WITH THE JUDGE AND JURY

Witnesses and Attorneys Have Had Their Say in the Bolln Case,

CHARGE DEFERRED UNTIL THIS MORNING

Evidence Introduced by the Defense a Great Surprise_Tends Rather to Convict Than Acquit-Argoments Are Brief.

The taking of testimony in the Bolla case was concluded yesterday forencon and the arguments of the attorneys followed imme-Assistant County Attorney Day opened in a short, but concise statement to the jury and was followed by Attorney West had admitted having made were commented for the defence. The latter proceeded on the upon as showing that the evidence of the theory that there was no shortage—the \$10,000 caperts was not to be depended on. theory that there was no shortage-the \$10,000 in the Midland State bank was still there, the ellos in the cash drawer had been paid, and Bolln's raisry accounted for the remainder except the proceeds of the bonds, which he accredited to errors of bookkeeping by the first experts. He admitted warrants had been are drawn for Bolln's salary and were paid, but there was nothing to show, he stated, that Boiln received the money on them.

Attorney Macfarland for the defense started out on the same line as at the former trial, making a plea for sympathy and abusing those who had urged the prosecution of Bolln for his defalcation. He had proceeded on this line but a little while when stopped by the court and instructed to confine himself to matters in evidence. This appeared to disconcert him, and, deprived of the opportunity to complete the speech he had mapped out, the closing portion of his address was rather weak. He wound up by a plea for mercy on the theory that even if Bolla had taken city funds the bondsmen would make up the less and to good could come of sending he defendant to the penitentiary. County Attorney Baldrige closed the ar-

gument on the case at the evening session with a clear statement of the transactions on which the state depended for a conviction. At the conclusion of his argument Judge Baker was about to commuce his charge to the jury, when, at the request of one of the jurymen, he deferred it until morning.

There were several surprises in the progress of the case yesterday morning. The first one came when the detense drew from W. A. Paxton, its own witness, the statement that Bollu had turned over to him, as trustee for the bonds given by Bolln, all of his property except his home-stead. The defense did not ask Mr. Paxton why this transfer had been made, but in view of the fact that the opening statement of the attorneys for the defense showed that they took the position that there was no shortage and that every dollar of city and school funds had been properly accounted for, it occasioned considerable remark about the court room that they should have shown that Belln had transferred his property to his bondsmen in order to make good any loss which might fall on them on account of his The next surprise was when the defense

introduced in evidence an account current made by the treasurer to the comptroller July 10, 1895, which showed on its face that there was a shortage, as shown by the treasurer's books, of about \$45,000.

The last surprise came when the defense

announced that it would rest its case. It had introduced practically no evidence; no attempt had been made to show that the funds were properly accounted for; the defendant had not been put upon the stand, and appeared on the face of it as though the defense had nothing to offer, except what might be developed in the arguments on the testimony offered by the state. CERTIFICATE DID NOT COUNT.

When court convened yesterday morn ing Judge Baker announced his rui-ing on the admission of the two certificates of Comptroller Olsen, both the treasurer and had found the same corect. The court ruled that these certificates ere not competent in the case at bar for the reason that the certificate of one officer that he had checked the accounts of another did not establish the fact of the correctness of the accounts of the officer so checked up

W. A. Paxton was the first witness called the defense. He was questioned regardent to the defense to the first witness called the testimony and explained the the defense to the first witness called the testimony and explained the testimony are testimony as the testimony and explained the testimony and explain lin's office the evening Bolin returned from Hill's road house. He said he could not re-member what anyone else had said, but remembered distinctly what he had said to Bolln. He was not asked regarding what he had said, but was questioned closely regarding what had been said while Swobe was present. The witness explained what had transpired in the committee room in the presence of the experts and some of the bondsmen after the report of the experts had been completed. C. J. Karbach had asked Bolln about the item of \$77,700, and Bolln had denied that he got the money. The witness sise testified on direct examina-tion that Bolin had turned over to him, as trustee for all of the bondsmen on all of his bonds, a large amount of real estate, but the defense did not follow up this evidence by asking the witness why the property and been turned over.

Expert Wettling was called by the defense and testified to the fact brought out in his statement yesterday regarding the item of \$77,700, repeating the statement made at that time to the effect that the proceeds from the sale of these bonds had been deposited in the National Bank of Commerce and the Merchants' National bank.

DEFENSE RESTS ITS CASE. The defense then called J. W. Fead to the stand and he identified an account current made by him July 10, 1895, showing the bal-ances in the several funds and the amount of funds deposited in each of the several banks as shown by the bank balance books.

