CONTEST TAKES A NEW TURN DENIAL BY ENGINEER HOWELL CUTTING

Popocrat Notary Sends T. W. Blackburn to Jail for Contempt.

Contestants Insist on Going Into Matters Not at Issue and the Witness Declines to Answer the Question.

T. W. Blackburn was committed to jail for contempt yesterday morning by Notary Piatti for refusing to answer irrelevant questions in the legislative context at the Jacksonian club rooms. Mr. Blackburn's refusal was for the purpose of testing the question whether the contestants shall be allowed to question witnesses in regard to the management of the congressional campaign and statement made at that meeting. other matters that have no connection with the legislative controversy.

fight. These questions have been objected to by the contestees and supported by two of the notaries. But as the popocratic notaries almost invariably ruled as suggested by the contestants, the witnesses were compelled to answer. In two or three eases they announced their intention of testing the matter, but finally concluded to save the expense of an attorney by sub-mitting to the inquisition. Mr. Blackburn was the first witness who had the courage of his convictions and he stood pat on the

Mr. Blackburn was the chairman of the congressional committee during the recent stand and stated that he had received \$550 from Congressman Mercer, which money he had expended in Mr. Mercer's interest. No other funds had been handled and these were applied solely to the congressional con-test. Mr. Blackburn showed that most of the money had been expended for cards, printing and office expenses. He had paid small sums to workers to distribute Mercer cards and otherwise advance his interests. When the question was asked to whom this money was paid, the witness refused to answer on the ground that it was entirely irrelevant, as it had no connection with the legislative contest. The objection was sustained by Notary Walkup for the contestees, and even Notary Wappich for the contestants declared that the position was well taken. Mr. Wappich said that he had given the contestants the greatest amount of latitude all through the investigation, but he was disposed to be half way fair and the question was so clearly irrelevant that he could not conscientiously require the

witness to answer. RETURN TO THE QUESTION.

That ended the matter for the time, but

When the same question was asked, Mr. Platti assumed to overrule the adjudication of the previous day, and declared that Mr. Blackburn would have to answer. Attorney Sheean protested that this was a proceeding previously unheard of in any court, but the protest counted for naught. The contestants had a mittlmus already The contestants had a mittimus already made out and Piatti had brought his notarial seal in anticipation of the incident Mr. Blackburn again refused to answer stating that it was for the reason that there was only one notary present and he had been brought there for the express purpose of and also for the reason that an objection same question had been sustained the day before by the decision of all the notaries present. On his refusal, Mr. Platti at once issued the order of commitment. which was turned over to Constable Co.

Habean corpus proceedings were commenced before Judge Fawcett yesterday afternoon in Blackburn's behalf. Application was made for his release on the ground that the notary who had ordered his arrest had exceeded his authority and had legal right to issue such an order. The notaries were not present, either in person or by attorney, and after hearing the Blackburn's attorney Fawcett set the case for hearing in his court at 2 o'clock this afternoon in order to give the notaries an opportunity to pre-sent their side of the case if they so desire. In the meantime Blackburn is in the custody of Deputy Sheriff Lewis.

NOTARIES AGREE ON ONE POINT.

The only witness at the afternoon se sion was Frank W. Bryant, a commissary ment of the Platte. Bryant testified that a resident of this state previous to his enlistment in the government service and had been assured that he still retained his rights as a citizen. He refused to his rights as a citizen. He refused to answer a question as to whom he had voted for. This brought up the question whether Bryant was a qualified voter. The contestants declared that they had the right to in quire how the witness voted because his vote was illegal under the clause in the statutes which provides that no member the United States army or navy shall ac quire a residence at any place by reason of being stationed there. They asserted that this meant that no soldier or sailor could vote at all. The contestees claimed that the section merely referred to men who were brought from another state and sta-tioned here. They contended that since the witness was a qualified voter in Nebraska when he collisted the section did not apply to his case. The matter was argued and discussed for over an hour, but all the notaries finally decided against the contest ants and Bryant was excused.

The notaries remained in session until Manager Holdrege of the Burlington rail road for whom an attachment had been issued. The railroad man did not appear and an adjournment was finally taken until

10 o'clock today. Reduced Water Rates.

OMAHA, Dec. 18 .- To the Editor of The Bee: Should it be advisable to extend the American water works contract until 1907. the following rates should be obtained: For a the following rates should be obtained: For a five-room house, the rate is now \$6. it should be reduced to \$5: each additional room is 75 cents; should be reduced to 50 cents; water closet is \$2.50, should be reduced to \$2; bath tub is \$3.50, should be reduced to \$2.75.

Laws Sprinkling—Fifty feet front is \$5, should be reduced to \$4.

Meter Rates—100 to 500 gallons, 35 cents, should be reduced to 25 cents: 500

cents, should be reduced to 25 cents, should be reduced to 25 cents; 500 to 1,000 gallons, 30 cents, should be reduced to 20 cents; 1,000 to 2,000 gallons, 25 cents. 20 cents, should be reduced to 15 4,000 gallons and over, 15 cents,

are paying \$84 per annum, and 1,087 we are paying \$60 per annum; the 250 should be reduced to the same price as the 1,087, which WATER CONSUMER.

