

GRADES AT SOUTH OMAHA

Graduates of High School Object to New Rule of Board of Education.

SOME MODIFICATION FOR THEIR BENEFIT

Officials of Rural Carriers' Association Removed from Service to Engage in Work of Selling Carts to Carriers.

Monday the public schools will open, after the usual holiday vacation. It had been the intention of the Board of Education to hold examinations for teachers the latter part of December, but owing to the ruling made by the board that all applicants for certificates must have had successful experience as teachers not an application was made and consequently there was no examination held.

C. M. Rich, a member of the Board of Education, said yesterday that commencing on Monday a sort of training school would be established. "Those who have graduated from the high school," said Mr. Rich, "and have secured certificates from the examining board will be permitted to teach in the schools under the direction of the principals of buildings and the teachers in rooms where these graduates are to be assigned."

About seventeen young women who have certificates are expected to report to Superintendent McLean on Monday morning for assignment to school rooms. These additional teachers will serve without pay, but after a period of time will be able to go before the board and ask for schools, giving their records as extra teachers in the South Omaha schools as experience. Superintendent McLean is reported to be in favor of this plan, but the board adopted the rule last Monday night over the remonstrance of the superintendent.

Intend Selling Mail Carts. Frank H. Cunningham, president of the National Association of Rural Free Delivery Carriers, said, in talking of his removal from the service and the discharge of the mail carts, upon investigation it was found that we can sell these carts to rural carriers for about \$35 and still make a profit. Mr. Cunningham expects to get the members of the executive committee started out selling mail carts about February 1, for making a statement for publication in connection with the removal of members of the executive committee, President Cunningham said that he had nothing to say for publication on the subject at present. Perhaps later on he may prepare a statement for the press.

Annual Police Report. Nils Cornat, night inspector of police headquarters, has just completed his report for 1904. For the year 2,146 arrests were made, as compared with 1,645 for the year 1903. An increase of 501 arrests is shown. This report does not include arrests made last summer during the strike and turned over to the United States marshal for violating the injunction of Judge Munger. The number of arrests by months follows: January, 121; February, 142; March, 131; April, 181; May, 228; June, 285; July, 128; August, 177; September, 199; October, 199; November, 172; December, 204.

Of the total arrests 1,491 were dismissed without punishment and 255 were sentenced to pay a fine. City jail sentences were served by 173 prisoners and 87 were sent to the city jail. Twenty-five were bound over to the district court and fifty-five were turned over to sheriffs and police of other cities.

Bank Elections Tuesday. On Tuesday the directors of the three national banks in South Omaha will meet and elect directors for the year and in turn the directors will elect officers. Yesterday the directors of the banks held meetings and went over the books and accounts in order to be ready to make a report to the stockholders on Tuesday. From present indications it does not look as if there will be any changes to speak of in either the directors or officers of the banks here.

Raising Ice House. The old frame icehouse at the south end of the Swift plant is being torn down and will not be replaced. Mr. George Swift, the temporary manager of the plant here, said that as there was no further use for the building the company had decided to tear it down in order to erect a new one. The new icehouse is being built on a site about thirty years ago when the packers used a great deal of natural ice. Since refrigerating machines have been placed in

the plant the old icehouse has not been used to any extent. Mr. Swift said that the ground where the icehouse stands would not be improved for the present.

City Clerk's Statement. City Clerk Gillin has prepared a statement for the city council showing the condition of funds at the close of business on January 2. In addition to the \$123,901 available from the 1904 levy, there remained a balance of \$12,802 from the 1903 levy. This has been added license money to the amount of \$1,136, and \$2,239 from the county treasurer on road fund account. This makes a total of \$139,938 available for warrants. Of this total there has been drawn up to January 2 \$70,412, leaving a balance available for warrants of \$69,526. There appears to be money enough in every fund to carry the city through until the close of the fiscal year, July 31, 1905.

Delegation Leaves Today. This afternoon about a score of members of the South Omaha Live Stock exchange will leave for Denver to attend the annual convention of the National Live Stock association. The party will travel in a special car owned by the Burlington. Apartments have been engaged at the St. James hotel as headquarters for the South Omaha delegation. It is expected that every live stock exchange in the country will send delegates to the convention. From advance program sent there is to be plenty of entertainment for the visitors during their stay in Denver. The South Omaha party expects to leave for home Thursday.

