WILLIAM M. EVARTS GONE Former Senator Dies in New York at the

Age of Eighty-Five.

BEEN

Remarkable Career of a Man Who Got the Greatest Single Fee Ever Given a Lawyer for a Retainer in a Case.

NEW YORK, Feb. 28 .-- William M. dom. His success in this famous Lemmon Evarts died at his home in this city today. slave case made his place among the great Mr. Evarts was 85 years old. His death lawyers of the country beyond dispute. vas caused by pneumonia. For several years he had been without the use of his side or the other in many of the most imeyes and was otherwise so feeble that he portant cases tried in both the state and was unable to leave his room. Up to the federal courts. He made a great record as time of his death he was the nominal head of the law firm of Evarts, Choate & Beaman, although for many years he had not been in active practice.

Soon after 4 o'clock this morning Mr. Evarts suffered a relapse, which caused capacity and undue influence, and the conhim to sink rapidly. At 6 o'clock he re- test over the will of Mrs. Gardner, mother lapsed into unconsciousness and grew of the wife of President Tyler. In the latweaker and weaker until ten minutes after | ter case Mr. Evarts succeeded in sustaino'clock, without regaining consciousness. | ing the will, which led to an amicable comhe expired. From the time he became unconscious the dying man's wife and children were with him in the room.

There are four daughters and a like number of sons. The latter are Allen, Sherman, Rev. Dr. Prescott and Maxwell Evarts. and the daughters are Miss Mary Evarts, Mrs. Beaman, Mrs. Tweed and Mrs. Scudder, The funeral of William M. Evarts will became a candidate for the United States take place at 10 o'clock Saturday morning senate. The fight in the legislature was from Calvary Episcopal church. The body will be taken to Windsor, Vt., where services will be held. Burial will be in the family plot in the Windsor cemetery. The hearers will not be chosen until tomorrow afternoon

Single Fee of Half a Million.

Fifty years ago Mr. Evarta first became prominent at the bar of New York. For the next forty years his career was an almost unbroken series of legal, oratorical and political triumphs. He was the only lawyer in the world who ever got a single fee of \$500,000; he defended Henry Ward Reecher in the famous Tilton case; he was decided upon, Mr. Evarts was at once helped make Rutherford B. Hayes president of the United States; he defended dent. The result of the trial was, as every President Andrew Johnson when the at- one knows, an acquittal, and Mr. Evarts' tempt was made to impeach him; he represented the United States in the Alabama even by his opponents. The principal arguclaims case; he served as secretary of ment on the part of the prosecution, which teenth street, leaving the main entrance state in the Hayes cabinet and as attorney was conducted by a board of seven members on Fifteenth street on the street level. general under Johnson, and rounded out from the lower house of congress, was his public cureer as a United States senator made by Mr. Boutwell. Mr. Evarts' reply from New York.

ancestry. His father was a philanthropist and sarcasm. and the editor of a religious magazine in the American Board of Commissioners for his country. What he accomplished there Foreign Missions.

as a student. After getting a good elemen- to be a splendid example of clear argument tary education he entered Yale college with the famous class of 1837. At Yale he made a record as a thorough student, being especially fond of and proficient in the classics. Among the men since prominent who nearly 60 years old, but he took hold of the were among his classmates were Samuel defense with the vigor and earnestness Pierrepont, Professor Lyman, Benjamin He was the senior counsel for Mr. Beecher Stillman, and others.

Aiready he had decided to follow the pro- its tiresome length. When it came time for posite building there can be no change. It fession of law, and he went directly from the summing up the judge and most of the Valu to the Harvard Law school. There counsel on both sides were haggard and Collseum for one series of entertainments. he spent one year, going thence to New careworn: only Mr. Evarts appeared to re- He thought the sentiment

within the jurisdiction of the state of New York. Virginia sent the great lawyer and advocate. Charles O'Connor, to represent FEEBLE AND BLIND the claims of its citizen, which were feit to OBJECTIONS TO COMPOSITE BUILDING be the claims of the whole south.

