

VERDICT IN BARTLEY CASE

Jury at an Early Hour This Morning Agree and Seal Up the Document.

COURT'S RULINGS FAVOR THE BONDSMEN

Cannot Be Held Responsible for Money in Depository Banks Which Have Given the Required Bond to State.

Despite the fact that the case against the bondsmen of former State Treasurer Bartley, who defaulted, is now on its fifth trial in the local courts, a new law point was evolved yesterday...

Provided, that no treasurer shall be liable on his bond for money in deposit in any bank under and by operation of the proper legal authority, if said bank has given bonds.

The defendants claim that under the above section of the depository laws, which provides for the depositing of state funds in banks giving depository bonds, that the official bondsmen of state treasurers are absolved from all liability for funds after the same have been deposited in such depository banks...

This point has never been raised before in this case. After a lengthy argument upon the point, Judge Baxter decided that the contention of the defendants is correct and that under section 3 of the depository laws Bartley's bondsmen are absolved from liability on the item of \$28,884.05 which was on deposit in the Omaha National bank.

Acting in accord with this decision, Judge Baxter has issued instructions to the jury on this point, in the following language: You are instructed that under the evidence in this case the defendants are not responsible for the transaction between Joseph S. Bartley and the Omaha National bank...

The case goes to the jury upon the claim of the state for the balance of the shortage of Bartley as claimed, amounting to \$25,877.50. It is left to the jury to determine whether said shortage occurred during Bartley's first or second term of office...

During the afternoon arguments on the case, were completed and the case was submitted to the jury before the court adjourned for the day. About 10 o'clock the jury returned a sealed verdict, and was allowed to separate for the night. Judge Baxter will receive the verdict this morning.

Don't be guided by sham prejudices. Order Champagne according to your own good taste—then it'll be Cook's Imperial.

EXCEL THE ALPS AND RHINE.

Scenic Attractions in the Alleghenies Which are Vanishing.

Travelers abroad and in America aver that the changing foliage of the Alps and along the Rhine does not compare with that of the Alleghenies. These famous attractions of scenic America along the route of the Pennsylvania Lines are vanishing rapidly by nature. On the ascent from the west, Johnstown, rises from the flood of 1882, is typically America. In Europe it would be ruins. Beyond Johnstown the train follows the Conemaugh to scenic splendor around the Park Slide; then crossing the summit of the Alleghenies at Crescen, 3,400 feet above the sea, the traveler looks from the brink upon the wild Alleghippus; then around the far-famed Horse Shoe Curve on the brink of another mighty chasm, through Altoona, the mountain workshop of the Pennsylvania Railroad; along the banks of the Juniata, and over the Susquehanna on the greatest stone bridge in the world to Harrisburg, Baltimore, Washington, Philadelphia, New York, passing through thriving towns and a farming section famous for well tilled land.

62.15. Lincoln and Return.

Via Burlington Route. For the Illinois-Nebraska foot ball game. Tickets on sale Nov. 26; good to return Nov. 27. Train leaves at 8:30 a. m. Returning leaves Lincoln 6:00 p. m. Tickets, 1502 Farnam St.

Announcements of the Theaters.

This afternoon and evening at the Royal, "In Old Kentucky," the great Jacob Litt production, with its wealth of scenic and mechanical effects, its plectaniny band, and its tremendously exciting horse race scene, will be the attraction. This piece has been kept up to date by the addition of new features each year, and is now as fresh as when it was first presented, and as popular.

On Friday the great Bartley Campbell play, "The White Slave," will begin its engagement.

The Orpheum bill this week is a bright and happy mixture for a holiday, it having been especially calculated by the management for the Thanksgiving attraction.

In diamonds A. E. Huterzahn has no competition. He imports none but white gems, and did it before the last raise of 10 per cent took place. Look at them.

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Horse covers made to fit your horse. Omaha Tent and Awning Co., 11th and Harney streets.

Don't Scold

Irritability is a nervous affection. Strengthen the nerves with Dr. Miles' Nervine. Sleep better, eat better, work better, feel better, and be better. Sold on prescription. Book on nerves for postal.

ELBOURN EXPLAINS THE ROW

Says He Purposely Ignored Zimman in Order to Prevent Defeat of Resolution.

City Clerk Elbourn has made a statement further explaining his handling of the gas contract resolution September 25. He says: "The rules of the council require that the president shall sign all ordinances, resolutions and documents acted upon by the council, not specifying whether it shall be done before or after the mayor puts his signature to the same, papers. Neither state nor city law require the president's signature to make a resolution operative."