Deputy United States Marshel Thrasher brought in four prisoners Thursday evening from Thurston county charged with disposing of liquors to Iudians on the Omaha and Winnebago reservations. They are pa Frank Winnemeyer, E. J. Smith. Edward L. Pally and Peter Rasmus. Vesterday after-noon Winnemeyer and Rasmus pleaded guilty and sentence was deferred until this The election of the other officers was al-morning. Polly pleaded not guilty and lowed to go over until the next meeting. Smith was not arraigned.

Says He Never Mixed In the Water Works Matter. The con mittee appointed at the citizens' mass meeting Monday afternoon to investi- Less Travel or More Parcs a Rule Greatly gate the charge that City Engineer Howell had approached E. L. Bierbower of the Omaha Water company with a proposition HABEAS CORPUS PROCEEDINGS STARTED that he could secure the extension of the water works franchise by putting S. L. Wiley on the pay roll at a nominal salary of \$160 per month, met yesterday morning in the office of City Attorney Connell, Mr. Poppleton was not present and the committee organized by electing H. T. Clarke chairman and Curtiss Turner secretary.

In reply to a request to appear before the committee and give the facts Mr. Bierbower

submitted the following letter: "OMAHA, Dec. 18 .- H. T. Clarke and C. C. Turner, Committee: Gentlemen-In reply to your request, dated the 17th inst., that I come to the city attorney's office this morning to meet a committee appointed at a lington road. It was the annual meeting of meeting of city officials and citizens, held in the local pass committee, of which George

"I was not at the meeting, but infer that the statement referred to implied a serious This question has been more or less disputed all through the contest. The attorneys for the contestants seemed desirous to satisfy their curiosity in regard to all sorts.

The attorneys for the contestants seemed desirous to satisfy their curiosity in regard to all sorts.

The attorneys for the contestants seemed desirous to should be as public and thorough as possible. If the accused is innocent he should be as public vindication.

The Elkhorn, the Omaha and the other than the contestants. of matters in connection with the campaign have the full benefit of a public vindication, that were entirely spart from the legislative and if the statement is true the public may want to know it.

"I therefore respectfully decline to meet your committee, for which I have much respect individually and collectively, and state that I will at any time, if properly summoned, go before any committee, court or other tribunal that has power to summon witnesses and enforce the giving of testimony under cath and power to enforce the penalties for perjury to testify in this matter to anything that I may have knowledge of. E. L. BIERBOWER."

E. Rosewater, who made the charge before the citizens' meeting, was present and stated that if desired he would repeat the charge made on the previous occasion, that Thursday he was put on the Robert E. Howell, city engineer, had solicited an allowance of \$100 per month for Solon L. Wiley from the water company as an inducement for Wiley's support of the proposed contract by which the city would waive its right to purchase the water works plant before 1907 and recognize the validity of its franchise. Mr. Rosewater added that he relied on Mr. Bierbower to substantiate the charge, but he was not in a position to compel Mr. Bierbower to respond to the invitation to attend the investigation or to make him testify if he was not disposed make

to do so Frank Ransom was present as attorney for the city engineer and in reply to his quesreports previous to the election They had afterward been confirmed by Mr. Bierbower.

Engineer Howell entered a general denial of the charges. He declared that Wiley had never asked to be put on the pay roll of the water company and that he himself had never received a dollar from any corporation since he had been in the service of the

The committee will make up its report and submit it to the city council at the meeting next Tuesday night. It is expected that the yesterday morning the contestants had it report will recommend that the council shall fixed to suit them. Mr. Wappich was absent and Notary Piatti appeared in his place. the attendance of witnesses can be compelled

DIRECTOR WAKEFIELD TO RESIGN.

Prefers to Retain the Secretaryship of the Exposition Association. A delay of twenty-four hours in the transthe certificate of the Transmississippi Exposition organization has ensued on account of the discovery that the secretary of state neglected to impress his official seal upon the great red wafer pasted on the certificate of the legality of the incorporation of the Transmississippi and International Exposition association. The docu-ment was sent back to the secretary yes erday morning and it is expected to be re turned by this morning, at which time the recessary information will be immediately

transmitted to the Treasury department.
Secretary John A. Wakefield has anaccording to the treasury department.
Secretary John A. Wakefield has anaccording to the exposition association as a director of the exposition association, which will leave a vacancy to be filled

y the board of directors. It has been the sentiment of the members f the directory that the secretary should be paid a salary, as he will have to devote all his time to the duties of his office, but the resolution unanimously adopted at the last meeting prohibits a director from receiving any compensation for his services in any capacity in connection with the exposition and it has been understood that Mr. field will resige. Judging the sentiment which developed

sentiment which developed at meeting at which the first new was filled, the vacancy caused by Mr. Wakefield's resignation will be filled by the election of a director from either South Omaha or Iowa. Both interests are demanding recognition, and the sentiment in the board seems to be in favor of recognizing both. lowa has one representati on the board in the person of Lucien Wells of Council Bluffs, a business man of high standing in the city over the river and also in the state. The packing center of the west has no representative in the dire and is making most atrenuous efforts fo

E. E. Bruce, chief of the department xhibits, returned to the city Thursday night and was seen at his office yesterday. He said he had been flooded all morning with per-sonal applications for positions in his de-partment and had not had time to open his morning mail. Aside from a few moments levoted to the subject Thursday night, Mr. Bruce said he had not given the details of the work in his department much consideration and had done nothing beyond outlining in a general way his conception of the plan ad scope of his department which he could submit to the executive committee for consideration.

