Council Bluffs.

Minor Mention.

The Council Bluffs office of The Omaha Bee is at 15 Scott Street. Both 'phones 43.

Davis, drugs.

Corrigans, undertakers. Phones 148.

FAUST BEER AT ROGERS' BUFFET.

Majestic ranges. P. C. De Vol H'dw. Co.

Picture framing, Jensen, Masonic temple.

Woodring Undertaking company. Tel. 239.

Lewis Cutler, funeral director. Phone 97.

See Borwick first for painting, 211 S. Main.

Schuster's and Storz' Malt Extract for sale by J. J. Kline Co., 162 Broadway.

Nellie Bender announces her china sale Monday, December 5 to 18. 146 Park Ave.

Miss Arkwright's china sale, Saturday, December 3 to December 10, 604 Myrtle St.

Charles Johnson, a former well-known freight train conductor on the Rock Island, died at Hickman, N. D., on Tuesday of typhoid fever. He was the son of Deputy Sheriff A. Johnson of Avoca.

Have your glasses fitted or repaired by J. W. Terry, optician, 41 Broadway, office with George Gerner.

Neat, up-to-date picture framing at reasonable prices. We please our customers. Walter Nicholaisen & Co., 14 S. Main.

Pictures and picture framing for Xmas trade is our long suit. We please everybody. Bring your pictures in now. We can lay them aside for you. C. Jensen, Masonic temple.

A sneak thief yesterday slipped into the cloak rooms of the Puryear Business school, corner of Broadway and Eighth streets, and stole a cloak belonging to one of the young girl pupils. She had a long way to go home and suffered severely from the cold.

The city council held a brief session yesterday morning, but failed to meet as a committee of the whole to consider several matters that were referred at the meeting Monday night. An hour was spent assessing the sewer on East Pierce street and the paving on North Second.

We now can supply you with strictly fresh eggs, 35c dozen; country butter at 25c per pound; Ben Davis apples at 40c peck; Wine Sap apples at 50c peck; new honey at 20c; good can sweet corn at 3 for 25c; extra fine tomatoes, 2 for 25c; all kinds of pancake flour, 10c package; all kinds of dried fruits—prunes, 12½c; peaches, 12½c; Golden Rule flour, $1.50. Hartel & Miller. Telephone 339.

B. C. Stokes, a farmer residing near Carson, Ia., took a carload of hogs to the South Omaha market yesterday which brought top prices and made a record for his locality. He had 279 pigs born last March and raised 275 of them. Eighty-two of the bunch constituted the shipment yesterday, and the average weight for the whole bunch was a trifle over 230 pounds each. "And no one told me how to raise those pigs, either," said Mr. Stokes.

A heavy work team belonging to the Council Bluffs Coal and Ice company became frightened yesterday afternoon while the driver was unloading coal at the home of J. Bundy, 624 Stutsman street, and ran away. The horses were standing at the crest of the steep hill that forms nearly all of the street, when they started to run, plunging down the sharp grade with the huge coal wagon thundering at their heels. Half way down the street an obstruction was struck which tore the front wheels loose from the wagon and ripped the bottom from the bed, completely wrecking the vehicle. With nothing but the front trucks, the horses went tearing on, but both fell as they turned west on Broadway and were caught before they had time to get under headway again. The street was full of vehicles, but only one buggy was hit. Neither of the horses was hurt.

The fearlessness of the workmen engaged in placing the copper cornice on the addition to the government postoffice building is a continuous source for exciting various feelings among the people of the passing multitudes. The position of one man all day yesterday seemed to require him to sit with his feet dangling over the side of the building, with nothing but cold air between him and the frozen earth, eighty feet below. Another man's duty kept him walking along the narrow ledge, and both were required to lean far over the edge to fasten the copper sheathing on the side walls. The general opinion was that there was about one man in a million who would last there more than thirty seconds. The men were working on the north side of the building, always in the shade of the roof and at the coldest spot about the structure, where heaviest clothing and plenty of good healthy blood were required to keep them from freezing.

The entire water flow of Indian creek at Eighth street is confined in a 12-inch galvanized pipe which has been bedded in the stream and almost covered with frozen earth. The troublesome torrent is now at the stage of its best behavior, minimizing the trouble of building the new concrete arch bridge at Eighth street. The earth has been excavated many feet below the water level on both sides of the little pipe, where the piling is being driven for the huge concrete footings on which the arch will rest. The footings are thirteen feet wide, eight feet thick on the inner and three feet on the outer edges, and sixty-five feet long. They rest on 204 green oak pilings. The pile driving has been nearly finished. The work has required longer time than was anticipated on account of the stubborn resistance offered by the gumbo into which the piles are driven. The piles are only twenty-two feet long, but under the blows from a 2,000-pound hammer with a twenty-foot drop, the last strokes only send them down a fraction of an inch. The wintry weather has put a firm surface of six inches of frozen earth on the mud, greatly facilitating the work of constructing the foundations.

