### RECEIVER FOR PAXTON HOTEL

Roms Miller Alleges that Property is Not Being Preparly Handled.

WANTS COURT TO ORDER AN ACCOUNTING

Principal Charge is that J. Kitchen, as Majority Stockholder, Paid Himself Excessive Price for Strip of Land.

As the result of the real estate transaction between J. B. Kitchen and the Kitchen Bros. Hotel company, Rome Miller, a stockholder in the company, has brought suit in the district court to have a receiver appointed for the company and its affairs investigated. The application for a receiver was set for hearing by Judge Estelle for Saturday, October 11.

According to the application filed by the attorneys for the complainant, the Kitchen Bros. Hotel company is a corporation with a capital stock of \$500,000, the shares being held by several parties, but the con-trolling interest, 293 shares of \$1,000 each, is held by J. B. Kitchen, and 150 shares by Rome Miller, the complainant. The complaint recites that the helder of the majority of the stock is not operating the business of the company for the benefit of the stockholders, but for his personal advantage. It then takes up the sale of the twenty-two feet of land on Farnam street immediately adjoining the Paxton hotel on the west, which was sold by J. B. Kitchen to the hotel company, and alleges that the price, \$75,000, was excessive; that in taking a mortgage for the balance due on the sale Mr. Kitchen has placed a lien upon the entire property of the hotel company, including the Paxton hotel and all of the furniture and fixtures thereof. The complainant says that the title to the twentytwo feet was in J. B. Kitchen, but asks the court to determine whether it belonged to him or the hotel company previous to the

The complaint says that Mr. Kitchen owes the company large sums of money and that the stockholders are at the mercy of the holder of the majority of the shares unless the court will intervene to protect their rights. It therefore asks for a receiver and to have an accounting to ascertain the exact condition of the accounts between the assortment of entertainment of the kind hotel company and the holder of the majority of the stock.

#### A Thoughtful Husband

Cured his wife of fainting and dizzy spells, weakness, headache and backache with Electric Bitters. Try them. 50c. For sale by Kuhn & Co.

### VISITS HIS BOYHOOD HOME

Sheriff John Power Returns from Pleasant Vacation Experience in the East.

Shoriff John Power returned home yesterday after an absence of about four weeks in the east. The primary object of his trip was to attend the National Prison congress, which met at Philadelphia, but while in the east he took advantage of the opportunity to visit New York, Boston, Washington, Brooklyn, Niagara Falls and other places of interest. Sheriff Power lived in Philadelphia when a boy and therefore his visit to that city was of particular interest to him. A portion of the time he was there he was the guest of the family with whom he lived when a boy and who are still living in the same house they occupled at that time.

Unique souvenir spoons, Edholm, Jeweler

ELECTRIC LIGHTED SOLID VESTIBULED

Limited train via MILWAUKEE Ry. Leaves Omaha Union depot daily. Magnificent equipment, latest palace sleepers, library-buffet car, dining car, new coaches City Office 1504 Farnam St.

General Western Agent.

Bargain matinee at Boyd's today-Mr. Walker Whiteside in "The Merchant of

Venice," 25 and 50 cents.

Finest blue white cut glass, Edholm.

**WOMEN AROUSE NEIGHBORHOOD** Two on South Thirty-Third Street Use

Voice and Revolver at Sound of Burgiar.

alone in the Haas home at 1141 South Thir | will go through, at least in part, but that ty-third street yesterday morning at 1:46 when they heard, or at least thought they not change hands and that the active manheard, the steps of a night prowler on the agement of the concern will remain in the One woman opened a window and began

screaming aimlessly but vigorously. The have no effect, it is said, upon the betterother seized a revolver and began firing on ments and extensions planned for next the same principle. John Latenser, living year, including the line to Florence. at 3217 Poppleton avenue was awakened by the shouts and the shots, and hurriedly telephoned the police. Two officers were sent out in an emergency rig but found no Emma Hoscovec Wants Ten Thousand trace of any would-be marauder.

#### Don't Accept Counterfetts. For piles, skin diseases, sores, cuta,

bruises, burns and other wounds nothing equals DeWitt's Witch Hazel Salve. Don't accept counterfeits. None genuine except DeWitt's. "I have suffered since 1865 with protruding, bleeding piles and until recently could find no permanent relief," says J. F. Gerall of St. Paul, Ark. "Finally I tried DeWitt's Witch Hasel Salve, which soon completely cured me."