The defense then offered in evidence the mash book showing that the respective grad-ing districts included in the bond issue had each been credited with the proper amounts. To the surprise of every one in the court room the defense announced that this com pleted its case. Bolin had not been put on the stand, and the purpose of the defense in presenting evidence which had already been presented by the state, covering a point not dispute, was not clear. There was no dispute about the bonds having been sold deposited in city banks. The duplicate entry \$77,700, about which all the dispute centered, was not touched upon by the de-

In rebuttal the state called Expert Wett-ling. He testified that the account current identified by Fead, showed on its face a shortage in the city funds of \$20,000 and a shortage in the school fund of \$24,770.27 This statement seemed to "rattle" the dewas held, after which Wettling was excused without cross-examination and Fead was regalled by the defense. He testifled that the shortage in the school fund, as shown by Wettling, was caused by the fact that, at the time the report was made out, there was in the city funds the sum of \$24,770.27 which belonged to the school district, but which had not been transferred to the school fund. cross-examination Baldrige drew from ad the statement that the transfer of the \$24,770.27 from the city funds to the school trais would simply be transferring the shortage in the school fund to the city funds, making the total shortage in both school and city funds the same as it ap-peared before, except that it would appear in the city funds instead of in both the city and school funds.

This completed the taking of testimony and court ordered the arguments to proceed

COMMENCE THE ARGUMENT.

The argument of Mr. Day was concise and The argument of Mr. Day was concise and brief. He dwelt particularly upon the specific items of embezzlement from the school funds, and upon the item of \$77,700, explaining the matter clearly to the jury by reading from the records of the treasurer's office.

Day was followed by Mr. West for the defense. Referring to the charges of embezzlement from the school tunds, he said the syldence showed that every dollar was to the

evidence showed that every dollar was in the school fund, except the one item of \$10,000, which all admitted was in the Midland State bank. He argued that if the money was all thore, there could certainly be no grounds for charging Bolln with having embezzled some of it.

for charging Bolln with having embezzled to the chicago, Milwaukee & St. Taking up the item of \$77,700, West argued Paul Ry. City ticket office, 1504 Farnam st.

that the entry as it last appeared on the books was necessary as an offset of the amount charged against the several grading districts. He said it would be very easy to transport this entire transaction "If one

take the time.

Passing to another feature of the case.

West maid there was no controversy that
there was a shortage in the city funds of
\$20,000, and he asked the jury if it integded
to send Henry Bulin to the penitentiary on
this account. Bulin had given a good band,
he said, and the taxpayers would never lose
a cent, as the bondsmen were some of the
hest citizens of Omaha. This amount, he
said, was made up of advances to city employes and others who were entitled to receive money from the city, together with ceive money from the city, together with other items which had since been paid. Referring to the slips in the cash drawer charged to Bollo, West argued that the fact that the slips were placed in the drawer

was a proof that Bolin had no criminal The reliability of the experts was touched in closing and the errors which Wise

MAKES A PLEA FOR SYMPATHY After a short recess Attorney Macfarland After a short receis Attorney Macfarland rommenced his argument, opening with the same tragic exclamation which characterized the opening of his argument at the first trial: "Crucify him! crucify him! are the words which come to us down through the centuries of the world's history." His argument was addressed to the sympathies and prejudices of the jurors and frequent references were made to the effect a conviction would have "upon his almost dying wife and his little ones." As at the former trial, Macfarland started upon As a personal statement, explaining why he appeared in the case and dilating upon the abuse which had been heaped upon him. When this had continued several moments the county attorney objected to the counsel dragging in matters not in evidence. Judge Baker notified Macfarland that he would confined strictly to the evidence and st not bring in outside matters.

Macfarland objected very strenuously to being confined to the evidence, but the court was firm and after several sharp passages Macfarland continued his argument to the jury. It was painfully evident that he was greatly nonplussed by this ruling. He stumbled along and flundered about like a ship without a rudder. He soon drifted back into his personal explanation and was again called down by the court. It was several minutes before the effect of the second scor-

ing wore away and then Macfarland took up the evidence and discussed it. Referring to the shortage, he admitted there was about \$20,000 which had not been accounted for, but this might be easily explained by the fact that Bolin's salary for his entire term amounted to this sum. state had shown that warrants for Bolin's salary had been drawn and stamped "paid, but the state had not shown, he said, that Bolin ever got the cash on them. The sum of \$20,000 might also be accounted for by the slips, etc., found in the cash drawer. There was no evidence, he said, that these lips had not since been paid.

The experts came in for their share of at-tention, but the reference to them, as compared with the vicious and merciless onslaught at the former trial, was as a sum mer zephyr compared with a violent tor Their work was reviewed and the jury was cautioned that the experts "might e mistaken.

be mistaken."

It was argued that the city or school board could not possibly lose anything if there was a shortage in any fund. The bonds would cover every possible loss. "What possible use is there," said Macfarland, "of sending Henry Bolin to the penitentiary? It will not do anyone any good and will only serve to ruin him."

At the conclusion of Macfarland's argument Judge Baker announced an evening session, commencing at 8 o'clock.

READY FOR THE JUDGE'S CHARGE.

