JUDGE MAXWELL IS GONE

Prominent Old Nebraskan Dies at His Home in Fremont.

HIS CAREER IS STATE HISTORY

Cast the Vote that Ended the Effort to Block Nebraska's Progress from Territorial to State Dignity.

FREMONT, Neb., Feb. 11.—(Special.)—The entire community was startled this morning by the news of the sudden death of Judge Maxwell. He got up this morning at his usual hour, went down to the basement of his house, arranged the furnace, and ate a heavy breakfast with his family as usual. After breakfast he complained of a severe pain in his chest. His physician was at once summoned, but in less than an hour from the time he was first taken sick he was dead. His son, Andrew, had left home to take the train for Norfolk. A messenger was sent after him and he returned just as his father breathed his last. Mrs. Maxwell, his son, Samuel, jr., and two of his daughters, Marilla and Grace, were also with him. The cause of his death is thought to have been heart disease.

Practically ever since coming to Nebraska in 1855, he has been a prominent figure in the politics and affairs of the territory and state. He has many times been honored with election to office and always discharged the duties devolving upon him with strict fidelity. He first located in Cass county, where he took up a homestead. At that time the land in Cass county was not surveyed, there were only four dwellings and one store in the present city of Plattsmouth. He was a candidate for the legislature, or rather he was put up by his friends, but declined to make a canvass and was defeated. He returned to Michigan and completed his law studies and returned to Nebraska, taking up the practice of his profession. He ran for the legislature again and this time was more successful. This was the legislature which voted on the question of statehood, to which there was considerable opposition. In order to defeat it a motion was made to adjourn the senate sine die. It was Maxwell's vote which defeated the motion and started Nebraska on the way to statehood. He was at one time a law partner of Hon. Samuel Chapman, which was continued until his removal to Fremont in 1871.

Up to recent years Mr. Maxwell was always a republican, and during the political contests waged in the past was classed as an anti-monopoly republican. He was a man of strong character, and even his political enemies never questioned his honesty of purpose or personal and political integrity.

His Life, Public and Private.

Briefly, his career is as follows:

Was born at Lodi (then a suburb of Syracuse, N. Y.) May 20, 1826; was educated in the common schools and in the higher branches under private tuition; removed with his father's family to Michigan in 1844; here he taught school and farmed; in 1853 was elected township clerk and the following year school inspector; in 1855-56 removed to Nebraska and pre-empted 160 acres of government land, which he improved; returned to Michigan in 1858 and completed a course in law; was admitted to the bar in 1859 and immediately returned to Nebraska and began practice; was elected a delegate to the first republican territorial convention; was elected a representative from Cass county to the territorial legislature; was elected to the first constitutional convention, held in 1864; was elected to the legislature in the same year and re-elected in 1865; assisted in framing the constitution of 1866; was elected to the first state legislature in 1866; in the following year was appointed by the governor a commissioner to select the capitol building and university lands; organized the First National bank of Plattsmouth about 1870 and was one of its officers; was elected in 1871 to the second constitutional convention and was chairman of the committee on suffrage; in 1871 the legislature elected him one of three commissioners to collect $72,000 insurance for the burned asylum at Lincoln and to erect a new building; was elected judge of the supreme court as a republican in 1872 for a term of six years, located in Fremont in 1873; was elected in 1875 a member of the third constitutional convention and was chairman of the judiciary committee; was elected the same year judge of the supreme court under the new constitution and was re-elected in 1881 and 1887; is the author of a "Digest of Nebraska Reports," "Practice in Justice Courts," "Pleading and Practice," "Criminal Procedure" and "Code Pleading;" has been an advocate of free and unlimited coinage of silver at the ratio of 16 to 1 for twenty years; was elected to the Fifty-fifth congress as a fusionist. His political career closed with his retirement from congress two years ago, since which time he has lived quietly at his home near Fremont.

He was a member and for twenty years an elder in the Presbyterian church. He is survived by his widow, four sons—Henry E. Maxwell of Omaha, Jacob A. Maxwell of Philadelphia and Andrew and Samuel Maxwell of Fremont—and four daughters—Mrs. L. Furgeson of Boston and Marilla, Ella and Grace Maxwell of Fremont.

