THE OMAHA SUNDAY BEE, FEBRUARY 9, 1908

## fees settles the only controversy in the **BIG FEES TO OMAHALAWYERS** estate since the distribution of the property was agreed on by a stipulation filed Thurs-

against them.

Woolworth Leads List.

Gets Seventy-Five Thousand from Government in Union Pacific Case -Creighton Estate Produces Some Honanzas.

Other large fees have been secured by Creighton and John A. McShane, two of Omaha attorneys in years past aside from the excentors, was fixed at \$3,800. There the \$45,000 fee granted Judge W. D. Mc- were no other contests. though Judge, McHugh's fee is one of the the Creighton settlement on the grounds it portation companies to weigh the cars Hugh by County Judge Leslie on Saturday, Inrgest recorded.

The largest fee known to have been received by an Omaha attorney was \$100.000. missioners Saturday by a communication paid to the late James M. Woolworth for signed by Deputy County Attorney Will J. club flied a complaint before the State State Coad. Mr. Coad asked the board for inof what is known as the famous Davis structions as to the course the county at- sarding the law brought out in the testiwill case of Montana, some ten years ago. torney should take.

Mr. Woolworth was one of the "big" law- In his communication he says if the disyers of a few years ago and received a tribution of the estate had been made ac- which cuts down profits and keeps the number of large fees, several of which cording to the terms of the will as interamounted to \$25,000 each, for cases for the preted by the Catholic institutions the called the attention of dealers throughout Burlington railway, that company invari- county would have received about \$194,000 ably securing his services when it had an as the inheritance tax. Under the comespecially important case for trial. At one promise stipulation under which the estate time Mr. Woolworth was president of the will be distributed the tax will amount to guired them to weigh the cars on demand American Bar association. Robert G. about \$155,000. The difference comes from and the payment by the dealer of a Ingersol was associated with him in the the fact that the compromise money which would have gone to the charitable institu-Davis will case Next to the Woolworth fee, that received tions will go to the unnamed heirs. The

by John C. Cowin in the foreclosure pro- tax on bequests to institutions is taxed at coordings of the United States government a much higher rate than those to rela- an order to weigh the cars, and if, when egainst the Union Pacific Railway company tives. in 1895 or 1896 holds rank. General Cowin Mr. Coad said the vital question would was the attorney for the government in be whether the institutions could be taxed that he could have the coal weighed at

the second foreclosure proceedings and was on the full value of their bequests when they did not receive all of it, having reaccorded a fee of \$75,000. Another \$45,000 fee was secured by Charles nounced a part of it in order to effect a B. Keller a few years ago in suits brought | compromise.

to set aside a deed repudiated by the purchasers of the Douglas county poor farm. It was the duty of the county attorney purchasers repudiated the deed and Mr. was a matter of policy for the commis-Keller recovered from the county the money sloners to decide. No action was taken which had been paid on the purchase price, Saturday, but the communication was resome \$160,000.

The \$45,000 fee which Judge McHugh will PLAN TO CARRY ON PAVING receive for acting for the executors of the Count Creighton estate is not the only large fee accruing from the settlement of the count's estate. Arthur C. and Eleaser Wakeley, G. W. Doane, W. H. DeFrance hospital, also receives a fee, it is said, far they see fit. covered some of the largest personal in- that the estimated cost of intersections on jury cases in Omaha, receiving a fee of streets paved by ordinances, but upon which about \$10,000 a year ago in a personal injury bids had not been received, would amount suit against the Union Pacific in which to \$8,355, which, added to the shortage of \$25,000 was recovered.

fee amounting to something over shortage of \$21.935 on streets already de-000 was paid R. S. Hall a few years signed to be paved. 2009 was paid R. S. Han a rew years Mr. McGovern has had a conversation estate. Eight years ago James H. Mc- with the city engineer and he says they Intosh received a fee of \$10,000 for winding have figured out where this scheme will up the tangled affairs of a defunct ma- relieve the difficulty by making a saving chinery concern. Mr. McIntosh has since to the city of about \$18,000. gone to New York, where he is general City Engineer Rosewater said in his recounsel for the New York Life Insurance port to the council at the last meeting:

day. The fee allowed to Judge McHugh One Hundred Thousand to James M. is \$15,000 less than he asked for. Friday he York Commercial Clubs Tells Them asked the court to allow him \$60,000. The unnamed beirs protested against the size of the fee and contended it should not be GENERAL COWIN COMES IN NEXT more than \$25,000. The executors also asked RAILROADS MUST STAND LOSS for \$60,000, asserting they had performed a

statutes for which they should be allowed Dealers Can Compel Them to Weigh umber of services not contemplated in the Cars on Arrival and Make Good extra compensation. Judge Leslie held the Shortage, Said to Be Heavy,

