

ASYLUM CASE AGAIN OPENED

Dr. Abbott Made Defendant in an Action by Dr. Hay.

AGGRESSIVE TURN TAKEN IN THE AFFAIR

Trial of the Suit Against Ex-State Treasurer to Come Up Monday in Supreme Court Attending Much Attention.

LINCOLN, April 26.—(Special Telegram.)—

The latest trouble over the insane asylum superintendent is growing aggressive. Dr. Abbott, the new superintendent, appears to have arrived in town just in time to run against an alias summons, issued out of the district court. It recites on the face of it that Dr. Hay, superintendent of the Lincoln Insane Asylum, has sued Dr. Abbott, amount not stated, and that he has until the 27th day of May to make answer to the summons. The instrument is made returnable to the district court on May 6.

Dr. Abbott was seen in regard to the proceedings. He says that he is not lawyer enough to know whether this writ is in the nature of a restraining order or not. If it is an injunction he desires to say that he is doing nothing to infringe on the rights of Dr. Hay. On March 10 injunction proceedings were begun in the district court by Dr. Hay, but subsequently dropped by stipulation that the matter should be left to the supreme court. Nothing came of this and officers of the court say that the alias summons served this evening on Dr. Abbott renews the injunction case in the district court.

Dr. Abbott was in consultation today with Governor Holcomb. The subject discussed at the interview was the advisability of appointing a steward and trustee of the asylum immediately. Tonight Dr. Abbott says no parties were named for the position, but will be tomorrow. This information was confirmed at the governor's office this evening.

The Bee this morning forewarned this move on the part of the governor. Dr. Abbott is of the opinion that the steward appointed will be of an aggressive nature and one who will see that the rights of the state are not defiled openly, as they are now being done by Dr. Hay.

Interest in the forthcoming trial of Ex-State Treasurer Hill, which begins Monday, is on the increase. Quite a number of the venire of sixty talented jurymen have been drawn and others are expected in the morning and Sunday. Preparations are being made to hold the trial by the supreme court in the senate chamber. A jury trial before the full bench of the supreme court is an unusual occurrence and one calculated to attract a large audience. The prominent position of the defendant, the amount involved, \$250,000, and the array of distinguished legal talent on each side, all add to the importance of the occasion. It is thought the trial will occupy four or five days.

DECLINED TO REHEAR THE MATTER

Federal Court Overrules a Motion in Which Sheriff Drexel is Interested.

LINCOLN, April 26.—(Special.)—The motion for a rehearing of the case of True v. Drexel, brought in the district court, was overruled in federal court. This is the case in which the sheriff attached a county of millinery in charge of Alice Isaacs, under a judgment, and True intervened with a couple of mortgages on the goods. True won in the first suit, but Judge Dundy granted the sheriff time to produce certified copies of the mortgages.

TEACHERS IN SESSION AT SIDNEY

Meeting of the Western Nebraska Educational Association Well Attended.

SIDNEY, Neb., April 26.—(Special Telegram.)—Third annual session of Western Nebraska Educational Association began here today. There are 130 teachers and principals. E. P. Cromer of Gering presided, ably assisted by the secretary, Mrs. Addie Pillsbury. Excellent papers were read by L. L. Raymond of Gering, Bernice Searls of Ogallala, Elva Gillard of Big Springs, Miss Callahan of Hartington, Hugh Mitchell of Hartington, Lilla Stiltz of Gering, Mrs. Rena M. Dage of Wellfleet, E. C. Park of Chappell. A fine program was rendered tonight, which included a splendid play by the Chappell state superintendent of schools, Hon. A. K. Goudy and wife are here and doing all in their power to make the meeting a success. Tomorrow morning the teachers will meet among them an address by Congressman Andrews.

Excellent Crop Prospects.

HUMPHREY, Neb., April 26.—(Special.)—Conditions for a bountiful harvest remain unchanged. Wheat and oats cover the ground and with a continuance of present weather there is no question as to the fact that farmers are rushing their plowing for corn and the majority of them will be all ready to plant by May 1. Grass is coming forward nicely and the many doubts that were entertained as to its starting are being dispelled. Business is very quiet, with little or no chance for improvement at present.

