Supreme Court Declares William Rhea Must Hang April 25.

When Sentence is Pulfilled this Will Be the First Execution at the Penitentiary Under the

New Law.

TO AVENGE MURDER OF HERMAN ZAHN

(From a Staff Correspondent.) LINCOLN, Jan. 8 .- (Special Telegram.) The supreme court tonight handed down a decision affirming the death sentence of William Rhea for the murder of Herman Zahn in Snyder, Neb., January 4, 1901, and fixing April 25 as the day of execution. Rhea based his claim for a reversal on the alleged insufficiency of evidence and the contention that he could not be convicted of murder in the first degree when there was no evidence to show that the killing man executed at the penitentiary under the

Judge Holcomb's Review of Case. In summing up the case Judge Holcomb

The paramont facts in the case as disclosed by the record essential to establish the crime charged are, in our judgment, fully established by the evidence. Briefly the main features of the transactions resulting in the homicide, as shown by the evidence, are in substance the following: with the commission of the crime came to the village of Snyder, in Dodge county, in the afternoon of January 4, 1901. They were strangers to the citizens in that vicinity. They remained during the aftermoon and evening, until about 8:30 or 9 p.

m., when the homicide was committed. "In the village were two saloons adjoining each other, and on the east side of the main street, running north and south. A plank sidewalk in front of the two buildings was constructed along the street, such as are usually found in small towns. The defendants were in and out of the two saloons during the afternoon and drinking some; mostly beer. They ate their lunch in a salgon of the deceased, which is situated north of the other one. About 7:30 p. m. a citizen of the village, one Orley, passed into the south saloon and found defendants shaking dice at the bar, who invited him to take part in the game, which he did. After shaking dice for a short while he dropped from the game. The defendants continued in the sport for a short time longer and then passed out of the south saloon. Orley soon after passed out also and into the saloon of the deceased, just

of the defendants, Gardner by name, asked treasury. Orley, as testified to by him, 'What are we rubber neckin' at him for,' and said, 'Do you think we are Pat Crowe?' Orley answered, saying, 'I sin't rubber neckin'. and told Orley to get. This is the only regarded as proof of any brawl, quarrel or ents to the minimum compensation." dispute, prior to the homfelde. Orley and Schneider retreated hastily into the saloon and passed hurriedly to the rear door. through which they left the building. In going from the front to the rear door Orley passed by the deceased, who was sitting at a card table near the center of the room, which was forty or fifty feet in length, and paused only long enough to say to him in a moderate tone of voice. Those fellows out there have guns,' or some such similar remark. At the same time and closely following Ofley and Schneider from the sidewalk into the saloon the defendants Rhea and Gardner entered through the front door with their revolvers drawn and with the command to throw up hands to those within the building, of whom there offered by any and many escaped through the rear door.

Shot Without Provocation.

"Zahn, the deceased, arose from his chair, near the center of the room, and with his hands raised started toward the defendant, intending to say, 'No shooting in here,' or, 'Don't shoot in here,' and before com pleting the sentence he was fatally shot in the abdomen by the defendant, Rhea. He expired in about an hour thereafter. "It is further shown by the evidence

that after the shooting the defendant went to the deceased, kicking him and saying 'You are not much hurt,' or words to that effect. Gardner, immediately succeeding the shooting, begap to pace from the front to the center of the room and back again brandishing his revolver at those within the building and terrorizing them with the purpose of preventing resistance or interwith their plans. Defendant Rhea passed behind the bar of the saloon, or counter, threw down the cash register, broke it open and also broke into what was apparently the money drawer in an iron safe in the building. During the time the defendant also came from behind the bar

and searched the pockets of the deceased. "After the events narrated had transpired the three defendants left the building and, passing down the alley by its side, escaped to the eastward. The homitide was of the most aggravated character and apparently without any extenuating circumstances. The defendants were seemingly bent on mischief of the most atrocious character. They proceeded to the business with a most reckless disregard of life, a cool determination and desperation seldor displayed in the annals of crime. They



Suffered 20 Years. Cured of Piles.

A. L. Husing, Alma, W. Va., writes: "I suffered frightfully for 20 years from itching, blind and bleeding piles. I tried-many remedies without relief; the first application of Pyramid Pile Cure gave blessed relief and part of a fifty cent box cured me completely." For sale by all druggists. Little book, "Piles, Causes and Cure" malled free, Pyramid Drug Co., Marshall, Mich.

