CAN COURT REVIVE A STATUTE

New Point Raised in Connection with the Fire and Police Case.

POWER OF COURT CALLED IN QUESTION

Frank L. McCoy, Who Was in the Original Proceeding, Files a Brief and Argument Covering the Proposition.

LINCOLN, May 1.—(Special.)—Frank L. McCoy of Omaha today filed a brief with the clerk of the supreme court, in which several new questions are raised concerning the constitutionality of the law authorizing the governor to appoint fire and police commissioners for cities of the metropolitan class. The brief touches upon all phases of the fire and police commission case and argues that delegating such appointive power to the chief executive of the state deprives the people of a community of its constitutional liberty. The point is also raised for the first time in the litigation that the court cannot by a new decision revive a law that has been declared unconstitutional.

Mr. McCoy filed this brief as a friend of the court. He has no direct interest with either side of the case other than in the legal questions involved. He will, however, take an active part in the proceedings of this case before the supreme court and will probably argue the questions orally tomorrow morning.

The brief treats of the history of the case and the one preceding in which the same questions were involved. The right of local election is next dealt with and sections of the constitution are quoted which provide that all persons are by nature free and independent and that no person shall be deprived of his liberty without due process of law. It is argued that a man cannot be free and independent unless he enjoys all the liberty that other men possess and the true test of freedom, liberty and independence is that a man shall act for himself in all his relations of life or by his own directly chosen agents. This is pointed out to have been the basic thought of Daniel Webster's great speech before the United States supreme court.

It is next argued that the government of a city against the will of a majority of its inhabitants by representatives of the minority therein, who have present control of the state government, deprives the majority of their equal rights and is not republican in form and a statutory requirement thereof is void as a violation of the constitutions of the United States and the state of Nebraska. This principle involves the freedom and independence of individual electors.

The hearing of the fire and police commission case was set for 9 o'clock tomorrow morning.

The case of the State of Nebraska against the Standard Oil company was set for argument tomorrow afternoon at 1 o'clock. This case will come before the court on the demurrer of the attorney general to certain clauses in the defendant's answer. The questions involve the constitutionality of the Nebraska anti-trust law and the decision will have considerable bearing upon the final result of the case. James M. Woolworth, Senator Thurston and Frank L. McCoy of Omaha will appear for the defense and Attorney General Smyth for the prosecution.

Lee Herdman of Omaha was sworn in this morning as clerk of the supreme court. Deputies Bryant and Nelson were also administered the oath of office.

The carpenters of Lincoln have demanded a nine-hour day. For the last few years they have been paid $2.50 per day of ten hours and they now ask that this time be shortened one hour without a decrease in wages. The employing contractors refused to comply with the demand and this morning twenty carpenters left their work. There are eighty union carpenters in the city and all are expected to join in the strike.

Sheriff Dowell of Harlan county was in the city today in search of two fugitives from justice, who escaped from a hotel in Albion a week ago. One of the men was traced to Lincoln, but he could not be found today.

Supreme court arguments were heard this morning in the suit of the State against the Union Pacific Railroad company for alleged violation of the maximum freight rate law. Attorney John N. Baldwin of Council Bluffs represented the road and Attorney General Smyth appeared for the state. The argument was on a demurrer to the state's petition.

The demurrer of the defendant in the suit of Christy against Stubbs, the election contest case from Nuckolls county, was overruled.

The motion of the attorney general for judgment by default against the Fremont, Elkhorn & Missouri Valley railroad was overruled.

HALFBREED KILLS AN INDIAN

Surrenders to Murdered Man's Father and is Severely Beaten and Cut.

NIOBRARA, Neb., May 1.—(Special Telegram.)—Harry A. Larawith, a halfbreed Ponca, killed Birdhead, an Indian, last evening and gave himself up to Birdhead's parents. Birdhead's father choked and shot him and afterward cut him in several places about the head with an ax. The coroner's inquest has not yet been held.

ANNIVERSARY OF EASTERN STAR.

Nearly Three Hundred Delegates Attend Meeting at Hastings.

HASTINGS, Neb., May 1.—(Special Telegram.)—Nearly 300 delegates are in attendance at the silver anniversary meeting of the Nebraska grand chapter, Order of Eastern Star, which began here today. This afternoon's session was devoted to the addresses of the grand matron and grand patron and reports of the grand secretary, treasurer and associate grand matron. This evening an address of welcome was delivered by Mrs. J. J. Buchanan, to which Mrs. Louise Mathews of Fremont made response.

