THE OMAHA DAILY BEE: TUESDAY, OCTOBER 3, 1905.

CATHERS LOSES HIS CASE

Made in the **Golden Sunlight**

It is conceded by the highest authorities that the soda cracker contains the life-giving elements of wheat in the best proportions.

This being so, then Uneeda Biscuit must at once take first place as the food of the world-a soda cracker, but such a soda cracker! Made by exact science in sunny bakeries so light, bright and clean, that they are a revelation. The flour is tested; the purity of the water is absolutely assured; the very air is filtered-why even the temperature and moisture of the atmosphere is accurately regulated. The sponge is kneaded by polished paddles, not by hand. Indeed, Uneeda Biscuit are only touched once, and then by a pretty girl, from the time the flour leaves the bag until the beautiful package is placed on your table.

NATIONAL BISCUIT COMPANY

BENEFITS OF SMALL COLLECE a course in one of the small colleges should be well equipped to make a good scholar uth Fourteenth, girl; Frank J. Helm, 2623 Cass, girl. Deaths-Mrs.

Advantages Available There Not Possible the small college that is not obtainable in the university undergraduate department, in Large Ones, Says Dr. Wadsworth.

BELLEVUE CITED AS AN EXAMPLE

Address Delivered by New President of This Institution Before the **Omaha** Presbyterian Ministers' Association.

Rev. Guy W. Wadsworth, D. D., president of Bellevue college, addressed the Omaha Presbyterian Ministers' association Monday morning, at the regular meeting Christian education gives power for much held in the parlors of the First Presby- good in the world. terian church. Dr. Wadsworth was requested to meet with the Presbyterian Wadsworth and wife will give an informal F. Godfrey, passenger and ticket agent, ministers of Omaha and South Omaha and speak of the work with which he is now and friends, the occasion also being Mr. Omaha, Neb. and has for years been identified. The and Mrs. Wadsworth's twentieth wedding speaker's particular line of thought was anniversary. to bring out the benefits of an education received in a good small college, such

as Bellevue, The small college has its particular Young Men's Christian association building

prevails. The average instruction given in the small college equals, in every respect, that offered in the lower departnents of the universities." Speaking of Bellevue college, Dr. Wadsworth said the institution had one of the best libraries he has seen in a college and that the general equippment is of a high order. He bespoke the earnest support of the Presbyterian people of this synod for the college. The speaker also emphasized the im

portance of a Christian education, saying that while education gives power it Tuesday evening at Bellevus college, Dr.

Baptists Listen to Chivers.

The Baptist ministers of the city met Monday morning in the parlors of the and Rev. E. E. Chivers, field secretary of the American Baptist Home Mission society in connection with his contemplated campaign in the west this graduate departments of the large uni- fall. It is expected Rev Mr. Chivers will speak in Omaha in November. Special Train Will leave Webster St. depot at 11 p. m. Thursday, Oct. 5, after the electrical parade, Verda Beck has been granted a divorce from Harry B. Beck and the custody of their infant child. for Blair, Tekamah, Emerson and inter-

mediate points.

be well equipped to make a good scholar in the large university. There is personal touch between teacher and student in the small college that is not obtainable in the university undergraduate department, where the lecture method of lastrenice. where the lecture method of instruction 18. NOTICE TO VISITORS.

> The Y. M. C. A. Bureau. CORNER SIXTEENTH AND DOUGLAS STREETS.

Will give you FREE information where to find sleeping accommodations. All persons having rooms to rent should send their addresses and prices to this bureau by mail. DO NOT TELEPHONE.

ONF FARE

Kansas City, Mo., and Return Via the Missouri Pacific railway, tickets sale October 1 to 7. Full information

from any agent of the company or Thomas house warming for the Presbyterian clergy S. E. corner Fifteenth and Farnam streets,

Brings Bride to Omnha.

LOCAL BREVITIES.

Brings Bride to Omnha. C. E. Erman and wife are at the Mer-chants. They dame from Hastings and were married at Lincoln yesterday. Mr. Erman is assistant general foreman of the Bell Telephone company. He is engaged at present laying nineteen miles of tele-phone cable in and about Hastings. He says, "There are now 1.400 telephones in use in the town, and there has been an in-crease of eight per week during this sum-mer. In the rural districts about, the majority of the farmers have telephones. It is this fact that has required the laying of so much cable."