TWO YOUNG MEN PROM MILWAUKEE collowed to This City and Placed

Inder Arrest. George Webber and George Kingston, two young men who were pursued to this city from Milwaukee by John L. Dolan of the latter city, were arrested early yesterday afternoon at Fifteenth and Dodge streets and

were booked at the police station with the crime of grand larceny. According to Dolan, Webber was employed his store at Milwaukce and was dis-irged. Two weeks ago yesterday he returned to the place with Kingston and the two took \$80 from the cash drawer and also stole a \$150 overcon belonging to Dolan. They skipped from the city and were pur-sued to Omaha by Bolan, who had been lookng for them a couple of days.

Comptroller Westberg refused refunding of \$12.50 in taxes to an individual who had succeeded inducing the city council to order inducing the city council to order him reimbursed. The question involves a clerical error by the assessor in the description of the property. The assessor in the description owns fifty-one feet of a full lot which was described by the assessor as the "south fifty-one feet." That was an error, but the assessment was an equilable valuation of his part of the lot. Consequently the comptroller has decided that he is not entitled to evade the payment of the tax and has refused to eight the warrant.

Electric Light Company Election. Oznaha Thomson-Houston Electric Light company was held Thursday alternoon. Thomas L. Kimball was formally elected president

in Favor.

FEWER RAILROAD PASSES NEXT YEAR

Pass Committee of Omaha Roads Meets and Members Agree to Cut Down the Quantity of Free Transportation.

The fate of the Nebraskans who desire free transportation over the railroads of this state during the coming year was settled at an important conference held yesterday in the local headquarters of the Burthe local pass committee, of which George W. Holdrege, general manager of the B. members of the Northwestern family were represented by General Manager Bidwell and General Solicitor Sterling of the Elk-horn. The lows lines that do not operate horn. The lowa lines that do not operate west of the Missouri river were not present at the meeting, their pass agreements being looked after in Chicago.

The authority of this pass committee over all matters originating in Nebraska and along the lines of the Omaha roads further west than this state. The work of controlling the Issue of passes for this ter-ritory was delegated to the local committee by the general pass conference of western roads held some weeks ago in St. Louis. The conference began at 10 o'clock yesterday morning and continued all day. While terday morning and continued all day. While the sessions were behind closed doors, it is known that a vigorous effort was made to reduce the number of free ridea issued each year by the Omaha roads, and it is given out that many who have hitherto rode free will pay in 1897. The western roads have already agreed that a request from an agent of one road to a passenger agent of another road cannot be honored next year, but that all such requests for transportation must be countersigned by the president, vice presi-dent, or general manager of the road issuing the transportation. The local commit-tee may take further action along the line for the territory under its control if it so ity engineer and in reply to his ques-desires. Railway men say there is no doubt Mr. Resewater stated that he had but that the rules governing the issuance of passes for next year will be more rigid than ever before, the only question in the matter being whether or not the railroads will live up to the agreements. secret that the agreement of 1896 has been badly fractured throughout the year; shippers of many Nebraska towns being represented as men of great political influence in order to grant them the desired transpor-

RECLAIMING COLORADO ARID LANDS

Plans to Make the Desert Blossom Like the Rose. If plans that are now being formulated by the railroad companies can be successfully carried out, the arid eastern section of Colorado will be converted into fruitful farm lands. As explained by W. W. Longer, land this first offer are sufficiently favorable. inspector of the Union Pacific Railway company, the railroad officials propose to introduce varieties of agriculture and horticulture that are adapted to the soil of eastern Colorado as it now stands. do this will require a great deal of investiga-tion and experiment. An effort will be made at once, it is said, to get aid from obtained from this source the railway man-

Experts in agriculture and horticulture and the effects of climate, altitude and drouth on these two industries will be sent into Siberia, Persia and other high countries which possess the gen-eral climatic and physical characteristics of this region. There they will find out what staple crops are raised by cultivators of farm and garden products, and specimens of these will be sent to Colorado for plant

ing in the arid castern territory.
"This work is under the direction of the Colorado State Agricultural college, Land Commissioner McAllister of Union Pacific yesterday morning. npany is lending all the aid to the movement. Some sea there are good crops his arid strip and other seasons everything fails. Of course, the object of Union Pacific in encouraging this perimental work is to make it possible to bave good crops there annually and open up the strip for settlement and development. The railroad company has given all the ground to the experimental station and has advanced quite a little money for the work. The rest of the funds comes from the government under the provisions of the Morrill act, which provides for financial aid to state agricultural stations."

SEEN THROUGH AN OFFICIAL EYE. Omaha Depot.

The location of the union depot and its pelled to wait here for trains is no new is made by railroad men themselves. A prominent official of one of the Omaha lines has recently been called to Chicago quite frequently. It has happened that each time he has returned the passengers who were on the same train and himself have been on the same train and himsen have blocked in their exit by another train. Speaking of the matter he said: "I don't know whose fault it, is, but it's a shame to keep people waiting a long time or force them to walk clear around a long train. have come in several times lately on the Northwestern train. On getting out, a B & M train has always stood right opposite it, and invariably the passengers from our train have been compelled to walk around it. It may be that our train has always stopped in the wrong place. Perhaps it should not have run up so far, or maybe, it should have gone further; or the other train may have been in the wrong place, but some one is to blame, sure. The depot facilities are wretched enough even when trains are properly cut so as to allow pas-sengers from trains that occupy the outtracks to reach the exit. several trains are drawn up parallel, and the passengers have to walk clear around them, I think some one ought to be called

Reason for Holding the Product Back

"No, there is not a great volume of grain eing moved out of Nebraska at present, sald Assistant General Freight Agent Wood of the Union Pacific yesterday morning. There are several good for this condition of aff. reasons affairs. la. market is not what it might be, but even should it go up, there is an-other matter that would hold the shipments what back. The continued damp weather has prevented the corn from getting thoroughly dried out. There has been more moisture than usual and consequently the corn doesn't

have the rattle that dry corn has."