The grand officers present are: Miss Maude M. Greene, grand matron, Genoa; Lorenso D. Woodruff, grand patron, Lincoln; Mrs. Louise Mathews, associate grand matron, Fremont; Carroll W. Baker, associate grand patron, Omaha; Miss Elfleda E. Wright, grand secretary, Greeley; Mrs. Carrie E. Wright, grand treasurer, Schuyler; Mrs. Anna C. Peterson, grand conductress, Omaha; Mrs. Mae B. Walrath, grand Adah, North Bend; Mrs. Sarah F. Hall, grand Ruth, Holdrege; Mrs. Romantha Dower, grand Esther, Pender; Mrs. Anna Grimson, grand Martha, Schuyler; Mrs. Millie A. Farnam, grand Electa, Rushville; Mrs. Martha Hartigan, grand chaplain, Hastings; Mrs. Diantha St. John, grand lecturess, Juniata; Miss Ida Meagher, grand marshal, Columbus; Mrs. Carrie Mead, grand organist, South Omaha; Mrs. Marie E. Streeter, grand warder, Crete; N. A. Bacon, grand sentinel, Lincoln; Mrs. Anna Marshall, associate grand conductress, Hastings.

NEBRASKA MAN IS MISSING.

One of Table Rock's Citizens Leaves His Debts Behind.

TABLE ROCK, Neb., May 1.—(Special.)—John E. Keiser, one of the business men of this town and proprietor of the opera house drug store, has been missing from here since Wednesday of last week. His whereabouts is unknown even by his wife. He is under bonds of $150 to appear at Pawnee City, Neb., at the June term of court for illegal keeping and sale of liquors, Mr. A. M. Fuller of this place being his bondsman. Three attachment suits were filed yesterday against his stock of goods, one in Justice Marble's court and two in the county court at Pawnee City, the three claims aggregating between $400 and $500. A distress warrant for over $40 for taxes is also in the hands of the sheriff. The store was locked up and is in possession of the sheriff and being appraised now. It is understood that F. J. Block, the former owner of the stock of drugs, who has a $500 chattel mortgage thereon, has been telegraphed for and is expected to arrive today, when a legal struggle may take place, as some claim the chattel mortgage is invalid.

PROMINENT CITIZENS HAVE FIGHT.

Two Residents of Wymore Engage in a Fistic Battle.

WYMORE, Neb., May 1.—(Special.)—Ex-Mayor Dodds and C. P. Philbrick, trainmaster of the southern division of the Burlington and one of the most highly respected citizens of this city, engaged in a fist fight while on their way home to dinner today and as a result both men are badly pounded up about the head and face. The fight was the outcome of an article in Dodds' paper recently in which he assailed the management of affairs in Trainmaster Philbrick's office.

Today when they met Mr. Philbrick is said to have called Dodds to account for the story, whereupon the ex-mayor is alleged to have struck him with a heavy cane. From that on it was rough and tumble, with honors even.

They were taken before Police Judge German and their hearings will occur this afternoon and tomorrow.

Hoetfelker Brought Back to Nebraska.

FREMONT, Neb., May 1.—(Special.)—Sheriff Kreader returned from Green Bay, Wis., last night with Henry Hoetfelker, who left here in 1896, it is claimed, with several thousand dollars belonging to the county and Webster township. Hoetfelker says he has been in Green Bay most of the time since leaving this county and during the last year has been in the fishery business. He had recently purchased about $400 worth of nets and was preparing to enlarge his business. As Henry Meyer he was very well and favorably known in Green Bay, his suave and genial manner and strict attentiton to his own affairs having won him many friends who were unwilling to believe him guilty of any crime.

Hoetfelker broke down completely when Sheriff Kreader met him in the jail, but after they had started for the west braced up and said that he felt relieved and better than at any time during the last three years. His first wife, who resides at Dodge with her children, is unwilling to file a complaint for bigamy against him and wife No. 2 told the sheriff that she would forgive him. He will probably be arraigned tomorrow.

Nebraska Man Dies Suddenly.

DAKOTA CITY, Neb., May 1.—(Special Telegram.)—John Orr, one of the old and wealthy residents of this place, while getting shaved in the barber shop of C. E. Dolittle, died suddenly about 8 o'clock this morning. For about two weeks he has had rheumatism of the heart, which caused his death. Without a murmur or effort after several gasps for breath he expired. He was 57 years old, was a native of Milton, Canada, leaves two brothers, one sister, a wife and two children, all residents here. He was a large property owner and an exemplary citizen. The funeral will be held Thursday afternoon from the Methodist Episcopal church.

May Comes in Cloudy.

HARVARD, Neb., May 1.—(Special.)—The first day of May comes in cool and cloudy with indications of continued rains, the record as furnished by government registration of rainfall for the month of April being 5.98-100 of an inch, which seems to be the largest amount ever recorded at this place for an April rainfall. All small grain is in most excellent condition and with the ground so well filled with water at this time of the year it gives most flattering prospects for the grain crop.

