

CANDIDATES FILE TEST CASE

Aspirants for County Commissioner Press Claim for Place on Ticket.

WILL CARRY FIGHT TO SUPREME COURT

Solomon, Ure 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 local 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 court.

After offering their filing fees Saturday Messrs. Solomon, Ure and Hunter, republicans, 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 suit to test the virtue of the law.

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 to the suit.

Hedick Grants Order. On application Judge Hedick, sitting in chambers, granted an order on defendants to show cause Wednesday morning, August 23d, why they should not place the names of the petitioners on the primary ballot as candidates for the office of county commissioner. If the order should 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.

Hedick Refuses to Grant Order. The two county officials named will, of course, refuse to comply with the order of the court and County Attorney Slabough will pick up the fight right there. Which ever way the decision of the judge 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 treasurer are wrong. A close study of the law under which these officials take their position shows it provides that counties that change from the three to the five commissioner plan, shall elect the two new officers at the next general election on an even numbered year. Now, Douglas county has had five commissioners for twelve years, and the 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 fall. We do not intend to test the constitutionality of the law, but to prove that it is not germane to the affairs of Douglas County."

Grandma Mott's Advice to Travelers. "You should not travel without a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy," says Mrs. Kate Mott of Fairfield, Ia., or "Grandma Mott" as she is familiarly known. "One or two doses of this remedy will always cure the worst case of summer complaint. We keep it 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 6, to extend a call to the pastorate to whatever minister shall be chosen at the meeting.

OMAHA MEN AND THEIR HOBBIES



DR. R. GILMORE—Testing the Scales.

GASOLINE ENGINE GOES OUT

Fans at Saunders School Will Run by Motor Hereafter.

SCHOOL BOARD SEEKS TO RELIEVE JANITOR

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

Kenyon Files Protest.

W. J. Kenyon, general manager of the Union Stock Yards company, has sent to the mayor and council a protest against the granting of a petition filed by J. C. Caldwell a couple of weeks ago.

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 abruptly broken yesterday afternoon by a little by-play on the regular bill.

Chicago

NIGHT CHICAGO TRAIN Number 12.

It leaves Omaha.....8:05 p. m. It arrives Chicago.....9:03 a. m.

DAY CHICAGO TRAIN Number 6.

It leaves Omaha.....7:25 a. m. It arrives Chicago.....8:45 p. m.

AFTERNOON CHICAGO TRAIN Number 2.

It leaves Omaha.....4:00 p. m. It arrives Chicago.....7:20 a. m.

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

Stranger Admits

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

Announcements of the Theaters.

This evening at the Boyd theater the queen of comedians will be seen in her own and only play—May Irwin in "Mrs. Black Is Back." This is as much as could be told 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 was a tremendous success. This season she is making a hurried trip to the Pacific coast, and will be in Omaha for one night only. The same company and same equipment used in the Broadway production is still in service, and the result is the best that could be given.

St. Paul and Return

DULUTH, ARHLAND AND BATHFIELD and return \$12.50

DEADWOOD AND LEAD and return \$12.75

VERY LOW RATES NOW TO ALL POINTS EAST via The North-Western Line City Offices 1401-1403 Farnam Street.

Liberal Band at Krug Park.

Liberal's famous Italian band, on its way home from a successful tour of the northwest and the Portland Exposition will be at Krug park commencing Wednesday afternoon, Aug. 23, for four days. 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 usual ten cents.

2-K wedding rings. EdQuim, jeweler.

Harry B. Davis, undertaker. Tel. 1224.

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. Wilcox, manager for Brownings, King & Co., has returned from New York City, where he spent two weeks.

Captain W. H. Corbin of Alliance, Miss Angie R. Bond and Judge W. E. Leungton of Pappilon are on the Murray's register.

The Millard hotel register shows the following Nebraskans on its Monday page: S. K. Fowler of Lincoln, T. M. Sheaff of Pappilon, F. H. Chappin of Kearney, Mrs. A. H. Norton and Mrs. B. Norton of Waterloo.

Thomas H. Greys of Altona, Pa., is visiting his brother, M. J. Greys, Twenty-fourth and Hickory streets. The former Mr. Greys is worthy president of the Pennsylvania Eagles and past worthy president of Altona, Pa., No. 286.

