

SURPRISE FOR THE STATE

Evidence in Sight that May Upset an Elaborate Theory.

PRATT'S TESTIMONY IN KASTNER CASE

Affidavit Filed Along with a Motion for a Continuance Takes Baldridge's Breath—Story That Is Startling.

County Attorney Baldridge was given something of a surprise yesterday when Attorney Ritchie filed a motion in the office of the clerk of the district court, asking that the case of the State against the Kastners, father and two sons, be continued until the next term. It was not so much the motion that surprised him as the affidavit of Colonel E. D. Pratt that accompanied it. The history of the case is well known, it being the one wherein the defendants are charged with killing Officer Dan Tiedeman and wounding Officer Glover, the affray having occurred at Thirtieth and Spaulding streets during the early morning of June 9, last.

All along it has been known that Ritchie intended to ask for a continuance, as he had said that Pratt was his most important witness and that he could not be in attendance on account of being confined to his bed by a broken leg.

The affidavit sworn to by Pratt and on which he applied for a continuance is based on the allegation that just before 12 o'clock on the night of June 8 affray broke out about the saloon, situated about 100 feet from his house, that a couple of hours later he heard a wagon drive up, and almost instantly thereafter he heard shots fired. The affiant says that after hearing of the shooting he jumped out of bed, hastily dressed and went out into his yard and proceeded to the saloon. He says that the night was very dark and that he could distinguish objects ten feet away. As he pursued his course toward the saloon he heard groans and upon proceeding to the place from which they came he found Officer Glover lying upon the ground, blood running from the wounds in his face. Stopping over the officer, Pratt says that he asked: "What has happened?" Whereupon Officer Glover said: "I am shot. I don't know who did it, but I guess it was a burglar. I could not see him."

Pratt says that Glover did not say that he saw the men who fired the shots, nor did he say that he recognized the parties who were in the saloon. The affiant says that after the officers had been removed, he went into the saloon and found it empty, except for a few empty bottles and cigar stubs, indicating to his mind that the parties who had robbed the saloon had been there for some time.

E. D. Arnold, the doctor who is in attendance upon Pratt, says in an affidavit that his patient will not be able to leave the house for several weeks and that it would injure his health to appear in court prior to next February.

Arguments for a continuance of the case against the Kastners will be heard by Judge Baker next Monday. County Attorney Baldridge will insist upon a trial at this term of court and will ask that the deposition of Pratt be taken and used at the trial. He contends that if the case goes over until next term many of the witnesses will have left the county and that it will be impossible to give the defendants a fair and impartial trial.

HARBIES BEGIN WORK AGAIN

Strangers with Money Robbed by Women They Pick Up.

The female thieves broke forth afresh Friday night. In one instance the money lost was recovered, in the second the officers are still looking for the thieves.

H. S. Grant, a cattle man from western Nebraska, arrived in South Omaha Friday and sold his stock for about \$400. He sent \$350 to his mother and then started in to have some fun with the rest. He rescued a charming young woman from a snow drift at Thirtieth and Farnam streets. The young woman gave the name of Miss Mabel Clarke. She was rather nice looking, so Grant invited her to an oyster supper with the proper trimmings. Then they went to the theater and afterward, as if to return the compliment, Miss Clarke took Grant to her home as the hotel at Thirtieth and Capitol streets, where she said she wished to introduce him to a number of very dear friends. On going to the hotel Grant failed to meet the new friends, but instead Miss Clarke threw her arms around Grant's neck and went through his pockets and extracted \$10. He discovered his loss and, summoning the proprietor of the place, the two forced the woman to disgorge. She was arrested and will be prosecuted for larceny from the person.

About 8 o'clock John Kelly, accompanied by Thomas Burns, lately arrested in the city from Grand Rapids, Mich., went into the saloon kept by "Shorty" Groves at the corner of Thirtieth and Dodge streets. While there they met a woman who gave the name of Maud Cory. She sat on Kelly's lap for a few minutes, and while so engaged went through his pockets, finding \$18.75, which she took. Kelly reported his loss and asked the aid of the saloon keeper in getting it back. Instead of assisting him the proprietor of the place enraged Kelly in conversation until the woman had time to make her escape. Kelly reported the case to the police and Low Young, Florence Sterling and George Crompton were arrested yesterday morning at their rooms and charged with having aided in the theft. The Cory woman is still at liberty, while Kelly and Burns are locked up at the station as complaining witnesses.