Active Work of Burglars.

BEATRICE, Neb., May 1.—(Special Telegram.)—The Fulton bloodhound trailed the Sabetha (Kan.) burglars to Salem, Neb., last night. Three burglars were arrested at Salem this morning. One had his hand almost shot off by the owner of the store at Sabetha while in the act of burglarizing.

Burglars broke into Joe the tailor's establishment on Sixth street last night and stole five pairs of pants. Entrance was gained through a side window.

Tramps Go on a Strike.

WYMORE, Neb., May 1.—(Special.)—The gang of hoboes which was put to work on the streets yesterday afternoon was taken out again this morning, but after working an hour or two all but three of the gang struck and refused to work longer. The mayor ordered them taken back to the jail where they will be compelled to serve their full time on bread and water diet, unless they change their minds in regard to working.

Prepare for Missionaries.

HUMBOLDT, Neb., May 1.—(Special.)—The local committee is making arrangements for the coming district missionary convention of the German Methodist Episcopal church, which will meet in this city on Tuesday, May 15. A large number of delegates and one or two active missionaries from the field of China and Corea are expected to be present and take part.

Saloons Close in Beatrice.

BEATRICE, Neb., May 1.—(Special Telegram.)—Beatrice was a dry town today, the saloons being closed for the first time in twenty years, by reason of licenses having expired. As the city council does not meet for one week yet, the prospect is that the town will remain dry for that length of time.

Farmer Found Dead.

BERTRAND, Neb., May 1.—(Special.)—John A. Malm, a farmer and stock feeder, was found dead in his barn, a few miles east of town, Sunday evening. A coroner's jury declared the cause of death to be the excessive use of alcohol. Deceased was a brother of the late Charles Malm, killed in a runaway a few months ago.

Injunction Case Argued.

FREMONT, Neb., May 1.—(Special.)—The injunction case of Hammond against the School Board of the city of Fremont, to restrain the issuing of bonds for a new High school, was argued and submitted to Judge Grimison this morning on the pleadings. As the answer filed by the board practically admits that a sufficient number of names were not signed to the petition for the bonds, though denying many of the allegations of the petition, it is probable that the injunction will be made permanent. Judge Grimison announced that he would hand down a decision Wednesday morning. Several motions and other equity matters were submitted to the court.

Arrest Suspicious Character.

PLATTSMOUTH, Neb., May 1.—(Special Telegram.)—Deputy Sheriff McBride arrested a man today giving the name of William Hamilton who had six gold rings, seven gold watch chains and a 48-caliber Colt's revolver. A telephone message states that the jewelry was stolen in Wahoo and officers will come for Hamilton.

Court Opens in Osceola.

OSCEOLA, Neb., May 1.—(Special.)—Polk county's term of court began this morning with Judge S. H. Sornburger presiding. The term will not be a very long one, as there are but seventeen cases on the docket, one of them a criminal case that has been before the court several terms.

Florence School Officers.

FLORENCE, Neb., May 1.—(Special.)—At the meeting of the School board this evening the following teachers were elected: E. T. Gilbert, Miss Pearl Burleson, Miss Josephine Kelicher, Miss Mattie Tucker and Miss Rose O'Connor.

Wilson Leaves Nebraska.

NEBRASKA CITY, Neb., May 1.—(Special.)—Hon. William L. Wilson, ex-postmaster general, who has been the guest of ex-Secretary Morton at Arbor Lodge for three days past, departed for St. Louis today.

Entertainment at Decatur.

DECATUR, Neb., May 1.—(Special.)—The balloon ascension and Indian celebration Saturday was witnessed by a large crowd in spite of the steady downpour of rain. The ascension and program was a success.

DEMOCRATIC CONVENTION.

LINCOLN, May 1.—The democratic state central committee hereby calls a delegate convention of the democrats of the state of Nebraska to meet in Lincoln at the Oliver theater on Wednesday, July 11, at 2 o'clock p. m., for the purpose of nominating candidates for the following state offices to be filled at the ensuing election: Governor, lieutenant governor, secretary of state, auditor of public accounts, treasurer, superintendent of public instruction, attorney general, commissioner of public lands and buildings and eight presidential electors and for the transaction of such other business as may properly come before the convention. All citizens who believe in the principles of the democratic party as declared in its national platform and who intend to affiliate with the democratic party at the coming election are invited to participate in the selection of delegates to this convention.

Each county is requested to send one delegate for each 100 votes or major fraction thereof cast for Hon. C. J. Smyth for attorney general in 1898. Counties casting less than 100 votes for such candidate will send one delegate.