Friendly Law Suit Over Police Rewards

Test Suit Will Be Rushed to Ascertain Whether Part of Money Must Go Into Pension Fund.

The papers were prepared and signed last night for a writ of mandamus to compel Chief of Police Froom and other trustees of the police pension fund to show cause why they do not turn over all rewards earned by the individual members of the force for the capture of criminals. The suit was instituted by Captain J. C. Shafer of the night force and follows a recent decision by the trustees that one-half of all rewards earned by members of the department shall be turned into the pension fund. The papers will be filed in the district court this morning and the writ issued.

The suit is of a friendly character and is brought by Attorney Herman Schurs for a test case. It involves the right of the trustees to withhold from Captain Shafer $25 reward earned about six months ago by the capture of Ted Rutter, a fugitive from justice, wanted in Jefferson county. The action is based on a state statute providing for rewards and their acceptance by officers, and on section four of the law creating pension boards in police departments, which empowers the pension trustees to retain part of the rewards earned by members. Attorney Schurs holds that this law is unconstitutional and that officers are entitled to all or none of the rewards. City Solicitor Kimball will defend the pension trustees.

Public Attention.

A. Hospe Co. now occupies three floors and basement at 407 Broadway with a larger stock of pianos and player pianos than you can find most any place this side of Chicago. Anyone having credit certificates will find a much larger line of pianos to select from, and find they can do much better by bringing them in, no matter who issued them. Take them to Hospe's. More than three times the number of standard made pianos than you will find in any other house, and five times as many as in most houses. Get a piano from A. Hospe Co. They are here to stay and their guarantee is good.

M. Y. Plumbing Co. Tel. 256. Night, L-1262.

Council Bluffs.

WATER PACT INTO COURTS

Settlement of Council with Company to Be Enjoined in Court.

ALLEGE SETTLEMENT IS ILLEGAL

Assertion Made, Expiration of Franchise Leaves Big Offset that Should Apply on Rental of Fire Hydrants.

The city's water bill is not to be paid without a fight in the courts. When Manager E. W. Hart returns from Boston early Sunday morning he will not find a city warrant lying on his desk bearing the pleasing inscription "Pay to the Council Bluffs City Waterworks company $23,773.37 in full for hydrant and meter service to November 1, 1910." He will find instead some information about a district court order restraining the city from paying the bill.

The committee appointed at the meeting of the Citizens' Improvement club Thursday night, yesterday afternoon secured Attorney Killpack to appeal to the district court for a writ of temporary injunction. The petition was filed late yesterday afternoon, but was not submitted to Judge Green for the temporary restraining order. This will follow today.

The plaintiff in the suit is former Alderman J. Chris Jensen and Mayor Maloney, all of the members of the city council, City Clerk Cassady, Auditor McAneney and Treasurer True are named as defendants. The petition goes briefly into the history of the matter, and claims the action of the council on Monday night when a settlement was made with the company for twenty months' fire hydrant rental and nearly two years' use of water metered at public buildings, parks, schools, etc., was illegal for the reason that the last rate ordinance adopted by the council, dated January 18, 1909, fixed the rate at $40 per hydrant, while the council settled on a basis of $50. The more serious claim, however, lies in the charge that thirty-nine of the hydrants upon which rental was paid have been useless during the whole of the period covered by the bill.

Wording of Petition.

The petition charges the council with illegal action in these words:

"That the proposed payment so far as it is in excess of $40 is illegal, fraudulent and void, and is a willful, fraudulent and illegal attempt to turn over funds of the city to the water company when such amount has not been earned, and the same if permitted to be consummated will be a fraud on the rights of the plaintiff and other taxpayers."

Mr. Jensen, in his petition, insists that the city has an offset for the unpaid water bill for the reason "that the company is liable to the city for the use of the streets for all of the period since the expiration of its charter and this amount is equal to a large part if not the whole of said bill, but the defendants unlawfully refused to present said bill and if not collected as such offset it will be lost to the city on account of the insolvency of the company."

The contention is further made that the council has no right to make a settlement with the company at a rate higher than the $40 price fixed by the last rate ordinance, which the company refused to accept. Attorney Killpack says this is an invincible point and the council's action is indefensible. Another point is that the settlement includes pay for hydrants that were not in service, or at least in serviceable condition.

Attitude of Public.

Public sentiment, so far as any expression of it has been made, appears to favor the settlement made with the company. The price paid for fire hydrant rentals in Omaha and South Omaha is $60 a year, and by the terms of the settlement Council Bluffs gets the same service for $50. The rate ordinance referred to was not accepted by the water company and the company went into the hands of a receiver before the ordinance went into effect. For the last two years there has been no Council Bluffs Water Works company in existence. Its president, George P. Sheldon, died nearly two years ago and no successor had been named, and all of the other officers have ceased to act. Judge Smith McPherson of the federal court, who appointed Receiver Hart, has been the legal head of the concern. Before the settlement with the city can be fully made it must be approved by Judge McPherson and an order issued by him to Receiver Hart directing him to accept the money and receipt for it.

