## THE OMAMA DAILY BEE: FRIDAY, FEBRUARY 17, 1899.

OUTCOME OF A PRIZE FIGHT

come up woon.

bard case.

tilled in Making an Arrest.

a policeman has full authority to arrest

without any warrant where the suspicion is

a remonable one. He uses the illustration

of an incendiary fire just started from which

a man is seen running away. The police of-

ficer arrests him, naturally suspecting the

man of having fired the building, but it

turns out that the person accested was sim-

ply running after a doctor and had no con-

man, Judge Baker cave, was justified in

making the arrest under the circumstances.

However, the court concedes that where

the party arrested is innocent the arrest is

made at the police officer's peril when not

Another point raised by Fryson's attorney

was that he was kept in jail twenty-four

hours before any complaint was lodged

against film. Judge Baker said the police

An amusing incident developed during the

afternoon in connection with Fryson's

habeas corpus. Fryson is a negro and a

negro lawyer was on hand looking after

his interests, Judge Baker, after listen-

ing to the arguments of the different coun-

impossible to tell whether the crime alleged

The negro started to go out of the court-

om, but Sheriff Morgan was present from

olice force also to arrest Fryson as soon

Sheriff Morgan flashed a requisition from

There was some scuffling in the endeavor

Governor Poynter authorizing him to ar-

fortified with a warrant.

where it was safe.

tardy

lawyer.

from Council Bluffs.

had a perfect right to do so.

ection with the fire whatever. The police-

Andrew Dupont on Trial Charged with Judge Baxter. It is expected his case will Killing William Walker.

DEFENSE ALLEGES A HASTY OUARREL

Mill at Which the Accused Laid Out itis Man Was Pulled Off at South Omaha Last October.

The triaf of Andrew Dupont, the South Cmaha prize fighter, for the killing of Wil-Ham Walker in a pugilistic contest on Monday evening, October 17 last, at South Omaha, has commenced before Judge Haker. Dupont's wife and little girl are with himin the court room. Mrs. Dupont came here from Kansas City to be present. The child is not much more than a baby and Dupont. and his wife divide their time holding it. A jury was secured during the afternoon.

and the taking of testimony begun. There is no one from South Omaha on the jury. Following are the names:

William C. Rankin, Eighth and Nicholas, John Stribling, 2011 North Twenty-first, Charles Stephens, Eighteenth and Nicholas; F. Church, 2317 North Twenty-nighth; Wil-Ham Stanton, 2522 Cuming; John Cowan, 2520 Hamilton; A. T. Day, 1433 South Eighteenth: W. Stephens, 1007 North Twenty-second; H. Michel, 3004 North Twentyfourth; Charles C. Schaeffer, 824 South Twenty-first street, Omaha; John Tiedeman, Florence, and Fred Mohatt, Waterloo,

There are three counts in the information against Dupont. The first charges him with killing Walker by an assault in a quarrel; the second with causing his death by means of a blow in a prize fight, and the third with prize fighting merely.

The mill at which Walker was killed was under the auspices of the Olympic Athletic club. Dupont landed a swinging a fugitive from lowa, but the statement upper cut blow on Walker's chin and caused such a concussion that Walker died the following Thursday. The blow knocked the was committed in one state or the other breath out of Walker at the time, but it was owing to his remarkably robust constitutio that he lingered the few days between life and death.

Assistant County Attorney Elmer E Thomas is prosecuting the case and Mr. Macfarland is defending Dupont. Their questions to the jurors turned upon the elesaw the situation, concluded to remain ments of prejudice and doubt involved in the peculiar circumstances of Walker's fate. Mr. Thomas confined his interrogations mostly to whether the jurors had any prejudice against the law prohibiting prize fighting, and Mr. Macfarland asked if there should be proved a reasonable doubt as to whether the fight was a prize fight or a friendly boxing contest, the jurors would give the accused the benefit of the doubt.

### Line of Defense,

It became apparent early in the ques tioning of the jurors what the defense would be. "If there remained a doubt after hear. they took advantage of the court's recess ing all the evidence whether William and followed Fryson Walker came to his death as the result of accident or intention, would you give the prisoner the benefit of it?" was the interrogation put by Mr. Macfarland with almost unchanging regularity. Mr. Thomas hugged closely to the idea of prejudice against prize fighting and his examination was as favorable to the defense as Macfarland's.

