

WEIR'S CHANCE OF HEART

Lincoln's Mayor Gives His Impression of the Late Landslide.

ACTS IN ACCORD WITH HIS CONVICTIONS

Ordinance Passed by the Republican City Council Signed by the Municipal Executive in Order to Be in Line with the Late Decision.

LINCOLN, Nov. 15.—(Special.)—Today a delegation from the Lincoln Club waited upon Mayor Weir to protest against a certain street car ordinance which passed the council Monday night. The ordinance virtually increases street car fares, as under it no more tickets will be sold at the rate of six for a quarter. The delegation said that Mayor Weir gave them to understand that he would call the council's attention to their protest, and say that they asked for a reconsideration.

This afternoon the mayor sent the ordinance to the city clerk's office with his signature attached and accompanied by a message. In this latter document Mayor Weir says that if he had followed the course heretofore outlined in his action on such questions he should have vetoed the ordinance. But in view of the results of the recent election, he says, he is compelled to recognize an apparent great change in public sentiment, and adds:

"I make no reference to my personal interests, though the fact is evident that my work received but slight endorsement from the people of the city. Since the late election my way from under the snow banks that overwhelmed me in the recent election has been recognized and my interests are recognized and my interests are recognized."

In conclusion the mayor says that, prompted by a desire to carry into effect the legitimate results of the late election and in view of the fact that the ordinance is a republican measure, he feels constrained to approve it. The message has created considerable of a stir in Lincoln and no little amount of heated argument. Mayor Weir was a candidate for congress in the recent election, running against Judge Strode.

TO CO-OPERATE WITH THE SOUTH

Governor Crouse is in receipt of a letter from Governor North of Georgia, in regard to the Cotton States International exposition, which is to be held at Atlanta from September 18 to December 31, 1905. Governor North asks hearty co-operation on all the northern states and says that the affair is not confined to the south, but is much more extended in scope. Interest has been created in Europe and considerable foreign assistance has been secured. Governor Crouse has not yet signified the course he will pursue in this matter, but it is not unlikely that he will select a number of citizens who will represent this state at the exposition.

SOLD MORTGAGED PROPERTY.

Detective Malone has gone to Houston, Tex., to bring back Sherman De Haas, who is badly wanted in Lincoln for having sold mortgaged property. De Haas is now under arrest in Houston, and requisition papers have been forwarded to the officials of that city to bring him back to Lincoln. He is being held until he can be brought back to Lincoln. De Haas, who is a man of a number of aliases, is accused of having sold a lot of furniture that he had purchased in Lincoln for a large sum of money. He then mortgaged the property to Abbott Bros., and on top of all this sold it to a second-hand dealer on Twelfth street. He bought the furniture under the name of De Haas, mortgaged it under the name of De Hart, and sold it under another alias. De Haas is a married man, his wife living in the Hall-Lanning block. She has applied for a divorce, but it is alleged she has been keeping up a secret correspondence with the fugitive.

JOHN FITZGERALD VERY ILL.

John Fitzgerald, prominently known throughout the state as a wealthy railway contractor, is reported to be dangerously ill, his friends having nearly given up hope of his recovery. The illness of the contractor was administered to him this morning by Father Roach. He is still in full possession of his mental faculties, but, while it is believed he may survive a week or longer, it is generally believed that he cannot recover.

LINCOLN BREVITIES.

Wagner & Ande, butchers, are making arrangements to extend their share of aid to the poor of Lincoln by means of a free soup house, which they will operate during the winter. Their Tuesday and Friday days on which they will dispense charity in this way. The first day of distribution will be tomorrow.

Judge Strode, elected to congress from the First district, said today that he would hand in his resignation as judge of this judicial district to Governor Crouse about December 1. In taking office as congressman, Judge Strode stated that he would have resigned sooner, but that he had a number of cases set for trial that he had partially heard, and that it would be rather unwise to resign at this time. He is to take office on December 1.

GENEVA JAIL DELIVERY.

Guard Captured by the Prisoners and Locked in a Cell.

GENEVA, Neb., Nov. 15.—(Special.)—Three men who were lodged in the county jail here for burglary adopted cruel measures last night to secure their liberty. One of the number had been playing sick. Apparently he was awfully sick. He prevailed on the physician to recommend the jailer to let him out of his cage in the night to receive treatment which could not readily be administered in the cage. So the jailer, in the night the jailer took him out. In an unguarded moment the unsuspecting jailer was knocked down, made insensible, gagged and bound hand and feet. The man was in an obscure corner of a remote cell, and there left half dead, while the three criminals escaped. When breakfast was taken to the jail this morning the jailer was found alive, but in a sad plight. He is in a precarious condition. Two of the men were in jail for robbing a store in Shickley, and since their arrest have been looked upon by the officials as desperate characters. The third was in for robbing the house of Joseph Schofield of this place about two months ago.

