THE OMAHA DAILY BEE: SATURDAY, MAY 26, 1900.

romotion company.

strike some fine towns.

POYNTER AND LANG IN COURT and by councel. This examination was held

MANY PROMINENT POLITICIANS PRESENT pleinental March 20. These were the orig-

First Heard of His Removal Through Newspapers and Was Much Surprised.

BEATRICE, Neb., May 25-(Special)- dered their resignations and that he The hearing in the injunction proceedings thought it heat that both should be acwherein Superintendent Ling of the Instit, copied, and he did accept them both. lute for Feeble Minded seeks to restrain Governor Poynter from removing him from were made two or three days after the inoffice was held before Judge Letton this vestigation. The findings of the suplemental forenoon. Governor Peynter and a numberof witnesses from Lincoln for the defense the original findings, and after Dr. Lang were present, as was the plaintiff, Dr. Lang. came up and asked him what the findings The court room was fairly well filled with were to be. Governor Poynter said Dr. prominent politicians and much interest Lang seemed to be very much aggrieved. was taken in the proceedings.

Judge Kretsinger, attorney for the plaintiff, opened the case. He held that the evident that he had lest control of the inplaintiff had never been relieved from the position of superintendent of the institute. That no legal notice of such removal had or control. been furnished him, but on the other hand he held the commission of the governor of Nebraska appointing him to that office for two years, beginning June 6, 1899. Dr. Lang was called and sworn.

George A. Murphy, attorney for the defendant, interposed and stated that make the date June 1. I told him that the defense does not admit that Dr. Lang is a qualified physician.

Dr. Lang stated that he had lived in Nebraska sixteen years and that he has practiced medicine in the state for fourteen years. He is a graduate of Tulte Medical college, Cincinnati, O., and holds a diploma-The me another Sprague. I will surrender with-has out a protest and will show my successor of graduation from that institute. diploma was offered in evidence. He has complied with the laws of this state regarding the practice of medicine. His diploma is registered with the county clerk of York county, Nebraska. He has not practiced Kretsinger, what you would like to have medicine during the past year clauwhere me say. My language may not be as gramthan at the Institute for the Feeble Minded | matical as yours, for you are a lawyer and in this city, to which place he was ap- 1 am but a plain farmer and am not quite pointed a superintendent May 15, 1899. and a later commission given him dated June 6, 1899. He took possession of the institute June 16, 1899, and his commission runs for two years. He had not been removed from office of superintendent for resignation was received by me March 24 or cause. The first intimation he had of his removal was on May 17, 1990. His first knowledge was obtained in an article in a newspaper

When Dearing Called on Him.

Dr. Dearing called upon him about this time, stating that he had a talk with the governor regarding his taking charge of the institution. This conversation between Dr. Dearing and the governor was, witness learned, about March 25, 1900. The conversation between witness and Dr. Dearing was in May of the present year, after the reports of Dr. Lang's removal had been published This was on Tuesday, before witness had made application for an injunction. On May 15 Mr. Stewart came out to the institute with one McEntee. They had a letter with them purporting to be from the govornor, which they read to witness at that time on the porch of the institute. The letter stated that Stewart was appointed steward of the institute, and hat he was author ized to take charge of the institute until the arrival of Dr. Dearing, who had been appointed superintendent to relieve Dr. Lang. Witness told them he could not recognize them in that capacity, as he was still holding a commission from the governor making him superintendent, and that he could not surrender until he had more definite authority from the governor, which as yet he had not received. Witness told them

good-naturedly that if they were butter meathan him that they might take possession. They talked along this line pleasantly for

in Mar h last, the exact date he could not remember. About two days were consumed in the investigation. The governor original and supplemental findings. The original was dated March 23 and the sup-DI MOCRATS BOUND TO HAVE THE PLACE inal findings made on the original charges Attorney Murphy read the findings known Populist Leaders Complain that His Lang on the Witness Stand Says He and the supplementary findings, wherein Dr. Long is charged with inciting strile and turmoli in the institute, and orders his removal. These are dated March 20. It states