The following is the number of delegates to which each county is entitled.

Adams	19	Johnson	11
Antelope	11	Kearney	11
Banner	2	Keith	3
Blaine	1	Keya Paha	4
Boone	13	Kimball	6
Box Butte	5	Knox	16
Boyd	5	Lancaster	45
Brown	4	Lincoln	10
Buffalo	20	Logan	2
Burt	12	Loup	2
Butler	19	McPherson	1
Cass	23	Madison	16
Cedar	11	Merrick	10
Chase	2	Nance	8
Cherry	7	Nemaha	16
Cheyenne	4	Nuckolls	15
Clay	17	Otoe	21
Colfax	12	Pawnee	11
Cuming	15	Perkins	3
Custer	19	Phelps	11
Dakota	6	Pierce	8
Dawes	7	Platte	17
Dawson	13	Polk	13
Deuel	3	Red Willow	9
Dixon	10	Richardson	23
Dodge	13	Rock	3
Douglas	88	Saline	18
Dundy	4	Saunders	24
Fillmore	18	Sarpy	10
Franklin	11	Scotts Bluff	3
Frontier	9	Seward	17
Furnas	13	Sheridan	6
Gage	24	Sherman	7
Garfield	7	Sioux	3
Gosper	6	Stanton	8
Grant	2	Thayer	15
Greeley	7	Thomas	2
Hall	16	Thurston	5
Hamilton	16	Valley	9
Harlan	11	Washington	13
Hayes	2	Wayne	8
Hitchcock	6	Webster	13
Holt	13	Wheeler	2
Hooker	1	York	18
Howard	11		
Jefferson	17	Total	1,029

P. L. HALL, Chairman.
W. M. CAIN, Secretary.

SILVER REPUBLICAN CALL

LINCOLN, May 1, 1900.—The silver republican party electors of the state of Nebraska are hereby requested to send delegates from their respective counties to meet in convention Wednesday, July 11, 1900, at 2 o'clock p. m., at Conservatory of Music hall, southeast corner Thirteenth and L streets, Lincoln, for the purpose of placing in nomination candidates for the following offices: Governor, lieutenant governor, secretary of state, auditor of public accounts, treasurer, superintendent of public instruction, attorney general, commissioner of public lands and buildings and eight presidential electors, also for the transaction of such other business as may properly come before the convention.

The representation is based upon one delegate for every 200 votes cast for Hon. E. A. Gilbert for lieutenant governor at the election of 1898. Each county is entitled to representation as follows:

Adams	9	Jefferson	8
Antelope	6	Johnson	5
Banner	2	Kearney	5
Blaine	2	Keith	2
Boone	6	Keya Paha	2
Box Butte	3	Kimball	2
Boyd	3	Knox	8
Brown	2	Lancaster	22
Buffalo	10	Lincoln	5
Burt	7	Logan	2
Butler	7	Loup	2
Cass	9	McPherson	2
Cedar	5	Merrick	3
Chase	2	Madison	7
Cherry	2	Nance	4
Cheyenne	2	Nemaha	7
Clay	8	Nuckolls	7
Colfax	5	Otoe	10
Cuming	7	Pawnee	5
Custer	9	Perkins	2
Dakota	3	Phelps	5
Dawes	3	Pierce	3
Dawson	6	Platte	8
Deuel	2	Polk	6
Dixon	4	Red Willow	4
Dodge	9	Richardson	8
Douglas	41	Rock	2
Dundy	2	Saline	8
Fillmore	5	Sarpy	5
Franklin	3	Saunders	11
Frontier	4	Scotts Bluff	2
Furnas	5	Seward	8
Gage	12	Sheridan	3
Garfield	2	Sherman	3
Gosper	2	Sioux	2
Grant	1	Stanton	3
Greeley	3	Thayer	7
Hall	8	Thomas	1
Hamilton	7	Thurston	3
Harlan	7	Valley	4
Hayes	1	Washington	7
Hitchcock	1	Wayne	6
Holt	1	Webster	5
Hooker	1	York	10
Howard	1	Wheeler	2

It is recommended that no proxies be allowed, that the delegates present cast the full vote of their respective delegations.

J. N. LYMAN, Chairman.
A. H. GLEASON, Secretary.

EVIDENCE IN FROST CASE

Sensational Testimony Brought Out Against Dead Man's Wife.

MRS. WOODS DI P.CTS SCENE AT DEATHBED

Mrs. Frost is Arrested and Complains on Way to Jail of Injustice of the Authorities and Community.

(Continued from First Page.)

then the doctor gave him some stuff. I asked the doctor what was the matter, but he would not tell me.