In his opening statement to the jury Mr Macfarland said there would not be any evidence produced by the state in support of the first count, charging Dupont with to get the prisoner out of the courtroom . killing Walker in a hasty quarrel. With into one of the clerk's offices because respect to the other two he said he would Fryson showed resistance. Captain lie be able to show that the pugilistic mill was came to the aid of Morgan and Dunn and not a regular prize fight for reward as con- hustled the darky unceremoniously into and templated by the law, but simply an amica- through the clerk's office, out into the corble glove contest.

ridors and down stairs, where the patrol Henry C. Richmond and the two Walker wagon was waiting for them. Fryson was wagon and d

Umaha fire department. A charge of aiding given a bond of \$5,000. On the other hand the defense raised the question of the pround abetting a prize fight against Chief of priety of a director of one company making Police Carroll grew out of this affair and Carcontract with another in which his in roll has been held to the district court by terest is greater. Mr. Riley was a directo

in and also the vice president and general manager of the Automatic Gas Lymp com SCOTT IS REVERSED BY BAKER, pany and he is the president and principa owner of the Riley-Hubbard company. Policeman Without a Warrant is Jus-Tty Attorney Connell and E. H. Scott, the

formey of the Police Board, have best In the habcas corpus proceedings of Frank tied up in this matter, taking different sides Fryson, who is charged with being a fugitive of the controversy. Mr. Scott reasoned that Dr. Stone Dwells at Length Upon the rora justice, Judge Baker announced a doc- Mr. Riley's capacity in connection with the trine from the bench, radically different defendant was of such a fiduciary nature from that of Judge Scott in the Claus Hubthat he could not make a contract with his wn company as a party of the second part Judge Scott declared that a policeman has with a fair regard for the interests of other no authority to arrest without a warrant, persons joined with him in the defendant

and that the party arrested has a right to ompany and this seemed to be the pivotal defend his liberty, even to the extreme of point of the suit. Judge Fawcett is to doshnoting the officer. Judge Baker holds that cide the case this afternoon.

### State Must Make Up Difference

The suit of Kimhall Bros, of Lincoln, who had the plastering contract of the Nebraska state building, against the State Commission of the Transmississippi Exposition for the difference between the 35 cents an hour they were paying their men and the 5 cents, the union scale wages, ordered by the commission, was tried and disposed by County Judge Baxter. The increase i the wages was because of a resolution adopted by the commission early last year. compliance with the damands of the Omaha unions. Kimball Bros, alleged that they were out just \$210 on its account and they insisted that the state commission should make good the difference. Judge Baxter so held, allowing then interest from

Can't Stop the Appeal. An effort of the attorney for Mrs. Mary discharged the prisoner because of the has failed. The case was tried before Judge defectiveness of the complaint upon which Dickinson when he was on the law bench board of the hospital. He presented the he was being held. It charged that he was last term. The attorney went before Judge Fawcett and asked for an order refusing to of the document was so mixed that it was allow the bank to appeal, on the ground portant feature of the program, there were that the matter is solely within the dis- a number of musical selections by the cretion of the equity court, that an appeal could be expensive and result in less to liams. Finally there was an address by

Mrs. Gaylord and other parties interested, Rev. T. V. Moore of the church and an even though the lower court should be sussuncil Bluffs and Police Captains fler and tained, and that the grounds of appeal are Donahue and Detective Dunn of the local not sufficient to justify any further outlay that the five capped and gowned young woby the receiver. Judge Fawcett ruled as he left the courtroom. Fryson, when he against him.

### **Proving Up Their Claims**

As soon as the Dupont jury panel was Colonel Frank P. Ireland of Nebraska City ompleted, however, Judge Baker took a is in the city to sit as referee in the William past year," he said. "They have been conrecess. Anticipating this and what the Potthurst bankruptcy case. Quite a number of the creditors have already proven their tient. You cannot realize how valuable heriff of Pottawaltamie county was after, Fryson was beckoned by his lawyer to go claims and the remainder are being given they have been not only to the patient, but with him behind the faise partition which an opportunity to do so. Potthurst & Cn also to the doctor. The doctor has gone to separates the bench from the entrances to were the proprietors of large general stores the hospital, spent five minutes on some the offices of the clerk of the district court at Lincoln and Talmage and their accuand the lawyer started to prepare another writ to be served as soon as his client was Colonel Ireland says that while the liabilities rearrested. Sheriff Morgan and the local are heavy the percentage of available assets police officers were equally as alert and promises to be unusually large and the

creditors will realize a considerable amount

Resident of Two States. A warrant has been issued for the arrest rest and conduct Fryson to the border of of Leonard R. Blodell on a charge of asthe state on the charge of larceny from sault and battery, the prosecuting witness the person. It took him some time to read being Robert Erickson. Blodell lives upon this, but Fryson's lawyer was still more an island near East Omaha which is some times in Nebraska and at others in Iowa "Come along with me," said the sheriff and Erickson is a street car conductor Erickson's story is that Blodell has been "Wait a minute," demanded the negro annoying him considerably in a bullying manner and on February 9 attacked and eat him. Just whether the sheriff's deputies will be able to locate Bladell in Nebraska is a problem they are wrestling with.

# HAS NO EAR FOR MUSIC

Charles Weber Objects to Tunes Played by Boys While Entertaining Bride and Groom.

# GO OUT TO HEAL THE SICK

Five Young Women Graduate from Presbyterian Rospital Training School.

RECEIVE FLOWERS AND WORDS OF CHEER

Work of Trained Murses in taring for the Afflicted.