Complaint Charges Manslaughter. County Attorney Sibaugh notified Chief Briggs yesterday that a complaint charging George Breckner with manslaughter would be filed during the afternoon. Owing to the illness of Judge King there was some delay in filing the document, as it was necessary for the attorneys to call on the police judge at his home. Judge King fixed young Breckner's bond at \$500, which was paid from custody pending the preliminary hearing.

Magic City Gossip. Coal-J. E. Watkins & Co. Tel. 21. Police Judge King is suffering from a severe attack of grip.

St. Martin's auxiliary will give a dinner from 12:30 o'clock until 3 at the rectory on Tuesday, January 18. The public schools are returning preparatory to taking up their duties on Monday.

Members of the Presbyterian church are greatly pleased over the grand opening of J street and the laying of a temporary sidewalk.

Goldman Art Calendar given free with every purchase of \$1 or more. We carry a choice line of liquors for family use. 2603 N. 24th St.

Starting tomorrow, we place on sale boys' long back stockings, the 15c kind, sale price 10c. Nebraska Shirts and Clothing House, 24th and N streets.

The ladies' auxiliary of the Ancient Order of Sisters will give a social at the Odd Fellows' hall on Wednesday evening, January 18. Refreshments will be served.

Mr. and Mrs. Harry Guthrie entertained a number of friends at a dinner on Thursday evening. Mrs. C. A. Melcher and W. B. Clark scored highest and were presented with trophies.

Regular services will be held at the Baptist church this morning. In the evening Rev. L. H. Johnson will speak at the mission. Thirty-fourth and K streets, in the evening.

Fire in Lake Street School. The children of the Lake Street school, located at Nineteenth and Lake streets, came near not having to return to school next Monday. The fire started in an alarm clock in the room of a teacher, and the flames ran up the wall to the ceiling of the room above and ate their way along the joints, eating through the floor in places. The damage to the building will amount to more than \$100, it is thought, which is fully covered by insurance.

Two Horses Burned. The stable of Fred Craig, located at 371 North Twenty-fifth street, was completely destroyed by a fire that started at 3:30 o'clock. Two horses in the stable were burned to death before the firemen could reach the rear part of the building. The woodwork on a brick wall which enclosed the room above and ate their way along the joints, eating through the floor in places. The damage to the building will amount to more than \$100, it is thought, which is fully covered by insurance.

PERSONAL PARAGRAPHS. P. H. Thompson of the firm of Thompson & Belden, who is confined to his home by illness, is expected to be able to move to his new home at 1315 S. 24th St. Mr. C. N. Estlinger of Chicago, for many years cashier for Bartlett, Frazier & Co., grain exporters, is visiting his nephew, F. W. Weed.

Simply Write Me. I do not ask you to take a single statement of mine—I do not ask you to believe a word I say until you have tried my medicine in your own home at my expense absolutely. The offer is open to everyone everywhere, who has not tried my remedy.

NEWS OF MILITARY POSTS

Fort Des Moines, Iowa. FORT DES MOINES, Ia., Jan. 7.—(Special.)—Captain George Vidmer, Eleventh cavalry, and family, arrived at the post on January 3, and are occupying the quarters formerly occupied by Captain Elliott. Captain Vidmer has been on duty with the St. Louis exposition guards since the return of the regiment from the Philippines and will take command of Troop H, relieving Lieutenant Davis.

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SUIT TWENTY YEARS OLD

School District Bond Cases from Phelps County Settled at Last.

