Apollinaris

"The Queen of Table Waters"

argument to the effect that the law remitting a robbbry is unconstitutional.

Mr. Yelser's contention is that the commission of the word "amend" from the title of the act codifying the laws of the state in 1873 made unconstitutional changes in the law made by the compiler without the knowledge of the legislature. One of the sections changed was the one under which Pumphrey and Clarke were convicted. The letter to Governor Sheldon is

Brown Fixed Up Everything. In 1872 Guy A. Brown was appointed a commissioner to codify our laws, and amend them where inconsistent, but as he states in the preface of the statutes of 1873 there was not time chaough in the short forty days session of 1873 to go over his manuscripts, so the legislature threw this work away, and passed an act authorizing him to simply compile without amendment, excepting to change the word "Territory" where it occurred to the word "State."

At this session, when the air of the legislature was saturated with the idea of systematizing and bringing our laws out of chaos. Mr. Warren presented this biff, entitled: "An Act to Establish a Criminal control of the department for about twenty years and has a good record. He was warned that repetition of charges word result in dismissal.

T. F. Gaffey resigned as police officer. Charges were preferred against Officer A. H. Jackson, it being alleged that he was found playing cards at a saloon at SiP North Sixteenth street after 12 o'clock Saturday night. He is also charged with falling to have the saloon closed according to the word of the course of

VEISER MAY SAVE CLARKE

Code." and under this narrow title runs in several amendments which deceived the several amendments which deceived the several amendment which deceived the several amendment which deceived the several amendment as it reads, any dector who prescribes a polson that ever decidentally kills the patient. Is guilty of murder in the first depend does not enter into the prescribes of the sauther effect in the patient of the statutes referred the very decidentally kills the patient, is guilty of the Lawra as "Codiffer" and will use the Argument to Pumphrey Case.

Asserting that the hanging of Harrison Clarke he as much authorized as the hanging of Lorie R. Hisgine by a mob at Banceroft, John O. Feiser has written to dovernor sheldon attacking the constitution ally of the law under which Clarke and convicted and sentenced to death. Veiser is autorea for the law, do Lorie Hisgins.

Clarke for haw under which Clarke was convicted and sentenced to death. Veiser is autorea for charse Pumphrey, death and the hange of the law under which Clarke is autorea for the law under the same law and he will raise the sonatifution aluestion where he takes the Pumphrey case, and he pumphrey case, and he pumphrey case, and he pumphrey case, and he repurphrey case to the supreme court. Mr. Taiser is opposed to capital punishment, but his letter is entirely directed to an argument to the effect that the law relating to the crime of murder while committing a robbery is unconstitutional.

Passed Examination Successfully. James Donahue, New Britain, Conn., "I tried several kidney remedies, and was treated by our best physicians for diabetes, but did not improve until I took the end a more satisfactory understanding Foley's Kidney Cure. After the second was reached with regard to the matter bottle I showed improvement, and five than had before been brought about. bottles cured me completely. I have since Charales C. Cope of the Omaha Printing passed a rigid examination for life insurance." Foley's Ridney Cure cures backache and all forms of kidney and bladder trouble. For sale by all druggists.

Letter on Marder Cases.

OMAHA, Neb. Dec. 16—Governor George L. Sheidon, Láncoin, Neb.; Dear Sir-Haw with a serifully grammined the statutes under with the convent of the company of the convicted, and helieving the same to be unconstitutional to the eatent it makes a lilling without mailee in the commission and convex murder in the first degree, convicted under the same law, and may be hung nest reduced the same law, and may be hung nest reduced to the same law, and may be hung nest reduced to the same law, and may be hung nest reduced to the same law, and may be hung nest reduced to the same law, and may be hung nest reduced to the same law, and may be hung nest reduced to the same law, and may be hung nest reduced to the same law, and may be hung nest reduced to the same law, and may be hung nest reduced to the same law, and may be hung law and the reduced to the same law, and may be hung nest reduced to the same law, and may be hung law and the reduced to the same law, and may be hung, law unconstitutional as any law eyer so declared by the supreme court.

The board devoted the greater part of law the supreme court.

The board devoted the greater part of law the supreme court.