Course in Congress and Elsewhere Has Been Too Confurther that at the close of the investigation servative for Party. both the superintendent and steward ten-LINCOLN, May 25 .- (Special.) -- It is the

general opinion of politicians here that the western Dakota Civil and Spanish War Sol. Decoration day, nomination of G. W. Berge, a populist, as diers' and Sallors' association was recently The governor continued that his findings the fusion candidate for congress from the First district has put an end to the aspiralons of Congressman Sutherland toward a decision were made two or three days after third term from the Fifth district. The E. West of Crawford; second vice comdemocrats have been very insistent mander, Comrade Allan G. Fisher of Chadin regard to the equal division of ton chaplain, John A. Schammahorn of Gorthese places between their party and the don, quartermaster, Comrade S. W. Town equilists and Mr. Berge's nomination gives send of Crawford. Strong committees were but it was apparent to him that he could the latter their share, three districts. In appointed and the organization decided to not get along at the institute and it seemed the First, Fourth and Sixth districts populists are now conceded nominations. So the banks of the White river here from the 30th stitution and that constant turmoil predemocrats will insist on the naming of their vailed, there which he was unable to check man, A. C. Shallenbarger, in the Fifth d.s-About Lang's Resignation.

tript in place of Sutherland. Even so the democrats will be none too "At the time of his visit to my office. well satisfied. True, they will have the hold of the matter and on the Fourth of said the governor, "I took up a piece of stipulated three, but it is conceded that there paper lying on the table and wrote out his is no hope for the n mines in the Second esignation, but made no definite date when district, as that is admittedly strongly reshould be operative. He wished me to publican. This feeling is increased by the further fact that of the four fusionists now would not do, as the conditions at the in congress from this state but one is a stitute were such that matters were very temperat. That one is Mr. Robinson of the annoying and becoming intolerable and district. In regard to Mr. Berge's Third that I would give him until May 15. The nomination and Mr. Sutherland's consequent doctor seemed very grateful for this and sail position a prominent populist said today. o me, 'Governor, when the time comes "Berge's nomination kills Sutherland; that around for me to get out you will not find preity certain. We have been having rather a good thing of it in the matter of ongreasmen, anyhow, with our three fusion around the institute and give him all the nembers out of four in the lower house, it

assistance I can.' Yes, the resignation was is only fair that the democrats should have corepted immediately. I understand, Mr. their man in the Fifth. Sutherland has been a fairly good man, although he lacks energy, For this reason he has not made any great in the afternoon. A procession will be up on technical answers, and must be alowed to answer in my own language. No conditions whatever were attached to Dr. Lang's resignation. I told him that Stewand Milliken had already resigned. This excuse for doing it The resignation of Dr. Lang has been "Senator Allen told us at Sloux Falls that livered on the return from the cemelery in file in my office ever since it was given

order to benefit the cause most materially, | war. There are twenty-nine union soldiers Allen stood by his ideas, but Sutherland, ime to the present.

o do, went first to a leader from his own states. district and sounded him before he took a stand." institution.

Dr. W. H. Dearing of Lincoln was called he did not know that Mr. McEntee and Mr.

Court then adjourned to 1:30 p. m.

Testimony in the Lang against Poynter case was concluded this evening. Poynter was called in rebuttal, as was also Lang. Both positively and emphatically denied tatements made by the other regarding the resignation of Lang. Judge Letton in summained for hours. ming up said that the people of the state were getting completely tired of these an nual wrangles at the Institute for Feeble Minded and the constant washing of dirty olitical linen. He would be compelled to decide from the evidence in favor of the lefendant, as it appeared that Lang had endered his resignation, even though with string to it, and having made his bed he nust lie in it. The injunction was dissolved. The plaintiff filed a motion for suersedeas bond. The court granted the ap dication and fixed a bond of \$500. This ontinues Lang in possession until a hear-

ENDS SUTHERLAND'S HOPES speeches were made for and against the Ealing, grammar; Belle Harper, second inproposition, but the people on the whole termediate, Gertrude Simpson, first inter-were in favor of the railroad. Mr. Curry re- mediate, Miss Lois Fisher, second primary,

used to disclose the line of the road into and Mies Mabel Dell, first primary. The Injunction Precieding: Over Feeble Minded in the investigation. The governor Institute Heard at Beatrice. Numerican in the investigation. The governor Nomination of Berge in the First Settles the Fullerton, but there are only two routes above teachers have given general eatisfacavailable, one down the Cedar valley from above teachers have given general satisfac-Cedar Rapids and the other down the Tim- tion.

ber creck valley. The proposition was made Dramatics at Treaton. to the mayor in writing by the Manhattan

TRENTON, Neb., May 25-(Special)-The It is surmised that from Fullerton it is Trenton Dramatic club presented the drama, "My Brother's Keeper," to a packed house the intention of the road to build on to Linoin and possibly farther. By so doing at the court room in this village last eventhe road would penetrate a rich country and ing. The proceeds go to the Trenton band.