The case went up through the lower courts to the court of appeals, while the Members of Committee Think It whole country watched its progress with Would Be a Money-Maker and the keenest interest. Mr. Evarts conducted Large Enough for Ordinary the case for the state of New York and before the court of last resort successfully maintained the right of the slaves to free-

At the meeting of the Auditorium committee with the architects of Omaha last night President Sanborn of the company From this time he was counsel on one opened the informal proceedings with a brief speech, in which he told of obstacles confronting the committee and the difference of opinion regarding the character counsel and trial lawyer in cases of conof the building. tested wills. Among the more important of He said the committee was divided on the these was the Parrish will case, an attempt question, some favoring a building de-

to set aside the will of Henry Parrish of voted distinctly to auditorium purposes. New York on the grounds of mental inseating 12,000 to 15,000 persons. Others desired a composite building, providing halls and accommodations for civic and military societies. He called for expressions from architects on the subject. Harry Laurie said the maximum seating promise among the heirs. capacity of the proposed site would be be

Enters Field of Politics.

tween 7,000 and 8,000 people; that on ex In 1860 Mr. Evaris first entered the field traordinary occasions the hall would be of national politics. At the republican nafilled, but on ordinary occasions the building tional convention of that year he rose, on would be half filled. National conventions behalf of New York, to present the name of William H. Seward as a candidate for will come to Omaha but once in twentythe presidency. The next year he himself eight years. The largest Omaha audience became a candidate for the United States at a popular time was a trifle over 5,000 An auditorium with a seating capacity of 6,000 people would be sufficient. prolonged. Horace Greeley being the lead-In his opinion Omaha needs a hall to seat ing candidate against him. Finally Mr. 1,200 people, the hall to be equipped with Evarts withdrew his name and a compro-

Find Other Quarters.

Demands.

committee rooms, etc., therefore a small mise candidate was elected. hall could be occupied by an assemblage In 1862, when the question of treating which would be lost in the larger room captured vessels as maritime prizes accord-He believed that a large room might be ing to the rules of war came up, the govfitted in the basement for the Knights of ernment called on Mr. Evarts to conduct its case. He also maintained before the Ak-Sar-Ben. The Commercial club could courts the unconstitutionality of state laws be housed in a second floor without crowdtaxing United States bonds or national bank ing the auditorium. The decision of the question of the character of the building stock without the authorization of congress. must be settled by the directory of the

Defends President Johnson.

When, after a long controversy, the im- company, but Mr. Laurie favored the compeachment of President Andrew Johnson posite building as a business proposition, although it would cost more money than engaged as one of the counsel for the presi- simply an auditorium. Mr. Sanborn suggested that as the grade of Fourteenth street is lower than that of masterly conduct of the case is admitted Fifteenth street it would be possible to put a room under the main floor on Four-

Wants Commercial Club Kept Out. John Latenser said he thought an au in behalf of the impeached president is reditorium was the only idea in the minds William M. Evarts came of good Puritan membered as a masterpiece of eloquence of the committee and he favored no com-

posite building. He thought the Commer-In 1871, after General Grant had been and the editor of a religious magazine in Hoston, where in 1818 William was born, elected president, the Alabama claims came ditorium building. He believed that the For many years during his son's younger up for arbitration and Mr. Evarts was success of the building depended upon the the elder Evarts served as secretary of again summoned to represent the claims of Commercial club staying out, because many persons would think it exclusive. The Knights of Ak-Sar-Ben could be provided has passed into history. His case on the Young William early became distinguished part of the United States is acknowledged for, but not in the basement, as the floor of the auditorium should be upon the ground. He thought that the committee

and apt illustration. Beecher-Tilton Trial.

In 1874-5 the famous Beecher-Tilton case should make a building sufficiently large to came on for trial. Mr. Evarts was then seat 10,000 people at least, so that entertainments could be given at popular prices Find out to what uses similar building J. Tilden, whose claims to the presidency which had always marked his work. The in other places are devoted, he said, and Mr. Evarts afterwards successfully disputed case was long drawn out and proved a ter- you will see that you will want an arena in the interest of Rutherford B. Hayes; rible strain on the endurance of even the which can be changed into a lake or tank Chief Justice Walte, Attorney General younger men who were connected with it. of water. If the large room is built and proves undesirable it can be cut up into and retained charge of the case throughout smaller rooms, but when you have a com-

should not compete with the theaters, but

of people would be in favor of the au-

open it could be made to seat \$,000 people

who could hear perfectly all sounds. He thought that the arena would have to be

Fred W. Clark said if the Auditorium is

not to be used to bring financial returns

built; that with a composite building many

entertainments usually held in an audi-

torium could not be given. If a small hall

should be desired, means of cutting off

a portion of the main building could be

devised without interfering with the

Eighty Feet Narrow Enough.

