

IS CAPT. CATLEY A COWARD?

That is the Charge Made by His Lieutenant, John Kinzie.

ALLEGES HIS SICKNESS WAS FEIGNED.

A General Court Martial Trying to Determine Whether the Captain Disgraced His Position at Pine Ridge.

In accordance with special order, No. 37, issued from the headquarters of the Department of the Platte, March 1, 1891, a general court-martial met at department headquarters at 10 o'clock this morning.

The court-martial was for the purpose of trying "such persons as might properly be brought before it," and Captain Henry Catley, company C, Second Infantry, was the individual who appeared in the latter capacity.

The charges and specifications, stated by Lieutenant John Kinzie, allege in brief that while in the field of operations at Pine Ridge, Captain Catley neglected his duty by the purpose of shirking and evading duty in time of danger, thus disgracing himself as an officer and bringing disgrace upon the service.

The detail for the court was present when the court opened, with the exception of Captain Wallace, who is out of the field on account of illness, and Captain Bailey, who had been requested to report at Fort Omaha.

The charges were read by the judge advocate, and to the first three the accused pleaded not guilty. To the fourth specification he pleaded guilty, protesting that it was simply a repetition of the charges set forth in the second specification, and that it could not be of any value to the prosecution, while it only served to prejudice the mind of the defendant. A short session of closed court was held, when the demurrer was overruled, and the accused required to plead.

He entered another plea, not guilty, to the trial of the officer was at once proceeded with.

Lieutenant William J. Turner of company C, Second Infantry, was the first witness called. He testified that he was in the field with his company during the recent Indian outbreak, having been ordered to Pine Ridge about November 20, 1890, on the day of the attack on the mission company C, four other companies were ordered to hold themselves in readiness to go to the assistance of the Seventh Cavalry, which was engaged with the hostiles.

Captain Catley's own witness, that he was not feeling well, and that if the company was ordered out, he would have to go in command of it. On the afternoon of December 23, the company was ordered to go after the hostiles on White river, and Captain Catley again told the witness that he would have to take command of the company, as he was unable to go on account of his sickness.

The defendant told him that he had been in the field for some time, and that he had been ordered to go to the assistance of the Seventh Cavalry, which was engaged with the hostiles.

On the following morning, January 1, 1891, witness took command of the company, and continued in command until the company returned to Fort Omaha, about the last of the month, when Captain Catley again took command.

On the morning of December 20, the defendant came to the witness and told him that the commanding officer had ordered witnesses to take out his company for picket duty with company D. Captain Catley was not to be found at that time, but followed the company out about an hour later and remained until the company came in. Captain Catley marched with the company from Rushville to Pine Ridge, a hard, forced march.

On the afternoon of December 20 Captain Catley went out about a mile with the company to guard some prisoners, after starting in the morning that he could not go out with the company.

The witness was cross-examined by Captain Catley.

"What was my condition on the morning after that march from Rushville to Pine Ridge?"

"Nearly every soldier was about as stiff as he could be, as it was a very hard march."

"That isn't the question. I want to know what my condition was."

"You stood the march about as well as the average officer who made it."

"I don't remember that to be a fact."

"Didn't I tell you that I couldn't have gone another mile and was sick from pains in my stomach?"

"You complained a great deal after the first ten miles had been gone over, and said you were suffering terribly."

It developed on cross-examination that Captain Catley took his meals at a dining hall about 500 yards from his tent, and that it was convenient for him to go to the dining hall on account of the crowd. When he joined his company in the field about an hour later he did not say where he had been.

On re-direct examination by Captain Ray, judge-advocate, the witness said that company C had drawn the lot to take Big Foot's remains, disarming it was supposed they would be, and bring them to Omaha. This was before the wounded knee fight. Captain Catley did not say anything about not being able to march to the field, and it was generally supposed that the march would be made in one day. Captain Catley was not on the sick list, and time, but was reported absent, sick, during the time the witness was in command. The impression prevailed that Captain Catley was very glad of an opportunity to come back to Omaha.