Omaha Men to Speak.

TEKAMAH. May 25-(Special.)-Hon. Monster Celebration Planned. CRAWFORD, Neb., May 25.-(Special.)ohn L. Webster and Harry Brome, both of The Northewestern Nebraska and South- Omaha, are billed for addresses in this city Rain at Pierce. organized here with the following officers. PIERCE, Neb., May 25 .- (Special Tele-Commander, Comrade W. R. Akers of Alliance; first vice commander, Comrade John

gram.)-It rained quite hard here from 11 clock until about 2 o'clock in the after noon.

TODAY'S WEATHER FORECAST

Fair, With Variable Winds in Ne braska-Thunderstorms Possible hold a grand reunion in the grove on the ble in Southeastern lown.

of June to the 5th of July. Committees are WASHINGTON, May 25 .- Forecast for working to make this the coming event of aturday and Sunday: the season for this portion of the state. The

For Nebraska and South Dakota-Fair Business Men's club of Crawford has taken aturday and Sunday; variable winds For lowa-Partly cloudy Saturday; possi-July will join with the old soldiers to make bly showers and thunder storms and cooler in southeast portion; Sunday fair; variable winds.

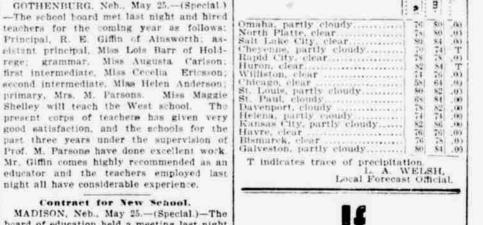
For Missouri-Partly cloudy Saturday; essibly showers and thunder storms and oler in northern portion; Sunday fair, winds mostly easterly. For Kansas-Partly cloudy Saturday;

warmer in western portion; Sunday fair hundreds of tents to accommodate the southerly winds. crowds and it is expected that a specially

Local Record. OFFICE OF THE WEATHER BUREAU, OMAHA. May 25 - Official record of tem-perature and precipitation, compared with the corresponding day of the last three vears

ASHLAND, Neb., May 25 -- (Special.)-Plans have been perfected for the observ-Maximum temperature. ance of Decoration day in Ashland. The dinimum temperature verage temperature recipitation business houses in the city will be closed Record of temperature and presi it Omaha for the day and since March

Normal for the day ... Excess for the day... Excess since March L ermal rainfall for the day cy for the day. e Mar 7.13 19 since March 1 for cor period, for cor period. dead. The address of the day will be de-1899 Reports from Stations at S p. m. First Nebraska volunteers in the Philippine Precipitation Maximum tem-perature Temperature at 1 p. m. buried in the Ashland cemetery, represent-STATIONS AND STATE OF WEATHER.



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Kelley, Stiger & Co.

Selling Misses' and Children's Shoes Regardless of Cost

Infants \$1.00 Shoes at	50c
Children's \$1.50 Shoes at	75c
Misses' \$1.75 and \$2.00 Shoes at	95c
Odd sizes of Ladies' \$2.00 Shoes at	95c
Broken sizes of ladies' \$2.00 and \$2.50 Oxfords	95c

If you ride a wheel you should see our \$3.00 Bike Shoes.

We are showing a beautiful "Ideal" Kid Southern Tie for

A complete line of \$1.50 and \$2.00 Oxford Ties, in both tan and black.