Fails to Make Claim Stick Against Mayor and Council. JUDGE SEARS HANDS DOWN OPINION

Self-Proclaimed Reformer Will Appeal Suit Against Payment of Money for City Laborers

Last Year.

John T. Cathers, the self-appointed watchdog of the city treasury, has lost out in his efforts to compel Mayor Moores and the members of the city council to refund to the city some \$15,000 which they had ordered paid to a number of employes of the city in April and May of 1963. Cathers claimed that the list of employes had not been selected by the Board of Public Works, defunct, as specified in the city ordinance, and that they were employed merely for political reasons by the mayor. In his opinion in the case which he handed down Monday morning, Judge Sears of the district court said Cathers had failed to prove mercenary or corrupt motives for the employment of the men. He held also that the charter was violated by the manner in which the employea were selected, but, as the city had secured the services of the men and their services were necessary, he dismissed the relief prayed for by Cathers at the cost of the plaintiff. It is understood the case will be appealed.

Text of the Opinion. The opinion of Judge Sears in full follows:

The opinion of Judge Sears in full fol-lows: 1. That the laborers whose employment is complained of by relator were employed, or rather worked during the months of April and May, 1903, by the city engineer in the same manner as they had been em-ployed and worked prior to the enactment of the charter provisions on which relator bases his action, and without due regard to the sail charter requirements. 2. There was a seeming disregard for those charter requirements, on the part of the Board of Public Works on whose initiative the employment depended, that was apparently intentional with the mem-bers except Weathers, although it may have been partially due to the adoption of a new mode of procedure radically dif-ferent from the past mode known to the city's affairs. The fact remains, that al-though the city's charter terms are man-datory, and should have been cheerfully obeyed by those charged with their obedi-ence, and the further fact of repeated de-mands for compliance were made by Westberg, still nothing was done to com-ply with the charter requirements during the time of the employment complained of, as to those prior conditions necessary to legal employment in the premise. In the opinion of the court the laborers in question never were legally in the em-ployment of the city and their employ-ment in their several capacities as had, was contrary to the mandatory provisions of the charter, which says that unless such employes are contracted with according to the prescribed forms and requirements. There shall be no employment, and there enally be no employment as conducting on the prescribed forms and requirements, there shall be no employment, and there enally be no employment as compared employes are contracted with according to the prescribed forms and requirements, there shall be no employment as compared and abovers was

A. That only about the average number of laborers was employed as compared with other years. B. That they rendered efficient service in the usual and ordinary status of laborers in their several capacities, and C. That these services rendered were necessary to the city, and to the health, convenience and weifare thereof. S. It was known to the relator as a citizen, that the charter provisions in question, had not been complied with. After the allowance of the bills, it, the fact of allowance, was personally known to the relator, in time for an appeal, but none was taken, and the time for a tax payer's appeal expired without action. I take it for granted without further investigation, that the appeal in such cases is from the allowance, and not from the ordering of the warrant. No application was made to the courts to require of the officers charged with the charter duties in question, that they pro-ceed under the newly imposed terms, which was a remedy immediate in its nature and of ample avail.

of ample avail. 4. None of the respondents are charged

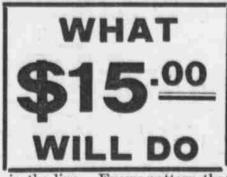
VISITORS TO THE AK-SAR-BEN

And there will be thousands of them in town today, are invited to look through this store and inspect the hundreds upon hundreds of the new things displayed for the autumn season. They can easily spend an educational hour or two. You are earnestly requested to make this your home while in the city.

We simply want you to consider our store your headquarters, and you will find every modern convenience.

We shall be most happy to serve you and contribute to your pleasure.

IN OUR MEN'S CLOTHING SECTION YOU WILL NOTICE GREAT ACTIVITY THERE TODAY.



Commonplace custom tailors' work doesn't compare in excellence with the fashionable Fall Suits, Topcoats and Raincoats made to our special order to sell at \$15. Much hand-tailoring selected woolens, in the popular grays, the new green mixtures and handsome dark effects, close attention to every detail of finish and correct styles, of course, make these the peer of all medium-priced garments sold in Omaha. Handsome Scotch mixtures, unfinished worsteds and other popular worsted weaves, fine cheviots and all the other good cloths are represented

in the line. Every pattern that conforms to the ideas of discriminating dressers. Topcoats and Raincoats at \$15 are fine enough for fashionable functions and admirable for everyday wear-such garments as sell at \$20 elsewhere.

