

STATE OUTLINES ITS CASE

Will Depend Almost Entirely Upon Evidence of a Circumstantial Character.

BELIEVED THAT DEFENSE WILL WAIVE

Examination Will Be Closed Today and It Is Expected the Prisoners Will Be Held on Slaves' Identification.

Yesterday's proceedings in the preliminary hearing of the Kastners were long and tedious. The state practically completed its case at noon, when the examination of Hope Expert Rice was finished. The expected closing, however, was delayed by the defense, which occupied the entire afternoon in cross-examination of this witness and at adjournment, after 5 o'clock in the evening, announced that it intended to renew the examination this morning.

The state's case is now fully outlined and is almost purely of a circumstantial character. The main circumstances are as follows: The wet jacket and cap, belonging to the elder Kastner, indicating that they were worn during the rain on the morning of the tragedy, the rain having ceased at 4:30 o'clock; the presence in their barn of a drill which fits the marks left in the gutter and window which had been forced open; the fact that ropes, cord and sacks similar to those found at the saloon were discovered on the Kastner premises; the allegation that witness Mackey saw the Kastners two blocks from the saloon at 11 o'clock on the night of the shooting, when all the Kastners allege that they were at home from 7 o'clock until the evening of the next morning; the fact that the averments of the Kastners that they have had no weapons in their possession within two years have been diagnosed as being untrue; shown that they had in their possession within a year bullets similar to those with which the two officers were shot. There with the identification of the Kastners by Officer Glover, who was not cross-examined on this point.

It is the general opinion of those who have followed the examination that the state's evidence, and will not put in any of its own. It is also believed that, mainly because Glover's identification was not contested, the Kastners will be bound over. However, County Attorney Jeffrey is prepared for a discharge, as he has made arrangements to arraign the prisoners before a Justice of the peace if they should be released.

Yesterday morning the state occupied the time in introducing further circumstantial evidence, showing the similarity between the ropes and sacks found in the saloon and those in the Kastner barn. The evidence was given by Fred Rice, 248 Erie street, who is a painter and a rope expert.

Two different kinds of hempen ropes were attached to the sacks found in the saloon. Pieces of exactly the same kind of rope were discovered in the Kastner barn. Five different kinds of white cord, attached to the saloon sacks and holding together jugs and bottles, were duplicated by rope found in the barn. The ropes and cord were of the same material, size, texture, were woven in the same manner and all the same color. Generally were sold to the same degree in each case. The different pieces varied in diameter from one-eighth to one-half inch. Only one piece was found on the saloon, and at the saloon was not duplicated out of the bunch in the Kastner barn.

Witness Rice also testified that several of the knots on the rope and cord found on the Kastner premises. He also said that several of the sacks in the barn were exactly similar to two of those found in the saloon, so far as texture, shape, size, method of weaving and other details were concerned. A duplicate of the other sacks found in the saloon was not brought to light in the barn. A duplicate of the other sacks found in the saloon was not brought to light in the barn.

The bullet found on the saloon premises was a 44-caliber, Wadley, and that taken from Glover's wound was of the same kind. That was the testimony of W. B. Townsend. The value of this evidence became evident in the light of the testimony of a witness Tuesday, Mrs. Gevinner, who swore that last July she sold the Kastners a 44-caliber revolver, the property of her former husband, Fred Barker. Barker was in the employ of Townsend when he was killed, and when Mrs. Gevinner sold the weapon to August Kastner she also sold him a box of cartridges. Townsend said that a number of blank cartridges, which Mrs. Gevinner said had been used by Barker in the weapon, were 44 caliber Wadley blank cartridges. In order that it might not be claimed that these blanks were issued from the revolver of either of the officers, Sergeant Mitchell swore that both Tiedeman and Glover carried 35-caliber Colt revolvers.

Louis Kastner, attending to the testimony of Sergeant Rice, wore a wet white hat when he was arrested, although the Kastners all testified that they intended to get another hat upon their first visit. Absolutely free of charge for consultation, diagnosis, treatment or medicine.