READY FOR THE JUDGE'S CHARGE. When court convened at 8 o'clock last vening, County Attorney Baldrige comevening. menced the closing argument in the case. After explaining to the jury in detail the several counts in the information and their relation to each other, Baldrige discussed the several checks, which had been intro-duced in evidence, and showed how these tificates of Comptroller Olsen, both which informed the city council that had examined the accounts and cash of the treasurer and had found the same cortex treasurer checks proved that Bolln, within less than sixty days after taking possession of the ofmonths being about \$10,000. One after another, Baldrige picked up these telltale checks and glips, commenting upon each in a clear and concise manner, making a telling array of the most damaging evidence. Passing to the other evidence, Baldrige

> At the conclusion of Baldrige's argument Judge Baker was about to instruct the jury, when Jean Schons, one of the jury, requested, on behalf of his associates, that the charge to the jury be deferred until this morning, and the request was complied with.

MONTEZUMA AGAIN.

lew Location for the Renowned Lead.

er's Treasure Said to Be an Island. Periodically a report is circulated by a ocal syndicate of gamblers, says the Philadelphia Times, that Montezuma's hidden treasure has been located. First it was re ported that the treasure was on some on of the islands off the coast of Los Angeles but after the schemers learned that they would not be permitted to make of the island a modern inferno on the style of Monte Carlo, they now locate the treasure on Tiburon (Whale) island, in the Gulf of California, Mexico. The Island is inhabited by a tribe of cannibal Indians called Seris. syndicate attempted to organize a company of Americans in Arizona to cross over and wipe out the Indians, offering each man \$50 a month and 320 acres of land if he sur-vived. The scheme failed. The Arizonians had heard of the numerous expeditions that Mexico had sent to the man-eating island which did not return. Now the bait is made more alluring by locating the supposed immense treasures of Montezuma upon the island. The chief promoter is now operating from Mexico, and proposes to fit out an expedition to be taken to the island on a The schooner is presumably to

take away the gold. The "well-authenticated legend" is a fiction. Montezuma never left the City of Mexico. Neither did any of his lieutenants. He had no "great treasures of gold," as is popularly supposed, and if there had been any in the coffers it is hardly possible that Cortez would have been so blind as to let it escape him, for that le what he was after—the main object of his conquest. Supposing that Montezuma did have "unteld treasures," according to tradi-tion, there were plenty of mountain caverns and oter places to bury t witout hauling i several hundred miles. In southwestern Arizona there is a deep pool of water called "Montezuma's Well," and it is stated in an "authenticated legend" that Montezuma carted his treasure all the way from Mexico and dumped it into this pool. Hence its name.
For several years this syndicate, one of whom is en ex-federal officer who does a land-office business as a gambler, has been en-

deavering to get an island for a gambling resort. About a year ago Mexico made a of incomes, const. weak claim to the chain of islands off the claim to the chain of islands off the ern California coast. It is believed tat these fellows had d some of the Mexican officials et up this claim to see how it to set up would take. But the United States gave no attention. The principal mover of this island gambling resort, John Bradbury, is a brother-in-law of the two brothers who own Catalina island, a summer resort twenty-five miles off the coast opposite Los Angeles. They believed that if Mexico could successfully claim the islands they could make of Catalina a gambling resort. Failing, they now turn their attention to Tiburon island, the Gulf of California, having purchased leasted it from Mexico. If these premoters

accompany the expedition the public will rest Fads in Jewels.

Jewels are the fad in Paris. They are strung in garlands over a handsome bodice. and the very latest idea is to have the material almost covered with them. A hand-some white satin gown recently worn at a ball in Paris was embroidered with pearls, alternated with small diamonds. The shoulder bands, line of the square neck and also the buckle contained many large diamonds, and the bodice ou shone everything else in the

If You Don't Sleep Well

MAKE IT HOT FOR THE BISHOP

Methodists at Cleveland Have a Most Exciting Sersion.

CHAIR TROUBLED WITH POINTS OF ORDER

Woman Question Bobs Up Again and Plunges the Conference Into an Angry Debate Full of Bitterness.

CLEVELAND, May 8.-The Methodist general conference has now been well started in the mass of important business which is before it. The lay delegates are showing their purpose to curtail, if possible the powers vested in the ministers and make the conduct of church affairs more democratic. That issue was raised today in one form in committee and will doubtless be the cause of more than one hot debate on the floor of the conference. The general ommittees are in session every afternoon and today was begun the consideration of the proposition to increase the number o bishops. The colored Methodists want bishop of their own and so does China. It is proposed also to lighten the labors of the four older bishops who were appointed

in 1872. There was a marked falling off in the attendance this morning. Bishop Hurst presided and the devotional exercises were conducted by Rev. S. W. Thomas of Philadelphia. Dr. Ackerman of Alabama pre-sented resolutions thanking the mayor and city council of Cleveland for the cordial man-

ner of their greeting to the delegates.
"For all your kind words and loving, fraternal deeds," declare the resolutions, "we most sincerely thank you, and we will ever pray that upon you and yours the riches blessing of heaven may continue to descenand that the already splendid commercial, social, educational and ecclesiantical achieveients of your city may ever be multiplied an hundred-fold. No sconer had the resolutions been adopted

by a rising vote than the woman questio came up and caused a good deal of trouble both to delegates and Bishop Hurst. Mr. Morris Sharp of Onto presented a resolution to excuse the women delegates in the they have relinquished their seats and that their expenses be paid to the date of their withdrawal. The resolution also called in their mais reserves Dr. Neely of Philadelphia presented a sub-stitute in which the women were invited to

