

BIG FIGHT OVER FORTY CENTS

Street Railway Company Threatens to Appeal to Federal Supreme Court.

LOSES ON THIRD TRIAL BEFORE EASTMAN

Justice of Peace Jury Awards Verdict to Plaintiff and Defendant Appeals to the District Court.

The Omaha & Council Bluffs Street Railway company, through its attorney, W. J. Connell, threatens to carry a fight to the United States supreme court, if necessary, to keep from paying a judgment of 40 cents. Attached to this judgment is the cost of the case which will amount to about \$30. The plaintiff and the defendant in the case is Alex A. Aitschuler, lawyer.

"We will fight this to the last ditch, just as it was \$40,000 instead of 40 cents," declared Attorney Connell, who has filed notice of appeal to the district court on a writ of error. The case has dragged along for some time, being persistently fought by Aitschuler in the justice of the peace court. It took three separate trials to get a verdict. In the first two the jury disagreed. In the latter found for the plaintiff.

What the Plaintiff Alleges.

The plaintiff alleges in the bill of particulars that July 29 he bought four round trip tickets to Lake Manawa, paying the special rate of 25 cents each. On the way to Council Bluffs, he says, the conductor collected that portion of the tickets reading from Omaha to the lake, giving in return for passage from Council Bluffs to Lake Manawa, four, conductor's checks. The plaintiff and his three friends stopped at the Bluffs enroute for supper, continuing their journey on another car and presenting the checks for passage, which checks the plaintiff alleges were refused by the second conductor. Aitschuler says he paid the second conductor 40 cents on the second car, 10 cents for each of the party.

Mr. Aitschuler, who has a law office at 146 Farnam street, appeared at the trials as his own counsel.

The street car company contended that the checks given to the plaintiff by the conductor on the first car were intended for a continuous trip and for the convenience of the conductor issuing the checks.

The jurists in the first two trials labored long, trying to reach a verdict, but were discharged in each instance. The last jury took but two ballots. W. J. Connell appeared for the defendant.

READY FOR THE CAMPFIRES

All Plans Arranged for Reunion for the Week at Camp Manderson, Bennington.

Everything is in readiness for the eleventh annual reunion of the Douglas County Veterans' association, which will open at Bennington this morning to continue for the remainder of the week.

Company A, Thirtieth United States Infantry, arrived at Camp C. F. Manderson this morning and will remain there during the entire reunion. Bennington is about sixteen miles northwest of Omaha on the Elkhorn road, and a fare of 40 cents for the round trip has been arranged. The trains will leave about 8 o'clock each morning, returning in the evening, thus giving Omaha veterans an opportunity to attend daily.

Among the speakers to address the camp fire on one or more dates are General C. F. Manderson, Judge Fawcett, Major J. A. Watrous, Department Commander Harmon Bross, Colonel Church Howe, Past Department Commander John A. Ehrhardt, W. R. Kelley, T. J. Majors and A. S. Churchill. W. E. Somers of Bennington is president of the reunion and Jonathan Edwards of Omaha secretary.

Aside from the regular reunion proceedings and camp fires there will be an abundance of vocal and martial music and sports of various kinds, including trap shooting, base ball and foot races. It is expected that every old and young soldier of Douglas county and vicinity with their families will attend the reunion.

INVITE ST. PAUL SHRINERS

Al-Ban-Ben Knights Urge Minnesotans to Visit the Den First Part of September.

Frank H. Dunlop, M. H. Collins and W. S. Summers have returned from St. Paul, where they went last week as a committee from the Knights of Al-Ban-Ben to meet the shriners of the Minnesota capital with a view of having them visit the den in the near future. The committee succeeded in its mission and arrangements now are being made to have the St. Paul shriners come to the Gate City September 9 in a special Great Western train. They will come 300 strong and Saturday evening, September 10, has been designated as a special night in their honor at the den. Features for the entertainment of the Minnesota visitors will be arranged and a big time is anticipated on that occasion.

This evening the second of a series of railroad nights at the den, will be B. & M. night. Special rates from nearby points on the Burlington have been made and a large crowd is looked for. Care Reiter, manager of the Orpheum theater, will recite some of his dialect recitations.

DISCRIMINATING LADIES.