Other freight agents corroborate this view of the matter. But comparatively little new corn has been moved, and most of the old corn was moved out of the state before the advance on rates on November 2. The contractions of the state before the advance in rates on November 2. vance in rates on November 2. The south-ern movement, too, has disconcerted some of the local lines, expecially the lows reads and hose having friendly traffic relations with

Pleases President Perkins.

President Perkins of the Burnington passed

from the west to Burlington. General Manderson went down to Lincoln to meet and accompanied him east as far as this city. Prerident Perkins expressed himself as well pleased with the cordial reception that had been accorded the Burlington's announcement of its subscription to the exposition and its intention to build a depot of its own in Omaha.

PLANS FOR A GREAT SHIP CANAL. Ocean Steamers to Sall from the At-lantic to the Great Lakes.

DETROIT, Mich., Dec. 18.-The deep water ways commission was appointed to make investigation of the feasibility of establishing a deep waterway of sufficient magnitude to permit of the free passage of ocean steamers between the great lakes and the seaboard, and report the result to con-The United States commission is working in conjunction with a similar body appointed by the Canadian government. President Angell of the University of Michigan is at the head of the United States ommission, with John R. Russell if Massachusetts and L. E. Colley of Chicago as fellow members. The Canadian commission & M., is chairman. The Union Pacific was is composed of A. A. Howland, C. E. Shafer represented by General Manager Dickinson and General Solicitor Kelly. Assistant General Solicitor Kelly.

a second one at Niagara Falls.
"Our time has chiefly been spent in gathering and collecting data," said President Angell today. "An immense mass of detailed information is absolutely necessary for intelligent action. We have gathered many surveys, however, and had much other personal work done.

"Will you reach definite action at this meeting?" President Angell was asked. "It is highly probable that we shall. Much, however, will depend upon the re-sult of our joint meeting with the Canadian mission, which will take place here next Monday. At any rate, it is our intention to eport to congress before the close of the

present session. "Will that report be favorable to the es-tablishment of the deep waterway?" "We can make no statement on that

point at prezent." PAYING OFF PACIFIC ROAD DEBT. Secretary Carlisle Will Sell Sinking

Fund Bonds. ST. LOUIS, Dec. 18.-A special to the Republic from Washington says: A step toward the payment of the Pacific railroad bonds has been taken by Secretary Carlisle in the issue of a notice of the sale of some of the bonds held in the sinking fund. Scaled proposals are invited for the purchase of \$2,780,000 first mortgage bonds of the Central Pacific, Union Pacific and Kansas Pacific railroads, now constituting a part of the sinking fund of the Central Pacific railroad. The proposals will be received until noon of Monday, December 21. Most of the offers will probably come from New York and from persons who would be satisfied

with a single day's notice.

The offer of bonds is somewhat experipental in character and does not include a sufficient amount to pay for all those of the Pacific roads which mature January 1 next. The entire amount thus maturing which will be redeemed by the government is \$9,721,000. The Central Pacific figures for only \$2,112,000 in the amount to be released. principal of the bonds will be paid from the treasury if necessary, and a solution able opportunity awaited for the marketing of a sufficient amount of those held in the Annie Gaul, a chambermaid at the Windstein and that at noon the day of the from the treasury if necessary, and a favor-

Western roads have declined to ne-fare rate for the round trip to the Missouri and Kansas Lumber Dealers' and the Western Retail Implement and ealers' associations for their meetings at Kansas City, January 19-21. The reduced rate of one and one-third regular fare for the round trip will be granted.

The Illirois Central and the Louisville & Nashville roads are having a merry time competing for passenger business from Chicago to New Orleans. Both have recently shortened their time by over two hours and improved their train equipment. The time between the two cities has now been reduced to nearly twenty-six hours, the new schedule going into effect on Sunday next.

PROGRESS OF THE FRANTZ TRIAL. Damaging Evidence Against the Murderer of Bessie Little. DAYTON, O., Dec. 18.—The most im-

ortant testimony brought out today in the trial of Albert Frantz for the murder of Bessie Little was that of the clerk who sold him a revolver previous to the crime, a gardener living near the Stillwater bridge who, on the night of the murder, August 27, heard a woman scream and then two shots and the story of William Ziegler and Frank Ross, who found blood stains on the bridge and a piece of side comb, identified as belonging to the unfortunate girl. Interest in the case is unabated.

