## AN OMAHA JEFFREYS

(Continued from First Page.)

pose, Mr. Percival? A .- Only on special matters. If I am sent out to cover a special assignment I work under special instruc-

Q .- You are not a free lance on the news paper and work without any system or any policy? A .- No, what is called a run, to Q.—Do you work under instructions? A

-I say if I get an assignment to go out and cover, then I may work under instructions. When I am working at the court house it is under general instructions to look after matters pertaining to the courts and around the Q .- You are not an uncontrollable force in

the newspaper, though, are you? A .- I never have presumed so.

Re-direct examination by Mr. Simeral: Q: Mr. Percival, I will ask you to st whether or not you know of any rule in reference to reporters editorializing their arti-Yes, sir; there is a standing rule to that effect.
Q. What is the rule? A. Not to write

Q. What is the rule: A. editorial matter in the local columns.

Mr. Davis—Is it ever observed? A. I

Q. Do you call this editorial matter, then, or reporting matter? A. I regret to say that the two opening paragraphs there are tinctured with editorial comment. Q.—Oh, then, you were an uncontrollable force on the 9th of March, were you? A.—

No. sir; I haven't said so.
Q.-Well, is this the first occasion that you have ever seen in The Bee editorial comments in the news columns? A.-I do not know whether it is or not.

Q.—As a matter of fact that rule is not very often enforced, is it? A.—I think it is. Q.—What do you call this, reporting or editorial—I read a portion of The Bee of the same data. Transfer or the same data. same date-"Trusts are well cared for, New schedule of duties adroitly arranged to bene-fit the refiners." What is that, editorial? Objected to by defendant as wholly in-

The Court-I do not see why. We spoke about editorial matter. The witness said something about editorial matter appearing in the news columns. That is proper cross-examination, perfectly. Mr. Simeral-I will take an exception.

Mr. Simeral—I will take an exception.
Mr. Davis—What do you consider, is that
editorial matter or reporting? A.—I suppose
it is written as an editorial paragraph.
Mr. Simeral—Mr. Percival, I will ask you to state whether or not Mr. Rosewater say the headlines before it was published? A.-

think not. He was not around the office that afternoon. Q .- Do you know where he was? A .- At the police court. Witness excused.

Milness excused.

Mr. Rosewater, being called as a witness in his own behalf, was sworn as follows by the court: "Do you solemnly swear the evidence you will give shall be the truth, so halo you goal?" Simeral-I would like to have the witness sworn according to law, your honor,

The court ignored the request. Mr. Rosewater testified that he had been a resident of the city for thirty years and was editor-in-chief of The Bee. He been its editor since it started in 1871. Q.—Mr. Rosewater, I call your attention to an article appearing in The Omaha Evening Bee of March 9, 1894, on the first page aded "Justice Without Equality," will ask you to state- A .- Show me the

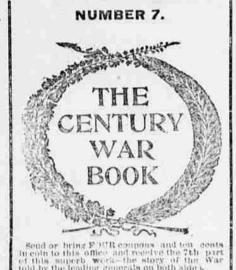
Mr. Simeral hands witness the paper. Q.—State whether or not you ever read that article? A.—Not yet. I never have read it up to this time. Q.—Did you directly or indirectly order its publication? A.—I did not. Q.—Did you know it was going to be published? A.—I did not.

Q.—Are you the proprietor of The Omaha dee?. A.—The Bee Publishing company is the proprietor of The Omaha Bee. I am one of the stockholders of that corporation.

Q.—And it was at the time of the publication of that article? A.—Yes, sir. It has been since 1878.

Q.-1 will ask you to state, Mr. Rose-water, whether you have control of the local department of The Hee? A.-I have general control of the whole paper. I do not personally supervise the local department, nor do I supervise the telegraphic depart-ment. It would be impossible for any one

-What is your distinct work? A. I write editorials, and generally, when I am in the city, endeavor to read the edi-torials that appear in the paper, those that are written by other writers. I direct such editorials as are to be republished in the morning edition or in the evening to be transferred. I sometimes outline a gen-eral line of policy for investigations into public affairs—investigations into municipal, county and state affairs which are under direction of subordinates. I make contracts and arrange for the telegraphic news which the paper receives from the Associ-



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ated press and other associations or newspapers. I give general directions as to the business department as to its relations with the patrons. Also with regard to the policy to be pursued with regard to the Weskly Hee, and make selections of mater—editorial matter—when it is submitted to me, for the weekly. That is about the to me, for the weekly. That is about the range of it. Then I spend about one-third of my time in getting jobs for other people and doing a 'ot of other work that concerns other people besides myself. That is what I am doing.

