SHOLES CASE NOW RESTS WITH THE JURY

Hard Fought Personal Injury Suit Finally Submitted and Twelve Men Are Now Busy with Its Technical Points.

colored man was recently excused om a jury in Kansas City because other grors said they could not conscientiously serve with a negro. Growing out of this action of the court in Missouri a movement has been started to have Judge McCune, who excused the negro, presented before the legislature for impeachment. movement is directed by negroes who insist that they will push it to a finish.

On a jury in Judge Kennedy's court a black man is serving, who was accepted by both sides. No white juror has raised a word of objection. The chances are, too, that the eleven white men will have to be associated with the colored brother for quite a spell. He is on the jury which heard the case of Miss Hoscovek against the Street Raliway company for the fourth time and which has been contested with something of bitterness by the attorneys on both sides. A quick verdict is not looked for. The jury is now out. Miss Hoscovek asks for \$25,300,

#### Sholes Jury Disagrees.

Since 5:20 Thursday afternoon the jury in the Sholes-Penfold personal injury case has been confined to a jury room, wrestling with the merits of the matter. The trial of this cause consumed a week of time and it is full of technical points concerning flash lamps and the different kinds of powders used in the same, particularly the latter, Mr. Sholes is an amateur photographer who bought a flash lamp outfit from the defendant company. After he had had it a year, but not always in use, it exploded one Sunday evening in his home while he was exhibiting its workings to some friends. His left arm was amputated below the elbow as a result of his injuries. The claim is set up that he was not given sufficient warning of the dangerous character of the powder and that he sustained the injuries due to the explosion by reason of the carelessness or neglect of the defendant company. He

sues for \$15,000. The jury in the damage case of Lewis Sholes against the H. J. Penfold company reported last evening that it could not agree on a verdict after thirty-six hours' deliberation. It was therefore discharged by Judge Redick.

#### Carter Case Not Finished.

When the state rested just before noor Friday in the Carter case, on trial before Judge Day, defendant's attorneys moved for dismissal on the ground of insufficiency of evidence on the part of the state to sustain the charge of burglary against the prisoner. The court overruled the motion and the case is still proceeding. Carter's defense is that he was an agent for and was selling the character of goods found in his possession, which the state alleges were stolen in a raid on the store of the Tootle-Kessler Millinery company.

George Clark, the white boy who used a razor to lay open the back of a companion while drinking, was given three months in jail on the verdict of assault and battery found by the jury.

#### District Court Notes.

Sylvia Lesle has filed a suit in district court against Samuel Goldsmith, in which she seeks to recover \$2,500 for alleged as-sault and battery.

John C. Crampsey is suing the Kountze Memorial Evangelical Lutheran Church corporation for \$1,500. This sum is asked as damages for the loss of a finger while working on the new church building now being creeted on Farnam street.

Mrs. Susie Cottrell has filed a motion for a new trial in the personal injury suit which Judge Estelle took from a jury on Tuesday. Mrs. Cottrell asked damages from the city for a fall she alleges a de-fective street crossing was responsible for. Judge Troup has named Charles G. Mc-Donald, an attorney, as guardian ad litem of Ide, Bayard and Mildred Eller, minors, who are interested in a lawsuit now pend-ing in the district court. Mr. McDonald succeeds Edgar S. Baird as guardian ad

succeeds Edgar S. Baird as guardian ad litem.

Josephine Williams is the signer of a petition on behalf of many heirs of the late Sophronia Jones, which has just been filed in district court. The plaintiffs ask that their interests in the estate be ascertained and defined and that a division be made accordingly under the direction of the court and that a receiver be appointed to collect the rents and profits of the estate and care for the same pending a decision.

Emma A. Woolsey and Andrew Johnson Emma A. Woolsey and Andrew Johnson were united in marriage in January, 1889, at Blair, Neb. She has now filed a petition in Douglas county, in which she says that the judge who made out the marriage license in the happy days so long ago got her name as Emma A. Wilson by mistake.

her name as Emma A. Wilson by mistake, That errer is not given as the cause, but Mrs. Johnson aileges reasons for a separation recognized by law and asks the custody of one child, aged 8, and alimony.