District court adjourned this morning in honor of his memory and a committee consisting of Messrs. Gray, Loomis and Courtright was appointed to draft resolutions.

AFFECTION SHOWN IN COURT.

Judge Maxwell's Death Causes a Speedy Adjournment.

FREMONT, Neb., Feb. 11.—(Special.)—In the district court this morning Judge Grimison had just instructed the jury to bring in a verdict for the defendant in the case of O'Connor against The Aetna Life Insurance company, when word came that Judge Maxwell had just died. The court room was filled with jurors, witnesses and spectators. After the verdict had been read and the jurors dismissed, W. J. Courtright made the formal announcement of the judge's death.

Intense stillness at once prevailed. Judge Grimison himself appeared visibly affected and after a short consultation with members of the bar appointed Hon. E. F. Gray, the senior member of the bar of the county, Hon. G. L. Loomis and W. J. Courtright, to prepare and present to the court within ten days resolutions of respect. He then directed the sheriff to adjourn court to 2 p. m. in token of respect to the judge's memory.

FULLHART MURDER CASE ON

William Oxley is on Trial in Broken Bow on Charge of Killing His Employer.

BROKEN BOW, Neb. Feb. 11.—(Special Telegram.)—District court opened here this morning, with Judge H. M. Sullivan on the bench. The Fullhart murder case was taken up and the work of impanelling a jury was begun. The entire day was consumed without completing it. The regular jury list was exhausted and nine talesmen were called up to the time of adjournment. The defense has seven challenges left and the state three. The attorneys for the defense filed objections to the sheriff drawing the talesmen, and E. Taylor, ex-deputy under Sheriff Leisure, was appointed bailiff for that purpose by the court. From indications it will take all the forenoon tomorrow to secure a jury.

There are forty to fifty witnesses in the case. Among the witnesses for the defendant are his father, Everett Oxley, and two brothers, George and Elmer of Cambridge, Neb., and Al Spearman of Louisville, and George Kings of Springfield, Neb. The county attorney is assisted in the case by his brother, J. S. Kirkpatrick of Lincoln, and C. H. Holcomb of this place. The attorneys for the defense are J. R. Dean of this city and Aaron Wall of Loup City.

This is a case in which W. H. Fullheart, a ranchman, was found dead on his ranch eighteen miles northwest of Anselmo, November 24, with his skull crushed. Subsequently a young man, William Oxley, who had been working for Fullhart, was arrested at Springfield, Neb., on the charge of having committed the crime. Some of the Fullhart cattle had been driven off the range and sold by Oxley, which led to his arrest.

WOODMEN MEET IN BEATRICE

Omaha Team Goes by Special Train and Initiates a Large Class Into the Local Lodge.

BEATRICE, Neb., Feb. 11.—(Special Telegram.)—This is the first day of the convention of the Woodmen of the World in this city. Delegations arrived today from Guthrie and Enid, Okl.; Fort Scott, Little River, Galena, Newton, Garden City, Wichita, Augusta, Topeka, Great Bend and Coffeyville, Kan.; Fremont, Columbus, Stanton, Home, Shubert and Hansen, Neb., and Muskogee, I. T.

The local lodge met tonight and initiated fourteen into membership. The work was done by the Omaha team, who arrived tonight by special train along with the Lincoln delegation. After the initiation ceremonies a banquet was given by the local lodge to the visiting delegations at Lang's new cafe, where 300 members of the order sat down and did justice to an elaborate menu.

Tomorrow will be taken up with a business session and followed by a special musical program in the evening.

Red Pearl in Canned Oysters.

PLATTSMOUTH, Neb., Feb. 11.—(Special.)—What is claimed to be a red pearl was found by Mrs. John T. Leper in an oyster. Mrs. Leper bought a can of oysters at a butcher shop and at supper time the gem was found. It is as large as a filbert, of a deep blood-red and perfect with the exception of a small yellow spot on one side. A local jeweler said it bore all the charteristics of a pearl, but the color and advised her to take it to Omaha and get the opinion of an authority. This she did and it was pronounced a pearl beyond a doubt. From its uniqueness, he could not put a value on it.