Enjoy Using Herpicide on Account of Its Distinctiveness.

The ladies who have used Newbro's Herpicide speak of it in the highest terms, for its quick effect in cleansing the scalp of dandruff and also for its excellence as a general hair dressing. It makes the scalp feel fresh and it always that itching which dandruff will cause. Newbro's Herpicide effectively cures dandruff, as it destroys the germ that causes it. The same germ causes hair to fall out and later baldness; in killing it, Herpicide stops falling hair and prevents baldness. It is also an ideal hair dressing, for it lends an aristocratic charm to the hair that is quite distinctive. Sold by leading druggists. Send 10c in stamps for sample to The Herpicide Co., Detroit, Mich. Sherman & McConnell Drug Co., special agents.

Special Excursions.

To Oklahoma, Indian Territory and Texas points are run away Monday morning at 10 o'clock and Sunday at 10 o'clock. The rates are unusually low rates will apply. These in addition to regular home-seekers' excursion rates in effect on first and third Tuesdays of each month.

Rock Island makes several hours quicker time to above mentioned territory than other lines.

Inquire Rock Island agents.

F. P. RUTHERFORD, D. P. A., 123 Farnam St., Omaha, Neb.

Attention, Knights and Ladies of Security.

There will be a picnic and dance Tuesday evening, August 23, at Burlington beach to which all members and their friends are invited. A grand time is assured. General admission, 10 cents.

THE COMMITTEE.

I. L. BRANDEIS & SONS, BOSTON STORE, OMAHA.

Tomorrow Most Extraordinary Opportunity to Secure Pretty

DRESS GOODS AND WAISTINGS

FROM THE

KELLEY-STIGER STOCK

AT A

FRACTION OF THEIR VALUE

On the Front Bargain Square

50c quality French Flannel Waistings—all wool suitings, yard.... 29c

75c highest class Imported French Flannel polkadot and Oriental patterns, yard.... 39c

25c quality 38-in. Wool Plaids, 9c Yd. Hundreds of pieces in various shades and patterns—especially adapted to ladies' skirts and children's dresses—all worth 25c a yard, for, yard.... 9c

Kelley-Stiger's Best Dress Goods 49c.

Your choice of the most desirable BLACK AND COLORED IMPORTED ALL WOOL SUITINGS—from the Kelley-Stiger stock—no matter what they were bought to sell for, go at, yard.... 49c

Kelley-Stiger's 35c Embroideries at 12c.

All Kelley-Stiger's Embroideries, in Swiss, Nainsook and Cambric—extra fine quality neat and dainty patterns and wide widths—worth up to 35c—go at, yard.... 12c

25c Ladies' Collars at 2c and 10c.

Big lot of ladies' turn over collars, embroidered, lace, plain white and fancy colors, also Bulgarian effects, worth up to 25c, go at, each.... 2c-10c

25c Pearl Buttons on Bargain Square 1c-2c-5c Doz.

All kinds of pearl buttons and dress buttons, from the Kelley-Stiger stock, worth up to 25c, go at, dozen.... 1c-2c-5c

20c Handkerchiefs for 5c—On Bargain Square

Thousands of ladies' all linen hemstitched and scalloped embroidered Swiss handkerchiefs, some with lace edges, worth 20c, go on bargain square at, each.... 5c

I. L. BRANDEIS & SONS, BOSTON STORE, OMAHA

UNITE FOR THE LEGISLATURE

Democrats Disclose Their One Aim of This Campaign.

WILLING TO GIVE UP ALL FOR SENATOR

Chairman Allen Issues Letter Showing Intention of Passing Up Berge and Centering Efforts on Bryan's Interests.

The democratic state committee at Lincoln has started its press bureau and, as indicated by the first letter sent out by Chairman Allen, the fight of the democrats will be to secure the majority in the next legislature, and little or no effort will be put forth to land the candidates for state offices.

After making the announcement that the committee has got down to work, Chairman Allen dismisses Mr. Berge, the fusion nominee for governor, with these few lines:

"Our candidate for governor is a strong, clean, brainy man. He will grow as the campaign progresses and he becomes better known."

The letter then continues: "I am especially anxious that the strongest men in your county be selected to run for the senate and the house of representatives. If we can get strong men nominated for the legislature and harmonious all along the line, which is very essential, we can elect a majority of the members of the next legislature and secure a successor to Dietrich that will be a credit to the state."