Q. Mr. Rosewater, I will ask you to state whether or not you caused to be published, or permitted to be published, in The Evening Bee on the 9th of March the article or any portion of it, set forth in the

cle, or any portion of it, set forth in the complaint? A. No, sir; I did not direct anybody to write any part of it. In fact, as have stated, I have not read it up to this

The cross examination was as follows: Q. Did you read the complaint filed against you in this case charging you with ntempt-not the paper, the complaint? Yes, or a copy of it-the complaint on which edings were commenced. Q. Did you ever read that thanding wit-

ess a paper)? A. I think I read the com-Q. So you know what was charged in the complaint? A. Yes, I have a general knowledge of what is charged.

C. Did you read the original complaint or a copy of it? A. I do not remember.

Q. When did you first read that, Mr. Hosewater? A. I think the complaint was handed to me, probably—I do not believe I read it right off. I think I handed it over to Mr. right off. I think I handed it over to Mr. Simeral and then read it afterwards. It must have been some time after he had served it. I do not know; but it will show on its face. Q.—In your answer here you state as fol-

"The defendant denies that the interpretation placed upon said article by the innuendoes in said complaint contained are rue and just, or that said article is succeptible of the inference set forth in said com-A .- Yes, sir.

Q.-How could you arrive at that unless ou had read the whole article, Mr. Rose--By simply reading the letter which I read

which I read.

The Court—I do not hear you.

Mr. Rosewater—I had read a letter which cited the greater part of this article, or rather the thing that was offensive and presumed to be libelous, as the county attorney charged. He had published a letter in the Omaha World-Herald, and I had at the time I read it felt that I would like to arrest him. Court-I do not hear you. I read it felt that I would like to arrest him, or have him arrested, for libel, if he would only designate as to who he meant when he talked about the malicious libels of The Omaha Bec. I could see no malicious libel in

t at all. Mr. Davis—You could not see any libel in Article that is complained of here?

A.—The innuendo itself, so far as the "pull"
—it says corruptly. A pull would not necessarily be corrupt. If I go over here and say
to Mayor Bemis—(Here witness was interrupted by the court.) Counsel for defend-ant invists upon witness being allowed to finish the answer. (Question read by re-Mr. Rosewater-You have asked me to ex-

plain why I did not put that interpretation upon that innuendo, and I will give you the eason why.
The Court.-One moment, Mr. Davis. Hold

on. (Question again read by reporter).

Mr. Davis-How could you have known that unless you had seen the whole article? A.—Know what?
Q.—I will call your attention, Mr. Ros

water, to the denial in your sworn answer that the article in question is capable of the interpretation placed upon it-the inquend part—that is the article—the first portion of this article—I ask you if you did not read the article itself, how could you tell that I was not capable of that? A.—Because had read the letter of the county atorney designated as being-as making a charge of corruption upon the court, and I deny that the interpretation is essentially correct. Q .- But you made that conclusion without

as I understood it—
Q.—When was The Omaha Bee started? -In 1871. -Who started it? A .- I started it. Q.—You were sole proprietor? A.—I was.
Q.—How long did you continue sole proprietor? A.—Until February, 1878.

ever reading the article itself? A .- Yes sir;

Q .- You then organized a corporation? O.-What was the stock of the corporaion? A.—The original stock was \$40,000. Q.—How much of that did you have?

Objected to by counsel for defendant Mr. Rosewater-It is not material, but I will answer it Mr. Davis-Was there a ruling on the ob-

in his examination in chief that he was a stockholder. Mr. Simeral-Then that is enough. How much stock he owned is immaterial.

The Court-Certainly. He has answered

The Court—Go on and ask the question.
Mr. Simeral—I object to that.
Mr. Rosewater—I had a controlling interest. I do not quite remembers how much, but I think it must have been something in eighborhood of \$22,000 to \$24,000.

Mr. Davis-That is when it was first or ganized? A .- When it was first organized. Q .- Since then you have ac ju red a greater proportionate interest haven't you? A .- The tock has been increased to \$100,000. How much of that do you own?

Objected to by counsel for defendant as incompetent, immaterial and irrelevant. Objection overruled and defendant excepts. Rosewater-Between \$79,000 and \$89,

About \$79,500. Q.—You say about seventy-ning thousand and some five hundred dollars. You are president of the corporation new? A.—No, O-Who is? A-Mr. Lininger is

Q.—What is your official position in the corporation? A.—Well, I am at the present simply the editor of the paper.
-Simply the editor? A.—That is all.
-Who are the board of directors? A.-Lininger is one, Mr. Haskell of our of Q.—Not Isaac Hascall? A.—Not Isaac, no laughter), this is Haskell; Mr. Max Meyer is

another, George Tzschuck, I think is another, and my son is one. Q.—And your son? A.—Yes, slr. Q.—You say you spend one-third of you time hunting a job for other people? A.-

