CANDIDATES FILE TEST CASE

Aspirants for County Commissioner Press Claim for Place on Ticket.

WILL CARRY FIGHT TO SUPREME COURT

Solomon, tre and Hunter Demand to Know Why Treasurer and Clerk Did Not Accept Names.

As intimated in The Bee Sunday morning the prospective candidates for county commissioner in the Third and Fifth districts who offered their money and had it refused are going to a higher court.

The opinion of the attorney general said the law of the legislature would not be questioned by the legal department of the state government until the occasion arose. Saturday's developments in the office of the county treasurer and county clerk, chronicled in Sunday's Bee, indicated that there were men who were doubtful of the effect of the law relating to county commissioners and other officers in the bills which were not passed on by the supreme

After offering their filing fees Saturday Mesers, Solomon, Ure and Hunter, repub-cans, and Charles Tracy, democrat, consulted their attorneys, and Mr. Solomon and Mr. Ure, acting as the advance guard of the questioners of the legislative act Monday filed a sult to test the virtue of the

The suit is entitled State of Nebraska ex rel Emmett G. Solomon and William G. Ure, relators, against John C. Drexel, county clerk, and Robert O. Fink, county treasurer. It is understood Henry Ostrom, former county commissioner also is a party

Redick Grants Order.

On application Judge Redick, sitting in chambers, granted an order on defendants to shlw cause Wednesday morning, August 28d, why they should not place the names of the petitioners on the primary ballot as candidates for the office of county com missioner. If this order shall be granted, and the prayer of the petitioners prevail, it will mean the county clerk and treasurer will have to show cause why they do not accept the money of petitioners and place their names on the primary ballot.

Should Judge Redick decide that petitioners Solomon, Ure and Hunter, republicans, are entitled to a place on the ballot, then attorneys for Charles A. Tracy, the cigar man, will ask that he also be

course, refuse to comply with the order of the court and County Attorney Slabaugh will pick up the fight right there. Which ever way the decision of the judge SCHOOL BOARD SEEKS TO RELIEVE JANITOR may go, there will be an appeal to the supreme court. As this latter body does not meet until September 4, all hands will have to wait until a day or two after that date for a decision; but the men who have tendered their money figure that the decision will distinctly favor their case,

Breen Says Officials Erred.

Attorney Breen says: "The county clerk and the county treashas had five commissioners for twelve given by Member Rice for the change: years, and the new law simply does not apply. As a result the general election laws govern, and in my opinion, the terms of the commissioners from the Third and Fifth districts expire this year, and their successors must be nominated and elected this fail. We do not intend to test the districts the company and same equipment that the fail of the fail of the same to could be given.

Will give the board a chance to clip \$5 a month off the famitor's salary.

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Will obviate the unpleasant smell of used in the Broadway production is still in service, and the result is the best that could be given.

Grandma Mott's Advice to Travelers. "You should not travel about the country this warm weather without a bottle of Chamberlain's Colic, Cholera and Diarrhoea time. In return he received a two weeks Remedy," says Mrs. Kate Mott of Fair- vacation, the first in five years, which he field, Ia., or "Grandma Mott" as she is familiarly known. "One or two doses of this remedy will always cure the worst the new Omaha Heights school at Thirtycase of summer complaint. We keep it sixth street and Kansas avenue. This is always at hand, in fact, we could not

keep house without it." Candidate for Pulpit. Rev. B. A. McBride of Tarkio, Mo., is favorably mentioned for pastor of the Central United Presbyterian church to succeed Rev. J. M. Rees, who resigned last spring. A meeting of the members of the church will be held September 5, to extend a call to the pastorate to whatever minister shall be chosen at the meeting.



Preserved Purified and Beautified by

Cuticura Soap combines delicate medicinal and emollient properties derived from Cuticura, the great Skin Cure, with the purest of cleansing ingredients and most refreshing of flower odors. For skin irritations, heat rashes, tan, sunburn, bites and stings of insects, lameness and soreness incidental to summer sports, for sanative, antiseptic cleansing, and for all the purposes of the tollet, bath, and nursery, Cuticura Soap and Cuticura Ointment are priceless. Poter Drug & Chain, Chrp., Sale Props., Section, up Maded Free, " All About the Shin and South

OMAHA MEN AND THEIR HOBBIES



DR. R. GILMORE-Testing the Scales.