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BRANDEIS BOSTON STORE & SONS OPEN UNTIL NOON TODAY, THANKSGIVING DAY

This store will be closed at noon, please do your shopping before that time.

FRIDAY'S BARGAIN SALES Special Selling Events for Friday.

LACES AT 2c and 5c YARD Hundreds of all kinds of fancy wash laces that have sold up to 25c a yard, in all widths, as long 2 1/2c-5c

DRESS TRIMMINGS at 2c YD. Fancy beaded and iridescent trimmings, in all colors, some spangled effects, worth up to 20c a yard, Friday, at, yard, 2c

CHILDREN'S UNDERWEAR AT 5c and 15c Heavy cotton and part wool vests and pants, all small sizes, worth up to 35c each, Friday, at, 5c-15c

PEARL BUTTONS AT 14c DOZ. Fancy pearl buttons, assorted sizes, on silver cards, Friday, a dozen, 1 1/2c

CHILDREN'S WOOL MITTENS AT 2c PR. Infant's and children's black and colored mittens, all wool, Friday, a pair, 2c

50c and 75c CORSETS AT 15c. Fine sample corsets, in black, white and colors, nearly all sizes, 50c and 75c quality, Friday, at, 15c

FANCY HANDKERCHIEFS AT 1c. Ladies' and children's fancy colored handkerchiefs, special for Friday, 1c

CARPET SAMPLES, 15c EACH. All wool carpets, 1 1/2 yard lengths, new and desirable patterns, Friday, at, each, 15c

WATCH OUR WINDOWS. BRANDEIS BOSTON STORE & SONS WATCH OUR WINDOWS.

AGAINST STREET SIGN PLAN

Real Estate Exchange Goes on Record as Opposed to Advertising Proposition.

The street sign advertising contract received the most earnest attention of the members of the Real Estate exchange at the regular meeting yesterday and on a standing vote only three were found to favor the ordinance. J. W. Robbins chairman of the committee appointed to wait on the council committee Monday afternoon, reported that no quorum of the council had been present, but that by presenting the case to individual members, a stay in proceeding of one week had been obtained.

"The ordinance is very defective," said A. G. Charlton, "because it doesn't fix the corners where the signs are to be placed. It was the contention of Mr. Parrish with whom I talked, that drivers for the department stores and other could not find their places of destination because the streets were not marked. The new contract would, he said, fix that. But there is nothing in the ordinance which requires them to place the signs at every corner. It is left to their discretion, and they might, say, place them on Farnam and Douglas streets and leave the streets that need them without signs."

President G. G. Wallace spoke against the contract, saying that it was giving a franchise to use the public street for advertising, which was a thing which should be guarded against. M. J. Kennard argued against the ordinance on the ground that the signs would be of no advantage and unsightly. F. D. Weed said that such a franchise was of value, and if it were to be given it was very probable that a much better price could be obtained by advertising for bids.

On motion of members of the committee on irrigation the secretary was instructed to ask Secretary G. H. Maxwell of the national society for information as to the expenditures of the organization. G. S. Rogers was elected as a member of the exchange. After the business session the members because of Thanksgiving time, were entertained by Z. D. Clark, who sang and played his band by Henry Payne, who read a reasonable poem, and by E. A. Benson with some stories.

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In other words, his signature is a mere matter of form and in substantiation of the clerk's certificate that the document is correct.

"In the case of the gas resolution I have no apologies to make for the way I handled it. I knew that Zimman was opposed to the extension of the contract and favored an electric light monopoly. I knew also that preparations were being made for an injunction to hold back the gas resolution if it was adopted. When it was adopted the will of the council was plainly expressed. It is my duty to do the bidding of the body. Having knowledge of the fight upon the resolution, I considered it part of my duty to put the document in the hands of the mayor for his signature at the earliest possible moment. The law does require his name attached to a concurrent resolution before it is binding. It was

HAYDEN'S THE RELIABLE STORE. We Will Close at Noon THANKSGIVING. Watch for the Friday List of Bargains

It Wasn't



3 days after ordering. Made in Omaha by Omaha tailors, and Nicoll's guarantee.

Special zero prices on suits \$20, \$25, \$30 and \$35. Overcoats, \$20 to \$50

Nicoll TAILOR 209-211 South 15th St. FRED PAFFENRATH, Manager.