Do you mean political or— A.
y way—employment, appointment, everything-anything that concerns other O. And the other two-thirds of your time

you devote to your paper, do you not? A. I do, as much as I can. Q. And do you mean to deny that your word would be absolute law in the manageat of that newspaper, so far as cerns its policy, in any respect? Well, yes, in the main, it would be. Of course there might occasions arise in which my word would not be. I am like Abraham Lincoln was, I have no influence with my administration. There are any number of times I would like to-

The Court-Who did you say you were Mr. Simeral-I object to that question of the court as being irrelevant. The Court-He said he was like Abraham

Mr. Rosewater-I went to say briefly, like he did when he said he had no influence with his administration. There are times when I do not have absolute control. I can-

not control reporters. I cannot control men Mr. Davis-You do not mean to say that there is any conflict of authority between you and the reporters? A. There is no conflict of authority; but there is conflict

Davis-Prior to the appearance of this article you yourself had written a number of articles concerning Judge Scott, had you not, which had been published in your news-

Oh, yes, I have written quite mber, and I never deny one that I have Q .- And they were articles which were

criticising him, were they not? A .- No. sir; they were articles that helped o get him elected-a good many of them commending him.

Q.—They were? A.—Yes, sir.

Q.—Vour newspaper then supported Judge

itt, did it not, when he was running for Q .- It gave greater support to him than to any other candidate running for the office of district judge, did it not? A .- It gave

him a good deal of active support.

Q.—Don't you say that it was particularly strong in support of Judge Scott when he was a candidate for office? A.—It gave him strong endorsements. I do not know, there were six or seven other men running for

Q .- You say most of the articles that you very satisfactorily to myself-a degree of

wrote 'were articles supporting him for office, do you? A .- A great many of them were; quite a number.

were; quite a number.

Q.—Where were you during the summer of the campaign? A.—The campaign did not begin until I had returned from Europe. He was then colonel before the judge. When I came back he became a candidate and I

upported him.
Q.—He was not a candidate until after you got back? A.—No, sir; he was not. Q.—Then you first began to take another attitude when he became a candidate for delegate to the national republican convendid you not? Objected to by defendant as incompetent

and Irrelevant (Question withdrawn by Mr. Davis.) Q.—Prior to March 9 you had written a great many articles which were severely condemnatory of him, had you not? A.—

Yes, as to his conduct in general. Q-Had you not, Mr. Rosewater, adopted a policy in your paper of criticising Judge Scatt on every occasion that suggested it-self to you? A-I have criticised him just s I would any other judge under the same

Q-I ask that you answer the question? The Court-That may be stricken out and ou may read the question and he may anwer, Mr. Simeral-If you cannot answer that

yes or no you may explain it. (Question read by reporter.) Mr. Resewater—No, I have not, because there were any number of occasions when I ought to have criticised him when I kept

till. (Laughter.)
Mr. Davis-Did you not give instructions to other editors or reporters on your news-paper to the effect that they should, as you newspaper men term it, "reast" Judge A-I never gave any such instruc tions to anybody. I never do about any body; not about Scott or anybody else. My hody; not about section and to report news and that is all, and let me do the roasting.

O-You, I suppose, read your newspaper generally, do you? A—I do not.

Q—This came to your attention through a letter in the World-Herald, did it? A—It did. Perhaps you do not understand that I do not read it. I haven't read The Bee in three weeks, more than three days when I was away, and when I am here I do not read it through. I read the other papers very carefully, for I want to see what others are doing. I very soldern read ours through are doing. I very seldom read ours through

Q.—You do not read the others for the news? A.—Because as a general thing know the news in the office as it is run when I am in the city and I do not have to reach it over. I read the other papers for the purpose of keeping track of what is going on Q.—That is you read the other n wspapers for the purpose of seeing whenever you can take an advantage of them or find some-thing to roast them for don't you? A.—To thing to reast them for don't you. A. To see when they have got a scoop on us and everything of that kind.

Q.—How can you tell when they get a scoop on you if you do not read your own newspaper? A.—We find out in our own

when the news comes in. Q.—You pay attention then to the depart-ments of your paper? A.—I pay special at-ention to the telegraphic despatches, the most important part of the services. ost important part of the news.

