ON THE INSURANCE LAWS

Attorney General Sends an Important Opinion to the Auditor.

HOW A CHARTER MAY BE REVOKED

Investigation of Charges Must Be Had in Some Court of Competent Jurisdiction—Certificates May Be Recalled at Any Time.

LINCOLN, July 15.—(Special.)—State Auditor of Public Accounts Eugene Moore today received an opinion from the attorney general in the matter of the investigation of the Farmers Mutual Insurance Company of Nebraska. Charges were preferred against the company by a representative of an "old line company," the Phenix of Brooklyn, N. Y., but denies the jurisdiction of the state auditor to annul the charter of any insurance company. That, the attorney general holds, is a matter for a court of competence. The opinion is as follows, in full:

LINCOLN, July 15.—Hon. Eugene Moore, Auditor of Public Accounts: Dear Sir—In answer to your request for the opinion of this department upon the question of your jurisdiction to hear and determine the charges filed with you by A. J. Johnson against the Farmers Mutual Insurance company of Nebraska, I have the honor to say in reply thereto, that I have carefully investigated the charges made, together with the articles of incorporation of the Farmers Mutual Insurance company of Nebraska, together with its by-laws and the objections filed by Messrs. Lamb, Adams & Scott, its attorneys. In regard to the specifications made in the charges from 1 to 4 inclusive, it seems to me that they are entirely unfounded. The articles of incorporation show the company to have been incorporated under the act entitled: "An Act to Authorize the Organization of Mutual Insurance Companies," approved March 30, 1891. The articles of incorporation show more than twenty persons worth over $20,000 formed the company for the purpose of mutual insurance against loss or damage by fire, lightning and tornadoes, following the language of the statute:

Article ii designates the city of Lincoln as the principal place of doing business. Article vii limits its membership to persons owning property within the state of Nebraska.

Section 10 of the act provides: "No such company shall insure any property within the limits of any city or village."

There doesn't seem to be any claim made in the complaint that any attempt has been made to insure beyond the limits of the state, nor do I find anything in the act limiting such company to any territory less than the state.

The fifth charge complains of the company insuring live stock against accidents and wind, as well as others. This, of course, the company would have no authority to do, and I have no doubt if it is thus insuring that your calling its attention to such facts would remedy the same.

In regard to the other specifications, there can be no doubt about the fact that if the company has made such guarantee the same would be ultra vires. The statute of this state, however, confers upon you no authority for investigating and determining such questions. If the company is violating its charter and it is sought to annul the same by reason thereof, the action would have to be brought on the part of the state and in a court of competent jurisdiction. Under the provisions of section 17 of the act, the officers are required, under oath, to transmit to the auditor of public accounts a statement of the condition of the company on the last day of the month preceding, in such form as the law may direct. It also provides that if upon examination the auditor is of the opinion that such company is doing business correctly, in accordance with the provisions of this act, he shall thereupon furnish the company a certificate which shall be deemed authority to continue business the ensuing year. I find, however, in this act, no specific authority for the cancellation of such certificate, but by its terms, impliedly, if the company was not complying with the terms of the act, it would be your duty to refuse such certificate, and I am of the opinion that if after having issued the certificate you became satisfied that the company was not doing its business correctly, in accordance with the provisions of the act, that you would have authority to cancel such certificate. This, it seems to me, is an authority naturally to be implied from the provisions of the act. Very truly yours,

A. S. CHURCHILL.

TO SUCCEED LOU MAY.

There is a flurry of excitement just now among the members of the Nebraska Fish commission. Owing to a misunderstanding as to who shall sign vouchers, and as to who is the valid chairman of the board, the state auditor refuses to draw warrants on the legislative appropriation of last winter. Commissioner May is the hold over. His term expired June 1, but the law provides that the commissioners shall hold office until their successors are elected and have qualified. So far Governor Holcomb has neglected to name a new commissioner in Mr. May's place. That official contends that as he has been confirmed by the senate, and is the only one who has been so confirmed, he is the legal de jure chairman of the board. Senator Thurston and a number of other prominent republicans in the state have written Governor Holcomb warmly endorsing Commissioner May for reappointment. The governor has replied, stating that while he was friendly to Mr. May and his claims, he felt it to be his duty to name a commissioner from among the members of his own party. Thus the matter stands today. Auditor Moore will soon have an interview with Governor Holcomb, when the matter may be adjusted and the proper party named to sign vouchers.

The sum of $3,000 was appropriated by the last legislature for repairs and incidentals on the Lincoln Asylum for the Insane. Aside from this there is about $2,500 of a fund which will lapse August 1, if not applied before that date. This sum will be utilized by the Board of Public Lands and Buildings in repairing the boilers and engines of the electric light plant. There is also being used a portion of the $3,000 in fitting up quarters for Dr. Green, assistant superintendent of the asylum.