"It must have been near 11:30 when Mr. Steinbaugh came in and the doctor sent him at once for some medicine, a remedy which I afterward learned was an antidote for strychnine poisoning, but he failed to get the medicine. He came back a half hour later to say that the drug stores were all closed and that he could not arouse any one. Then the doctor sent him out a second time.

"Meanwhile Mr. Frost had had several convulsions, followed by intervals of calm, during which he would be perfectly conscious, but he said very little. Once he said: 'Tell Arthur to be a good boy.' He seemed to know he was dying. His last words were: 'Maggie, I love you.' These were addressed to his wife. All this time she was hanging over him weeping, wringing her hands and making a great ado, but somehow, it seemed to be all put on.

"When life was extinct the doctor put on his hat and went away and soon afterward Mr. Steinbaugh returned a second time to report as before—that he could not get into a drug store.

"When told that Mr. Frost was dead he sat down on the foot of the bed in which the corpse lay. Mrs. Frost kneeled down beside him, buried her face in his lap and wept, while he, with his arms about her, talked to her kindly. They remained this way for some time, then she said: 'Mr. Steinbaugh, you must get ready and go with me to Ames tomorrow, when I take the corpse there for burial.'

"He replied: 'I am afraid my business won't permit.'

"Their conversation continued in this strain for a quarter of an hour and then I made Mrs. Frost go upstairs with me and go to bed.

Figures Up Life Insurance.

"The first thing she did when she was alone with me was to figure up how much life insurance was coming to her from the two lodges to which Mr. Frost belonged. I believe she made it out to be $3,000. I though this rather mercenary and hard-hearted under the circumstances, but said nothing about it.

"The next morning, when she and I went downstairs, we found Mr. Steinbaugh there with the corpse. The greeting between him and Mrs. Frost was most affectionate, so much so that I became disgusted and withdrew from the room, closing the door. A few minutes later she emerged, and seemingly much pleased, announced that Mr. Steinbaugh was going with her to Ames."

This, in substance, was the testimony given by Mrs. Woods before the coroner's jury, but Mr. Steinbaugh did not accompany Mrs. Frost to Ames, nor did Mrs. Frost go, though arrangements progressed along these lines for a few hours Friday morning. The lodges to which the deceased had belonged finally stepped in and refused to permit Mr. Steinbaugh to go, appointing two lodge men in his place. Later in the day this plan was frustrated by the interference of the authorities. Word had reached the county attorney that things did not look right at the Frost home, and in accordance with this information he caused the body to be retained in York for a post mortem examination and inquest and later ordered it to be interred here.

Testimony of Doctor.

Dr. Vrandenburg, the attending physician, testified before the coroner's jury that the deceased died with all the symptoms of strychnine poisoning and this was corroborated by four other physicians, among them Coroner William R. Knapp, who had examined the body after death. One of these gentlemen said:

"His arms were flexed upon the body, his hands were tightly clenched, the soles of his feet were turned inward and the muscles of his legs were contracted, all conditions peculiar to poisoning by strychnine.

"The woman said that she bought the poison to kill rats," he continued, "but though we made a thorough search of the premises we could see no signs of rats or of rats having been there. We found a plate of corn meal, which we supposed might contain strychnine designed to kill rats, but it was in a place where no rat could get it. This meal and the stomach of the deceased will be analyzed by a chemist.

"We found in the house four different kinds of poison—rat cheese, strychnine, tincture of aconite and laudanum. From one bottle containing strychnine about one-third of the original contents had been taken."

The coroner's jury held a session Monday night to take the evidence of C. M. Huscher, brother-in-law of the deceased, who had arrived from Ames, Kan., where the Frosts lived until they moved to York, a year ago. Mr. Huscher was accompanied by a Mr. Mack, a neighbor. Both testified that Mrs. Frost had been very wild while in Kansas and that she was known in the community of which Ames is the center as a notorious flirt. But the most material evidence given by Mr. Huscher was a letter written by Mrs. Frost to her husband's parents warning them of his approaching death and bidding them make arrangements for his funeral. This letter was dated at York, Tuesday, April 24, three days before he was taken ill.

Mrs. Frost's Letter.

This is the only letter in the hands of the coroner's jury, the many letters known to have been received by her from Charles Kirby having disappeared. It is supposed she destroyed them before the authorities made a search of the premises, as she had read parts of the missives to female friends. However, the substance of them has been placed before the jury in the nature of oral evidence. These women testified that the letters were full of endearing terms, positively sickening in their wealth of words and phrases expressive of love.

Mrs. Frost attempts to explain this away by saying that the letters received by her from Kirby were really intended for one of her pupils, a young woman named Maud Churchill, but Miss Churchill indignantly denies this. It is known that the envelopes bore the name of Mrs. Frost and not that of Miss Churchill.