Count on Revenue Law.

"The revenue law will help us in getting new recruits for our legislative tickets everywhere. Please use your best efforts to have strong men nominated for the legislature in your county—men on whom both democrats and populists can unite. You can point on active assistance from this committee from now until after election day and if every democrat in your precinct who is interested in the success of his party will join with us and with you in getting the best and strongest men nominated and then begin organizing to get democrats to the polls, we can win."

As Chairman Allen is a brother-in-law to William J. Bryan, democrats and populists believe that the efforts of the state committee will be to put forth almost exclusively to land Mr. Bryan in the senate.

NOTHING LEFT BUT THE GROVE

Such is the Plait Let Out by Melchior Imberlitz, Once Scenery Painter.

From saloon artist to weed cutter is the life tragedy of Melchior Imberlitz, who was arraigned in police court on the charge of vagrancy. He was sentenced to twenty days. It was alleged that Imberlitz has been sleeping in the weeds near Twenty-sixth and St. Mary's avenue and had threatened the life of Fred Shorter, a boy who lives at 253 St. Mary's avenue and who tends to gas lamps in that locality. Shorter says he has seen the man on numerous occasions sharpen a long knife on the gas poles and then threaten to remove certain essential parts of his anatomy with the knife.

For years Imberlitz made a living by painting scenery in saloons, but of recent years his hand has lost its cunning and he has had to resort to mental methods of eking out a livelihood.

"There is nothing but the grave left for me," was his doleful plaint when arraigned in police court.

Hurt in Runaway.

A team owned by the Omaha Transfer company ran away Monday morning at 10 o'clock and dashed into a huge building owned by Mrs. M. C. Mitchell at Eleventh and Hickory streets. Mrs. Mitchell's valuable and body demolished, but she miraculously

WHY HE DID NOT RUN AWAY

Man Who is Hit with Chair Tells Judge His Reasons for Not Fleeing.

William Johnson of 514 South Thirteenth street has been fined \$2 and costs in police court, where he was arraigned on the charge of disorderly conduct. It is alleged that while George Elliott was shaking dice in a saloon with some friends Johnson took Elliott's hat off to see what sort of a hair cut Elliott had received. Elliott did not like such familiarity and said so. Then Johnson is said to have picked up a chair and held it in such an attitude as to suggest a good purpose. Elliott says he then ran to take the chair from Johnson. Johnson's face bore evidence of contact with something, as the judge was inclined to impose a light fine, thinking he had already suffered much for his indiscretion. When asked why he did not run away and live to fight another day, when Johnson raised the chair, Elliott said to the police judge:

"Why, yer honor, I was in a saloon." Judge Berka smiled.

ELBORN OBEYS THE COUNCIL

City Clerk Recognizes Acting Mayor Zimmerman, as Ordered, and Ends the Powwow.

City Clerk Elbourn has put an end to the controversy regarding his right to certify that Councilman Zimmerman was acting mayor by signing the certificate ordered by the council at a special meeting Saturday. The certificate was wanted to show Acting Mayor Zimmerman's right to sign the bonds of a recent issue which have been sold to J. L. Brandeis & Sons.

"I am relieved of the responsibility by the action of the council," said the clerk. "If Mayor Moeres had notified me of his absence as provided in the charter all the trouble would have been avoided."

SUES THE CITY OF ASHLAND

Missouri Woman Wants Ten Thousand Dollars for Injuries from Bad Sidewalk.

Anna McKee of Trenton, Mo., has brought suit against the city of Ashland for \$10,000 damages in the United States circuit court because of injuries from a defective street crossing.

The injuries are said to have been sustained June 28, 1903. The plaintiff alleges that she stepped into a hole in the crosswalk at Fourth and Pearl streets on that date, her foot caught, she was violently thrown to the ground and was badly hurt about the knee, spine and head, was permanently injured thereby and will become a permanent cripple in consequence.

Iowa State Fair.

For above occasion the Rock Island will sell excursion tickets from Omaha to Des Moines and return at one fare for round trip. On sale daily to August 27th.

E. P. RUTHERFORD, D. P. A., 123 Farnam St., Omaha, Neb.

Marriage Licenses.