Shelton Flour Mill Sold.

SHELTON, Neb., Feb. 11.—(Special.)—The Shelton flour mill, which has been owned and operated by Thomas Turney and J. R. George several years, was sold to a new company, consisting of Frank Turney, Douglas Haminger, Seford Carlson and William Chuneard, the last named being an experienced miller, who has been in the employ of the old organization a number of years. The mill has a 200-barrel daily capacity and is run by water power from Wood river and also has a gasoline engine for emergency use. The new company will try to run full time.

Changes at Feeble-Minded Institute.

BEATRICE, Neb., Feb. 11.—(Special Telegram.)—Dr. Dearing, late superintendent at the Institute for the Feeble Minded here, and ex-Steward Stuart stepped down and out this morning. Dr. Dearing goes to Lincoln to reside temporarily, while ex-Steward Stuart will return to his old home at Alma, Neb. Dr. Johnson, the new superintendent, is now in full charge, with Steward-Elect M. A. Metzger.

District Court in Beatrice.

BEATRICE, Neb., Feb. 11.—(Special Telegram.)—Judge Letton of Fairbury opened district court here today. The day was consumed in calling the docket and the assignment of trial and equity cases for Tuesday and Wednesday. Thursday will be given to criminal cases. The jury will be called February 18.

BURT COUNTY LOSES ITS DRINK

It Has Not One Saloon and Thirsty Citizens Depend Upon Original Packages.

REST IN TEKAMAH DEPOT OVER SUNDAY

By Night an Avenging Angel Wearing a Woman's Fascinator Wrecks Outfit and Saturates Floor with Lost Opportunities.

TEKAMAH, Neb., Feb. 11.—(Special.)—The Carrie Nation smashing fever reached here last night and left its marks at the express office in the depot, where eighty boxes of liquor were stored, awaiting the call of the parties to whom they were shipped. Every one of them was broken open and the contents were spilled on the floor. This morning when Agent Hamblin arrived at his office it smelled like a distillery. He found that parties had entered the depot during the night and destroyed all boxes that contained liquor. He could find no damage done to railroad property, neither is there any clue as to who the parties are or how they entered the depot. The doors were all locked and no windows were broken, nor were there any indication that they had been opened, except that a woman's fascinator was found caught in the window of the express office.

Considerable feeling has existed for some time over the large amount of original packages that arrive here by express. The surrounding country and towns are being continuously canvassed by representatives of wholesale liquor houses and orders are taken to be shipped by express, "C. O. D."

Burt county has five towns, but not a saloon in the county, therefore this is a fruitful field for the whisky drummer. Of the packages destroyed last night four-fifths of them belonged to parties in the country. Each box contained one to two gallons, nearly all whisky. Sheriff Lusk and his deputy are on the alert to unfold the mystery.

ENGINE KILLS UNKNOWN MAN

Is Accidentally Run Over at Crawford by Burlington Switch Locomotive.

CRAWFORD, Neb., Feb. 11.—(Special.)—An unknown man was struck and instantly killed by an engine in the B. & M. railway yards here Saturday. A freight train had just pulled in and it is thought the man had been stealing a ride on it and jumped out of a box car just as the engine from another train was backing past. The man was poorly clad with blue jeans overalls and a much worn dark overcoat. He was 50 to 55 years old and fair, without beard. There was nothing of any value on his person. It is thought his name is Dan McCorty and that he had been working in some of the coal mines or on some of the sections in Wyoming. An identification envelope bearing that name was found in his pocket.

WILL RAISE MUCH SUGAR CORN.

Auburn Canning Factory Has Leased 300 Acres for This Purpose.

AUBURN, Neb., Feb. 11.—(Special.)—Mr. Farmer, manager of the Auburn canning factory, has leased 300 acres of land, that he will plant to sugar corn and tomatoes, besides having contracted for many acres of both corn and tomatoes.

Hazing at York College.

