

UNPRODUCTIVE OF EVIDENCE

Second Day of the Trial of Cliff Cole and Others.

PROSECUTION IS HAVING A HARD TIME

Privilege of a Witness Refusing to Answer is Discussed and Authorities Prevail and Case Postponed

The second day of the trial of Cliff Cole and others, accused of gambling, was unproductive of evidence for the state as the preliminary session.

DROWNED IN THE MISSOURI

Edward Gillum, Formerly of Omaha, Loses His Life by the Capsizing of His Boat.

An unfortunate accident, resulting in the drowning of Edward Gillum, formerly of this city, occurred yesterday five miles north of Crescent, la., in the Boyer river.

According to the story related by J. B. Young, whose farm adjoins that of Mr. Gillum, and who was a witness to the accident, Mr. Gillum was fishing across the river in his boat.

Until a year ago Mr. Gillum was a resident of Omaha, making his home at 3334 Grand avenue.

Witness in His Own Defense

Judge Shields responded readily referring to the laws which Mr. Kellenkey had read.

Placed Not Guilty

A complaint was filed yesterday afternoon against Rhoda Tolson for shooting with intent to kill.

PERSONAL PARAGRAPHS

Judge M. R. Hopewell of Tekamah was a guest of the Millard Thursday.

C. N. Miller and E. W. Alabach, prominent in the city, were business in the city on business Thursday.

Mr. F. W. Judson entertained a small party of his friends among the business men of the city at the Millard Thursday.

William L. Park, superintendent of the Union Pacific railroad at North Platte, was in the city on business Thursday and with him were W. A. Deuel of Denver and M. F. Egan of Chicago.

Charles H. Strahan, a Boston capitalist, and Mrs. Strahan and a nephew, A. T. Strahan of Lincoln, were in the city yesterday.

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TO HONOR THE SOLDIER DEAD

Next Memorial Day to Be Fittingly Observed in Omaha

TO BE OF MORE THAN ORDINARY INTEREST

Program is to Be Somewhat Varied from the Regular Routine—Great Committee is Already at Work.

The Memorial Day committee decided on Monday evening to modify the regular program of that day, and in accordance with this idea, the following was adopted:

Whereas, We, the Memorial Day committee of the Grand Army of the Republic, believe that it is a most fitting and patriotic duty to perpetuate the memory of the noble dead who sacrificed their lives for their country, we do hereby resolve that the Memorial Day exercises should be observed in a sacred manner by the suspension of all business and that all citizens turn out to honor the fallen heroes.

The committee on memorial day will soon publish a general order and the public will have a chance to see the "boys of '61" and the boys of '98 and '99 pass to gether in review.

As Memorial day is not confined exclusively to the graves of the soldier dead, but is participated in by citizens generally by visiting the various cemeteries and laying floral tributes on the graves of their loved ones, it is the desire of the general committee to make the day one of more than usual significance and interest to all by hearty co-operation of every person.

The committee on school speakers expects to have each school in the city supplied with a speaker on the day fixed by the superintendent of schools, each speaker will be a veteran, if no veterans are available.

To make the task of collecting and distributing flowers more easily accomplished the city has been divided into three divisions.

The north division includes all the schools north of Cumming street and the Forest Lawn and Jewish cemeteries.

Single City Gossip

D. R. Bechler is building a cottage at Twenty-third and I streets.

W. B. Wyman is building a dwelling at 1911 North Twenty-first street.

Adrie Reich obtained a permit yesterday for a cottage at Sixteenth and W streets.

Thomas Hoctor is still seriously ill, very little improvement being noted in his condition.

The additional sidewalk built for the Omaha Packing company was completed yesterday.

The infant daughter of Mr. and Mrs. H. C. Thompson, Twenty-fourth and J streets, is seriously ill.

Some of the business men here are talking of organizing another building and loan association.

The P. E. O. society will meet this afternoon at 2:30 with Mrs. J. W. Sipe, Twenty-second and I streets.

A permit was issued yesterday to J. E. Briggs for the erection of a cottage at Twenty-third and J streets.

Frank Clifton, a brother of Mrs. Harry Laugenberg, died at the family residence, 1823 Capitol avenue, Omaha, yesterday.

Grading operations in various parts of the city were suspended yesterday on account of the condition of the ground.

The degree team of Superior lodge, No. 192, Degree of Honor, gave an enjoyable party at Workman hall last evening.

I. R. Andrews of Omaha procured permits yesterday for two dwellings to be erected on Twenty-fourth and C streets, each to cost \$1,400.

Mr. and Mrs. Thomas Golden, who have been living in Nebraska City for some weeks, have returned here.

Mr. Golden is now in Omaha and the new system of firing the stock yards locomotives is proving a success.

Superintendent Corwin is well pleased and a comparatively quiet saving of the city.

Miss Mary Flynn, formerly an employee of the microscopical department here, died at Hastings Tuesday, and the remains were brought to this city for interment.

Buckley, Twenty-fourth and I streets, was distributing magnolia buds and blossoms to his friends yesterday.

Mr. Buckley received the flowers from his father, who is now in Florida.

Yesterday the Omaha Gas company commenced laying mains on G street between Twenty-third and Twenty-fourth. It is understood that the line will be completed on Twenty-third street from G to N.