Maud Hollowell married her husband, Walter, the first time at Sac City, Ia., in March, 1895. In January, 1904, she was granted a divorce on statutory grounds. In March following she married Mr. Hollowell a second time, as she says, on his promise to be good and true. This all in Iowa. Now comes Mrs. Hollowell in this county and asserts that her husband broke his promises shortly after the second marriage and has also falled to support herself and two children aged 8 and 5 respectively; wherefore she asks a divorce and the custody of the children.



# and OVERCOATS, at ...

Choice of the great stock of WHIPPLE @ CO., 312 Broadway, N. Y. This sale has been the most popular with Omaha men of any ever given during our business career - Day after day has seen throngs of men in our great clothing department. This stock is still as good as new-you can get just as great a variety as on the first day and the bargains are even

any \$15, \$20 or \$25

in the entire stock

suit or overcoat

These are all hand tailored suits, they are made by such well known manufacturers as Fechheimer-Fischel Co., David Marks & Sons, the Washington Tailors, etc-vour choice of

at .... ......... ...... MEN'S ODD COATS and VESTS.

Saturday we will sell all the odds and ends of men's coats and vests that have accumulated during our great fall and winter season sale, hundreds of styles and patterns, from suits that were as high as \$10 each. for coat and vest.....

MEN'S \$3 AND \$4 PANTS AT \$1. Your choice of all the pants from the stock of Whipple & Co., made of cassimeres, cheviots, worsteds, etc. all well made, and right up-to-date in style worth \$3 and \$4, at.....

Clothing Specials in Basement

Boys' \$2.50 Knee Pants 1.19 Boys' Waists—A base- 9c ment special, at.....9c Boys' \$5 Long Pants 2.50 Suits, at, each ...

Boys' Knee Pants-Saturday, at, pair.. 19c Men's \$7.50 Suits-A splendid value-Satur-

day, only.

#### ENFORCING SIDEWALK ORDERS SPINSTERS

Police Follow Warnings with Con plaints that Will Bring Delinquents Into Court.

Sergeant Cook of the police station has filed about forty complaints in police court against parties who have failed to comply with the orders served on them to clear the snow from their walks. These complaints are against downtown parties, it being the idea of the authorities to begin enforcing the ordinance where the travel is the heaviest. On Thursday the patrolmen and sergeants made the rounds and served notices where they were needed. Now those notices are being followed up with complaints.

When Officer Davis called on a South Thirteenth street widow Thursday afternoon and told her of the ordiance regarding the clearance of snow, the woman told the officer she is without a husband, unable to remove the snow herself and short of money with which she might hire the work done. A bright idea then occurred to her, which she conveyed to the policeman in this manner:

"Now, see here, you are a fine large man and you haven't much to do. I'll get you a shovel and just you get off your coat and clean my sidewalk, and the Lord

While Officer Davis has sympathy for the widows and the orphans, he does not think it within the province of a policeman on duty to clean a sidewalk.

Attention, M. W. A. Members of Omaha camp No. 120 are requested to attend the funeral of our late o'clock. Services at Castellar Street Presstreets. Members of other camps are cordially invited.

JOHN KILLIAN, Consul. C. H. T. RIEPEN, Clerk.

#### SEASONABLE FASHIONS.



NO. 4406-GIRLS' LONG KOMONA. Sizes, 1 to 16 years.

For the accommodation of readers of The Bee these patterns, which usually retail at from 25 to 50 cents each, will be furnished at the nominal price of 10 cents. A supply is now kept at our office, so those who wish any pattern may get it either by call- Elsie C. Jensen, Avery. Neb. ing or enclosing 10 cents, addressed "Pattern Department, Bee, Omaha."

### SORE NEED

Aged Sisters Discovered in Extremity of Proud Poverty.

SICK AND DESTITUTE, BUT SILENT

and Martha Carr Battle fo Existence Alone Until Sickness

Brings Their True Con-

dition to Light.