remain as honored guests of the conference and their expenses ordered paid. Dr. Cranston rose and asked for a ruling by the chair as to the present status of women in the conference. Bishop Hurst decided it was not a point of order, but was a matter of interpretation

for the body and ruled that Dr. Neely had Just after Dr. Neely began speaking Dr Frisinger of Pennsylvania appealed from the decision of the chair on Dr. Cranston's point Bishop Hurst put the question as being on the appeal of Dr. Crantson and great confusion existed. A motion to lay the entire matter on the table was lost by a vote of 218 to 104. Dr. Kynett raised the point of order that the question had been improperly put, but Bishop Hurst held that Dr. Neely had the floor and Dr. Kynett appealed.

CONFUSION BREAKS LOOSE. Bishop Hurst declined to entertain appeal, and a dozen men were on the floor shouting for recognition. Bishop Hurst de-clined to recognize any one, but pounded with his gavel and shouted: "Dr. Neely has the floor." Dr. Leonard, Dr. Chafee and others loudly insisted on the appeal being put, Bishop Hurst pounded until he broke his gavel. Dr. Frisinger insisted on the appeal being put, and in this he was joined by the entire conference. Shouts to put the appeal almost drowned out the bishop's bishop's voice, and the utmost confusion reigned. Dr. Frisinger leaped to his feet and said if he would not be given the right to appeal

he would resign. Dr. Neely made himself heard above the din and said he desired to withdraw his paper. Bishop Hurst would not permit this and the din continued. Dr. Hurst would recognize no one, but held that Dr. Neely had the floor. Finally forced by the confer ence, Bishop Hurst said he ruled that both papers were before the house, and he would entertain the appeal.

Mr. Sharp asked to withdraw his resoluon, but he was not permitted to do so. In the appeal was taken. The ruling of Bishop Hurst was sustained by a vote of 223 to 204. As soon as is was decided that the papers were before the house, Dr. Neely and Mr. Sharp both withdrew their papers, and the

most violent struggle of the first week of the conference was over. The little storm over the woman question having passed over, J. M. Kings of New York presented a resolution. The document lirected against the use of federal money by the Roman Catholic church and its read ing was frequently interrupted with applause it was unanimous'y adopted without discus

ON SECTARIAN SCHOOLS

The resolution opposed the practice of sectarian appropriations for Indian education It states that this general conference, repre-senting the membership and constituency Methodist Episcopal church relterates its conviction that the cure for the sectarian and eccleriastical aggressions is to be found in the adop-tion of the proposed sixteenth amendment to the United States constitution, drafted and promulgated by the National League for the Protection of American Institutions. It is directed that a record of this action be promptly forwarded to the secretary of the United States senate, the secretary of the house of representatives and to the secretary of the interior at Washington. This general conference directs that the signatures of its resident and secretary be signed to this After the transaction of other routine busi-

ess the convention adjourned The committee on constitution is sidering a proposed new article of the con stitution, relating to lay delegates, the gen eral intention being to make it sufficiently liberal to meet the wishes of the general conference regarding the admission of women Another meeting of lay delegates was held tonight to discuss the ministerial time limit. A resolution was introduced providing for a flexible arrangement controlled by the bishops, but after being debated for some time it was laid on the table. The same fate be-fell a resolution to make the time limit

three years. The meeting adjourned without have accomplished anything. The platform meeting in the armory to-night was under the auspices of the Meth-odist Board of Education. Addresses were made by Rev. Dr. J. E. Brown of Gammor Theological institute, Atlanta, Ga.; Rev. Dr H. Payne, the secretary of the Board of Education: Bishop Warren, the projector of Denver University, and Bishop Hurst of the American university. Among the meetings the standing committees this afternoon that of the committee on episcopacy, was the most important. India protested against the proposed retirement of Missionary Bishop Thoburn, and the placing of a regular bishop in his stead. On the other hand, China and Japan asked for permanent resident bishops with full Episcopal authority.

WANT A COLORED BISHOP. The colored Methodists acked for a bishop of their own, and said they had a man eminently fitted for the place. They refer to Rev. Dr. J. E. E. Bowen, president of Gam-mon Theological institute of Atlanta, Ga. A resolution was introduced providing that the senior group of bishops be permitted to so arrange their work as to be able to pass the remaining years of their lives in ease and comfort. The proposition is to provide them suitable salarice, in view of their services, and zhow them to select their own places of residence, after the other and more active bishops have divided their own work. The senior bishops were appointed in 1872 and are all of them well advanced in years. They are Bishops Bowman of St. Louis Merrill of Chicago, Andrews of New York and Foster of Boston. They object to the action proposed, desiring to remain in the

cided to submit to the conference a proposition curtailing the powers of the ministers which will probably be opposed by the latter. This is to the effect that hereafter it shall be understood that the congregations, and the ministers, shall choose the local church officers. It has been the practice to

have the class loaders appointed by the ministers, and in three-fourths of the churches the pasters make our flows of whom they want for attention to the memory delegates are chosen by the memory delegates are chosen by the memory delegates have decided not to resume their seats in the conference, though they are probably entitled to them. He and other advocates women delegates feel they have made a decided their gett in securing the memory delegates feel they have made a seat their gett in securing the they want for stewards and trustees, and delegates are chosen by the members. Rev. Dr. Moore says the four women dele-