Negro Crawls on Floor of Car and is Caught

Thomas Collins Excites Too Much Comment Avoiding Officer and is Taken in Charge.

Thomas Collins, a negro, excited a good deal of attention by crawling the full length of the aisle of a street car on his hands and knees to avoid the restless eye of a policeman outside. It caused his undoing, for a passenger gave Officer Crum the tip and the car was held until the negro was dragged out. He was found to be armed with a big knife and a razor.

Collins is accused of pilfering in the rooms of Stella Johnson, a colored woman, who lives on the floor above the Davis saloon on West Broadway. Mrs. Johnson and her sister had been in Omaha during the afternoon and returned to find their home had been turned topsy-turvey. The sister's best hat was found lying on the floor with all of the feathers stripped from it. Other valuable plumes and clothing were also missing.

The negro had been seen about the place during the afternoon and was in the saloon below when Mrs. Johnson and others had figured him into—the case as the burglar. The police department was notified, and when Officer Crum reached the scene Collins had slipped out and boarded the car.

On a warrant issued July 6 Ed King was yesterday arrested and taken before Justice Cooper charged with assaulting Hattie M. Gallup, a domestic. King pleaded guilty and was given a county jail sentence of one month.

Real Estate Transfers.

The following transfers were reported to The Bee December 3 by the Pottawattamie County Abstract company, Council Bluffs:

Maud E. Bixby and husband to Edna Hunt Bellinger, lot 1 in Oakland Place, Council Bluffs, Ia., w. d. ..... $ 5,000

Harry J. Brown and wife to H. H. and Bertha B. Fisher, lot 2 and w½ of lot 4, block 32, in Bayliss & Palmer's add. to Council Bluffs, Ia., w. d. 3,400

L. H. Ouren and wife to Emma M. Halladay and Charles Halladay, part of lot 5 in subd. of original plat lot 94, Council Bluffs, Ia., w. d. 2,000

Three transfers, total $11,400

Sad irons, three-piece sets, Mrs. Potts' Full nickled, $1.25 per set; Boss, $1.50 per set; asbestos, $0.75 per set. P. C. DeVol Hardware company, 304 Broadway.

Council Bluffs.

Outlawed, Forgotten, Mortgage Bobs Up

L. E. Bridenstein Determined to Get Clear Title to Property and Digs Up Cloud on Real Estate.

A fully paid-up but unreleased mortgage, dated more than fifty years ago, has returned to annoy a large number of property owners in what is now Baughn's subdivision of the original plat of the city. It was then known as lot 9, and comprises all of the block between Washington avenue and Harmony street and Benton and Baughn streets.

The mortgage was given to James C. Orton by Joseph E. Johnson and wife, Harriet M. Johnson, on May 6, 1857, to secure a loan of $1,400. The property was then in one undivided tract. In 1859 the property was acquired by Tootle & Jackson, pioneer merchants of Council Bluffs, under foreclosure proceedings, but when the county court house was destroyed by fire all of the court records were destroyed, thus the mortgage, satisfied by the foreclosure proceedings, is still running against all of the property, and although long since outlawed still survives as a cloud upon the title to all of the property.

The title to a large part of the tract is further clouded by another mortgage, likewise paid, but improperly released. It was given on August 21, 1869, to A. L. Deming, an early day banker, whose widow and daughter survive, and whose memory is cherished by all who knew him. This mortgage was given by Hattie A. Sharpe. It was released in 1870, after Banker Deming's death, by H. M. Deming, but the record does not show that H. M. Deming had authority to do so, although the record acknowledges full payment of the debt.

After all of these transactions had been forgotten the ground was acquired by Charles Baughn and divided into lots, which have since been sold and resold many times. Some of the lots have residences upon them costing more than $10,000, and the ancient cloud thus casts its shadow upon the titles of all of them, including, it is believed, Mercy hospital, St. Mary's home and other Catholic property representing a value of more than $150,000.

The abstracts had never gone back beyond the date of the platting of the outlot and its admission as an addition to the city, until L. E. Bridenstein bought lot 1 on the Benton and Harmony street corner and built a new house upon it last summer. He ordered the abstracters to go back to the beginning, and the two long-forgotten errors were discovered. Last evening County Attorney Hess filed a suit in the district court to clear the title to the Bridenstein lot, making all of the known and unknown heirs of the Johnsons, Ortons, Jacksons, Tootles, Demings, Sharps, et al, defendants. An affidavit was secured from John J. Tootle, heir of the original Council Bluffs man, and now a prominent merchant of St. Joseph, Mo., which helps to clear away part of the cloud. Attorney Hess has done a large amount of keenly intelligent work on the case. All of the mortgages have long since perished by outlawry, and the other property owners may follow Mr. Bridenstein's example and appeal to the court for a clearing up order.