The entire afternoon was devoted to the cross-examination of witness Rice, the rope expert. The defense attorneys secured a postponement in order to have the ropes and sacks examined by another expert, and, finally in this began a tedious and lengthy cross-examination. The expert was required to testify regarding each piece of rope, cord and sack in evidence. At 6:15 o'clock, the cross-examination was taken to the next day, an adjournment was taken at 5:30, and the afternoon's proceedings seemed to disgust the defendants, as they stated that they intended to get another attorney. This morning the cross-examination will be continued.

The state has announced that it has finished its case, and has understood the prisoners do not care to put in any evidence in defense.

Don't massage your stomach with tea and bitter herbs, but regulate your liver and sick headache by using those famous Little Early Risers.

Nothing to Eat in Town on July 22 Because the retail grocers of the entire city will close their stores to attend their grand annual picnic at Arlington, Neb. Excursions will be provided. Special train from Webster street depot.

General Western Agent.

Awarded Highest Honors—World's Fair.

DR. J. C. WELLS' CREAM BAKING POWDER MOST PERFECT MADE. A pure Cream of Tartar Powder, free from Ammonia, Alum or any other adulterant. 40 Years the Standard.

IN THE UNITED STATES COURT.

Suit to Compel the Fulfillment of a Contract.

Frank E. Bundy of Lincoln, Pa., has brought suit in the United States circuit court against Robert Anderson and others of Lincoln for an order to enforce a contract.

The story as told by the bill of complaint is as follows: The plaintiff had a lot of notes which had come into his possession in the course of business. On April 23, last, he entered into an agreement with the defendants, whereby he was to give \$10,000 worth of these notes at their face value for certain real estate in Deuel county, Nebraska. The defendant was to furnish a deed in fee simple, free of all encumbrances, to an even section of land and assign a contract and lease on a school section in the same county. There was some delay in the transfer, owing to the necessity for Anderson to secure a quit claim deed from another party to a portion of the land that the title might be clear. The deeds and other papers were placed in the hands of William M. Morning, pending the quit claim deed. After Anderson secured the quit claim he changed his mind about making the deal, for the notes were pressed, and the deeds remained in the hands of Morning. He refused to sign the agreement, for Anderson to prevent Morning from turning these papers back to Anderson.

Stands at the Head. Aug. J. Hoel, the leading druggist of Shreveport, La., says: "Dr. King's New Discovery is the only thing that cures my cough and it is the best seller in my store. I cannot say enough for its merits." Dr. King's New Discovery for Consumption, Coughs and Colds is not an experiment. It has been tried for a quarter of a century, and today stands at the head, it never disappoints. Free trial bottles at Kuhn & Co., Drug Store.

REED AND KIRKENDALL IN COURT.

Ask for a Receiver for Creighton

A. L. Reed and E. P. Kirkendall, who allege to have purchased the Creighton theater building at foreclosure sale, and who have a case now pending in the supreme court in which they seek to establish their claim to possession, have applied to the district court for the appointment of a receiver for the building, alleging that it is not being properly managed. The case was called up before Judge Scott yesterday, the entire day being consumed in the arguments of the parties, who are represented by numerous attorneys, the right of the applicant to a receiver at this stage of the case being the main point of the contention.

The arguments were concluded yesterday afternoon and Judge Scott passed upon the case at once, denying the application for a receiver. He held, as in the motion to confirm the sale, that the sale was illegal and void and that Reed and Kirkendall had not acquired any interest in the property and that they were not entitled, therefore, to a receiver.

John Griffin of Zanesville, O., says: "I never had a day for thirty years without suffering, until I got a box of Dr. Witt's Hazel Salve cured my piles." For piles and rectal troubles, cuts, bruises, and all the same number of ailments, Dr. Witt's Hazel Salve is unequalled.

NEW OFFICE HAS BEEN CREATED.

Allen Appointed Court Messenger at Government Building.

There is a new officer around the post-office building. He is a court messenger. He is an Oregonian here, and is the subject of much discussion among the old habits of the building.

The Department of Justice has recently issued an order providing for such a position here, and Judge Munger appointed Charles W. Allen of this city to the place. It is expected the appointee is a nephew of the late senior senator. He will have his office at headquarters in the large room on the second floor, which has been used as the judge's chambers. He will have his office in the room that connects with the private rooms of the judge and with the office of the clerk of the United States circuit court, by which to summon the messenger when he shall be needed.

A Fish Story.