Southern Baptist Convention. CHATTANOOGA, May 8.—The Southern Baptist convention was called to order at the Baptist convention was called to order at the First Baptist church by President John Haralson of Seima, Ala. The roll call showed 761 delegates present. Judge Haralson and Secretaries L. McAndrews of Augusta, Ga., and E. F. Gregory of Baltimore were relected. Mayor George W. Ochs and Dr. R. B. Garrett, pastor of the First Baptist church, delivered addresses of welcome. There are over 6,000 visitors and delegates present. Wilmington, N. C., wants the con-vention next time and will probably get it. At the session this afternoon the reports of foreign and home missionary boards will be

Tonight the convention sermon will be reached by Rev. C. H. Stakely of Washing-

INDIAN GAMBLING GAME.

The Payallups and Nisquallies Played "Sla-Hael" to a Draw. The social event of the season for the Puyallup, the Nisqually and a few White river ludians has just passed, says the Tacoma Leiger. It was the annual gambling and horse racing of the tribes, which took place on the Nisqually reservation. The fertivities began Saturday and lasted until Monday morning, when they ceased, and a proces-sion of the most tired Indians that the people along the route have seen in many a day started back to the Puyallup reservation. They bore no laurels, it is true, but then they had their ponies and blankets, which at one time during the gambling they came disas trously near losing.

The sport took place at a gambling house kept by Jim Dimrood, a Niqually Indian and located in a clearing five acres in excut on the right bank of the Nisqually river, our miles above Maxheld station, where the forthern Pacific crosses the river. The game Northern Pacino crosses the river. The game played by the Indians is called "sla-hael," and was actively participated in by thirty Puyallups, five White river Indians and thirty Nisquallies, the White river Indians and ten nigs It was in this gambling house last Satur

and began singing the low, dirge-like song which forms part of the ceremony, and then handed the bones to one of his men. The ndian took the bones, fumbled and changed bem, and then, holding a bone tightly concealed in either hand, began swinging them for a wary Puyallup to guess which hand intained the white one. The gambling was in full progress. The scene was a strange one, well worthy the brush of a Frederic Remington or any who indulge a liking for he wild and fantastic. The bright wood fires were burning in either end of the room. Ten feet from the walls two rows of Indian en were kneeling down, facing each other, eaving a space of ten feet between them In one row were Puyallup and White river Indians, and in the other were Nisquallies. In the center of the kneeling rows of Indians were the leaders, Tommy Lane for the Puyallups and Skamenke for the Nisquallies. Back of the kneeling bucks were benches running the entire length of the room. On these sat the Indian women of the respective tribes, who watched the varying fortunes of the players with most intent interest.

Stuck in the ground in semi-circular form. in front of both Lane and Skamenke, were thirty-five small wooden pegs about three inches in length and one-quarter of an inch | \$240, which it is alleged Ditzen in diameter. These were the "beans," and dog tags during his term of office when one side won the thirty-five belonging to turn into the city treasury.

player, and hanging in front of his breast, was a handkerchief, beneath which he deftly concealed his hands when the bones were

length and one inch in diameter. One of them is perfectly white, the other one has two black rings around it. Each of the leaders has two sets of hones, but only one set is used at a time. The game proceeds as follows: The leader of the side whose ing after his property. turn it is to play chants a sing-song in-cantation to bring luck, the squaws joining in this musical (?) effort, and the bucks also if they wish. Two of his men are then designated by the leader to shake the bones, which are grasped by the player, one in either hand, and both hands are placed be-neath the handkerchief hanging over his breast, where he fumbles the bones, shifts hem about from hand to hand to confus hose who are keenly watching him from the other side, and then, suddenly drawing them from beneath the handkerchief, begins swing-ing them to the right and left in front of him. The leader of the opposite side then guesses himself or names one of his men, whom he thinks may be the more lucky, to whom he thinks may be the more lucky, to guess which swinging hand contains the white bone. If the guess is correct the leader of the side which is playing—not guessing—pulls one of the beans from the ground in front of him and toases it over to the leader of the side which has made the correct guess. The "bean" is taken by the winner and stuck in the ground with the other beans belonging to his side. The bones are also to be passed to the guessing side, whose turn it becomes to play.

whose turn it becomes to play.

Providing the guess is incorrect the side making it tosses a bean over to the side playing, and the man who has shaken the sticks has the right to shake them again, while his opponents make another guess. Both sets of bones were guessed upon by the same man at the same time. If he guessed the white of one and missed the other he won a beau man are constant. other he won a bean and one pair of bo but lost a bean upon the other set, w was shaken again for him to make another guess. In this manner the bones and beams were constantly passing back and forth from one side to another with the varying luck of the different sides. Saturday's game ended

FISH CANNOT BE DECEIVED.