Farnam and 15th Streets.



reputation. He is not sufficiently positive, formed at 1 o'clock by the Grand Army of he has convictions he does not assert the Republic post, headed by Judge J. N. them very strenuously. Partially for this Moon, marshal of the day, and including the reason he is not in touch with the leaders Ashland fire department, the mayor and of his own party in that district and the city council in carriages and several civic copulists themselves will be apt to turn him, organizations, and will proceed to the cemlown, especially as they now have a good etcry to decorate the graves of the soldier

o me. The findings I made have been on he and Sutherland had come back from by Rev. James Malliey, chaplain of the lie in my office ever since they were made Washington to advise us how to vote in and were in full force and effect from that

Dr. Dearing's appointment and delivery after traveling that distance to tell us what ing enlistments from thirteen different f bond and oath have been filed with me and have been approved. They were filed prior to May 15. I have made no attempt whatever to take forcible possession of the

"I did not publish the resignation myself. The newspapers did that. The reporters ame to my office for news and information and they copied the resignation there. This ended the governor's testimony.

and sworn. He stated that he was one of the defendants in this case and was the ap pointee of Governor Poynter as superintendnt of the institute for feeble minded. was first at the institution on Wednesday, May 9. He had no commission at the time. He did not make any attempt to take for cible possession of the institution. He said

institute for him. He had nothing to de with their coming down from Lincoln.

Decision Favors Defendants.

CONVICT FAILS TO ESCAPE George Dunken from Omaha Causes Many Hours of Excitement at

the Penitentiary. LINCOLN, May 25.-(Special)-George Dunken, a colored convict from Omaha, created a sensation at the penitentiary last light by an attempted escape. When the tally was taken at the evening meal Dun-

ken was discovered to be missing and for fifteen hours all efforts to find him or get even a clue to his whereabouts were futile He was finally discovered this morning lying in an unused boiler in the engine room. Stewart came down to take possession of the Dunken was sent down from Omaha four

Contract for New School onths ago to serve a ten-year sentence. for holding up a man on Dodge street.

MADISON, Neb., May 25 .- (Special.)-The board of education held a meeting last night For the last few days he has been working to open the bids for the new eight-room on the outside. Yesterday he was repairbrick school building. The successful biding a portion of the roof on a shed in the der was Moore & Co. of Des Moines rear of the broom factory. Unseen by the for \$11,400, that amount including the guards, he slipped down inside the building wreckage of the old brick school building

the biggest Fourth of July celebration ever held in northwest Nebraska. The troops from Fort Robinson will help to entertain on that day and there will be a barbecue in the grove in the morning, when the largest ox to be found on the ranges here will be roasted whole and the meat distributed among the people. There will be

low excursion rate will be given by the rall-

Ashiand to Observe Day.

Teachers for Gothenburg.

night all have considerable experience.

ways.

some little time. Up to this time witness had not seen nor heard anything about his removal except from the newspaper reports. On cross-examination the witness said he had not filed his certificate as a physician in this county, as he did not consider Beatrice his home. He had not practiced medicine or prescribed, except in a general way in the line of his duty as superintendent at the institute. He said he understood that it was not lawfully required that a certificate should be filed in this county, when he had already filed one authorizing him to prac tice medicine in this state.

During redirect examination Lang stated that he had heard from people in Lincoln that Governor Poynter was scheming with his office men to remove him from the office of superintendent and that Dr. Dearing was to have the place. He said his informants were Hon. J. B. Meserve and Secretary of State Porter. These gentlemen had both told witness that the governor was determined to remove him. This conversation took place in the office of the secretary of state at Lincoln on March 25. Lang said that Mr. Porter told him that it had leaked out from Mr. McEntee and Mr. Jewell, clerks in the governor's office, that it was the intention to remove him. Lang did not believe this at the time, because of the positive amurances he had from the governor.

Governor on Stand.

Governor W. A. Poynter was the next wit ness called and sworn. Judge Letton asked that the answer of Governor Poynter as one of the defendants to this case, and which same had been filed, be read, Attorney Murphy read the answer in full.

Mr. Kresinger, attorney for Dr. Lang, then read, at the request of Judge Letton, Dr. Lang's answer to the governor's answer. This answer denies every allegation made by the governor, and cites the finding of Governor Poynter vindicating the plaintiff from | hold the convention June 22. all the charges filed against him by Steward Milliken in the investigation held before the

governor in March last. He admits that he did, on the 27th of March, 1900, sign a certain registration, with the clear understanding that said resignation would not be published or acted upon.