Basket Ball Contest "Y" Team and Red Oak

Interest in This Form of Sport Increasing—Cross-Country Run This Morning.

A game of basket ball will be played in the local Young Men's gymnasium tonight, when the "Y" big five will meet the fast representative team from Red Oak. Last week a record breaking crowd witnessed the game between the locals and the Crescents from Omaha Young Men's Christian association. Following is the lineup for today's game:

Y. M. C. A.	Positions.	RED OAK.
Hendricks	R.F.	F. Casey
Cook	L.F.	R. Harris
Mills	C.	E. Hilman
Sandford	C.	
Hutchins	G.	E. Cramer
Mortinson	G.	M. Ricker
Osborne	G.	H. Carmichle
Thomas	G.	H. Hough
Ken. Cook	G.	E. Kramer

Mason of Grinnell college will referee the contest. Before the big game the Athletics and Students' teams will put on a preliminary game with the usual rush and go some in the lightweight contests.

The grade school cross-country run, for which the thirty-five winners of the preliminaries have been waiting patiently, will take place this morning. The start and finish will be made at the entrance to Rohrer park, and the run will cover two miles.

The hares will be Messrs. Clark, Smith and Harris of the high school harriers and they will be closely followed by the following boys representing their schools:

Bloomer School—W. Clark, Arthur Paulis, Otis Roberts, C. Farlow and M. Humphrey.

Washington Avenue — R. McDonald, L. Barstow, Abe Stalmaster, R. Peterson and Allen Gower.

Avenue B—Knaffer, Lowery, S. Nogg, Ed Lowery and Simmons.

Thirty-second Street — L. Kleinlein, C. Fricke, C. De Long, Edward Miller and E. Firher.

Second Avenue—G. Aits and Fry.

Pierce Street — Harry Shephard, Harold McGee, A. Anderson, Frank Beno and George Anderson.

Twentieth Avenue—W. Chandler, A. Maen and John Van Le Ven.

Eighth Street—Ed Gonole and L. Suite.

Third Street—Chauncey Slott.

The run will start at 10:30 o'clock and a large number of rooters from the several schools entered will be on hand to encourage their team to victory. The Young Men's Christian association will present a pennant to the team winning the largest number of points for its school. Points will be awarded to the first twelve crossing the line at the finish.

Select your Xmas gifts now at Funkle's art shop, formerly Alexander's.

Wines, liquors and cordials for the holidays. Rosenfeld Liquor Co., 659 S. Main St.

Marriage Licenses.

Marriage licenses were issued yesterday to the following:

Name and Residence.	Age.
Robert E. Ford, Omaha	27
Grace H. Snead, Sioux City	22
M. J. Behrens, Omaha	21
Elsie Wilke, Omaha	18
C. R. Nehleen, Omaha	23
Lillian Swanson, South Omaha	18

DULANEY IS FREED BY JURY

Political Leader Cleared of Charge of Bribery in Connection with Election of Senator Percy.

YAZOO CITY, Miss., Dec. 3.—L. C. Dulaney, planter and political leader, was adjudged not guilty of the charges of bribery in connection with the recent election of United States Senator Leroy C. Percy.

The trial had been in progress for the last ten days before the Yazoo county circuit court. Argument was concluded a few moments after 1 o'clock this morning, the case given to the jury at 1:30 and a verdict returned twenty minutes later.

BEATS TWICE IN DEBATES

Cornhusker Teams Win Against Illinois and Wisconsin.

VICTORY ON BOTH SIDES QUESTION

For Open Shop in Contest with Illinois, Closed Shop Wins at Lincoln—Iowa Also Takes Two Debates.

CHAMPAIGN, Ill., Dec. 3.—(Special Telegram.)—While three University of Nebraska debaters were defeating the University of Wisconsin at Lincoln tonight, three more were defeating the University of Illinois here.

Nebraska thus defeats in these contests of brains the two largest universities in the central debating league—universities, each with 1,000 students more than Nebraska. Twice in succession Nebraska has overwhelmed Illinois—the only times the institutions have met in the arena.

Nebraska here took the negative and at Lincoln the affirmative of the question: "Resolved, that the movement of organized labor for the closed shop should receive the support of public opinion."

Clifford L. Rein, '12, of Loup City; Anan R. Raymond, '11, law '13, of Fairmont, and George N. Foster, '11, law '11, of Sterling composed Nebraska's negative team.

The local team members were Charles H. O'Connor, R. J. Robinson and J. U. Stevenson. The decision of the judges was unanimous and a large audience cheered the winners.

The judges were Isaac A. Loos, professor of economics in the University of Iowa; E. A. Gilmore, professor of law in the University of Wisconsin, and C. E. Buell of Madison, Wis.

Dr. H. B. Ward Presides.

The contest was attended by nearly 1,000 persons. Prof. Henry B. Ward, formerly dean of the University of Nebraska college of medicine, presided.

Applause for Nebraska's attack on the closed shop was generous. By superior skill in close thinking and in definitely meeting the Illinois men on their own propositions the Nebraskans won. Their grip in the details of the subject was also firmer.