Five fresh and sweet young women, look ng not at all terrible in dainty white cans and neat gowns and pretty white aprone

were sent forth Into the world Thursday night by the Presbyterian Hospital Train ng School for Nurses to wage ceaseless war-

Misses Mollie Beeler, Carrie B. Kinkead, Sophie S. Sellner, Blanche Irene Benton and Eva Kerr.

This quintet was graduated at the West- less grasp and wrench asunder the minster Presbyterian church. It was the fibers of the nervous system. That fibers of the nervous system. school. In years past a constilerable num- terrible pain in the back of the head, ber of professional nurses have earned that the aching back and legs, the soreness liploma that is given by the hospital at in the muscles and bones as if bruised the conclusion of the two years' course at in the muscles and bones as if bruised in the muscles are bone as if bruised in the bone are ber of professional nurses have earned the the aching back and legs, the soreness he conclusion of the two years' course of or beaten, the feeble pulse-all these organs and could neither speak nor be hard work, but the graduations have never been of a public character. But judging from the attendance and the shower of noticed the after effects? Do you know ach: could not lie down to sleep: could not health 1 could retain nothing on my stom-ach: could not lie down to sleep: could not bouquets that landed in the arms of the that it weakens the lungs, enfectles the bear any noise and was on the very verge members of the quintet, not to speak of heart, deranges the stomach and how- of insanity when my wife began giving members of the quintet, not to speak of heart, deranges the stomach and howthe ado that was made over them in speeches els and seriously interferes with all the Dr. MHes' Resonative Nervice. She could the time the commission refused to pay the and song, the "sweet girl graduate" from a functional operations of the body? And see an improvement after the first bottle

tive a creature as the one from any other even after the disease is apparently and determined to continue the treatment, school, and it is not likely that the pres- dead the physical weakness, mental Being sixty years of age my recovery was Miles' Restorative Nervine, Dr. Miles W. Gaylord to prevent an appeal by Re-ceiver Potter of the Nebraska and Ex-change bank from the verdict of the jury in her favor, amounting to some \$18,000. The exercises were directed by J. K. The exercises were directed by J. K. Colling, multion all over their control of the favor amounting to some \$18,000. The exercises were directed by J. K. Fleming, who is secretary of the executive

> 3 SOUTH OMAHA NEWS. church and a vocal solo by Miss Edna Wil Care and the second second second second other by Dr. Stone, one of the members of

> the hospital faculty. The latter asserted men who looked down upon the audience o innocently were by no means as unter-"These young women have passed under

number of steps which would have to be resented at the reception. my observations almost daily during the limbed to reach ii and for this reason scientious, courteous, competent and pathose in authority have about decided to abandon these plans and build a tunnel. At least twenty-five steps would be needed at each end of a foot bridge in order to surgical operation there, and then has left and out of consideration for the people who mulated Habilities amount to about \$25,000. The solution of the question of life or death make almost hourly trips across the tracks Christian association Sunday al ernoon. to one of these young women. I must bear it has been decided that a tunnel would | Cudaby is sending quantities of canned the first part is gorgeous and brilliant the strongest testimony that they have been oe the most convenient:

These were the words for which the audimade, but which one will be decided upon nce was all ears, and Dr. Stone's listeners robably paid less attention to some staing on the north side of N street, while tistics he read of the work of the hospitals. the other lands on the south side. The cost These showed that during the year 564 pa- of either would be about the same, but in tlents were cared for, 537 of whom were one a sewer would be struck and this will discharged, twenty-five died and twenty- be avoided if possible. Up to yesterday the

recovery. Anesthesia was administered 222 sengers will be constructed. The plans for a foot passenger tunnel only called for Rev. Moore turned the attention of the seven steps down and seven up, but with oung graduates to the spiritual side of the change suggested there would be no their profession. He spoke of Christ in all of His forms and particularly of Christ the healer, as the most suitable subject for the occasion.

At the conclusion of the exercises a re-There is no direct approach to the Hamception was tendered the graduates in the mond plant from the south, as Twenty-sixth

# La Grippe

Leaves the Nervous System Shattered, Causing Sleeplessness, Weakness, and Depression of Spirits. Cured by

# Dr. Miles' Nervine.

Have you had La Grippe? If you received health, heart and ambition | Mr. John S. Pool, Princeton, Ky., says: "I have not, doubtless some of your through the remarkable healing and would statly proclaim the high estimate 1 fare against disease and death. They were friends have and you know what it is, strengthening qualities of Dr. Miles' place on the real merit of Dr. Miles' Re-Restorative Nervine. It goes straight storative Nervine. I had long been a You have seen it suddenly, without any to the cause of the mischler resulting sufferer from the effects of La Grippe, erwarning, size the victim in its relent- from La Grippe. It feeds and cures.

"Two years ago I came down with La WORK nor rost. At hight it was impossible Grippe, resulting in mervous prostration. for me to get my natural sleep, and only the use of powerful image could I rest at

spoken to. Our doctor failed to restore my Miles' Nervine I began to improve and now

tive a creature as the one from any other even after the disense is apparently and determined to continue the treatment GEORGE A. ANDREWS.