Even Though a Disguise is Worn.

A fishing party had been organized and who was an ardent disciple of the rod and line, had gone shead on the early train, relates the Detroit Free Press. The later arrivals were hurrying along the road to the stream which was to be the scene of "I wonder if Gadsby has left any fish for

us to catch," said one of them.
"I guess there will be a few," replied an other. "I'd have got discouraged long ago if I had been in his place. When he drops a line in the water the fish all seem around and run the other way. Who's that coming up the road, I wonder?"
"I don't know. Looks odd, whoever it is. Maybe it's an escaped duratic."

But when the figure, drew nearer they recognized it. It was Gadaby. The change that had come over him, however, seemed to fully justify the lunacy theory. He was barefooted and wore a battered, big brimmed straw hat. A pair of rough, earth-stained trousers and a gingham shirt completed an attire which on a man of Gadsby's punctilous taste was more than myserious.

ious taste was more than myserious.

"What in the name of common sense have you been doing?" asked one of his friends in tones of the most, abxlous concern. "Have you gone staring mad?"

"No," was the reply. "Ten not crazy."

"What are you looking like this for then?"
"I've been trying to change my luck. I've heard people say that fish did not possess a great deal of intelligence. If anybody ever tells you that don't you believe 'em. I came up here ahead of you people to try an experiment. I've even those country boys get bite after bite, while I did nothing but hang my feet over the water and look so often that I resolved to try a new method. I got these clothes and a bent pin for a hook and baited with a common worm."

"And you didn't catch anything?"

"Not a thing except an eel. And as soon as he saw who I was he wriggled off the bank and got away. Those scientists know a great deal, but when it comes to talking about the intelligence of fish they are away off. I've tried the experiment and I am The "Train that Runs on Time" s the Burlington's "Vestibuled Flyer" for

Leaves Omaha-5:00 p. m. Arrives Chicago-8:20 a. m Tickets at 1502 Farnam street.

An Undershirt for 25c.

It's no extraordinary thing to get a natural mixed balbriggan undershirt for 50c-and at the same time you don't-as a rule-get them for less—These are the 50c sort for 25c—drawers same price,

The dollar quality in French finished clouded balbriggan is 50c tomorrow.



SOUTH OMAHA NEWS &

Mrs. May D. Truax has inetituted proseedings in the district court for a divorce from her husband, Charles Truax, alleging abuse. For some time past the Truax Caying with the Puyallupa. The stakes put family has been keeping a cigar and fruit p by each side were seventeen ponies, one store on lower N street, and for fear that her husband would dispose of the property. which is valued at \$1,000, Mrs. Truax has lay afternoon that Jack Skamenke, the which is valued at \$1,000, Mrs. Truax has leader of the Nisqually gamblers, stood up obtained an injunction from the court, preventing Truax from disposing of the property until the case is heard next Thursday. Mr. Truax tried a night or two ago to get ahead of his wife by giving an ex-constable of Omaha a bill of sale. During the even-box the constable hired a comple of wagons and waited across the street from the store for Mrs. Truax to close up and go home. Then he intended opening the door with a key belonging to Mr. Truax and taking away the stock. The constable grew loneso and feally struck up a conversation with a stranger, who was loltering along the street and told him all about the case, and what he intended to do as soon as Mrs. Truax home. The "stranger" happened to be Mrs. Truax's attorney, and he soon managed to ave the ex-consatble and get word to his Mrs. Truax scot to her home for bedding and a couple of neighbors, and much to the astonishment of the ex-constable, slept in the store all night, and still The constable is kicking himself for talking so much to stangers.

Henry Ditzen, ex-city clerk, and his bonds men, have been sued by the city to recover \$240, which it is alleged Ditzen collected for dog tags during his term of office and failed to the other the game and pot were also to be called in the district court next Mon-Suspended from the neck of each Indian layer, and hanging in front of his breast men set up as a defense that they are not liable, as it was the duty of the city treas-urer to collect the money for the dog tax. Clerk Ditzen was under a \$1,000 box1, and given him to swing.

Clerk Ditzen was under a \$1,000 bord, and
The bones mentioned are three inches in
the does not think he can be held for per-

The Current Topic club will meet this vening at the High school. Mrs. A. Bowers has returned from Auburn, George Stewart of Sheridan, Wyo., ity attending to some business matters. A. Skeleton of Long Island, Kan., was a visitor at the yards yesterday afternoon, Mrs. R. A. Carpenter and Miss Jennie

Graham returned last evening from Olympia, Mrs. E. C. Morris, Twenty-fourth and J streets, who has been sick for some time, is much better. D. G. Brown, an old-time stock yards and