Illinois' representatives relied more on oratory. When the Nebraskans poured in the facts and met the emergencies of the running fight victory was conceded by several members of the Illinois faculty.

Nebraska's case was opened by Rein, who vigorously arraigned the closed shop as wrong in principle, monopolistic in tendency and violative of freedom of contract.

Illinois contended that the closed shop is necessary for the life of unionism. This argument Raymond promptly and effectively spoiled. Foster concluded by punishing the Illinois argument that the closed shop would bring industrial peace.

In the roundup of rebuttal speches the Nebraskans skill in debate boxing was emphasized.

At the banquet tonight, given the team, speeches were made by the alternate, G. R. Mann, '12, and Prof. M. M. Fogg. Prof. Gilmore congratulated Nebraska on the cleaness of its case.

Victory at Lincoln.

LINCOLN, Neb., Dec. 3.—(Special Telegram.)—Nebraska won a two to one decision last night in the annual intercollegiate debate between the Universities of Nebraska and Wisconsin. It came after a masterful discussion of the subject, "Resolved, that the movement of organized labor for the closed shop should receive the support of public opinion." Although clean cut, the Cornhuskers' victory was gained only after some of the best intercollegiate debating ever done in Lincoln.

Nebraska was represented by B. C. Marcellus, Arthur M. Oberfelder and Joseph V. Votava. Wisconsin's team was comprised of H. V. Meissner, Raymond W. Bell and William H. Spohn.

The judges were Warren Garst of Cedar Rapids, Ia.; Prof. Frank I. Herriott of Drake university and Prof. Benjamin S. Shambaugh.

Nebraska argued that the closed shop was the only means of securing the benefits of organized labor, while Wisconsin advanced the proposition that a "mixed" shop was really the solution inasmuch as it still retained the benefits and eliminated the dangers of the other system.

To this Nebraska replied that Wisconsin was standing upon the same grounds that Nebraska had taken. Cut throat competition, due to unrestricted immigration, made it essential for labor organizations to continue their existence through the medium of the closed shop.

There was a scene of wild enthusiasm at the conclusion of the debate as this is the first time that Nebraska has ever beaten Wisconsin.

Nebraska excelled in delivery and rebuttal, while the gradings on arguments were even.

Iowans Win from Gophers.

IOWA CITY, Ia., Dec. 3.—(Special Telegram.)—Iowa won from Minnesota here last night by a decision of two to one over the question of the closed shop, the Hawkeye team upholding the affirmative. Glenn Cunningham, leader for Iowa, came third in the contest summing up for the opposition against M. N. Olson, leader for the Minnesota team.

The debate on the Iowa side was opened by Karl Loos and following him came Stanley Gillam, opening speaker on the Minnesota trio. In respective turn these were followed by R. P. Clough of Iowa and Henry Paddock of Minnesota. An offer was made on the part of Minnesota to show that the question should hinge on the ultimate justice of the idea. Where Iowa made an especially strong point was in its rebuttal. Dean Gregory of Iowa presided and A. E. Sheldon of Lincoln, Neb.; Dean O. A. Marker, Urbana, Ill., and Judge S. H. Sedgwick of Lincoln, Neb., judged the contest.

Wisconsin Loses Again.

MADISON, Wis., Dec. 3.—(Special Telegram.)—Wisconsin university last night lost the intercollegiate debate here to Iowa. The decision of the judges was unanimous, their verdict sustaining the negative of the open shop question.

BALFOUR SUPERSEDES TOWN

Village of Hilladale, Established in 1870, Has Been Abolished in Mills County.

GLENWOOD, Ia., Dec. 3.—(Special.)—By a recent order of the district court of Mills county the village of Hilladale, established in 1870, when the Burlington railroad was built through Mills county, has been abolished, and a new station, Balfour, has superseded it. This has been brought about by the straightening of the Burlington lines through that county, which left Hilladale two miles from the railroad. Hilladale is now undergoing exactly the same treatment which forty years ago it inflicted upon Louden which, at that time, was the first settlement on the crest of the hills near Glenwood. When the railroad went through the county the town moved to Hilladale. Louden boasted the first "ladies' seminary" in the state and was very proud of the honor, but the structure was blown down by a heavy storm and was never rebuilt.

Persistent Advertising is the Road to Big Returns.

Flattery, Not Bravery, Promotes the Soldier Asserts Attorney

Supreme Court Aroused by Assertion Attacking Army—Pleads Against Lieut. Reeve's Dismissal.

WASHINGTON, Dec. 3.—Declaring that it has come to be necessary in order "to be a great soldier to bow to the scepter and be a lickspittle," Alexander S. Bacon, an attorney of New York, today aroused the supreme court of the United States.

With some indignation, Associate Justice White interrupted the lawyer with an objection to what he termed aspersions on a co-ordinate branch of the government, not contained in the record being considered by the court. Mr. Bacon withdrew his statements with apologies to the court.