The death of Mrs. Mary Roth, who expired at 4 o'clock this morning at the asylum, is attended by a horrible story. She was violently insane, and a few days since built a fire of brush and driftwood and leaped into the flames. This was in Chase county. She was terribly burned, and preparations were at once made to transport her to Lincoln. The scene of the tragedy was seventeen miles from the railroad. This distance she was conveyed in an open wagon. She was then brought 275 miles and conveyed to the asylum on a stretcher from the depot, arriving there Saturday morning, two full days from the time of the attempted suicide. Dr. Green says he has practiced on Blackwell's Island and in some of the largest hospitals in New York, but he never saw such a horrible sight.

The Board of Public Lands and Buildings has reappointed J. H. McKelvey superintendent of the Girls' Industrial school at Geneva. Superintendent McKelvey has held this position since 1893, the time the institution was opened to the public.

LEAVES IT TO THE COUNTIES.

The attorney general will not likely give an opinion in the matter to which his attention was directed concerning the right of counties to donate money to aid in making a Nebraska exhibit at the Atlanta Cotton States and Industrial exposition in September. He is understood to hold that the county attorneys are the proper persons to advise in all legal matters involving the counties. As a matter of fact it is quite doubtful if counties can contribute to a state exhibit, but it is stated by members of the Nebraska delegation that the funds asked for will be confined to providing for exhibits from the counties contributing.

The governor's office now contains three large globes of gold fish placed there by J. B. Romine. There are four very large fish from the ponds of Mr. Romine in Seward county and are a present to the state from that gentleman. He is one of the oldest fish cultivators in Nebraska.

The State Board of Equalization held an informal meeting at the office of the state auditor today, but transacted no business. There are two counties yet to hear from in relation to their assessments and until they report little can be done in the way of equalization.

Today Governor Holcomb, Mrs. Holcomb and son visited the Lincoln insane asylum by invitation of Superintendent Abbott. They were accompanied by Dr. George Taylor of Chicago.

The portrait of H. E. Palmer, department commander of the Grand Army of the Republic in 1884, has been received at the office of General Gage. It is the intention to have the portraits of all the ex-commanders in the state at this office eventually.

The Board of Public Lands and Buildings has notified Janitor Grinnell that owing to a lack of funds his services will have to be dispensed with. Mr. Grinnell is still at work, however, the order, which is of recent date, not having gone into effect.

TAKEN TO THE SUPREME COURT.

In the supreme court today the case of Kent K. Hayden, receiver of the Capital National Bank of Lincoln, plaintiff in error, against the Commercial Security Loan and Trust company, Mary A. Small, Edith Small, Alice Small, Myra Small, Marion W. Small and Ernest Small, children of James W. Small, deceased, defendants, was filed on petition in error. The defendants recovered judgment against the bank in the district court of Nuckolls county, Nebraska. The case of Frank Davey, treasurer of Dakota county, against the Chicago, St. Paul, Minneapolis & Omaha Railway company has also reached the court on petition in error. The question involved relates to taxes assessed against the company in Dakota county, and which were annulled by the district court. The county of Lancaster appears as plaintiff in an appeal in petition in error against W. A. Green and D. C. Van Duyn, defendants. In the district court of Lancaster county defendants recovered judgment against the county in the sum of $2,046.64 and $41.28 costs. The litigation grows out of services rendered by Green & Van Duyn in refunding the court house bonds of the county.

VROMAN'S CO-OPERATIVE RAILROAD

President of the San Diego, Pacific & Eastern Talks at North Platte.

NORTH PLATTE, Neb., July 15.—(Special.)—George W. Vroman, president of the San Diego, Pacific & Eastern Railroad company, is in the city spending a few days visiting his family. Mr. Vroman is enroute to eastern points where he will endeavor to interest railway men in the construction of the road. A meeting of railway men was called at the court house this evening, which was addressed by Mr. Vroman. He explained fully the plan of building, and a large number of railway men appear to be deeply interested in the scheme.

A Bee correspondent interviewed Mr. Vroman on the subject and that gentleman said: "Ten thousand shares of the capital stock have already been voluntarily subscribed. Our idea is to issue at first 100,000 shares of stock of $10 each. This will build the road from San Diego northeast to the boundary line of California. Then the capital stock will be increased along as the road is constructed. Fron San Diego to the nearest point on the Union Pacific, Milford, Utah, is 575 miles. It will cost at a liberal estimate, $16,000 per mile, or $8,625,000 to build and equip the road. The plan is to get railway men to subscribe this amount of stock as the road is being built. Payments on the stock will be made monthly in 5 per cent instalments. No bonds, mortgages or deeds of trust can ever be executed on the property. One hundred thousand shares of stock will be sold before collection thereon will be begun. The road will be expected to pay a reasonable divident on nothing except the amount actually invested in building and equiping it. No one person is allowed to own over 500 shares, unless such shares should come into his possession through inheritance or legacy.