MUNGER RENDERS THE DECISION

Verdict Entitles District to Recover from Parties Who Bought Judgments Obtained in Eighteen Eighty-Five. Judge Munger has handed down a trio of memoranda opinions relative to certain school district bond cases that have been on the federal court docket since 1884-85. The title of the cases, all of which are identical, is: William Lawson against School District No. 1, William Lawson against School District No. 2, William Lawson against School District No. 4, all in Phelps county, Nebraska. Suit was brought by the plaintiff to recover on certain school bonds in the several districts and a judgment was obtained in 1885 against the school districts in favor of the plaintiff. A peremptory writ of mandamus was issued by Judge Dundy to levy a tax for the collection of the judgments. The levy was made and in the meanwhile the judgments were sold to Frank and Conrad Bunn by Lawson. The judgments were paid by installments to Elmer D. Frank, then United States circuit court clerk, but it appears no record of the payment of the judgments was made in the United States circuit court and suit was brought by the Bunn brothers, who were mulct, against the school districts for the amount of the judgments again in the form of a revivor of judgment.

It was shown by the school district authorities that the amounts of the judgments had been paid to Elmer D. Frank, he having given the school district authorities receipts therefor which were produced in court. The revivor of judgment thereupon was denied as against the school districts. The case has been dragging along in the circuit court since that time in various forms, with the original purchaser of the bonds, William Lawson, as defendant and plaintiff at intervals. In his finding in the respective cases Judge Munger says: The court finds that the said judgments have been fully paid and satisfied by the defendants (the school districts) herein. It is therefore ordered that the plaintiffs be dismissed with costs. The application of the said Frank and Conrad Bunn for revivor of judgment be denied and the said Frank and Conrad Bunn be ordered to pay the costs incurred in this application and

proceed to revive said judgments, for which execution is hereby ordered. The decision in brief entitles the school districts to recover from the Bunn the amounts of the judgments originally awarded to Lawson, the original plaintiff in the case.

ACKNOWLEDGMENT OF GIFTS

St. James Orphanage Director and Sisters Return Thanks for Christmas Donations. The directors and sisters in charge of St. James Orphanage desire to thank the many friends of the institution for their kindness to the children at Christmas and during the last year. The following donations were received: Sewing Guild of America, clothing, New Century club, South Omaha, clothing and candy. Sherman & McConnell, D. J. O'Brien, W. J. Lanning and Mrs. P. Carey, candy. Young women at M. E. Smith's, fruit and groceries. Mr. Thomas Redmond, fruit. Hayden Bros., fruit and toys. Union Pacific Steam Baking company, cakes and cookies. Mrs. McLean, Council Bluffs, box cookies. Elks' lodge, chickens for Christmas dinner. Miss Fagan, \$3.50 for Christmas dinner. Money donated: Those not wishing names published, \$35.00 Mrs. E. W. Nash, Omaha, \$10.00 Mr. Heagan, Omaha, \$5.00 Mrs. E. Riley, Omaha, \$5.00 Mr. D. J. Kennedy, Missouri Valley, \$5.00 Mr. A. J. Taylor, Malmo, \$5.00 Mr. J. W. Ward, Omaha, \$5.00 Mr. J. F. Coad, Omaha, \$5.00 Mr. J. C. Kandy, Omaha, \$5.00 Mr. F. Graveri, Benson, \$5.00 Mr. R. H. Post, Benson, \$5.00 Mr. J. Kovarik, Chadron, \$5.00 Mr. E. J. Connel, Chadron, \$5.00 Mr. Wallace, Omaha, \$5.00 Mr. Joseph West, Omaha, \$5.00 Mr. D. Murphy, Omaha, \$5.00 Mrs. E. McNamara, Omaha, \$5.00 Rev. S. Branstetter, S. J., \$5.00 Sacred Heart academy, \$5.00 St. Bridget's parish, South Omaha, \$5.00 Mr. C. Hug, Kansas City, \$5.00 Rev. S. Rieman, St. Bernard, \$5.00 Mr. Joseph West, Omaha, \$5.00 Mr. H. Behrens, Lindsay, \$5.00 Mrs. Ripley, Benson, \$5.00 Mr. and Mrs. Tobin, Benson, \$5.00 Mr. and Mrs. Ihm, Benson, \$5.00 Mr. John Baker, Omaha, \$5.00 Mr. J. H. Connor, Omaha, \$5.00 Miss Tracey, Omaha, \$5.00 Mrs. Cahill, Benson, \$5.00 Mr. J. H. Connor, Omaha, \$5.00 Miss Carlin, Benson, \$5.00 Mr. J. Peters, Valentine, \$5.00 Mr. H. Yost, Chadron, \$5.00 Rev. A. Bruzerman, St. Bernard, \$5.00

SCHOOLS REOPEN MONDAY

Superintendent of Schools Davidson was busy yesterday arranging for the opening of the public schools Monday morning. "And that's about all," said Mr. Davidson, "and school will again take up in the regular way next Monday."