HOUSEBREAKERS' ESCORTIONS

Via Rock Island Route. December 7 and 21. For full information call at city ticket office, 1223 Farnam street, or write C. A. Rutherford, Omaha.

Heartfelt thanks are hereby extended to Mrs. A. M. Wilcox and other friends for their kind and sympathetic during the illness and death of our little daughter Evelyn. MR. AND MRS. JOHN LISBY.

Death of A. W. Briggs. The funeral of A. W. Briggs of Hanawa Falls, N. Y., father of B. W. Briggs of Omaha, was held from his residence, November 31st, at 2 o'clock p. m. Rev. Dr. Fisher of Canton, N. Y., preached a sermon from 1st Corinthians, 15:19. The pall bearers were G. L. Hitchcock, Myron Howard, J. E. Squire and Silas Niles. Mr. Briggs was interred in the Riverside cemetery. The relatives from Canton were William Dunn and wife, Charles Rich, and Charles Caldwell and families, General Merritt and wife of Potsdam, and scores of friends from adjoining towns attended the funeral. Mr. Briggs was 83 years old and had lived in Hanawa Falls seventy-four years. He had not an enemy in the world, and was a friend to the poor and always had a kind word for every one. Mr. Briggs was a great scholar and was well posted in all the sciences of his day. He had a very large and valuable library, and was interested in our schools and in all the educational movements of the day. He was a man of great energy and the humblest citizen could approach and call him his friend. Thus it is that his death is a personal bereavement that touches the hearts and strikes to the marrow of this community as that of few men could.

The Swedish Methodist Episcopal church will hold a festival and bazaar on Tuesday evening and continuing throughout the week. All kinds of articles made by the ladies' societies or kindly contributed by friends will be on sale. Lunch and refreshments will be served every afternoon and evening. A short program will be rendered each evening. The bazaar will be opened Tuesday at 8 o'clock when Mayor Moores will make an address. The place is 1512 Dodge street.

A lunch will be served by the ladies of the First Congregational church in the Caldwell block, 1511 Douglas street, Friday and Saturday next. An oyster supper will be served Saturday evening at which time useful Christmas articles will be sold.

TRIES TO MURDER HIS PARENTS.

Alfred Howe is Arrested Upon a Serious Charge.

LOWELL, Mass., Dec. 4.—Alfred Howe, son of Edwin A. Howe, a letter carrier, was arrested yesterday charged with murderous assault on his father and mother. The arrest was the result of an investigation by the police, which developed the fact that on Wednesday night Mr. Howe had been awakened by some noise and found several gas burners wide open. He could not understand it, as they were turned off by the family. Later a quantity of silverware was missing, and it was thought burglars had taken it. It was found hidden under a woodpile in the cellar. Then young Howe was arrested. The police say they have learned that Howe, who is 21 years of age, has been thinking of marrying for some time, but has been unable to carry out his wishes through lack of money. They refer to the fact that Mr. and Mrs. Howe both carry life insurance as having an important bearing on the case.

Peck & Snyder, makers, 250 to \$2.00. Townsend Wheel & Gun Co., 116 S. 15th.

Honest goods, lowest prices—my aim for years. Huberman, Jeweler, 13th & Douglas.

Y. P. Chiodo, ladies' and gents' tailor, 1612 Capitol avenue. Our garments fit.

Hamilton Warren, M. D., eclectic and magnetic physician; special attention to diseases of women and children and all obscure and long-standing diseases. Rooms 562-4 Sheeley block, corner 15th and Harney.

Make no engagements for Thursday evening, December 9. Lady minstrels that night at Boyd's theatre, Omaha's best people. Benefit Children's orphanage.

Union Pacific. "The Overland Limited." The most SUPERBLY EQUIPPED train west of the Missouri river.

Twelve hours quicker than any other train to the Pacific coast. Omaha's best people. Call at Ticket Office, 1202 Farnam St.

H. Haas, the florist, has a large number of chrysanthemums for sale in 7, 8 and 9-inch pots, in bloom and buds. 1512 Vinton st. Tel. 775.

The Western Newspaper Union have placed two typesetting machines in their Omaha office.

The greatest and best entertainment of the year. Omaha's fair ladies as minstrels, colored in the highest art, with many new and original specialties, at Boyd's Thursday evening, December 9. Regular prices. Proceeds for benefit of Children's orphanage.

Boys' Free Souvenir Continues. At the request of our large patronage we have decided to continue up to Dec. 15 to give free with each dozen shirts and larger choices a dainty gift bowknot frame. Our beautiful enlarged water colors, sepas and crayons make an exquisite Xmas gift. In all our orders we carefully and beautifully executed. Bring in your old photos now to be enlarged.