"Our route agreed upon is from Salt Lake City to San Diego, and is almost an air line. It touches the southern boundary of the California fruit belt, traverses the coal fields of southern Utah, and reaches some of the greatest borax deposits in the world. Immense forests of pine will also be passed in Utah. The road will be conducted on the co-operatice, profit-sharing plan, and it will prove one of the greatest steps ever taken toward settling the differences continually arising between capital and labor. It will prove that labor is really independent of capital. The city of San Diego is aiding our company in every way possible. It has pledged depot grounds and water frontage free, beside deeding the company the right-of-way through the city."

ARRESTING LINCOLN PHYSICIANS

Medical Society Charges a Number of Persons with Quackery.

LINCOLN, July 15.—(Special Telegram.)—The Lincoln Medical society has been taking active steps looking toward clearing the city of alleged quack doctors. Today warrants were issued on complaint of Dr. Haggard for Dr. Thomas O'Connor and Dr. Dante, alias Prosser. The latter styles himself a "wonder worker." Recently another sensational doctor calling himself A. Dunker suddenly left town after, as it is stated, having been visited by representatives of the medical society.

The residence of Fay Husted was last night visited by burglars, who secured considerable plunder and came with it toward Lincoln. The Husted place is a mile and a half from the city limits. Police are looking for them.

The Lincoln police force has been ordered to arrest well known members of the demimonde who ride bicycles, arrayed in bizarre costumes, outside the portion of the city set aside for them.

Notes from Ashland.

ASHLAND, Neb., July 15.—(Special.)—Police Judge Thomas Johnson of this city was robbed Sunday night of $10. A thief entered his house and stole the money from his vest pocket.

The summer school opened today with an attendance of thirty.

Rev. Hal Fudge of Hobland, who has been the pastor of the Baptist church in Valparaiso for the past six months, has returned to Ashland, giving up his charge in Valparaiso.

This section had a heavy rain, accompanied by hail, Sunday night. No damage reported.

Simon Kenneday has corn in his field that measures fifteen feet.

Twenty-eight members of the Young People's Society of Christian Endeavor came up from Greenwood Sunday and attended a meeting of that society here.

Safe Blowers at Creighton.

CREIGHTON, Neb., July 15.—(Special Telegram.)—A gang of inexperienced store breakers and safe blowers have been making Creighton their headquarters the past few days. Friday night they entered the Surprise cash store and got about $1 and some tobacco. Saturday night they entered Joseph Horkey's store and secured less than $10. Saturday night they attempted to blow the safe of W. H. Butterfield and had the fuse ready to light when discovered and frightened away. In getting away one man dropped a valuable revolver. The work has been very bold and coarse.

Enormous Yield of Oats.

SHELBY, Neb., July 15.—(Special.)—Many farmers are cutting their grain today, and most of the large acreage of oats will be harvested this week. With the exception of a few fields the yield of oats will be very heavy, averaging from forty-five to sixty bushels per acre. Wheat, barley and flax are ripening fast. The wheat crop is short, but flax looks fine. The rain Saturday night was of much benefit to corn.

Children's Day Observed at Juniata.

JUNIATA, Neb., July 15.—(Special.)—Children's day was observed at the Baptist church yesterday. A very large congregation was present and highly pleased by the exercises rendered by the little folks. The decorations were beautiful, being a great bank of blooming plants, in the midst of which was a flowing fountain of sparkling water, nearly touching the ceiling.

Fine Rain at Fairmont.

FAIRMONT, Neb., July 15.—(Special.)—A much needed rain commenced falling here this morning at 1 o'clock and continued steadily till 2:30. One-half inch of water fell.

European countries prohibit sale of poisonous alum bread. Do you use alum baking powder? Dr. Price's is infinitely better, as it is perfectly pure.

Union Service at Hastings.

HASTINGS, July 15.—(Special.)—Union service was held at the Presbyterian church last night. Mrs. Benjamin, president of the State Woman's Christian Temperance union of Michigan, delivered the address. She said, among other things, that she couldn't see why the sale of liquor was prohibited to Indians and then put right out in reach of the white man that he may debase himself and take others down with him.

The school board held a meeting on Friday night last and elected Miss Maud Serf to fill a vacancy in the First ward school. Miss Serf comes well recommended.

J. L. Cline died this morning at 3:10 at his residence on North Hastings avenue. He was an honored member of the Grand Army of the Republic and a gentleman with many friends in this city. He was 68 years of age at the time of his death.

HAS A NEBRASKA RECORD

Mrs. Jennie Reid of Lincoln Fame Charged with Murder in Missouri.

HER CAREER EXTREMELY SENSATIONAL

Husband of the Woman Dies Under Mysterious Circumstances Shortly After He Secured an Insurance in Her Favor on His Life.

