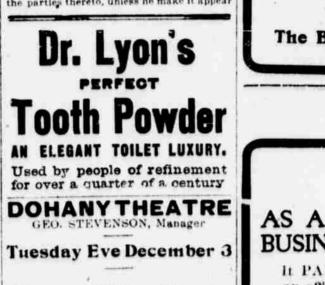
During the coming week a meeting will he hold here under the diffection of Mrs. Clara B. Brown, who has been sent into

lows to oppose granting suffrage to women at which meeting a statement will be prepared for the public in regard to the reasons why a large number of women oppose giving to women the right to vote, bookstore



or some act deemed by law equivalent thereto 3. Ouster is a question of fact to be de-termined from the evidence. 4. Evidence examined and held sufficient to warrant a finding of ouster. 10436, Carpenter Paper company against News Publishing company. Appeal from Lancaster, Reversed and dismissed. Amcs, C., division No. 3. Reported. 1. On an appeal to this court in an equit-able action the judgment will be reversed if essential findings of fact are wholly un-supported by the evidence. It will also be reversed if essential special findings are in conflict with a general finding and the former are sufficiently supported by the evidence.

former are sufficiently supported by the evidence. 2. Delay in making a chattel mortgage of record does not render the instrument vold as against creditors who fail in obtaining a lien upon the property until after the mortgage has been filed for record and possession has been taken under it. 3. In the view of the law, a wrong with-out resulting damages is not a tort or legally actionable. 4. A man can not be punished for agree-ing to do or for doing pursuant to an agree-ment an act which, in the absence of the agreement, he might have lawfully done. 5. A creditor can not complain of the withholding of a chattel mortgage from record persuant to an agreement between the parties thereto, unless he make it appear



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