The attorney was arguing that the courts of the District of Columbia had erred in refusing to compel the War department officials to bring into court for examination the records in the case of Second Lieutenant Hart Reeves, artillery corps, and to reinstate him.

Mr. Bacon claimed that Reeves had suffered from nervous exhaustion while serving in the Philippines and that his physical condition entitled him to retirement on three-fourths pay. Instead, and by reason of alleged enemies in the War department, it was claimed by Mr. Bacon, Reeves had been dismissed with only one year's pay.

"In this day of imperialism," said Mr. Bacon, "it seems to be a feeling, even among judges, that the president of the United States can do anything. The time was when an officer would spurn the idea of promotion through his wife's influence. Things have changed now."

In a brief filed in the court in the case, Mr. Bacon said that Lieutenant Reeves' dismissal would be a blot upon the fair name of military justice.

"If such methods are to prevail," said he, "every officer will feel that his commission is unsafe in the hands of an unscrupulous department and that flattery and subserviency are more potent protectors to a commission than efficiency in the line of duty."

Sailors Will Cook With Electricity

Galleys of All New Battleships Will Be Equipped with Electric Ranges.

WASHINGTON, Dec. 3.—Electricity hereafter will be used to do all the cooking for the sailors aboard the new ships of the navy, as thorough tests have shown the superiority of the electric range over the old coal galley, not only in convenience, but in economy as well. This fact appears in the annual report of the chief of the equipment bureau and it is added that in some cases it has even been found that electricity can be used for heating purposes with better results than steam coils aboard ship.

The turbine generators also have driven out the reciprocating engines and dynamos on the battleships and no more of the old type will be installed. The ghastly and weird green-flamed mercury light has also been found better adapted than the arc light for use in the fire and engine rooms of the ships, while the new metallic filament lamps have proven their superority for signalling purposes.

GRANDCHILDREN FIGHT FOR CALHOUN'S HOME

Old Plantation Claimed by Several Descendents Under Terms of Will—Court Records Destroyed.

WASHINGTON, Dec. 3.—Members of the Calhoun family, which John C. Calhoun made famous, came today before the supreme court of the United States to endeavor to regain possession of the "Calhoun plantation" in Greenwood county, South Carolina. The arguments were made in the room in which John C. Calhoun so often triumphed in debate.

The plantation was owned by Downs Calhoun when he died in 1850. He had made a will leaving his lands to his two sons for life and then to their legitimate issue, William C. Calhoun, Edwin Calhoun, Janie Lock and John C. Calhoun of Georgia, Emma Trimble and Emma R. Stolenweck of Alabama and Dora A. Royall of Virginia now claim the land under this will.

Other claimants declare the land did not pass under the will, but was sold for debts by equity court in the settlement of Downs Calhoun's estate and that his two sons bought it. Difficulty in determining the issue has been encountered because the court records were destroyed by fire.

WESTERN UNION NOW HAS SPECIAL OCEAN SERVICE

Letter Will Be Transmitted at Usual Tolls and Copy Will Make Ocean Steamer.

NEW YORK, Dec. 3.—A special ocean service was announced by the Western Union Telegraph company tonight. The letter will be received by the telegraph company precisely as a message would be received, transmitted across the continent at the usual tolls and the copy at this end will be placed in a special sealed envelope, addressed as directed and rushed to any available steamship.

The only extra charge will be 5 cents for postage. It is confined to no port or city and is available in either direction—from Chicago to Baltimore or from Boston to Seattle.

CIRCUIT COURT AT MITCHELL

Judge Rules in Favor of Railroad in Bridge Case—Twelve Divorce Suits on Docket.

MITCHELL, S. D., Dec. 3.—(Special.)—The session of circuit court, which began Tuesday, has been devoted to court cases and the jury was excused for the first two days on account of none of the jury cases being ready for trial. The first jury case to come up was that of Davison county against the Milwaukee road, on a petition that was presented the board from land owners in Mitchell township, requesting the Milwaukee company to build a bridge over a roadway which would give them a shorter cut to this city. The expense of building the bridge would be about $2,000 and the company has fought the request for about three years. After the jury had been drawn the attorneys for the company, Preston & Hannett, asked that the case be dismissed on the ground that the petition was insufficient, in that it contained the names of parties owning land in the township abutting on the roadway that were not bona fide residents, and therefore could have no personal interest in the petition. The court held with the railroad attorneys and dismissed the case. There are twelve divorce cases to be heard at this term of court.

Bigger, Better, Busier—That is what advertising in The Bee will do for your business.

At the Theaters

Attractions at Omaha.

"The Genius" at the Brandeis.
"Lady Frederick" at the Boyd.
"Three Weeks" at the Krug.
Vaudeville at the Orpheum.
Burlesque at the Gayety.

"The Genius," at the Brandeis.