LINCOLN, July 15.—(Special.)—The Mrs. Jennie F. Reid now awaiting trial at Linneus, Mo., for murder at one time obtained wide celebrity in Lincoln. She is accused of taking the life of her husband to obtain $2,000 life insurance. Her true name, however, is Mrs. P. Lamareux. Originally she was from Hamburg, Ia., but ran away from home to become Mrs. Lamareux. In Lincoln she formerly kept a boarding house known as the Home hotel at 1040 Q street. She had two sisters living in this city, both of whom were highly respected. She began suit two years ago against W. H. Nelson, an engineer on the Elkhorn road, claiming damages in the sum of $10,000 for breach of promise of marriage. At one time Nelson had boarded with her and paid her considerable attention. While the suit was pending Mrs. Ella Birney, now of St. Louis, made affidavit that Mrs. Reid had at one time donned men's clothing and gone out at night to find out where Nelson was boarding and to whom he had transferred his affections. Mrs. Reid at once swore out a warrant, charging Mrs. Birney with perjury. The latter rather effectually proved the truth of her charges and was released. Subsequently Mrs. Birney sued Mrs. Reid for damages in the federal court, but nothing ever came of the case. Testimony in the examination convinced a great many that Mrs. Reid was a peculiar woman.

She went to Omaha after the Birney episode and opened a boarding house. Because she did not furnish security for costs her case against Nelson was dismissed.

As Mrs. Lamareux she became the mother of two children. Subsequently she levanted with a man named Stickler to a small town in Pennsylvania. Tiring of him, she drifted west again, and came to Lincoln. Reid is her maiden name. While in Omaha she obtained a divorce from Lamareux. The latter is now living somewhere in Oklahoma. Lamareux took the little son, while the girl remained with her mother. She was also given her maiden name.

RECORD IN ST. JOSEPH.

Mrs. Reid appeared in St. Joseph, accompanied by her daughter. She stopped with the family of Mrs. G. F. Voss, who is a cousin of Lamareux. As a relative of the family her protracted visit was made welcome. While there she got Mr. Voss to endorse a couple of drafts for $30 each. They were promptly honored by an Omaha bank. Later she presented a draft for $200, which Voss indorsed. This proved to be worthless and she tried to blame the bank, accusing it of holding back her money and her bank book. This fraud was unearthed and she was forced to return most of the $200 before she left town. While at the Voss residence she received almost as much mail as a wholesale house.

In response to the advertisement of one C. G. Cummins, Linneus, Mo., she met the gentleman and they were married. It is claimed that a part of the ante-nuptial agreement was that Cummins should take out an insurance policy. It was in the Covenant Mutual of Galesburg, Ill. Cummins was taken sick immediately after receiving the policy, supposedly from "rough on rats," administered in his coffee. The dose was too large and he threw it off his stomach. The husband became suspicious and began to watch his wife. One day Mrs. Cummins secured some chloroform from a Linneus dentist, and on the morning of the third day afterwards Cummins did not out in an appearance. Mrs. Cummins said she could not wake him. She threw water in his face and came running back in, evidently in great fright, and announced that he was dead. Mrs. Cummins was arrested and charged with the murder. Last Friday noon she had a preliminary examination at Linneus. She has been held to answer to the charge of murder. She has lived in St. Joseph, Omaha, Lincoln, Osceola, Sioux City, Independence, Galesburg, Chicago and other cities. Mrs. Cummins is remembered in Lincoln as a fine looking woman of about 36 years of age. She has large gray eyes and brown hair, is about five and a half feet high and weighs about 140 pounds. She dresses well and is inclined to be flashy in her dress.

OMAHA PEOPLE IN LINCOLN.

At the Lindell—A. F. Diver, W. S. Curtis, I. C. Bachelor, William W. Keysor, Seth C. Dlake, M. Meyer. Lincoln—E. E. Balch, A. H. Comstock.

TROUBLES OF ACROBAT PHILION

His Domestic Affairs Sadly Mixed as a Result of a Divorced Wife's Efforts.

LINCOLN, July 15.—(Special.)—Prof. Achile Philion the specialty acrobat, who is in Lincoln filling an engagement at a local pleasure resort, is in trouble. His wife is in Chicago and he fee's it to be his duty to immediately go to her, but his contract will not expire for several days. But this is not the worst of it. The press dispatches within a few days have circulated a story to the effect that a woman signing herself Mrs. Emma Philion has written to the chief of police of Akron, O., claiming him to be her husband and asking assistance of the force in Akron in locating him. This has probably been seen by the young wife in Chicago, but no disastrous results are anticipated from that quarter, as the present Mrs. Philion was told the whole story before her marriage. Two years ago Philion secured a divorce from Emma at Cheyenne Wells Colo., the decree being granted by Judge Slattery. Subsequently to this he had paid his wife considerable money in alimony, and finally, through his lawyers in Brooklyn, N. Y., secured a receipt in full on the payment of $300 and an acknowledgement that the divorce was in every way a valid transaction and recognized as such by the first Mrs. Philion.