The board devoted the greater part of law fine to the same law, and may be hung law to the same law, and may be hung law to the same law, and may be hung nest to the same law, and may be hung nest to describe the present law and the original committee on buildings and ground committee and the contract of the company on each was about 50 of the large desks and the other profit of the company on each was about 50 of the large desks and the other profit of the company on each was about 50 of the large desks and the other profit of the co

the following: 'An Act to Amend and missed in one case he was charged with L street to the city limits on the north. A Codify the Laws," etc. being intoxicated, while in uniform and in another with being late for duty. Cuff has

AFFAIRS AT SOUTH OMAHA foreman. Swanson was working between the rails and when the train crew "kicked" Council Reconsiders and Amends the Q Street Viaduct Ordinance.

STREET RAILWAY WILL CONTEST Company Officials Announce it Will third and Vinton streets this afternoon at

Pay No License for Operating Its Story of Neglected Wife. Cars Over the Structure

The city council voted to reconsider the Twenty-third and P streets. Holsman has ection taken on the West Q street viaduct been loafing about the city and neglecting ordinance and to refer it to the council his wife, who needs protection more than emmittee on viaduots, streets and alleys ever just at this time. He was arrested for amendments. This action prevented the for assaulting a defenseless old man on expected veto of the mayor, which would the street. He is serving a ten-day have caused the action on the ordinance sentence for that offense. His wife told o be begun entirely anew. When so re- her story to the officers yesterday more ferred the committee submitted a report ing in the Jali.

Yards company and the Union Pacific by

the assent of W. Scott King, who was The furniture jangle came up for a long and somewhat heated discussion, but at company was present and explained the prices charged and told why the items were all larger than the bids offered. It is explained from the fact that the council ommittee on buildings and grounds after

number of bills were allowed. The report of the police court was received and the report of the city mest inspector. The mayor recommended the location of ten new fire hydrants, as the funds in the treasury warranted the expenditure. The Omaha Water company presented its semi-annual bill for city water, amounting for fire hydrants \$6,960.18 and for "annuity hydrants" \$2,160. This last item is balanced by the royalty which the company pays

his property in the grading of Missouri avenue near Eighteenth street. The treasurer submitted his monthly re-

E. R. Leigh gave notice of damages to

the city, amounting to about \$2,500.

The claim of John Jackman was referred to the city attorney. Jackman claims damages amounting to \$10,000.

The city council adjourned for one week It sits today and tomorrow as a board of equalization on the special assessment on Missouri avenue for paving of the street.

County Commissioners Meeting. The thirteenth annual session of the Nebraska Association of County Commissioners will convene in South Omaha at 10 a.m. They will be in session for three days. The sessions will be held at the Angient Order of United Workmen's temple at Twenty-fifth and M streets. The entertainment committee expects about 300 delegates. The convention was arranged for South Omaha last year through the efforts of P. J. Trainer, the commissioner from South Omaha. All of the sessions of the convention, unless extra sessions are called, will be held during the forenoon, beginning at 16 o'clock. The program is as follows:

Tuesday, December 19—Address of welcome. Thomas Hoctor, mayor of South Omaha; response. P. J. Hennedy, president Commissioners and Supervisors' association; reports of officers: reports of commissioner and Supervisors' association; reports of officers: reports of commissioner Cass county; "Recent Legislation of Interest to County Boards."

W. G. Ure, commissioner Deug'as county; "Recent Legislation of Interest to County Boards."

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W. G. Ure, commissioner Deug'as county; "Recent Legislation of Interest to County Boards."

Heuston, county clerk Jefferson county.

Wednesday, December H.— "Detention School and Its Work," M. J. Keanard, commissioner Douglas county; "Poor Farm Management," John Hinton, commissioner Richardson county; address. A. W. Jefferig, attorney, Omaha; "Drainage and Benefits Derived from Same," A. M. Anderson, commissioner Burt county; "Road Drags and the Use of Same," H. Woodford, commissioner Thayer county; "Permanent Roads and Inheritance Tax," P. J. Trainor, commissioner Thayer county; "Permanent Roads and Inheritance Tax," P. J. Trainor, commissioner Douglas county: address, C. A. Goas, United States district attorney," Thursday, December 12—"Should Members of County Boards be Pald Graduated Salary," B. M. Simms; "General Good of Commissioners and Supervisors' Association," Pred Bruning, commissioner Douglas county; "Needed Legislation," D. W. Mosely, commissioner Lancas er county; Peter Campbell, commissioner Saunders county; Joseph Owens, cormpissioner Buffalo county; election of officers; selection of next mestine place for sesculation."