HEYN, Photographer, 312-15-17 So. 15th St.

There is an exhibition at the Smith-Premier Typewriter office, a typewriter that is something of a curiosity, being a duplicate of the typewriter used by the king of Siam and the only typewriter used by the Siamese people. The secretary to the prince of Siam spent four months at the factory of this company superintending the construction of this machine. We understand it is to be on exhibition at this office but a few days.

There is no calling more respectable, remunerative or responsible for young people than shorthand and typewriting. The reputation many stenographers have for inferior ability is the result of attending schools presided over by teachers who have had no experience as reporters. H. B. Boyles, court reporter, conducts a school of private instruction, rooms 405-7, Bee building.

Funeral Notice. The funeral of Sam Campbell, whose death was announced in these columns last Friday, will take place from H. K. Burke's undertaking rooms today at 2 p. m. Friends invited.

The Megath Stationery company is selling the authorized Little, Brown & Co. edition of Quo Vadis at 75 cents; they will not buy when you call.

Notice. Members of the Central Labor Union are hereby notified of a special meeting, Sunday, December 5, at 2 p. m., Labor Temple, WILLIAM H. BELL, Pres.

TOO MUCH JOHNSON Is a funny play, but something amuses us more; in fact, that people hunt at the improbability of Painless Dentistry.

A LAUGHABLE COMEDY drives away the blues, but it won't touch the toothache (our method for extraction is positively painless. Why hesitate in having those annoying teeth out, when it can be accomplished so easily? THE PRICE—25c.

New York Dental Co. DR. CLEMMER, Mer. 16th and Douglas Sts.—Over Cart. Sunday 9 to 1 p. m. Lady attendant.

Arctics, Warm Shoes, Overgaiters & Leggings

Men's Felt Lace Shoes.....\$2.00 Men's Felt Slippers.....\$1.25 Women's Beaver Kid Foxed Lace Shoes.....\$1.50 Women's Beaver Cloth Lace Shoes.....\$1.25 Women's Fur Trimmed Felt Slippers.....\$1.25 Men's Arctics.....98c Women's Arctics.....85c Misses' Arctics.....75c Child's Arctics.....65c

Christmas Slippers for Ladies Ladies' Turkish Slippers in black, tan and red.....58c Ladies' warm lined felt Slippers.....48c Ladies' velvet Opera Slippers.....98c Ladies' beaver cloth Slippers.....\$1.25 Ladies' beaver fur trimmed Faust Slippers.....\$1.48 Ladies' satin quilted fur-trimmed Slippers in red and black.....\$1.75 Ladies' felt lined beaver Slippers.....98c

Hayden Bros have passed all holiday records in the shoe department. You'll know why if you look around. We have no real competitors as shoe sellers—and the Big Store is alone at the top. No matter whether it's a pair of fine slippers or a street or dress shoe, you'll find it at the Big Store—that's

Hayden Bros Fine Shoes Infants' Fine Dongola Hand Turned Shoes.....50c and 75c Infants' Fine Beaver Top Shoes, 2 to 5.....48c Child's Fine Beaver Top Shoes, 5 to 8.....75c Ladies' Fine Box Calf—lace or button skating \$3.00 shoes.....\$2.00 Ladies' Fine Cloth Top—lace—\$3.50 Shoes.....\$2.45 Men's Fine Box Calf Winter Tan—heavy sole—lace—\$5.00 shoes.....\$4.00 Men's Fine Box Calf—heavy sole—lace—\$4.00 shoes.....\$3.95

Christmas Slippers For Men. Men's Velvet Embroidered Slippers 75c Men's Velvet Embroidered Slippers 98c Men's Tan and Black Goat Slippers \$1.25 Men's Faust Slippers \$1.48 Remember we are Headquarters for Christmas Slippers

WITNESSES GET FULL PAY

Proposition that May Alter the Practice Now in Vogue.

FIES RUN WHILE THEY ARE DETAINED

Judge Dickinson Decides That Men Held to Await Trials of Prisoners Are Entitled to Full Compensation.