At Akron, O., while filling an engagement, Philion met his present wife. They fell in love and were married with full consent of the bride's relatives. But Philion never told the relatives of the bride anything about his former marriage and divorce, acting on the advice of his fiance, to whom, however, he had communicated all the particulars before marrying her. Now the news reaches the Ohio relatives for the first time, and it is this fact that just at present makes life a burden to the acrobat. He says that he was perfectly willing to tell the whole story before marriage, but that he refrained on his bride elect's request. He believes that his former wife has learned of his recent marriage and by advice of some eastern lawyers is attempting to blackmail him. He thinks that her attack on his wife's relatives in Ohio indicates that plan of action.

Tecumseh Brevities.

TECUMSEH, Neb., July 15.—(Special.)—According to the assessors' reports there are 28,165 acres in wheat in Johnson county, 89,704 acres in corn, 15,377 in oats, 51,910 in meadow, 750 in barley, 956 in millet, 103 in rye, 2,125 in flax. There are 107,390 fruit trees, 439,345 forest trees and 34,256 grape vines. The average valuation of lands is $5.29 per acre and the total valuation is $1,981,000.53.

A good rain fell here Sunday morning. It was much needed. The oat yield in this county is turning out immense. Most pieces average from thirty to fifty bushels per acre.

J. O. Miller's children have been taken to the Home for the Friendless at Lincoln.

Mr. and Mrs. J. S. Harman, Mr. and Mrs. S. P. Davidson, Mr. and Mrs. E. H. Grist, Mr. and Mrs. A. W. Buffum, Mr. and Mrs. J. S. Harris, Mr. and Mrs. A. C. Sullivan, Mrs. H. T. Ward, the Misses Garnet Sullivan and Jessie Davidson and Master Chester Ward are enjoying a pleasure trip to Hot Springs, S. D.

All Bright in Polk County.

OSCEOLA, Neb., July 15.—(Special.)—Most of the farmers and every one else are going around here "with sunshine in their soul" and a disposition to keep singing the Doxology, and it's all on account of the splendid rain that we had Saturday night. It had become a little dry and rain fell here yesterday and now every thing is bright, and there are assurances that Polk county this year will produce as good crops as she ever has. Business is picking up and everything promises success.

While S. F. Comfort was out on his creamery route the other day collecting cream a woman charged him with "nigging" cream and started for Comfort with a club. He gathered up a club and knocked her down. She was brought to town to get her head fixed up and the sheriff was sent out for Comfort. When he was brought before Judge Hurst it was found that he had as many gashes in his cranium as the woman. He pleaded guilty and the judge had him contribute $5 to the school fund.

SUMMERS GIVES WAY TO DAY

Change of Deputies in the Attorney General's Office is Completed.

LINCOLN, July 15.—(Special.)—Deputy Attorney General Summers' term of office expired tonight at 6 o'clock, and his successor, George A. Day, comes into the office as Attorney General Churchill's assistant tomorrow. Mr. Day arrived in town this afternoon. The work of Mr. Summeras is pretty well cleaned up to date. He has been an exceedingly busy man during the past year, as he has had upon his hands nearly the entire business of closing up the banks that have gone into the hands of receivers. Four hundred citizens of Gage county, in the vicinity of Wymore, have united in a petition to Attorney General Churchill asking him to reconsider his determination to remove Mr. Summers. When this fact was wired the latter he promptly replied, asking them not to forward it, as under no circumstances would he remain in the office. Mr. Summers is in receipt of the following letter from the governor:

LINCOLN, July 13.—Hon. W. S. Summers, Deputy Attorney General, Lincoln: My Dear Sir—It was with great surprise, not unmixed with regret, that I read in yesterday's dailies you were soon to retire from the position now occupied by you as deputy attorney general. Since entering upon the discharge of the duties of the office I now occupy my relations with you have ever been most pleasant and agreeable. Upon matters coming before me for action in which legal questions were involved, I have usually referred the same to your department for an opinion, and most generally to yourself, because I have always found you at your desk, ever willing to assist me in such matters, and I have always found your opinions reliable, complete and fully answering the questions submitted. For the valuable assistance rendered me by you during the time I have occupied the office of governor, and for your uniformly kind and courteous treatment, I am under many obligations. With expressions of high personal regard, I am, very truly yours,

SILAS A. HOLCOMB.

BALL PLAYERS IN HARD LUCK

Grand Island Team Forced to Surrender Their Uniforms.

GRAND ISLAND, July 15.—(Special.)—Quite a sensation was stirred up in base ball circles here yesterday by the sudden refusal of Manager Saitee of the Palmer house to furnish the base ball team suits. In the beginning of the season Mr. Saitee showed considerable enterprise by purchasing for the local team suits, with the inscription across the breasts, "Palmer House." Owing to this fact heretofore all visiting teams have stopped at this hotel. However, yesterday morning the Wahoo team registered at the Koehler and this so enraged the landlord of the Palmer that he would not let one of his employes, Booker, the second baseman, play, refused to let the others wear the suits and would not even permit the Wahoo men to visit their members. A subscription will at once be taken among the business men for new uniforms. The affair has created a great deal of discussion and unfavorable comment. Since the ball players already had their suits on they refused to give them up until after the game, but turned their shirts inside out, with the inscription "Palmer House" turned toward "the wall."