The man who can catch the biggest fish story, and has the fish to back up the retail grocers' picnic at Arlington, will receive a cash prize as large as the fish.

Tours in the Rocky Mountains.

The Denver & Rio Grande railroad, offers to tourists in Colorado, Utah and New Mexico the choicest resorts, and to the transportation of the grandest scenery. The route is to the Colorado, the greatest gold camp on earth. Double daily train service through Pullman sleepers and tourist's cars between Denver and San Francisco and Los Angeles.

SPECIAL EXCURSION.

Thursday, July 15, 1897, to Hot Springs, South Dakota.

Tourist resorts in other directions having low rates of fare, this popular resort comes in for round trip, via the Northwestern Line, Thursday, July 15th. Leave Omaha 7:00 a. m. for Hot Springs for breakfast NEXT MORNING. Palace sleepers and free reclining chair seats.

LOW ONE-WAY RATES.

To All Points East.

Via the Burlington route, July 16, 17, 18, 19, 20, 21 and each Friday and Monday thereafter, until August 12. The rate is a low one-way rate of the above low-rate days, and you save enough to cover all the incidental expenses of travel—berth in sleeping car, meals, transfers, etc.

Spent Summer at Hot Springs, S. D.

No dust. No hot winds. No sudden changes in temperature. Elegant hotels. Largest bathing bath in the west. Thermal water of inestimable value to sufferers from rheumatism, kidney troubles, etc. Abundant just right for consumptives. Endorsed by the leading physicians and medical journals of Nebraska and Iowa and the healthiest health resort on the continent.

Half Rates, July 15, via the Burlington route.

Ask city ticket agent, 1502 Farnam st., for particulars. Beautifully illustrated advertising matter mailed on request.

Retail Grocers' Picnic.

At Arlington Park, Arlington, Neb., July 22. Fine grounds, with plenty of water for bathing and fishing. \$2.00 cash in prizes.

DEWANEY ESCAPES PROSECUTION.

One Live with His Wife Without Fear of Arrest.

The county attorney has ordered the dismissal of the case of perjury against Richard Dewaney.

Terney of Council Bluffs. It was without the consent of the girl's mother, that she was in years of age, when, as a matter of fact, she was not. Mrs. Terney at once swore out a warrant charging her new son-in-law with perjury, but it was not served until Dewaney came to the city, a short time ago, he having returned to Missouri Valley after the marriage. Upon investigation it has been learned that the girl's representation that she was in years of age, and therefore the county attorney concluded that he could not substantiate the charge.

Vin, sign and victory—these are the characteristics of Dr. King's Little Early Risers, the famous Little Pills for constipation, biliousness and all stomach and liver troubles.

CHRISTIANS COMING HOME

First Installment Will Go Through Omaha at a Late Hour Tonight.

ENDEAVOR TRAVEL STARTING EASTWARD

Advance Guards Close Their Prayer Books and Begin Their Journey Toward the East—Railroads Work for the Trade.

The Christian Endeavor travel has started eastward. The advance guards of those who have secured sanctification through the religion and prayer service at the Golden Gate reached Ogdun yesterday and took a special train on the Union Pacific for this city at 2:30 o'clock in the afternoon. This party will go through here at a late hour tonight. A half dozen Union Pacific officials are out at Ogdun assisting in the transfer of trunks from the central Pacific to the "Overland Route" and will remain there until the last special train of the homebound Endeavor leaves Ogdun for Omaha.

The Burlington reports that most of its eastbound business is coming via Billings. All the northern routes, especially those via Yellowstone park, are immensely popular with the returning travelers. General Passenger Agent Wakeley, of Burlington, reports that he had just received word of a special train of Missouri Endeavorers that would arrive here on Friday, July 24, and on every Tuesday of seven sleepers and will come via Billings. The Connecticut delegation left San Francisco Tuesday and is en route east over the Burlington line. The majority of the party of the Northern Pacific-Burlington parties this delegation will pass through Omaha.

CHEAP RATES PREVAIL.