HELD UP AN ALABAMA EXPRESS. Masked Men Rob a Train, but Get

Very Little Money. NASHVILLE, Tenn., Dec. 18 .- A Birmingham, Ala., special to the Banner says: accommedations for those who are com- Tiuin No. 35, westbound, on the Southern railway, which left here yesterday afternoon theme, but it is not often than any refer- at 4 o'clock, was stopped at 7 o'clock last ence to the many inconveniences caused night in Fayette county, sixty-five miles from here, by two masked men, who flagged the train on a bridge. One of the express safes was broken into. The robbers got very little for their trouble. The exact amount

not stated. Will Make Clothing at the Mills. TACOMA, Dec. 18 .- The successful con-

summation of another enterprise which depended upon the November election is announced. Early in January there will be established in Tacoma the first wholesale clothing manufactory in the northwest. It will be managed in connection with the Tacoma Woolen mills. A new plant cost-ing \$40,000 will be established, having a capacity of 150 suits dally and employing Chicago business men are persons. behind the project.

Frying to Reorganize the Billet Pool. PITTSBURG, Dec. 18.-The Bessemer Steel association, otherwise the billet pool is making an effort to get together again on the basis of the organization before the Bellaire Steel company, precipitated the abandonment of the agreeement on prices. olonel George S. Griscom, the commissioner has issued a call for a meeting to be held at the Manhattan hotel, New York, next Monday to discuss the advisability of reforming the association.

Steamer Chantrey Takes the Rocks. SAN FRANCISCO, Dec. 18 .- Chillian adices state that on Saturday, November 7 the steamer Chantrey, belonging to Lampori & Holt of Valparaiso, went on the rocks Horcon, about 1,000 feet from the spot where the Kosmos company's steamer Penaur was wrecked last July. It is expected the Chantrey will become a total loss. The teamer was on a voyage from Guyaquil or Valparaiso with a general cargo.

KANSAS CITY, Dec. 18 .- A special to the tar from Ottumwa, In., says: Many hoge are dying from cholera in the vicinity of Blakesburg, this county, and men are going plication. brough the country buying carcasses. It is said they are shipping the diseased meat to the larger cities.

Declares the Usual Dividend.

ELLIOTT IS SELF-POSSESSED

Exhibits No Concern as to the Result of His Trial for Murder,

STATE MAKING OUT A STRONG CASE tendent Pearse the teachers and principals F. F. PASSMORE REDUCED TO THE RANKS

Nothing of Importance Yet Developed. However, that Newspapers Have Not Already Printed Concerning the Affair.

The Elliott murder trial is progressing rapidly and the evidence is weaving a strong web about the man charged with the strong web about the man charged with the levy of 1 per cent per month on the sala-murder of his friend. Elliott was decidedly rics was an injustice to themselves, as they nervous Thursday and sat most of the time | might not always remain in the ranks of with his face averted from the jury, but instructors. with his face averted from the jury, but other city, marriage was a possibility among the feminine members and it was contended that any one who grew old enough in the essed and confident.

The court room is crowded at each session, number of women being interested spectators. Ellioff is a rather pleasant look-teacher from the active list, in which case the man and carries himself with a certain a pension would be a blessing. The ing man and carries himself with a certain a pension would be a blessing. The amount of grace. There is a sort of devilmay-care air about him which seems to so mall that it was insignificant. attract the fair sex.

James D. Butler, proprietor of the Wind-Stewart Stough. In addition to this he identified a chair taken from the room accupied by Elliott and Hutsonviller on the stated that test cards would shortly be distributed by the board by the aid of which the condition of these senses could be seat of which were spots of blood and a small quantity of human hair.

George W. Gay, proprietor of the Metro-politan hotel, was the next witness. He testified that Elliott, Hutsonpiller and several other attaches of Buffalo Bill's show stopped at his hotel October 25, and remained about two weeks. Elliott's bill was not paid when he left the hotel, but he came time ordering Hutsonpiller's box sent to the depot, telling witness that he, Elliott, and Hutsonpiller were going to Chicago on the 4 o'clock train. Witness afterwards discovered that Elliott's name had been sent to give their views of the matter. Miss LaRue, chairman of the committee which was detailed to draft a resolution embodying the principles of the bill, spoke first. She said that the system as adopted back November 17 and paid it, at the same 4 o'clock train. Witness afterwards dis-covered that Elliott's name had been cut in Cincinnati had proved a marked success

a mackintosh, but on cross-examination he was not absolutely positive as to Elliott being the man, but A. C. Redmon, another baggageman, identified Elliott as being the man who had been so generous.

SAID THEY COULD NOT WAIT. Robert Lees of Lemki county, Idaho, one of the Buffalo Bill troup, said he had ac-companied Elliott and Hutsonpiller to Omaha with the intention of going further west in their company. Previous to the murder the three men had been talking of their trip and had agreed to go together. The witness met Elliott on his way to the depot and asked him if he was not going to wait until the next day, as had been agreed. Elliatt said he and Hutsonpiller could not wait, as their tickets had been punched and he was then on his way to the depot to take the train for Montana. Elliott also told the witness that Hutsonpiller had taken a car

lie down after dinner." The witness said she pricet, who tendered did as requested and did not go near their arrival last night. room again until late in the afternoon, when and she went to the room to prepare it for other occupants. She opened the door with her pass key and saw that a man was lying on the bed. She at once notified the clerk and he accompanied her to the room to in-vestigate. From this point the testimony of Miss Gaul was corroborative of the evi lence of Clerk Stough, regarding the finding