DEATH SENTENCE AFFIRMED were obviously bent on violence and boildly set at defiance of the law and the rights of the individual to secure in his person and property.

Vindicates the Law.

"The evidence amply justifies the finding of the jury and the verdict, but vindicates the majesty of the law. The de fendant has been accorded an impartial trial and all his rights to which he is entitled before conviction of the crime charged have been fully preserved by compliance with the forms and substance o the wise and humane provisions of the law for the protection of the innocent as well as the punishment of the guilty. We find no prejudicial error in the record and the judgment complained of should be and accordingly is in all things affirmed.

"It is ordered that Friday, April 25, A D., 1902, be and the same is hereby fixed and, appointed as the day for carrying into execution the judgment and sentence of said

Rent Estate Convention.

Deputy Labor Commissioner Watson says there is widespread interest over the state in the forthcoming convention of Nebraska real estate dealers. One of the features of was premeditated. The court refused to the convention, he said today, will be an Rossiter mill. It will be only a short haul sustain either claim. If the decision of exhibit of the products of the various secthe court stands, Rhea will be the first tions. The dealers will prepare the exhibit at their own expense. The following communication was received today from W. G. Shriver, secretary of the Omaha Real Estate exchange:

"The exchange will certainly do all in its power to make this gathering a success. As you requested, the president of the exchange has appointed John S. Knox and G. C. Wallace to represent it on the program If nothing happens you can count on a good attendance from our exchange and Omaha. The matter will be brought up at our regular meeting on Wednesday. The exchange "The three defendants charged jointly will doubtless appoint a committee to make suggestions and do anything that is possible to make the convention interesting as well as successful. Anything that you suggest will be gladly done as far as we are able."

Supreme Court Opinions.

Opinions of interest to people of Omaha and the state at large are as follows: Karbach against Fogel, reversed; Kars against State ex rel. school district No. 1. Sarpy county, affirmed; South Omaha Loan and Building association, affirmed; State ex rel Green against Poer, reversed; Omaha Brewing association against Tillenberg, affirmed; Marsh against State ex rel North, affirmed: State ex rel Thompson against Stull, writ denied and action dismissed. The case of the Omaha Savings bank against the City of Omaha was advanced for hearing at the September term.

School Fund Increases.

The permanent school fund was increased \$1,438.27 today, the payment of that amount as the sum returned from the sale of the estate of John Stanley, an Englishman, who died intestate in South Dakota in 1892. He owned considerable property in York county, but so far as known executed no will and no heirs. After a ten years' search for heirs "In a short period of time thereafter of the deceased the property in York county Orley and one Schneider passed from the was sold and after the payment of necessary saloon of the deceased to the sidewalk in expenses there was a left balance of \$1,438,front, where they found the defendant stand- 27. Under the constitution of Nebraska ing with his two companions. Without other the money belongs to the permanent school words and almost immediately after Orley fund. J. W. Purinton was administrator and the party mentioned had reached the of the state and today he wound up its sidewalk in passing out of the saloon one affairs by paying the balance into the state affairs by paying the balance into the state

Salary of County Superintendent.

An error in the printed communication has made it appear that Superintendent you.' The defendant Rhea then moved as Fowler rules that it was not the intention of if to go behind Orley, who told him not to the legislature to limit the salary of county get behind him, as he did not allow any- superintendents to the minimum fixed by body to get behind him. Just then de- law. What Mr. Fowler said in the original fendant Rhea pulled his gun or revolver communication is: "It is evident that it was not the intention of the legislature evidence that by any possibility could be to limit the salary of county superintend-

New Incorporations. Articles of incorporation of the Benedict Telephone of Benedict, York county, were recorded in the secretary of state's office James, B. B. Crownover, S. P. Stryker, J. W. Watts and J. S. Howard.

The Northwestern Trust company of Omaha has incorporated under the laws of the state. It is capitalized for \$25,000 and its incorporators are: T. F. Servis W. R. Wesner and Alex Buchanan.

Escape from Wilber Jail. Sheriff Webber of Saline county notified the police here today that three prisoners afteen or twenty. No resistance was had broken out of the jail at Wilber and presumably were coming to Lincoln. A man under charge of murder, who could have escaped with the others, remained in jail. It 'is believed the fugitives are the

> committing robbery at Waverley the day after Christmas. Greene Defers to Savage.