He believed the simple auditorium would

be more popular. In his opinion an arena

of the Chicago Colisuem and gave his opinion based on his experience in that

city, saying that the floor should be so

arranged that the entire space could be used as an arena. He believed that a gal-

lery containing five rows of seats, seating

M. C. Peters, from the Knights of Ak-

Sar-Ben, stated that the board of gov-

2.200 or 2,390, could be suspended.

acoustic properties of the auditorium.

He

has cost \$15,000 to change the Chicago

erected.

THE OMAHA DAILY BEE: FRIDAY, MARCH 1, 1901.

NO FUSEL OIL

While the ship was in the barbor of New York the Anti-Slavery society procured write of habeas corpus and summoned Lem-mon, as the owner of the slaves, to show cause why they should not be delivered up cause why they should not be delivere **Duffy's Pure Malt Whiskey**

(AMERICA'S GREATEST MEDICINE.)

DUFFY'S PURE MALT WHISKEY has cured over four million persons in the past half century, as shown by the following statistics, which have been carefully estimated and compiled from our records of unsolicited letters from grateful patients, who say "DUFFY'S PURE MALT WHISKEY is a Godsend to suffering humanity."

DISEAS								ł																							CURES.
Consumptio	B	14.1	÷.	14	÷,	1	6		÷	i a		64		•	ĊK.	13	c,	1	•			6.4	2	*	10		Ċ.	•	100	÷.	322,987
Colds																															424,479
Bronchitis.	1.00		* 4	e al		÷	ia		1.4	i a		 	×	83	e. e.	ĸ,	ė,	64	1	er.	×	÷	1.	*	•0	e e	18	÷	ĸ,		318,341
La Grippe.,	i de se	66		-67	6	×.					÷	 c,	÷	• •		• •					×.	0									352,630
Malaria		•										 	÷			• •			• •			• •	ε.			. ,	ř.		.,		331.521
Dyspepsia.		*								i.		 					i.			С.									i,		218,374
Nervousness		ros	m		**	•		w	01	- 14	9		÷	*.	. 4	1			• 1	С.	×	• 1		÷	•		6.		.,		289,458
Lost Vitalit	y								а.	.,						έ,	6				*					1	÷		.,	÷.	341,647
Wenk Hear						÷										44			. 1												274,362
Depression	24 1				÷.,	*	ς,	6				2	*				i.					4					6.				257,314
Weak Wom	en.		έ.		1										1.					8	÷	÷				. ,	ê.	٠	÷,	÷.	331.246
Exhaustion.																															296.874
Sluggish Bio	ood.			6		• •		• •		• •	.,	14	*			• •	8	• •	6	(#)	0	-	4	e. 1	ĸ.	•	63		1	κ٠,	227,481
Grand	Tote						ļ,																					J,		. 7	1,986,721

GRIP DEATH RATE LOWERED 40 PER CENT.

Statistics show that the death rate from Grip throughout the United States has been decreased over 40 per cent, due entirely to the universal use of Duffy's Pare Mait Whiskey as a preventive and cure for the Grip. Leading doctors everywhere prescribe it for Grip, Consumption, Coughs and Colds. This record of marvelous cures stands unparalleled by any medicine or prescription ever dis-

covered in the world. The voluntary testimony we receive daily from grateful patients is proof positive that DUFFY'S PURE MALT WHISKEY has never been equalled by any remedy.

VIGOROUS AT 119 YEARS OF AGE.

Abraham E. Elmer, of Utica, N. Y., who is 119 years old, says under date of Jan, 26, 1901; "DUFFY'S PURE MALT WHISKEY has been my only medicine for over 25 years. It has prolonged my life and saved me from illness many times. It has just cured me of the Grip.'

SMART AT 102 YEARS OF AGE.

Mr. John McGrath, of 441 E. 82d st., New York City, who is 102 years old, writes on Jan. 1, 1901, and says: "DUFFY'S PURE MALT WHISKEY is my only stimulant and tonic; it is bo th food and drink. I have learned to appreciate a good, pure, healthful stimulant and tonic like yours. It tones up my system, stimulates my blood, as well as keeping me proof against coughs and colds. I feel so young I take long walks every day and cat and sleep well. I shave myself, so you see I am not feeble."