Mary Carr, 65 years of age, living at Fifeenth and Kavan streets, was struggling with an old saw and piece of wood, when a neighbor dropped in Thursday morning to inquire whether anything was needed in the way of food or fuel. The woman's twin sister, Martha Carr, was in the bed, the aged women having taken turns that morning and the previous night in maintaining enough fire to keep bodies and osuls together. Both were partially ill and neither equal to the task of sawing wood, but, with their Celtic pride, they struggled along and were loath to make known their condition. The case was reported to Superintendent Morris of the Bureau of Associated Charities by the neighbors. Mr. Morris immedi-

what assistance they need. The Carr sisters live in two rooms at the number mentioned. For years they have eked out a livelihood by taking in washing and ironing, which they did with unusua. ability. The recent weather told on their health, but both managed to keep up until neighbor, R. Yocum, sr., on Saturday at 2 Wednesday afternoon, when Mary took to her bed. In less than five minutes the other byterian church, Sixteenth and Castellar sister also went of bed. Thursday morning they were some better. When Superintendent Morris called to investigate the case the sisters told him they had taken turns all the night before and Thursday morning sawing up branches of trees they had gath ered in the south part of the city.

ately investigated and found conditions as

represented. The sisters have been given

Poverty-Stricken But Nest. 'Have you any money at all?" asked Mr Morris of one of the sisters.

"No," was the reply. Mr. Morris looked around the room and noticed that an unusual neatness prevailed, which was in striking contrast to the women's material and physical welfare He noticed particularly the stove, which bore evidence of recent treatment with a brush and polish. He was about to speak

again, when Mary Carr said: "No, we have no money, and, to tell the truth, we spent our last nickel yesterday for stove polish. You might not believe that, but it is so. We always like to have things clean for fear some one might drop in to see us. And don't you think the stove looks nice? And then we feel sure the good Lord will provide and provide better if we keep the stove polished and the floors scrubbed.

Mr. Morris became more interested in the quaint pair of spinsters and engaged them in further conversation. He learned that they had always lived together and are as alike in their ideas of life as they are in

physical resemblance. "It is one of the most interesting cases have had occasion to investigate since com ing to Omaha last fall," said Mr. Morris.

Diner's Digesters destroy dyspepsia germs and make the stomach healthy. Buy them and try them. At Myers-Dillon Drug Co.

Marriage Licenses. The following marriage licenses were is used up to noon February 17:

Name and Residence.

Age. Louis Gray, Omaha.... Agnes Hoffman, Omaha Oscar S. Harvey, Omaha ... Grace W. Whiteside, Omaha Charles E. Siefken, Omaha Catherine O, Gonden, Omaha Roderick G. Roberts, Omaha Myrtle Harris, Omaha Otto J. Krenger, Herman, Neb., Helen Fedde, Omaha

Edholm, jewier. 18th and Harney st.

#### USE ALTON FLOUR

# Choicest NAVEL

Owing to the inability of the railroad companies to forward shipments of California Navel oranges consigned to eastern points during the severe cold weather, several carloads in transit at Omaha were sold at prices scarcely exceeding freight charges. We are confident you will not be offered another opportunity to purchase such \$\frac{1}{2}\$-lit at this price again, rememoer.

Largest Navel Oranges, per dozen. Strictly Fresh Eggs, per dozen. Shredded Eiscults, 34c 10c per package.... Knox s Gefatine. 10c 25c

Walter Baker's Chocolate 33c-per pound-33c.

11c 7ic A Logs of Lamb. per pound. Perk Loins, per pound. Pork Butts, 5 c 7 6 c 0 3 c N

Sommer Bros. 28th and Farnam Sts. Telephones 736, 1329.

**USE ALTON FLOUR** 

## Shoe Co.

#### Saturday's Bargains

in our

Grand Clean-Up Shoe Sale

Will be fully equal to the splendid bargains of the past ten days.

FOR MEN.	
65 pairs \$4.00 French Ename double soles—while they last	2.95
S. & M.'s \$5.00 patent colt, double soles, clean-up price.	3.65
vici kid dcuble soles	4.45
All broken lines of \$3.00 and \$3.50 shoes, go at	2.45
WOMEN AND CHILDRE	N.