Board of Trade man of Chicago, was a visitor at the yards yesterday. James Sweeney was sent up to the county jail for fifteen days on bread and water for hitting young John Brayton with a brick. John McMahon, a suspicious character was taken to the county jail yesterday after-noon, where he will stop for six days and be

fed on bread and water. Joseph T. Dulany has brought his wife from Blair to St. Joseph's hospital for treatment. His mother and baby are staying with Mrs. John Helean, Thirty-fourth and J streets. This evening the "Reds" of the Young Men's Christian association will give an en-Men's Christian association will give an en-tertainment in the reception rooms of the association. The program is as follows: Se-jection, male quartet; recitation, Otto Brown; vocal solo, E. G. Rozzelle; original reading, W. R. Dunroy; violin solo, Frank Slabaugh;

quartet. POTTER TALKS ABOUT RAILROADS. other Enstern Connection.

address, A. R. Murdock; selection, male

Arthur S. Potter, president of the Omalia Bridge & Terminal company, has returned to the city from a month's trip In Florida. To a Bee reporter he said that the trip was one for pleasure only and that he did not stop at all in Philadelphia and only a few minutes in New York City. He is looking much better and stronger than when he left and said that he was feeling much improved in health.

He said that he thought Omaha would b

opened to the east by some new railway con-nections at an early date. The syndicate which recently purchased the Omaha & St. Louis road would seen build a line filling in the gap between Pattonsburg and Trenton, Mo. He said that the matter had been hang-ing fire since last December, but now everything was settled. He thought it likely that a line would also be constructed between Quincy and Beardstown, Ill., connecting with the Baltimore & Ohio system at the latter point. The Santa Fe system would be met at Hurdland, Mo., and the route from Omaha to Chicago via the Santa Fe would be only twenty-five miles longer than by the Burling ton route.

RUNNING TIME REDUCED ONE DAY. Quick Freight Train Service Between

Omehn and New York. Edmund Keane, assistant general freight agent of the Baltimore & Ohio Southwestern railway, came up to Omaha from St. Louis yesterday and after consultation with the Missouri Pacific freight officials here, made arrangements for quicker freight service be tween New York City and Philadelphia and Omaha, that will prove of great interest to local business men who receive freight from the east. Effective Monday next, May 11 the Continental Freight line will make the distance between New York City and Omaba in ninety-six hours—four days. The best time now made is five days, while seven days is not uncommon. The Continental Freight line embraces the Baltimore & Ohio, and the Baltimore & Ohio Southwestern tems, and operates into Omaha over the Mis

Death of Mrs. Firestone.

Last night word was received announcing the death at Columbus, O., of Mrs. Firestone, wife of C. D. Firestone of the Colum bus Buggy company. Mrs. Firestone has many friends in Omaha. Her funeral wi occur today. The Omaha office of the con pany will be closed today.

JACKSON TRIAL IS NEARLY OVER. Arguments of the Attorneys in the

NEWPORT, Ky., May 8 .- The end of the Scott Jackson trial is now near at hand. The commonwealth announced this morning that It had no more witnesses to offer. Colonel Crawford called Captain Bassler of the United States weather bureau to show the state of the weather on the night of Janu-ary 31. This closed the testimony in the

During the trial the presecution called eventy-three witnesses. The defense called eighty-two, including depositions. The pros-ecution, in rebuital, called forty, and the defense followed with one, making a total of 196 witnesses. The court adjourned until 2 o'clock this afternoon. The arguments begin tomorrow, and will alternate, the comnonwealth closing the case.

John Seward, the detective who figured

unpleasantly in the case, was assaulted in the streets last night with eggs, thrown by a lot of young men and boys.

AMUSEMENTS.

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lower house was well taken. The singing societies have been heard so frequently that their performances are too fresh in mind to require extended mention. The Scandinavian Singers' society, directed by Prof. Edgren, sang the "Spring Song" by Lindblad. The German Singing society, conducted by Hans Albert, rendered "The Sailor's Dream," by Abt, and the Swedish Singing society, also directed by Prof. Ed-gren, contributed a wedding march by Soder-man. The Swedish Ladies' chorus was heard n a medley of Swedish melodies and the Scandinavian Glee club, under Mr. E. Norlin, also rendered a selection.

The only number that was contributed by distinctively native talent was by the Schubert Glee club, led by Mr. Lee Kratswhich; it sang a double number, which was warmly received. Miss Moeller sang a mixed nummelodies, for which Prof. Edgren furnished the harp accompaniment, and C. A. Jacob-sen sang the "Aria Infelice," from Ernani. The instrumental features consisted of se-lections by the Musical Union orchestra, a flute solo by Olaf Peterson and a violin number by Hans Albert. Mr. Albert played one of Chopin's nocturnes and the "Ronde des Lutins," by Bazzini. Mr. Peterson played the "Faust Fautasie," by Gouned. The solos of Mr. Albert and Mr. Peterson were enthusiastically received and energetically ncored. This was the rule of the evening. however, for the continued applause that followed nearly every number testified to the approval of the audience.