A Skin of Beauty is a Joy Forever.

DR. T. Felix Gouzeud's Oriental Cream or Magical Beautifier

Removes the Pimples, Blackheads, and Skin Diseases, and gives the complexion a healthy and glowing appearance. It is the best skin preparation ever used, and has been used for 27 years, as is shown by the following testimonials: "I have used Dr. Gouzeud's Oriental Cream for several years, and it has done more for my skin than any other preparation I have ever used. It has removed all my pimples and blackheads, and has given me a clear, healthy complexion. I highly recommend it to all who are troubled with skin diseases."—Mrs. J. E. Smith, 1234 Broadway, New York.

"Gouzeud's Cream" is the best remedy for all skin diseases. It is the best skin preparation ever used, and has been used for 27 years, as is shown by the following testimonials: "I have used Dr. Gouzeud's Oriental Cream for several years, and it has done more for my skin than any other preparation I have ever used. It has removed all my pimples and blackheads, and has given me a clear, healthy complexion. I highly recommend it to all who are troubled with skin diseases."—Mrs. J. E. Smith, 1234 Broadway, New York.

HAND SAPOLIO

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. 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 there was one of the first matters of business to come up. The buildings and grounds committee reported that some of the additions to schools would be completed for some weeks and rooms will be rented temporarily in the districts where the schools were overcrowded 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; Brement J. B. Smith, James Hamilton, Central—Harry Deal, John Klugbauer, Highland—Guy Seater, John Dwork, West Side—Martin Teik, D. B. Belden, Cornhill—Thomas Conway, J. J. O'Rourke, Lowell—J. J. Byster, Ames—Burton Rice, Field—R. Resak.

The following names were added to the teachers' unassigned list: Louise Moore, Eva Murphy, Stella Gray, Della Borst, Cora Rothchild, Ella Mallin, Mrs. Nora Freeman, Laura Randall, Agnes Condon, Emma H. Noc, Minnie Clifton.

Member Schindler brought up the matter of naming two principals to fill vacancies, but as the members could not agree Superintendent McLean will be directed by the chairman of the teachers' committee 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 Adams occupied the chair at the 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 ordinance prepared in time and a meeting is to be held on Wednesday night, when the ordinance 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 ordinance for the grading of Twenty-second street from S to Y. This ordinance can now go to the second and third reading. One permanent sidewalk ordinance was passed and one was introduced.

The session was the shortest for some time and was wholly without interest.

Kenyon Files Protest.

W. J. Kenyon, general manager of the Union Stock Yards company, has sent to the mayor and council a protest against the granting of a petition filed by J. C. Caldwell a couple of weeks ago.

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

Mr. Kenyon's remonstrance is based on 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

Masons Will Picnic.

Members of Bee Hive Lodge No. 184, Ancient Free and Accepted Masons, will hold 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 180 have agreed to go on this pleasure 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 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 and killers.

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 amputated the foot.

Magic City Gossp.

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 exposition.

A. Winters, assistant city attorney, has returned from a two weeks' vacation spent in the east.

Interest for the big sale to be held at the yards here on Wednesday are arriving in large numbers.

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 shiners, Twenty-third and X 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 and several pieces of machinery are being placed.

In the arrest of John Henry, colored, at Council Bluffs, the South Omaha police think that they have the man who has been burglarizing 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.

Advertisement for Nebraska Clothing Co. featuring trunk and suit cases at cut prices, and a special straw hat offering for 35c.

Advertisement for Burlington Route Chicago Night, Day, and Afternoon trains, including departure and arrival times and ticket information.

Advertisement for Newbro's Herpicide, a hair-saver that grows in popularity, used for dandruff and itching hair.

Large advertisement for Cuticura Soap, describing its benefits for skin conditions and its status as 'The World's Favorite'.

Table showing comparative statement of expenditures during July, with columns for July 1904, July 1905, and August 1905.

Advertisement for Hand Sapolio, a skin preparation for summer use, highlighting its effectiveness for grass stains and callous spots.

Large advertisement for Missouri Pacific Railroad, promoting agricultural and stock raising regions with low settlers' rates and ample rainfall.