Flaky pie crust and appetizing biscuit are the results of Price's Cream Baking Powder.

Notes from Crete.

CRETE, Neb., April 26.—(Special.)—Farmer Meyers, living one and one-half miles south of the city, has a forty-acre field of corn which breaks the record. It was all planted before the first of April and now stands ten inches high. Not a hill is missing.

Numerous citizens have been attracted to the college camps lately to witness the extended and interesting exhibition of the cadets which the cadets have been executing.

Mr. George W. Baldwin of the Crete Iron company left Tuesday for Wisconsin, accompanying the remains of his father.

It is officially announced that the Deane cadets are to go into camp at Miford on May 6 and remain a week. The distance will be covered by motor.

The three young men, Messrs. Allen, Kenney and Raley, who are making a test of the profit of sugar beet raising in this part of the

CUT COUPON ALONG LINE OF BORDER.

CERTIFICATE. Anticipating the Right of the Subscriber to Participate in THE OMAHA BEE'S FREE BOOK DISTRIBUTION

SATURDAY, APRIL 27.

ONE CERTIFICATE, with five electrical expenses, entitled the subscriber to one volume (paper cover), selected from the titles by catalogue below. The Omaha Bee Free-Book Distribution. Send coin; no stamps. ADDRESS: PUBLISHER, THE OMAHA BEE, FREE BOOK DEPARTMENT, Omaha, Neb.

state, have thirty acres of the best of land carefully plowed and subsoiled and today began the planting. If their venture proves successful another year will witness the planting of hundreds of acres of beets in this section.

NOTES FROM THE STATE CAPITAL

Old Fellow Goes to Fairbury—Norris Humphrey's Family Trouble.

LINCOLN, April 26.—(Special.)—Filled with Old Fellows, their wives and friends, a special train left Lincoln today bound for Fairbury. Here a celebration of the anniversary of the founding of the order will be held and a new hall dedicated.

Shortly before noon today Mr. and Mrs. H. Darwin Meltrath, representatives of the Chicago Inter Ocean, who are making a bicycle trip around the world, arrived in the city and wheeled up in front of the Lindell. They remained here to dinner and at 5 o'clock headed their course toward the setting sun, via Grand Island. At Waverly the pair were met by members of the Capital City Cycling club and escorted into town.

That there was trouble in the family of young Norris Humphrey has been known for some time. A separation between him and his wife has taken place that is likely to prove permanent. Mrs. Humphrey has gone to the home of her parents in South Lincoln. At her father's home today Mrs. Humphrey was seen, but she absolutely declined to say anything about the matter. Her mother did not attempt to deny the report, but said that there were good reasons why she should not talk. It is understood that negotiations are pending looking to a permanent separation.

Rev. J. T. Roche, rector of St. Theresa's pro-cathedral, is soon to leave for a two year's visit in Rome for the purpose of study. On Monday evening an elaborate reception will be tendered Father Roche at Lyceum hall. The reception is under the auspices of the Catholic Union club. Father Roche will be succeeded by Father Nugent of Louisville, formerly rector of St. Theresa's.

W. C. T. U. CONVENTION CLOSED

Interesting Session of the Executive Committee concluded at Hastings.

HASTINGS, April 26.—(Special Telegram.)—The executive committee of the Nebraska Woman's Christian Temperance union closed its semi-annual meeting this evening with a fine program at the Congregational church. At their meeting this afternoon they voted to take complete charge of Bethany house and a resolution was passed regarding the actual address of the city of Lincoln in confining the houses of prostitution to a certain part of that city.

The officers elected are Mrs. Grace Day of Greeley, superintendent of police and arbitration; Mrs. Dora Nickell of Beatrice, superintendent of scientific temperance instruction; Mrs. M. J. Kunk of O'Neill, superintendent of department of purity in literature and art; Mrs. Dr. Reynolds of York, superintendent of department of unfermented saccharine; Mrs. J. C. Kunk of O'Neill, superintendent of department of purity in literature and art.