Mortality Statistics.

The following births were reported at the office of the Board of Health during the twenty-four hours ending at noon Tuesday:

Births—Robert W. McHale, 250 South Thirtieth street, boy; William Kruger, 1136 South Twenty-eighth street, boy.

SOLDIER HELD FOR MURDER Edward Morris Must Answer for the Killing of Henry

McKee.

In accordance with recommendations made by a military board of investigation at Fort Niobrara, United States District Attorney Summers has filed with United States Commissioner Gustav Anderson a complaint against Edward Morris, a private in D company of the Twenty-fifth infantry, charging him with the murder of Henry McKee, a private in the same company.

McKee was shot and killed by Morris on September 17 last at Fort Niebrara, where the Twenty-fifth is stationed. The affair occurred about an hour after retreat, near 8 o'clock, in the rear of D company's quar-Morris and McKee, with other soldiers, were assembled around a crap game in progress on a table. Walter Johnson, another D company private, was running the game. Neither Morris nor McKee had any money with which to play and in some dispute that occurred about the "staking"

of the men the shot was fired. Morris was at once put in close confinement at the post guard house and the post commander appointed a board of three officers to investigate the case. This board. after a survey of the matter, recommended that Morris be tried for murder. He will be taken before a United States commis sioner at Valentine, Nab., Wednesday.

Johnson, who was running the game, said to the board that as the dice came around where McKee was standing he asked for a stake. It was forthcoming and he lost. Then it came to Morris' turn, and he asked for a stake. No one offered it, so he could not play. When the dice came to McKee again he asked for a second stake, and at that Morris cursed him for a beggar and McKee replied that he had not asked Morris for anything. The latter drew a revolver from his shirt and shot McKee, who fell on his face and died in the hospital shortly afterward. Morris says that the gun was discharged accidentally, that he was in fun and merely pulled it to make a couple of jabs at McKee, but that as he stepped back and the gun went off.

#### Announcements of the Theaters.

The bill this week at the Orpheum is drawing and pleasing full houses and the wemen and children who attend the matinee this afternoon will find in it a varied they will like. Carroll Johnson is scoring big. Among the songs he sings is the "Rose of Killarney," which is quite the rage in the cast. He dances as lightly and graceful as ever and is repeating with much success his recitation on a prize fight. Another strong card is Rapoli, the famous German juggler, who certainly is a leader of his guild. The feats he performs are astounding, many of which are different from any seen here.

"The Wizard of Oz," the new extravaganza which will be seen here at Boyd's, opening Thursday night for the balance of the week, is said to be a magnificent pageant of pictorial art, feminine beauty and novel spectacular surprises, but it has the further merit of a cleverly conceived story, with two very original characters, the Scarecrow and the Tin Woodman, absolutely without prototypes in the field of extravaganza. Fred Stone's Scarecrow is described by one Chicago critic as a great work of art. Mr. Stone is an eccentric comedian who has recently risen to fame in the profession through his extraordinary talents as a pantomimist, dancer, contortionist and acrobat, but unlike most of the clever knockabout comedians who have graduated from the vaudeville stage.

Leave Chicago 12 Noon, Arrive New York 8 a. m.

Chicago time, going through in twenty hours on The Pennsylvania Special made up of from them. We purchased some of Chamclub cars with bath and barber shop, dinsleeping car, and entirely new Observation Compartment cars. H. R. Dering, A. G. P. Agt., 248 South Clark Street, Chicago, will answer inquiries on the subject.

McKipley club tonight.

Silver Chocolate sets, Edholm, Jeweler.

MANAGEMENT MAY NOT CHANGE If Street Railway is Sold Present Offi-

oers Likely to Remain in Charge.

Frank Murphy will return from the east this morning, according to word received today, and when he comes the result of the negotiations for the sale of the Omaha Street Railway company will be known. A stockholder of the company is Mrs. T. J. Haas and her sister were authority for the statement that the deal some of the holdings of Omaha parties will hands of the present officers, with one or two possible exceptions. The change will

SUES STREET CAR COMPANY

Dollars to Pay for Injuries.

Emma Hoscovec is the plaintiff in a personal injury suit against the Omaha Street Railway company, in which she rocks to recover damages in the sum of \$10,000. On behalf of the plaintiff it is alleged in the petition that on the evening of September 22, as she was alighting from a car at the corner of Thirteenth and Dodge streets, the car started suddenly before she had safely stepped to the ground, and she was violently thrown to the pavement. Among the alleged results of the accident are enumerated oncussion of the brain, dislocation of the lower law bone and bruises on the head, arms, back, shoulders, sides and limbs, beside a severe pervous shock.