Finer suits and Overgarments for those who want them at prices up to \$36.00.



AT THE PLAY HOUSES.

here so late Monday afternoon, on accoun

of a wreck, that they were unable to pre

to hear the much-talked-of "Resurrection"

had to console themselves with the though

they had the opportunity of hearing Mme

Gina Ciaparelli and M. Albert Quesnel

has a singularly clear soprano voice

trumpet solo by Signor Bottega, Gounod's

"Ave Maria." He responded to an encore

with the intermezzo from "Cavalleria

were selections from "I Pagilacci," Men-

"Minuet." Sorrentino's "Great Western

March" proved a popular plece. The second

part of the program was devoted to pop-

Banda Rossa at the Auditorium.

LONDON VERSUS GAY PARIS Charles J. Greene Compares Two Great Centers of Europe. DRINKING MOST RAMPANT IN FORMER

Epicurus Reigns Supreme in the French Capital-Chamberlain-

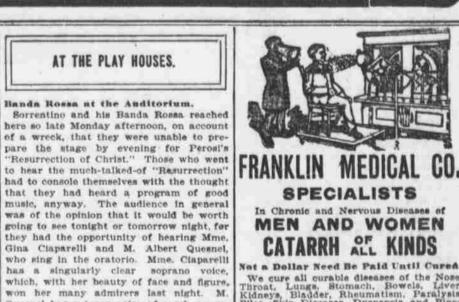
ism Not Gaining Ground in England, He Says.

Mr. and Mrs. C. J. Greene have returned from a summer spent in Europe, principally in England and France.

"While in Oxford I visited with Robert P. Porter, now one of the editors of the London Times, an expert on the tariff question from his training received Quesnel has a tenor voice of much power in the United States," said Mr. Greene. 'He established the census bureau of the United States under President McKinley and fixed the tariff bill for Porto Rico and other provinces after the Spanish-American war. I talked with him about the Chamberlain propaganda and be said it was doubtful if a tariff would be ap-Rusticana." Among the other numbers plicable to present English conditions. Chamberlain is not making much headway. delssohn's "Spring Song" and Paderewski's "Rural England is the most perfect spot

on earth and all of the people seemed to be doing well. King Edward is recognized as a most popular and tactful ruler.

ular music. "London is a great overwhelming. The band arrived here in the afternoor mysterious affair, where you may come in to give the advertised program. It was contact with almost any phase of life. What struck me the most forcibly was the



We cure all ourable diseases of the Nose, Throat, Lungs, Stomach, Bowels, Liver, Kidneys, Bladder, Rheumatism, Paralysis, Piles, Skin Diseases, Dyspepsis and Blood Poison of all kinds. Call or write for booklet. We make no charge for examination. Office hours, 10 to 4; Sundays, 10 to 12, nights 7 to 8. Room 203 Karbach Block, Omaha. They sang last night the "Miserere" from Beside the duet perhaps the most applauded number on the program was a



almost entirely popular music, there being Will sell excursion tickets October 7 and 21, De

KANSAS.

cember 5 and 19, to points in

said President Wadsworth. "The well conducted small colleges generally have better instructors than the tutors in the underversities and the young man who takes



FUR NECKWEAR AND MUFFS

UMAS FILS has a man in one of his plays say, "All women look well in furs.' He may have meant any sort of furs, but when the man says it in the play he slips on the woman's shoulders a piece of fur neckwear something of the style of the Gordon & Ferguson scarf shown in this picture.

Gordon Furs are made into neckwear and muffs in many styles and sizes.

In many sorts of furs. Most women have a decided idea of their own as to the fur best suited to their style.

If you are in doubt, then Mink is the best fur to settle on this season.

Mink has a right to its vogue;-no fur more durable and serviceable, no fur more beautiful.

Ask your dealer for **GORDON FURS**

Albert Broackhacker pleaded guilty be-fore Judge Day Monday afternoon to keep-ing a gambling device, better known as a slot machine, and was fined \$50 and costs, which he paid. Correct quality goods, lowest prices-at Huberman's, jeweler, cor. 13th and Douglas. The "Kiltles" are coming.