A month ago Charles Kirby was married under protest to a young woman of York with whom he had been criminally intimate. Both before and after this incident his brazen attentions to Mrs. Frost were the talk of the town.

W. W. Wyckoff, city attorney, returned from Omaha Monday, where he had gone with the stomach of the deceased. He left it with Dr. Robinson, Union Pacific chemist, No. 1112 Dodge street. This was done because Dr. Nicholson, the state chemist at Lincoln, is in Europe and will not return for several months. Dr. Robinson says it will take ten days or two weeks to analyze the stomach.

William S. Robinson, assayer and chemist, has in his possession the stomach of Mr. Frost. When seen at his residence last night Mr. Robinson declined to give any intimation of his investigation into the case. "I expect," said Mr. Robinson, "to be called before the coroner's jury at York some time during this week and I will then make public the result of my investigation. It would be absolutely impossible for me to discuss the matter in advance of that time."

DEATH RECORD.

Victor Bierbower.

SPOKANE, Wash., May 1.—(Special Telegram.)—Victor Bierbower, formerly lieutenant governor of Idaho, died at a local hospital today. He was brought here Saturday from his home at Grangeville, suffering from a stroke of paralysis, from which he never recovered. He was one of the best known men in the northwest. He leaves a sister-in-law, Mrs. E. L. Bierbower of Omaha, a half brother in Washington, D. C., and a brother, Austin Bierbower, a Chicago attorney.

Mr. Bierbower was born of German parents at York, Pa., in 1849. He went to Omaha after his graduation from college and engaged in the practice of law there until 1883, when he was sent to Hailey, Idaho, as attorney for the Oregon Short Line railroad. Later he removed to Salt Lake City, where he was prominent as counsel in Mormon litigation. In recent years he has been engaged in the practice of law in Idaho and has been a resident of Grangeville for about two years. He was formerly in the Nebraska legislature, serving one term as president of the lower house and a term in the state senate. In Idaho, in 1895, he was president of the senate, and became lieutenant governor on the resignation of Lieutenant Governor Miles. He was never married. He leaves considerable property in lands and mines in Idaho. He was an Elk. No arrangements for the funeral have yet been made.

John W. Hoffman.

Death has claimed another Nebraska pioneer. Yesterday morning John W. Hoffman died at his residence, 2770 Cuming street, after only one week's illness. His death was the result of a severe attack of pneumonia which baffled the skill of the physician. Mr. Hoffman was a member of the Union Pacific Pioneers' association. He has worked in the Union Pacific shops for twenty years, having moved to Omaha from Nebraska City to accept the position he was filling when he died. He came to Nebraska thirty-two years ago from Franklin, Pa., his native town. He was born July 4, 1826. For forty-seven years he has been a consistent, earnest christian worker and will be long remembered by the many people he has helped by words of counsel and kindly deeds. He joined the Methodist Episcopal church soon after his conversion and as a class leader or an official member has continuously for forty-seven years helped in directing the affairs of the churches he has been connected with. At the time of his death he was a member of the Seward Street Methodist Episcopal church. The funeral will be held in that church Thursday afternoon at 2 o'clock.

Edward O. Leech.

NEW YORK, May 1.—Edward O. Leech, former director of the mint, who underwent an operation for appendicitis in Mount Sinai hospital April 12, died in that institution tonight. Previous to the merging of the National Union bank with the Bank of Commerce Leech was cashier and second vice president of the former institution.

Nebraska Pioneer.

BEATRICE, Neb., May 1.—(Special Telegram.)—Roswell F. West, one of the pioneers of this county, died this morning at his home in Beatrice, aged 85 years. He was born in Rochester, N. Y., was twice married and had been a resident of Gage county for thirty-three years.

Celebrated Painter.

BONN, May 1.—Munkacsy, the celebrated painter, died in an asylum here today. He will be buried at Buda Pest.

Hubbard is Found.

N. O. Hubbard, who mysteriously disappeared from the Karbach hotel Sunday morning, was found Tuesday evening at the Paxton hotel by Detectives Heitfeldt and Donahue. He is slightly demented and was taken to St. Joseph's hospital for treatment. Mr. Hubbard has been brooding over the death of his wife, which occurred at the old home in Vermont ten days ago, and this is the cause of his mental trouble. He is well known in Omaha and was recently appointed manager of the Deadwood branch of the Cudahy Packing company.

Discuss a Change of Venue.

FRANKFORT, Ky., May 1.—The examination of witnesses on motion for a change of venue for Powers, Davis, Combs, Youtsey, Whittaker, charged with complicity in the murder of Goebel, was resumed today. A number of witnesses thought a fair trial could be had here.

