## WHAT IS EXCESSIVE BAIL

Considerations Which Weigh with Courts in Determining the Amounts.

SETTLED RULE

Pertinent Questions Answered by Judges and Ex-Judges of Local Courts-Theory and Practice Explained.

Yn view of the general interest manifested In the subject of ball, The Bee addressed the following questions to a number of judges and ex-judges of the local courts; "On what theory should the bail of

son accused of a crime be fixed?" "What circumstances should be taken into consideration in fixing the amount of a ball bond for a man charged with the embezzlement of, say \$50,000 of public funds?"

The following replies have been received:

JUDGE SLABAUGH.

In answer to your first question, "On what theory should the bail of a person accused of crime be fixed?" would say that the main object sought in fixing ball is to provide a means whereby a person charged with crime may not be incarcerated, but shall be forthcoming for trial. Ultimately, its object is to insure his appearance for trial. By com-mon law a refusal to admit to ball in ballable cases was a misdemeanor. It is now considered a judicial act resting solely upon the discretion of the court, subject to the limitations provided in national and state constitutions, that "excessive ball shall not be required." A limitation so necessary ap-parently that the experience of years has demonstrated that it be inserted in our fundamental law as remote as possible from all opportunity to be modified or obliterated.

And our courts frequently suggest the ob-servance of such provisions.

In the case of Miller against Woods, 23d
Neb. 209, the last remark of the court in the opinion of that case is as follows: "Although there is no pant made in the case upon the amount of ball demanded by the justice, of the plaintiff (this was a case of false imprisonment) I desire to say for the benefit of the lower courts that sight should not be lost of the provision of our constitution that excessive bail shall not be required. Con.

sahment—for it is most generally asked and given before a person's guilt or innocence is determined. It is demanded and given simply for the appearance for the trial of a person charged with crime.

Many things are to be considered in fixing the bail, of which no person knows so well as he who investigates the case and becomes

the person; the severity of the punishment and the character of the person charged, and many other things that a person would consider very carefully if the responsibility of fixing ball were imposed upon him. In other words, what bail will insure the

appearance of the defendant? Keeping in view the positive admonition, "Excessive bail shall not be required," courts must use their best judgment. That is all they can

darkness just preceding the dawn; they must divine the future; they must determine before trail many things, as above suggested, that never could in the wisdom of man be definitely determined.

My foregoing statements are an answer

to your second question in its indefinite form. W. W. SLABAUGH. JUDGE FAWCETT.

I do not feel that I ought to enter into me, for the reason that my views might not judge may, from time to time, be in charge nal division of our court. All that I feel at liberty to say is, in a general way, that the court when fixing the ball of a person accused of crime, should always should be-the enormity of the crime from take into account the particular circum-stances of the case and fix the ball at such an amount as would, in the opinion of the court, produce the accused for trial.

J. FAWCETT.

EX-JUDGE WAKELEY.

Replying to your inquiry, as to my views in respect to the amount of bail which should be exacted in certain cases, I will say: In my professional life I have, so far as I could, avoided practice in criminal causes, and do not consider myself specially qualified to speak on matters connected there-

with. I can state only general views.

The bill of rights, which is part of the constitution of this state, provides, by section as follows: All persons shall be ballable by sufficient

sureties, except for treason and murder. where the proof is evident, or the presump-tion great. Excessive ball shall not be required, nor excessive fines imposed; nor crue and unusual punishments inflicted." Save in the excepted cases, admission to

magistrate, only the discretion to fix an bond should be given to secure the attendamount reasonable, or not "excessive," under the circumstances. No unvarying rule as to this can be stated. Each case must rest largely upon its own

facts. The theory on which ball is permitted 1. That the accused is presumed to b

innoceat, until proven to be guilty.

2. That the civil liability of the accused to the state, or to sureties, who may be sub-jected to liability or trouble on the bond or recognizance, and his sense of obligation to those who thus befriend him, will probably induce him to attend court, and submit him sources, may easily secure a bond in a large sum; and then, if so disposed, afford to for-feit it by fleeing from justice; and to indemnify his sureties if, thereby, he can avoid the danger of punishment. But a man of small or moderate means, or of little per sons) credit, or having few friends, may be wholly unable to secure bondsmen for a large sum. Bail, in his case, may, be "ex-cessive," which, in that of a wealthy or influential person, may be quite reasonable.