Friday afternoon the fee of W. F. Gurley, who represented the estate in the hearing of some claims filed by John D. Coal dealers of Nebraska have been roceiving carloads of coal short from one t

five tons fer a year since the Nebraska law went into effect requiring the trans-Whether or not the county will contest deprives the county of about \$38,600 in in- whenever asked to do so. Dealers heritance taxes was put up to the com-

would probably have continued to accept short cars had not the York Commercial

COAL DEALERS

of the Weighing Law.

WAKE UP.

To assist the dealers in saving the loss, price of coal higher, the York club has the state to the law. But all this time the railroads have kept

quiet and never binted that the law renominal fee.

Attorney Sedgwick of the York club asked a railroad official during the hearing of a recent complaint if he had received he had received hundreds of complaints of shortage, why he did not tell the receiver

the nearest division point. Railroad Officer Says Never.

The railroad traffic official replied that up to the time the complaint was filed he The commissioners declared they thought had never told anyone that the dealers

could have the cars weighed and hold the After the sale was made and when the to decide whether or not the contest should railroad company for the shortage just "bottom" dropped out of real estate the be started. The county attorney declared it the same as the receiver could on any class of merchandis That the coal dealers did not know that the law was on the books until the York

Commercial club brought it to their attention is shown by the fact that at a recent meeting of coal and lumber dealers in. Omaha, a resolution was offered asking the legislative committee to begin work on a bill providing for the weighing of coal at destination. At the annual meeting of the Jowa-Nebraska coal dealers, held in Sioux

Councilman McGovern thinks he has a solution for the shortage in funds for the City three years ago, the bill was framed and G. B. Keilar, representing the un-named heirs, who recovered some \$400,000 payment of paving intersections during the and was passed in Nebraska, but few coming summer. His idea is to cut off dealers knew of its existence, and so far from the estate, received a contingent fee, the list those intersections which the streets as known none took advantage of it. Five it is understood, of upward of \$25,000. T. J. to be paved make with the boulevards and dealers from York testified that they Mahoney, who secured \$1,350,000 for Creigh- to heave these intersections unpaved, to be never knew that the coal could be weighed, ton university and \$200,000 for St. Joseph's cared for by the park commissioners as and had filed many complaints because of short weight with the railroad companies. in excess of \$45,000. Mr. Mahoney has re- The report of the city engineer stated The loss through shortages has been so heavy that dealers are of the belief that

> the price of coal has been kept higher because of their inability to hold the rallroad companies for the loss in shipment. Many \$13,000 already in sight, would leave a total times from 1,000 to 10,000 pounds less would be found in the car on arrival than the weight marked on the bill of lading at the mines

## BRIDAL TOUR TO THE ORIENT

Miss Mary Beth Wallace Will Marry M. J. Brown of Chinese Imperial University.

counsel for the New York Life Insurance company.
 Other large fees, though smalled than these cited, have been paid attorneys of Omaha, and local attorneys sem to hold that the \$15,000 paid Judge McHugh for retiling the Creighton estate for the executors is not an unusual amount.
 FEES IN THE CREIGHTON ESTATE
 Perind University.

from the University of Nebraska in 1905.

after his graduation he went to Cornell

university, New York, to teach and con-

tinue hls research work and has been

there ever since. He is well known in the



## This Sale will eclipse all former ones. It will be the Banner Under-Muslin Sale of the Season!

A large part of these Undergarments will be sold for LESS THAN THE MATERIALS COST. An exceedingly fortunate purchase makes this possible. In addition we will offer about 1600 Manufacturers' Samples at LESS THAN HALF PRICE. You'll regret it for a year if you miss this GREAT SALE.