With the cheap rate of \$22.50 from San Francisco to Omaha there has also been established by all western lines greatly reduced rates between intermediate points, for the return travel. The regular fare of \$12.75 from here to Chicago will be whittled down to \$8.25, the tickets to be on sale from Friday of this week, July 16, until Wednesday of next week, July 23, and every Tuesday date tickets may be purchased from here to Chicago on Fridays and Mondays until August 13 at the same figure, \$8.25. This is the reason why passenger men about town have about given up hope of selling many more Chicago tickets during the summer at this rate of \$12.75 each.

Rates from Denver and other Colorado points to Omaha and to Chicago are also to be subjected to a close shave while the Endeavorers are on their way back from the coast. The regular fare of \$10.00 to Omaha will be \$10 during this period, and that from Ogdun, Utah, here will be cut down to \$18.50. These rates will be offered from July 21, and on every Thursday and Sunday thereafter until August 12. Omaha passenger men anticipate a large volume of travel eastward, not only from the returning Endeavorers, but also from the Pacific coast and from residents of Utah, Colorado and other western states who desire to take advantage of the cheap rates to visit in the West. The Pacific agent, Frank J. Baker, of the B. & O. said that while the westbound movement of the Christian Endeavorers was on and the reduced rates from here to Chicago, the return rates to San Francisco were in effect, that 50 per cent of the Burlington's westbound business was to be in immediate points. While it is not expected that there will be many more westward tickets, the favorable opportunity to visit eastern points as there were easterners who came west, will be conceded that the Interstate Commerce commission has reduced the Chicago and other eastern points.

SUB FIGHTING OVER ENDEAVORERS.

CHICAGO, July 14.—The Utah-Colorado lines are likely to have considerable trouble with their stop-over tickets from San Francisco.

The Union Pacific today announced the visit in the West of the Endeavorers, OMAHA TO PACIFIC COAST. THE UNION PACIFIC. It is the only direct line to San Francisco, and makes 12 hours' time, and is the only line to San Francisco that is not a through line. Call at city ticket office, 1202 Farnam st.

A Startling Decrease in Omaha's Population

On July 23d, when the retail grocers and their friends leave Webster street depot for the annual picnic at Arlington, Neb., the public will find a little less than 12,000,000 in cash prices. Amusement of all kinds.

MILL CHOOSE OMAHA OR SLATTE

Epworth League National Convention

Another huge convent to which is in a fair way to hold its 188th meeting in Omaha is the Epworth league, now in session in Toronto. The claims of Omaha and the many advantages offered by this city as a convention location for 1888 are being ably presented to the meeting of the league, and the board of the league has narrowed down to Omaha and Slatte. The object of the league, as a meeting held yesterday, decided that the convention should be held next year at one of these cities. Both are making a hard fight for the prize.

Death of an Old Timer.

Nicholas C. Crocker was recently committed to the city jail for a term of six months, was employed by Calvert & Co. in 1881 he left Mr. North's employ and went to Colorado to prospect. Some years later he returned to Omaha, where he found the famous mine to which he gave the name of Crocker's mine. He died at the age of 75 years ago Mr. North went to Colorado and called upon his old employee and had a long talk with him. He died at the age of 75 years ago Mr. North went to Los Angeles to settle down.

Brecken's America saved.

The best sales in the world for 1897, Brecken's America, which has been sold in all parts of the world, and is positively cured in 7 to 10 days required. It is guaranteed to give perfect satisfaction or money refunded. Price 75 cents per box. For sale by Kuhn & Co.

Marriage Licenses.

Permits to wed have been issued to the following parties by county judge: Age, John A. Anderson, Fort Croker, Neb.; 21 Mary Larson, Omaha; 21 Charles Schmitt, Omaha; 21 Annie L. Larson, Omaha; 21 George B. Plandt, Omaha; 21 Edna Plandt, Omaha; 21 Matthias P. Pearty, New Boston, Ill.; 21 Hattie Ross, New Boston, Ill.; 21

Home-seekers' Excursion.

On July 23 THE MISSOURI PACIFIC RAILWAY will set out to points in the South and Southwest at one fare plus \$2.00 for the round trip. For rates, land, pamphlet, etc., write or call at office, N. P. Co., 202 Farnam St., Omaha, Neb. J. O. PHILLIPS, T. F. GOFFREY, A. G. & P. A.

The Gulf-Midland Route

Is the only line running through broad gauge sleepers and chair cars from Denver and Chicago to Omaha. It reaches all points in the Cripple Creek district.