Redirect examination by Mr. Simeral: Q.—Mr. Rosewater, I will ask you to state chether or not there has ever been an order issued with regard to local reporters of The Bee editorializing in their articles? A .-Why, I had the order posted for years, or the wall. I lost it in the United States court when we produced it down there in evidence in one case. I have not replaced it, but it is the general rule in the office that no reporter is expected to do anything except to write the news and leave all comment out, and there is no office in this country that controls it absolutily. It is impossible. Mr. Davis-When did you lose that rule

A.-Well, we left it in the case down here at one time. We offered it in evidence to show the general rule. Q .- That was two years ago wasn't it? A.—Something like two years ago.
Q.—And you never deemed it of enough importance to get another rule? A.—I havn't deemed it so, because our men are mostly all old reporters and they have known

the rules so well, and the city editor and the nanaging editor are supposed to direct then all the time. Q.—Do you mean to say, Mr. Rosewater, that that rule is generally enforced? A.—It cannot be enforced anywhere, except spasmodically. We have discharged men for violating it, and we have censured them, and I censure them every time I can when

Q .- Don't you know there is scarcely an edition of your newspaper in which that rule is violated, if there is such a rule? A .-As I stated it is impossible. In the first the headline may express something entirely at variance with the body of the article, and the headline written is g nerally lone promiscuously-The court.Do you wish that as an an

swer to that question? (Question read by reporter). Mr. Rozewater—The headlines are metimes entirely at variance with the body of the article.

Mr. Davis—I ask that you answer the question that I have asked you; if you do not know that there is scarcely an edition of

your paper which you see—of course you cannot tell those which you do not see—where this rule is not violated? A.—There is scarcely an edition, but what some matter may get in here and there that comments Mr. Simeral-That is all, Mr. Rosewater,

unless you think of something more. Mr. Davis—No, I insist that you ask quesdons.

When Mr. Rosewater's testimony had been taken Mr. Davis proceeded with his argument for the state. He cited two cases in which proprietors of newspapers had been convicted of contempt. Both cases involved assaults upon the supreme court. In one case three out of the seven judges dissented and the opinion of the court has since been reversed. In the other case simply the cost I the case was taxed upon the defendant, n both cases both local and editorial had

een written about cases which were then ending in the supreme court. Mr. Simeral had intended to cite a number of authorities for the defense, but as he was aware that the judgment of the court had already been prepared and the order of committeent already made out, he decided o submit the case without argument, merely calling attention to a few authorities to show that the court had no jurisdiction in the case, as the article in question had been written about a case which had been ad-judicated, and that the defendant had no nowledge of the article and did not write

it or order it written.

This ended the trial of the case and the nonorable judge delivered himself of the following lecture and sentence combined: The court: The evidence in this case has brought out no new facts to the attention of the court. .t presents this square, sim-ple proposition, whether the editor of a of the court. It presents this square, sim-ple proposition, whether the editor of a newspaper who is, to the knowledge of every man, woman and child in the city of Omaha, county of Douglas and state of Nebraska, if not in every state in the union hostile—maliciously hostile—toward the per-sonnel of this court; whether that condition of things , when it strikes at the very foundation of an institution established by the people for the protection of life, liberty and property; whether the judge of a court has a duty to perform, knowing perhaps what the results, so far as the party is concerned, may be from it. This court was charged in the article with being influenced by a pull to the extent of making differences between criminals, whether they should be sent to the penitentiary and for how long, and whether they should go without being punished. As I have said time and again, this court or any other court that practices that kind of way of administering the law is an abomination, and is unworthy the respect of anybody, and it would no have the respect very long of anybody if this kind of work would be permitted to go ou. It could not have. This is a great country, and a free country. But if the de-fendant in this case had spoken about the court of his own native country, Bohemia as he has spoken of this court, his head would have fallen into the felon's basket long ago. This is a wonderfully free coun-try. The court adjudges the defendant

guilty of a contempt. The sentence of the Counsel for defendant here stated to the court that he had filed a motion for a new trial, and proceeded to read it. The motion a new trial was overruled by the court,

to which the defendant excepted. The Court (continuing)—When Percival was before the court I took into consideration palliating circumstances. First, he was a poor man with a family. He was simply working for a salary and was under th dominion and guidance of a superior. I the defendant had not come on the stand h this case I should have felt different; but he has by his own testimony disclosed—I think malice that I never have witnessed yet in all my acquaintants with newspaper editors from the Atlantic to the Pacific and from Canada to the Gulf of Mexico. When an American citizen, born in this country, a judge of a court, must put himself under the service of one what does not seem to know at least don't care-what he writes of American citizens, and then claim that he has conducted his business for twenty-one years, and for the first time has been brought before a court, and then claims that he was actuated by a great principle to protect the liberties of the press, the palladium of the rights of American citizens, when it is known that the state of Nebraska is dotted acked. Everything must give way in order It shall not be so in this court.

The judgment of the court is that the deendant be imprisoned and confined in the Jail of Douglas county for thirty days-Mr. Simeral-1 beg your pardon, your onor, are you going to pass sentence with-ut asking the prisoner if he has anything to The Court-I am.

Mr. Simeral-The statute expressly pro ides that it is mandatory upon the judge, pefore passing sentence, to ask the prisoner he has anything to say why sentence the has anything to say why sentence should not be passed.