Skating

You find the ICE We have the SKATES

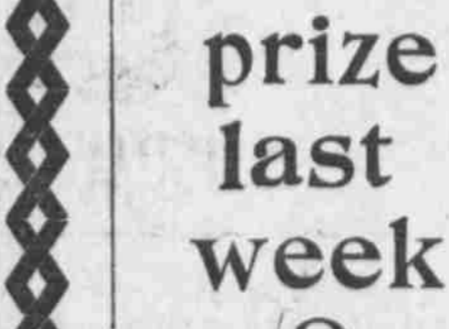
A full line of Barney & Berry's all sizes—all kinds. Jas. Morton & Son Co. 1511 DODGE STREET. Scroll Saws and Cutlery.

FREE SODA

All day long, in our store on the N. W. Corner 34th and N streets, South Omaha, Saturday, Nov. 28th, we will give with every purchase of 5c or more a glass of soda water, HOT OR COLD, ice cream or ANY OTHER OLD KIND. Remember the expert dispenser, Mr. Saunderson, will be in charge and every one will be waited upon courteously and promptly.

Every lady in Omaha and South Omaha who has ever used this preparation will have no other. 2c Doan's Kidney Pills 4c 2c Chester's Genuine Penicillin 4c 2c Cheater's Genuine Penicillin 4c 2c Cheater's Genuine Penicillin 4c 2c Cheater's Genuine Penicillin 4c

Alfred Cornish & Co., 1210 Farnam Street.



NEW COLLAR

purposefully run by Zimman to prevent the courts thwarting the will of the mayor and council.

The differences between President Zimman and myself date back to a year ago last spring when he attempted to have the wages of my stenographer reduced, saying that a person as competent could be obtained for less than half the money; or \$40. In turn the stenographer, Miss Schenck, has permitted Zimman to make up his own reports, and since then more or less ill-feeling has resulted."

New Germ Destroyer.

Dr. King's New Discovery kills consumption and grip germs; cures coughs, colds and lung troubles or no pay. 50c. \$1.00. For sale by Kuhn & Co.

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We're Thankful

We have been able to please so many people with our shoes, and we're doubly thankful that we can offer you a boys' school shoe that's not only a first-class school shoe but an ideal skating shoe.

Heavy grain calf uppers—all cloth lined—wide extension edge sole and full round toe.

Boys' sizes, 2 1/2 to 5.....\$2.50 Youth's sizes, 5 1/2 to 7.....\$2.25 Little Gent's sizes, 10 to 13.....\$2.00

DREXEL SHOE CO., 1419 Farnam Street.

Ebony Toilet Goods

Our stock of Ebony Toiletware is now in. It is the most complete line we have ever shown and the most reasonable in price.

Brush, Mirror and Comb Sets, Shaving Cases for ladies and gentlemen, and individual pieces.

It will be a pleasure to show them to you. BROWN & BORSHEIM, 222 South 16th Street.

Nebraska Clothing Co. CLOTHES FOR MEN AND WOMEN. Thanksgiving Fixings for Men. See our famous "Nebraska Special" a \$2.50 man's hat for \$1.50, stiff and soft, all the new fall shades \$1.50

The Bennett Company Thanksgiving! Thanksgiving! WE CLOSE AT NOON.

PERFECT DIAMONDS. Exquisitely set in rings or brooches and at moderate prices, is what we offer for your Christmas selection. Good investment—See for yourself. M. A. WHINNEY & RYAN CO. 159 AND DOUGLAS STREETS

A FOUNTAIN PEN always makes an acceptable Christmas present. We have a good pen for \$1—a very good one for \$1.25 and \$1.50. Waterman pens \$2.00, \$3.50, \$5.00, gold mounted, up to \$10. Every pen we sell is guaranteed. You know our reliability. Spend a few minutes in our store. Look for the name.

Teeth Cleaned, 75c Crowns (22k), \$5.00 Set Teeth, \$5.00

Frenzel JEWELER. THE BEST OF VITAL IMPORTANCE. If you are in need of a watch, jewelry, or any other article, you will find it here. We have the best and at the lowest prices. We have them.

Taft's Dental Rooms, 1517 Douglas Street.

More Mis-spelled Words. Last week's contest excited so much interest that 200 more prizes are offered this week to those, who find the greatest number of mis-spelled words in our Want-Ad Pages. The contest starts with the issue of Monday, November 23 and ends with that of Sunday, November 29th. Read every want-ad carefully and get one of the 200 prizes.

Did you win a prize last week? Another chance at 200 more prizes

The Prizes table with 17 rows of prizes and values.

The Conditions. The person finding the greatest number of mis-spelled words will be awarded the first prize. In case of a "tie", the person mailing answer first, according to the postmark on the envelope, will be given preference.

Send all answers by mail, addressed "Want Ads" Department, Omaha Daily Bee, Omaha.