han sime according	ALL	WOMPING OUPMICES	WHITE BETTICOATS
CORSET COVERS CORSET COVERS—Of fine cam- bric, trimmed with lace and rib- bon, special values this sale	MUSLIN GOWNS MUSLIN GOWNS—Only 25 dozen in this lot, made to sell at 95c, this sale	women's chemises MUSLIN CHEMISES—Yoks trim- med with lace and embroidery, regular \$1.00 values, this sale	white petticoats white petticoats—Made of excellent quality of cambric, em- broidery flounce, our \$1.5 skirts, this sale
CORSET COVERS—Choice Lot made of fine cambries, trimmed with lace or embroidery, 25c 50c values, this sale	MUSLIN GOWNS—A splendid lot of gowns, cambric and nainsook, nicely trimmed, no better sold anywhere at \$1.00, 75c	NAINSOOK CHEMISES Full length, round yoke of lace em-	white petticoats—Fine cam brie, new style, trimmed wit lace or embroidery, 1.45
CORSET COVERS—Special lot elegantly trimmed with lace or 'embroidery, great values, 39c	MUSLIN GOWNS—A beautiful as- sortment at this price, finest ma- terials, handsomely trimmed, all \$1.50 values, 95c	women's DRAWERS—A special, made of good materials, finished with tucks, regular 50c values, this sale	WHITE PETTICOATS—In cam bric or nainsook, open embroid ery flounce of fine lace insertion regular \$3.00 Petticoat, <b>1.90</b>
CORSET COVERS — Handsomely trimmed with lace and embroid- ery, made of fine nainsook would be cheap at 75c, 45c	MUSLIN GOWNS—All high grade, mostly samples, beautifully trim- med, gowns in this lot worth \$2.50 and \$3.00, this sale		SPECIAL HIGH GRADE PETT COATS— All new samples, fines materials, beautiful full en broidery or lace flounce, Pett coats in this lot worth \$5.00, this sale2.90

Judge Leslie Allows McHugh \$45,000

of the Count Creighton estate Judge W. D. McHugh will receive \$45,000. This amount was allowed him Saturday morning County Judge Leslie, who declared it was the fair value of his services to the estate Judge Lealle refused to allow any extra fees to the three executors, John D. Creighton, John A. McShane and John A. Schenk. They will receive only the comthan \$13,000 each

alks on Teeth By Dr. E. R. L. Murphy Solid Beautiful

(Every tooth sets in its own socket). country intends to do with them," says C. a perfect set, upper and lower, of beautiful natural teeth, without using or- ters, having been gone from Omaha a dinary bridgework or partial plates.

We have been practicing this method for the past four years and a half and fact, the entire educated class, including can refer you to many pleased patients both in and out of the city. Our method of filling, crowning and re-enameling the teeth is by far the most natural method known to the dental profession. Here is a letter from a pleased pa-

tient who has had his work for some time. Please read it: Gladstone, N. Dakota, Sept. 24, '07,

Dr. E. R. L. Murphy, Omaha, Neb.

Dear Sir :--- The dental work you did for me has proven satisfactory and cannot be too highly praised. Yours Resp'y

(Signed) J. H. CALDWELL. We have all the patent appliances used in Alveolar Dentistry, and we guarantee that our work is the very highest class obtainable.

If you have lost nearly all your teeth, or are a victim of pyorrhea, and are threatened with a loss of all the rest, we will cure your gums and tighten your loose teeth. We can supply those you have lost

with the Alveolar Method. If you can come to our office, we

will examine your teeth without charge. If you cannot come now, send for our free book, "Alveolar Dentwhich explains the method in istry. detail.

Our charges are moderate-no higher than other first-class dentists would ask for the simpler forms of dentistry. We straighten teeth, cure loose eeth and tighten them-fill and crown teeth, and do all dental work pertain-

ing to the care of the teeth. We give a written guarantee on all our work.

DR. E. R. L. MURPHY 510 New York Life Building, Omaha, Neb.

nate some of these streets before proceed-ing further with the final action upon con-tracts and excentors \$35,500. For acting as attorney for the executors Imperial university. Mr. Brown is a son of Mr. and Mrs. O. L. Brown of Tecumseh and graduated

forred to the committee of the whole.

Scheme McGovern Proposes is to Leave

Boulevard Intersections for

Park Board.