> Dr. J. L. Greene, superintendent of the Hospital for the Insane at Lincoln, said today: "Some of my friends have been kind enough to suggest me as a candidate for governor. The matter did not come to my ears until within the past few days, and since then I have frequently been asked to allow my name to go before the convention.

"I desire to say this, however, that if Governor Savage is a candidate to succeed himself I shall not permit my name to be used. I could not do otherwise, considering the relations that have existed and continue to exist between us. His treatment of me has been most kind and he has reposed in me a faith that I could not violate. He has turned over to me the entire management of the institution here, has allowed no one else to interfere nor has he desired to take any hand in the man- at the company's cranide plant in Deadagement himself. If he is a candidate at wood, has been elected secretary. John convention time I will not be."

FIND STRANGER IN PARLOR

Wahoo People Return from Entertainment and Discover a Man in Their House.

WAHOO, Neb., Jan. 8 .- (Special.) -- When Mr. and Mrs. Charles Perky returned from an entertainment at the opera house last night they were surprised to find a stranger making himself at home in the parlor. The doors were all securely locked and were in that condition when they returned in the evening. When accosted by Mr. Perky as to what business he had there Mr. Perky received an insulting reply whereupon the intruder received chastisement at the hands of Perky. The man's name is R. Dore and is said to live nea Davy, in Lancaster county. He was put in the lockup.

Foot Crushed in a Hay Press.

PAPILLION, Neb., Jan. 8 .- (Special.)-Judd Gates, a farmer near Gilmore, had foot crushed in a hay press. At first t was thought that several bones were broken, but after examination the bones were found to be whole, and his foot can be saved. Gates was crowding the hay down with his foot when it caught and the team did not stop in time to prevent the accident.

Doctor Must Answer Forgery Charges. NEBRASKA CITY, Neb., Jan. 8 .- (Special Telegram.)-Dr. Frank McQuaid, who was arrested in Omaha upon a charge of forgery, was brought to Nebraska City last night and lodged in the county jail. He will be given a hearing Monday.

Imperial Mining and Milling Company Buys Rossiter Tailings.

DISCARDED ORE CONTAINS GOOD VALUES

Modern Methods Extract More Than Four Dollars Per Ton that Escaped Former Cyanide Attacks.

DEADWOOD, S.D., Jan. 8 .- (Special.) The Imperial Mining and Milling company has purchased the tailings at the Rossiter evanide plant in Deadwood and will treat them at the company's new cyanide plant, which is being completed at Deadwood. There are several thousand tons of the tailings, which have been carefully sampled by the Imperial company. The sand contains more than \$4 a ton in values that escaped the solution during the operation of the to the Imperial plant and the company will be able to handle the tailings at a nominal expense.

The Rossiter mill was built by the Black Hills Gold and Silver Extraction company. Judge Washabaugh as court stenographer being the first cyanide plant in the Black Hills. It was run for several years largely bailing. as an experiment. It was imperfect in many respects and therefore unable to make the extraction that the cyanide mills of the country are making at the present time. The old plant and the immense pile of tailings furnish an excellent illustration of the improvement that has been made in the process during the past few years.

Only the medium grade ores were treated nored. A large part of the old dump will assay \$7 and \$8 a ton, and the new cyanide of Clark. assay \$7 and \$8 a ton, and even better. The Imperial company has most of the machinery in place at the new cyanide plant, which is to have a capacity of 200 tons a day. The plant is now waiting for the engine. When it arrives and is placed on its foundation the rest of the machinery will be ready for connection.

Leases Rossiter Plant. . John Lundberg, who has taken a lease on the Rossiter cyanide plant, has a force of part of the Black Hills. men employed in making repairs and improvements in the building. He expects to start up on or before the middle of the month. He has been working the Big Bonanza and Buxton mines, near Terry, under lease for several years and he intends to treat the ore at the Rossiter plant in the future. J. V. N. Dorr is chemist at the plant and is associated with Lundberg in the lease.