Grocers' Picnic at Arlington.

Special trains from Webster street depot, \$1.00 round trip. Basting, bathing, racing, games and much else. July 22, July 23, 24. ONLY ONE-CENT FARE.

Telephone Line to Dawson.

Yesterday afternoon the Nebraska Telephone company announced that it had secured the right to build a line from Omaha to Dawson, Nebraska, via the Missouri Pacific.

Soldiers Will Go to Chicago.

The Twenty-second Infantry, stationed at Fort Croker, will take part in the ceremonies attending the unveiling of the Logan monument in Chicago on Thursday, July 22. Word was received at the headquarters of the Department of the Platte this morning that the regiment will be ordered to Chicago the day prior to the unveiling.

Outlook for a Life Contest.

Ambrose Ellington, an elevator conductor in the law building, has issued a challenge to W. H. Williams, champion elevator conductor of the world, for a championship contest at an early date. Williams is making a bid for the world's title in this contest. Ellington has started for that point, and hopes to secure a contest there.

PEDDLERS ARE IN A COMBINE.

Organization Said to Be for the Purpose of Monopolizing the Market.

There is a Mafia or highbinders' association in existence in this city. This startling information has just been given to the police, who are now engaged in the work of ferreting out the mysteries of the Mafia. According to the information disclosed, the association is conducted to a considerable degree along the lines and the system of the Italian Mafia. The Mafia, however, is not a secret society, but a combination of the name of the "Peddlers' union." The object of this body is not to take life. Its purpose is to force all peddlers of the city into membership, and to make the non-member vegetable peddlers wish that they were in some other business. Their horses have been cut and their wagons have been broken and damaged and they themselves have been annoyed in numerous other ways.

According to the statements made by the complaining peddlers, one of the rules of the union is that the members shall harass in every way possible the non-members. More than that certain parties are engaged and employed to carry on this work. These employes are called "hit men" and their duty consists in harassing and stealing the property of the non-members. It is said that a portion of their recompense is the "hit" or the "kick" of the stolen produce to members of the union.

It is stated also that there is a by-law in the constitution of the union providing that any member who shall be presented or shall be called upon to pay for any damage done by the performance of his duty shall be taken care of by the union. For this purpose a fund is in existence, to which the members contribute.

Identified as a Sneak Thief.

Frank J. Curran arrested yesterday morning by Officer Ramsey, has been identified as the sneak thief who was caught in the room of John F. Brooks, at 1607 California street, a few days ago. Brooks heard the man in the room and went to investigate, but the thief had already fled and compelled him to withdraw. He succeeded in making his escape before the arrival of the police. Brooks identifies the man.

COMMITTEE DECIDES FOR OMAHA.

Repudiate National League May Come to This City.

A telegram to The Bee from President Charles E. Winter, who is in attendance at the convention of the National League of Republican Clubs, now in session at Detroit, announces that Omaha was victorious in the first ballot on the location of the place of meeting for 1888. The committee to which the matter was referred. Three ballots were required to settle the matter, but Omaha carried a majority on the last ballot, and will be recommended by the committee.

COMMISSION READY FOR BUSINESS.

Nebraska Will Make an Exhibit at the Exposition.

Judge Neville, chairman of the Nebraska State Exposition commission, was in the city yesterday in consultation with the exposition management. He stated that the commission was organized and ready for business, and would establish headquarters in Omaha as soon as the state appropriation becomes available. These headquarters, the board will be in charge of the exhibit at secretary of the commission, who had not yet been selected. There are several candidates for the position, and the board is waiting for the report of the committee of the exposition management. A written guarantee and money returned if six boxes do not effect a permanent cure. Write for circular and testimonials.

MANHOOD RESTORED "CUPIDINE"

BEFORE AND AFTER

CUPIDINE STRENGTHENS AND RESTORES MANHOOD

Address: DALLAS, TEXAS, CO., P. O. Box 376, San Francisco, Cal. For Sale by MYERS-BROWN DRUG CO., 8 E. 10th and FARNAM STREETS, OMAHA, NEB.

ROCK ISLAND SENDS IN CASH.

Subscriptions to Exposition Stock Continue to Roll In.