E. D. Keck, voice teacher, Davidge Bldg. Mortality Statistics. The following births and deaths have been reported to the Board of Health dur-ing the forty-eight hours ending at noon Monday:

OMAHA MEN AND THEIR HOBBIES

which he paid. The Omaha Eléctric Light and Power company has brought suit in the United States circuit court against the Maryland Casualty company of Baltimore for a bal-ance of \$6,40.40 and interest from July 21, 1905, claimed to be due from the accidental death of one James R. Dent. an employe of the plaintiff. The defendants file a counter motion asking that the petition bo made more specific. The case is trans-ferred from the district court of Douglas county. Monday: Births-John Rezek, 2511 South Thirtieth, twin girls; Joe Daher, 1825 South Thir-teenth, boy: Earle R. Stlics, 1139 South unty

DISTILLED

JOHN DOE-Keeping Cool.

VATER

We a remeay minediate in its interfer and of a major and its is a server in this is the faith is steps of employment. The initial steps of employment. The initial steps are upont to be approval of appointment and thing the council as reverting back to the time when the testimony is to the approval of appointment and thing the compensation should have been duip have the working people of course in the severally their individual bilits in the working seen whole that the approval of appointments and the size people of the thing were severally their individual bilits in the working seen whole that the equitable arm of the court is severally their individual bilits in the probably is no place where authority is in yatterial.
6. Undar these conditions should the name the approval of the April and May pay rolis in question if is defined not of the failure future of the tail. It would on the form of the albor performed, and no mercenary or the abor performed, and no mercenary or the making good of a treasary fund deplete by the wrong is one against the labor performed, and no mercenary or the abor performed, and no mercenary or the making good of a treasary fund deplete the the second were the tail there the the abor claims in the the test.
While the results shad its full benefit to the abor claims in the test.
While the and the trial the test the test.
While the and the test that the abor claims in the test.
While the any of the m

There of duty as well as against the let-ter of duty. Here if the list of employes had been sent to the mayor and council by the Board of Public Works on the second day of April and approved, and the same rate of com-pensation fixed as was finally allowed, then the same services would have been pcr-formed by the same men as are known to the record now and it would have been un-doubtedly approved. Mandamus would have compelled the line of duty worked out by the charter provisions if seasonably in-veked. On the whole I cannot see that absence of good faith or injury to the city that will admit the equitable order prayed for. The ruling prayed for is denied and the petition of the plaintiff diamissed.

CITY OFFICERS ARE GRATIFIED

Express Pleasure at Outcome of the Case.

Councilmen and other city officers concerned in the Cathers' suit to collect \$15,000 on their bonds were feeling highly pleased Monday morning over the news that Judge Sears had decided the case in

their favor. Officers who happen to be business men, needing money in their operations, were the most elated, as they have hard work effecting loans since the suit was begun. They profess to regard the appeal to the supreme court with little apprehension.

Councilman Zimman tried to collect a \$5 hat from Cathers' on the strength of wager regarding the outcome of the suit. Cathers would not pay the bet on the theory that he would not lose until the supreme court had passed on the decision. limman contends the bet had to do with Judge Bears' decision and only went that far. He did not get his hat, however.

Chamberlain's Colle, Cholera and Diarrhoon Remedy Never Disappoints.

Twenty years ago Mr. Geo. W. Brock discovered that Chamberlain's Colle, Cholera and Diarrhoea Remedy was a quick and safe cure for bowel complaints. "During all of these years," he says, "I have used it and recommended it many times and the results have never yet disappointed me." Mr. Brock is publisher of the Aberdeen, Md., Enterprise. This is the universal experience of all who rely upon this remedy. It can always be depended upon, even the most severe and dangerous cases. It is equally valuable for the children and adults. When reduced with water and sweetened it is pleasant to take.

Song-The Sweetest Story Ever Told. Solo Baritone, Sig. A. Ladato. Grand Selection from 'La Gloconda'

Bugbee

'Il Trovatore."

Chorus Dance of the Hours and Galop Finale.

PART II. (Rag Time and Popular Music.) Medicy March-Teasing VonTilzer Sciention-Babes in Toyland ... Herbert (a) March and Two Step-Yankee Girl.