Another consideration is, that, while the

accused may, if at large on bail, escape from the country, he will not usually be able thereby to avoid trial and punishment. For all serious offenses, including felonies, extradition is allowed from every state in the union, and from most foreign cour with which we have treaty relations. lessens the inducement to flight, and the probability that the criminal will escape final trial and conviction, if guilty.

The amount of bail to be exacted should have a strong relation to the extent of punishment for the offense. In the case which you put, of alleged embezzlement of public funds, the punishment under our statute is imprisonment from one to twenty-one years in the penitentiary, and a fine in double the amount embezzled. It is evident that upon such a charge, the sum which the prelimiry proofs show to have been probably bezzled, should have an influence upon the amount of the realizance exacted. To what extent it should be controlling must be left to the court or magistrate, in view of all the circumstances and considerations.

The probability of guilt and of conviction

be influential in prescribing the Manifest danger of punishment, of course, increases the temptation to forfeit the bond and avoid trial. "The wicked flee when no man pursueth." The consciousness of innocence is a safeguard to the state, that the accused will welcome a trial and abide his fate.

EX-JUDGE OGDEN.

In response to your inquiry, I will say, in answer to the first question, that bail for one accused of crime is fixed in the sound one accused of crime is fixed in the sound discretion of the judge or examining magistrate. In doing so, he must take into consideration, the nature of the offense, the character, age and previous record of the accused, and most important of all, the probability or improbability of the accused appearing at the day named in the builbond for arraigment, and thereafter for trial.

Each case depends upon its particular facts and surrounding circumstances. In one, a merely nominal bond could be required if the judge was satisfied that the accused would not become a fugitive. In another case a much heavier bond might be required if the magistrate or judge was satisfied there were probabilities from the nature of the offense or the character of the accused, that he might not appear as required by the conditions of the ball bond.

Our state constitution provides that ex-

Our state constitution provides that ex-cessive ball shall not be required, which means, where the offense is ballable, the amount should not be so large as to practically prevent one procuring the same. With this limitation, the whole question of ball is one of sound discretion on the part of the judge; having in view all of the facts in each particular case. This would apply only to the class of ballable offenses; for under our constitution, treason and murder are not included "where the proof is evident

or the presumption great."

In reply to the second inquiry, I would say that much which has been stated in reply to the first, would apply to the latter.

"Who is the accused? What are his ante-"Who is the accused? What are his ante-cedents? His age? General character as a criminal? Is he liable to 'jump his bond?' What is the nature of the crime charged What are his family connections?" All these are circumstances which should be taken into consideration. But always, most import-ant of all, 's the inquiry, "Is there any probability, from the ball being light, he will abscond?"

will abscond?"

If you have any doubts as to the latter, the bail should be fairly large; if on the other hand, the probabilities are inconsiderable that he will escape, the ball should be small and in some cases nominal. CHARLES OGDEN.

EX-JUDGE FERGUSON.

A legal presumption exists in every case where an individual is charged with a crime and placed under arrest upon a proper information that he is innocent. This presumption must be overcome by evidence, and the burden of proving or cashlishing his alleged guilt rests upon the rate. The information is filed and the arrest made in the first instance, and upon the preliminary learner the defendant is held to ball supply upon what is termed in the law "probable cause;" that is, that there is probable cause that a crime has been committed, and that the accused is guilty. The individual is then committed to custedy. In reest cases ball is fixed, in default of which the defendant must remain in confirmment. The personal liberty of the individual is of the highest importance in all free governments, and when arrested for a crime one of the reasons which in A legal presumption exists in every case all free governments, and when arrested for a crime one of the reasons which in all ballable cases he is allowed his liberty upon giving a bond is that he may prepare for his defense. This in many cases he could not do if deprived of his personal liberty. When released upon bond he has the opportunity to make ready his defense by obtaining witnesses which might be difficult if not at liberty as in such case he ficult if not at liberty, as in such case he would have to rely wholly upon the assist-ance of counsel and his friends. In a legal Many things are to be considered in fixing the bail, of which no person knows so well as he who investigates the case and becomes theroughly acquainted with the facts and circumstances surrounding it.

