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Rural Free Delivery Receptacles Held to Be Sacred in Place.

BASIS OF PROSECUTION IN FEDERAL COURT Two Young Men Face a Jury on

Charge of Destroying and Descerating a Farmer's Private Postoffice,

The federal courts resumed business yes terday, with Judge J. E. Carland presiding in room No. 1 and Judge Munger in room No. 2. Jury trials are on before both of the judges. That before Judge Munger is the postoffice box desecration case against R. C. Nelson and Charles Matthews of Ames, Neb. A farmer named Dean had pleced on a post near his barn a small box, in which the star route carrier passing his place put what mail there might be for him for accommodation. The place was not on a rural route. The accused. Matthews and Nelson, one or both of whom had at one time worked for Dean, had some misunderstanding with him, and it was held that there was some ugly feeling prevailing between the parties. Matthews and Nelson had occasion to pass Dean's place, and Dean alleges that they maliciously knecked the mail box down and otherwise desecrated It. The case was called to the attention of the postoffice inspectors of this district, and A. O. Swift was put on the case, resulting in the arrest of the accused and their indictment by the federal grand jury. A large number of witnesses have been called in the case and the prosecution finally concluded its evidence yesterday morning.

Basis of the Defense. The defense holds that the box in question was not a legitimate mail box, nor was it authorized by the postoffice authorities. Its being placed there was simply an act on the part of Dean, and the depositing of mail therein was merely an act of accommodation on the part of the star route carrier. It is further denied that the accused either knocked the box down, mutilated or descerated it.

The case was given to the jury at 4 o'clock Tuesday evening and after being out an hour a verdict of not guilty was returned.

The trial of a case for personal damages in the matter of E. P. Luckinbill against the Union Pacific Railway company is being heard before Judge Carland. Luckinbill was a stockman shipping stock from a point near Kearney, Neb., and was injured while endeavoring to board a car. He had got off the car at a small station to look at his stock and, seeing that it needed some attention, proceeded to look after it during a temporary stoppage. Finishing this work, he undertook to board the passenger coach again at the direction of a brakeman just as the train was starting from the station. The train was moving faster than he thought and he struck his foot on the end of a tie, resulting in the breaking of the bones of the foot and permanently crippling him, for which he brings suit for \$25,000 damages.



by Rev. Robert Yost of the St. Mary's Avenue Congregational church, of which congregation Mr. Evans , was a member. Interment at Forest Lawn cemetery,

noon at 2 O'Clock.

At a special meeting of the Board of Park Commissioners this morning the following resolutions of condolence on the death of J. H. Evans, president of the Board of Park Commissioners, were adopted:

Whereas, It is proper that a memorial record be made commemorating the death and worth of John H. Evans, president of this board, whose sudden and untimely death bows our hearts today; therefore, be

this board, whose sudden and untimely death bows our hearts today; therefore, be it Resolved, That the city be served so faithfully and loved so well has suffered an irreparable loss. As a member of this board he was broad and progressive. For the public good he practiced the same economy and prudence that characterized the management of his personal business. With contractors and employes he was just and considerate For six years a member of the board, during five years of which he was its president, he had the confidence of his fellow members and the public. Enter-ing the board shortly after the conception of the Central Boulevard idea, he entered enthusiastically into the work of beautify-ing the city, and aithough engaged in many and take pride in what he designed. As time alone can bring form and beauty and finished perfection to this work upon the board, so may the memory of his faitness, industry, watchfuiness, disinterest duess and noble enthusiasminspire his duriness industry, watchfuiness, disinterest duess and noble enthusiasminspire his duriness industry, watchfuiness, disinterest dues and able enthusiasminspire his duriness industry. This beloved of Omaha. Be it further Resolved, That the members of the beard streat becauty of his beloved of Omaha. Be it further Resolved, That the members of the beard attend their sympathy, intensified by the schee of their own personal loss, to the widow and family of the deceased in their great berenvement. Be it further The body of J. H. Evans, who was sud-denty stricken at Dallas, Tex, last Sunday,

The body of J. H. Evans, who was sud denly stricken at Dallas, Tex., last Sunday was received here last evening at 6:15 ove the Burlington. The body was accom panled from Dallas to Kansas City by

Mrs. Evans and from Kansas City to Omaha by the wife and a brother, Richard B. Evans. The casket was taken to the Evans home at Thirty-third and Farnan

At the depot when the train bearing th body arrived were relatives, business as sociates and driends of Mr. Evans. Not a few of those who were acquainted and associated with the dead citizen for quarter of a century were moved to tears as the casket was taken from the railroad car and transferred to a funeral car.

Of Mr. Evans' business associates at the depot were Martin Meyer, M. M. Robinson George Henderson, A. D. Block, Arthu Rosenzweig, Harry McClure, R. N. Burgess

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