GEORGE A. ANDREWS. Great Burrington, Mass. DR. MILES' MEDICAL CO., Elkhart, Ind.

George Fairfax, W. B. Cheek; Mrs. Dolly Madison, Miss Hettle Moore; Colonel John Trumbull, Samuel B. Christie: Mrs. Livingson. Mrs. James Martin: Miss Randolph,

Magie City Gossip. D. H. Goodrich, secretary of the Omaha Street Railway company, was a visitor in

the city vesterday afternoon. Seljuro Niwa, general secretary of reach the required height above the tracks and out of consideration for the people who

is a question. One survey makes the land- meats packed and canned in this city. A sneik thief entered the residence of all worthy of commendation. Mies, Twenty-fourth street, between Henry N and O streets, a day or two ago and stole two suits of clothes. The third also cirri away a book highly valued by Mr. Miescarried | Yesterday afternoon Judge Babcock disreven remain. These patients were of all intention was to build a tunnel for foot charged William McGreagor from custody. Ernest, T. B. McMahon and Eddle Horan maipulating the bones, with Joanson and igions. Surgical operations to the num- was to become of Hammond's teams came ber of 341 were performed, but only eight up and it is more than likely that a tunnel break into Drum's house on Q street, but as moutations were employed as a means to sufficiently large for teams and foot pascomplaining witness refused to appear

against him

urveys for a vinduct across the railroad men of honor, W. S. Witten; General Miles, in this line, W. H. West, and his all-star racks at the foot of N street and also for Herbert Broadwell; Admiral Dewey, John | burnt cork aggregation, which includes such a tunnel under the tracks. A viaduct is not F. Roberts. It is stated that these are only old-timers as Carroll Johnson, Tom Lewis, onsidered practicable on account of the a few of the important personages to be rep- John King, Ed Gorman, Joe Garland, R. J. the large audience was kept almost contin-

things upon the program and the second part hardly comes up to expectations, but the most convenient. Two surveys for the tunnel have been ments are made, as not culy the troops later. The scenic effects, the costuming and there, but many of the residents, are using the orchestral accompaniment to the vocal numbers, as well as the ensemble work, were

> The opening of the first part saw W. H. West in the center as interlocutor. Carroll Johnson, John King, Larry and Billy Freeze handling the tambos and Tom Lewis, Charles ture from the operas "Nadjy" and "William Tell" were both well rendered. Johnnie Whalen and James Delvin introduced some Eight new acmchairs for the use of the difficult baton movements. The comedy members of the city council were purchased | quartet, composed of McMahon, King, Freeze yesterday. Now new desks : - needed, as | and Horan, sang "The Jennie Cooler Dance.

It was reported yesterday that a German tenor voice, sang his latest hit, "Just as the the Reed I Sun Went Down," so well that it won him

...AMUSEMENTS ....

claimed for it.

Jose, H. W. Frillman, T. B. McMahon and others equally well known. Mr. West has picked his company with care and consideration, as was shown by the manner in which

during much pain and misery. My nerves

were completely prostrated, 1 could neither

Sample Treatment Free.

A trial package of Dr. Miles' favorite

ually laughing or applauding during the entire performance. There are a few dry

Surveyors in the employ of the Union Miss Docia Carpenter; Miss Winthrop, Miss Local lovers of ministrelsy were given an Stock Yards company and the Union Pacific Hunt; Miss Sedgwick, Miss Katherine Al- evening of enjoyable entertainment at Boyd's Railroad company have made preliminary | Ien; Quakeress, Mrs. W. B. Cheek; Gentle- | theater Thursday night by the veteran artist

diplomas to the young women with a few congratulatory words. Besides this im

# feeling written all over their faces, Nervine." unable to work, without courage, have THE TAR AND THE TAR Martha Washington, Mrs. J. D. Jones;

witnesses put on the stand yesterday. Their evidence was prac- street it started at a rapid pace. Meantically the same, namely, that five or six- while his lawyer had obtained his second ounce gloves were used; Dupont drew the writ and it was placed in Sheriff McDonald's first blood; this was in the first round by hands.

a blow on Walker's nose; the eighth and the twelfth round, which was the last. The two Walker brothers said Dupont struck William Walker behind the left ear just as he was falling when he was knocked out. The unfortunate man never afterwards regained consciousness.

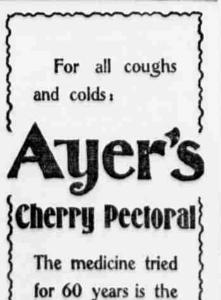
The referee was a man from California. Dupont had come here from St. Joseph. The dead man had been a wrestler of some ability and was in a match once with the so they waited in the supposition that the "Terrible Swede." The affair took place at wagon had been delayed. They soon Blum's hall.