The prominent position of the defendant, the amount involved, \$250,000, and the array of distinguished legal talent on each side, all add to the importance of the occasion. It is thought the trial will occupy four or five days.

James Beran Shoots Himself in the Head During Temporary Insanity.

SCHUYLER, Neb., April 26.—(Special Telegram.)—James Beran, a farmer reading twelve months in the county jail, committed suicide last night by shooting himself in the head with a revolver. Temporary aberration of mind is the only cause assigned. He suffered from mental ailment a short time, eight years ago.

His two brothers, as soon as they heard of his sickness, went to Omaha and stayed until 11 o'clock last night. Beran shot himself at 12. He was very heavy, weighing 280 pounds. He owned a large farm and had money in the bank. He was 32 years old, and leaves a wife and two children.

ASHLAND BREVITIES.

The news has reached this city of the death of Mr. and Mrs. J. A. Joslin within ten days of each other at their home at Winteraset, Ia. The couple were quite old and lived in Ashland up to a few weeks ago.

Mrs. S. S. Abbott of Lincoln came down to spend Sunday with her daughters, Misses Edith and Vernie.

Miss May Nickles of Pon Du Lac, Wis., arrived in this city today to visit her sister, Miss Edith Carr.

W. H. Davis returned to Ashland today after a sixteen months' sojourn in Texas.

Miss Lilla Carroll of Plattsmouth is visiting here with her mother, Mrs. W. L. Carroll.

Misses Etta Shepard and Lizzie Miller are in Lincoln.

Dr. D. W. Meredith returned from a business trip to the west today.

Charley Caldwell returned from New Mexico today.

Mr. and Mrs. G. W. Norris of Clear Creek district left today for El Dorado Springs, Mo., to make their future home there.

Affairs at Waterloo.

WATERLOO, Neb., April 26.—(Special.)—Mrs. W. M. Agee and Miss Mollie Hanner of Otto, Wyo., are visiting their parents.

There is a good demand for moderate-priced houses, three families having had to double up to secure room and two others had to leave on account of not being able to secure dwellings.

The farmers are hard at work putting in corn. Small grain is all up and looking fine and the prospects for the coming season are very bright.

NEBRASKA OLD FELLOWS CELEBRATE

Fairbury Lodge Dedicates Its New Hall with Much Ceremony.

FAIRBURY, Neb., April 26.—(Special Telegram.)—Fairbury lodge No. 64, Independent Order of Old Fellows, celebrated the anniversary of the birth of the order by dedicating its new hall today. Special trains brought in members of the Lincoln and Beatrice lodges, Cantons and Rebekah degrees, Steele City, Reynolds, Odel and Hollabrigg lodges also had representatives in attendance. Several of the grand officers, including Grand Master Johnson, assisted in the exercises which were held after the parade. The visitors were welcomed by Mayor A. M. Heery and address were made by E. N. Prout, M. B. Davis, J. W. Barry and others. All business houses on the line of march were highly decorated. The dedication exercises were held in the new hall tonight.

BEATRICE, April 26.—(Special Telegram.)—Beatrice Old Fellows and their families enjoyed themselves at the Fairbury dedicatory exercises today. A well filled special train brought them here from the city of Lincoln. Rock Island this morning, accompanied by the Beatrice Military band.

M'COOK, Neb., April 26.—(Special Telegram.)—The local association of the anniversary of the birth of the order, the seventy-sixth anniversary of Old Fellowship in America here tonight. There were delegates present from every lodge in this section of Nebraska. The early part of the evening's session was devoted to a fraternal and social program of addresses, music, etc. The election of officers was held by W. Beck of Indiana, president; M. J. Abbott of Hayes Center, vice president; and W. O. Bond of Indianola, secretary. It was decided to hold the next meeting on April 26, 1896, in McCook. The affair concluded at a late hour with a splendid supper.

Thousands Out at Des Moines.