GASOLINE ENGINE GOES OUT

The two county officials named will, of Fans at Saunders School Will Run by Motor Hereafter.

No More Cranking to Start Engine or Trouble with Sparker, Not to Speak of Smell of Gasoline.

Pupils of the Saunders school no longer will have their esthetic sense offended by urer are wrong. A close study of the law the smell of gasoline. The Board of Eduunder which these officials take their po- cation last night decided to jerk out the sillon shows it provides that counties that gasoline engine that has furnished power change from the three to the five com- to operate the fans for three years and to missioner plan, shall elect the two new put in an electric motor. The gasoline enofficers at the next general election on an gine will be sold and the new motor will even numbered year. Now, Douglas county cost \$150. Here is a list of the reasons

constitutionality of the law, but to prove that it is not germane to the affairs of Douglas County."

Will enable the board to pay from \$25 to \$30 a month for electric power instead of \$18 for gasoline, plus \$5 bonus to the janitor for "cranking" or making the warker spark.

sparker spark. Secretary Burgess skeletonized the reading of the minutes and thereby saved much will spend with a daughter in Canada. Henry Hensley was elected janitor of a new school and a new job, the building being the old Monmouth Park school. Mary C. Smith, Alice Bradman and Alice

Bradman said she was going to take up another "business." A carload of desks was ordered bought from the American School Furniture com-

C. Gilchrist resigned as teachers. Miss

secording to size. Expenditures for July. Secretary Burgess submitted the follow- The price of a ling comparative statement of expenditures usual ten cents.

during July:	
Advertising July, 1904 Architect's service \$ 18.00	
Bond redemption fund	********
Hooks	18.80 879.90
Construction	*******
Drawing, music and kin- dergarten supplies	7.50
Electric power 10.20 Examining committee 75.00	9.00 75.00 14.03 19.96
Fuel	14.03 19.96 180.62
Furniture and fixtures	2,028,63
Insurance fund	********
Interest and exchange 29.90 Janitors 2,895.00 Light and fuel gas 39.00 Maps, charts and refer-	49.24 2,985.00 18.36
ence books 632.50	140000000000
Messenger service 1,05439 Officers and clerks 1,05439 Printing 98.40 Piano rent and tuning 5.60 Rent 60.00 Repairs 1,163,13 Stationery and supplies 181.39	126.72
Teachers	*********
Miscellaneous supplies 240.44	910.45
Total	\$11,646.42
Clanaral Firms warrants ourself	152
ing August 1, 1905	6,149.02

All Well. The least thing wrong with your bowels, makes you sick. Dr. King's New Life Pills may you all well. 25 cents. For sale by Sherman & McConnelli Drug Co.

Ladles of Maccabees Picule. Monday evening a goodly sized crowd attended the annual picnic of Uniformed Hive, No. 35, Ladies of the Maccabees. The drill team of young women in white uniform under the captaincy of Mrs. Bun gave a very enjoyable drill. The committee of arrangements consisted of Mesdames Baysdoerfer, Higley and Hudson and the success of the picnic can be attributed to these ladies and Manager Cole.

Dreibus Breaking Ground. Ground was broken Monday for the new warehouse of A. C. Dreibus, on the west side of Ninth street, between Howard and Jackson. At present four stories and a basement will be erected, but the foundation will be such that another story can be added. J. D. Shellberg has the contract and J. P. Guth drew the plans.

Mortality Statistics. The following births and deaths have been reported to the Board of Health dur-ing the forty-eight hours ending at moon

Monday:
Births-A. W. Seveens, 527 Park avenue
girl; Thomas Russell, 1114 Seward, girl
Frank Palmatier, 2510 Emmet, boy; Fred
crick McKensie, 1711 Davenport, girl; Alfre
Indeli, 3155 Curtis avenue, boy; Fran

Burke, 2810 Chicago, girl; George Potter, 828 South Twenty-third, boy; Wilberson Mason, 3208 Ohto, boy.

Deaths—Frank Ward, Omaha, 22; E. A. Blackwell, Des Moines, 25; Hans Nelson, 2208 South Forty-second, 24; infant White, Twenty-seventh and Patrick avenue, 18 days; W. Bell, 2515 Jones, 5 days; infant Roberts, 3840 Seward, 6 days; Hans Nellsen, 2208 Forty-second, 24; Mildred F. Evans, Waterloo, Ia., 12; Florence Olive Stone, 2138 South Thirty-fifth, 21.