The question should be, what is the least bail that will cause the appearance of the person for trial. The court should consider the pecuniary condition of the person; his probable ability or inability to secure a bond; the probability or improbability of the person appearing for trial; the condition of the times, perhaps, and, therefore, the difficulty or ease in securing surety; the nature of the crime, the strength of the evidence against the person; the severity of the punishment bail is to require such a bond that beyond all question will compel the appearance of the defendant at the time of trial. Anything beyond this would be unjust and oppressive. The bond should be large enough, taking into consideration the magnitude of the offense, as to a moral certainty will satisfy the court that the sureties will see that the defendant will appear when the case is set for trial. In a charge of embezziement the amount of property alleged to have been taken should largely enter into the mind of the court in fixing the amount of ball, and it should be in such sum as the court is satisfied would compel the at-tendance of the defendant when legally re-quired.

A. N. FERGUSON.

The bond is fixed on the theory that a person should answer to crims charged against him. The bail bond takes the place of his body. It should not be excessive. The law favors a reasonable bond. The statutes do not usually fixed the amount of bond, so the amount of bond must be determined by the judge from the circumstances in each case.

There are some rules that courts recog-ize in determining what the bail bond its moral and legal aspect and the penalty prescribed for such crime, and the ability of the person to furnish bond.

It might be excessive in one case and not in another. If the person's means are lim-

ited it should be less. If the person is a noted criminal that should be taken into consideration. If he bears a good reputa-tion he should have the benefit of it. It ought to be placed in the judicial scale in weighing the amount of the ball bond. If the defendant made his escape from he jurisdiction of the court, or attempted

conceal himself, his ability to escape, if e has a family, or is easily identifiedthese should be taken into consideration. Some conditions or circumstances cluster around every case that make an impression on the mind of one who has the duty of fixing the amount of bond. The prosecut-

ing attorney plays an important part in the matter when the question is raised what the bond should be. He kn ws whether he has a strong case against the defendant or not, and just in that proportion he is im-bued or stimulated to insist that a heavy sometimes recommends what does not see or read his title clear, doubt is lingering upon his mind as to his success in the matter. Sometimes where a reputed criminal is charged with a crime and the evidence is weak, the prosecuting attorney has no hope of conviction. In that particular case the court is justified in making the bond light. If the defendant should escape from the jurisdiction of the court the people would be ahead. They would be rid of a criminal character. What the amount of bond should be in a case where a man is charged with stealing \$50, 000 of public funds depends on the circum stances of the case. LOUIS BERKA.

SEEKING LIGHT.

Boston Gazette Perhaps some sage can tell me, for indeed I'd like to know, The secret of the titles that I hear where'er I go. There's Brown, who studied medicine, attain.

ing some renown.

Whose wife I hear referred to now as "Mrs. Dr. Brown."

What reason for the custom can the wise one give to me? hy not as well refer to her as "Mrs. Brown, M. D."

Because O'Shea is on the bench why should we always say. In meaking of his charming wife: "There's Mrs. Judge O'Shea?" Is she a judge O'Shea?"

Is she a judge by marriage? Was she wedded to the court?

There should be some good reason why the title she should sport.

If one should wed a justice, pray, advise me, would she be Entitled to be known to all as "Mrs. Jones, J. P.?"

If not, what reason can we give for speaking as we do
Of "Mrs. Major Cannonball" or of "Mrs.
Bishop Pew?" Bishop Pew?"
Do lities go to families for use of ev'ry one?
And if they do, why aren't they used by
daughters and by son?
Why not a "Miss Lieutenant Sharpe?" Why
not a junior, too?
At least let's be consistent in the things
we try to do.

DO YOUR BEST.

When everything seems gone to rack, Don't sit down and feebly grieve; Try to lure your good luck back— Do your best and make believe.

Although the world has got you down, Do not whimper in your sleeve; Insure your soul against its frown— Do your best and make believe.

Yes—make believe that fate will mend, Make believe time will retrieve; Court sweet illusion to the end— Do your best and make believe.

More Shadow Than Sunshive in Britain's Reigning House.

DEATH NO RESPECTER OF PERSONS

Matrimonial Alliances Dimmed with Tears and Scorched with Heartburnings-Tencing the Cnuses.