Henry Schnitzel has recently taken a gram.)—Adjutant General Conklin is at lease on the Ben Hur property in Nevada Miller, where he will muster in a militia Henry Schnitzel has recently taken guich. The property has been a producer company which has been organized at that for several years and there is a large place. amount of ore available that Schnitzel intends to ship after he has performed the WESTERN PACKING STATISTICS preliminary work necessary to open it up Fawcett & Delehant, P. A. Gushurst, Ernst May and other Lead parties, and has a good record as a money maker. There are loading stations on the railroads put in for the property several years ago.

Face of Tunnel is Solid Ore. The main working tunnel on the ground of the Deadwood-Ohio Gold Mining company is in a distance of fifty-five feet and the face is solid ore. The last assay, made at the United States assay office in Deadwood, gave returns of \$8.25 in gold, \$8 of which Chicago was free milling. Samples taken from the face lately have been assaying from \$5 to \$8 St. St.

This company, whose holdings are situated twenty miles south of the Homestake on the Burlington railroad, has ordered a new plant, consisting of an air compressor, boiler and air drills, to be installed at the new tunnel that is being driven into the hill on a free milling gold vein from sixty toda. The company is capitalized for \$10,- to 200 feet wide and to be traced on the sur-000 and its incorporators are: J. W. face of the ground for a distance of more than a mile. The tunnel is gaining foot for nual meeting of the Geneva banks: Geneva Straight, C. F. Baughan, J. W. Meyers, E. E. foot on the ore and will continue to do State bank, E. Sandrock, president; E.

so for over 500 feet. The company has signed a contract by which it is permitted to build a trestle over the Burlington railroad track to convey its ore from the tunnel to a mill of eighty stamps, the crushing capacity of which will be 400 tons a day. This mill is to be erected in the spring.

Formation Resembles the Homestake Competent mining men familiar with the Alaska-Treadwell mine, on Douglas Island, Alaska, and the Homestake mine in the Black Hills positively assert that this ore Waddington will take her to Lincoln. can be mined and milled at a cost not to men who were arrested on the charge of exceed \$1 per ton; that is, the raw ore GREAT FOR BABY PARADES can be reduced and the values converted into bullion at that figure. The company has a water right of about 1,600 miners inches, extending up Rapid creek a mile or more, the water flowing within seventyfive feet of the mouth of the tunnel; the Burlington railroad track lying between the creek and the mouth of the tunnel.

The ore will be conveyed from the tunne across the railroad track on the trestle and into the top of the stamp mill. In all points the property closely resembles the Homestake, the formation being the same and the ore identical.

Puts in Ten Additional Stamps. There has been a change in the directory of the Dakota Mining and Milling company. Seth Bullock, John R. Wilson and Clayton Flower have retired, and have been succeeded by J. M. Rickel and S. V. Noble of Deadwood and Isaac Clemenson of Dubuque, Ia. Mr. Bullock was vice president and Wilson secretary. J. B. Empson, chemist

Hunter of Deadwood is general manager. The eyanide plant is running steadily, being supplied with ore from the Vulcan, one of the Dakota company's claims near Bald mountain, and some custom ore from the Bordeaux, which is being worked under lease near Terraville. The daily capacity of the plant is about seventy tons." The ore on which it is running shows a value of from \$8 to \$12 heads, and the average ex-

traction is 82% per cent. It is expected that the ten additional tamps will arrive early this month and be in place by the middle of the month. This will give the mill a crushing capacity of about 110 tons a day. There has been a long delay in the arrival of the new machinery, owing to the difficulty experienced by several of the steel and iron factories

Abundant Riches at Surface

The Dakota plant has tanks 'enough to treat 125 tons a day. During the recent avorable weather the company has confined its mining operations to surface work. There is a large body of shale ore lying within a few inches of the surface on the Vulcan and extending across adjoining claims for 2,000 feet. It is 200 feet wide and from eight to twelve feet thick, assayng \$8 a ton on a general average.

The common sandstone and quartzite lying next to the ore is highly mineralized, running \$4 a ton and better, and the company hopes ultimately to enlarge its plant sufficiently to take in all this rock, which could be treated at a profit on a large

To Operate Deadbroke Mine. The officers and principal stockholders in the Recovery Gold Mining company, recently organized in Colorado Springs, Colo.,

for the purchase of the Deadbroke mine, MINING IN THE BLACK HILLS for the purchase of the Deadbroke mine, to arrive in a few days. Permanent work will then be inaugurated on the property The plans of the company contemplate an incline tunnel several hundred feet long, to reach the main ore body, which is exposed by several thousand feet of old workings and development drifts and crosscuts. A 200-ten cyanide plant is also to be built, the material having been ordered for that purpose. The ore is a cement, carrying some free gold, and 200,000 tons is blocked out in one place. It will be amalgamated either before or after cyaniding.