DES MOINES, April 26.—(Special Telegram.)—Three thousand Old Fellows and Rebekahs participated in the parade here this afternoon in commemoration of the seventy-sixth anniversary of the founding of the order. Visitors were present from surrounding towns within 100 miles radius. They were entertained by the local lodge and the work of the order exemplified in secret sessions throughout the day. The exercises concluded at the day's proceedings.

CEDAR RAPIDS, Ia., April 26.—(Special Telegram.)—The seventy-sixth anniversary of Old Fellowship in America here tonight. The Eastern Iowa District association here tonight. The exercises were held at 1 o'clock, 2,000 men being in line, together with half a dozen bands. The principal address was made by W. C. McKenney of Des Moines. Late this afternoon there was an exhibition drill by uniformed Marine corps, and a very interesting and complete display of the Marine and Cedar Rapids degree teams.

Easy to make dairy food when Dr. Price's Baking Powder is used.

Tremaine Favorably Known in Fremont.

FREMONT, April 26.—(Special.)—A. B. Tremaine, who was arrested in Council Bluffs yesterday charged with a serious crime, spent several weeks in Fremont the past winter. He got up today, and was permitted here for the benefit of the fire department, and just before he left the fire companies tendered him a benefit at Masonic hall. His associates today are the best people of the city, and much surprise is shown on account of his arrest.

Demise of August Nette.

FALLS CITY, Neb., April 26.—(Special.)—August Nette died last night. He was born in Halvestadt, Saxony, Germany, October 19, 1860, and came to this country when he was 18 years old, where he learned the cigar trade. He was a member of the local cigar factory until the time he was taken sick. He leaves a wife and five young children. The funeral will take place from the residence Saturday afternoon at 2 o'clock, at camp No. 343, Modern Woodmen of America.

While Mr. and Mrs. Ed Lippold were at their store this evening, a suit of clothes and other articles to the amount of \$75.

Howard Lisacum, while scuffling with another boy, fell and broke his leg Tuesday.

No Enough Evidence to Convict.

MINDEN, Neb., April 26.—(Special.)—In the district court the ten men arrested for breaking into a relief car at Wellfleet were discharged for the reason that there was not sufficient evidence, in the opinion of the county attorney, to convict.

Edward Chapin, for illegally practicing medicine and surgery, was fined \$50 and costs of prosecution.

J. L. McPhely was seriously hurt by falling from the roof of the new school building in motion, throwing him into the tank and injuring him internally. He is now confined to his bed and his physician cannot determine the extent of his injuries.

Farmer's Wife Fatally Injured.

HUBBARD, Neb., April 26.—(Special Telegram.)—Mrs. L. H. Smith, wife of a farmer residing a short distance from town, was probably fatally injured in a runaway near this place this morning. She started with her husband to go to Dakota City when the team became frightened by the tongue of the buggy falling from the neckyoke. Mr. and Mrs. Smith were both thrown to the ground, the lady being frightfully lacerated and receiving internal injuries. Mr. Smith escaped with a few bruises.

No Irregular Secretary.

LINCOLN, April 26.—(Special.)—The numerous applicants for the secretaryship of the Board of Irrigation are still being considered by the board, which is suffering from the business by naming that officer. Last night a meeting was called for 8 o'clock at the capitol. Attorney General Churchill, one of the members of the board, was suffering from an ulcerated tooth and could not attend. The meeting was postponed until today, but the attorney general and his colleagues were not present.

Saved the Boy's Life.

GRAND ISLAND, Neb., April 26.—(Special.)—Telephone Manager Nat W. Thompson is the happiest man in the city on account of the recovery of his 5-year-old son, Howard, from a severe attack of membranous croup, ten days ago, and upon whom it was found necessary to perform a tracheotomy. The tube has been removed from the boy's throat, and he is considered entirely out of danger. Mr. Thompson was formerly manager of the South Omaha telephone exchange.

Funeral of Mrs. F. F. Metzger.