Henry Woodruff, in a comedy with songs in three acts; play by William and Cecil DeMille; music by Paul Rubens; lyrics by Vincent Bryant; staged by William Post. The principals:

Otto Vogelsburg, a musician.....Herman Hirschberg
Victor LeMerier, a painter.....Theodore A. Doucet
Brian McGonigal, a sculptor.....Charles Wellesly
Neil Graham, a girl.....Madge Kennedy
Jack Spencer, a man.....Henry Woodruff
Percival Clutterback, a connoisseur.....Frank Dekum
Josephine VanDusen, a dilettante.....Cassie Jameson
Mrs. VanDusen, a mother.....Ina Rorke

The "I-knew-him-when" members are likely to declare that they knew "The Genius" when it was "The Genius and the Model." If they desire to pursue their researches a little farther they may look up an old novel called "Armorel of Lyonesse," by Sir Walter Besant, wherein is contained the germ of the plot. What is more important than this antiquarianism is the fact that "The Genius" is now an amusing little comedy, occasionally striking a farce note and again pulling out a musical comedy stop. It is a play better suited to Harry Woodruff than "The Prince of Tonight," popular, but generally overrated; or the equally popular and unspeakable "Brown of Harvard."

Boiled down, the story is this: Jack Spencer, long on money, short on culture, breezy and debonair, woos woo and win Miss Josephine VanDusen, a dilletante debutante. When it came to the art game Spencer was a few chips shy on the preliminary deposit. So he hunts up three artists as good and as poor and unrecognized as dramatic and literary conventions demand, and with these he conspires. Result is fame for him; money for them.

They have a model who quite fulfills all the requirements of a model so far as one can judge. Too great opportunity for critical pronouncement on this is not afforded. Now what more likely than after Spencer has the glory which would get him the dilletante that he should then prefer the other? When he tries to slough off his fame and glory, when he would inform all of his fraud, he finds it a tough job. A critic who "discovered" him has his own reputation at stake and pulls contrariwise. The public votes the genius' mind unhinged and still acclaims him.

Having reached an impasse on this tack, Spencer veers to another. He and one of the artists have an overheard conversation in which he is reluctantly, oh, so reluctantly, convinced by the artist that to marry his "inspiration" would be just absolutely fatal to his art. Art demands a sacrifice. Josephine rather fancies herself as a sacrificial votary of Art and Spencer is freed. No time is lost in tagging the model.

Bluffing about knowledge of art is excellent material for comedy purposes and it is well utilized in "The Genius." It is funny to see Woodruff rehearsing his pupils when the dilletante, her mother and the art critic first catch him reveling in his "art." It is funny to see the great man receiving admiring aesthetes, though one or two of these are frightful caricatures, and it is more than ordinarily funny to hear him and his conspirator sorrowing over the necessity of the rupture with the dilletante. In his serious love scenes Mr. Woodruff is, of course, effective. He is interrupting himself more often than ever before with sudden plunges from the sublime or the near-sublime to the ridiculous or comic. Incidentally it may be remarked that he is quite as good-looking as ever. His clothes, particularly in the last act, must be intended with some degree of humor. The plum-colored evening suit makes even Jim Corbett's chiaroscure minstrel clothes seem tame.

Miss Madge Kennedy is the model. Her fresh young charms are numerous, and though probably not long on the stage is playing with much skill. Of the others the best acting is done by Herman Hirschberg, who is the principal fellow conspirator. "The Genius" will be seen again this afternoon and evening.

Some Stage Land Gossip.

Billy Grew is now a member of the Lyric Stock company at Minneapolis, playing leads.

The fact that Grahame-White, the English aviator, sailed for London on the same boat with Pauline Chase is offered as confirming the statement that they are to wed. And this does away with another reported engagement for Elizabeth Sears. In the same breath we are told that Miss Sears is to have a monoplane of her own, and intends to sail the sky all by her lonely. What Elizabeth most needs is a press agent.

Mary Garden's Salome looks pretty good to several other cities, even if Chicago would not have it so, and she will be given all needed opportunity to dance during the winter. "Art" is bound to be served.

That Albert Chevalier, the English actor, may see the opening performance of his countrywoman, Miss Olga Netherseie, in "Mary Magdalene" at the New theater December 5, Mr. Chevalier's own New York premiere has been put over. Instead of opening on scheduled time at the Hackett, Mr. Chevalier, in his new character-comedy in three acts, "Daddy Dufard," will make his bow Tuesday evening, December 6.

According to Paris gossip Mrs. Walker Fearn, widow of the late United States minister to Greece and Roumania, is dramatizing the more important incidents in her book, "The Dairy of a Refugee." The play will have for its title General Grant's famous words, "Let Us Have Peace." The general, it is said, will be introduced on the stage with the consent of the Grant family.

OMAHA GIRL AS A STAR

Much interest is taken in the first appearance of Edith Spencer at the head of her own company. The event is scheduled for this evening at the Gayety theater, the play being the delightful story of the sea, "The Girl From Out Yonder." Miss Spencer has a loyal local following, won through the excellence of her work when filling special engagements with the stock companies at the Burwood and Boyd theaters, and it is but reasonable to expect that all her admirers will rally this evening and tender to her the rousing welcome she so richly deserves.