FIGHT OF FARMERS ENDS SERIOUSLY

Henry Gaebel Shoots Adolph Steincamp Over a Trivial Matter.

LOUISVILLE, Neb., July 15.—(Special Telegram.)—This morning on his farm three miles southwest of town, Henry Gaebel shot Adolph Steincamp. They are farmers. A few days ago they had a quarrel over a trivial matter, Steincamp being a renter of Gaebel. This morning they met and after a hand to hand fight Gaebel ran in the house and got a double-barreled shotgun and fired twice at Steincamp as he was leaving the premises. The gun was loaded with buckshot. Several of them took effect. The wounded man was brought to town and the shot were removed. A warrant was issued and Gaebel arrested. He will have a hearing tomorrow morning, charged with shooting with intent to kill. Gaebel is a wealthy farmer and Steincamp a renter. Both are well known. The affair created considerable sensation.

Miller Released on Habeas Corpus.

CHADRON, Neb., July 15.—(Special Telegram.)—J. M. Miller was released on a writ of habeas corpus by Judge Baird. This is the second charge of embezzlement brought against him by his ex-partner, J. J. Jones, the Omaha attorney, who disappeared for a few days some time ago.

Banker Nichols Gets Three Years.

LUPE CITY, Neb., July 15.—(Special Telegram.)—A. T. Nichols, the ex-cashier of the People's State bank of Litchfield, was sentenced to a term of three years in the state penitentiary for receiving deposits after knowing the bank was insolvent.

Fremont Man Honored.

INDIANOLA, Neb., July 15.—(Special Telegram.)—E. D. Stewart of Fremont was elected principal of the public schools today, vice Prof. Dobson, resigned. Miss Flora Quick was elected to fill the vacancy caused by the resignation of Mrs. Reinhold.

Food prepared by aid of Price's Cream Baking Powder is nature's antidote for the much advertised "tired feeling."

Exeter School Teachers Appointed.

EXETER, Neb., July 15.—(Special.)—The school board held a meeting this week and elected the following officers: F. M. Ziska, director; W. C. Woodworth, moderator, and J. A. Craven, treasurer. Andrew Rasmussen was re-elected janitor and Miss Chappell of Lincoln received the assistant principalship. The corps of teachers for the coming year will consist of: J. T. McKinnon, principal; Miss Martha E. Chappell, assistant principal; Miss Mertie Davis, grammar; Miss Joe Williams, intermediate; Mrs. J. T. McKinnon, second primary; Miss Etta Morgan, first primary.

A couple of tramps struck town Saturday morning and announced that they would give an open air talk on free silver on the street during the afternoon and evening. Their talk was composed of such arguments as are found in Coin's School, excepting the fact that they could not put it together so well. They found a dozen warm admirers, and when their collection was taken they found they had $1.20. They lauded Governors Lewelling and Waite to the moon, but Cleveland, McKinley and all in the old parties were severely pelted.

Leonard and Hurlbert have the city well down 150 feet. They expect to go down nearly 100 feet farther before they strike the bed of soft water.

IN THE VIGILANTES' HANDS

Northwestern Nebraska Rustlers Surrounded and Forced to Surrender.

EXPECT A WHOLESALE LYNCHING

Regulators Take the Prisoners Toward Keya Paha County, But Settlers Think They Will Be Hanged in the Sand Hills.

BUTTE, Neb., July 15.—(Special Telegram.)—The Bee correspondent visited the encampment of the band of rustlers on the military reservation today and interviewed the parties concerned in the stealing. The vigilantes made their raid on the camp Sunday. They found the rustlers in camp in the stockade at Fort Randall ready to protect their stolen property. The fort was quickly surrounded and the men, realizing the futility of resistance, surrendered to the vigilantes. They were quickly disarmed, bound hand and foot and placed on their horses and started west, presumably for Keya Paha county.

The men captured are Louis Zoadland, a resident of Spencer, Neb.; S. C. Clark, C. S. Murphy and C. H. Jackson, who live west of Springview. Nearly 100 head of cattle were found, and over forty head were identified by R. Austager, a resident living sixteen miles west of Springview, as his property.

Charles White and his children, who were with the rustling party, were left in charge of the balance of the cattle until further investigation could be made, but as soon as the vigilantes left they took the stock and followed the men, driving the cattle before them.

N. Keeler of Spencer, one of the men suspected, could not be found, but a number of the regulators stayed behind to look him up, as well as some other parties who are thought to be connected with the stealing.