The following marriage license was issued up to noon, August 22:

Ulysses G. Andrews, Council Bluffs.... 31

Francis Johnson, Falls City, Neb.... 25

George H. Skinner, Omaha.... 23

Sarah V. Garland, Omaha.... 25

18 K. Wedding Rings. Edholm, Jeweler.

SCHOOLS AND COLLEGES.

For a catalogue of the Oldest and Largest Military School in the Middle West, address

Wentworth Military Academy, Lexington, Mo.

Omaha Weather Forecast—Tuesday, Fair and Warmer.

BENNETT'S S. & H. Green Trading Stamps EVERYTIME

The phenomenal silk sale brought about by a lucky purchase made by our buyer in New York—advertised in Sunday papers—is continued Tuesday. It's a truly phenomenal silk sale. The purchase is divided into two lots:

Lot one consists of fancy Louisines and Mersallines, 48c 19 inches, yard....

Lot two consists of fancy Ecantans, Chamois, the new Phoenix Taffetas and the soft Swiss Taffetas, 59c 18 to 21 inches wide, at....

Better read that whole Dry Goods ad again. It is overflowing with bargains. Come to look at it ourselves we are more impressed than ever with the rousing snags we offer in that Sunday ad.

Have you seen the new line of parlor and library tables of solid mahogany, golden oak and imitation mahogany received from the Grand Rapids Furniture exposition? These tables are going at from 25 to 50 per cent below regular price.

CROCKERY—These Crockery bargains, too, are good for Tuesday where goods are unused.

GROCERY Leaders in pure food—groceries at lowest prices.

\$1.00 worth "S. & H." Green Trading Stamps with each of the following:

Pound New York 20c
Cream Cheese.... 20c
Pound can Diamond S Salmon.... 20c
2-pound can The 12c
2 pounds Oreo.... 25c
2 pounds Japan.... 14c

BUTTER—Fresh Country Butter, per pound.... 13c
Bennett's Capitol Creamery.... 22c
DOG NEWS—Spratt's Dog Cakes, per pound.... 6c

COFFEE Special
Bennett's Capitol Coffee, 1-lb. pkg. 28c
Any 2 worth "S. & H." Green Trading Stamps with each package.
Candy Dept.
50c worth "S. & H." Green Trading Stamps with package Razins Gum and Cards.... 5c

TEA DEPARTMENT—Best values ever offered in Tea.
B. F. Japan, Gunpowder, Oolong and English Breakfast, per pound.... 38c

PEOPLE ARE JUDGED

Nowadays by their appearance to a large extent. It is just as essential to carry a nice grip or suit case as to wear nice clothes. Our stock is the best and we have a large line to select from. 20 PER CENT DISCOUNT enables you to get a good one for less than the cheap grades are selling for.

Omaha Trunk Factory,
Telephone 1055 1209 Farnam

YOUR WATCH

ought to be put in order by a competent watch maker—that's the kind we have. We do fine work, and charge only a fair, moderate price. When down town leave your watch with us.

LOOK FOR THE NAME
S. W. Lindsay, Jeweler.
1516 Douglas St.

Burlington Route

\$15.00 COLORADO AND BACK

To Denver, Colorado Springs and Pueblo and return the Burlington sells tickets at \$15.00 Tuesdays and Saturdays until September 17—less than half-rate. There is no summer region more attractive than Colorado.

To GLENWOOD SPRINGS, SALT LAKE, YELLOWSTONE PARK and the BLACK HILLS, proportionately low excursion rates are made—circuit tours which embrace practically the entire scope of the grandeur of the Rockies. Yellowstone Park tours cost less this year than ever before. With the Burlington's high grade passenger service to Denver and Billings this road is a conspicuous portion of any general tour of the West.

Let me supply you with folders, list of hotels, boarding houses and camping places, and otherwise help you plan your summer trip.

B. REYNOLDS, City Pass. Agent, 1502 Farnam St., Omaha

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Wentworth Military Academy, Lexington, Mo.

Omaha's Bargain Center HAYDEN'S THE RELIABLE STORE. Omaha's Bargain Center

Tuesday's Money Savers

Ladies' Fine Muslin Underwear.