-La Cieca from "La

PART IL. The Resurrection of Christ. Terrible Disaster Averted.

Card of Thanks.

We wish to express our thanks to our

friends and neighbors, especially the

FRED L BUGBEE AND FAMILY.

2-K wedding rings. Edholm, jeweler,

Marriage Licenses.

The following have been granted marriage

Joseph H. Holubon, South Omaha... Frances Mundie, South Omaha......

by Sterman & McConnell Drug Co.

(b) Panamericana Quartet from "Il Rigoletto" March and Two-Step-Alexander EVENING-PART I.

"Electric March" Overture-Mignon "Album Leaf" omanza

Romanza-La Ponchielli conda" Ponchielli March of the Knights of the Holy Grail, from "Parsifal" Wagner Grand Selection from "Andrea Chepler" Giordanc

velt seemed to be considered quite an important factor in the situation and received a great deal of commendation and whatever one may think of the facts the impression generally is that President Roosevelt has grown abroad.

"While in Paris there were nearly forty people from this locality and we could not go on the boulevards without encountering people whom we knew. Paris is a city of shopkeepers and is thronged with English speaking people. The French seem to get great enjoyment out of the simpler things of life, the inexpensive pleasures and they are generally quite frugal. Ten per cent of your expenses abroad are in the nature

of tips which are necessary to receive any attention from the servants. Paris is. more democratic in spirit than any place on earth."

Nathan C. Dudly, Council Bluffs., Eva B. Crow, South Omaha...... James B. Palmer, South Omaha...... Sarah A. Wolf, South Omaha..... A. B. Hubermann. Diamonds, own Imp. James B. Fowler, Telamah Eva Patterson, Ruth, Ark.

The "Kilties" are coming.

Ten-Thousand-Dollar Flat.

Ernest Lindquist, Omaha. Ellen Carlson, Omaha. A \$10,000 brick flat at Twenty-sixth and Harney streets is being built by Hastings & Heyden for B. D. Shorbondy, a clerk in the railway mail service. The demand for flats of four and five rooms is shown by the fact that the whole building has been rented before the foundation is finished. Charles H. Amos, Sloux City. Estella M. Hart, Chicago..... Ernest Wernher, New York City. Jessie M. Meuers, Omaha William Christensen, Omaha..... Carolina W. Grierhagen, Omaha



pure. The critical ordeal through which the expectant mother must pass, however, is so fraught with dread, pain, suffering and danger, that the very thought of it fills her with apprehension and hornor. There is no necessity for the reproduction of life to be either painful or dangerous. The use of Mother's Friend so prepares the system for the coming event that it is safely passed without any danger. This

great and wonderful appliedexternally, and Mother's

of women through the trying crisis without suffering. Send for free book containing information of priceless value to all expectant mother; The Bradfield Regulator Co., Atlasta, ca.

but one or two selections from the operas, "The Resurrection of Christ, known as an elaborate scenic productio as well as a sublime oratorio, will be given tonight and Wednesday night. Following is the program for today:

OKLAHOMA, INDIAN TERRITORY, ARKANSAS, MISSOURI, TEXAS, NEW MEXICO AFTERNOON-PART I.

Stult

Herbe Verd

VonTilze

Sorrenting Thomas Wagner Gio-

AT 75 PER CENT OF ONE WAY RATE FOR ROUND TRIP WITH MINIMUM OF \$10.00. orrentin

> Return limit 21 days from date of sale; liberal stop-over privileges.

EASTERN COLORADO,

An excellent opportunity for parties seeking new locations to personally investigate conditions in above territory at small expense.

For descriptive literature and other information address

F. P. RUTHERFORD, D. P. A. 1823 Farnam St., Omaha, Neb.

38,000 Acres of Capitol The terrible disaster of nervous breakdown, caused by dyspesia, is averted by Electric Bitters, 50c; guaranteed. For sale **Building Lands**

In McPherson, Edmunds, Faulk, Potter and Hyde countles,' in South Dakota, will school children, for their kindness during the sickness and death of Florence Anna be sold at public auction to the highest bidder. For particulars, if interested, relative to descriptions, appraisement, terma date and place of sale, apply to this department.

C, J. BACH,

ommissioner of School and Public Lands PIERRE, SO. DAKOTA.



SCHOOLS AND COLLEGES