## FIGPRUNE CEREAL

A delicious Cereal Coffee made of choice California figs and prunes and grain-absolutely free from artificial matter. SOLD BY ALL GROCERS.



### MRS. J. BENSON. FALL AND WINTER UNDERWEAR

We can give you the best goods for the

money that is made for ladies and children. Light or heavy weight, in cotton, fleece lined, part wool or all

wool, silk and wool, or all silk. Lowest price guaranteed. Remember we are sole agents for Dr. Jaeger's celebrated sanitary underwear.

Black tights for ladies or children. Send for catalogue.

NEW LIFE FOR AUDITORIUM

Annual Election Puts Some Big Men on Board of Directors.

GUY C. BARTON CAN HAVE PRESIDENCY Effort Being Made to Offer Executive

Office to Smelter Man by Unanimous Vote-New Board Meets Thursday.

The election of directors for the Auditorium company did not bring out the heavy vote that was expected, the highest number of votes cast for one person being 26,002, which was received by E. A. Cudahy. The lowest number which elected a director was 11,874. The directors elected are: Arthur Brandeis, Guy C. Barton, Ward Burgeon, E. A. Cudahy, J. Frank Carpenter, F. H. Davis, Joseph Hayden, Frank T. Hamilton, G. W. Hoobler, George A. Joslyn, John L. Kennedy, Joseph R. Lehmer, Alfred Millard, T. J. Mahoney, F. A. Nash, Fred Paffenrath, E. P. Peck, Charles H. Pickens, C. G. Pearse, James L. Paxton, F. E. Sanborn, J. A. Sunderland, G. W. Wattles, H. S. Weller and W. S. Wright. Of these directors fourteen are at present on the board, while five have served continuously on both boards which have been in existence since the company was formed. Fred Paffenrath has been elected to both boards, but resigned on account of ill health

early last year. With the election of the board there is a revival of interest in the election of officers, which will take place Thursday. President Sanborn, who has served two years, and has devoted more time to the work than any other member of the board, positively refuses to let his name go before the directors for re-election. Yesterday morning he said that he had served the board to the best of his ability and had neglected his private business for two years in the interests of the company; that he hoped in justice to himself the members of the board would not mention his name in connection with the office, as he has had enough and must devote the larger part of his time to his business this year. He says that he will willingly continue on the board.

Barton for the Presidency.

There is a strong sentiment on the new board in favor of the election of Guy C. Barton to the presidency. One member of the old board who has been re-elected, "There are about forty subscriptions on the part of Omaha concerns which should be closed immediately. These forty subscriptions should bring into the fund at least \$50,000, and if handled by the right man they will do so. Mr. Barton is the best man who can be selected if he will consent to serve, and we are going to give him a unanimous election if possible."

There is no talk of change in the other officers, although the retirement of Mr. De-Bord from the directorate leaves a vacancy in the office of counsel. There are two lawyers on the new board, however, from which to select that officer. In the election of E. P. Peck to the di-

rectorate there is seen by some of the directors a desire on the part of the stockholders for a change in the plans of the building which will make it more conrenient for horse and other stock shows.

The first meeting of the new board will be held at the Millard hotel Thursday at noon, followed by a banquet Thursday evening, at which the annual reports o the officers will be made.

Gained Forty Pounds in Thirty Days. For several months our younger brother had been troubled with indigestion. He tried several remedies, but got no benefit commenced taking them. Inside of thirty days he had gained forty pounds in flesh He is now fully recovered. good trade on the tablets.-Holley Bros. Merchants, Long Branch, Mo.

LOW RATES TO ST. LOUIS

Via the Missouri Pacific Railway, Account Fall Festivities,

Which include the Great St. Louis fair which gives \$30,000 in premiums; the gor goous Veiled Prophet pageant; street fair and carnival; horse show in the coliseum; running horse races daily by the best thoroughbreds in the country, and base ball games between the teams of the American and National leagues.

All events during October and the first week in November. Ask your local agent for detailed infor

mation and visit the World's Fair city. H. C. TOWNSEND. Gen'l Pass'r and Ticket Agent,

Good Position Upen.