BOSTON, Mass., Feb. 10.-(Correspondence of The Bee.)-The death of Prince Henry of Battenberg, Queen Victoria's son-in-law, recalls other unhappy relations of English royalty and nobility.

The people were hopeful that the queen's youngest and favorite daughter, Beatrice, would marry an Englishman. When, in 1885, the marriage with the young and penniless German prince took place, and the nation was called upon to pension another of the queen's large family, when she was abundantly able to provide for the young

abundantly able to provide for the young couple from her own vast wealth, there was a true enough protest. Although there was strong complaint at thus having to furnish support for another foreign princeling, the pension was, of course, granted by the loyal English people.

The fact that Battenberg's lot for the past ten years has been unhappy is well known. His cruel death only occasions repetition of the embarrassments and indignities heaped upon him by his august mother-inlaw's faithful and loyal subjects. Finally endurance could endure no longer, so Prince Henry in company with Prince Christian's Henry in company with Prince Christian's soldier-son, a grandson of the queen, set out for the war, as a field presenting a possible chance for distinguishing him-self.

The queen now has two widowed daugh-ters, her eldest and youngest, and a widowed daughter-in-law, the duchess of Albany, the widow of Prince Leopold, the queen's youngest son. It has been frequently stated that Lord Rosebery desires to marry the duchess of Albany, but that the queen will not allow it because she does not believe in second marriages. The duchess remains in her lone state. state, occupied with the education of her two children.

The union of the marquis of Lorne and Princess Louise has never been all that one could hope for a daughter of the queen, and a man so good and worthy as the marquis. His embarrassments have been many, to the chagrin of his family and friends. He seems to endure all with remarkable fortitude.

There is a story to the effect that a beautiful daughter of an earl, one of England's most noted families, to this day shows in her sad face the indellible mark of a life's sorrow, a heart pain given her on learning that the marquis of Lorne was to marry the

The carl's beautiful daughter then 18 years old, had been sitting to the great Watte, R. A., for her portrait. The work was progressing when the fair subject was "called away" for some weeks. On her return the sweet countenance bore that ineradicable shadow, sorrow's own imprint, which only a heart-blow can trace. The change was so great that the artist mentioned the fact and regretted that his work the tact and regretted that his work had not been nearer completion, that he might not have had to paint the changed and unnatural expression. Had this been the case there would not today be any resemblance between that portrait hanging in one of England's noted castles and another of the same person by the same artist painted twenty warrs. twenty years later, which hangs across the hall. The later portrait is familiar to thousands, while other thousands in England and this country know the handsome dark face, the sad expression of which is always noted. The little patrician, it is said, never re-ceived any explanation, although at a ball given just after his engagement had been announced, and where they met, the marquis said to her that he would like an opportunity said to her that he would like an opportunity for a word of explanation. The soft answer and gentle was, "There is nothing to ex-plain," though her heart was breaking. A few years later the earl's daughter was one of the court at Windsor, her husband an officer of the household. A party of royalties was one afternoon driven to the castle Princess Louise and the marquis among them. At the royal entrance the princess tranca was "the other door." How that bitter remark cut to the heart the one who ne was not royal; he with whom her girlish neart had pictured a happy future.

It does not seem quite possible that a mar-riage of parties of such unequal rank could result in happiness. Princess Louise may enter the door through which her husban enters the castle or royal palace, but her husband may not enter through the door of roy alty. That portal is sacred to royalty only yet it may cause many a heart-pang, or ple domestic, to say naught as to the self-feeling of inferiority that certainly cannot conduce to happiness in man or woman.

YEARS HAVE ROLLED BY. Not long since the earl's daughter, fnow by her own exertion, her study to make erself a place in the world's affairs early as possible comparable with proud eminence acquired by some of he illustrious ancesters, was called upon to address a great meeting. There would be on the platform many of the most noted men on the platform many of the most noted men and women of England. It was an occasion of a lifetime for a woman, even in these liberal days, to appear on that platform among so many of her peers, but few, if any, of the number in sympathy with the sturdy course she had been for years persuing as an advanced woman. Then, too, the duke of Argyle, the marquis of Lorne's yearshle father was to preside and of venerable father, was to preside, and of course deliver the opening address. The earl's daughter was equal to the occasion, and it was a remarkable sight to witness her rise amidst indescribable enthusiasm and cheers from the audience. It was the welcome of the evening, and was from the people who showed their knowledge of her great efforts and appreciation for her symprest efforts and appreciation for her sym-pathy. When the cheers subsided and she addressed "My Lord Duke," she proceeded to deliver her speech of only ten minutes, but not excelled in any particular by any speaker of the evening. To have pictured such a scene, to have thought of such an effort from that woman at the age of 18 years, would have required a severe strain on imagination.

on imagination.