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TEST IT FREE!

5,000 Packages to be Distributed Free to All Who Apply. New Cure for Rheumatism & Gout. For Rheumatism, that horrible plague, I discovered a harmless remedy, and in order that every suffering reader may learn about it I will gladly mail a box free. This wonderful remedy, which I discovered by a fortunate chance, has cured many cases of 30 and 40 years standing, among them persons of upwards 80 years of age. No matter what your form of rheumatism is, this remedy cures. Do not mind if other remedies have failed to cure you, nor mind if doctors say you are incurable. Mind no one, but write me at once, and by return mail you will receive the box, also the most elaborately illustrated book ever gotten up on the subject of rheumatism absolutely free. It will tell you all about your case. You get this remedy and wonderful book at the same time, both free, so let me hear from you at once. Address: JOHN A. SMITH, 48 Gloria Building, Milwaukee, Wis.

YOU WILL NOT "KICK" About ECONOMY WASHED NUT COAL, because it is all coal—no dross, slate, clinker or waste. Kindles quickly, Burns with a hot steady, enduring fire. The best cooking, baking, roasting coal sold in Omaha for the money. OUR PRICE (NOW) \$6.00 TON Our delivery is prompt. Our wagons are "Yell-o." Our screens are automatic. Our drivers are civil. Our customers are satisfied. Our new offices are fine. SUNDERLAND BROS. CO. 1608 HARNEY ST. Phone 252.

GOING SOUTH? LEAVE OMAHA 6:30 P. M. ARRIVE ST. LOUIS 7:15 A. M. Daily excursions to all the winter resorts of the South at greatly reduced rates. Ask us for rates, time tables and all information so when you leave you will know where you are at. Wabash City Ticket Office, 1601 Farnam Harry E. Moores, G. A. F. D., Omaha, Neb.

proceed to revive said judgments, for which execution is hereby ordered. The decision in brief entitles the school districts to recover from the Bunn the amounts of the judgments originally awarded to Lawson, the original plaintiff in the case.

MUNGER RENDERS THE DECISION

Verdict Entitles District to Recover from Parties Who Bought Judgments Obtained in Eighteen Eighty-Five. Judge Munger has handed down a trio of memoranda opinions relative to certain school district bond cases that have been on the federal court docket since 1884-85. The title of the cases, all of which are identical, is: William Lawson against School District No. 1, William Lawson against School District No. 2, William Lawson against School District No. 4, all in Phelps county, Nebraska. Suit was brought by the plaintiff to recover on certain school bonds in the several districts and a judgment was obtained in 1885 against the school districts in favor of the plaintiff. A peremptory writ of mandamus was issued by Judge Dundy to levy a tax for the collection of the judgments. The levy was made and in the meanwhile the judgments were sold to Frank and Conrad Bunn by Lawson. The judgments were paid by installments to Elmer D. Frank, then United States circuit court clerk, but it appears no record of the payment of the judgments was made in the United States circuit court and suit was brought by the Bunn brothers, who were mulct, against the school districts for the amount of the judgments again in the form of a revivor of judgment.

It was shown by the school district authorities that the amounts of the judgments had been paid to Elmer D. Frank, he having given the school district authorities receipts therefor which were produced in court. The revivor of judgment thereupon was denied as against the school districts. The case has been dragging along in the circuit court since that time in various forms, with the original purchaser of the bonds, William Lawson, as defendant and plaintiff at intervals. In his finding in the respective cases Judge Munger says: The court finds that the said judgments have been fully paid and satisfied by the defendants (the school districts) herein. It is therefore ordered that the plaintiffs be dismissed with costs. The application of the said Frank and Conrad Bunn for revivor of judgment be denied and the said Frank and Conrad Bunn be ordered to pay the costs incurred in this application and

proceed to revive said judgments, for which execution is hereby ordered. The decision in brief entitles the school districts to recover from the Bunn the amounts of the judgments originally awarded to Lawson, the original plaintiff in the case.