The vigilantes who conducted the captured men back to Keya Paha county are N. Taylor, captain; Fred Shattuck, William Charmas, John Wright, R. Austager, Mark Harvey, Stillman Lewis, Jack Woods and Carl Chiede. Young Murphy, one of the captured men, became frightened and told all he knew, implicating several parties. One of Clark's daughters, a girl of 18 years, told The Bee correspondent that she was engaged to Zoadland and was to be married in a few days, and when informed that Zoadland was a married man and had several children she was greatly distressed.

But few here think the rustlers will reach Springview, as the vigilantes are old farmers and seldom bring a rustler back when they have a good chance to make way with him. Others believe that because of the publicity given to the affair the men in charge will not dare to make away with them, but will turn them over to the authorities at Springview, when other parties will take them from the officers and they will likely share the usual fate of rustlers.

Deputy United States Marshal Cogle of Springview arrived in town tonight in search of the stolen cattle, but came too late to get them. One peculiar circumstance in this connection is the change of sentiment noticed in Butte since the report of the stealing. Men who were outspoken against the Holt county vigilantes during the Scott trial were heard to express the hope that the men captured would be hung by the Keya Paha county vigilantes.

ENJOINED INDIAN AGENT BECK

District Court at Pender Takes the Matter in Hand.

PENDER, Neb., July 15.—(Special Telegram.)—Judge Norris in district court this afternoon granted the prayer of the Flournoy people for an injunction restraining Captain Beck from ejecting settlers occupying Indian lands on the reservation. The petition was filed by Attorney H. C. Broome, counsel for the Flournoy Land company, after an extended conference with President Lemmon and some of the interested farmers.

Harvest Under Way at Stanton.

STANTON, Neb., July 15.—(Special.)—A fine rain fell all over this county Saturday night and will do a great deal of good. Harvest is well under way and is as good a yield as the county has ever had. Corn is making a rapid growth and is unusually promising. During a thunder shower last evening lightning struck and killed a horse and two heifers belonging to G. Sonnenschein, which were in his pasture.

Heavy Rains at Juniata.

JUNIATA, Neb., July 15.—(Special Telegram.)—Two more fine rains have just fallen, amounting to about two and a half inches, which insures the early corn crop and enlarges the crop of late small grain. The vegetable crop will be simply immense. Harvest goes merrily on and everybody is happy.

Greeley County Teachers.

GREELEY CENTER, Neb., July 15.—(Special.)—Superintendent Stoetzel, assisted by Prof. Sparks of Orleans and Miss Rooney of Omaha, opened a two weeks' session of the Greeley county teachers' institute here today. The attendance is good and an interesting time is promised.

One Inch of Rain at St. Paul.

ST. PAUL, Neb., July 15.—(Special.)—Another shower of rain fell here this morning between 1 and 2 o'clock, making the rainfall since 5 o'clock yesterday afternoon fully one inch.

Indianola Calls a Pastor.

INDIANOLA, Neb., July 15.—(Special.)—Rev. B. L. Webber of Tabor, Ia., has accepted a call from the Congregational church here.

Tecumseh Blues Conquer.

TECUMSEH, Neb., July 15.—(Special.)—The Tecumseh Blues defeated the Elk Creek juvenile nine at Elk, Saturday. Score, 15 to 13.

Economy requires that in every recipe calling for baking powder Price's be used.

B. & M. Increasing Its Forces.

PLATTSMOUTH, Neb., July 15.—(Special Telegram.)—General Superintendent Calvert and several other B. & M. officials were in the city today mapping out work for that company's shops in this city. Additions to the working force are being made at the shops almost every day, while the working time has been increased to nine hours for every day of the week. The company has over 1,000 bad order freight cars on its storage tracks adjacent to this city and by reason of the excellent crop outlook all over the state, which indicates a liberal freight business for the railroads, this city will enjoy a full share of the returning prosperity so close at hand.

Apollinaris

"THE QUEEN OF TABLE WATERS."

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When in doubt what to use for Nervous Debility, Loss of Sexual Power (in either sex), Impotency, Atrophy, Varicocele and other weaknesses, from any cause, use Sexine Pills. Brains checked and full vigor quickly restored. If neglected, such troubles result fatally. Mailed anywhere, sealed, for $1.00; 6 boxes for $5.00. With every $5.00 order we give a legal guarantee to cure or refund the money. Address

SHERMAN & McCONNELL DRUG CO., 1513 Dodge street, Omaha, Neb.

WILL TURN NIGHT INTO DAY.

Plans About Perfected for Illuminating the City During Fair Week.

Since the city council has assumed the responsibility of providing for the extra electric lights that will be placed in the business portion of the city during state fair week a good deal of time has been spent in perfecting plans for the display. The general plan of the street lighting was agreed upon some time ago. This plan contemplates the lighting of twenty-six blocks by lamps placed five feet apart on each side of the street and diagonally across and over the intersections. The original plans only contemplated the use of these extra lights on the three nights of the street display, but it is now believed that it will be advisable to use the lights during the entire week. City Electrician Schurig and Major Wilcox of the fair committee have had several consultations with the Thomson-Houston people and the latter have agreed to run the lamps for three additional nights for $275. As this is a very small item in comparison with the total cost of the lights it is thought that the business men will pay the difference for the sake of having an illumination during each night of the week.