AURORA, Neb., April 26.—(Special.)—The funeral of Mrs. F. F. Metzger was largely attended, the people of the city turning out en masse. Rev. Mr. Calfee of the Methodist church officiated and the Knights of Pythias and Red Men turned out in a body, as well as auxiliary lodges of Royal Neighbors and Women's Relief corps.

Coming Wedding at Tekamah.

TEKAMAH, Neb., April 26.—(Special.)—Cards are out announcing the coming marriage of Miss Lida Clark to Mr. Samuel A. Mitten, both of Tekamah. The ceremony is to occur on May day at 8 o'clock in the morning. The contracting parties are among the best young people of this city.

WILL REMOVE THE MIDLAND LINE

Segregation of the Colorado End of the Atchison System Anticipated.

TOPEKA, Kan., April 26.—(Special Telegram.)—Edward Wilder, treasurer of the Colorado Midland, said today that although a separate reorganization of the Colorado Midland railroad property was recently refused by the court, the Elston Trust company of New York, the Atchison reorganization committee and all parties interested have just agreed to an order to be issued next week, taking effect May 1, and practically cutting the Colorado Midland out of the Atchison system, so far as the receivers of the Atchison, who have heretofore been the receivers of the Midland, are concerned. Mr. Wilder says that this will necessarily prevent the two systems from working in harmony, and it is presumed that some material advantages will be gained by which, of course, it is early yet to form any guess even, without a more full knowledge of the case which brought harmony of all the parties, and without a knowledge of all the new receivers will be, their names not yet being known in Topeka. It is not impossible that the omission of any provisions for the Colorado Midland system from the reorganization scheme of the Atchison system may have led to this renewed application for separate receivers on the Colorado Midland system. The new receivers of the Atchison system are left reasonably free to work out their own salvation.

NOT WELL PLEASED WITH THE DATE.

Railroad Men Think that the Homeowner's Excursion Comes too Soon.

Considerable dissatisfaction is being expressed in railroad circles over the shortness of the time allowed in which to advertise the homeowner's excursion of April 26. Mr. Francis of the Burlington is authority for the statement that he attempted to show Mr. Lomax of the Union Pacific the error of his ways, and advanced arguments to him to his own conclusion, as to the inadvisability of putting in the reduced rate on April 26, for only a few people would know of the excursion on account of the shortness of the time. The work of the order exemplified in secret sessions throughout the day. The exercises concluded at the day's proceedings.

CELEBRATION AT CEDAR RAPIDS.

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Charlotte Russett.

Two tablespoons gelatin soaked in a little cold milk two hours; two cups coffee cream; one teaspoon milk. Whip cream stiff in large bowl or dish set on ice. Roll milk and pour gradually over gelatin until dissolved, then strain; when nearly cold add whipped cream, spooned at once. Bake in small tart pan, favor with Royal Extract Vanilla. Line dish with plain fingers or sponge cake; pour in cream and set in cool place to harden.

ROMP UP PUMPKIN.

FOUND HER UNABLE TO RECOGNIZE ANYONE—TRAMP THEORY EXPLODED.

NEW YORK, April 26.—The committee appointed by the Irish independent parliamentary party to visit Mrs. Della Sarsaparilla, the aged mother of the distinguished Irish leader, Charles Stewart Parnell, went to Bordentown, N. J., last night. The committee consisted of Edward O'Flaherty, John Brennan, Hugh J. Curran and Stephen McFarland. The object of the deputation was to ascertain Mrs. Parnell's condition and if necessary to supply assistance, pecuniary or otherwise, to the injured lady. The committee was pleased to find the mother of the dead Irish chief attended by her step-daughter, Mrs. Stewart, son of Admiral Stewart, Mr. Tudor, a relative from Boston, and Mrs. Knud of New York. The deputation was cordially received and thanked by Mr. Stewart and Mr. Tudor. Mrs. Knud, who has remained an old time friend of Mrs. Parnell, is in constant attendance at the bedside of the aged lady since she was removed from her home after the murderous attack made upon her. It was said that Mrs. Parnell had been abused by some tramp whose motive was robbery has been charged.