Strange Adventure.

In auto ed to painful accident, but Bucklen's Arnica Salve quickly healed all wounds. 25 cents; guaranteed. For sale by Sherman & McConnell Drug Co.

Announcements of the Theaters. ueen of comedians will be seen in her own and only play-May Irwin in "Mrs. Black is This is as much as could be told Back." in a book about the star and the piece, although a book could easily be written about them. Miss Irwin returned to the stage last fall after a vacation of two years, and was most heartily welcomed in her present play, which is by George V. Hobart, the well known humorist. She spent the entire season in New York, and

St. Paul and Metaris DULUTH, ASHLAND AND BATFIELD and return \$16.50 DEADWOOD AND LEAD

and return \$18.75 VERY LOW RATES NOW TO ALL POINTS EAST via The North-Western Line City Offices 1401-1403

Liberati Band at Krug Park. Liberati's famous Italian band, on its way home from a successful tour of the northwest and the Portland Exposition will be at Ksug park commencing Wednesday afternoon, Aug. 23, for four days. pany. They range in price from \$3 to \$1.72, These famous musicians in connection with the Royal Canadian band will give a musical festival every afternoon and evening. The price of admission will remain as

22-K wedding rings. Ecciolm, jeweler. Harry B. Davis, undertaker. Tel. 1226.

PERSONAL PARAGRAPHS.

W. F. Buch of Superior is among the arrivals at the Paxton.

Mrs. W. H. Clemmons of Fremont is registered at the Paxton. Charles T. Neal and J. M. Raymond of Lincoln are on the register at the Her Grand.

C. P. Stephenson, a revenue collector from Lincoln, is in the city on business and is a guest at the Paxton. Major R. S. Wilson Major R. S. Wilcox, manager for Browning, King & Co., has returned from New York City, where he spent two weeks.

Captain W. H. Corbin of Alliance, Miss Angle R. Bond of Ord and Judge A. E. Langdon of Papillion are on the Murray register.

egister.

The Millard hotel register shows the fol-owing Nebruskans on its Monday page: S.

K. Fowler of Lincoln, T. M. Sheaff of Ful-erron, J. H. Chapman of Kearney, Mrs. A.

H. Norton and Mrs. B. Norton of Water-

Thomas H. Greevy of Altona, Pa., is visiting his brother, M. J. Greevy, Twenty-fourth and Hickory streets. The former Mr. Greevy is worthy late president of the Pennsylvania Eagles and past worthy president of Altona serie, No. 236.



Is especially valuable during the summer season, when outdoor occupations and sports are most in order. GRASS STAINS, MUD STAINS AND CALLOUS SPOTS

yield to it, and it is particularly agreeable when used in the bath after violent exercise. Frank ALL GROCERS AND DRUGGISTS

AFFAIRS AT SOUTH OMAHA

School Board Sets Date for Beginning the

School Year. JANITORS ASSIGNED TO THEIR BUILDINGS

Short Meeting of the Body Attends to Some Important Work and Leaves Superintendent a Task.

The Board of Education has decided to open the public schools on September 11. When the members met last night this was one of the first matters of business to ome up. The buildings and grounds comnittee reported that none of the additions o schools would be completed for some ceks and rooms will be rented temporarally in the districts where the schools were vercrowded last year. It was for the purpose of giving the committee time to rent outside rooms and furnish them that the opening date was deferred for one week beyond the usual time.

Janitors were assigned as follows: High School-Frank Vocasek; firemen J.
3. Smith, James Hamilton.
Central-Harry Béal, John Klupnaur.
Lincoln-Ed Johnson, John McAdams.
Hawthorne-A. Christiansen, R. Bigelow.
Jungmann-D. D. Sullivan, William Fir-

an.

Brown Park—John Kubat, Peter Henkle,
Madison—J. C. Ringo, Mrs. L. Sorenson,
Highland—Guy Seater, John Dworak,
West Side—Martin Teig, D. B. Belden,
Corrigan—Thomas—Conway, J. J.