The earl's daughter lives a devoted life in trying to do good in the great, busy world, happy in the love of an only son. The union of the princess and marquis has not been blessed with children, a grave disappointment to the Argyles, and to Scotland, where they are looked upon as being almost royal. On the wedding day of Princess Louise, a gentle and loval Scotch woman was heard to remark and loyal Scotch woman was heard to remark "this is indeed a proud day for the queen. An Argyle had won her daughter.

All the world knows of the sorrow and disappointment of Victoria, princess royal of Great Britain. Though the queen's first born, she was set aside from the succession by the subsequent birth of her brother. At the early age of 17, she married Prince Fred-William of Prussla, heir presumptive

There is no doubt that the earlier years There is no doubt that the earlier years of her wifehood were painful. It was indeed a sad change for the high-strung, spirited young princelss from England, where the queen was the head of the state and the advance of woman had commenced, to Germany, where the position of woman was so different, and it is yet. The princess was well endowed intellectually, and in everything fitted to adorn the high station that promised so much influence. Her promise of influence and power for good in another land was almost as much as had been forbidden to her in England. At last, after long years was almost as much as had been forbidden to her in England. At last, after long years of restraint and repression of her high powers, her opportunity came, but then almost immediately death claimed her husband, and the widow—empress of Germany for thirty days—must give place to her son, just as the sister had been required to give place to her brother. After her grief and despair the future holds but a narrow sphere to one

as the sister had been required to give place to her brother. After her grief and despair the future holds but a narrow sphere to one of such far-reaching ambition. Princess Frederich, now for some years known as Empress Frederich, was always happy in the love of her husband, the noble "White Prince." Her unrest and unhappiness came by reason of her narrow sphere of action, and having no power. Carefully and discreetly, the princess had done much for science and art, and to especially help in founding and keeping up societies for the improvement of the education and position

of women. In all that, she did she was sure of the support and supplies that the sanction of her husband could give, during his lifetime. But as to her power or influence in the state, even had the Germans never suspictoned her, for accusations came to be bruited about, from which all the great, whether in soul or tailed. bruited about, from which all the great, whether in soul or station, must suffer, they would have none of it. During the Franco-German war she was called "the English woman," in derision and mockery, and suspicioned of giving news of German arrangements to England, and that thence it was transmitted to the French. In brief, only sadness and disappointment has been the lot of one of the ablest royal personages of our time.

of one of the ablest royal personages of our time.

The sad life of the charming princess of Wales is snother well known fact. All the world sympathized with her when the son, in whom also the queen was so deeply interested, was taken away so suddenly.

Now that the queen is an old woman her serrow at the bereavement of Princess Heatrice will weigh heavily upon her, the more so because the princess and her chil-

Beatrice will weigh heavily upon her, the more so because the princess and her children are always with her.

That the princess should always remain with her is given as one of the reasons why the queen so rendily assented to the marriage of Battenberg and Beatrice, aside from its being a love affair. Had the prince been a man of affairs, or so situated as to require taking his wife ways it would prince been a man of affairs, or so situated as to require taking his wife away, it would have been all too sad for the queen mother, who was then 66 and past. The queen has known much of sorrow and lose since that awful day when her own noble husband was taken from her. In her state affairs she has been fortunate always, but of late years sadness and trials have fallen fast and numerous in her domestic circle.

ALLIE C. WILLARD.

VALENTINE'S DAY.

Frank D. Sherman in Ladies' Home Journal What though the skies be cold and gray And winds be wild and shrill, Love's messenger shall find his way Across the vale and hill:
For sunlight he shall have your face, For stars—two eyes that shine Where my heart has its dwelling place—Your own dear Valentine!