Mrs. Parnell had, Mrs. Knud said, a dog with her which was a faithful companion. When its mistress was attacked the dumb animal severely bit the assailant, as an indication that the person who attacked Mrs. Parnell was somebody whom the dog recognized. On the invitation of Mrs. Parnell's relatives Mr. O'Flaherty visited the sick chamber and found Mrs. Parnell conscious. She, however, did not recognize any one except Mrs. Knud and an old faithful retainer of the household named Stevins. Stevins was a fellow prisoner of Charles Stewart Parnell in Kilmallock jail as suspected in 1882. The report that Mrs. Parnell's jewelry had been stolen was contradicted and the committee was shown several valuable heirlooms of the Parnell and Stewarts, furnished by the committee. A Mr. Harry G. Bannon and others, representing the independent parliamentary party, will visit Mrs. Parnell on Sunday next. Mrs. Knud, whose energies have been severely tried, will be relieved from attendance at once by a trained nurse, who has been summoned from Bordentown.

BORDENTOWN, N. J., April 26.—Mrs. Parnell's condition tonight is reported as much improved, and Dr. W. Shipp has great hopes of her recovery.

For forty years Price's Cream Baking Powder has been a pillar of strength to women, reliable and economic.

THROUGH A CAR WINDOW.

Sidney Smith's Capers at Rawlins Who's Insane from Drink.

Sidney Smith, who closed a career of recklessness about two years ago, was arrested by the name of Elmer Frank and others to check, and who was sent to the state penitentiary for eighteen months, came into some prominence again at Rawlins, Wyo., yesterday.

Shortly after Union Pacific passenger train No. 3 pulled into the depot a barbed wire man jumped through a window and started toward town as fast as he could run. He was seen by a man who had been heaved a stone pile, where a building was being taken down. He stopped and took a rock in each hand. After considerable trouble he was induced to drop the stones, was overpowered and lodged in jail. He was taken from Kansas City to Seattle. The ticket in the name of Sidney Smith. He was considered insane and later admitted that for several days he had been drinking excessively. Last evening he seemed to be rational.

Will Lower Lake Street Grade.

The only business of importance which was considered by the Board of Public Works yesterday was the protest of party owners against the established grade on Lake street, from Twenty-seventh to Thirtieth. About a dozen property owners appeared, and they represented that the present grade was practically unanimous in favor of being lowered to the level of the street. City Engineer Rosewater assured the board that there would be no difficulty in making the necessary changes in the city's records.

Wedding Held at Hastings.

HASTINGS, April 26.—(Special.)—Dr. Walker C. Felkerson and Mrs. Mary G. Martin of Red Cloud were married in the parlor of the hotel Burtwick last evening by Rev. Homer O. Scott of the Presbyterian church. The ceremony was followed by a banquet.

WEATHER FORECAST.

Generally Fair with Easterly Winds for Nebraska Today.

WASHINGTON, April 26.—The forecast for Saturday, April 27, is: Partly cloudy, with light easterly winds; temperature 60 to 70. For Missouri—Fair, except showers in the extreme eastern portion; warmer in the eastern portion; easterly winds.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, April 26.—Omaha record of temperature and rainfall, compared with the corresponding day of the past four years.

Maximum temperature..... 1895, 1894, 1893, 1932.

Minimum temperature..... 61 49 33 23

Deficiency in precipitation..... 28 20

Precipitation..... .00 .00 .61 .36

Condition of temperature and precipitation at Omaha for the day and since March 1, 1935:

Normal temperature..... 56

Excess for the day..... 11

Normal precipitation..... 11 inch

Deficiency in precipitation..... 21 inch

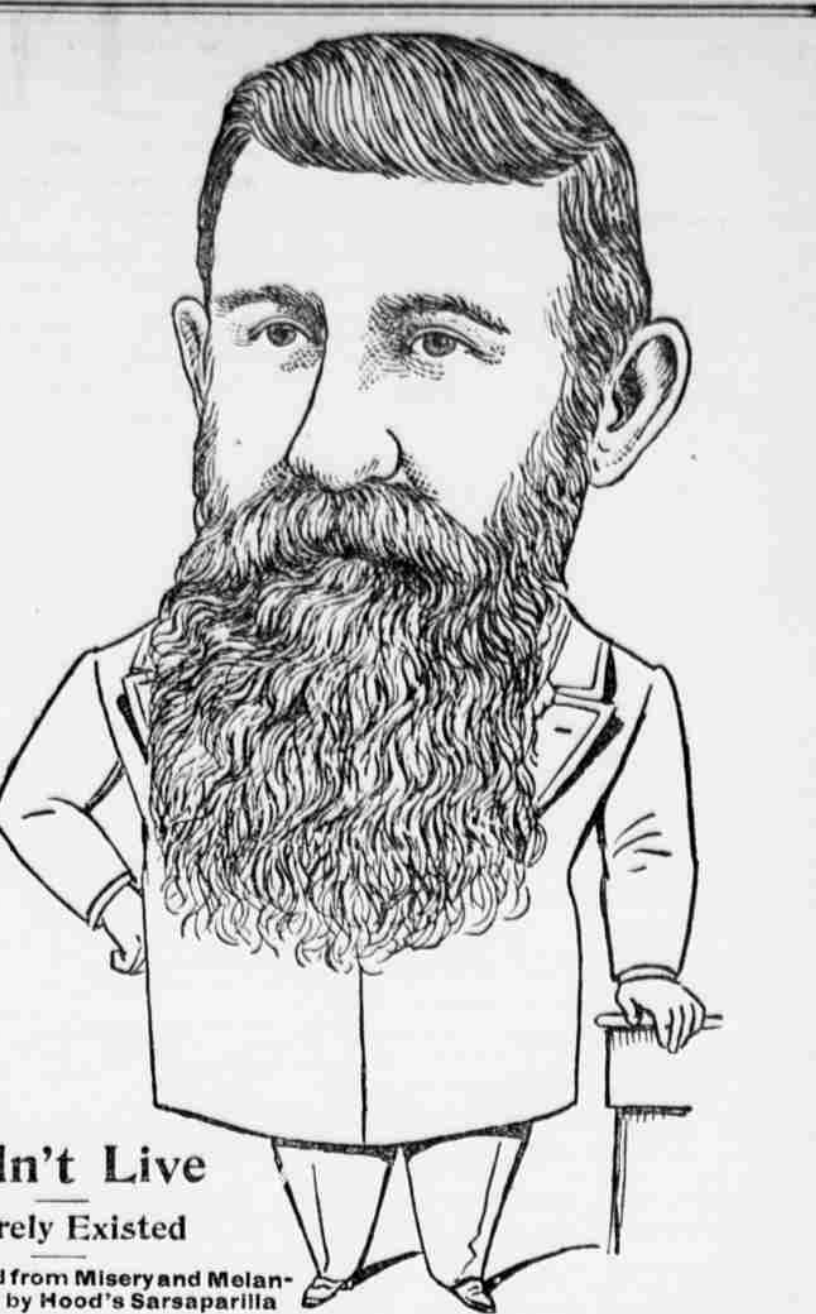
Total precipitation since March 1, 2.79 inches

Deficiency since March 1..... 1.33 inches

Reports from Other Stations at 4 P. M.

STATIONS.

Omaha..... 70 81 .00 Clear.



Didn't Live Merely Existed

Raised from Misery and Melancholy by Hood's Sarsaparilla

To all who are in the depths of despair, the following letter may come as a beacon light pointing the way to health and safety. Truly it is not what we say, but what Hood's Sarsaparilla does, that tells the story.

"Henderson, Pa., Jan. 14, 1935. 'C. I. Hood & Co., Lowell, Mass. 'Centimeter.—For 6 or 7 years of my life I did not live—I merely existed. Although not confined to my bed room, I was in a most deplorable condition, suffering from a complication of evils. I was so inactive that a week, or sometimes two weeks, would pass without a movement of the bowels. I had no appetite. Had