That concluded the examination of Lieutenant Turner, and the testimony as taken down by the stenographers was read to him and signed. Court then declared a recess until 12 o'clock.

When court reassembled in the afternoon, Captain Bailey was read and was again seated as a member of the court-martial after taking the oath.

The question then arose as to whether or not it would be proper to proceed with the production of evidence, when one member of the court was in ignorance of what had already transpired. It was decided to adjourn until 10 o'clock tomorrow morning, at which time the stenographer will have his notes extended, and Lieutenant Turner's evidence will be read for Captain Bailey's information.

There are three other witnesses to be introduced by the prosecution, namely: Russell, acting adjutant; Second Infantry; Major Hartsuff, adjutant, and Captain Spencer, assistant surgeon. It is expected that the trial will last nearly a week.

"Ayer's medicine have been satisfactory to me throughout my practice, especially Ayer's Cherry Pectoral, which has been used by many of my patients, one of whom says he knows it saved his life."—F. L. Morris, M. D., Brooklyn, N. Y.

**Pennsylvania Lines.**  
The Pennsylvania Limited  
Train No. 2—The Pennsylvania Limited—Continues to run every day from Chicago to Pittsburg, Baltimore, Washington, Philadelphia and New York. Composed of vestibule dining, sleeping, observation, smoking and library cars, with barber shop, bath room for men, bath and a colored maid for women and children, and a stenographer, it has become the measure of the requirements of those who when traveling to the east want themselves of the best service attainable.

**Will Celebrate the Day.**  
At Cosmopolitan hall on South Thirteenth street tonight the choir of St. Patrick's church will inaugurate its annual season of giving literary and musical entertainment appropriate to St. Patrick's day. The programme comprises over twenty numbers, including solos, duets, quartettes and recitations. Hon. John Rusk will deliver an address and Emmet's speech will be given by Thomas Flynn. The entertainment for tomorrow night promises to be far better than any heretofore given.

The Howe scales, the only scale with protected bearings. No check rods. Catalogue of Borden & Seelock Co., Agts., Chicago, Ill.

**Will Rebuild.**  
The Bohm sash and door company has con-

cluded to locate in East Omaha and have purchased three acres of ground. The East Omaha land company donated three acres more, making six in all, which will give the company a much larger plant than before.

TELEGRAPHERS' TROUBLES.

Supr. Kory and Chief Thurston Will Adjust Them.

Grand Chief Thurston of the Order of Railroad Telegraph Operators is in the city for the purpose of consulting with Mr. J. H. Kory, superintendent of telegraph of the Union Pacific with regard to the misunderstanding which exists between the company and some of its operators who are members of the order.

L. H. Kory, superintendent of telegraph for the Union Pacific was at his office yesterday morning for the first time in two weeks, having been confined to his home by an attack of the grippe. He stated that the company had no ground against the order and that he had no operators on account of their being members of the order. Every operator who had been discharged had been implicated in a plot to make trouble on the road. Some of these men had been members of the Order of Railroad Telegraphers, but this fact had nothing to do with their discharge. It may have had some influence in causing them to try to make trouble for the company, but they had been discharged for good and sufficient cause.

With reference to the bill which had been introduced in the Colorado legislature prohibiting the employment of telegraph operators under contract, Kory said that he had no objection to the bill, as he had very few, if any, operators under that agreement. It was a rule of the company not to employ anyone who was possible to get operators of legal age.

Grand Chief Thurston was seen and stated that he had been in Denver and had been the operators' side of the story, and had come to Omaha for the purpose of consulting with Mr. Kory.

He was advised, he said, that the whole trouble arose from a misunderstanding between the company and the operators. There was no probability of a strike, but some of the men on the western part of the Union Pacific had been indiscreet and had assumed too much authority. He felt confident that the matter could be amicably adjusted and for that purpose he called upon Mr. Kory this afternoon and remained in consultation with him for some time.