The examination of the governor then proceeded. He said in substance that the charges against Dr. Lang were filed with him, and that he had held a hearing on the charges. Dr. Lang appeared in person

LAME BACK, ACHING JOINTS, LOSS OF APPETITE, RHEUMATISM.

Why suffer when there is an abso-Intely reliable remedy for this painful disease? People whose occupation exposes them to cold and wet think there is no help for them, and go on suffering for years with inflamed joints, aching back and soreness all over the body.



is a sure cure. A few bottles will rid your system entirely of the poison which causes these tormenting pains. One bottle will relieve you, so you will be convinced of its value. All druggists have it. The cost is small and there is no doctor's bill to pay. This simple and safe medicine does the work. Prepared only by

The Dr. J. H. McLean Medicine Co., St. Louis, Mo.

ing is had in the supreme court. POPS TURN DOWN POYNTER

Delegation in County Convention Threatens to Leave if Governor is invited.

BEATRICE, Neb., May 25 .- (Special Telgram.)-While Governor Poynter was here attending the trial of Lang against Poynter the populist county convention was in sea sion at the court house. A motion to invite Governor Foynter to address the convention was voted down and one delegation threatened to withdraw if Poynter was invited nto the room. A resolution was adopted lenouncing Governor Poynter for hiring a republican attorney to defend his case when o many populist attorneys were out of jo's

and clients. The convention elected delegates to concressional and float representative convenions. The delegation to the congressional envention was instructed for Stark. The egular convention is called for June 22. The silver republican convention also met here today and selected delegates in float and congressional conventions. They will

Plattsmouth Woman in Jail.

PLATTSMOUTH, Neb., May 25 .- (Special.) Last evening Deputy Sheriff McBride arested Hattie Harkins and placed her behind the bars in the county jail. This norning a complaint was filed with Police Judge Archer charging her with assaulting Frank Cattyson with a knife with intent to wound. The defendant put up \$50 and the preliminary hearing was set for tomorrow. It is said that Hattle Harkins went to the

ome of Caltyson one evening last week and informed the woman of the house that if she would accompany her to a back alley she would find her husband and one Amanda Collins. Being filled with jea'ousy. he complied with the request at once, but they had not goue far before her pretended friend began pounding her in regular Corbolt style. Frank Cattyson appeared about this time, and in the mix-up caught one of the fingers of the Harkins girl in his mouth. In police court the next day each was fined \$3 and costs. Last evening Hattle Harkins started out to get revenue for having her finger chewed up. In her hand she had a large pocket knife, with which she made two gashes on the left hand of Frank, one four and the other six in hes

Boy Sets Barns on Fire.

long, before being arrested.

FORT DODGE, Ia., May 25.-(Special.)-Eddie Kehm, the 5-year-old son of Mr. and Mrs. Kehm, living in the east part of th. city, set fire to a hens' nest to make her leave and burned up two barns. He had made several unsuccessful attempts to drive biddy from her nest but she fought back and saved the eggs. He then secured some matches and proceeded to smoke her off. The dry hay started a fierce fire that attracted attention at once. By the time water was turned on the barn and a neighbor's were both a mass of flames. Captain Schmoll was severely hurned about the face while fighting the fire, which was confined to the two buildings. Both buildings and their contents were a total loss.

and crawled under the floor, loosening a Other bidders were: R. Butke, Omaha, couple of hoards and replacing them after \$12,600; G. A. Shaul, Beatrice, \$12,788; C. he was safely underneath. There he re-Dunken had not anticipated that his abence would be noticed so soon. During

the noon hour he had constructed a dummy which he left in his cell to deceive the patrolman on his night rounds. But this ruse was ineffective, for his absence was dis-

at once begun and Dunken's fellow workion carefully questioned. Another convict emembered seeing him about 5 o'clock in he afternoon, but that was the last record f him. A search of the building where he had last worked was instituted and they exmined the floor under which he was bunken took the alarm and slid to the other ide of the building, where he crawled out nd ran. He was still unseen and made his way undetected to the engine house, crawl-

ng into an old and unused boller. There has lay till 8 o'clock this morning, when he was finally discovered.