ANOTHER RAID ON ARCADE specializing in chemistry. Immediately Daniel and Crawford Say They Will Close it Up Once

More. younger scientific circles and is a leader in Young Men's Christian association work. Martin's Arcade on Ninth street in the proscribed district is open again in spite After graduating from the high school mission provided in the statutes, which of the prolonged prosecution of the inmates Miss Wallace attended the University of will amount to about \$38,500, or a lit(le less and owner. Saturday about twenty of the Nebraska and for the last year has been cribs at the entrance were occupied though physical director of the Omaha High The order of Judge Leslie allowing the many of the rooms were empty. City school.

Prosecutor Daniel was busy Saturday but CRAWFORD MAY LOSE POWER he said action would be taken as soon as possible to close the place again. Police Judge Crawford said he intended to see If Ransom's Contention is Sustained that the place is kept closed. The women Police Judge Will Not Hear taken in a raid ten day ago were dis

State Cases. charged last Tuesday, while Harris, the rent collector, was fined. The judge in-Police Judge Crawford will have no juristimated that the inmates would not escape diction to hear state cases of any kind so easily if they were brought in again if the point raised by Attorney Frank T. after having had positive orders to keep Ransom in the David Rourke habeas corout of the place.

pus case before Judge Sears is held good by the court. Mr. Ransom contends the CUBA CLINGS TO UNCLE SAM section of the city charter forbidding the use of jurors in police court excludes the Does Not Want American Government hearing of state cases because state cases to Leave the Island, Says

can be heard only in courts in which provision is made for juries. The case was brought as a test of the

ventory.

"Refreshment" --

Manna

The most deliciously flavored flake

Be sure the food comes to the table

ctions on pkg., then it is delicious

Postum Cereal Co., Ltd., makers,

Large Family pkg., 15c.

Elijah's

With Cream?

ood made.

"The people of Cuba do not want the United States to pull out of the island, and Sunday closing crusade. If Mr. Ransom's all you hear in Havana is about what this position is sustained complaints for vlolating the Sunday closing law must be

By the use of our Alveolar Method E. Fanning, 1739 Park avenue, who refiled either in county court or before a of Dentistry we are able to give you turned Friday evening from Cuba, where justice of the peace. Judge Sears has taken he spent nearly a week on business matthe case under advisement. month.

Fanning.

FORTUNE OF DR. A. W. RILEY "Englishmen, Germans, Frenchmen, in Total of About Seventy-Five Thouthe educated Cubans, do not want the sand is Disclosed by the In-United States to leave them to the fanatical underclass Cubans, who they believe would Dr. A. W. Riley had \$17,921.15 on deposit soon secure control and place the island in the Merchants National bank and \$18,791

in a state of revolution in six months' more invested in local building and loan associations according to an inventory of Mr. Fanning, who is a contractor of pubthe estate filed in county court Saturday by Special Administrator Joseph Hayden. lic works, says that he never saw a city

better paved than the city of Havana. He also had three life insurance policies aggregating \$8,000. The inventory is of

PERSONAL PARAGRAPHS.

Don C. Van Dussen, editor of the Biair Pilot, was in Omaha Saturday. State Senator W. H. Ashton of Grand Island is a guest at the Paxton.

E. L. Fitzsimmons, L. L. Milady of Sloux criy listed he is said to have investment City, and Julius Person of Denver are at the Henshaw.

Conrad H. Young has gone to New York and Washington on a trip which will take him soveral days. Mrs. W. B. Roe of Lamro, S. D., Mrs. Fompkins, Mame Sternberg of Bassett and S. E. Solomon of Culbertson are at the Herchants.

W. H. Thompson, one of the leading lights of Nebraska democracy from Grand leand, is an Omaha visitor, a guest at the Paxton.

E. J. Hall of Grand Island, P. McHugh f Oakland, Dr. J. Lingenfelter of West 'oint and E. C. Randall of Boulder are at he Millard.

R. S. Richmond, Charles E. Nowmeyer, C. Thompson of Denver, L. A. Raymond f Lincoln and F. A. Weatherby of Syra-me are at the Rome.

D. Clem Deaver, superintendent of the homescekers' information bureau of the Burlington, is at Yuma, Ariz., attending the sessions of the irrigation congres.