**Deserved Promotions.**  
Drake O'Reilly, who has held the position of chief clerk in the general freight office of the Union Pacific for some time, has been appointed traveling agent of the road, with headquarters at Denver. Mr. O'Reilly has been with the company for about ten years, having commenced as a messenger. His new appointment is considered a well-deserved promotion. He leaves for his new post of duty tonight.

W. G. Clement, who has been with the Union Pacific for about fifteen years, succeeds Mr. O'Reilly as chief clerk. Mr. Clement has had long experience in general freight and traffic business, having been in the general freight office during the administration of Mr. Shelby. Recently he has been in the office of Vice-President Kimball.

**Considering Grievances.**  
The grievance committee of conductors and trainmen from the Pacific division of the Union Pacific was closed last day with Assistant General Manager Holcomb of the Union Pacific, consulting about matters on that division. The members of the committee state that they have no special grievances to adjust, but have come to consult on several matters of mutual interest.

**Unlimited Tickets.**  
Committees appointed by the various traffic associations are to meet in New York tomorrow at the office of the Transic Line association, to consider the expediency of issuing unlimited tickets as a method of carrying out the abolition of such tickets.

Do not consult anybody, but invest twenty-five cents in a bottle of Svalvold Oil. It will cure you.

We reflect that so many human beings die of consumption, we must come to the conclusion that everybody should be provided with Dr. Bull's Cough Syrup, the most consumptive's friend.

FOR THE SPRINGS

**Of Arkansas and All Points South.**  
Take the Wabash, the best and quickest route. Only 38 hours to the Hot Springs, 40 to New Orleans, 52 to Jacksonville, 65 to Tampa, with corresponding fast time to all points south. Reclining chair and Pullman buffet sleeping cars on all trains.

Low trip tickets are now on sale at greatly reduced rates. For tickets and full information call at the Wabash ticket office, 1502 Farnam street or write G. N. CLAYTON, Agent.

CANUCK COUNSELLORS.

**Admitted to the Douglas Bar Only After Examination.**  
In the large court room the judge yesterday morning handed down a decision that settles the fact that some of the certificates of foreign courts will not be recognized in Douglas county.

Smelling Koper Crickmore is an attorney at law. He was daily admitted to practice in the courts of Canada, in Ontario, on May 17, 1913. Recently he came to Omaha and applied for admission on certificates. The regular bar committee took up the case, and in reporting back questioned the right of admission.

Judge Deane, in rendering the opinion, stated that there is no law in this state that passed an examination, there is nothing to show that he is a citizen of the United States, and that there is no law in this state that would prevent him from recognizing the Canadian certificate. It is, however, the order of the court that Mr. Crickmore pass an examination the same as other applicants.

The records of the district court show that Walter C. Kelley proposed to sever ties with his wife, Cora E., on September 1, 1886. Walter in an affidavit swears that Cora is dead, that during the month of December, 1884, she so far forgot her marriage vows as to go to Denver and become drunk in one of the numerous wine rooms of that town. In addition to his strong language Walter avers that only last January his wife came from Denver to Omaha and accused a berth in the sleeping car with another man who was not her husband.

John H. Daniels has brought suit to recover \$1,000 from O. J. Colman. He has also sworn out an attachment charging that Colman is about to dispose of his property with intent to defraud his creditors.

The trial of the case of the state against Walter C. Kelley was commenced in Judge Clarkson's court yesterday. Clamdist is charged with assault with intent to kill. On Feb. 5 he assaulted his wife, who resided at 141 N. North Fifteenth street, where with a butcher knife he threatened to carve her into mince meat.

Champagne has a large amount of carbonic acid in it. It is healthy and nourishing. Cook's Extra Dry is the best.

**Don't Fool Yourself!**  
Notwithstanding all rumors to the contrary, the Chicago, Milwaukee & St. Paul Ry's new steam heated sleeping cars, with "electric lights in every berth," still leaves the Union depot, Omaha at 6:10 p. m. daily, arriving at Chicago at 9:30 a. m. in ample time to make all important connections. Ticket office, 1501 Farnam st.