The county commissioners are considerably exercised over a decision handed down yesterday morning by Judge Dickinson in the case of George Grady against the county. In May, 1893, Grady was a witness to the commission of some crime and was called as a witness. The case was tried in police court and the defendant was held to the district court. Grady was held as a witness and not being able to give bonds for his appearance, he was committed to jail, where he remained for thirty-six days and until after the disposition of the case. Upon being released, he filed a claim against the county, demanding witness fees of \$2 per day and for the entire time that he was in the county jail. The claim was promptly rejected by the commissioners, after which Grady appealed to the district court. The case was argued some time ago, Judge Dickinson reserving his decision until this morning.

In passing upon the case, the court held that while Grady was in the county jail, held as a witness, he was held under an order of the court and consequently was entitled to fees. Judgment for \$72 and interest was rendered against the county.

The county commissioners contend that the decision of the court in each year the county will be called upon to pay thousands of dollars to witnesses who must be held for the purpose of giving testimony in criminal cases. They say that almost every day some important witness is called in police court and that in order to secure a conviction in the district court such witnesses must be detained in the county jail, as they are unable to give bonds for their appearance when wanted.

County Attorney Baldridge says that the decision of the court in the Grady case means that the county will become a haven for certain parties who are looking for soft venia in the district court such witnesses must be detained in the county jail, as they are unable to give bonds for their appearance when wanted.

Hess & Swoboda, florists, 1411 Farnam st. Phone 1501. Come and see our chrysanthemums.

Can Fight Again. Here's to the men who lose! If triumph's smile our struggles greet, Courage is easy then. The king is he who, after fierce defeat, Can up and fight again.

Egyptian Lotus Cream.....25c Paine's Pink Pills.....25c Hood's Sarsaparilla.....25c Carter's Liver Pills.....25c Duffy Malt Whiskey.....25c Warner's Safe Cure.....25c Pyramid Life Cure.....25c Pyru-ma.....25c Fishman's Compound.....25c S. S. S.....25c Birney Catarrh Powder.....25c P. B. Cox's Hypophosphites.....\$1.00 Carter's Bitters.....25c Scrofula Pills.....25c Scrofula Pills.....25c Malted Milk.....25c Jones' Expelling.....25c

The new Kodaks all take our Light-Proof Film Cartridges and can be LOADED IN DAYLIGHT

The Diamond Camera at \$5.00 is a fine instrument. Mail orders solicited, Catalogue free.

THE ALOE & PENFOLD CO., PHOTOGRAPHIC SUPPLIES, 1408 Farnam St. Opp. Paxton Hotel.

SCHAEFER CUT PRICE DRUGGIST. 10th and Chicago Sts.

A Ladies' Shoe in box calf and vici kid—is our latest offering—new coin toe—th heavy extension soles—the ideal winter shoe—suitable for skating or street wear—price

\$3.00

No better shoe ever made for the same money—we warrant every pair.

You should see the Prince of Wales shoes—and make a guess on the number of pieces in them—you may get a fine pair of shoes for nothing.

T. B. NORRIS, 1413 Douglas Street.

PERSONALLY CONDUCTED ESCORTIONS TO CALIFORNIA.

VIA UNION-PACIFIC. Leave Omaha every Friday, 3:30 p. m., reaching San Francisco Monday, 9:45 a. m. Correspondingly fast time to Southern California. Twelve hours quicker than any other Personally Conducted Excursion Route from Missouri river.

The treat of the season. Omaha's lady minstrels at Boyd's Thursday evening, December 9. Proceeds go to Children's Orphanage home.

Nobles Myrtle Shrine. A special business meeting of Tangier Temple will be held Monday evening, December 6th, at 8 o'clock. HENRY HARDY, Potentate.

Palmer House, Grand Ind. Nat. Brown, pro.

Burlington Route

Southern California

"Our Italy." Charles Dudley Warner calls it. Delightful, every month in the year. Doubly so in mid-winter.

Most quickly and comfortably reached via the Burlington Route and Kansas City. Go that way, returning through San Francisco, Salt Lake and Denver.

Call or write. TICKET OFFICE. 1502 Farnam St. Omaha. J. B. REYNOLDS, C. P. A.

KODAKS and CAMERAS Make Valuable Christmas Gifts.

The annual family gathering at the children's Christmas tree, groups of friends gathered to pass a winter's evening—all make delightful indoor subjects for winter Kodaking, while the fields and trees in snowy garb make quite as beautiful subjects for outdoor work as do the green groves and meadows of summer.

Put a Kodak on Your Christmas List \$4.00 to \$25.00.

The new Kodaks all take our Light-Proof Film Cartridges and can be LOADED IN DAYLIGHT

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AMUSEMENTS.