INDIAN POLICEMAN KILLED.

Red Horse Clubbed to Death for Interfering with His Brethren.

RUSHVILLE, Neb., Nov. 15.—(Special Telegram.)—While trying to stop a disturbance among Indians, Red Horse, an Indian policeman from Pine Ridge, was killed last night in a tepee at the camping grounds north of the tracks. According to what was developed at the inquest and a portion of the hearing of Plenty Bird, one of the assassins, Fast Thunder and his son, Plenty Bird, clubbed him to death because he interfered in their row. Fast Thunder escaped, but Plenty Bird is in jail and his hearing will be continued tomorrow. The coroner's jury found in accordance with the above facts.

Death of Edward Bloom.

HASTINGS, Neb., Nov. 15.—(Special.)—William Falk received a telegram yesterday announcing the death of Edward Bloom. Mr. Bloom was at one time a very prominent business man of this place, belonging to the firm of Falk & Bloom. The deceased was a conservative and had gone to Phoenix, Ariz., to regain his health, at which place he died.

Technician Short in His Accounts.

GRAND ISLAND, Neb., Nov. 15.—(Special.)—Expert Accountant A. B. Towle, who is and has been for the past eight months

IS ON TRIAL FOR MURDER

Sam Payne Brought Into Court Accused of Killing Maud Rubel.

DIFFICULT TASK TO SECURE A JURY

Review of the Circumstances of the Tragedy—Number of Different Stories Told by the Prisoner—Confessions Made and Retracted.

The criminal section of the district court possessed the drawing card yesterday, and from morning until night the room was crowded to suffocation by men and women drawn thither to listen to the testimony in the case wherein Sam Payne, a colored man, is charged with the murder of Maud Rubel, the daughter of John Rubel of South Omaha.

Maud Rubel was 19 years of age, and for some time prior to her death she had led rather a wayward life, associating with persons who were not quite up to the regulation standard of morality. She had frequently been to Courtland beach and other resorts with men and women of bad repute, doing so without the knowledge or consent of her parents, both of whom had protested, but in vain.

One day in the latter part of last May she came to this city and was seen at Courtland beach in company with "Doc" Brown, an individual who was operating a cane rack and shooting gallery at the resort. That was in the evening, and the next day she was reported missing. Four days later the body of a young woman was found by Officer Heelan in the rear room of a dilapidated two-story brick building at 806 South Tenth street, under the viaduct.

The officer was led to investigate the premises by the stench noticed both by passengers over the Tenth street viaduct and by residents in the vicinity. The second floor was unoccupied. The outside rooms were reached by a flight of steps outside. The room in which the body was found was a small one, and contained no furniture whatever. The body was lying in its bed with the head against the wall. Neither the hat nor the shoes which the girl wore were to be found. The skirt of the brown dress in which her mother had dressed her was pulled up over the head, and the general appearance of the body was such as to indicate that the girl, when death came, was in terrible convulsions. The face was black as a negro's from mortification, and the whole body was discolored, though not to the same degree by the same cause.

The remains were removed to the morgue. It was at once surmised from the dress that the body was that of Maud Rubel, although it was impossible from the face to identify it by the description that was given. As soon as the find was made known friends of Mr. and Mrs. Rubel came up from South Omaha to see the body. Mr. W. A. Genter, who had known the girl for some time, said he did not think the remains were those of Miss Rubel, but that he might be mistaken, as they were in such condition that identification would be difficult. The next to call was Mr. W. A. Sloan, from South Omaha, who said he was sure that the body was that of Miss Rubel.

He took the clothes to Mrs. Rubel, and she also said that she had almost been sure. At once she said that they belonged to her daughter. She even told of the little embroidery work on the hem of the skirt that worked by her daughter. Mr. Rubel reiterated the statement of his wife. Later the parents came up to Omaha and visited the morgue, but they yielded to the importance of the coroner not to view the body on account of its ghastly condition.

RESULT OF AUTOPSY.

An autopsy was performed by Dr. Chadwick. The result was that he found death to have resulted from concussion of the brain. He said there were indications of violence near the base of the brain right over the left ear. He said this might have been caused by a fall, but there were indications that a blow had been struck. At the base of the brain were found several clots of blood. It was a blow Dr. Chadwick was of the opinion that it was inflicted by a hard object, such as a sandbag. There was a slight abrasion, but there were several of these on different parts of the body, and he was of the opinion that this fact would show that the girl was not the cause of her death. The police once took hold of the case and Detective Savage and Dempsey and Captain Motzky made the investigation. They found that Dr. Brown had removed his belongings to 1403 South Eleventh street. Inquiry there, however, failed to find any one at home. Here he had a couple of trunks and other effects. Mr. and Mrs. Kildow, the daughter had several rings when she left home, among them a diamond, which was given her by Dr. Putnam.