Judge Washnbaugh Sworn In.

DEADWOOD, S. D., Jan. 8 .- (Special.) Judge Frank J. Washabaugh took his office as judge of the Eighth judicial circuit at noon today, succeeding Judge Joseph B. Moore, whom he defeated for election in November. The oath of office was administered by Sol Star, clerk of courts. Judge Washabaugh's first official act was in accepting resolutions prepared by the Bar association on the death of Judge W. A. Rinehart, which were ordered entered on the court records. The Bar association presented to Judge Moore a handsome gold watch and chain upon his retirement from the bench, the presentation address being delivered by Judge Washabaugh, in the presence of a majority of the bar members. Charles H. Nelson has been appointed by and L. C. Miller and E. M. Dale court

Bankruptey Claims Cancelled.

SIOUX FALLS, S. D., Jan. 8 .- (Special.) In the United States court the following persons have been discharged from bankruptcy and all claims against them canceled: William Marshall of Castelwood, Charles Bradley Hamilton of Sioux Falls. Ole Syang of Dayton, Lincoln county: Heinand the low grade propositions were ig- rich Schneider of Hutchinson county, Henry Stienhauer of Aberdeen, DeWitt Cochran

Reduce Passenger Rates.

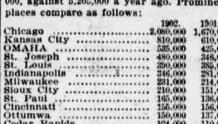
DEADWOOD, S. D., Jan. 8 .- (Special.)-The ratiroads in the Black Hills have put in effect the 4-cent passenger rate, this being a reduction of 1 cent a mile from shouting faintly for help. Old man Rolfas former rates. The reduction makes a difference of over \$1 in the fare from Lead Then I went to the nearest telephone and or Deadwood to Hot Springs, Edgement, Rapid City and other points in the southern

Brand Commission in Session. PIERRE, S. D., Jan. 8 .- (Special Teleto pass upon at this session. This will him to serve a writ of execution which carry the total of brands well over 4,000.

Musters in a Militia Company. PIERRE, S. D., Jan. 8 .- (Special Tele-

for the miners. The Ben Hur is owned by Heavy Record for Hogs as Compared with Preceding Week and Simflar Period Last Year.

> CINCINNATI, Jan. 8 .- (Special Telegram.)-The Price Current says: The total western packing is 620,000, compared with 440,000 the preceding week and 510,000 last year. Since November 1 the total is 6,330,-000, against 5,205,000 a year ago. Prominent



Geneva Banks Elect Officers.

GENEVA, Neb., Jan. 8 .- (Special.) - These officers were elected yesterday at the anvice president; C. S. Trotter. Laffer. cashier. Citizens bank, J. O. Walker, president; C. W. Shickley, first vice president; V. C. Shickley, second vice president; E. Cobb, cashier; W. H. Stewart, assistant cashier.

Beatrice Woman Adjudged Insane. BEATRICE, Neb., Jan. 8 .- (Special Teleram.)-Mrs. M. E. Evans, wife of Captain M. E. Evans, who lives on the West Side, was examined today by the insanity commission and adjudged insane. Sheriff

Two More Days of Warm Sunshine and Gentle Western Zephyrs.

WASHINGTON, Jan. 8 .- Forecast: For Nebraska, Kansas and South Dakota-Fair Thursday and Friday; westerly winds. For Iowa, Missouri and Illinois-Fair Thursday and Friday; light to fresh west-

For New Mexico-Fair Thursday and Friday: variable winds. For Eastern Texas, Arkansas, Oklahoma

Indian Territory and Western Texas-Fair Thursday and Friday; light southerlys to southwesterly winds. For North Dakota-Fair and somewhat colder Thursday; Friday, fair; variable

winds. For Wyoming, Montana and Colorado-Generally fair Thursday and Friday; variable winds.

OFFICE OF THE WEATHER BUREAU, CMAHA, Jan. 8.—Omaha record of tem-perature and precipitation compared with the corresponding day of the last three

years. 1902, 1901, 1900, 1893.