J. P. McKeone of Hastings, H. C. Bibie of Holbrook, George Arlington of Sloux City, C. E. George of Lincoln and A. L. Law of St. Paul are at the Murray, crisp. When package is allowed to remain open the moisture of the air makes it tough. In such cases insist

Law of St. Paul are at the Murray, Mrs. F. M. B. O'Linn and daughter, Mrs. C. C. Smith of Chadrony, will leave Sunday for a trip to Los Angeles, where Mre. Smith goes for her health. They have been visiting for soveral days in Omaha. Mr. and Mrs. J. R. Stern of Portland, C. H. Hughes of Hastings Mrs. E. S. Clarke of Gretna, Mr. and Mrs. J. C. Robb of T. R. Horner of Pocatello and B. C. Hart of Basin, Wyo, are at the Paxton. that it be dried in an oven as per di-Battle Creek, Mich.



musical comedy.

and he needs little help.

cession of songs and dances with Richard

Carle sandwiched in between at frequent

Intervals. The scene is Inid in Paris and

its suburbs and there is a French flavor

to the play which is not entirely lost in

the process of its Americanization. It is

frivolous, without even a suggestion of a

serious love scene that sometimes breaks

the monotony of a purely American

The lines are bright and the music is tuneful, and further than this there is

an aggregation of pretty, dancers as is

rarely seen in a single company. The comedy work is left almost cotirely with

Mr. Carle as Ambrose Girdie, the old man

who becomes boylsh again through an in-

fusion of lamb's blood, and Miss Alles

Hageman, who takes the part of his wife,

Mr. Carlo is equal to anything that he

might be asked to do in the comedy line

CREIGHTON FOUNDERS' DAY

State Superintendent McBrien Principal Speaker of Occasion.

PUBLIC NEEDS CHURCH SCHOOL

Edward and Count John A. Creighton, Whose Generosity Made University Possible.

In his address at Creighton university hall Friday evening on the occasion of the draped with mourning emblems and on celebration of founder's day Superintendent J. L. McBrien of the Nebraska public schools system said:

ent J. L. McBrien of the Nebraska public schools system said: As an official representative of the state it gives me great pleasure to testify to the caviable record made by Creighton uni-versity in promoting the cause of education in Nebraska. The teacher's certificates granted by this university are of the same tenor and effect and give the holders thereof the same rights and privileges under the laws of the state as those that are granted by the University of Nebraska to its graduates. Ultra public school en-the recognition it has given church and private schools, and asks. "Why do we need the cluten school?" In the field of higher education we have three state in-stitutions, the University of Nebraska and the state normal schools at Peru and at Kearney. In these three institutions there are now in attendance nearly 4,000 etudents. All of these schools are taxed to their students. The state has gone as far as those friends of the public schools can induce it ogo in the privileges offered for higher education to the young men and women of Nebraska. property which has been turned over to the special administrator and is not final.

Equal in Capacity to State.

Rebraska.
Equal in Capacity to State.
We have twelve church and private schools recognized on the basis of the schools recognized on the basis of the private schools recognized on the basis of the private schools is with authority to srant the schools with authority to srant of the schools with authority to srant through the schools with the schurch schools there is now in attendance over 4.000 students. It is evident, therefore, that through the schools as much is being done for higher of the private schools as much is being done for higher of the public school system be so blind as to school in the field of higher education as the state is doing. In the field of higher education will receive the school in the field of higher education for the time of these schools is dependent of the time of these schools is dependent of the time of these schools is dependent in the public schools. There is sreat work for schools will be always one of the private schools. There is streat work for schools will be always one of the schools. There is sreat work for schools will be always one of the schools. There is the cause of education are be public or state schools. There is sreat work for schools will be always one of the schools to do in our output together for the cause of education are all our people.

## Tribute to Founders.

Mr. McBrien's centluding remarks were n euology of the great works for the cause of higher education performed by Edward and Count John A. Creighton in establishing this great irstitution. "Their fame is firmly established as the eternal hills."

said he, "and if I can say anything tonight that will inspire the young men who hear me to emulate the examples of these renowned characters in perseverance, selfreliance, courage, optimism, fortitude, integrity, industry and Christian philan-

thropy, I shall not have talked in vain." He also paid high tribute to the eminence and learning of President Dowling and others of Creighton university faculty and the sacrifices they were making to build Number of Others Pay Tribute to this institution to an even higher plane of usefulness.