Good opening for a newspaper or magazine olicitor. Permanent position for a competent man Address Twentieth Century Farmer, Bee Building, Omaha.

Money deposited on or before Friday, October 10th, will draw interest for the en tire month of October J. L. BRANDEIS & SONS, BANKERS,

Homeseekers' Excursions. The Missouri Pacific will sell round trip tickets at one fare plus \$2-to certain parts n Southwest Missouri, Kansas, Oklahoma, Texas, etc., on Tuesday, October 7th, stopovers allowed on going journey, limit for return 21 days. For maps and timetables, notes, etc.-Call or address any agent of the company, or Thomas F. Godfrey, Pass. and Ticket Agent, S. W. Corner 14th and Douglas Sts., Omaha, Neb.

Notice!

There will be an important meeting of the McKinley club tonight at the Millard hotel to discuss plans for organization. The neeting is for members exclusively. FRANK CRAWFORD, President.

The Ninth Ward Republican club will meet this (Wednesday) evening, October 8, at 8 o'clock at the club rooms, 2818 Farnam street. All candidates are cordially

CHARLES S. HUNTINGTON, Pres. JOHNATHAN EDWARDS, Sec'y. Wedding ring headquarters, Edholm, Jew-

Publish your legal notices in The Weekly King Cole Whole-Wheat Pancake Flour.

CONVENTION WORK PROCEEDS Arrangements for Christian Church Gathering Are Well Under Way.

The plans for the alteration of the Coliseum for the use of the Christian church convention will not be fully decided upon until Wednesday, as several changes will have to be made which were not contemplated at first. The work of preparing for the changes is being rapidly pushed under the direction of Gus Renze, who has been employed as designer and superintendent of the building. The floral embellishments which were used during the court ball of King Ak-Sar-Ben VIII will be retained during the convention.

The banners for the convention and the official badges of the executive committee

Third and Last Notice. Sale Begins Today

Today, Wednesday, at 8 O'clock sharp, we begin the OF SHOES AND RUBBERS

This being as advertised, the choice of

STEWART BROS. & CO., PITTSBURG, PA., WHOLESALE STOCK

on account of the immense quantities we divide the stock and place it on sale

### In Basement and on Second Floor

Please read this notice carefully so as to see where each special item is placed on sale. All the fine custom and special high grade shoes are on second floor. All the working shoes and medium grade goods are in the basement. The rubbers are both on second floor and in basement. These few items will give you an idea of what the

On Second Floor Ladies' Shoes

welts and turns worth up to \$5.000 go at

\$1.50, \$1.98 \$2.50 and \$3

Rubbers 29C 5,000 pairs In Basement-2,000 pairs Women's

Women's

Men's \$2,

Boys' and Girl's Shoes

Women's Slippers

CRYSTALIZED

**Horehound Candy** 

and

Rve Whiskey

For Coughs and Colds.

Here is an unsolicited testimonial from a member of the traveling frateraity:

Messrs. Cackley Bros., Omaha.,

Gentlemen: While in Omaha I cured a

Cackley Bros.,



As this sale progresses new bargains will be laid out in each. Be prepared for big bargains and good values.

J. L. Brandeis & Sons, Boston Store.



Messrs. Cackley Bros.,
Gentlemen: While in Omaha I cured a
bad cold with your crystalized Horehound
Candy and Rye Whisky and have not had
a cold since. I sincerely recommend it to
the traveling fraternity.
Yours truly,
A. C. OHLENDORF,
103 Lake St., Chicago. Re-No-May Powder Not only relieves, but positively cures all disorders of the feet, stops odorous perspi-ration, cures tender, swollen and painful

Price 50 Cents.

When ordering by mail add 5c for postage.

Re-No-May Powder is endorsed and pre-scribed by leading physicians. For more ample information consult Mirs Mayer, Surgeon-Chiropodist. Consultation free.

#### "CATARRH REM"

is the name of an increasing popular remedy for catarrh; it is put up in powder form and is not full of injurious dope, as are some of the catarrh powders which are being sold. The remedy is guaranteed to give immediate relief to all sufferers from cold in the head, catarrh, asthma, hay fever and bronchitis. Any purchaser who is dissatisfied with results received from its use is requested to come back, bringing empty package and get your money.

THE REGULAR PRICE OF THIS REMEDY IS 50C PER BOX. FOR A LIMITED TIME ONLY we will sell it at 30c per box, druggists NOT SUPPLIED; if by mail add 2c postage. GUARANTEED BY US, MIND YOU!