The Court—You can take an exception if you want to. I am going to pass sentence.

The judgment of the court is that the de-

adant be imprisoned and confined in the fail of Douglas county for thirty days and pay ution, and he shall stand committed the costs are paid. Where is the sheriff Tell the sheriff I want him. (Laughter.) Mr. Rosewater-Have I a right to say any

The Court-No. sir: you have had your de-Mr. Rosewater-No rights as a citizen?

The Court—No.
Mr. Rosewater—No. not before you. knew in advance what this sentence would be. I knew the amount of the fine and the whole sentence. And how did it come that this court pretends to administer justice in the state of Nebraska? I deny the jurisdiction of this court over my person. I deny that it has any right when a case is ad-judicated once (cries of "put him out") to put my person in jeopardy of life and liberty "Put him out," yelled some one in the rear part of the room. "Put Jucout," retorted a man near the door. "Put Judge Scott out," retorted a man near the door.
"Who said that?" Put that man out," said

Mr. Rosewater-Your honor has stated that was born in Bohemia and that if I had lone the same thing there as I have done in this case my head would have come off. In Bohemia there is no liberty of the press. In Bohemia there is no interfy of the press. In Bohemia they are on empire and no man can write one line that is going through the press without its first going through the hands of a censor. My father came to this country voluntarily forty years ago, and I myself bared my breast and took my life in my own hands to protect you while you were at home. My father voied for Abraham Lincoln, and he came here to uphold the American people and his memory at least is entitled to respect. And so far as I am concerned, I have the same rights as if I were born on American soil. The honorable gentleman who prosecutes this case has stated that I have written articles against the honorable judge, or a number of articles maligning him when he was a candi-date for delegate to the national convention. am responsible for what I say about Colonel Scott. I said nothing about Judge Scott, and in this instance not one line was written or uttered by me and no direction

Judge Davis-You are misquoting me. made no such statement. I simply asked a question. The Court-Let him go on.

have his say. That is all right.

Mr. Rosewater—I want to say here that
so far as the personnel of this court is concerned, this court has no right to try the personnel of the court; Whatever happened to Colonel Scott or Private Scott or Delegate Scott has nothing to do with the If men who own property, who run corporations, who employ men in various walks of life, if these men were held responsible for the criminal conduct of all their employes, there would not be jails enough in America to accommodate them. It is a monstrous doctrine. I had rather rot in forty falls and prisons than to surrender what has been fought for by the fathers of this republic, which includes the liberty of the press to criticise public servants-and the courts are public servant as much as any class, from representatives in the legislative halls in the capitol a Lincoln or Washington. I shall cheerfully submit to this ordeal. It will not hurt me If there is anything that I am guilty of if I have been guilty of any contempt at all t was the contempt of my fellow citizens for helping this late Colonel Scott to be-come judge of this district court. (Laughter.)

The Court—Has the sheriff come in? Mr. Simeral—Will your honor grant We are going to take the case to The Court-I haven't any objections to your going to the supreme court, but no stay will be granted. Execute the writ,

sheriff; I will not spend any more time A deputy sheriff appeared, and Mr. Rose water, at his own request, was taken directly to the jail, instead of into the sheriff's office. At the jail he stated that he did not desire anything except what was in ac-cordance with the regular jail regulations. He was given a seat in the jall office and received a number of callers, who con-gratulated him on his conduct in fearlessly emanding and insisting on the right of a risoner before the bar to be heard in his

Immediately after Mr. Rosewater was taken o the county jail Clerk Moores put a large force of clerks and typewriters at work get ting the record in shape for the supreme This was completed at 2 o'clock and a few minutes later Attorney E. W. Simeral boarded the westbound flyer on the Union Pacific for Columbus, the home of Judge A. M. Post of the supreme court. Reaching there at 5 o'clock the case was pre-sented and at 5:30 Judge Post had issued the order releasing Mr. Rosewater. This was telephoned, but Judge Scott refused to accept the telephonic order, and a few mo-monts later Judge Post telegraphed to Clerk Moores upon Mr. Rosewater entering into bonds of \$1,000 to abide by the decision of the

supreme court. As soon as this telegram was received Mr. Rosewater was conducted to the office of the clerk, where he signed the required bond, Frank Murphy, Ben B. Wood, Luther Drake, S. D. Mercer and John A. McShane

signing as surety.

The bond in the case was executed and pproved at 5:55 o'clock. The telegram ordering the release of Mr. Rosewater read as follows:

COLUMBUS, Neb., April 24, 1894.—F. E. Moores, Clerk of the District Court, Omaha, Neb.: Have allowed stay in state against Rosewater, with bond of \$1,000, to be approved by you.