Mr. Schurig has also about completed the plans for the illumination of the city hall. These are more elaborate than the first plans and contemplate some very realistic effects. The principal feature will be a huge star, which will be constructed in the central gable over the main entrance. This star will be sixteen feet in diameter and will contain 260 incandescent lights. These will be arranged in three rows with red, white and blue globes respectively. The switchboard will be arranged to keep these lights in play at one time, the last light being extinguished as a new one is added. The action of the switchboard will be almost instantaneous and the effect will be that of zig-zag chains of lightning; first a chain of white light will dash around the outline of the star, then one of red, and lastly one of blue. The switchboard will be arranged so that the operator will have perfect control of each lamp, and some strikingly beautiful effects are promised.

The cornice on the tower will be ornamented with a row of 100 incandescent lamps, with twenty-five in each of the arches underneath. The torch in the hand of the statue will be composed of twenty lights and appropriate decorations of incandescent lamps will overhang the entrances. The entire cost of these illuminations will be about $500. No action has been taken by the council, but it is understood that the members are in favor of making the most of the city hall during the festivities and Mr. Schurig will submit his plans for approval as soon as the details are thoroughly worked out.

Germany will have none of our corn or beef—but German women never swerve in their allegiance to the best baking powder known—Dr. Price's.

PERSONAL PARAGRAPHS.

Clyde Opelt of Lincoln is registered at the Dellone.

Ed J. Hall of Grand Island is one of the Paxton's guests.

Dr. C. A. Hull of Lincoln was at the Millard yesterday.

P. F. Sprecher and L. Sessions of Norfolk are at the Dellone.

State Oil Inspector J. H. Edminston of Lincoln is at the Paxton.

F. Armstrong, a cattle king of Elm Creek, is registered at the Arcade.

Church Howe and H. R. Howe of Auburn are registered at the Paxton.

Warrick Saunders of Columbus, deputy oil inspector, is at the Paxton.

W. H. Weeks, editor of the Scribner News, is stopping at the Arcade.

L. Huggings has returned from a trip to the south and is again at the Paxton.

W. A. Dilworth of Lincoln, secretary of the State Board of Transportation, is at the Arcade.

Eugene L. Spotts of Des Moines, Ia., is spending a few days in the city, after which he will go to New York.

A. C. Dunn of Sioux City, who is to join the Union Pacific in the local ticket office, has arrived in the city and is stopping at the Millard.

E. B. Fitch and Dr. W. W. Vance reached Omaha yesterday morning via the tandem bicycle route. The gentlemen are Kearney business men and are proud of the fact that they accomplished their long journey on a Kearney-made wheel. They leave for home this morning.

At the Mercer: Ed Wiley, Quincy; Miss C. Martin, Atlantic; S. E. Higgins, Ann Arbor, Mich.; Miss Lillian Gereche, Stanton, Neb.; J. C. Cunningham and wife, Beatrice, Neb.; J. H. McLaughlin, Craig, Neb.; G. C. Wooster, Lincoln, Neb.; W. F. Purdy, New York; F. Kidder, Elmo; L. L. Spooner, Council Bluffs; George O. Coleman, Craig; F. C. Hart, New York; H. R. Proffit, Cook, Neb.; O. H. Swingley, Beatrice, Neb.

Nebraskans at the Hotels.

At the Paxton: Joseph H. Nash, Central City; John C. Sprecher, Schuyler; H. H. McIntire, Cozad; H. A. Greenwood, Mrs. C. C. Gifford, Mrs. Robert Riley, Wymore; William Daily, Peru.

At the Arcade: Mrs. Susie Ralph, Wakefield; William Bloedorn, Platte Center; George H. Kerr, Beatrice; F. H. Putlitz, Geneva; F. A. Patterson, Friend.

At the Dellone: A. A. Kincaid, Whitman; George W. Little, Lyons; H. D. Apgar, Nebraska City; Alex Stewart, North Platte; J. R. Force, Tekamah; James Ware, Blair; Mrs. McElroy and son, Mrs. Arbuckle, Wisner; T. L. White, Battle Creek; Thomas Killeen, James Killeen, North Bend; N. Estague, Blair; F. Boucher, Peru; J. H. Inman, Broken Bow; Edward Farley, Bancroft; A. H. Smith, Burchard.

SOUTH OMAHA CITY COUNCIL

Will Take Steps to Make the Railroads Repair Viaducts.

It took City Clerk Maly an even hour to read the minutes of four previous meetings of the council at last night's session. During the reading the members wandered about the room and did their best to keep cool.

Dr. Kelly put in a bill of $25 for making an examination of Mrs. Richard Cain, who fell off the sidewalk on Q street, near Twenty-sixth street. Mrs. Cain sued the city for $1