**J. E. PRESTON.** F. A. NASH, Gen. Agt. C. Pass Agt. Gen. Agt.

**Caness Allowed Bail.**  
Judge Hiesley yesterday decided that Tom McNamee, charged with the murder of Katie Joyce, should be held to the district court for murder in the first degree.

The bail was fixed at \$7,500.

**Dr. Birney cures catarrh. "Boo-ild"**

**Six Horses Cremated.**  
About 5 o'clock yesterday morning a barn in

the alley between Georgia and Virginia avenues, below Leavenworth street, burned to ground. Six good horses perished. The property destroyed belonged to a man named Nelson, who lived on the premises.

The origin of the fire is not known but it is supposed to have caught from a lantern left in the barn.

To the young face Pamela's Complexion Powder gives freckle charms, to the old, renewed youth. Try it.

SOUTH OMAHA AFFAIRS.

**Breaks His Arm.**  
A young son of Mr. and Mrs. Walter Post slipped and fractured both bones of the right forearm. A surgeon was summoned who dressed the wound.

**Blow Poisoning.**  
George Capen, who ran an iron hook in the back of his right hand, is suffering terribly with a bad case of blood poisoning. The arm is swollen to the elbow.

**Will Fight to a Finish.**  
Dutch Fred and Hans Hager, the two young men who had such a vicious four round fight in Germania hall last Wednesday evening, will meet again in a fight to a finish in Germania hall, Friday evening, April, for a 600 purse.

**Robbed of Liquors.**  
Theresa last night made a successful raid on the Karlin hotel, Twenty-sixth and M streets, feloniously taking and carrying away a large lot of French, German, Hungarian and domestic wines, brandies and liquors. Neither the vigilante police nor a search warrant was able to get a trace of the lost fire water.

**A. O. H. to Lincoln.**  
Division No. 3, Ancient Order of Hibernians, will go to Lincoln this morning in full force to participate in the St. Patrick's day parade in the Capital city. Chairman John J. O'Rourke announces that an excursion train will leave the B. & M. Depot at the west end of the L. street viaduct at 8 o'clock sharp. Division No. 3 will meet at St. Agnes hall at 7 o'clock and will be prepared at the depot before the train leaves. The division will take its magnificent banners and flags to carry off the honors of the day.

**Livestock Exchange.**  
The Livestock exchange, which was closed yesterday afternoon, adopted rule No. 24, as follows:

"No firm represented in this exchange shall buy or sell or offer to buy or sell any live stock, except steers, cows, calves, downers and cripples after 3 o'clock p. m. The whistle of the G. H. Hammond company will blow at 4 p. m. and all parties connected with the exchange shall stop business before the whistle stops blowing."

**Notes About the City.**  
Mrs. Fred Marlett is sick.  
Mrs. K. Klaris is down with pneumonia.  
Paul Burgess is down with the grippe.  
A young son of Mr. and Mrs. R. C. Hillier is sick.  
A young son of Henry Lesueur has the grippe.  
John W. Shambelen has been caught by the grippe.  
Mrs. Michael Sweeney is down with the grippe.  
W. Reed Dunroy is now in the candy kitchen.

The two children of Mr. and Mrs. J. J. Larkin are convalescing.  
Miss Marya Barson of Aurora, Ill., is visiting friends in the city.  
Bernard J. McCabe has returned from Swift's Ice Works at Ashland.

Miss Annie Lynn, daughter of Thomas Ryan, was taken suddenly ill.  
The high-five club will meet Wednesday evening at Mr. and Mrs. Al Dowdell's.  
William Snooks is down with the grippe and his two children have the whooping cough.

Mrs. Haley, mother of A. B. Haley, Twenty-sixth and R streets, Brown Park, is critically ill.  
William Buckley has returned from Chicago, where he spent the winter with his parents.