### An Admission Fee Charged.

Samuel Walker said the admission charged was \$1 and the amount taken in was \$46.50, there having been three half-dollar tickets Part of this went for expenses and the balance was put in a hat and the hat passed around among the audience for the purpose of raising a purse. Whatever became of this money witness could not tell. He was in the ticket office, looking after the sale of tickets in his brother's interest up to the time the fight began and Thomas McGuire, who seemed to have had a great JUDGE FAWCETT MAKES SHOWING. deal to do with getting up the contest, was also engaged in selling tickets. During the Explains Why Assets of German Savwhole fight witness was in the ring and a close spectator. The Walkers were all farmers. Samuel Walker testified that his deceased brother had landed quite a few heart blows on Dupont, whilst Dupont punished his antagonist mostly about the head and face with right-handers. Both he and John N. Walker described how the fatal blows were struck in the last round, the witnesses illustrating by going through an imitation. The two chin blows followed each other with marvelous rapidity and the last blow, one behind the left car, was struck | bringing good prices, several pieces of propas Walker was falling and just before he reached the floor. He had not hit his head on the floor at any time during the fight, believed now is a good time to get the most out of the bank's realty. Mr. West maked

Gross-examined by Macfarland, John N. Walker declared that he did not have the least feeling against Dupont.

Fred Smith, who is subpoenaed as one of the witnesses, was the chief of the South



medicine you can afford to try.

"Hurry up or they'll get away," urged twelfth rounds were the most severe: the lawyer. McDonald said he would have Walker received two blows on the chin in to read the writ first. He turned the writ over to Deputy Sheriff Grebe to serve and Grebe and the lawyer managed to reach the bottom of the steps just as the wagon was about a block away. There was no street car in sight, so they went down the

street on a run. Seeing the patrol turn the orner of Sixteenth street they supposed Fryson was being taken to the police sta tion and hither they hied. No wagon had been at the station when they got there learned that they had been outwitted by

Sheriff Morgan, for the patrol wagon had been driven to the Omaha and Council Bluffs bridge and Morgan had gotten away with his man and was safe in Iowa. The writ would not have availed Fryson anyway. It was directed to Chief of Police White and Captain Her, whereas, under the requisition, he was in Sheriff Morgan's cus

tody and the local officers were merely assisting the lowa sheriff to get his man out of the state as the requisition commanded.

ings Bank Should Be Sold. Judge Fawcett has his statement prepared in the mandamus case brought against him by Joel W. West in the supreme court t compel him to allow a supersedens in the German Savings bank matter. Mr. West represents the bank's stockholders.

An order was made by Judge Fawcett i January, directing the sale of the bank' assets for the benefit of the depositors, the sale to begin about March 1. It was his opinion, he said at the time, that money is seeking investment in Omaha, reat estate is erty to his own knowledge flaving been reently turned over at a good profit, and h

him to fix a supersedeas for the purpose of preparing an appeal to the supreme cour

O. Strickler, in behalf of the depositors, resisted on the ground that such would is effect be a nullification of the court's order ludge Fawcett refused the application of Mr. West and the latter went before the supreme court and asked for a writ of mandamus. No writ has yet been issued, the sureme court allowing briefs to be submitted

by both sides, and either a peremptory writ will be issued or none at all. In Judge FawcetUs response, which he is ow about to file with the clerk of the su areme court, he reiterates his reasons for the order of sale and argues that the interests of the 3,000 depositors are paramoun and are entitled to the most consideration. Twenty per cent of the stock has been paid and there is \$400,000 capital stock liable. The ability of the capital stock, be goes on to say, increases in risk as time progresses, while now the bank's assets will bring the best returns. Besides, his January order simply carries out this order of July, 1896. He stands upon his judicial discretion in the natter as the officer having the complete disposal of it. Another point made by him goods in Lincoln. s that neither the bank nor its stockholdors made any showing to counteract the showing

of the depositors.

### End of One Law Suit in Sight.

The long drawn out trial of the suit of the Riley-Hubbard company against the Automatic Gas Lamp company to enjoin the | when he came west three years ago. It was defendant from disposing of property for the sale of invention rights has at last come to an end. It has been dragging along for everal wocks. The plaintiff represented The plaintiff represented eeveral weeks. story was not misplaced. that it had a contract with the defendant or the United States and Canada-all the for the United States and Canada-all the Dr. Bull's Cough Syrup is most efficacious territory covered by the patents-and had in proumonis. It cures guickly,

Charles Weber, 2424 South Eighteenth treet, has lodged a complaint against three bys whom he accuses with having stolen a ig and having maliciously destroyed his

roperty. Weber alleges that Tueday night while a eception was being tendered at his home Walter Martin and Miss Anna Hansen llowing their marriage, a crowd of boys waded the premises and created such a regular monthly meeting in the rooms in the in in their efforts to entertain the newly Arlington block Thursday afternoon, the wedded couple that he could not stand it. spirits of the members being raised by the He insists that they took his wash boilers receipt of a number of liberal donations