Maximum temperature. 59 34 42 32

Minimum temperature. 37 13 33 19

Mean temperature. 48 24 38 26

Precipitation 00 00 T 00

Record of temperature and precipitation at Omaha for this day and since March 1, Normal temperature Reports from Stations at 7 p. m.

CONDITION OF THE WEATHER.

On aha, clear Valentine, clear North Platte, clear. Cheyenne, clear Salt Lake, cloudy... Rapid City, clear... Huron, clear Williston, clear Chicago, clear ... avre. laiveston, clear T indicates trace of precipitation.
L. A. WELSH,
Local Forecast Official.

CONSTABLE TIMME IS SHOT

Goos to Attach Property and Receives Possibly Fatal Wound.

JOHN ROLFAS, CRIPPLE, FIRES THE SHOT

Timme is Said to Have Had Drawn His Revolver When Rolfas Seized ah Old Shotgun and Fired.

Constable Hans Timme was shot and langerously wounded at 11:30 yesterday by John Rolfas, an aged German who lives alone with his wife in a little threeroom cottage at Thirteenth and Frederick streets. The injured man has been taken to the Clarkson hospital, where an opera tion was performed upon him yesterday afternoon. Rolfas, who is a cripple, is in jail. The shooting was witnessed by J. T Dixon, 1932 South Eighteenth street, and W. J. Bennett, 1905 Martha street. "It was about 11:30 o'clock," said Ben-

nett, "that I heard somebody quarreling with old man Rolfas, and I got around where I could see what was going on. neard the old man say, 'Don't you come in here! You clear out and let me alone!" "'I'm an officer,' the other fellow said and I've got an execution here to serve on

"'I don't care who you are or what you've got,' Rolfas said. 'You can't come

"Then I saw the man who said he was ar officer draw a pistol out of his hip pocke and point it at the old man. Rolfas said 'Put that gun down or I'll shoot you!' Officer Had Pistol in Hand.

"The officer still held the pistol in his hand, and with it pointed directly at Rolfas face advanced upon him till he was standing with one foot on the doorstep. Rolfas grabbed an old shotgun that was leaning against the wall, leveled it so the officer and fired. The officer doubled up and fell to the ground, where he lay, rolling, groaning and hobbled out to see how badly he was burt.

notified the police station." As soon as word of the shooting was received at the police station Sergeant Wisenburg and Officer Gibbons were sent out in the patrol wagon. They found Timme suffering great pain, but conscious. He gram.)—The State Brand commission is in said he had drawn his pistol on Rolfas besession today and has about 150 new brands cause the old man had refused to permit had been made out by a justice of the peace, and given to him for service.

Rolfas Under Arrest.

Rolfas was taken to the station in the patrol wagon and the ambulance was sent out for Timme. The wounded man was taken to the police station first. where Police Surgeon Borglum examined his wound. It was found that the charge of shot had torn its way into the abdomen. carrying with it a pair of spectacles which had been in Timme's vest pocket. The wire frame of the spectacles could be seen projecting from the wound. Dr. Borglum withdrew them, but was unable to remove the fractured glass. Timme was then taken to Clarkson hospital.

Rolfas says he shot Timme in selfdefense. "He had been around there bothering me for two or three days," he said "and I was getting afraid of him, he acted so queer. Finally, when he drew the gun on me I thought I had to shoot to save my own life, so let him have it."

Rolfas was alone in the house at the time of the shooting, his wife being out washing. Constable Timme has been in trouble several times before. A month ago he drew restaurant and threatened to assault the peace.

Dr. J. E. Summers, who has charge of the patient, said at 3 o'clock that he thought

ne would live. Yesterday afternoon an operation performed on Mr. Timme by Dr. Summers and the shot removed. At an early hour this morning the injured man was resting easily and the chances for his recovery

MONEY STAYS IN THE BANK Former Wife's Efforts to Get Joseph

Hauber's Cash Prove Ineffective.

PLATTSMOUTH, Neb., Jan. 8 .- (Special.)—In district court, before Judge Paul Jessen, Dora Scott, through her attorney, Hon. John C. Watson of Nebraska City, sought to recover from a former husband Joseph Hauber, the sum of \$2,000, which is now in the Farmers' bank in Nebraska City, and the bank is restrained by Mrs. Scott and others from paying over the money, the bank seeking to dissolve the injunction. The court refused the request for the reason that the notice served by the bank to dissolve the injunction was defective.