LOCAL BREVITIES.

The Winter club gives its May party, the closing dance of its season, Thursday evening at Metropolitan hall.

District court was adjourned sine die Tuesday and there will accordingly be opportunity for court, counsel and client to enjoy a vacation until Monday next.

A May ball and entertainment was given Tuesday evening at the Thurston Rifles' armory by the guards of Hollister hive No. 21, Ladies of the Maccabees. A drill by the twenty-four members of the team, who were attired in white, was a pleasing feature. Refreshments were served.

Stanislav J. Cerny of South Omaha, 40 years of age, has been bound over by Justice Baldwin for trial in the district court. His bond was placed at $2,000, in default of which Cerny will remain in the county jail. The charge against Cerny is that of criminal assault upon a 3-year-old girl, whose home is in South Omaha.

TODAY'S WEATHER FORECAST

Wednesday to Be Fair with the Temperature Cooler in Western Nebraska.

WASHINGTON, May 1.—Forecast for Wednesday and Thursday:

For Nebraska—Fair Wednesday; cooler in western portion; Thursday fair, winds becoming northerly.

For Iowa—Fair Wednesday; cooler in northeast portion; Thursday fair, winds becoming northwesterly.

For Missouri and Kansas—Generally fair Wednesday and Thursday, variable winds.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, May 1.—Official record of temperature and precipitation, compared with the corresponding day of the last three years:

	1900.	1899.	1898.	1897.
Maximum temperature	70	68	62	65
Minimum temperature	52	46	44	45
Average temperature	61	56	53	55
Precipitation	.00	.00	T	.00

Record of temperature and precipitation at Omaha for this day and since March 1, 1900:

Normal for the day	54
Excess for the day	7
Excess since March 1	157
Normal rainfall for the day	.13 inch
Deficiency for the day	.13 inch
Total since March 1	4.91 inches
Excess since March 1	.15 inch
Deficiency for cor. period, 1899	2.39 inches
Deficiency for cor. period, 1898	.87 inch

Reports from Stations at 8 p. m.

STATIONS AND STATE OF WEATHER.	Temperature at 8 p. m.	Maximum temperature.	Precipitation.
Omaha, cloudy	62	70	.00
North Platte, clear	70	72	.00
Salt Lake, partly cloudy	54	56	T
Cheyenne, cloudy	46	50	T
Rapid City, clear	66	66	.00
Huron, clear	72	74	.00
Williston, clear	52	66	.00
Chicago, partly cloudy	70	72	.00
St. Louis, clear	74	78	.00
St. Paul, clear	74	78	.00
Davenport, cloudy	70	76	.00
Helena, partly cloudy	60	64	.00
Kansas City, partly cloudy	70	76	.00
Havre, clear	60	62	.00
Bismarck, clear	60	74	.00
Galveston, clear	78	82	.00

L. A. WELSH,
Local Forecast Official.

A GALLANT SOLDIER.

Suffered from Indigestion and Catarrhal Biliousness Cured by Peruna.

COLONEL GEORGE A. ARMES, U. S. A. (Retired.)

Major George Armes, U. S. A., retired, of Washington, D. C., has one of the most interesting and romantic histories, which, briefly stated, is as follows: At the age of seventeen he was wounded while guiding a union raid. At eighteen he was congratulated publicly by Lincoln and at twenty he was made brevet major for gallantry. At twenty-two he stampeded a horde of Indians. At twenty-three he was breveted lieutenant colonel. At the age of twenty-five he became a victim of official persecution. At the age of fifty he was a millionaire through his success in the real estate business in the city of Washington, D. C. At the age of fifty-five he heads an expedition to the Transvaal. In a recent letter written to The Peruna Medicine Company, Columbus, Ohio, he says:

"Peruna cured me of indigestion and biliousness and I continued to take it and have found it an excellent tonic."

GEORGE A. ARMES, U. S. A.

Major Liddell.

Major J. M. Liddell, major of the Fifth Immunes, recently ordered to the Philippines and well known in Mississippi, writes: "I have used Peruna for years and I know of no better medicine on the market. It should be used in every household. As a cure for catarrh I know of nothing better."

Catarrh of the stomach causes a condition known as dyspepsia or indigestion. It usually results from catarrh in the throat, but sometimes occurs in people who have never had catarrh elsewhere. The symptoms of dyspepsia are liver complaint, biliousness, sour stomach, water brash, bloating after eating, constipation, piles and, in many cases, low spirits, dizzy head, sympathetic heart palpitation, pain, indigestion and looseness of the bowels. Peruna is a specific for catarrh of the stomach.