A meeting of the boards of transportation of the various states will be held next week in Milwaukee, beginning on Monday. Those who will attend from Nebraska a c Secretary of State Porter, Auditor Cornell, Secretaries of the Board G. L. Laws and J. W. Egerton, and Miss Holland. The next annual reunion of the Grand Army of the Republic will be held in Lincoln August 13 to 18 inclusive. The preiminary meeting for the purpose of comencing the arrangements has been held

and all the necessary committees have been puointed. Dick Mooney, the boy who was brought to Lincoln from Council Bluffs four days ago, was today bound over to the district court in the sum of \$300. He is charged with selling mortgaged property. Mooney waived oreliminary examination. Over 200 cars of southern cattle have

passed through here during the last three days. They are bound for Montana and are stopped at Aurora for inspection by State Inspector C. F. Hartman This is is a prominent democrat. due to the law lately passed in Montana demanding that all outside shipments of live stock shall be inspected before entering the state, owing to the many diseases by n, especially by southern cattle, and the arge percentage of deaths resulting.

Deputy State Superintendent of Public Instruction C. F. Beck will deliver an address at Axtell this evening before the repaired to the Hotel Riley, and after listen-graduating class in the High school there. Ing to an address of welcome by Hon 2 M New Railroad for Fullerton.

FULLERTON, Neb., May 25.- (Spacial.)-The representatives of the new railroad oming from the north, said to be an extension of the Atkinson & Northern, were here

yesterday and made a proposition to Fulerten pe ple to come bere if they would who had been quarantinel at the Soldiers' \$25,000, and a committee is now at home on account of smallpox, died about work under the direction of Mayor Tanner raising the money. It was said in the (noe)ing that the railroad had secured fifty acres taken, and it is rhought no further spread the beart of Grand Island and that the of the disease will occur. oad will run from Spaulding to Grand. Island and from Grand Island north. The

Be-Elected Old Teachers. northern terminus would not be disclosed



R. Cushman, Omaha, \$14,950; J. B. Herman, Norfolk, \$12,350; A. Morrison, Norfolk, \$12. 647; J. J. Adams, Madison, \$12,895. The contract specifies that the building is to be completed in 100 days.

Robber in Dentist's Office.

FREMONT, Neb., May 25 .- (Special Telecovered long before bedtime. A search was gram.)-While Dr. H. T. King was absent from his dental office this noon someone entered the rooms by means of a pass key and stole \$12 worth of gold leaf used for filling and upward of \$40 worth of gold used for other dental work. Nothing else was listurbed about the office. The work was vidently done by someone familiar with he location of things in the office and with dentistry. This is the second time the doctor's office has been robbed of gold within the past few years. Plans to Celebrate the Fourth.

EXETER, Neb., May 25 .- (Special.)-The

usiness men and old citizens of this place held a meeting this afternoon for the purpose of considering plans for a celebration at this place July 4. In less than an hour and a half after the meeting adjourned the committee on funds had secured nearly \$110. The principal feature for the day's amusement will be as fine a baseball game by outside clubs as the committee can seure. Managers of clubs are requested to orrespond with the secretary, W. J. Waite

Fusion Chicken Hatched.

TABLE ROCK, Neb., May 25.-(Special.) -Mr. George M. Lane of this place exhibted on the streets here yesterday a living uriosity in the shape of a chicken, hatched out at a little before 10 a. m. yesterday (at about the hour of Berge's congressional nomination at Auburn.) with four legs, all well developed. It is called by the people here a "fusion chicken." Two of the legs seem to point toward Sloux Falls and the other two toward Kansas City. Mr. Lane

Masons Hold Initiation PLATTSMOUTH, Neb., May 25 .- (Special.) -At the last regular meeting of the Royal Arch Masons in this city Robert Sherwood

jr., and Adam Kurtz of this city and Mile. Drake of Louisville were initiated into the mysteries of the order. After which ali ing to an address of welcome by Hon. S. M. Chapman, surrounded the board and did justice to a banquet. A number of visiting

brothers were present.

Soldier Dies from Smallpox. GRAND ISLAND, Neb., May 25.-(Spe cial.)-The old soldier, Henry A. Curtis, 5 o'clock last evening and was buried a few hours later. Every precaution has been

RANDOLPH, Neb., May 25-(Special.)-A Mr. Curry, (ald to be a New York lawyer, The school board of this place recently was the spokesman of the party and mate re-employed F. E. Mullen as principal; Lit-