Tomorrow night Peter F. Dailey will ope a three-nights engagement at the Boyd, and the sale of seats for all three nights will commence at 9 o'clock this morning. body knows "Pete" Dailey as a comedian, who fills houses from Maine to California His new piece is called "The Night Clerk," and is from the pen of John J. McNally, who has written all of Mr. Dailey's successes. "The Night Clerk" is said to be by far the best play Mr. Dalley has yet had and to be replete with fun from beginning to end. He is supported by one of the best comedy organizations now on the road, which includes Miss Jennie Yeamans, John G. Sparks, Ger trude Fort, Raymond Hitchcock, Rita Em merson, Freda Depew, Bertie Dyar, Nellie V. Parker and Rene Stretti. The Olympia quartet will also be a feature of this engage

Creighton music hall will be opened tonight with an elaborate vaudeville performance, presented by well known artists, many of whom have made individual successes during former appearances in this city, among whom ate Leroy and Clayton, sketch artists, the Brothors Diantas, musical clowns, Truly Shattuch and Leola Mithcell, vocalists, Gertrude Haynes, musical artist and Mesers. Lutz and Pedersen, soloists. The program will be changed weekly, introducing none but high salaried artists of known reputation, and both entertainment and surroundings will be above reproach. All ladies attending will be required to be accompanied by escorts. Persons holding seat checks for Creighton theater will be admitted free.

The coming one-night engagement of August sented. Every Young Men's Christian as-Daly's great company at the Creighton Tues-

day, May 12, should prove one of the great local theatrical events of recent years, as the extraordinary talents of Miss Ada Rehan the extraordinary tarents of ones Aut rank of place that great actress in the front rank of her profession. "The Taming of the Shrew," Shakespeare's merriast comedy, will be proher profession. The familing of the Shrew, Shakespeire's merrisst comedy, will be produced with all the elaborate effects and by the same talented company as during the recent successful presentation in New York Large theater parties will attend from all adjacent cities.

Marray and Mack, supported by a large company of farce-comedy artists, will open a two-nights ergagement at the Creighton with a matinee tomorrow, presenting their laugh-ing success, "Finnigan's Bail." The company includes Gracie Cumings, the Loring Sisters, Edith Newton, Winifred Stewart, Rita Dixon, Lonnie Dean, Clayton E. White, Bert Leslio, Charles Lamb and Vincent Minelli.

PERSONAL PARAGRAPHS

C. E. Prince, St. Paul, Minc., is a Barker W. A. Craig, Chicago, is stopping at the

F. H. Houghton, a Chadron attorney, is in M. V. Nicholson, a Valentine backer, is maha visitor. James A. Doll, Lafayette, Ind., is regis-

ered at the Barker. If. B. O'Lynn of Chadron came in on the vening train yesterday. Judge S. M. Chapman of Plattsmouth was

n the city last evening.

E. Cabo left last evening for St. Louis on a short business trip. J. S. Woodruff of Lander, Wyo., was among Omaha's visitors yesterday. Frank R. Wingfield, editor of the Craw-

ford Gazette, is an Omaha visitor, William Sturgis, a Cheyenne cattleman was at one of the hotels yesterday. E. D. Satterlee, a hotel man from Chadron, accompanied by his wife, is in the city. T. B. McPherson, a South Omaha banker,

ent to Arapahoe last evening on a business trip of a few days. F. R. Loggo, manager of agencies for the

National Life Insurance company of Hart-ford, Conn., is in the city. Rev. W. R. Peters of Keystone, S. D., the guest of Rev. Dawson of Wainut Hill Methodist Episcopal church.

Dennis O'Neill left for Chicago last even ing in response to a telegram stating that his father was dangerously ill. Mrs. Kimball, wife of Richard Kimball, who has been visiting relatives in this city

night. Mrs. J. C. Hoobler left yesterday for Jamestown, N. Y., to attend the funeral of a relative. She will be in the east some weeks.

Frank Tierney, a stockman of Broken posing of a train load of cattle at South P. H. White, local agent of the Milwaukee

stationed at Fairbault, Minn., was in the ity last evening on a short visit with friends. James N. Clarke, a prominent backer of Hastings, Neb., who has been in the city

a short visit with F. N. Clarke, left for his home last evening. D. C. Woodring, Lincoln; Joe Will'ams

North Platte; IWilliam R. Cahill, Grand Island, ctd A. L. Middleton, Hastings, are Nebraskans registered at he Barker, Nebraskans at the hotels: J. P. Bronson, Grand Island; Theodore C. Koch, Fullerton;

H. Hayes, Oaklard; H. D. Watson, Kearney J. H. Rosenkrans, Haigler; N. W. Wells and W. F. Neiman, Schuyler; George Reeder, Grand Island; T. E. McCool, McCool; George S. Hayes, Hastings.

LOCAL BREVITIES.

Mrs. A. Singer of 1109 Douglas street has been afrested on a charge of assault and battery preferred by Mrs. A. Jacobs,

Spontaneous combustion in a paint barrel belonging to Henry Lehman, in the rear of 119 South Seventeenth street, called the frenen out last night at 12 o'clock.

regular Saturday evening table d'hote dinner at the Omaha club during the summer months. The roof garden at the club opens Saturday.

There will be a special meeting of the Triangle Wheel club on Saturday evening at 8 o'clock at the Young Men's Christian association. The plan of forming a purchase wheels at cut prices will cussed. An additional delegate to the Assocated Cycling clubs will be elected and other business of importance will be pre-