He turns to neither left nor right,
But straight ahead he goes;
His guide is Hope, whose footstep light
The surest pathway knows;
He bears my message in his scrip,
A song whose every line
Shall turn to music on your lip,
My own dear Valentine!

Oh, when your hear his eager knock
Upon the door begin,
Make haste to lift the heavy lock
And bid young Cupid in.
Glad then shall gleam the skies above.
And glad this heart of mine
To be at last with her I love—
With you, dear Valentine!

RELIGIOUS.

Joseph Cook, who is at Clifton Springs, N. Y., is nervous, weak and sleepleas. Since his recent breakdown he has lost nearly 100 pounds.

Emmanuel church, Lambeth, England, has ust set up an alabaeter and green marble reredos, carved by a workingman in the congregation in memory of his wife. Burglare who raided a church in Aurora, III., and despoiled the sanctuary took the

precaution of testing the quality of gold in the chalices before taking them away. The pulpit in the new meeting house of the Second parish of Exeter, N. H., will be a memorial of John Phillips, the founder of Phillips academy. The cost will be defrayed by his descendants.

Henry Van Cott Ballta, a boy preacher, who has attracted considerable attention in Brooklyn, claimed to have preached for two years in North Carolina. An investigation proved that he had never been outside of Brooklyn.

Rev. John A. Sanger, a Pennsylvania min ister, who has bene conducting a series of revivals, was taken III. His young wife continued conducting the meetings. She preached admirable sermons, and being both young and pretty people of the town flocked to the church in great numbers. There is a Catholic hospital in Berlin, the St. Heduige, which is served by the sisters of charity. A recent annual report shows that during the year 5,640 persons were admitted to the hospital. Of this number, 3,311 were Protestants, 2,348 were Catholics and

ifty-nine were Jews. Dr. Ryle, bishop of Liverpool, is the oldest prelate of the Church of England, the youngest being Dr. George Rodney Eden, suffragan bishop of Dover, aged 43. The oldest preiate of the Church of Ireland, is Dr. Graves bishop of Limerick, aged 85; the youngest, Dr. Peacocke, bishop of Meath, aged 60. church is Dr. Willoughby Jermyn, bishop of Brechin and Primus, aged 75; the youngest, Dr. James A. Chinnery-Haldane, bishop of

Argyle and the Isles, aged 54. Rev. Alois Kaiser, cantor of the Oheb halom Temple of Baltimore, has been re quested to write the music for the Twenty first psalm, to be sung by a large mixed choir in the Reformed Hebrew congregation of Odessa, Russia, May 12 next, at special religious services to be held there in honor of the coronation of Czar Nicholas II., which is to take place that day at Moscow. psalm begins with the words, "The King shall joy in thy strength, O Lord, and in thy salvation how greatly shall he rejoice!" Alfred Andre, the well-known banker of Parls, was connected, directly or indirectly, with nearly every Protestant agency in France, and it is said gave annually to 500 religious and benevolent societies. His homes in Paris and in Switzerland were

ions. He was president of the national committee of the Young Men's Christian as sociations of France, and had a share in the erection of the building now occupied by the Paris Young Men's Christian associations. The official directory of the Catholic church in the United States, which has just been issued, places the number of Catholics in the United States at 9,410,790. These are divided territorially into fourteen archdioceses and seventy-one dioceses, which are ruled by fourteen archbishops, including one cardinal and sixty-nine bishops. The number of priests is 10,348, of whom 7,756 are seculars and 2,592 regulars, that is, mem-bers of religious orders, such as Jesuits, Paulists and Dominicans. These priests are in charge of 9,501 churches. Besides these there are 5,393 other places of worship called stations and chapels. There are 332,-934 more Catholic church members this year than there were last, 285 more priests

chial schools and four more orphan asylums UNCLE ABNER'S PLAINT.

192 more churches, five more regular semi-naries, 21,278 more children attending paro-

New York World.