Women's \$4.00 kid and gun metal calf, heavy soles.... 2.95 Women's \$5.00 patent kid, calf and vici kid street shoes.... 3.50 All broken lines of \$3.00 and and \$3.50 shoes, go at..... 2.45 Misses' \$2.50 patent leather 1.45 Women's \$3.00 and \$3.50 shoes on bar-gain table, mostly small 1.45 1.45

25c, 50c and 95c bargains for Misses and Children are great values if you find a pair to fit.

16th @ Douglas.

#### HAND SAPOLIO

FOR TOILET AND BATH

It makes the toilet something to be enjoyed. It removes all stains and roughness, prevents prickly heat and chang, and leaves the skin white, soft, healthy. In the bath it brings a glow and exhilaration which no common soap can equal, imparting the vigor and life sensation of a mild Turkish bath. ALL GROCERS AND DRUGGISTS.



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NEW YORK CITY over \$250,000 improvements JUST COMPLETED

ELECTRIC CLOCKS, TELEPHONES AND AUTOMATIC LIGHTING DEVICES IN EVERY ROOM Completely Remodeled, Redecorated and Refurnished throughout One Minute to Elevated and Subway

foice nearest car at any Railroad or Steamboat Terminal, they all pass or transfer to the Emptre nin easy walking distance of Theatres and Department Stores. Restaurant noted for Excellent Cooking, Effi clent Service and Moderate Charges Rooms (with use of bath) \$1.50 per day private \$2.09

W. JOHNSON QUINN

# Sale of Sample

E. Rothschild & Co., one of Chicago's finest and best wholesale clothing houses, setls us their traveling men's samples at 60c on the dollar. We now place them on

Get Your Next Winter's Overcoat Now

Overcoats. Ulsters and Cravenett Coats, from the Rothschild stock as well as odds and ends from For Less Than the Cloth

Cost Overcoats, Ulsters and Cravenette and Spring Overcoats, worth up to \$18.00; 8.90 Men's Unparalleled Suit

Men's Odd Suits, worth up to \$18.00 one size of a kind, sizes 34-46; your 7.90 Men's Sweater Sale Your choice of all sorts all wool Men's Fancy 8 worth up to \$2.50; sale price, your choice.

Values

The Martin-Cott Stock A LOT OF RESERVED STOCK GOES ON SALE SATURDAY.

Martin-Cott Gloves and Mitts

Dollar Kid Gloves, 48c. All kinds of 50c Gloves and Mitts, 25c. Lined Buckskin Gloves, 48c. Fur Mittens, 69c. Skin lined Mitts, with buck front 60c. Silk Finished Golf Gloves, in all colors, 25c, etc.

Martin-Cott Caps Heavy Beaver, 19c. 75c Caps, 29c. aps worth up to \$1.25, with fur

Martin-Gott Hais Soft Hats, worth up to \$2.50, your choice, \$9c. Stiff Hats, worth up to \$2.00, your pick, 95c.

Up Stairs

Choice of any Overcoat, Ulster or Cravenette Coat from the Binswanger stock, \$3.98—some have quilted lining—there are coats in this lot that retailed originally as high as \$12.50. Men's Pants, worth up to \$2.50, to close them out, sale price, 98c. Boys' Overcoats, ages 4 to 9, color black, 98c. Men's Suits, great \$10.00 values, to get rid of them quick, \$4.90. Men's and Boys' Caps, 9c. Choice of all Men's Hats, 25c. Mufflers, 15c and 25c. Boys' 3-piece Suits, \$1.48. Men's heavy blue flannel Shirts, 59c. Fleece lined Undershirts, 25c. All kinds of Men's Shirts, including Jersey, 25c. All sorts of Men's and Boys' Gloves and Mitts to be cleared up for 15c. Your pick Raincoats \$1.90. Boys' fleece lined Undershirts or Drawers, 15c—and many other similar articles that can be found only at the

CLOTHING CO. 1519-1521 Douglas St.