DUFFY'S PURE MAL1 WHISKEY is an absolutely pure, gentle, invigorating stimulant and tonic, which aids digestion, stimulates and purifies the blood, builds nerve tissues, invigorates the brain, tones up the heart and strengthens the entire system, driving out all disease germs. It is the true elixir of life, and has prolonged thousands of lives, as shown by the above statistics.

If you are half sick it is because your blood is out of order. You need a stimulant. Take DUFFY'S PURE MALT WHISKEY as directed, and you will be cured, and your system will not be injured, as it would be with deadly drugs.

For over forty years it has stood the most crucial test of eminent doctors and chemists the world over, and is to-day recognized and indorsed by the authorities in the medical profession as the best stimulant and tonic, on account of its absolute purity and medicinal properties. It contains no fusel oil. It is the only Whiskey stamped as a MEDICINE by the United States Government, This is a guarantee.

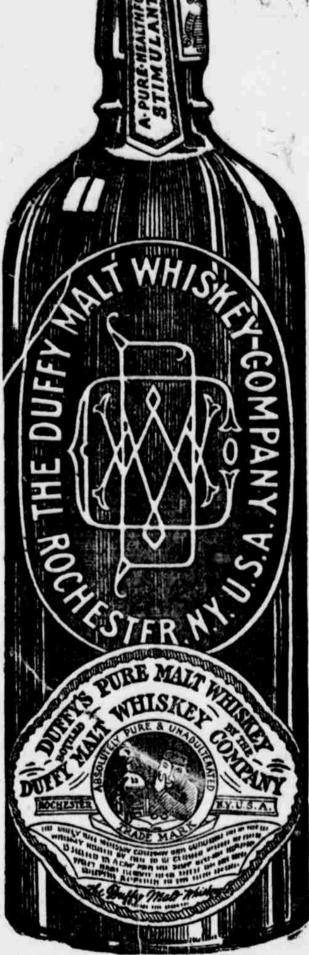
> CAUTION-Our patrons are cautioned against so-called DUFFY's MALT WHISKEY offered for sale in bulk. DUFFY'S PURE MALT WHISKEY is sold in sealed bottles only. The cut in this advertisement shows the full size bottle of DUFFY'S PURE MALT, and this is the only package that is genuine. Offered in any other form it is not the genuine.

THERE IS NONE "JUST AS GOOD AS" DUFFY'S. THE DEALER WHO SAYS SO IS THINKING OF HIS PROFITS ONLY. ASK FOR DUFFY'S; INSIST ON GETTING IT. LOOK FOR THE TRADE MARK ON THE BOT-

FREE ADVICE, - If you are sick and run down write our doctor for free advice. It will cost you nothing to learn how to regain health, strength and vitality. Medical booklet containing symptoms and remedies for diseases sent free. All cor-

respondence with our doctor is strictly confidential, and no testimonials are used without permission. All druggists and grocers or direct, \$1.00 a bottle.

DUFFY MALT WHISKEY CO., ROCHESTER, N. Y.



Daniel Lord as a student. Two years later spoke for eight days in closing the case for ditorium and reiterated his bellef that the he was admitted to partnership with J. the defense, and at the close appeared as Commercial club should keep out. Prescott Lord.

Greatness Recognized Early.

No sooner had he begun the practice of law than Mr. Evarts began to achieve reputation for a most unusual combination of qualities. It was soon seen that he was a man of untiring industry; the careful and thorough preparation of his cases showed that. His ability easily made itself felt, and withal it was recognized that he was modest and retiring in character. The earnestness and conscientiousness which he showed in everything he undertook won him almost immediate recognition as one of the strong men of the New York bar.

in 1849 his partner, Mr. Hall, was appointed United States district attorney. He made Mr. Evarts his deputy, which position tracted public attention to his remarkable ceeding Eldridge G. Lapham of New York. abilities.

4

1.18

His First Celebrated Case.

