

SULLIVAN HELD TO ACCOUNT

Coroner's Jury Fixes the Responsibility for Thomas Kirkland's Death.

RESULT OF DRINK AND A QUARREL

Murderer Was in a Fighting Mood and Had Been Fighting with the Negroes Before the Shooting.

An inquest was held yesterday afternoon by Coroner Swanson over the remains of Thomas Kirkland, who was shot and killed Monday night by Thomas Sullivan.

Sullivan volunteered a statement in which he told the jury that when he left Walter Brandes' saloon with the revolver he "really did not intend to shoot anybody," but simply "to scare the negroes." Suddenly, however, a missile of some kind fell past him and seeing a man turn the corner of Leavenworth on South Tenth street, and supposing it was he who had thrown the missile, he shot at him. It proved to be his friend, Thomas Kirkland, the result of which broke down when he reached the climax of his statement. There were tears in his eyes and he choked with emotion. His statement was given toward the last.

The witnesses called were Policeman William H. Storey of 2321 Farnam street, on whose beat the killing occurred; a burly negro named Thad Lockley, whose home is 588 1/2 South Tenth; Lockley's mulatto wife, Rob Samuels, a little shiny faced black, Mrs. Clara Hill, white, a widow living with the Lockleys; Police Sergeant Daniel W. Her, Walter Brandes, the proprietor of the saloon in front of which the affair occurred; his wife, James F. Bell; James F. Bell, a peddler, and his wife, who occupy adjoining apartments in the same building where Kirkland and Sullivan lived; the young woman with whom Sullivan has been consorting and who was with him all during the evening.

Only Point in Controversy.

A point over which there was a conflict of testimony was whether the negroes had thrown a stone or brick at Sullivan or not. Lockley and Samuels said they did not, but Tadlock said Samuels did throw a stone at Sullivan and the latter himself seemed of the opinion that Lockley, the big negro, struck him with a missile of some kind in the left breast, which, he said, felled him to the sidewalk.

From the evidence it was gathered that the whole matter originated in Sullivan's having words with Lockley's wife and the Hill woman about 9:30 p. m., over their picking up some shingles back of Brandes' saloon for kindling wood. They talked him to him and threatened to send their husbands to settle with him. He had been drinking beer and also whisky, so the Hultberg woman said, and applied some vile epithets to them. They went home and sent Samuels to take him to task. Samuels saw Sullivan had a knife in one hand and a brick in the other and thus frightened him out of any desire for further trouble, so he went back. But he returned with Lockley, whom he had just met coming home from some errand.

Sullivan asked them if they wanted trouble, telling them if they did he was the "king of the niggers." They said they were not looking for any fight and according to their story, left him for good.

Subsequently and just before the shooting, the little negro, Samuels, returned to the saloon, Sullivan was there and attacked him, catching him by the neck and collar and tearing his clothes. Samuels got away and ran some distance from the saloon, Sullivan after him. Officer Storey saw the scuffle and chase, but attached no importance to the matter at the time until the shooting. It was during the chase of Samuels, Sullivan said, that he (Sullivan) was felled by a stone thrown by someone.

Accounts Differ Somewhat. Immediately from the story told by Sullivan himself and Tadlock and Bartender Bill, Sullivan rushed back into the saloon, got a revolver from behind the bar, went out and shot, but while Tadlock testified that Sullivan said he was "going out to shoot some nigger," Sullivan says he never intended to fire the weapon until a rock or brick flew by him and he saw a man coming around the corner. Officer Storey, who saw the pistol flash and the victim fall, said it was quite light at that vicinity at the time. It was about 11 p. m. A brick was found on the sidewalk. Bell was not able to keep Sullivan from getting the pistol and going out with it.

No sooner had Sullivan discharged the pistol than he ran back and threw the weapon into the saloon on the floor, crying out: "Oh, God, I've shot my best friend, Tom Kirkland!"

There were no shells or cartridges in the revolver when it was picked up. Sullivan had loaded bar for Brandes and knew where to look for a pistol. Nobody could say whether all the chambers of the pistol

had been filled or not. It was one of two kept by Brandes.

The Tadlocks said there had never been any trouble between Sullivan and Kirkland—one lived upstairs and the other down. Kirkland had gone out ostensibly to purchase some tobacco. Mrs. Tadlock said he had been drinking slightly as his wife had taken her trunk and left that day without telling him. Sullivan said he had known Kirkland for an intimate friend.

Kirkland testified to seeing a knife and a brick in Sullivan's hands at the first quarrel with the negroes.

After some time spent in deliberating the jury fixed upon Sullivan as the responsible party for Kirkland's death, and recommended holding him to the district court.

An attempt by Sullivan to show that his left breast was made "black and blue" by the contact with the stone which he said hit him was not satisfactory. His skin did not show any discoloration that was convincing.