Corset Covers, Gowns, Skirts, Drawers and Chemises, finest materials, handsomely trimmed with laces and embroideries. These garments are slightly soiled, but are worth up to \$1.00—divided into four lots Tuesday—

98c, \$1.98, \$2.98, and \$4.98

DON'T FAIL TO SEE THEM TUESDAY.

100 MENS SHIRTS 25c—50 dozen fine ginghams, percales and Madras shirts, slightly soiled. 29c

MENS RIBBED UNDERWEAR—in fall weights, the greatest values we ever offered at the price. Tuesday, choice, 19c

VISIT OUR CLOAK DEPARTMENT

There you will find exceptional money-saving values on all kinds of women's ready-made garments. Our cloak buyer has just returned from a successful buying trip to New York. You know that means BARGAINS GALORE in NEW, STYLISH UP-TO-DATE WOMEN'S GARMENTS. WATCH OUR ADS FOR MONEY-SAVING VALUES.

CHILDREN'S WASH DRESSES—Splendid 49c

BLACK MOREEN PETTICOATS—Don't miss seeing them. \$1.00 values, 49c

Embroidered Pongee Silks, on sale, at, yard.... 49c

Yard wide Silks, in black, white and plaid silk, all go on sale, at, yard.... 69c

Wonderful Sale of Silks Tuesday

COUNTERS FAIRLY LOADED WITH BARGAINS.

50 pieces plain colored China Silks, 19c

Great lot Fancy Silk, worth up to 25c, on sale, at, yard.... 25c

Great lot Fancy Black Silks, 25c

Yard wide Silks, in black, white and plaid silk, all go on sale, at, yard.... 69c

PEACHES! PEACHES!! PEARS! PEARS!!

THE CAR ARRIVED IN FINE CONDITION. We will open this car Tuesday morning and place on sale these large bushel boxes, Fancy, Flemish, Beauty, Preserving Pears, at, box.... 1.50

Also large boxes Fancy Freestone Colorado Peaches, at, box.... 90c

WHY PAY FANCY PRICES WHEN YOU CAN BUY FANCY GOODS AT THESE LOW PRICES?

25-lb. sack pure whole wheat Flour.... 65c

8-lb. Breakfast Rolled Oats for.... 15c

Large Japan Rice, 100 lbs. sack.... 35c

Good Japan Rice, 50 lbs. sack.... 35c

Fancy Pearl Tapioca, 10 lbs. sack.... 25c

The best Macaroni, pkg. 10 lbs. sack.... 45c

Fancy, crisp Ginger Snaps, 10 lbs. sack.... 15c

We will place on sale the very finest creamery made—nothing finer—and all you want, 10 lbs. sack.... 15c

Good country butter, 10 lbs. sack.... 15c

You owe it to yourself to see us before buying Furniture.

HAYDEN BROS.

NEW AND THOROUGHLY EQUIPPED LINE

—BETWEEN—

ST. LOUIS AND CHICAGO.

SUNDAY, JULY 31, 1904.

Thoroughly Equipped trains leave St. Louis and Chicago nightly (after arrival of incoming trains), arriving either city the following morning.

Equipment entirely new; lavish in design, elaborate in furnishings. Ask your Ticket Agent, or address,

PASSENGER TRAFFIC DEPARTMENT.

A CORRECTION

In Orchard & Wilhelm Carpet Co.'s ad Sunday an error was made so that several items read per yard. They should have read per pair. The items corrected read:

\$5.00 Cluny effect in cotton lace edge and insertion, extra heavy net, on sale at, per pair.... 2.50

\$5.00 Cluny effect in linen lace edge, French net center, full 3 yards long, 40 inches wide, on sale at, per pair.... 3.75

\$7.50 Cluny lace, both white and Arabian colored goods that you have never been shown before at less than \$7.50—special during this sale at, per pair.... 5.00

\$25.00 Saxony Brussels Curtains—very fine quality, special at, per pair.... 17.50

\$50.00 Saxony Brussels Curtains, the best Brussels made, special at, per pair.... 22.50

\$10.00 Brussels and Irish Point, new fall patterns, goods usually sold for \$10.00—special during this sale at, per pair.... 6.75

Half Your Life in Your Office

A man spends as much or more time in his office than he does at home. Why overlook being comfortable at your work as well as in your own house