E. H. Rawson of Topeka and Edward Rawson of Lincoln, Kan., are the guests of Henry W. Fisher.  
David S. Hyland has not yet gotten any trace of his pocketbook containing \$250, lost or stolen Saturday night.

The fourth ward democratic primary election place has been removed to No. 2906 Q street, in the Allison building.

Peter Brennan, one of the leading democratic politicians, has been out of his business and will remove to Chicago.

Mrs. Coyle, aged fifty-five years, wife of Michael Coyle, 311 Twenty-fifth street, died at 8 o'clock last night after a brief illness. The funeral will be held Wednesday morning at 9 o'clock. Relatives have been telegraphed to at Lincoln, San Francisco and other distant places.

On the application of J. H. Huzar a temporary injunction was granted Saturday in the district court restraining the sale of the Drovers' Journal on the estate of J. H. Huzar. An application for a receiver was also made. The court will hear arguments next Saturday on the questions involved.

De Witt's Little Early Risers. Best little pill ever made. Cure constipation every time. Swag capitol. Get them now.

FEW HIGH AND FEW FAST.

**Story of Mr. McIntosh's Career in Omaha.**  
Candling citizens to the number of a score were rushing around yesterday, their minds filled with anxiety and their eyes with blood, endeavoring to locate J. H. McIntosh, a loan agent, who left Omaha suddenly on Friday evening without furnishing his friends with his future address.

McIntosh came here last June from California and rented an office in The Bee building. He was newly married and was very rich of funds which he spent freely.

He remained in Omaha a short time and then, accompanied by his wife, went to Spirit Lake and stayed a day to the northern lake resorts and did not return until late in the fall.

For several months he has been traveling in pretty fast company, and has spent a pile of money in the saloons and places of amusement. He frequently raised ready cash by presenting small checks to his friends, who were always paid promptly at the bank he gained a confidence that enabled him to make heavy hauls when he became close pressed for cash.

Last Thursday he secured \$150 from E. E. Torulinson on a check drawn against an empty bank account, and was arrested for obtaining money under false pretenses. Jack Woods put up \$50 to secure his release on bail, and also advanced him \$100 cash on another check. Friday night McIntosh and his wife left the city. The amount of his short-ages is not known, but he killed as many of his friends as possible in amounts ranging from \$5 to \$250.

THE CITY.

Boys Metzger was appointed administrator of the estate of John Metzger deceased.

Hans Albert, the celebrated violinist, will play at the concert to be given at the Trinity Methodist Episcopal church this (Tuesday) evening.

E. B. Blalock, secretary of the board of public works, who has had a two-weeks' siege with the grippe, has recovered and is on duty again.

City Clerk John Graves, who has been in a grippe sufferer for several days, has been obliged to give up work in the office and is now confined to his bed.

Spanish Court Cream can be used to great advantage on young children. It is absolutely free from any harmful ingredients and is endorsed by the best physicians. For sale by all druggists.

Ellis Gish, a familiar figure about Maul's undertaking rooms, received news of the death of his sister, Mrs. Kate Goff of Elizabethtown, Pa. A telegram announcing the sad event was sent Mr. Gish, but was not delivered, the telegraph company claiming he could not be found. He received a letter conveying the news, but it was too late for him to attend the funeral.

Weather Probabilities for March.

If March comes in like a lion it will go out like a lamb and vice versa. But every day in the month, rain or shine, the electric lighted, steam heated, vestibule heated trailers of the Chicago, Milwaukee & St. Paul railway will run between Omaha and Chicago. The electric berth reading lamp in the private sleeping cars are the greatest novelty of the age. Ticket office, 1501 Farnam st., Omaha.

Grip and the School Teachers.