A. M. POST.

SCOTT HIMSELF IN CONTEMPT. Citizens Freely Express Their Indignation

at His Action Westerday. Universal condemnation of the judicial outrage was expressed yesterday, not only

by reason of the sentence, but because of the remarks made by Scott in pronouncing the sentence. No proceeding in the annals of the district court of this county has evoked more widespread comment among the people. Men on the street corners discussed the matter throughout the afternoon and the denunciation of Scott was not confined to any particular class. At the Com-mercial club during the noon hour the outmercial club during the noon hour the out-rage was the uppermant topic of discussion. In the hotel corridors and barber shops every man had an opinion to express which was with scarcely an exception one of contempt for Scott. In fact sentiment seemed to have assumed the shape of a wave of opular indignation. Here are some individual opinions picked

up on the street yesterday evening: William A. Paxton—I regard Scott's treat ment of Rosewater as damnable. It is all wrong to pick up a private citizen and throw him into jail for something he may have said or done out of court. ave said or done out of court.

Fred Nash of the Milwaukee—The punishment was not merited. I den't like it, and ment was not merited. I don't like it, and
it has not raise my estimation of Scott.

Dr. S. D. Mercer—I think the sentence an
extreme measure, even had the defendant
been guilty of contempt. A reprimand would

have been enough.

E. E. Howell, president city council—
I cannot approve it. A citizen has some rights and is entitled to protection. Albert Cahn, member of city council-You can say that I condemn the whole pro-

ceedings. I do not believe that the de fendant was in contempt of court.

When Dick Smith was approached and asked what he thought of the matter, he sententiously remarked: "Hell's to pay, and there is no pitch hot. If there was there is little doubt to whom it would be applied, and "Hell's to pay, and

his name isn't Rosewater."

Judge Gustave Anderson declared that it was a damnable outrage. Even if Mr. Rosewater had been guilty, there was no grounds for the imposition of such

Dennis Cunningham said: "I think it the greatest outrage ever perpetrated by any judiciary-the worst I ever heard or read of, and I den't see how the bar and th people of Omaha are going to stand this sort of thing much longer. Frank J. Kaspar-I think it is an outrage

and that if such things as this can take place in our courts we will soon have no more rights in this country. It is a travesty O. N. Davenport, Merchants Hotel-I think it is a disgraceful outrage. It is a disgrace to our city and to the dignity of our courts

T. K. Sudborough-Every one knows my opinion of Scott and his methods. I have told him what I think of him personally and would not look well in print.

B. B. Wood of the Merchants National Bank-You can guess how I feel. I signed Mr. Rosewater's bond.

Men who have cases on the docket pre-sided over by Scott declined to express any opinion, saying that they believed that they ould be placed in jeopardy by making pub-He their opinions.

NICARAGUA COMPANY'S TROUBLES. Report that Its Property Had Been Sold on

Execution for Debt. NEW YORK, April 24.-Statements were published today to the effect that the Nicaraguan government had seized all the property of the Nicaraguan Canal company at Greyton, on a judgment for an alleged debt, and that it was bought in by Spanlards for \$75,000. At the offices of the com pany in this city today, it was stated there that in order to protect the Nicaraguar

that in order to protect the Nicaragum Mail Steam Navigation and Trading company from a number of creditors, some friendly judgments were obtained, and are held by friends of the company. There is no truth, therefore, according to the company in the report that the Nicaraguan Canal company's property was seized.

WASHINGTON, April 24.—The State department has had no recent advices from Bluefields, so it is not possible for the officials to affirm or deny the truth of the report that the Nicaraguan company, captured a vessel bearing the American flag, landed troops at Bluefields and done other sensational things. But as Greytown is in within easy distance of the cable, and the canal company naturally might be supposed to cherish an interest in its own property, it is believed that the officers in this country would have informed themselves of the seizure of their works and notified the State department if such and notified the State department if such things had really happened.

CONGREGATIONAL CLUB. Officers Elected Tonight-Dr. Thain Goes to

Another Field. The second annual meeting of the Omaha Congregational club was held at Hillside Congregational church last evening,

Besides the business attendant upon the meeting, a neat and short program had been prepared, the principle feature of which was a short address by Dr. Sherrill which was a short address by Dr. Sherrin of Galesburg. Ill., formerly paster of the First church. Then the election of the new officers follow and resulted as follows: Pres-ident. Rev. S. Wright Butler: vice pres-idents, A. P. Tukey and F. M. Hamiling; secretary. Wing Allen; treasurer, Frank Lehmer.

secretary, Wing Allen; trensurer, Frank Lehmer,
An executive committee and a membership committee were selected, the former consisting of Rev. S. Wright Butler, W. H. Alexander, Frank Lehmer, Samuel Avery, Samuel Burns, Caleb T. Morris, William Fleming, M. H. Comstock, and three were appointed a membership committee, H. P. Haileck, Dr. J. P. Lord and Wing Allen.
An appropriate resolution introduced by Mr. A. P. Tukey was passed, extending the good wishes of the congregation to Dr. and Mrs. Thain of the Plymonth Congregational church, who will soon go to Tabor, Ia., where Dr. Thain will take a pastorate.
In the last year the club has had an increase in membership of fifty-seven, making the total membership 182.