The first of these celebrated cases in feared he would never recover. Slowly. which Mr. Evarts won fame was that growing out of what is known as "the Cleopatra

expedition." which was started with the intention of making a raid on the island of Cuba and inciting the inhabitants to re- stranger to the great world of politics and bellion. The secret of the expedition, how- affairs in which for many years he played over, was betrayed and the vessel was so splendid a part.

stopped. In the legal proceedings which followed Mr. Evarts distinguished himself. which connected the new generation with Even in these early days the slavery ques- the old. In manner and appearance he was tion was pressing for settlement; the north a gentleman of the old school. The sternand the south were already arrayed the one ness of his deep-lined, smooth-shaven face, against the other, and there were famous with its prominent nose and firmly set legal battles which, perhaps, postponed for mouth, was belied on occasion by the kindly he time the final appeal to arms. In one of twinkle in his eyes. Even in comparathese controversies Mr. Evarts played a tively recent years he had worn the rollprominent and a victorious part and made ing collar and the wide cravat of the '40s, and those who saw him as he passed his name familiar throughout the north. to and from the law offices of Evarts,

out of town.

ered about him once more.

Lemmon Slave Case.

A vessel from Virginia brought a planter named Lemmon to New York, enroute to Texas. He had on board a cargo of slaves.



And is it not due to nervous exhaustion? How can you have courage when suffering with headache, nervous prostration, and great physical weakacss?

Would you like to be rid of this depression of spirits?

How? By removing the cause. By taking

Ayer's Sarsaparilla

It removes the cause of your suffering, because it removes all impurities from your blood. \$1.00 a bottle. All druggists.

To keep in good health you must have perfect action of the bowels. Ayer's Pills cure constipation and biliousness.

Price 25c. a box.

Write the doctor freely all the particula your case. You will receive a prompt reply. dress, Dr. J. C. AYER, Lowell, Mass.

where he entered the law office of tain his original vigor and enthusiasm. He fresh and vigorous as when he began. The thought in case the whole space was thrown

acquittal of his client was the result. Makes Hayes President.

In 1876 the celebrated controversy over the election to the presidency startled the abolished if the composite building were country. Teh case for the republican party was put in the hands of Mr. Evarts. He made the chief argument before the electoral commission, the decision of which put the pure and simple auditorium should be Rutherford B. Hayes in the presidential chair. After the inauguration of President Hayes Mr. Evarts was made his secretary of state, in which position he won new laurels as a statesman. He brought to the conduct of the office the same industry and earnestness which had made his great suc-

cess as a lawyer. When he retired from the cabinet in 1981 Mr. Evarts was at once sent to Paris to got his first taste of public life, while at the take part in the international monetary conference. In 1855 he was elected to the less than eighty feet would be too narrow. same time his conduct of some of the im- United States senate as a republican, suc- Mr. Clark was connected with the building Two years ago Mr. Evarts suffered from

an exceedingly severe attack of grip. As he was then upward of 79 years old it was however, he gained strength, until at last the disease was conquered.

> Last Years in Retirement. Since 1894 he lived in retirement, a

ernors desired that the floats be built at or near the scene of the initiations; that it would require a space 66x132 feet for the building of floats. He thought that the He was one of the few remaining links

Commercial club should go into the building, but that the character of the building should be decided by the stockholders of the company. Mr. Fisher thought that as far as the construction was concerned it would be possible to erect a composite building without offending the laws of architecture and

that the character of the auditorium should depend upon utility. Edgar Allen favored a composite building and on behalf of the Knights of Ak Choate & Beaman, never failed to look twice after the slight figure, with its old-Sar-Ben said that the celling of the room for the knights must be twenty feet high fashioned clothes and distinguished bearing. In his old age Mr. Evarts found himself Fred Metz, jr., agreed with Mr. Allen. surrounded by stalwart sons, to whom the favoring the composite building.

record of their father is a constant inspira-Mr. Fisher made a new suggestion to the ion. Maxwell Evarts, one of the sous who effect that eighty feet be cut off one end has followed his father's profession. Hves of the building and a two-story building in the home now stricken, a big house be erected for the Knights of Ak-Sar-Ben in Fourteenth street. Sherman Evarts lives This could be done at an additional cost of around the corner in East Thirteenth \$10,000, the hall to be strictly fireproof. street. Allen W. Evarts lives in West Then came the question of cost. The figures given on a plain auditorium 132x264 Twelfth street, and the remaining son. Prescott Evarts, is an Episcopal minister feet varied from \$125,000 to \$175,000. 11 was decided to invite architects to submit A year ago, on Mr. Evarts' 80th birthday preliminary estimates of cost on the difanniversary, there was a family reunion ferent characters of buildings contem in the big mansion, which was attended by plated.