Miss Marion Rich, a guest at the Wind-sor, testified that she occupied a room on the same floor as the one occupied by Elliott and Huisonpiller and almost opposite their room. She saw Elliott out of his room at 3:30 p.m. the day of the tragedy. He had a satchel and some dark garment in his hands and locked the loor, afterward **going** direct to the hotel office. The witness was in her room or the hall until the discovery of the murder and was quite positive no one had passed through the hall or entered the room left by Elliott antil the chambermaid came up at 5:30

BOUGHT A TICKET FOR CHICAGO. A. Forman, ticket broker, testified that e sold a ticket to Chicago to a man between and 4 o'clock in the afternoon of the day of the tragedy. He was not positive that Elliott was the man. The party asked for a ticket for Indianapolis, but the witness had none and the man went out. He came back soon afterward and bought the ticket tendering two \$10 bills in payment. He identified a ticket produced by the county attorney as the one he had sold on that

Detective Hudson was called. He testi fied regarding the finding of the bloody coupling plr. beside the washstand on the floor. It was covered with a piece of newspaper, which was spotted with blood and looked as though it had been used to grasp the pir. The witness then detailed a conversation had with Elliott in the Council Bluffs jail, in which Elliott told of his movements previous to the murder and told of receiving \$100 by mail from an uncle in Alton, O. Elliott said the money was in one bill and he went to the Omaha National bank and had the bill changed. The witness also stated that Elliott told him he had been a cowboy in Texas and Indian territory. At this statement of the witness

territory. At this statement of the witness Elliott seemed to be greatly amused.

Detective Cox testified to the condition of the bedding and toilet articles in the room where Hutsonpiller was found, and the blood-stained articles were produced in evidence. All these articles were evidence. evidence. All these articles were excluded except the carpet taken from the floor and the paper which was under it, both being saturated with blood. The witness produced the trousers taken from the body of Hutsonpiller. The pockets were all turned in-side out and the witness testified that they were in that condition when he first saw the body. He also produced a pair of trou-sers taken from Elliott at the time of ar-rest. He said these trousers were turned over to Dr. Foote to make a microscopical examination of the spots on them. The witness told about searching Elliott at Cedar Rapids and finding \$65 in large bills in the top of Elliott's hat. The money was handed to the jury for inspection and the jurymen

Judge Keysor yesterday morning passed upon the application of Mrs. Virginia B Galligan for a writ of mandamus to compel the police commission to grant her a late J. J. Galligan, for many years chief of the fire department of this city. Testimony in this case was taken several weeks ago. A writ of mandamus was ordered to issue directing the board to take action upon the application of Mrs. Galligan. Judge Keysor said the granting or refusing of the applica-tion was a legislative act and the cour ould not restrict the action of the board, out he granted the application to the extent

Board Must Take Action

The application for a divorce made by Mrs. Inda Coffman from Samuel J. Coffman has een dismissed in this county, Mrs. Coffman Declares the Usual Dividend.

NEW YORK, Dec. 18.—The Chicago, Rock faland & Pacific Railroad company directors have declared the regular quarterly dividend to the case which was pretty thoroughly sociation were increased \$785,000 today, wentllated several months ago in the courts making the total held \$43,000,000, age again of

Thirty-sixth and Leavenworth streets. Coff-man is a stockman at South Omaha and his wife asked for the custody of two small children, both girls.

In response to a call issued by Superin

VOTE DOWN THE PENSION BILL. End of an Exciting Episode in Colorado Omaha Teachers Decide Against the Much-Discussed Mensure

of the public schools met in the board rooms in the city hall last evening. was announced that Chancellor J. In Mac-Lean of the State university would give an address, but there was additional inter est lent to the session by the fact that the dispute in connection with the teachers pension bill would be settled. The school forces have been almost equally divided upon this subject ever since its introduc-tion, many of the teachers contending that a

Previous to bringing up the subject of the pension bill Superintendent Pearse in-troduced Dr. Owens, who gave an instructive sor, was the first witness called yesterday lecture to the teachers on the care of the morning. His testimony was mainly cor-

service to deserve a pension should have

saved enough money on the wages paid to

live comfortably. Others contended there were accidents unforeseen that might take a

Chancellor MacLean followed in a most entertaining address upon the subject of "The Missionary of Culture." It was devoted to the description of the old and modern methods of teaching, in which he likened the present day instructor to a Denver, missionary of the highest order. The n

Superintendent Pearse then opened the discussion of the pension bill. He invited all present to give their views of the matter. from the hotel register.

Hutsonpiller's box was traced to the depot and John Benson, a baggageman at the depot, testified that Elliott had given him their particular calling that other people when the particular calling that other people who received the same salesties are desired. their particular calling that other people who received the same salaries avoided. She was of the opinion that but little money could be saved by a teacher during service. It was but fair, it was stated, that when old age came on that he or she should be provided for. The thread of the discussion was then taken up by Mrs. Lemon, Misses McHugh, Shippy, Shirley, Mr. E. J. Kelsey and others. At the conclusion the matter was put to a vote. The ballot resulted in a vote of 143 against and 110 for the bill. It was declared defeated.

It is probable, however, that the subject of a pension will again be taken up in the near future, when it will be advocated that the state create a fund for the support of Incapacitated.

HANGED FOR MURDER OF A GIRL Colored Ravisher Meets His Death on

the Gallows Tree. UPPER MARLBORO, Md., Dec. 18.-James sinking fund. It is the intention, however, to offer more of the sinking fund bonds for sale before January 1, if the responses to sale before January 1, if the responses to sale before are sufficiently favorable.