YORK, Neb., Feb. 11.—(Special.)—Ed Perdall, a preparatory student from Thayer, was hazed in a hall of York college building. Students were tossing Perdall in a blanket and after he hit the ceiling with his heels he was allowed to fall and got a severe jar. The faculty discovered the West Point imitators and after a public reprimand all apologized and promised never, never to indulge in hazing except Ed Marshall, winner of the oratorical contest last week and the York college representative at the oratorical contest of state colleges at Crete, Neb., who said that before he would apologize he must be proved guilty. The faculty expelled Marshall and now it is reported that a large number of the students is in open rebellion, threatening to leave the school if Marshall is not reinstated. A petition was circulated and in a short time a large number of signatures attached, petitioning for the reinstatement of Marshall.

Niobrara River Survey.

NIOBRARA, Neb., Feb. 11.—(Special.)—Arnold C. Koenig, the hydraulic engineer engaged by the Niobrara Commercial club to undertake the complete survey of the Niobrara river for water power, made his observation survey Saturday and will begin the regular survey this morning. The conditions for a great power at comparatively slight cost are favorable. Prof. Stout of the government survey will assist him in guaging the flow of the river when the season will permit.

Head Physician of Woodmen.

FAIRFIELD, Neb., Feb. 11.—(Special.)—The Modern Woodmen camp of this place is urging the selection of Dr. A. R. Ray, for a long time local examiner, for the position of head physician of the order for the state and has sent a strong delegation to the meeting of the Woodmen lodge at Kearney to push the claims.

New Hotel in Gordon.

GORDON, Neb., Feb. 11.—(Special.)—Wilhite & Sons, owners of the Commercial hotel, are to erect a fine hotel. It is to be of brick and sandstone from Hot Springs, S. D., having modern equipments with twenty-seven bed rooms and costing $8,000. It will stand near the Fremont, Elkhorn & Missouri Valley depot.

W. M. Crum Attempts Suicide.

AUBURN, Neb., Feb. 11.—(Special.)—W. M. Crum, a teamster of Auburn, attempted suicide by strychnine, but the dose was knocked from his hand. Saturday he sold a team, harness and wagon for $50.50 and left for parts unknown. He leaves a wife and four children. He was a hard working man.

Burial of George Thomas.

SHELTON, Neb., Feb. 11.—(Special.)—The funeral of George Thomas, who died Thursday night, was from the Methodist church Sunday at 2 o'clock. The local Masonic lodge had charge of the services. Mr. Thomas was one of the oldest settlers in this section.

Mrs. Ellen Hafer Dies at Geneva.

GENEVA, Neb., Feb. 11.—(Special.)—Mrs. Ellen Hafer, an old settler, aged 60 years, died at her home in Geneva and was buried yesterday. Her six sons and four daughters, with their children, attended the funeral, the six sons acting as bearers.

Visit Their Old Home.

AUBURN, Neb., Feb. 11.—(Special.)—J. P. Randall and wife of Oklahoma surprised their friends by their appearance in Auburn Saturday. They are pleased with their new home, but as they left three daughters in this county were anxious to come back.

Jim White Recovering.

GORDON, Neb., Feb. 11.—(Special.)—Jim White, who was shot by Leu Carens at Merriman on February 5, is slowly improving and his chances for recovery are good.

For driving out dull bilious feeling, strengthening the appetite and increasing the capacity of the body for work, Prickly Ash Bitters is a golden remedy.

BUILD UP AFTER

GRIP

WITH

Dr. Greene's

NERVURA

BLOOD AND NERVE REMEDY

GRIP is more deadly than smallpox. The actual statistics of death from Grip this Winter would startle every one.

But statistics do not account for the thousands and thousands who escaped fatal result, but are left permanently weakened and exhausted.

DR. GREENE'S NERVURA

blood and nerve remedy builds up weakened forces and drives the Grip germ out of the blood.

William Henry Gray, Malone, N. Y., says:—

"I was in very bad shape, brought there as the results of Grip, and for six weeks was in bed all the time. I continued along in a very feeble condition and getting small benefit, until I began the use of Dr. Greene's Nervura blood and nerve remedy and before I had taken the first bottle I could see benefit. I continued its use for several bottles, when I was so much improved that I discontinued it. I am now better and weigh more than I have for years, which I attribute to Dr. Greene's Nervura. I do most cheerfully and cordially recommend the Nervura to any and all who may read this."