nd dishpans in order that they might con- and the application of several for membervert them into tomtoms. He says they ham- ship certificates. A comparison was made ered on the walls of the house until the between the Omaha and Chicago associactures shook. He went out and warned tions, which gave the local members a bethem off, but they returned, entered the ter idea of the work that they have been asement and stole the pig. Rhoda Tillotson lodged a complaint against ciation, requesting information concerning am Tillotson, whom she accuses of having the methods adopted by the Omaha women hreatened to shoot her. She says Tillot- in their work, was received. on visited her room Wednesday morning. The report of the secretary showed that ocked the door and threatened to kill her the association had sixty-seven patients nless she gave him some money. She es- last month. There were three deaths. Two

aped from the room and went to the police of these were children in one family and ation. The officers arrested Tilloison and were due to the lack of proper comforts and ow she wants him nunished. C. W. Brown was arraigned on a charge sons in the family and all were living in conversion as bailee, filed against him two small rooms, with one bed for the y Frank Wilson. The case will be tried commodation of all. Owing to lack of fuel ext week. Wilson urges that Brown took they were compelled to keep the house horse and buggy and sold k on February closed, so there was no ventilation.

Brown was arrested in Sarpy county and brought back by Deputy Sheriff Shand. C. D. Selden entered a plea of not guilty o the charge of stealing a ten-gallon keg f whisky from M. Wollstein & Co. The lriver of a delivery wagon was passing Twentieth and Vinton streets on February the room in the Arlington block. and lost the keg off his wagon. He did of notice its absence until later and was party which is to be given on February 22

old that it had been carried into Mr. Selion's blacksmith shop. Selden says he had othing to do with the theft of the liquor. The trial of H. C. Wernimont on the harge of having stolen a Smith-Premier spewriter, commenced Thursday afternoor efore Judge Gordon and will be concluded today.

## GO TO PAPILLION FOR TRIAL

# Harry Vincent Confesses to Robbing

Freight Cars and Turns Up His Pals.

The sheriff of Sarpy county came to Omaha Thursday and took Harry Vincent and Frank Sharp to Papillion for trial. The men were arrested in South Omana Wednesday night on suspicion of having robb-4 county's representatives. some Burlington and Rock Island box cars of \$1,000 worth of goods.

Harry Vincent made a confession. He said he was hired to drive the team the police court be disallowed. The council connight the Rock Island car was robbed in curred in this recommendation. Among the Sarpy county, receiving \$5 for his work. up along the track. Frank Sharp and Jack | court, which amounted to \$1,712.16. Young hauled the goods to South Bend . The finance committee, which reported the

the track also. Young at Lincoln Frank Sharp, who was kig. arrested in South Omaha with Vincent, gave

the officers the location of four boxes of dry

Wymnn Gets His Money. Judge G rdon has received a draft for \$276

from a batik in Onelda, N. Y., in favor of Wadaworth Wyman, Wyman is the young nan who strolled into court one day and told his honor a supposed fairy tale concern-ing the money he had in an eastern bank the directory was discussed at some length

hurch parlors by the women of the church. Light refreshments were served

rifying to disease as they looked.

equal to their tasks."

times.



ligions. Surgical operations to the num-

this help the Hammonds have no unloading the Poor and Sick of

or loading platforms at the south end of the City. The Visiting Nurses' association held the the north. Whether it be a viaduct or subway the billiard tables and furniture will be in a position to make a report. Every member

o as to throw the traffic from the tracks. In fact after the improvements contem-plated are completed it will be impossible commence on March 1. plated are completed it will be impossible o reach the stock yards except through the tunnel or over the viaduot. General Manager Kenyon of the stock yards company and General Manager Dickinson of the doing. A request from the Detroit asso-Union Pacific have talked the matter over and steps will be taken at once to provide ome means of reaching the yards without unning the risk of being run down by rains. The business at the yards has in reaxed to such an extent that eight switch ingines are kept busy all of the time haniling the cars which arrive and are loaded for shipment. The Union Pacific switch from absolute want. There were eight perengines here are also kept busy all of the time and with the increase in the business caused by the coming of the Illinois Central there will be more chance of accidents than heretofore, so that a tunnel is an absolute necessity.

The three nurses who volunteered their The point of landing of the tunnel will services in the work were thanked by the mean a great deal to N street business men members. The absolute need of bedding as one side or the other of the street will was urged upon the association and it is be benefited. Travel will naturally follow requested that articles which may be use: the side of the street on which the tunnel to aid in the care of the sick may be left at lands and for business reasons property owners are taking considerable interest in The members talked over the birthday the matter. It is understood that the tunnel, if constructed, will land on the east at the home of Mrs. McPherson, 701 Park

end on the Union Paulfic right of way and on the west on stock yards property.

Petition Against Annexation.