Ne Blame for Swanson's Death. will be held during the forenoon, beginning at 10 o'clock. The program is as follows:

No Blame for Swanson's Death. Coroner Brailey held an inquest over the body of Nels Swanson yesterday morning. The testimony of the section crew developed the fact that no one could be held accountable for the accident. The men were working behind a string of freight cars and knew that the train crew cheek bones, for instance, makes a fright was working on the other sha of the line, of herself if she attempts a Psyche knot The foreman of the section crew, John instead of a graceful, high hair dressing Sund, warned Swanson and the others to well forward on the headbe careful a few minutes before the acci-When working in places of that kind the section men always have depended on their own watchfuluess for safety, according to the testimony of the

invaluable to sufferers from asthma, bronchitis or throat

cars in on the siding the momentum was great enough to move the car behind him suddenly and he was caught unawares. Three cars passed over him. This happened Saturday morning at about 8 o'clock. The Jury brought in a verdict finding ar

inavoidable accident the cause of the death. The funeral will be held at the Swedish Lutheran church at Twenty-

Another case of alleged conjugal negect was brought to light yesterday morning with the arrest of Harry Holaman

A BOTTLE OF CHOICE WINE with a \$2.50 purchase; with a \$3 purchase and over, one of our handsome decorated calendars-an ornament for your home. J. Klein, Family Liquor Dealer, 26th and N Str. Beer and alcohol excepted

Magie. City Gossip. Isaac Levy has gone on a visit to Nor-folk, Va. He will be away for nearly a month.

H. H. King reported yesterday that his saloon had been entered and a quantity of liquor taken. Harry Buford and Mr. and Mrs. McKinley C. Booker will be given their preliminary trial Thursday afternoon.

Rev. Ralph W. Livers and wife are rejoicing in the birth of a fine, strong boy, their near Christmas gift, Free for Kmas, Until December 15 one ife-size picture given with one dozen best photos at Petersen's studio.

The Board of Fire and Police commissioners will meet Wednesday evening to continue the hearing of Peter Hansen.

The Willing Workers of the Christian church will hold a bazar at the Scargo block at Twenty-fourth and M streets December 15 and 20.

Just received a new line of rold and

Just received, a new line of gold and silver-mounted umbrellas for ladies and gentlemen. Call in and look them over. Sandwall, the jeweler, 304 N street. The place of the bagar to be held by St. Edward's mission has been changed to the Scarge block, just north of the postoffice building. The date is Friday, December 13 The Polish National society of Kazimir Pulaski held its annual election of officers at St. Francis church Sunday afternoon. Stanislaus Wawrsynklowicz was elected president, Joseph Strzeiecki, vice president, Joseph F. Mader, recording secretary, and P. P. Wezniak, treasurer.

RETRENCHMENT IS URGED Engineer and Street Commissioner Instructed to "Get Together"

for Sake of Economy.

For two hours Monday afternoon the city council, mostly as a committee of the whole, wrestled with a problem in economy and the matter was left where it was found as far as the council was concerned, while City Engineer Resewater and Street Commissioner Flynn were advised to get together and see if they could not com-bine certain phases of their work in a way to reduce expenses.

The attitude of a majority of the council seemed to be voiced by Mr. Funkhouser when he said: "We can economize, but how? By wiping out the street commissioner's department altogether. I will not vote to abolish Mr. Flynn's office."

The matter came up on the resolution of Mr. Zimman, calling for a conference between the councilmen. Commissioner Flynn and Engineer Rosewater, looking to a reduction of expenses, Mr. Rosewater briefly reviewed the incidenta leading up to a division between the engineering departand then said that he believed it the duty of all city officials and employes to cooperate in improving the service and reducing expenses. He said that he was willing to pay from his funds the salaries of all employes whose work could be combined in the two departments without reducing the efficiency of the service. He declared that at no time had he permitted his office to be used for political purposes.

It was then suggested that Engineer Rosewater permit the street repair department to pass from his care to the street commissioner. To this he objected, saying that the charter of the city, by which both he and the council are bound, places upon him the duty of making street repairs, and that he could not, in justice to himself. turn the work over to another.

Mr. Zimman declared that the statements of interested parties showed that expenses could be reduced. Later he said that he would introduce ordinances covering the points. The council asked the engineer and commissioner to "get together" on some plan and report to the council.