Many people think that catarrh is confined to the head and perhaps occasional cases of catarrh of the stomach. This is very far from being the case. Every organ, duct and opening of the body is lined with mucous membrane and is liable to catarrh or inflammation. One man has catarrh of the eyes; another catarrh of the bronchial tubes; another catarrh of the kidneys; another catarrh of the bladder.

A remedy to cure catarrh of these different organs must be a remedy that acts directly on the mucous membranes lining these organs. It must be an internal systemic remedy. It is claimed for Peruna that it cures catarrh wherever located.

A book on catarrhal diseases, written by Dr. Hartman, the compounder of Peruna, will be sent free to any address by The Peruna Medicine Co., Columbus, Ohio.

HYMENEAL.

Henggeler-Berney.

COLUMBUS, Neb., May 1.—(Special.)—J. Anton Henggeler and Miss Rosa Berney were married this morning at St. Bonaventura's Catholic church, Rev. Father Kohlmyer officiating. The groom is a prosperous young farmer of this county and the bride is a daughter of Mr. and Mrs. George Berney of this city.

Elias-Litjens.

COLUMBUS, Neb., May 1.—(Special.)—Max Elias and Miss Mary Litjens were married at high noon at the office of Justice Curtis. Both are well known young people of this city and Mr. Elias is employed in the baggage department on the Union Pacific. They left at 2 o'clock for Kansas City, where, after a ten-day visit, they will return and make this city their future home.

Geist-Schechter.

WEST POINT, Neb., May 1.—(Special.)—Valentine Geist and Miss Regina Schechter were married last evening. Mr. Geist is a prominent business man of West Point, while the bride is a well known and popular young woman here. The couple left today for a wedding tour to the Black Hills and other western points.

Throw-Downing.

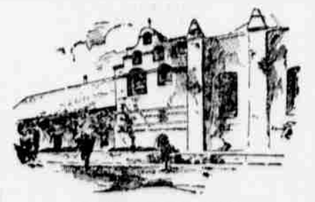
NEBRASKA CITY, Neb., May 1.—(Special.)—J. E. Throw and Miss Laura C. Downing were united in marriage here today by Rev. J. W. Leard of the First Presbyterian church. The groom is a resident of Red Oak, Ia. The bride is a daughter of Charles Downing of this city.

Black-Owen.

NEBRASKA CITY, Neb., May 1.—(Special.)—Garrett E. Black of Douglas and Miss Margaret M. Owen of Fort Wayne, Ind., were married today at the parlors of the Morton house, Rev. Tanner of the Baptist church officiating.

To Heal a Hurt.

Use Banner Salve, the great healer. It's guaranteed for cuts, wounds, sores, piles and all skin diseases. Take no substitute. For sale by Myers-Dillon Drug Co., Omaha; Dillon's Drug Store, South Omaha.



THE MISSION

OF SAN CURO AND SAN CURO CATHARTIC TABLETS is to prevent and cure Rheumatism, Kidney, Bladder and all Uric Acid diseases.

For years I was tortured with rheumatism, I tried many remedies without getting relief. Some months ago I commenced taking what is known as CALIFORNIA'S MISSION REMEDIES. I followed directions carefully, taking SAN CURO, applying CALA CACTUS LINIMENT to my stiffened joints and using SAN CURO CATHARTIC TABLETS to drain my system of impurities. At first I experienced little benefit but after giving the medicines a fair show I seem to be PERMANENTLY cured. Judging from my own experience these remedies will do for others what they have done for me, if given a fair trial.

J. F. GRIMES,
Head House Painter,
Phelan Building, San Francisco.

California's Mission Remedies.

FOR SALE BY ALL DRUGGISTS.

When others fail consult

DOCTOR

SEARLES & SEARLES
OMAHA.
NERVOUS CHRONIC & PRIVATE DISEASES OF MEN
SPECIALIST

We guarantee to cure all cases curable of
WEAK MEN SYPHILIS
SEXUALLY. Cured for Life.
Night Emissions, Lost Manhood, Hydrocele, Varicocele, Gonorrhoea, Gleet, Syphilis, Stricture, Piles, Fistula and Rectal Ulcers and all
Private Diseases and Disorders of Men
Stricture and Gleet Cured at Home.
Consultation Free. Call on or address
DR. SEARLES & SEARLES.
110 South 14th St. OMAHA.

MUNYON'S

I will guarantee that my Kidney Cure will cure 90 per cent. of all forms of kidney complaint and in many instances the most serious forms of Bright's disease. If the disease is complicated send a four-ounce vial of urine. We will analyze it and advise you free what to do.
MUNYON.

At all druggists, 25c. a vial. Guide to Health and medical advice free. 1505 Arch st., Phila.

KIDNEY CURE