When I axed Mandy Oatcake,
Some fifty years ago,
To be my wife and helpmate,
"Twas little did I know
That she'd be so durned spunky;
So ready with her tongue
To call me an ole dunkey
Whenever I was wring,
She's wust by gosh-a-mighty Whenever I was writing.
She's wust by gosh-a-mighty
'An a bear with a side head;
I never saw so fighty.'
A pusson, live or dead.
She's a fussin' an' a fussin'
Bean activ mere till night. A pusson, live or dead. She's a fussin' an' a' fussin' From early morn till night; And she calls me all the bloomin. Names, what neighbors say al And she calls me all the bloomin'
Names, what neighbors say ain't right.
Ef I go into the spare room,
To git my Sunday efothes,
She whacks me with the dust broom
Right bang onto the nose.
Or ef I sing in meetls'
And from the tune I roam,
I'm sure to git a beattn'
As soon as I git home.
My life it hain't no river
What runs 'tween mossy banks,
With sorosis of the liker
And rheumatics in my shanks.
Yet I could stand big tumors,
And the wassest kind of pain
If Mandy would fire them bloomers
And be herself again.

Consumption Cured. ConsumyHon Cured.

An old physician, retired from practice, had placed in his hands by an East India missionary the formula of a simple vegetable remedy for the speedy and permanent cure of consumption, bronchitis, catarrh, asthma and all throat and lung affections, also a positive and radical cure for nervous debility and all nervous complaints. Having tested its wonderful curative newers in thousands. its wonderful curative powers in thousands of cases, and desiring to relieve human suffering. I will send free of charge to all who wish it, this recipe, in German, French or English, with full directions for preparing and using. Sent by mail, by addressing, with stamp, naming this pare. stamp, naming this paper. W. A. Noyes, 820 Powers block, Rochester, N. Y.

Indianapolis Journal: Watts—Sometimes I believe in healing by faith, and sometimes I do not. What do you think about it? Potts—Well, I know our minister gets \$6,000 salary, a house to live in, and not a few substantial presents. It seems to me that his faith has heeled him pretty well.



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They readily realize the saving in wearing our garments.

Asking Cash Prices, that is, prices with no profits added to cover bad debts, is one reason why we can offer such prices as:

Trousers, \$4, \$5, \$6, \$7, \$8. Suits, \$15, \$20, \$25, \$30.

It isn't alone the price-it's better designs than can be found elsewhere, besides the assortment is the largest under any roof in the city.

Garments made in one day if required.

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207 South

TRAGIC SIDE OF PIONEER LIFE

Recollections of Savage Raids in the Early Nebraska Settlements.

BASE TREACHERY OF THE REDSKINS

owardly Raids on the Settlers of Nuckolls County Under the Mask of Friendship-A

Thrilling Defense. SUPERIOR, Neb., Feb. 15 .- (Special.)-To those east of the Mississippi the Indian history of the western states is well night forgotten. Indeed, to some it never did exist, but it would take many more years than any of them will live to see to efface it from the memory of those who came first to the frontier. The prairies of Nebraska have guarded their secrets well. In early days, even twenty years ago, a few piles of bones, spear and arrow heads, with some-The oldest prelate of the Scotch Episcopal times a tomahawk or a rusted musket, more often evidences of a running fight, were to be found in the southwestern part of the state, and to the fertile imagination told many a story. Today the Otoes, Pawnees Poncas and Omahas are of the past, and the flickering war spirit of the Sloux vanished in the ghost dances at Wounded Knee in