O Rourke.
Lowell-J. J. Byster.
Annex-Burton Rice.
Field-R. Rezak.
Whittier-Mrs. Dunn.
The following names were added to the eachers' unassigned list: Louise Moore, Eva Murphy, Stella Gray, Delia Borst, ora Rothchilds, Elia Mallin, Mrs. Nora Freeman, Laura Randall, Agnes Condon. Emma H. Noe, Minnle Clifton.

Member Schindle brought up the matter of naming two principals to fill vacanies, but as the members could not agree Superintendent McLean will be directed by the chairman of the teachers' commitse to make the assignment.

Five sets of encyclopedias and the same number of pictorial and historical maps will be purchased. The board then adjourned until the next

regular meeting. Council Meeting Tame.

President Adkins occupied the chair at he meeting of the council Monday night owing to the absence of Mayor Koutsky.
Ordinances were to have been presented for the paving of Twenty-fourth street from A to Q. City Attorney Lambert had failed to get, the ordinances prepared in time and a meeting is to be held on Wednesday night, when the ordinances may be ready It was the same with accepting the plans

for the fire department headquarters building. The matter of accepting or declining the plans was talked over, but no decision was reached. It was agreed, however, that this matter would also be considered Wednesday night. A favorable report was made on the or-

dinance for the grading of Twenty-second street from S to Y. This ordinance can now go to the second and third reading. On permanent sidewalk ordinance was passed and one was introduced. The session was the shortest for some

time and was wholly without interest. Kenyon Piles Protest.

the granting of a petition filed by J. C. Caldwell a couple of weeks ago.

Caldwell asks the city to give him permis sion to erect a frame structure at the east to them. end of the Q street viaduet. It is understood that Mr. Caldwell wants to open a candy and cigar store.

the grounds that the viaduct is kept in repair by the Union Pacific and the Union Stock Yards company and officials of these companies do not want to run the risk of fire in this proposed small building damaging the bridge. In addition to a general protest, the general manager of the Stock Yards company serves notice on the city that if the Caldwell request is granted the railroad companies will decline to make repairs in case the viaduct is damaged by reason of the erection of the proposed frame structure.

After being read to the council last night the protest was ordered filed.

Moving School Annex. A portion of the old high school annex is being moved from Twenty-sixth and M street to Brown park. The section now attached to a cable is being hauled east on M street. When between Twenty-fourth

and Twenty-fifth street Monday aftern a number of large electric wires had to be taken down. Electric lights and fans in the business portion of the city could not be used for an hour or so. It will probably take about two weeks to get both of the sections of the building moved and placed on foundations.

Masons Will Piente. Members of Bee Hive lodge No. 184, Anient Free and Accepted Masons, will held a picnic at Manawa on Thursday afternoon and evening of this week. Two special Council Bluffs cars will leave Twenty fourth and O street at 2:30 p. m. A start for home will be made at 10 p. m. So far a party of 160 have agreed to go on this susure trip. The lodge pays the expenses of the junket.

Sheep Commence Coming. Monday's receipts of sheep numbered 17.500 head, the largest receipts in any one

day this year. The majority of the seventy cars consisted of killers and feeder buyers were disappointed. Feeders are badly wanted here, but some wise ones declare that the feeders are being held back as long as possible on account of the fine range. On account of the heavy receipts the prices fell off on both packers' supplies

Frank Miller Injured. Frank Miller, 14 years of age, living at Twenty-ninth and C streets and employed at Cudahy's, was severely injured about 6 o'clock Monday evening. Miller was returning from work and in climbing between some Northwestern box cars stepped on a coupling pin just as the train moved. He was taken to the South Omaha hospital in Brewer's ambulance and physicians am-

Magie City Gossip. This evening members of the Eastern Star will hold a social at Highland park.
Rev. and Mrs. R. L. Wheeler have gone to Fairbury to visit relatives for a few days.

A son was born yesterday to Mr. and Mrs. Frank Harris, Eighteenth and X street. City Attorney W. C. Lambert and wife have gone to Portland to take in the expo-

S. I. Winters, assistant city attorney, has returned from a two weeks' vacation spent in the east. Horses for the big sale to be held at the yards here on Wednesday are arriving in large numbers.

Mrs. J. B. Ashe, 1628 North Twenty-sixth street, returned yesterday from the Pacific coast where she visited friends for six weeks.

weeks.

The three vagrants found sleeping in the old Transit house Sunday night by the police were each sentenced to ten days on the weed cutting gang.