# SATURDAY DREXEL

25c Per Cent Off

On the finest and best men's shoes in the world ALL HEAVY WINTER

GOODS HANAN best quality imported

patent colt, double sole, regular \$6.00 shoes, at \$4.50. HANAN best quality velour calf, French calf lined, double sole, regular \$6.00 shoes, at \$4.50.

HANAN best quality plump kid, kid lined, double sole, regular \$6.00 shoes, at \$4.50.

CLAPP custom made kid shoes, kid lined, double sole, regular \$6.00 shoes, at \$4.50.

CLAPP best quality box calf, Blucher cut, double sole, regular \$5.50 shoes, at \$4.13.

BOYDEN French enamel, kid lined, double sole, cork filled, regular \$6.50 shoes, at \$4.88.

BOYDEN'S genuine French calf, strictly hand made, double sole,

regular \$6.50 shoes, at \$4.50.

SPECIAL-We have added three lines of \$5.00 shoes in box calf and patent colt, double sole, at \$3.75. All of Hanan women's double sole patent calt, calf and kid shoes, at 25 per cent discount.

Drexel Shoe Co., 1419 FARNAM STREET,

Omaha's Up-te-Date Shoa House ASK FOR OUR FREE CATALOGUE

SYMPTOMS; There may be stching again pain, soreness and bleeding. INJECTION MALYDOR Malydor Mfg. Co., Lancaster, O., U.S.A.

MADE BY EXPERT WINE GROWERS SERVED EVERYWHERE

Great Furniture Sale Monday

Sunday Papers

See Page 9 for Great Saturday Bargains

# Final Clearing Sale

Men's Winter Suits and Overcoats



\$7.50 to \$10 Suits @ Rand Overcoats, at

stylishly cut welt tailored service-able garments. Broken lines from our own high grade stock—the suits come in plain blue, black, oxford gray and fancy mixed cheviots, meltons and cassimeres. The overcoats In black, brown or oxford gray kerseys, meltons and Irish frieze.

Best values to be found in the city at our sale

\$12.50 to \$15 Suits and Overcoats, \$7.50

A specially handsome and complete line in all the newest fabrics and colors, the materials and workmanship throughout are excellent. Garments that are without an equal in fit, finish or fashion-at our sale price .....

Special Pants Sale

Men's Pants in cassimeres, cheviots and worsteds, in stripes, mixtures and plain colors-regu-

Boys' PANTS Suits

In double breasted or three-pieca styles, all shades and great variety of fabrics, regular \$3.50 to 

## Prices Cut in Half

OMPARE OUR PRICES WITH OTHERS AND see if your money wor't reach farther at The

Lang Grocery Company. 4s-pound sack Jersey Cream Flour, per sack.

1-pound package Coffee, per package
Uncolored Japan Tea, per package
Uncolored Japan Tea, ½-lb. pkgs. regular 30c pkg. our price.
Uncolored Japan Tea, ½-lb. pkgs. regular 30c pkg. our price.

Jelies in glasses, regular 10c seller, our price.

Jelies in glasses, regular 10c seller, our price.

Jelpound Jams in tail glass jars, regular 25c seller, our price.

1 Apple Butter in stone jars, regular 25c seller, our price.

2-pound can Sweet Corn.

3-pound can Tomatoes

Extra fine Country Butter in rolls, fresh daily, per pound.

2 Bananas, extra large fruit, per dozen.

FREE MATCHES FREE with every sack of Diamond Wedding

Flour-Our guarantee with every sack. THE LANC CROCERY COMPANY

Telephone 1459.

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"If you could only be here this winter morning and see for yourself, you would no longer doubt ms. Roses are blooming in our front yard, and all nature is as far advanced in this lovely Amerioan summer-land as it will be in your Eastern

home by June.
"We made the journey from Omaha to the Golden Gate via the Union Pacific and Southern Pacific to avoid the circuitous routes—an important item in the winter. A trip to California is made delightful by the perfect service and luxurious accommodation of the 'Overland Limited' which is perhaps the most finely equipped train in the world."

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In 2-Pie 10c Packages with List of Valuable Premiums. MERRELL-SOULE CO. STRACUSE, NEW YORK

PLENTY OF HARD COAL

ALL SIZES. Also Our Old Genuine

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