Grain company Judge Jessen required the plaintiff to remit from its verdict of \$1,250 the sum of \$500 and then rendered a judgment against the defendant for the sun of \$750 and costs. John C. Watson, attorney for defendant, appealed the case to the supreme court.

In the case of A. Steinkamp against H. Goebel the defendant asked and was given leave to re-file his original answer to the plaintiff's amended petition. In the case of Cass county against W

S. Wise and others cause was ordered shown In the case of Cass county against Otto

Koss and others cause was ordered shown

by January 9 why sale should not be confirmed. In the case of the First National bank of Plattsmouth against Francis N. Gibson and others the objection to the jurisdiction of the court over defendant (Gibson) is

sustained, and the plaintiff excepted. STRIKE AT NEBRASKA CITY Employes of Packing House Walk Out Upon Refusal of

Their Demand.

NEBRASKA CITY, Jan. 8 .- (Special Telegram.)-The Morton-Gregson packing house is closed down as a result of a general strike of the employes. The Butchers' union of Nebraska City demanded an advance in the wages of the common laborers from \$1.50 to \$1.75 a day. Superintendent Burdick refused to grant the increase demanded and at 1 o'clock this afternoon the men walked out. Second Vice President Jamieson of the Amalgamated Butchers' and Meat Cutters' association has been here for a week, and it is believed the men acted upon his advice.

WILBER PRISONERS ESCAPE Dig Their Way Through the Jail Walls with an Iron

WILBER, Neb., Jan. 8 .- (Special.)through the walls of the jail with an iron Morning Po-

WOOL SOAP is for Victory WOOL SOAP has won, and yet its mission is only begun

Use Swift's Pride Soap in the Laundry.

BROWNELL HALL.

Reopens January 6. Second term begins February 3. Instructors, college grad nates. Principals' certificate admits to college without examination. Excellent advantages in Music, Art, Modern Languages, Latin and Greek. Thorough work in grade and academic branches. Special attention to physical development. Send for catalogue: Address, MISS MACRAE, PRINCIPAL, OMAHA.

"HE THAT WORKS EASILY, WORKS SUCCESSFULLY." CLEAN HOUSE WITH

in the jail corridor. The sheriff did not knew of the escape until this morning when he at once sent for the Fulton bloodhounds. Four dogs were brought to Wilber and the fugitives were tracked to De Witt. The police of all the furrounding towns are looking for the jail breakers Frank Thompson was awaiting trial for robbing a Wilber store last fall, and Wal-ter Diffion and Charles Bennett were serving sentences for drunkenness.

INJURED IN A WOLF HUNT Boy Receives a Glance Shot in One of His Eyes During Roundup.

WAHOO, Neb., Jan. 8 .- (Special.)-The big wolf drive that occurred in the neighborhood of Ithaca on Tuesday was particl pated in by the greater portion of the inbabitants of the territory in which the drive occurred. The round-up was in the neighborhood of Ithaca and resulted in the killing of two wolves, a third one breaking through the line and making his escape. The 10-year-old son of H. K. Marcy received a glance shot in one of his eyes. It is thought the eye will not be permanently injured.

Liquor Dealers Meet at Columbus. COLUMBUS, Neb., Jan. 8 .- (Special Telegram.)-Subject to a call of the president James Nevels of Albion, the Nebraska Re tail Liquor Dealers' Protective association met in a special business session in Columbus this afternoon and evening. The puramend articles of the constitution and to his pistol on the proprietor of Moore's fill a vacancy in the board of directors Upward of 200 members were in Columbus officer who interfered in the interests of today, a number arriving yesterday, and all parts of the state were well represented. The meetings were held in Maennerchor hall, which was decorated, and the liquor dealers of Columbus vied with one another in showing the visitors a warm welcome Up to a late hour tonight the association was still in secret session and no action had been taken in the matter of the vacant directorship. Editor Fields of the Protector was in attendance, and the rumor of his expected resignation seems to have no

foundation. Lamp Explodes in Lodge Hall. WYMORE, Neb., Jan. 8. (Special.)-At heir regular meeting held in the Ancient Order of United Workmen hall last night he Modern Woodmen of America installed officers. After lodge had been dismissed and only a few members remained in the hall, one of the big lamps fell to the floor and exploded. The carpet was badly damaged and William Perrie was severely burned about the face while assisting

putting out the fire. Columbus Priest is Transferred,

COLUMBUS, Neb., Jan. 8 .-- (Special.) -Father Marcellinus, the priest in charge of the Columbus Catholic church during the last six years, has been transferred to Quincy, Ill., the home of his children, for which place he leaves this week, to be succeeded at Columbus by Father Scraphim,

who formerly served this congregation. Skull Crushed in Fall.