The firm of Hinchey & Murphy, horse sheers, Twenty-third and N street, was dissolved Monday. Mr. Hinchey purchased the interest of Mr. Murphy.

The Hinchey Laundry company has just about completed extensive improvements to the plant. A new boiler has been put in an several pieces of machinery are being

In the arrest of John Henry, colored, at Council Bluffs the South Omaha police think that they have the man who has been burgiarizing houses here. Some jewelry stolen from a South Omaha residence was found on the prisoner. John C. Carroll, at one time chief of police of South Omaha, was stricken with another paralytic stroke last evening and there appears to be no hope of his recovery. Since his return from the south Mr. Carroll has been stopping with Thomas Geary, Twenty-fifth and E streets.

REGULAR SHOW INTERRUPTED Rehearsal of Old Plantation Play Broken Into by Little Side-

light Act. A rehearsal of the "Old Plantation" show at Twelfth and Davenport streets was W. J. C. Kenyon, general manager of the abruptly broken up yesterday afternoon by Union Stock Yards company, has sent to a little by-play not on the regular bill. the mayor and council a protest against While some of the members of the company were going through their steps they heard a woman scream, "I am stabbed. The words did not have a theatrical ring

It was discovered that Miss Mable Wilson had been slashed over the heart with a ragor in the hands of Miss Clintona Briggs, Mr. Kenyon's remonstrance is based on the trouble being over the affections of Charles Moore, so it is reported. Miss Wilson was taken in hand by the police surgeons, while Patrolman Shields and Detective Ferris chased Miss Briggs to the Smelting works.

Miss Briggs is charged at the city jall with cutting with intent to wound. Miss Wilson's wound is not serious, the flesh not being entered to any great

Maurice Algoe Released. County Attorney Slabaugh has entered a nolle prosequi in the case of State against Maurice Algoe, accused of attempted blackmall on Edward Rosewater. Since Mrs. Algoe has served out her jall sentence and the wife cannot be compelled to testify against her husband, the county attorney consented to his discharge from custody. He has been confined in the county jail from a time antedating by two weeks his wife's sentence—a little over four months.

four months.

We are cutting the prices on Trunks and Suit Cases

Suit Cases worth \$2.50—now \$1.89 Suit Cases worth \$5.00-now..... 2.98 Suit Cases worth \$6.00—now\$3.98 Suit Cases worth \$10.00—now.....\$6.98 Cut Prices on Trunks.

Trunks worth \$10.00—now\$7.50

Trunks worth \$15.00—now\$10.00

SPECIAL STRAW HAT OFFERING. Any Straw hat in our store-35c

We close at 5 p. m., every day except Saturday...

Chicago

NIGHT CHICAGO TRAIN Number 12.

It leaves Omaha.....8:05 p. m.

> DAY CHICAGO TRAIN Number 6.

Number 2. It leaves Omaha.....4:00 p. m.

AFTERNOON CHICAGO TRAIN

Tickets, berths, folders, rates and information at City Ticket Office, 1502 Farnam St.

A "HATR-SAVER" that grows in popularity. GOING! GOING!! GONE!!!

The Description of the result of his own neglect. Some one at home should look after him. At first eight of dandruff—which he a contagious disease—flow the health and personal countors needs a guardian for Rerpicide should be used. It cures dandruff—which he a contagious disease—flow his idea of business. Later when incurable held—need for the first own the first

THE ORIGINAL remedy that "kills the Dandgull Gorm." SHERMAN & McCONNELL DRUG CO., Special Agents.

APPLICATIONS AT PROMINENT BARBER SHOPS.

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FOR THE

HOMESEEKER

KANSAS Best Agricultural and Stock Raising Region. Soil deep, rich and productive in the growing of Wheat, Corn and Alfalfa. Purchase

CLIMATE IDEAL, AMPLE RAINFALL

Buy quick and secure the benefit of an excellent investment, Write for further information, illustrated literature and

price from \$5 to \$36 per acre, which equals the returns of the

\$50 to \$150 per acre lands of other States.

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H. C. TOWNSEND, General Passenger and Ticket Agent, ST. LOUIS, MO.

TOM HUGHES, Trav. Pass. Agt.

THOS. F. GODFREY, Pass. Ticket Agt.

S. E. Corner 15th and Farnam, Omaha, Neb.