Grip sufferers are invited to write Dr. Greene for special advice, or call at his office, 35 W. 14th St., New York City. No charge whatever is made for consultation either by call or by letter.

ERASTUS A. BENSON.
President Omaha Real Estate Exchange.

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President Omaha Real Estate Exchange

Omaha, Neb., one of the most important factors in real estate circles in Nebraska, is one more of Omaha's most prominent citizens who KNOWS, through actual experience, the wonderful efficacy of Dr. Kay's Lung Balm and Dr. Kay's Renovator. He writes: "People I know and on whose word I would implicitly rely, are positive and even enthusiastic in their statements as to the good results obtained by using Dr. Kay's remedies. I, myself, tried Dr. Kay's Lung Balm for a severe cold, as did my neighbor, Mr. W. L. Selby, and the result was quite remarkable. The effect was so quick I would not have trusted my senses had not Mr. Selby's experience been the same. Having known of some remarkable cures of Omaha people effected by the use of Dr. Kay's Renovator and Dr. Kay's Lung Balm, I believe that these great remedies are worthy of the confidence of the public."

Dr. Kay's Lung Balm

Cures Influenza, Asthma, Pneumonia, Bronchitis, La Grippe, and all forms of Coughs, Colds and Throat Diseases because it reaches and removes the root, the cause of these troubles. Its peculiar penetrating properties search out and destroy all the deadly germs of these diseases which lurk in the blood. No other remedy acts with such prompt, positive efficacy because no other remedy possesses the qualities which make Dr. Kay's Lung Balm, the wonderful remedy it is. This is absolutely true! Here is complete, irrefutable proof.

LA GRIPPE!

MRS. MARION ST. CLAIRE, of Ash Ridge, Wisconsin, writes as follows: "Mr. St. Claire and myself had a very bad attack of La Grippe last January and we both agreed that had it not been for your Dr. Kay's Lung Balm and Dr. Kay's Renovator we would not have lived."

CONSUMPTION CURED!

REV. A. C. HANEY, Foxville, Ill., writes: "I was taken down in May, 1896, with abscess of my right lung. I coughed badly and raised a great deal. It was so offensive that my family could scarcely stay in the same room with me. Physicians pronounced my trouble bronchial catarrh. I had another hemorrhage in September, which lasted four weeks. Three weeks I could not lie down nor talk much, nor shake hands with anybody. I had to motion for what I wanted on account of bleeding. After this I had several hemorrhages and could not lie on my right side, as it would start me bleeding. All winter I had light hemorrhages, had a cough and raised a great deal of phlegm. I took all the remedies I could hear of with but little benefit. I then wrote to Dr. Kay for advice. In reply he wrote me a personal letter giving me a description of the Kendall System of treating consumption and also sent Dr. Kay's Lung Balm and Dr. Kay's Renovator. I followed the directions given as closely as possible and have improved ever since. I can do light work, ride horseback, etc. I can recommend your treatment to anyone who has a cough or hemorrhage—in fact I cannot say too much for your system of treating consumption or any form of lung or throat trouble. I write this for benefit of others."

ASTHMA!

REV. A. L. BROWN, pastor of the Congregational church, Irvington, Nebraska, writes: "Last June I was taken with paroxysms of Asthma. I doctored with a Chicago physician, but was not cured. I then sent for Dr. Kay's Lung Balm and found it to be THE remedy, succeeding where everything else failed. I believe it has cured me of Asthma and that it will cure in the shortest possible time the most obstinate cases of lung and throat trouble."

REMARKABLE CURE OF LUNG TROUBLE AND CATARRH!

N. J. SMITH, founder of the Omaha Rescue Home, noted philanthropist and worker among the poor, had suffered for years with an advanced case of lung trouble. He writes: "I have been troubled for several years with a bad cough. I had lung chills and a slight hemorrhage of the lungs and was threatened with consumption. My mother and two sisters having died with consumption, I expected the same fate, but I tried Dr. Kay's Lung Balm and two 25-cent boxes entirely cured me of my cough and soreness of lungs. That tired, sleepy and drowsy feeling is gone and my appetite is good. I feel well and full of life. I can work night and day and not feel tired. I write this hoping if any read it who are similarly afflicted and have been unable to get relief from any other source, that they will try this excellent remedy, which I believe to be the best cough remedy of which I have any knowledge. I would add that it has completely cured me of catarrh of long standing."