Another singular circumstance was the appearance of the stockings found on the dead girl. They seemed to be perfectly new as if just taken out of the merchant's box, and were free from dust or any other marks. The floor of the room was very dirty. The inference was that the murderer for some reason placed the stockings on after the girl was dead.

The only thing found in the room were a shoe and a horseshoe. The horseshoe at first excited some interest, as it was looked upon as possibly the means by which the death was caused. It, however, bore no marks of blood.

The rings Maud Rubel wore and which were missing when her body was discovered were found and identified as the property of the girl. These things were recovered in the house occupied by the woman who passed as the wife of Sam Payne, the negro who last occupied the apartments at 806 South Tenth street.

Information had been received that Mrs. Payne had shown the rings to a neighbor. When the explanation that they had been given to her by a white man, who, she said, was stuck on her. When visited by officers Mrs. Payne reluctantly produced the rings, and after being taken to a rooming house, slippers could be found in a pile of bed clothing in a part of the house which she indicated.

Suspicion pointed to Payne as the guilty party, and when a search was made, it was discovered that he had fled, going to Mystic, Ia., where he was subsequently arrested. After having been brought back, he made several confessions to the police, but he was instrumental in killing the girl, though later on he denied that he knew anything concerning the affair.

"Doc" Brown was also arrested, but as there was nothing to establish his guilt, he was subsequently released.

In court the entire day yesterday was consumed in trying to secure a jury. This is a difficult task, as nearly all the men called have read or have formed an opinion regarding the merits of the case. It is possible that a jury may be empaneled today.

Court Callings.

The jury in the criminal court has returned a verdict, finding Madison Milborne and Louis Brown guilty of burglary. The defendants were convicted of breaking into the barn of John A. May, the parent of the Polish Catholic church after a restraining order had been issued, was called into the criminal court today and continued without a date.

A petition to revive the judgment of restitution in the case of the city against Louis Boyd, Lizzie Whitehead and others has been filed in the office of the clerk of the district court. The judgment in this case was entered on January 8, 1897, ejecting the defendants from block H, which city property and upon which they reside without the consent of the plaintiff.

Work of Hurler at Cheyenne.

CHEYENNE, Wyo., Nov. 15.—(Special Telegram.)—Four stores in Cheyenne were robbed last night. In each case the cash register was robbed of its contents. The stores were molested. About \$25 in all was stolen. The Union Mercantile company, E. S. Johnson & Co., A. Underwood and Thomas Bros. were the victims.

Left the Gas Jet Open.

STOUX FALLS, S. D., Nov. 15.—(Special Telegram.)—It is after 6:30 A. M. at Tyrrell, S. D., was found dead in bed at a hotel where he spent the night. He was a hotel clerk and it is a case of suicide, as Smith answered the call to breakfast.

Oregon Kidney Tea cures all kidney troubles.

Try it. Trial size, 25 cents. All druggists.

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Boys' Suits \$1.95, \$2.25, \$2.50.

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Boys' and child's fancy turbans, worth 50c, for 25c.

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GETTING AFTER MR. EARL

Omaha and Eastern Fruit Dealers Declare He is Doing Them Injustice.

PUBLISHING LETTERS TO THEIR INJURY

Fattening Them in a False Light Before the California Growers—Local Jobber Points Out the Misrepresentation Made.

E. T. Earl of the Earl Fruit company has published a letter over his own name in the Sacramento Record Union that wholesale fruit dealers in Omaha are taking strong exceptions to. Under the pretense of writing a letter of encouragement to the promoters of a bureau of information for California fruit shippers, Mr. Earl makes a savage onslaught upon the closed fruit auction houses. Mr. Earl says: "The closed auction, in my opinion, is doing more to injure the sale of California fruits in eastern markets than anything else. Chicago is the principal market for California fruits, and unfortunately a large portion of the fruit sold in Chicago is being sold at a low price. Only a few favored firms are allowed to buy."

"This sort of talk is nothing more or less than bombast," said an Omaha fruit jobber. "By the few favored firms Mr. Earl means the jobbers and wholesale dealers in fruit, the men whose energy and enterprise has carried California fruit into almost every corner of the union, until even the small grocer store dealer is enabled to supply his customers with the fruit of California. Mr. Earl continues: 'The production of California fruits is increasing so rapidly that everything possible should be done to develop new dealers in the various eastern markets, and to this end it is very important that the auction should be absolutely free and open for any one who wishes to buy and handle California fruits. My observation is that some dealers who start with a push-cart or corner fruit stand gradually develop into wholesale dealers if they are allowed to patronize the auction room.'"

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