Annie Gaul, a chambermand at the Smith, colored, was hanged here at 10:32 a. m. today. Smith was brought here on a spologized for the fact that he and Hutson-apologized for the fact that he are Railway Notes and Personals.

The Kangas City-St. Louis lines will not need the reduced rates of the reduced rates of the member of the room while they were the reduced rates of the room while they were the route for holiday trade.

As the Trinity congregation is composed of has been confined in Baltimore since his arcest. Prior to his departure from Baltimore of the richest and most prominent arcest. Prior to his departure from Baltimore in the room while they were at dinner. "My friend is not feeling well."

The Kangas City-St. Louis lines will not could not clean the room while they were at dinner. "My friend is not feeling well."

The Kangas City-St. Louis lines will not room. She said Elliott asked her if she could not clean the room while they were at dinner. "My friend is not feeling well."

The Kangas City-St. Louis lines will not room. She said Elliott asked her if she could not clean the room while they were at dinner. "My friend is not feeling well."

The Kangas City-St. Louis lines will not room. She said Elliott asked her if she could not clean the room while they were at dinner. The Kangas City-St. Louis lines will not room. She said Elliott asked her if she could not clean the room while they were at dinner. The Kangas City-St. Louis lines will not room. She said Elliott asked her if she could not clean the room while they were at dinner. The room is not feeling the room of the richest and most prominent arcest. Prior to his departure from Baltimore. He has been confined in Baltimo

> Margaret Drown, a young woman, lived with her aunt near the little town of Upper Mariboro, Prince George's county, Md., was found dead in her room on the evening of July 29 of this year. Her throat was cut and there were evidences that andismissed for having made improper advances toward the girl. Smith was ar-rested on the following day in Washington, and confessed to having committed the murder, but denied the other crime. He was removed to Baltimore for safekceping until his trial, at which time he again confeesed, and attempted to put a stain upon the character of his victim by alleging that improper relations had existed between them, and that he committed the because she persisted in breaking off thes relations. He was promptly convicted and again removed to Baltimore for safekeeping, public indignation rendering a lynching almost certain if he had been confined in Prince George's county. He has during the entire period which has elapsed since the murderer, maintained the most stolcal indifference to his fate.

TAKEN IN BY THE SUGAR TRUST.

Woolson Spice Company Passes Into the Big Combine's Control. TOLEDO, Dec. 18.-The American Sugar Refining company, better known as the Sugar trust, has closed a deal for 1,100 shares of stock of the Woolson Spice company of this city, being eleven-eighteenths of its total stock. The price to be paid is \$1,265,-000. The story of this gigantic transaction to an interesting one. Some time ago the Arbuckles, the "coffee kings," branched out into the sugar business. A large refinery was built in New York, and thereby the Arbuckles became the competitors of the American Refining company. The latter was not at all pleased at what it considered an intrusion. At first the refining company offered to buy out the Arbuckle plant, so the story goes, but the latter refused. They the refining company concluded to flank the movement of the Arbuckles, and hence this deal. Representatives of the refining comrany opened negotiations with the Woolon people, who are a very close second to the Arbuckles in the coffee business, and Mr. Lawrence Newman, one of the largest shareholders of the Woolson Spice company, went to New York to confer with the re-fining company. He is there now and has practically closed the deal.

THIEVES SURPRISED AT WORK Dropped Their Booty and Made

Hasty Exit.
A couple of sneak thieves entered the residence of Dr. Mathews, 1943 Park avenue, yesterday morning and started to thoroughly ransack the premises. About 10 o'clock Mrs. Mathews, who had been visiting a neighbor, unexpectedly returned and found the thieves in a front parlor buelly engaged in tying up her sealskin cloak, a suit of clothes and numerous other articles. Her entrance frightened the thieves so that they dropped their booty and fied through a back door, making good their escape. It was found afterward that they had succeeded, however, in getting away with a gold thimble and some other minor articles which they had hastily crammed in their pockets. An en-trance was gained through a front deor, which had been left unfastened.

Quits the Pulpit for the Stage. SAGINAW, Mich., Dec. 18,-Rev. Benjamin T. Trego of St. John's Episcopal church

has resigned. On January 1, it is said, he will leave the active ministry and take up the stage, of which he has long been an ardent student, having written neveral requiring the board to act upon the apmeritorious plays.

Banks Have Plenty of Gold. NEW YORK, Dec. 18 .- The deposits of seemed to be secured by first mortgage when through Omaha Thursday afternoon enrouts of one-half of 1 per cent, payable February 1. of Douglas county. The parties lived at \$15,000,000 since the national election.

REMOVED FROM THE PULPIT

Church Circles.

Methodist Judicial Conference Passes Judgment Upon a Denver Clergyman Who Dared Criticise the Conduct of His Bishop.

There was a sensation in the judicial conference of the Methodist church, which has just concluded its labors in this city. It was kept a secret during the session, but some of the details have leaked out. It has been learned that Rev. Frank F. Passmore of Denver was convicted of immorality and unministerial and unchristian conduct and was excluded from the Methodist ministry.