> In 1802, in what is now the most fertile portions of Jefferson country, occurred one of the bloodiest encounters, in fact in point of numbers, the greatest Indian battle ever fought in the western states. First into the state came the Pawnees, then came the Sioux, who tried to wrest from them their finest hunting grounds, and war came with fach day. At last this great battle was fought, and forever established the supremacy of the Pawnees in southern Nebraska. chief was Tocpohana. The chief of the Sloux was Oconomemoe, an ancestor of Sitting Bull's. At the end of the third day the Sloux were vanquished, carrying away 3,000 dead and twice that number wounded. When the settlers came, all this was forgotten for a time, and the tribes banded together for their extermination. From B. S. Comstock of Oak Grove ranch, in Nuckolls county, we have a very lucid account of the terrible raid in 1864. For some time trouble had been brewing, but no outbreak had occurred. When it did come, at the hour of noon, on Sunday, August 7, it showed the shrewdness of the Indian to the utmost, and no loophole was overlooked to make it most successful. A certain number of braves had been allotted to each settlement, and as Oak Grove was quite formidable, forty were sent there. They came into the ranch, leavwas in the fact that their bows were strung to their backs, otherwise, there was every evidence of a friendly spirit. The dinner given there was eaten with many and renewed protestations of peace, and when to each a piece of kinnikinnick tobacco was given, these were again renewed. Then came a signal, the bows were drawn and these forty friendly braves were transformed into the most savage of demons. Mr. Com-stock was away from home, but beside the family, there were five men at the house. Mr. Kelly of Beatrice fell at the first shot, an Indian reached to snatch the revolver from his belt as he fell. George Comstock was more quick, and captured the weapon. The revolver was in steady hands, and at the first shot, the Indians fied to the prairies, but three never reached the doors. The dead and wounded were then carried to The dead and wounded were then carried to the second story and the house barricaded. So well was this done that the Indians were unable to come close enough to set it on fire. One, ridng on a white horse, was more venturesome than the rest, and each time would ride a little closer. As it was now dark, it was decided to shoot him upon his next return. It was too dark to distinguish one person from another when the his next return. It was too dark to dis-tinguish one person from another when the supposed warrior rode up; George Comstock raised the gun to fire, when one of the daughters, remembering that her father also role a white horse, called out: er, is it you?" Back came an from her father, and the shot in-

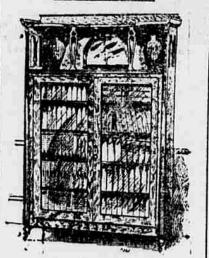
tended for one Indian was never fired.

After many hours the Indians were driven back, but became so troublesome at times that in 1867 Nuckolls county was abandoned by white settlers. During the raid of August 7, which extended from Freenant to August 7, which Nuckolls county was abandoned by white settlers. During the raid of August 7, which extended from Fremont to the western line of the state, few were as fortunate as the Comstocks. On the morning of this same day a boy by the name of Ulig was returning home, not more than a quarter of a mile from the ranch, he was stopped by two Indians—one shook hands with him, the other pierced him with his spear; and there, under the scorching summer sun, which beats mercilessly upon the dry prairie, he was day a boy by the name of Using was returning home, not more than a quarter of a mile from the ranch, he was stopped by two Indians—one shook hands with him, the other pierced him with his spear; and there of the 7th inst. in the county clerk's office. It was short one couple, however. In the course of the usual interrogatories it develoates to the work of the usual interrogatories it develoates. Not many miles to the northwest of Oak Grove lived a German family of eleven members, by the name of Ubank, who had just were under age. The would-be groom was 17 and the gift 14, so a license was refused. Nothing daunted, the couple boarded a train and three hours later a telegram from Logansport to their parents announced their marriage in that city.

A romantic wedding is reported from the other side. These sent to the school house, a mile away, and notified the minister, and was immediately tomahawked. Mrs.

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Ubank and Miss Roper were taken into captivity, and after many months of suffering they were exchanged for Indian prisoners. CONNUBIALITIES.

Lord Bennet, the son of the earl of Tankerville, who recently married an American girl, is in Tacoma, where he and his wife are taking an active part in a revival. A marriage has been arranged between Mr. H. B. Irving, elder son of Sir Henry and Lady Irving, and Miss Dorothea Baird, fifth surviving daughter of the late John Fornter Baird, barrister. Miss Baird is now playing the title-role in "Trilby" at the Haymarket theater, London.

Haymarket theater, London.

The engagement is announced of Miss Ethel Johnson, only daughter of Eastman Johnson, the American portrait painter, to Mr. Alfred R. Conkling of New York. Mr. Conkling is the eldest son of the late Fredcrick Conkling and a nephew of the late Roscoe Conkling, One of his inheritances from Miss Catherine Wolfe was a country house at Newport.

from Miss Catherine Wolfe was a country house at Newport.

Queen Margherita of Italy holds the otriciest Catholic views as to the nullity of both civil marriage and divorce. At the time Signor Crispi first was in power, not only were his two divorced wives still living, but also Donna Lina's divorced husband. When at last Queen Margherita gave way to the pressure put on her to admit Donna Lina to court, she did so in these words: "Very well! Tell Signor Crispi I will receive his wife, but I will receive only one "Very well! Tell Signor Crispi I will re-ceive his wife, but I will receive only one of them, and it must always be the same



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