Robert D. Humiere has dramatized a Japanese legend and has presented it in Paris under the title, "L'Amour de Kesa." The play is set to music by Leon Moreau, and is being played by the Theater de l'Oeuvre company at the Femina theater. The plot has to do with a Samuria warrior and his love for the beautiful Kesa, and is extremely dramatic.

The announcement that the New theater, New York, is to present Mrs. Mary Hunter Austin's Indian play, "The Arrow Maker," developed the fact that there are some real Indians in New York who think they can act. At least a dozen, who had read the newspaper accounts, appeared at the New theater and importuned Director Ames for positions. The Indian characters, however, will be portrayed by the New theater's own company.

The next East Side subscription night at the New theater, New York, comes on Christmas eve, when it is likely that "The Merry Wives of Windsor" will be the bill. At these performances seats are sold to working people at from 10 to 50 cents. Nearly 40,000 applications were received from the 2,000 chairs when the first performance was announced earlier in the season.

Lulu Glaser was given hilarious welcome back to New York when she opened there as Christ'l in "The Girl and the Kaiser," which is described as a most joyous conglomeration of music and comedy. The Shuberts look on it as being good for the rest of the season at the Herald Square theater.

Sunday evening at the Brandeis theater Cohan and Harris will present Adelaide Thurston in the title role of Catherine Chisholm Cushing's comedy, "Miss Ananias." Besides the four evening performances a special matinee will be given on Wednesday.

Madame Lisa Lehmann presents her own quartet of soloists at the Brandeis theater Tuesday afternoon, December 6, at 4 o'clock, in a program which opens with the popular cycle, "In a Persian Garden," and closes with the sparkling text of Carrol's "Alice in Wonderland," with its dainty musical setting.

Harry Hewitt, who plays the polar bear in "Kris Kringle's Dream," by the "Top o' th' World Dancers," at the Orpheum, declares that he has to carry nearly sixty pounds of bear skin to effect his disguise in this act. As the act is twenty-five minutes long Mr. Hewitt adds that he experiences some sultry sensations twice each day. This bear skin was removed from a train brought to this country from the polar regions. "Last July we played a week at Coney Island, with the temperature 95 in the shade. Can you imagine my condition at the close of the act?" Mr. Hewitt asks.

The Orpheum "Road Show" organizes today in Cincinnati. Among the acts are LaPia, fire dancer; Rigaletto brothers, Melville and Higgins and Charles Leonard Fletcher.

Washington Affairs

(From a Staff Correspondent.)

WASHINGTON, Dec. 3.—(Special Telegram.)—Army orders: Lieutenant Colonel Charles M. Gandy, medical corps, Department of California, will assume duties of medical superintendent in army transport service, San Francisco, relieving Lieutenant Colonel Henry S. T. Harris, medical corps.

First Lieutenant Frank H. Sidman, Twelfth cavalry, will report to commanding officer Department of California for temporary duty.

First Lieutenant Philip Mathews, coast artillery corps, will proceed to West Point for duty at the military academy.

Major James Lockett, Fourth cavalry, and Major Frederick S. Foltz, Fifteenth cavalry, will proceed to Westbury Station, Long Island, N. Y., for temporary duty.

Changes in assignments of officers of coast artillery corps: Captain Robert P. Woods, unassigned, is assigned to Forty-eighth company; Captain Arthur H. Bryant is transferred from Eighty-eighth company to Twenty-third company; First Lieutenant William T. Carpenter, unassigned, is assigned to Fifty-fourth company; First Lieutenant Charles O. Schudt, unassigned, is attached to Fiftieth company; First Lieutenant Marcellus H. Thompson, now attached to One Hundred and Eleventh company, is assigned to that company; First Lieutenant John G. Donovan is relieved from Fifty-first company and attached to Eighteenth company; First Lieutenant Lucian D. Booth is relieved from Fifty-fourth company and attached to One Hundred and Thirty-eighth company; First Lieutenant George M. Peek is relieved from assignment to Fiftieth company and placed on unassigned list; First Lieutenant George Buhlen, jr., is relieved from Sixty-seventh company and attached to Twenty-eighth company; First Lieutenant Halver G. Coulter, now attached to Fiftieth company, is relieved from duty with that company and attached to One Hundred and Forty-sixth company; First Lieutenant Robert H. Weisshimer, now assigned to Ninety-fifth company; First Lieutenant Charles K. Wing, jr., is transferred from Thirty-seventh company to Twenty-third company; First Lieutenant John H. Pirie is transferred from One Hundred and Fifteenth company to Eighty-sixth company.

By direction of the president Captain George H. Estes, Twentieth infantry, is detailed for service in the subsistence department.

Leave of absence for twenty days is granted Major William C. Cannon, quartermaster.