Something like two years ago the Colorado conference found Rev. Mr. Passmore guilty of the same charges and expelled him from the pulpit. This decision was appealed to the recent judicial conference, which is the final appellate court for church matters. Neither sentence, however, excludes Rev. Mr. Passmore from membership in the church, but positively forbids him from preaching Methodiat doctrine.

The difficulty between the preacher and the high officials of the church runs back some years, when he was the paster of a Methodist church in the vicinity of Denver. The trouble grew out of utterances that he made regarding the worldly behavior of some of his superiors in the church and of some of the pastors who had churches in

The most prominent of the specific charges brought against the preacher accused him almost of biasphemy in his utterances and writings concerning the marriage of the rich cattle queen of Denver, the Widow Hiff, to Bishop Warren, whose episcopal residence is located in Denver. The ceremony occurred about four years ago. It was made the occasion for one of the most magnificent displays that the Mountain City had ever seen in the social line. Money was spent lavishly and without stint and the affair was marked with every adjunct that taste and luxury could dictate and wealth could obtain.

TOOK THE BISHOP TO TASK, Rev. Mr. Passmore severely rebuked from is pulpit, in letters and in newspapers and magazines this estentation and extravagance f his superior officer in the church. called attention to the fact that hundreds of people in Denver were suffering from starvation, were freezing and destitute, while the bishop, their spiritual leader, was spending money in a kingly and royal fashion. These utterances were the occasion for any amount f comment and gained wide circulation in the church.

Rev. Mr. Passmore was as severe in his treatment of other officials of the church, He attended services at the most magnificent Methodist edifice in Denver, the Methodist church, which is under the pastorage of Rev. Robert McIntyre, Mr. McIntyre preached on the topic, "The Model Old Maid." Shortly afterward Mr. Passsermon, charging that they were more after the fashion of a theatrical show than an exposition of the gospel.

sensation.
Other churches and ministers in Denver Elliott had said to her, "and he wants to fused the ministrations of a Catholic and the vicinity were handled as roughly lie down after dinner." The witness said she prices, who tendered them upon the prisoner's by the recalcitrant minister. He began and kept up a vigorous-campaign against sensa-tionalism in the church. He charged that ministers and congregations were more ambitious to build up their churches for worldly display than to gain converts and work in the service of the Lord. He spoke

of many as being Godless. other heinous crime had been committed. The chancellor of the Methodist university Suspicion was at once directed toward in Colorado was also rebuked by the vigor The chancellor of the Methodist university James Smith, a mulatto, who had been a ous and bold preacher. Rev. Nat Chamber-servant in the family, but who had been lain, the presiding elder of Wyoming, which is a mission field, was another of those at-tacked by him. The minister denounced Rev. Mr. Chamberlain's practice of living in Denver and paying only occasional visits to his field, traveling to and fro in Pullman palace cars at the expense of the church, as the elder received his expenses in addi-

> ARTICLES WIDELY READ. Mr. Passmore wrote letters, not always brivate, regarding these men of the cloth. As he is brilliant, effective and plain, his words were widely read and were the occaion of much comment. All the articles and nany of the letters were introduced as evilence before the Colorado conference, Mr. Passmore was first accused of morality and unministerial and unchristian He was prosecuted then by a prother of Rev. Frank Crane, who was at one time pastor of the First Methodist church of this city. In his arguments Mr.

Crane said: "If Mr. Passmore is right in these matters, then all my sermons are damned."

After the conviction of the minister by the conference and his exclusion from church, an appeal was taken to the judicial onference which met in this city. again the letters and papers were luced in evidence. The trial occurred before a jury of four men, one from each of the following states: Colorado, Iowa, South Dakota and Minnesota. The decision of the conference was affirmed. The only appeal

that the minister now has is to the general conference, which meets in 1990, and it is considered that he has no chance for a reversal of the decision there.

It is considered by local Methodists that the decision of the judicial conference was affirmed by the appellate court of the church, principally because his contract. principally because his exclusion from the church has had no offect upon the minister. Although his pastorate was taken away spoke from other pulpits, many of which he found onen to him. In these he continued to denounce the worldliness of the Methodist church, drawing unpleasant comparisons between its policy and the strict and economical conduct of the early Methodists. As he is looked upon as a fighting minister it is believed that the appellate court's action will not deter him one lots, but that he will continue his crusade.

THIS YOUNG WIFE TRIES SUICIDE.

is Sorry for It. KANSAS CITY, Dec. 18.-Mrs. Lillian. Calhoun Turner, daughter of Rev. J. C. Russell, a Baptist minister at Dallas, Tex., attempted to commit suicide last night by taking a done of arsenic, because her husband, a bookmaker, bad mistreated her. The woman's life was saved after heroic offerts of the police surgeon. Mrs. Furner married against the wishes of her parents,

The Turner mentioned in the Kansas City dispatch is Bob Turner, at one time or another well known in Omaha gambling and political circles. The last time he was here was as a penciller for one of the bookies at the Council Bluffs races two years ago. He came here carry in March with a beautiful young girl whom he introduced to friends as his wife. He was in Minneapelis during April and May, returning here in June with a bookmaker from Dan Stuart's Dallas fex., house, and remained through the Union Park meeting, when he went south. At that time Mrs. Turner was scarcely more than 16 years of age.

Rich Man Goes to the Pen. COLUMBUS, Dec. 18 .- Allen Ady, who failed for half a million dollars, was eenteneed to the penitentiary for eighteen months for borrowing money in a way which