The check of the manager of the Rock Island railroad was received at exposition headquarters yesterday as promised by the telegram of President Cable to Manager Lindsey Tuesday. The check was accompanied by a letter from the treasurer of the road, stating that the amount was subscription to the stock of the exposition, but like all the other railroad subscriptions the right was reserved to make the subscription a donation.

Prospectors Will Drill.

An order commanding the members of the Transmississippi Prospectors to assemble for mounted drill this evening at Twenty-third and Spitzer streets has been issued by Colonel C. P. Webster, commanding the brigade in the absence of General Webster. The hour for assembling is fixed at 7:30 p. m., and the drill will be under the direction of Captain R. W. Patrick of Fort Pitt. The order for drill includes officers as well as privates as it is considered desirable that all officers should be posted in the mounted drill as well as the privates.

WHI Work in Harmony.

President Wadlow has received a letter from R. C. Hill, secretary of the Pan-American Exposition association, which was organized in Buffalo a few days ago for the purpose of holding an exposition in the city of Niagara in 1898. Secretary Hill desires to assure the management of the Transmississippi Exposition that the Pan-American exposition is not designed to be in competition with the western exposition, but desires to work in harmony with it and cooperate in every way.

Out for a Trrolley Ride.

There was a jolly trolley party Tuesday evening given by Browning, King & Co. to their employees and a few invited friends. The party was brilliantly lighted and an orchestra was taken along to enliven the journey with music. The party was charged with Major and Mrs. H. S. Wilcox. Two cities of Council Bluffs and Omaha were covered in the trip, and the cheers of the guests informed explicitly that somebody was out for a pleasant evening. After the ride the party was served with refreshments and good nights were then exchanged.

CASTORIA

For Infants and Children.

Wentworth Military Academy, LEADING SELLERS, KEOKUK, IOWA.

PROMISE TO WIN A VICTORY

Confident in Their Ability to Excel Any Competing Company.

THURSTON RIFLES START FOR SAN ANTONIO

Young Soldiers of Omaha Go South to Defend the Galveston Cup, a Prize Which They Now Hold.

"The Thurston Rifles, Omaha" was the inscription borne by the two immense banners that hung on both sides of the car occupied by fifty members of the crack military company of the United States. The company left on the Kansas City express of the Missouri Pacific from Webster street station a few minutes after 3 o'clock yesterday afternoon. The men were under the command of Captain Poye, and were accompanied by their drill-masters, Lieutenant Van Liew and Sergeant Shaw of the Second Infantry, United States army. Captain S. Wright Butler is in the car. He was unable to return in time to go with the young soldiers to the interstate competition in which they will compete. There was a good sized crowd of spectators at the station to say goodbye to the soldier boys and to wish them every success in their laudable mission.

From here to Kansas City the company travels in a special chair car attached to which is a special baggage car filled with the military equipment of the company. Kansas City will be reached at 10 o'clock last night, and the chair car was there changed for a sleeper on the Missouri, Kansas & Texas railroad. The "Kays" southern line has been selected as the route, and the two cars out of Kansas City will go right through to San Antonio. The latter point will be reached on Friday morning, and the Omaha company will participate in the grand parade of all competing companies that afternoon.

The Galveston cup, away from Omaha, will know that it has been through a night's stiff struggle. Fifty men, including non-commissioned officers, have been taken to the interstate competition of forty men, but there are a number of substitutes to take the place of any men who may fall below the mark. With the Galveston cup goes a cash prize of \$100, and the Omaha company has its eye already peered for the prize containing this amount.

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Wentworth Military Academy, LEADING SELLERS, KEOKUK, IOWA.

Wash Wash Wash. Buy a year ahead. Why not? These are linen—not cotton or cotton. While you have the chance.

All of this week we will devote our best efforts to closing out our Wash Suits for boys. Never again, in all probability, will you be able to get so much for your money, and it will pay you to buy now for next year. We sell a good Wash Suit for 25 cents. It is made from a good quality of linen that is warranted to hold its color in the tub. We sell a better suit for 35 cents. For 45 cents we sell a really splendid suit, and for 65 cents we sell the regular dollar suit around town. Two things bear in mind about our Wash Suits—first, they'll wear and second, they'll wash. We don't know of a single department