Boyd's Grand Concert. W. C. A. BENEFIT. TO BUILD CHILDREN'S ORPHANAGE HOME.

Thursday night, Dec. 9th ONE NIGHT ONLY.

Some 50 or 60 of Omaha's fair ladies have been rehearsing for three weeks for the LADY MINSTREL SHOW, the first of its kind ever given in Omaha.

Remember seats go on sale Tuesday morning, Dec. 7th, at 9 a. m. As the entertainment will present many novel features and the proceeds go to the Children's Orphanage, the house should be and undoubtedly will be filled. Tickets \$1.00, 75c and 50c. Auspices, W. C. A.

BOYD'S Paxton & Burgess, Managers. Telephone 1919. MONDAY & TUESDAY, Dec. 6th and 7th

STUART ROBINSON

Management Mr. Daniel V. Arthur. Monday evening—COMEDY OF ERRORS. Mr. Robinson as Dromio of Syracuse and Dromio of Ephesus.

Tuesday Night—THE HENRIETTA. Supported by Mrs. Robinson and an excellent company. Lower floor, \$1.50 \$1.00. Balcony \$1.00. 75c. 50c—Seats now on sale.

Paxton & Burgess, Mgrs. Telephone 1919. FRIDAY EVE AND SATURDAY MATINEE AND EVENING. Dec. 10-11

THE FIRST GENUINE ARTIST HIT OF THE SEASON—New York World.

A Southern Romance

BY B. B. VALENTINE. FOUNDED ON DOLLY HIGBEE'S BOOK.

ENTIRE PRODUCTION DIRECT FROM FIFTH AVENUE THEATER NEW YORK.

BEAUTIFUL SCENERY. GREAT CAST. INTERESTING STORY.

God's Country

It Isn't Curiosity

that brings the large number of customers into our store—it is the stock of Carpets, Rugs and Curtains, the like of which has never before been seen in this city. As for prices—well, come and see them for yourself.

OMAHA CARPET CO., 1515 Dodge Street.

AMUSEMENTS.

Boyd's Theatre. Grand Concert. DIRECTION HOMER MOORE. NORDICA AND HER OWN CONCERT COMPANY.

FRIDAY, December 17, 1897.

Exchangeable tickets, insuring first choice of seats, for sale at Chase's, 1515 Farnam St., on and after Monday, December 6. Out-of-town patrons can obtain tickets by resitting their tickets to Chase, Omaha, Neb. Prices—\$2.00, \$1.50, \$1.00. Gallery, 50c, boxes, \$1.00 and \$1.50. Entire program by Nordica Company. Steinyway Piano used.

The Creighton Paxton & Burgess, Managers. Telephone 1919. 3NIGHTS COMMENCING THURSDAY, DEC. 9th

THE BROADWAY GIRL

Introducing DELMORE AND WILSON and a host of others.

18—FAVORITES. An Avalanche of Fun—A Whirlwind of Mirth, Music and Beauty. Prices—25c, 50c, 75c, \$1.00. Matinee prices—25c, 50c, 75c.

HOTELS. THE MILLARD 13th and Douglas Sts., Omaha

CENTRALLY LOCATED. American plan, \$2.50 per day up. European plan, \$1.00 per day up. J. E. MARKE & SON, Props.

AMUSEMENTS.

The Creighton Paxton & Burgess, Managers. Telephone 1919. 4 NIGHTS COMMENCING MATINEE TO-DAY

MATINEE WEDNESDAY. Special engagement of the Comedy Cycle that has kept New York laughing—GILMORE & LEONARDS' Hogan's Alley Co.

Prices—25c—50c—75c—\$1.00. Matinee Prices—25c—50c.

Creighton Hall. GRAND - CONCERT, Tuesday Eve. Dec 7, 1897.

SCHUBERT QUARTET. SOLOISTS: Mrs. Cameron, Soprano Mrs. King, Alto; Mr. Hans Albert, Violin, and Hayden String Quartet.

Admission 50 Cts

IKE GULL'S Concert Garden 8 E. Cor 16th and Davenport Sts. CONCERTS EVERY NIGHT 7:30 TO 12

Matinee Tuesday, Thursday and Saturday, 1:30 THIS WEEK'S ATTRACTIONS— ANNA KILIAN—Vocalist. BESSIE MILLER—Soprano. PERITA—Little Old Shaver. HEDDIE FLOWER—Child Vocalist. BELLE BROWN—Vocalist. EDNA WILMA—Song and Dance. KIRCHNER'S LADY ORCHESTRA.

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