HARTINGTON, Neb., Jan. 8 .- (Special Telegram.)—Frank Stoppart, who lives seven miles north of Hartington, fell from a load and crushed his skull this afternoon. He died an hour later. He leaves wife and two small children.

Boys Drown While Skating.

WYMORE. Neb., Jan. 8 .- (Special.)-While skating on the Blue river, just above the dam in Blue Springs, Monday night Edward Murtis, aged 10 years, was drowned. His home was in Blue Springs, where he leaves a widowed mother.

LIFE SAVED BY SWAMP-ROOT The Grest Kidney, Liver and Bladde Remedy,

Sample Bottle Sent Free by Mail

Swamp-Root, discovered by the eminen kidney and bladder specialist, promptly cures kidney, liver, bladder and uric acid troubles. -Some of the early symptoms of weat

cidneys are pain or dull ache in the back, rheumatism, dizziness, headache, nervousness, catarrh of the bladder, gravel or calculi, bloating, sallow complexion, puffy or dark circles under the eyes, suppression of urine, or compelled to pass water often day and night. The mild and extraordinary effect of Dr.

Kilmer's Swamp-Root is soon realized. It stands the highest for its wonderful cures of the most distressing cases. If you need & medicine you should have the best. Swamp-Root, is not recommended for

everything, but if you have kidney, liver, bladder or uric acid trouble you will find it just the remedy you need. Sold by druggists in fifty-cent and one dollar sizes. You may have a sample bot-

tle of Dr. Kilmer's Swamp-Root and a pamphlet that tells all about it, including many of the thousands of letters received Frank Thompson, Walter Dillion and from sufferers cured, both sent free by Charles Bennett escaped from the Saline mail. Write Dr. Kilmer & Co., Binghamcounty fail this morning about 1 o'clock, ton, N. Y., and please mention that yes They secured their liberty by digging read this generous offer in The Omaha

Her Needs

There has been a great want for a perfectly pure nutrient stimu-iant for the physical needs of woman, and it has been found in



Physicians Sold at all first-class cafes and by jobbers WM. LANAHAN & BON, Baltimore, Md.

Leading

WHIANAHANA

geons from the British Medical Institute have, at the urgent solicitation of a large number of patients under their care in this country, established a permanent branch of

the Institute in this city, at Corner of 16th and Farnam Streets, Rooms 438-439 Board of Trade

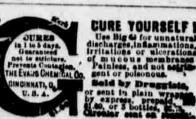
These eminent gentlemen have decided to give their services entirely free for three months (medicines excepted) to all invalida who call upon them for treatment between now and Jangary 9.

The object in pursuing this course is to become rapidly and personally acquainted with the sick and afflicted, and under no conditions will any charge whatever be made for any services rendered for three months to all who call before January 9. Male and female weakness, catarrh and catarrhal deafness, also rupture, goitre, cancer, all skin diseases and all of the rectum are positively cured by their new treatment.

Not in Nature for anyone to always feel tired. There is no need to drag out an existence without ambition.

Weak nerves are responsible for languor, depression, debaity and varicocele. Diseased nerves, whether due to-ove They tone and invigorate every organ of the body, soothe and strengthen the nerves and transform broken down men and women into strong, healthy, vigorous, ruddy-cheeked persons. If you find this isn't so, you get your money back

\$1.00 per box : 6 boxes (with guarantee), \$5.00. Book free. Co. Omaha: Dillon's Drug store Omaha, and Davis Drug Co., Council



SWAPS

You have something you don't want - something somebody does want. You want things others have—things they don't

want. Get together. Make an exchange. Our want columns will be the medium to accomplish it with dispatch.

What do you want? What have you to offer in exchange? Write out a brief exchange ad and sent it to The Bee.

A sixteen-word want ad

will cost you only 25 cents. Better do it now or you may forget.