\$3.50 Marvel Whirling Spray Syringe. \$2.50 \$1.00 Her's Malt Whisky—if you want it .60 \$1.00 Canadian Malt Whisky, guaran-teed .....

OPEN ALL NIGHT.

SCHAEFER'S GUT PRICE DRUGSTORE Tel. 747. S. W. Cor. 16th and Chicago.

have been received and the former are now on sale. The design of the badge to be worn by the Ohio delegations has been received. It consists of a ribbon attached to a buckeye, and the size of the delegation expected from Ohio can be seen when it is known that a bushel of buskeyes will be

used for the badges. The organization of the reception comnittee is causing the executive committee and the chairman of the reception committee the greatest work at this time. The plans contemplate at least 100 members of the reception committee and it appears somewhat difficult to secure this number. Volunteers are asked to send their names to the chairman of the executive committee and to meet with the chairman of the reception committee upon his call for the purpose of receiving instructions as to their



# HELLO!



MEN'S SHOES

Have you seen The Nebraska Special Hat at \$1.50?

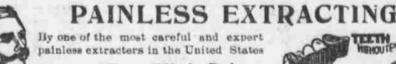
They come in stiff and soft. They are fully guaranteed. They contain more meritmore style and more quality than any hat shown in this

entire country for the price.

They will wear as well and look as well as hats sold by regular stores for \$3.00. Every correct shape and block. Every new shade and color.

Our showing of novelties for boys and children is unusually large. Bring the boys in and let us show you how attractive they look with Nebraska hats and caps.

CLOTHES FOR MEN " WOMEN



Special Free Clinic Prices Until October 15.

Call early and svoid the rush-The only college of its kind in the west-Den tists come here to learn our patent painless methods—Post graduate course—only for old experienced deutists—No students—Beware of jealous idle dentists—We invite all such to come and take a course—then all will meet with success— We invite all such to come and take a course-then all will Our methods are painles-Why take chances with others-We are here to stay

incorporated under state laws. WORK DONE FREE-Small charges for material Our success is due to the high grade work done by the Professors of the college-Work guaranteed ten years-Save pain and money

Filling from 25c; Set of teeth \$3; Teeth extracted FREE; Gold crowns from \$2:85 Cousult the Professors free-Be sure you are on the right floor. UNION DENTAL CO., Room 4, 1522 Douglas. Sunday 10 to 4.

The handsomest offices in Omaha are located in the Bee Building, and the handsomest office in the Bes building happens to be vacant although there are only seven vacant rooms in the whole building from

which to choose. This office suite is located at the right hand of the entrance on the first floor, so that the large windows overlooking the stairway are seen

BEE BUILDING The ceilings are high and the room is finished in quarter sawed oak, with oak and walnut floor. It has a good sized vault, mantel piece and is divided into a large office of twenty feet and a small private office, separated by a solid tile partition.

The room will be frescoed elaborately to suit the taste of the tenant, No one on inspection will question its being the handsomest office Omaha. Make application at once to R. C. PETERS & CO.,

Rental Agents.

GROUND FLOOR, Bee Building.

# **Aulabaughs**'

Davis & Cowgill Iron Works

MANUFACTURERS AND JOBBERS
OF MACHINERY.
GENERAL REPAIRING A SPECIALTY.
Agency of Dodge Manufacturing Company
of Mishawaka, Ind. Full supply of their
goods always in Jtock.
1501-3-5 Jackson St., Omaha, Neb. Tel. 538.
E. ZABRISKIE,
Agent. Manager.

Fine Furs — sealskins, etc., are just what they are represented to be. 506 Karbach Block.

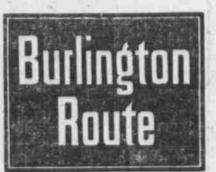
> WILLIAMS Fine Photographic Work \$3.00 UP

We are open Sunday from 10 a. m. to 4 p. m. 1406 Farnam Street.

# Carnival of Low Rates.

\$31.75 to Boston and back, Oct. 6 to 10. \$11.50 to St. Louis and back, Oct. 5 to 10. Only \$25.00 to the Pacific Coast.

Thio' standard and tourist sleepers every day, past the grand panorama of the Rockies by daylight Only \$20.00 to Butte, Helena, Salt Lake City. Only \$16.75 to points in Big Horn Basin, Wyo.,



**Tickets** 1502 Farnam Street.