Rube Forsythe is circulating a petition which it is understood will be sent to the years prospecting in Yukon gold fields. They legislature protesting egainst any measures carry with them a large quantity of nugwhich might he adopted tending to the anexation of Omaha and South Omaha. The city council at a special meeting yesunderstood that Forsythe is working for the rday afternoon struck out of the monthly politicians of the city, who fear that if an salary appropriation sheet for February the annexation bill went through they would be luth, Minn.; Joseph Hall, J. H. Carl, J. P. salary of Street Commissioner Beverly, thrown out of employment. Quite a numamounting to \$100, and of O. F. Robertson. ber have signed the petition, as a certain element here is known to be opposed to special agent of the legal department, amountiting to \$53.33, because both these city annexation. A petition urging the legislaofficials are in mitendance upon the legisture to take measures to set a date for a special election to decide the question may lature, and therefore have given no services be passed around in order to offset the one to the city. Beverly is one of Douglas now being signed. The saloon men do not want annexation, for the reason that liquor The finance committee also recommended

that an item of \$30 in favor of C. W. Britt as assistant to the city prosecutor at the police court be disallowed. The council con-inw might be required. The council on the store will the police court be disallowed. The council con-inw might be required. The council on the store will the police court be disallowed. The council con-inw might be required. The petition against annexation will, it is

items allowed was one in favor of the pounderstood, be sent to Senator Van Dusen Vincent and Charles Sharp picked the goods licemen who were reinstated by the district with the expectation that he will present it to the legislature. The fight on the quastion, if there is one, will be purely a po-

> tion to decide the question the politicians can be counted upon to muster out all of Their forces to vote against the proposition E. Sonland, North Platte; David M. Davi On the other hand, the corporations and H. Hughes, Carroll; E. Bonnen, Gordon; On the other hand, the corporations and H.

Washington reception at the parlors of the Minimum on Tuesday economy Polynamic Receiver H. Thorp, Kanase City, Thomas Griffith Minneapolw; R. C. Oulcalt, South Omahe Age.

street south of the Q street vinduct is neither graded nor paved. If the street from the viaduct to the level of the tracks was paved Hammond's teams could cross treet south of the Q street vinduct is Udall and who is now a resident of Portthe tracks under the Q street viaduct the shortly after he received word that he was

land, Ore. Mr. Keating is also the author of same as Swift's teams do, but even with in possession of a small fortune. A special meeting of the South Omaha club has been called for this evening. Mat-"Just One Girl" and his new song bids fair to become as popular as its predecessor. The the plant for teams, so that some provision must be made to reach Hammond's from up and the committees appointed some time rendition of the intermezzo from "Cavelleria Rusticacia," by R. J. Jose and a quartet composed of Messre Stewart Gorman ago to make arrangements for new carpets. Kent, Garland and Frillman, was easily the

feature of the performance. The last part was taken up almost en of the club is urged to attend this meeting. tirely by specialty numbers, all of which were more or less enjoyable. The finale, Remember the Maine," served to introduce

Under Union Pacific Control. the entire company, dressed in the garb of Official announcement is made at the Union sailors, in a very clever drill. The imper-

Pacific headquarters in this city that the sonations of the different maval heroes were Julesburg branch will pass under the direct had and should either be improved upon or control of the Union Pacific next Saturday. out out entirely. The branch is 151 miles long, running from Julesburg to La Salle, and is a cut-off for La Grippe is again opidemic. Every pre-caution should be taken to avoid it. Its the 204 miles from Julesburg to La Salle, or specific cure is One Minute Cough Cure. The best remedy for all ages: cures coughs, a saving of fifty-three miles between Omaha and Denver. The line is now under the recolds and all lung troubles. Plessant to the ceivetship of the old Denver & Gulf and has been allowed to become dilanidated during ing it. the last five years, but the Union Paulfic has at Julesburg 5,000 tons of new steel

rails and preparations have been made to INSTRUMENTS placed on record Thursday, ballast the line with Sherman gravel and February 16, 1595; Warranty Deeds,

THE REALTY MARKET.

No one will be disappointed in us-

Ite

.\$ 109

W. H. West, Carroll Johnson and R. J. Jose, members of the minstrel company at Boyd's theater, were guests of the Murray yesterday.

First Lieutenant John McA. Palmer, alde to General Edwin V. Sumner, is acting as assistant adjutant general in the Department of the Missourl during the ubsence of Captain Hutcheson. W. E. Grace and T. B. Jones stopped in

otherwise improve it.

the city Thursday on their way to their homes in the east, after having spent foul

At the Klondike: F. W. Cruger, Daniel Wilson, Carl Vogt, Arlington; J. Christner, Weeping Water; O. B. Lewis, Tekanshi J. C. Quinn, Weeping Water; R. S. Rose, Dundy, Tekamah; A. J. Anderson, Decatur William Stephene Des Molnez, Ia.; John Wildy, Coon Rapids, Ia.; E. H. Swedlund, Wakefield; M. Mabens, Rome, Ia.