Among the school teachers, who were unable to attend for duty yesterday on account of grippe were: Miss Lillian Littlefield, principal, and Emma Littlefield, assistant principal of the Park school; Miss McCarthy, principal, and Miss Goodman, assistant principal of the Pacific school; Miss Davitt, teacher at the Mason school; Miss Mason, at the Farnam school; Miss Lyne and Miss Ellis of the Webster school; Miss Helcox and Miss Holde of the Burness school; Miss (church) of the Dupont; Miss Hansen of the Sherman; Miss Campbell and Miss Keane of the West Side school.

Marriage Licenses.

The following marriage licenses were issued by Judge Shields yesterday:

Table with 2 columns: Name and address, and Age.

SPRING STYLES

The cold weather seems a little stubborn about leaving, but we cannot let a trifling delay in the weather combination interfere with the regular declarations of spring business. The climate is a fixed fact, established by long years of experience, and we don't have to wait for the "old-time inhabitant" to tell us that it is only a matter of a few days and Spring will be with us in dead earnest. We know it, and, of course, as the first Clothing Establishment in the west we are naturally on hand promptly with the season, fully equipped in every department. Our arrangements for the spring trade can be expressed in three words: ENORMOUS, ELEGANT, PERFECT. As the days roll by we will talk to you specifically and in the meantime the following pointers are especially valuable:

**HAT DEPARTMENT.**—See the Hellman Hat (our special) the neatest and most stylish out this spring. You will like it. You will understand, as a special for the purpose of introducing our hat department thoroughly, we are selling a hat worth \$2 to \$3 at 95c.

We mean a fine stiff hat at that price, and it includes all the new spring shapes of headware. You can take your choice of styles, in your pick of colors, and feel assured that you will save half the money.

**HOSIERY.**—Never before has any house shown as complete a line of Half Hose, one strong attraction being our line of Fast Black, (or money refunded) half hose at 25c. Modes and tans in French goods, English ribbed and American makes, that gives excellent service. Also at 25c. We are the Hosiery People of Omaha. Spring weight underwear, every grade, color and at all kinds of prices, low enough to suit.

**SPRING OVERCOATS.**—Well, we all know that style is one of the most essential points in a spring overcoat. Our display, to use the popular expression is "away out of sight." We lead in introducing the latest efforts of fashion, namely, the widely popular box form fitting, short cut and regular cut. These are four especially popular shapes, and we've got them in meltons, in chevots, in kerseys, in worsteds, etc., etc. In all shapes above mentioned we give you the acme of perfection in fit and saving money likewise.

Orders by Mail Receive Prompt Attention. M. HELLMAN & CO., 13th and Farnam Sts.

ALDEN & FAXON. Roy Metzger was appointed administrator of the estate of John Metzger deceased. Hans Albert, the celebrated violinist, will play at the concert to be given at the Trinity Methodist Episcopal church this (Tuesday) evening.

Tut's Pills. Have become so famous. They act gently on the digestive organs, giving them tone and vigor without griping or nausea. Tut's Pills are the best for all ailments.

A California Nerve Food. Makes New Fresh Blood and Produces Flesh. Cures Anemia, Scrofula, and all ailments of the blood.

GOODYEAR India Rubber Glove Co.'s RUBBER BOOTS and SHOES. Including their full line of Lawn Tennis Shoes. They are the handsomest and neatest fitting Shoe made. FOR SALE BY ALL DEALERS. Omaha Rubber Co. Wholesale Western Agents.

NO CURE! NO PAY. Dr. DOWNS. 1316 Douglas Street, Omaha, Neb. Seventeen years experience. A regular graduate in medicine, as diploma show. Is still treating with greatest success all cases of Chronic Catarrh of the Bladder, Prostate, Seminal Discharge, etc.

Omaha Medical and Surgical INSTITUTE. DR. J. E. MCGREW, THE SPECIALIST. 16 Years' Experience. PRIVATE DISEASES. Cured in 3 to 5 days without the loss of an hour's time from business.

THE 33 Goodyear Welt. Cures Anemia, Scrofula, and all ailments of the blood. JAMES MEANS'S 33 SHOE.

THE SWIFT SPECIFIC CO., Atlanta, Ga.