WAITE STARTS ANOTHER FIGHT.

Two of the Penitentiary Commissioners Summoned to Appear Before Him. DENVER, April 24.-Governor Walte has summoned Penitentiary Commissioners Charles Boettscher and F. A. Reynolds to appear before him April 30 for trial on charges of having unlawfully employed W. H. Loar as a detective and having transferred prisoners from the penitentiary to the reformatory and then released them or parole. The governor desires to be rid of these commissioners, as they block his attempt to remove Warden McLister of the penitentiary.

Harmony Society Lands Sold. PITTSBURG, April 24.—The 2,695 acres of land in Alleghany and Beaver counties,

wned by the Harmony society at Economy, Pa., was sold today to the Union company consideration being \$359,000. This in-les all the real estate holdings of the lety. The Union company has a capital k of \$400,000, and all but \$5,000 of this is held by the two trustees of the society, Messrs. Duss and Riethmiller. The object of the transfer is to prevent future litigation by persons claiming to be heirs of former members of the Harmonists society,

Unknown Man Dies on a Train. INDIANAPOLIS, April 24.-An unknown passenger, a man about 30 years of age, died on board the Big Four train just before Indianapolis was reached today. "T. F." was tattooed on one arm. He had on his erson a ticket from St. Louis to Cincinnati and about \$19 in money. The body was and about \$10 in money. removed to the morgue in this city.

Fx-Confeds Are Celebrating. BIRMINGHAM, Ala., April 24.-Soldiers who fought in the southern army in the civil war are holding a reunion here today. Busiless houses are decorated with stars and bars and the stars and stripes, and pictures of southern generals, dead and living, hang rom the windows of the public buildings

WEATHER FORECAST.

and private residences.

Fair with Variable Winds in Nebraska Today. WASHINGTON, April 24.-The indications for Wednesday are: For Nebraska-Fair; variable winds,

For Missouri-Fair; southerly winds; warmer in the south and southeastern portion.
For Iowa-Fair; south winds; warmer in the southeast portion.
For Kansas-Fair; south winds; warmer in central portion.
For South Dakota-Generally fair; westerly winds.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA April 24.—Omaha record of temperature and rainfall compared with corresponding day of past four years: Statement showing the condition of tem perature and precipitation at Omaha for the day and since March 1, 1894;

efficiency for the day..... Reports from Other Stations at 8 P. M. STATIONS.

Normal temperature .....

Omaha..... North Platte.. 64 68 .00 Clear. .02 Part cloudy. Cansas City. 00 Partelo 00 Clear 00 Clear 04 Partelo 00 Clear T Cloudy, 02 Cloudy. ali Lake City.

GEORGE E HUNT, Local Forecast Official.

#### LOADED DOWNWITH JEWELRY TWO QUESTIONS

in a Pawnshop.

-Late Losers Will Look Over

the Articles.

Officer Davis arrested Charles Hilton yes-

erday, charged with vagrancy, but this is

mly pending a further investigation into the

While making his usual rounds yesterday

Davis had occasion to go to Brodke's pawn-

shop to look up some jewelry. He stood at

the counter when Hilton entered and offered

to sell a ring he had on his finger for \$3,

and went on to say it cost him \$15 in Chi-

cago, and that the only reason for selling

ind needed the money.

Officer Davis asked him to show him the

ring, and asked how much he would take for that and another he had. The man

said \$5. This aroused Davis' suspicions, and he looked the rings over more closely. He saw one was worth at least \$35, and the other probably \$5. He then arrested Hilton

and said he would keep him for further in-

On the way to the station Hillon reached

nto the inside pocket of his coat and pulled out a watch, which he tried to throw away.

Davis took it from him. On the cover were the initials "C. W.," and when searched at

he station three rings, another watch and chain and a couple of charms were found in him. The watch is thought to be worth

\$100, and the total amount of the jewelry is worth \$200. Half an hour after the

arrest Detective Dempsey found another watch in Hirschberg's pawnshop, which the

pawnbroker said a man answering the de-

peription of Hilton pawned there.

As Hilton had about \$14 when arrested

as fill on an about \$14 when arrested it is thought that it was by pawning some of the jewelry that he got this money. He says he is a waiter and hought the goods at different places, some in New York, some in

Chicago and some in Des Moines, To Offi-cer Davis he said his name was Manning, and a little later Hillman.