Architects Want Pay.

hildren and by children's children. Some When the question of competing plans was brought up, it developed considerable feeling. More than one of the architects almost entirely failed. But he seemed glad held to the idea that competitive bids and proud to have all his descendants gath should not be required unless each competitor should be paid for his work and the plans judged by a competent person. This sentiment was warmly expressed by T. R. Kimpall, while Mr. Laurie and Mr. Dietrici favored competition.

It was stated that the architects would require two months in which to prepare plans. Alfred Millard said it would be useless to secure estimates or plans on a single-

room auditorium, as a majority of the com mittee favored a composite building. The meeting adjourned, subject to the

"I had grip three months; could not sleep; pain all over and headache very bad. Dr. Miles' Nervine, Pain Pills and Liver Pills made me well."-Mrs. E. C. Bowlby, Waterloo, Ind.

Maginals Loses Seven Votes. HELENA, Mont. Feb. 28.-John Magin-nis lost seven votes today, most of them going to Conrad. The vote on senator way Carter (rep.). 22: Frank (fus.). 25: Maginals, 12: Cooper, 9; Conrad, 8; Toole, 1: Clem-ents, L



THE COMMON ENEMY ...

Kidney disease is the enemy we have most to fear as a result of the feverish restlessness of our modern civilization. It is a treacherous enemy, working out its deadly effect under cover of the most trifling symptoms. The first indication of changes in the urine, frequent headaches, digestive troubles, should be the signal for prompt remedial measures. PRICKLY ASH BITTERS is a kiduey remedy of great metit. It is soothing, healing and strengthening, quickly relieves the aching or soreness that always appears in the advanced stage, checks the progress of the disease, and through its excellent cleansing and regulating effect in the liver and bowels, it brings back the strength and ruddy giow of vigorous health.

Price, \$1.00 Per Bottle. Sold at Drug Stores.

t will be this spring. There are not great many rooms vacant in Get Ahead The Bee Building but there are among them several which are particularly choice; one di-portly in front of the sievator on the fith floor; one on the 1st hoor next to the entrance to The Bee business of-fice; a suite of three rooms on the kid floor, and a very large office and yauit on the ground floor factors 17th street. Besides these, there are four or five smaller rooms in various parts of the building. The rents are reasonable and the service perfect. of the Spring Rush For Offices. R. C. PETERS & CO., RENTAL AGENTS. Ground Floor. Bee Building, Omaha.

RIPAN'S TABULES is an effectual cure Uticure Dr. Kay & Uticure cures all

and advice free. Dr. B. A Kay. Saratogs, N. K.

Julian Lever of Chadron is at the lier Grand. Grand. Mr. and Mrs. Frank Geist and Mrs. A. B. Lane of Scribner are at the Millard. M. F. Harrington and Sam Deitrick of O'Neill, Bruce E. Smith of Fremont, Wil-liam McEver of Columbus, O. H. Swingley of Beatrice, John E. Owen of Beatrice, F. W. Sears of Ravenna and John Gutknecht of Bookwalter are state guests at the Mur-ray. call of the chair.

of Bookwalter are state guests at the shar-ray. Nebraskans at the Merchants: William Baird and C. W. Hedges of Lincoln, C. H. Smith and J. E. Smith of Fremont, C. F. Mitchell of Creighton, J. W. Schlentz of David City, H. G. Corell of Plainview, F. Currie of Whitney, Theodore Hoellwarth of Greeley, W. H. Barnes of Fairbury, E. E. Young of Tecumseh. Dad Blodgett of York, C. S. Cline of Bradshaw and J. M. James of Benedict.

"My stomach was affected by grip and I ould eat nothing but crackers and milk. began taking Dr. Miles' Nervine and Pain Pills and the trouble disappeared."-Mrs. J. Lindsey, Montrose, Mina.

of the grandchildren were little ones, whom the great old lawyer had never seen, because within the last years his eyesight had PERSONAL PARAGRAPHS.