WORK OF HOLD-UP ARTISTS

Burly Negro Assaults and Beats a Young Girl on North Twenty-Second Street.

The perils that attend women who venture unprotected on the streets after nightfall, was the present inefficient condition of the police, were shown in a brutal assault upon Marie Nelson, a young girl on her way home to 2827 Cass street, shortly before 10 o'clock last night. She was seized by a negro at the corner of Twenty-second and Chicago streets and half strangled and badly bruised before the citizens of the neighborhood, most of whom were sitting on their porches, came to her rescue.

The girl is a domestic in the family of H. W. Inghram, and left the house after supper to attend a friend to the depot. After the train had left Miss Nelson went to the home of Mrs. Olson, on Eighteenth and Mason streets, where she stayed until 9 o'clock. She then walked north to Chicago and turned west. At the top of the steep hill ending at Twenty-second street the girl paused for a moment and then started on the descent toward Twenty-third street. She had gone only a few paces when she noticed a black object flying toward her from the fence in front of her. As she endeavored to pass a negro sprang to his feet and catching the girl around the waist, threw her heavily to the ground. Her head struck the curb and her forehead and left eye were badly bruised and discolored. She screamed several times, but the negro, who had cut her by the pressure of his fingers on her throat. When her assailant eased the grip on her throat she screamed once more for help.

Ben B. Wood, Thomas Kilpatrick, Lewis M. Bennett and other citizens were sitting on their porches with their families when they caught the girl's cries of terror. The negro saw that the neighborhood was aroused and released his victim. The girl says that even after he had started away he turned once more as if incensed with her screams and desirous of once more silencing them. Several of the men named, however, were approaching and the negro ran a half block north on Twenty-second street and escaped east down the alley.

The girl was picked up fainting and hysterical and taken to the residence of Thomas Kilpatrick, 410 North Twenty-second street, where she remained until she had partially recovered her composure. Her hand still held a tiny pocketbook containing 25 cents and which the assailant had been unable to wrest from her.

The girl was later taken to her home, where she is still in a hysterical condition. She describes her assailant as a short, heavily built negro, wearing dark clothes and a slouch hat. She is quite certain that he was not intoxicated and obtained such a good view of him that she believes she would recognize him on sight.

Although the cries of the girl are described as the most agonized shrieks, no policeman heard the outcry or was attracted to the scene. The neighborhood for blocks around was aroused and startled, but no inquiries were made by the police department until the matter was reported some time later.

Bills of Fare in Fashionable Restaurants. The question has been mooted over and over again, whether the engine of French and German dishes upon the bills of fare of the better class of American restaurants is or is not an improvement. Many pretend that before their introduction our cooking was coarse, barbaric. This is an open question, but no bill of fare presents attractions to the dyspeptic, but they, like the bilious, many of our people, with weak kidneys, can be cured by Hostetter's Stomach Bitters.

Samuel Burns, 1313 Farnam, is selling a nice cemetery vault for \$2.00.

DIED. The funeral of Geo. M. O'Brien, Jr., will take place Wednesday, May 25, at 9 a. m. from St. Philomena's Cathedral.

CITY COUNCIL PROCEEDINGS

Initiative and Referendum Petition is Sent to the Files.

ADOPTS REPORT OF JUDICIARY COMMITTEE

Effort to Have the Matter Brought Up at the Regular Election Fails—Garbage Matter Again Causes Trouble.

The effort of John O. Yeiser and others to get the council to call a special election for the submission of the initiative and referendum questions to the voters of Omaha felt the city attorney Connell's foot last night. He returned the petition with the objection that it was defective in that it did not have the necessary number of signatures of qualified electors. Accordingly he concurred in the judiciary committee's report, recommending simply the filing of the document.

Mr. Connell explains that the special election desired by the initiative and referendum enthusiasts would entail an expense upon the taxpayers amounting to \$10,000 or \$12,000.

Later on Councilman Lobbeck sent up a resolution providing for the submission of the question at the regular election in November, inasmuch as voters there is not the 20 per cent of voters signed to the petition necessary for a special election there is at least 15 per cent. A debate on this matter was avoided by Mr. Lobbeck permitting his resolution to be referred to the judiciary committee.

Yeiser threatens to mandamus the city and thus try to force a special election.

Garbage Contract Up Again. There were indications of a possible storm on the garbage contract matter. Councilman Lobbeck, while a pile of routine business was being disposed of, had slipped in a resolution calling for an investigation by the city attorney of the charges against the garbage contractor for four times violating his contract. In case the city attorney found it true that the contractor had been convicted in any city court of a violation Mr. Lobbeck's resolution demanded that steps be taken toward the absolute annulment of the contract.