The council recommended the employment of an assistant boiler inspector after January 1. The boiler inspector was given autherity to buy a new steam gauge tester at a cost of \$100.

A warm fight developed over the street sales ordinances. There are three of them, one by Mr. Brucker, absolutely abolishing the sale of lunches from wagons and booths standing on streets; one by the same ouncilman restricting the area where push carts can be used, and one by Mr. Zimman prohibiting transient salesmen and showmen from operating in the city. The real fight came up on the ordinance to abolish lunch wagons, Z. T. Lindsey and F. El Sanborn from a committee of the Commercial club appeared in favor of the ordinance. Mr. Zimman and Mr. Funkhouser spoke against the measure, the latter declaring that it violated the principle of the golden rule and the former saying that the lunch wagons provided means of living for a large number of famflies. At his suggestion the roll was called on the motion to recommend the ordinance for passage. The vote stood: For-Hansen, McGovern, Elisasser, Bedford, Brucker, Johnson. Against-Bridges, Zimman, Jackson, Davis, Funkhouser. The amendment to the sign ordinance

was passed for a week in spite of the appeal of Mr. Bridges. James C. Lindsay and J. H. McCague, a emmittee from the Board of Education, asked that in placing the new fire house near Twenty-fourth and Ames avenue the council place it so far from the Saratoga thoel that it would not further congest traffic at that point.

The gas com of absence to attend a meeting of scientists in Chicago, and 850 voted for his expenses.

The arrangement of the hair is very important, so as to make a good facial angle. A woman with a broad face and heavy

Notes About Women. Miss Theresa S. Haley, one of South Roston's preity young women, has received an appointment under the national government to a position as an investigator of woman and child labor in the United States and its dependencies. During the last two years she has been connected with settlement work in her home city and is a graduate of Radeliffe college.



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at little expense; it keeps you up to date with every kind of music by the purchase of new Records, and it gives you a means of entertaining your friends and neighbors, all of which combined make the home the most delightful spot on earth. A small sum invested in an Edison Phonograph will do this.

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At the Theaters

Vaudeville at the Burwood. The bill which opened at the Burwood yesterday is the best that has been seen there for a long time. There is not a dry act in the entire performance, and there are two or three topnotchers. "Mysticus, Mary Y. Quackenbos of Louisiana has been appointed a special assistant to the attorney general and has been assigned to the investigation of peonage cases in that state. Mrs. Quackenbos for some time has been employed by the attorney general in obtaining swidence in peonage cases in the south, and her present appointment is intended as an official recognition of her services. the English human chameleon, has a novel

Grandpa and the Two Bad Boys," are clever as well as amusing. Lillian Reid presents a musical act, with her company and the aid of some pretty scenes and her own person and voice, of remarkable beauty and great range. With the moving pictures and the illustrated songs the bill pleased large audiences yesterday.

Sterling silver-FRENZER, 15th & Dodge.

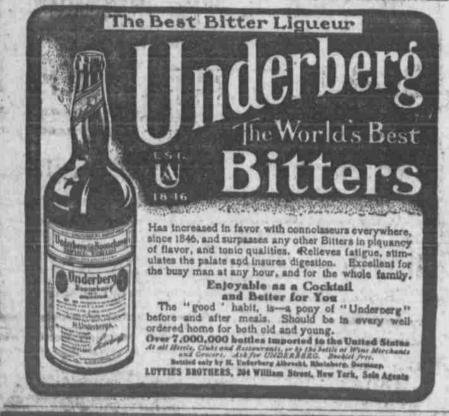
Bailway Nores and Personals. H. C. Matrau, for thirty years station agent of the Northwestern road at Norfolk, has resigned to go into the coal and lumber business.

Ing part. Junes B. Donovan and Rega Arnold presented "Doing Welt, Thank You." It is a bit of laughter-provoking nonsense. Mathleen Devoic does some clever paper tearing in many intricate designs. The Per Graw Trio, comedy acrobats, giving "Foxy" instead of 8 a. m.

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restored to health and strength, with men-tal and physical powers complete tonsult at once the reliable, skillful, experienced and successful specialists of the State Medical Institute. Get the right treatment first and be cured promptly, safely and thoroughly. We make a thorough, search-ing and scientific physical examination that discloses the sufferer's condition and treat each case according to its special requirements. We become thoroughly con-versant with all the climate details and know exactly what we can do and promise nothing more. We are not obliged to re-sort to experiments.



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