Affred Johnson, 3137 South Thirty-second street, reports that his residence was en-tered Monday night and jewelry to the value

of about \$80 taken. The stuff consisted of watches, rings, stick pins and other minor articles. Mr. Johnson said that most of it was in the jowelry case and that this was

ound on the floor. He thinks from the way

the thieving was done by somebody ac

quainted with the premises. Mr. Johnson will be asked to examine the jewelry taker

from Hilton to see if any of it belongs to him. Others who have recently lost jewelry will also be asked to inspect the articles.

Thieves Broke Through and Stole.

George Clark, 303 North Fourteenth street

went to the police station yesterday and

reported that some one entered his room

while he was away last Sunday night and

took from the pocket of a vest a gold watch

W. M. McMillin reports that he has been

robbed of about \$100 in Indian trinkets. Mr. McMillin boards at the Midland hotel, and the stuff was being exhibited at the

Eden Musee. The property consists of In-dian war clubs, bows and arrows, ghost shirts and other Indian relics.

Words from Lexington.

LEXINGTON, Neb., April 24 .- (Special to

The Bee.)-Andrew Christensen is confined in

the Dawson county jail awaiting trial upon

the charge of forgery. Christensen's crime

was that of purchasing merchandise amount-

ing to nearly \$200 and signing the name of

L. G. Sundquist to the notes given in pay-ment. Christensen claims that he is not

the man who made the transactions and

gave the notes, but the merchants who sold

him the goods are positive as to his identity

dition was brought about by the inability of

the remaining saloon keepers to pay their

entire license and occupation tax in advance

The Evangelistical church of this city has

divided-one faction under the leadership of

Rev. Mrs. Ash holds services in the church

on Eighth street, the other under the leader

ship of Rev. Kirkpatrick holds their service

in a frame school house in South Lexington

postmaster, has taken possession of his office

W. J. McElhinney, the new democratic

Chancellor Canfield of the State univer

Elmer Thaver has just been released from

the county jail, where he was held to await

examination by - the insane commission

Thayer and his wife have been living on the

farm of Mr. P. Wilson and according to the

statements of Mr. Wilson and Mrs, Thayer

Thaver made repeated attempts to take his

brought to fail. The insane board pronounced the man sane. Mrs. Thayer refuses to live with her husband and was given

Several Killed and Injured.

HUNTINGTON, Ind., April 24 .- A tile

mill exploded at Markle today, killing sev-

own life and at their instigation he

charge of her 10-year-old daughter.

sity will visit our city April 26 for the pur-

This con

He has been in custody before

Levington has but one saloon.

as required by the new city council.

pose of inspecting the schools.

valued at \$40.

t was that he wanted to leave the city

character of the young man.

Often asked by people at this Party with Pockets Full Falls Under Arrest season of the year are these: "How can I get to feel

stronger and better?' TRIED TO THROW A GOLD WATCH AWAY "How can I build up my system and get more flesh?" Officer Davis Thought Him a Good Mark-Prisoner Says He Hought the Property Now, there is

### ONE ANSWER

to these questions which can be depended upon, because it is based upon solid facts. The answer is this: Use Paskola, the great flesh-forming food, the only perfect substitute for cod-liver oil preparations and all other old-fashioned remedies. Paskola makes thin people fat, it makes them strong; it gives new life to those who are weak and debilitated.

Ask your druggist for Paskola, and give it a trial,

A pamphlet giving full particulars respecting Paskola will be sent on application to the Pre-Digested Food Co., 3c Reade St., New York City.

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eral employes and injuring others. AMUSEMENTS.



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On Its Return from Its California Mid-winter Engagement. SOUSA'S GRAND CONCERT

FRIDAY EVENING, MAY 4

EXPOSITION HALL Miss Inez Meensker, Soloist. Apollo Club Chorus, 100 Voices. Hest scars \$1.00, 75c, 50c; balcony box stars 50c extra, Reserve scar sale at Kinsler schuz store on and after Tuesday, May 1.

BOYD'S THEATRE TO-NIGHT.

With Natali, Dreyer, Berthald,

> Averill and Delasco TOMORROW NIGHT,

CARMEN With Doenhoff in the Title Role. Prices: Purquette and first three rows of cir-le, \$4.59; balance of circle and two rows of bal-ony, \$1; balance of talcony, 75 cents; gallory, 25 ents. Tickets on sale at box office.

MAGNIFICENT PRODUCTION OF

BOYD'S THEATER THE BOAY IST. THE OMAHA ELK MINSTRELS THE CHOICE OF BOXES will be sold by auction at the box office. Friday, April 27, at 0 a.m.

-THIS AFTERNOON AND TONIGHT-HOPKINS Trans Oceanics.

The most complete and refined vausleville com-Matince prices, any seat in the house 25 cents.

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