Mr. Bechel moved reference to the judiciary committee and Mr. Stult at once followed with a motion to reconsider. Points of order were raised, but finally Mr. Bechel moved the tabling of the motion to reconsider and this carried. Messrs. Burkle, Lobbeck and Stult voting no.

Among the communications was one from Health Commissioner Spalding calling attention to the dumping of garbage and refuse matter about 200 yards above the Izard street pumping station. The city receives 5,000,000 gallons of water daily from this source. He suggested that the dumping of garbage there would have to be stopped to avoid disease or the city would have to discontinue the use of water from the Izard street station. The matter was referred to the city attorney and the judiciary committee.

Working Up Sidewalks. Considering that large numbers of visitors are now flocking into the city to see the exposition, members of the council manifested more than usual interest in sidewalk matters, and a great deal of this business was ground through the council mill. However, at one time it became necessary to call upon City Engineer Roscower for his opinion as to the city's power to compel putting down of brick walks where the street had not been graded. Mr. Roscower said the city could not compel the laying of brick walks in such cases.

With regard to the assessment of \$4,234.10 taxes against the federal government, the city attorney gave it as his opinion that nothing could be done until congress could be induced to make an appropriation covering the matter. Cincinnati's said, was in the same dilemma as Omaha. President Bingham suggested that Mr. Connell draw up a petition and have Representative Mercer push it in congress. The council, however, did not take further action.

The city hall ordinance providing for the employment of a superintendent and four janitors, as amended by the public buildings committee to give the superintendent \$600 per annum, instead of \$65 per month, and the janitors \$50, instead of \$45 per month, was passed.

The Kessler contract for the repairing of water troughs and drinking fountains (\$400 for 1898 and \$275 for 1899) was accepted and approved.

The mayor sent in his approval of the park ordinance covering nuisances and conduct of animals, and that regulating shows and fixing license rates.

Refers to General Lowe. A communication was submitted by Mayor Moores on the death, last Wednesday, of General W. W. Lowe. In referring to General Lowe's military record, the mayor pointed to the fact that the four companies of cavalry furnished by Nebraska during the civil war became a part of the Fifth Iowa cavalry, of which General Lowe was colonel. General Lowe continued in the army until 1869, when he resigned and settled in Omaha. In conclusion, the document contained the following endorsement:

General Lowe, during his nearly thirty years' residence in Omaha, has been interested in every enterprise which promised to help the city. He was public spirited and generous and gave his time, his money, money to further the public interests. He was a gallant soldier, a faithful citizen and a staunch friend. His loss will be deeply felt in our city.

On Councilman Bechel's motion, seconded by Councilman Burmaster, the document was ordered spread upon the records of the council.

Next Monday being Decoration day, the regular committee meeting will be held on Tuesday afternoon.

One minute is not long, yet relief is obtained in half that time by the use of Our Minute Cough Cure. It prevents consumption and quickly cures colds, croup, bronchitis, pneumonia, is gripe and all throat and lung troubles.

Wanted. Experienced carpet salesman Boston Store, Omaha.

Services at St. John's Episcopal. Rev. Father Dolling of Portsmouth, England, will hold a series of special services in St. John's Episcopal church, 1706 North Twenty-sixth street. These services will commence on Wednesday evening, May 25, and will continue daily until Sunday next including that day. The week day services will be: Holy communion at 7 a. m.; service for women at 10 a. m.; for children at 4 p. m., and a general service at 8 p. m. Father Dolling has been traveling through the United States for some months, holding missions and special services from New York to San Francisco. He is now on his homeward journey to take a position to which he has been presented during his stay in this country. He is a man of very unusual power and force and it will repay any one who will take the time and pains to see and hear him. The public, and especially all members of the Episcopal church, are most cordially invited to attend these services.

MILLIONS FOR DEFENSE.

An Aid to a Proper Understanding of the Situation.

ADDITIONAL TO THE TWO GREAT CHIEF SHOE STOCKS ON SALE

At BOSTON STORE. We offer 3,000 pairs ladies' Rochester made tan and black plain and fancy vesting top shoes, regular price \$4 and \$5, today go \$1.98, \$2.50 and \$3.00.

200 pair ladies' \$3 black button shoes made by Plant of Boston go at \$1.25. 200 pair ladies' fancy bicycle (10 inch and knee high) boots, worth \$3, \$4 and \$5, go at \$1.98.

MEN'S SHOES, MEN'S SHOES. 2,000 pair men's black and tan shoes, made to retail \$5, \$4 and \$5, go at \$1.98, \$2.50 and \$3.

BOSTON STORE, OMAHA. The Largest Shoe Business in the West, 15th and Douglas.

HAYDEN BROS. Carpet Sale Wednesday. The great auction sale of elegant carpets from W. & J. Sloane, New York, is at its height. We are now offering the biggest bargains ever attempted in perfect, new and stylish ingrain, Brussels, Axminster and all the best brands of carpets. These carpets were bought for spot cash at a mere fraction of their value and are on sale at wonderfully low figures. You can afford to purchase a beautiful carpet if you take advantage of this sale.