ACKNOWLEDGMENT OF GIFTS

St. James Orphanage Director and Sisters Return Thanks for Christmas Donations. The directors and sisters in charge of St. James Orphanage desire to thank the many friends of the institution for their kindness to the children at Christmas and during the last year. The following donations were received: Sewing Guild of America, clothing, New Century club, South Omaha, clothing and candy. Sherman & McConnell, D. J. O'Brien, W. J. Lanning and Mrs. P. Carey, candy. Young women at M. E. Smith's, fruit and groceries. Mr. Thomas Redmond, fruit. Hayden Bros., fruit and toys. Union Pacific Steam Baking company, cakes and cookies. Mrs. McLean, Council Bluffs, box cookies. Elks' lodge, chickens for Christmas dinner. Miss Fagan, \$3.50 for Christmas dinner. Money donated: Those not wishing names published, \$35.00 Mrs. E. W. Nash, Omaha, \$10.00 Mr. Heagan, Omaha, \$5.00 Mrs. E. Riley, Omaha, \$5.00 Mr. D. J. Kennedy, Missouri Valley, \$5.00 Mr. A. J. Taylor, Malmo, \$5.00 Mr. J. W. Ward, Omaha, \$5.00 Mr. J. F. Coad, Omaha, \$5.00 Mr. J. C. Kandy, Omaha, \$5.00 Mr. F. Graveri, Benson, \$5.00 Mr. R. H. Post, Benson, \$5.00 Mr. J. Kovarik, Chadron, \$5.00 Mr. E. J. Connel, Chadron, \$5.00 Mr. Wallace, Omaha, \$5.00 Mr. Joseph West, Omaha, \$5.00 Mr. D. Murphy, Omaha, \$5.00 Mrs. E. McNamara, Omaha, \$5.00 Rev. S. Branstetter, S. J., \$5.00 Sacred Heart academy, \$5.00 St. Bridget's parish, South Omaha, \$5.00 Mr. C. Hug, Kansas City, \$5.00 Rev. S. Rieman, St. Bernard, \$5.00 Mr. Joseph West, Omaha, \$5.00 Mr. H. Behrens, Lindsay, \$5.00 Mrs. Ripley, Benson, \$5.00 Mr. and Mrs. Tobin, Benson, \$5.00 Mr. and Mrs. Ihm, Benson, \$5.00 Mr. John Baker, Omaha, \$5.00 Mr. J. H. Connor, Omaha, \$5.00 Miss Tracey, Omaha, \$5.00 Mrs. Cahill, Benson, \$5.00 Mr. J. H. Connor, Omaha, \$5.00 Miss Carlin, Benson, \$5.00 Mr. J. Peters, Valentine, \$5.00 Mr. H. Yost, Chadron, \$5.00 Rev. A. Bruzerman, St. Bernard, \$5.00

SCHOOLS REOPEN MONDAY

Superintendent of Schools Davidson was busy yesterday arranging for the opening of the public schools Monday morning. "And that's about all," said Mr. Davidson, "and school will again take up in the regular way next Monday."

YOU WILL NOT "KICK" About ECONOMY WASHED NUT COAL, because it is all coal—no dross, slate, clinker or waste. Kindles quickly, Burns with a hot steady, enduring fire. The best cooking, baking, roasting coal sold in Omaha for the money. OUR PRICE (NOW) \$6.00 TON Our delivery is prompt. Our wagons are "Yell-o." Our screens are automatic. Our drivers are civil. Our customers are satisfied. Our new offices are fine. SUNDERLAND BROS. CO. 1608 HARNEY ST. Phone 252.

GOING SOUTH? LEAVE OMAHA 6:30 P. M. ARRIVE ST. LOUIS 7:15 A. M. Daily excursions to all the winter resorts of the South at greatly reduced rates. Ask us for rates, time tables and all information so when you leave you will know where you are at. Wabash City Ticket Office, 1601 Farnam Harry E. Moores, G. A. F. D., Omaha, Neb.