The meeting was presided over by C. J. Smyth, an alumnus of the university. The spacious auditorium was crowded with many of the leading men and women of

Omaha. The room was appropriately the stage was a large bronze bust of Edward Creighton and a large portrait of Count John A. Creighton, around which

were grouped the national colors and the blue and white colors of the university. The first speaker of the evening was Judge Lee S. Estelle, who delivered an eloquent culogy upon the lives and achievements of Edward and Count John A. Creighton. The other speakers were: Dr. Foote of Creighton Medical college, Rev. P. A. McGovern, both of whom spoke in most eloquent terms of Edward and Count Creighton and the enduring monuments they had founded in Creighton university, Creighton School of Pharmacy, Creighton Dental college, Creighton Law school and St. Joseph's hospital that would endure

for all time. The Knights of Columbus quartet sang furing an interval of the speaking program and John Davidson sang a solo. The progreatest interest and both addresses and audience is ir. a rear of laughter. musical numbers were heartily applauded.

"The Making of a Millenium." Read it. the promissory stage. It is merely a suc-

At the Theaters

"The Spring Chicken" at the Boyd.

Richard Carle and company in "The Spring Chicken," a musical play adapted from Jaime and Duval's "Coquin de Printemps," by George Grossman, jr.; Americanized by Mr. Carle. The principals:

Gustave Babori, advocate.....Victor Morley Bonlface, his head clerk...Richard Ridgely Baron Papouche, his client. Sylvain Langious Felix, head waiter at the "Crimson But-terfly".......Sylvain Langiols Stephen-Henry, Girdle's son. Arthur Conras Dr. Brabason, a specialist...Abbott Adams Latitte, proprietor of the "Crimson But-terfly". terfl

More than ordinary credit should be my-Lou, Girdle's niece...Miss Amy Dalo given Miss Inez Bauer, whose graceful Clients of Babori-Mics Borta Mills dancing and agile clogging was encored ... Miss Burleigh Murray

Silvie Therese Friends of Felix-Clarice Cybele Celeate Teesa time after time by the audience. Mr. Morley's voice makes it necessary for him to retire in favor of an understudy in his

Miss Helen St. John Miss Rita Stanwood Miss Burlelsh Murray Miss Goldie Job Miss Edna Hoffman Miss Alice Hageman Richard Carle principal song, "Walting for a Certain Tessa Page Boy Artist's Model Mrs. Girdle Girl," one of the catchiest of the musical numbers. Mr. Langiois sings a song or two with good success and Miss Bageard Ambrose Girdle in a Spanish song and dance was well re-Whether it is his attenuated ungainlicolved. Mr. Carle's principal contribution ness or his unique drollery that con-tributes most to his ability to make fun. Lemon in the Garden of Love," and a Elchard Cavle can make it, and from the dust with Miss Bauer. In the first act he crowd that welcomed him at the Boyd sings "All the Girls Love Me," with a last night. Omaha folks evidently like his baker's dozen of pretty girls dancing the

brand. Mr. Carle's new play gives him characteristic dances of as many differample opportunity to occupy the center of ent nations, and won a number of enthe stage a good share of the time, and cores. Miss Hageman was very funny in gram throughout was listened to with the when he is there it is needless to say the a topical song that took well. The company as a whole is much above

The play itself starts out with a prom- the average and the chorus is unusually ise of a plot, but it hardly gets beyond pretty and active. All types of beauty are represented and the voices are good.



This wonderful natural blood purifier is bottled only at the Witter Springs, Lake County, California, Its action is truly marvelous. First, it effectively purifies the blood. It is an alkaline water and counteracts any sold that may be found in the stomach and intestines, immediately relieving flatulency, dyspepsia or sour stomach. Food which formerly caused indigestion, will digest with case, resulting in a permanent cure of chronic disorders of the stomach.

Witter Water likewise reaches the liver and kidneys allaying inflammation and restoring these organs to healthy kigorous action and by its diuretic effect, brings the liver and kidneys to a normal condition so that they perform their functions with regularity. Do not let yourself grow worse or fill your system with noxious drugs that destroy the stomach and nerves. Cure matural troubles by nature's own remedy. Stop Suffering | Order a Case From Your Druggist Today.

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