22 POUNDS C SUGAR FOR \$1.00. Three one-pound loaves of home-made bread for 10c; 10 bars Diamond C soap for 25c; 3-pound cans solid packed tomatoes, 7c; new sugar corn, per can, only 5c; ears June peas, string beans, wax beans or lima beans, large cans for 5c; condensed milk, per can, only 8c; Java and Mocha coffee, worth 30c per pound, 20c.

BUTTER DEPARTMENT. New grass butter, 10c, 11c and 12c; fancy dairy butter, 13c and 14c; extra fancy separator creamery, 14c and 15c; best creamery butter, 16c.

HAYDEN BROS. MEN'S, BOYS', CHILD'S STRAW HATS. Linen Hats, Crash Hats, Gaiuse Hats, By the Thousand.

From the great auction sale of Wilmerding, Morris & Mitchell, New York. We place on sale today over 500 cases warm weather hats at

LESS THAN ONE HALF what they would cost you in the regular way.

Hundreds of dozens of men's, boys' and children's straw hats of every description, go at 5c, 10c, 15c, 25c, 35c, 50c.

All the men's and boys' linen hats, crash hats, gauze hats, etc., go in 2 lots at 25c and 50c.

BOSTON STORE, OMAHA, 15th and Douglas.

A Congressman's Opinion. "It was my good fortune to take passage on No. 6 from Lincoln to Chicago on the 15th inst., and I desire to compliment the Burlington management on furnishing the finest and fastest train I ever had an experience with. The dining car service is especially commendable and I have no doubt that the train will be very popular. Nebraska is certainly in the front in train service as well as in many other things."

Washington, D. C., May 20, 1908. No. 6-Chicago Special—leaves Omaha at 12:05 midnight and reaches Chicago at 2:15 p. m. Tickets and berths at the Burlington ticket office, 1502 Farnam street.

Colorado, Utah, California Reached quickest via BOSTON PACIFIC. City ticket office, No. 1302 Farnam street.

Canvasser Under Arrest. J. A. Jones, a man who canvasses for pictures, was arrested yesterday afternoon on a charge of larceny preferred against him by Mrs. L. Jackson of 2107 Locust street. He is said to have stolen a watch and chain and when pursued and about to be captured he threw them away. Jones answers the description of the man who gained entrance to a house in Dunlap several weeks ago and stole a pocket book containing \$4. He will be held and all the people who have been robbed by canvassers will be notified and given a chance to identify him.

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White Pills 25c. Sherman & McConnell Drug Co. PILL PURVEYORS. Omaha, Neb. 1513 Dodge.

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LOCAL BRIEVITIES There was a meeting of the executive committee of the Omaha Retail Dealers' association at the Thurston Rifles' armory last evening. Routine business only was transacted. Friday evening the Triangle Wheel club will chaperone a bicycle parade through the principal streets of the city. All of the wheelmen of the city have been invited to join the parade. A reception will be held at the Young Men's Christian association rooms, where refreshments will be served.

SHAKE INTO YOUR SHOES. Allen's Foot-Ease, a powder for the feet, is the best remedy for itching, swollen, smarting feet and instantly takes the sting out of corns and bunions. It is the greatest comfort discoverer of the century. Allen's Foot-Ease makes tight or new shoes feel easy. It cures itching, stinging, burning, callous and hot, tired, aching feet. Try it today. Sold by all druggists and shoe stores. By mail, \$1.00. Trial package FREE. Address: Allen & Olmsted, Le Roy, N. Y.

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Serge Sense...

There are serges and serges. You can buy a serge suit that will be a thing of beauty and a joy as long as you wear it, and you can buy one that will turn red with the first outing, and shrink several sizes with the first shower of rain. A poor serge is not cheap at any price. The Nebraska for years has made a specialty of good serges at a low price, and this year one of the best things we have to offer is a prime worsted serge at \$6.50. It is good. It will hold its color and its shape, and it is one of the best serge offerings we have ever shown. Today you can find an abundance of these splendid suits on our second floor, but it wouldn't be safe to put off seeing them very long if this warm spell keeps up any length of time. These are not the cheapest serge suits we have, nor are they the best, but they are in many ways the best values in our entire line. You should make it your business to see them.

Nebraska Clothing Co

Wrappers

Ladies' standard print Wrappers, choice designs, at 75c. Ladies' Wrappers in percales—latest styles and colorings—at \$1.25 and \$1.48. Lawn Wrappers trimmed with beads, lace and embroidery, extra wide skirts at 75c, \$1.25, \$1.50 and better.



A new line of Shirt Waists just received.

OK SCOFFIELD CLOAK & SUIT CO.