At the Millard: George E. Lory, St. Louis; W. S. Bartholomew, Chicago, William Hogemann, Philadelphia; Miss Lizzi Henderson, St. Paul; P. Mortensen, Ord; S now being signed. The saloon men do not A. Megeath, Franklin, Pa., Bon Phillips want annexation, for the reason that liquor St. Joseph; S. N. Watson, Chicago, R. E. licenses would be raised to \$1,000 a year Griffin, Lincoln; Mrs. Mary J. Griffin, Phila-

> elswander, South Bend; H. E. Wright, Boston. Nebraskans at the hotels: Charles N Nebraskans at the hotels: Charles N. Brown, W. S. Clapp, Keisney; J. A. Harris, Broken Bow; Mr. and Mrz. G. W. Cook, Lincoln; A. C. Anderson, Columbur; O. B. Manville, Tildon; A. M. Killop, Tobias; M. A. Wilder, Central City; M. P. McCrenry, M. J. Berry, Hastings; Mr. and Mrz. T. L. Sloan, Pender; J. J. Caldwell, Nebraska City; H. L. Gould, Ogaliala; L. S. Smidder, W. E. Emana Fremont: Thomas M. Hunt-

W. E. Emans, Fremont: Thomas M. Hun ington, Gordon; W. S. Cook, Tekamah:

other heavy taxpayers all favor annexation and the contest would likely be a lively one. Of course the local papers are against the proposition, as annexation would reduce to a great extent the revenue now derived from the city.
Reception on Washington's Birthday, The Woman's auxiliary of the Young Men's Christian association will give a Washington reception at the parlors of the
P. Buckley, David City. At the Murray: J. E. Roso, Genes; D. J. Robinson, Denver; C. E. Drew, Burlington; James D. Draper, Marion, F. Reynolds, Newark, C. M. Crane, Canton, O., C. L. Weatherwax, St. Louis, W. H. Weet, New York: Carrol Johnson, New York: Mr. and Mrs. R. J. Joss, San Prancisco, V. O. Kim-ball, Beaton; C. R. Harr, Feoria, Orion Por-ter, Fairfax, S. D.; C. A. Johnson, Wood

Inalitution on Tuesday evening, February 21. Colonial dress will be worn by some and the following will represent the characters George W. Farter, Grand Island, George M. Clara A. M. Schroeder, Millard, Neb ..... 21 named: George Washington, W. S. Schrei, Gage, Minneapelis.

E. S. Rowley and wife to Granada Co. lots 1 to 24, block 34, Dundee Place lot 3, block 7; lots 10, 13, 14 and 15. PERSONAL PARAGRAPHS. 

550

add. G. Wilson and husband to C. F. Lund for 5. Godfrey's add M. Westerfield and wife to H. A. Westerfield, lot 4, block 5, Mayne's add 1,200 500

drew Swanson and wife to E. M. Tzschuck, lot 18, block 2. Kountze's 2,000 Tzschuck and husband to 1,490

omas Hudecek, same d. Gallagher to Frank Krenek, lot block 2. Albright's sub of lot 20, th Omaha Ady and husband to M. E. nsby, wig lot 17, block 3, Orchard 170

to Gertrud- McCumber, els lot 17, block 3. same J. Fitzgerald to Rosa Geest, lot 30, block 3. McGayock & O'K's replat.,

### Quit Claim Deeds.

 L. W. Hill to H. A. Westerfield, let 7, block 20, Omaha View ext.
F. M. Briggs to C. C. Kendali, lot 7, block 15, lot 17, block 17, block 18, Omaha View Deeds.

Special Master to M. J. Vila, w 15 feet of a 100 feet lot 1, block 5, Lowes 2d add. Sheriff to John Appleby, ht<sub>2</sub> set<sub>4</sub> and sig n=4, 24-16-10 Sheriff to M. L. Leland, lot 2, block 7, Bedford Place 5,850 724



# Digests what you eat.

It artificially digests the food and aids Nature in strengthening and recon-structing the exhausted digestive or-It is the latest discovered digestgans. ant and tonic. No other preparation can approach it in efficiency. It instantly relieves and permanently cures Dyspepsia, Indigestion, Heartburn, lence, Sour Stomach, Nausea Sick Headache, Gastralgia, Cramps, and all other results of imperfect digestion. Prepared by E. C. DeWitt & Co., Chicago.

while he walked to Louisville, to Charles tax levy that was adopted, already has com- litical one. These who control politics here Sharp's bome. The men returned and got menced its work of patching it up. In ac- want to keep South Omaha as it is, while mother load, which they picked up along cordance with a resolution introduced at the the citizens who are carrying the burden of taxation would like to have relief. Should Charles Sharp is in jail at Papillion and the road fund for street sweeping and clean- the legislature set a day for a special electher heavy taxpayers all favor annexation P. Buckley, David City.

# ast meeting \$1,000 was appropriated out of

Pinn for a Mass Meeting The general committee on the organization of the Auditorium enterprise met at the Commercial club Thursday night to complete

propriation Sheet.

arrangements for a large mass-meeting which will be held next Thursday night Aside from this, the only matters considered were the constitution and by-laws and the list of citizens from which the board of

## but was not finally determined on. Marriage Licenses.

County Judge Baxter issued the following marriage license yesterday:

# Name and residence. Millard Kelney, Millard, Neb.

avenue, from 2 to 5 in the afternoon. CITY COUNCIL PROCEEDINGS Salaries of Employes Who Are at Lincoin Are Cut Out of Ap-