Dr. Kay's Renovator

Cures Constipation, Dyspepsia, Liver and Kidney Ills, Spring Complaints and all the troubles due to a deranged system. It renovates and invigorates the entire system, stimulates the liver, restores and tones the stomach, kidneys and bowels, fills your body with rich, red blood, builds up strong, healthy flesh and restores to weak, pale men and women the clear skin, bright eye and buoyant step which are the marks of sound health.

How to Cure La Grippe.

Remain indoors, if possible. Take a dose of Dr. Kay's Lung Balm every half hour until five or six doses have been consumed, unless sooner relieved. Then continue the dose every two or three hours to quiet the cough. If constipated, as is often the case, take a dose of Dr. Kay's Renovator half an hour before each meal. Continue treatment until completely cured and all the after-effects, such as extreme lassitude and weakness have passed away. The real danger of La Grippe lurks in the deadly after-effects.

As a SPRING MEDICINE Dr. Kay's Renovator Has No Equal.

WE WILL GIVE YOU FREE ADVICE. Write us all about your symptoms and our physician will gladly send you personal advice Free of Charge. We will also send you samples of the remedies and Dr. Kay's Home Treatment, a valuable book on treatment of diseases—free. Do not take a substitute, no matter who tells you some other remedies are just as good. Insist upon trying Dr. Kay's Renovator and Dr. Kay's Lung Balm. They have no equal. If you can't get them at druggists send the price direct to Dr. B. J. Kay Medical Co., Saratoga Springs, N. Y., and they will be sent prepaid by mail. Dr. Kay's Renovator is sold: Tablets for 25c and 50c; Liquid, $1.00. Dr. Kay's Lung Balm, tablets, 10c and 25c, and Liquid 25c and 50c.

DeWitt's Little Early Risers

The famous little pills

For Biliousness, Torpid Liver, Constipation, Sick Headache, Dizziness, Intestinal Obstructions, Jaundice and all other Liver and Bowel Troubles DeWitt's Little Early Risers are unequalled. They act promptly and never gripe. They are so small that they can be taken without any trouble. **Prepared by E. C. DeWitt & Co., Chicago.**

Cook's Dutchess Tablets are successfully used monthly by over 10,000 ladies. Price, $1. By mail, $1.08. Send 4 cents for sample and particulars. The Cook Co., 1258 Woodward ave., Detroit, Mich. Sold in Omaha by Kuhn & Co., 15 & Doug

EVERY WOMAN

is interested and should know about the wonderful

MARVEL WHIRLING SPRAY

The new Vaginal Syringe. *Superior and Sanitary.* Best—Safest—Most Convenient. It Cleanses Instantly.

Ask your druggist for it. If he cannot supply the MARVEL, accept no other, but send stamp for illustrated book—sealed. It gives full particulars and directions invaluable to ladies. MARVEL CO., Room 1 Times Bldg., New York.

MEN NO CURE, NO PAY. If you have small, weak organs, lost power or weakening drains, our Vacuum Organ Developer will restore you without drugs or electricity. 75,000 in use. Not one failure; not one returned. No C. O. D. fraud; write for particulars, sent sealed in plain envelope. LOCAL APPLIANCE CO., 414 Charles Bldg., Denver, Colo.

Dr. Kay's Lung Balm cures every kind of cough, la grippe, bronchitis, sore throat, croup, whooping cough, etc. Never deranges the stomach. At Druggists, 10 & 25c.

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ON SALE FEB. 11th to 17th, INCLUSIVE.

Tourist rates now on sale to Arkansas, Florida, Cuba and all the winter resorts of the south. Homeseekers' excursions, one fare plus $2.00 for the round trip, on sale first and third Tuesday each month to many points south. All information at City Ticket Office, 1415 Farnam St. (Paxton Hotel Block), or write

Harry E. Moores,
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DINING CAR SERVICE THROUGH. BUFFET LIBRARY CARS.

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