At the next meeting of the Commercial club an address will be delivered by G. M. Mott, superintendent of police of the city.

Meetings of the club are growing in interest and it is the intention of the executive committee to procure good speakers for each meeting.

THAT COOKED LAUD TRANSACTIONS.

Chief of Police Carroll left last evening for Seward for the purpose of bringing back John and Sheldrick Burlington, who are wanted here for forging and uttering forged instruments.

Another Spur

The Stock Yards company commenced yesterday the laying of another spur to the new coaling facility at Thirty-fifth and I streets.

Matteson-Clayton

Seth A. Matteson and Miss Gertrude A. Clayton, both of this city, were married at the First Presbyterian church Wednesday evening, Rev. Dr. Wheeler, pastor of the church, officiating.

White Files His Answer

Denies the Charges Alleged by Ex-Policeman Cox.

APPOINTMENT AS CHIEF LEGAL AND PROPER

Contents that He Has Never Usurped the Functions of Officer-Suit is Result of a Political Conspiracy.

City Attorney Connel has filed the answer of Chief of Police White in the quo warranto proceedings brought by W. W. Cox to hold the office to which he was appointed by the Board of Fire and Police Commissioners.

The answer specifically denies the charges that were exploited by Cox in his petition and further sets up the contention that the proceedings were barred by the statute of limitations before Cox went into court.

It is denied that Chief White has usurped the functions of chief of police, and that he is entitled to his appointment in any respect illegal or improper.

Referring to the allegations in the petition as to White's alleged connection with local political interests, the answer says:

The said defendant further answering said quo warranto proceeding refers to the second, third, fourth and fifth paragraphs thereof not only denies each and every allegation and statement contained in said paragraph but heretofore expressly admitted to be true, but alleges and charges that the allegations and statements contained in said fourth and fifth paragraphs are so scandalous and irrelevant to the issues in said case and do not legitimize the quo warranto proceeding, and are wholly unauthorized by the order of the honorable court heretofore rendered to, and the said allegations and statements not only do not relate to the question involved in these proceedings or to the qualifications or right of this defendant to be appointed as chief of police of said city at the time he was so appointed, but relate entirely to matters alleged in said information and petition to be matters regarding which this court has no authority, power or jurisdiction to consider in this quo warranto proceeding, and the said allegations and statements are inserted in said information not only with the intent to mislead the court, but also with the intent to defame and injure the good name and fame of said defendant.

The said defendant further alleges that said action of quo warranto was not commenced against said defendant until more than six months after he was appointed as chief of police of the city of Omaha, and set forth in said information, and that said action is fully and completely barred by the statute of limitations of the state of Nebraska.

The directors of the Packers' National bank met yesterday and elected Charles A. Dunham, assistant cashier, Mr. Dunham having served in that position during the last six years, and his many friends in Omaha and South Omaha will no doubt be pleased to learn of his promotion.

Daniel L. McGuckin, at his residence, 2512 Q street, yesterday afternoon. The deceased had been a resident of Douglas county for over twenty-five years.

Funeral services will be held at St. Agnes church Saturday morning.

Ruth E. Sampson died at her home, Twenty-third and H streets, yesterday afternoon. The deceased had been suffering for some time from nervous prostration, but friends of the family had held her in such a state of mind that she was able to go to the public schools, was a sister of the deceased. The remains will be taken to Mount Pleasant, la., for burial.

WOMAN PURSUES A RAGMAN

In Search of a Stolen Harness, but It Is Not Found in His Possession.

A woman rushed up to the police station yesterday and demanded that an officer arrest a man who was driving up street with a load of rags. She insisted that he was the man who had stolen a set of harness for her horse hire. This officer he was the first of Mrs. Reeves, 305 North Eleventh street, and she claimed that she saw the man pass and called to him to stop and explain what he had done with the harness.

When he refused to stop, she followed him and he fled rapidly up street, with her running along the walk in pursuit. Officer Riegleman jumped on a wheel and chased the fellow toward the rear of the building.

When the woman was brought to the station and her load of rags was searched for the missing harness. The search was fruitless, so the old man was permitted to continue his course, while Mrs. Reeves returned to her home to relate her experience to her husband.

Overhaul Delays Paying

The overhaul of the Missouri river is responsible for a delay in the commencement of paving operations in this city. The contract for all paving that has yet been ordered has been secured by the Grant paving company and that concern has been unable to start the work because several feet of water is standing on the plants on the river bottom. The company intended to commence the paving of Dodge street from Thirty-first avenue to Thirty-fourth street last Monday, but nothing can be done until the river subsides and the plant is left on dry land once more.

This bit of paving will be the first to be done this year. The curbing was set last fall.

Second M. E. Church Entertainment

The third entertainment in the series of lectures and entertainments arranged by Rev. A. C. Welch, pastor of the Seward Street Methodist Episcopal church, for the benefit of the younger members of the congregation, was given last evening.

The church was appropriately decorated with potted plants and from the ceiling hung a large American flag.

The program consisted of musical and literary numbers by the young people of the church and they were all well rendered.

The program closed with an address by E. C. Holder, a young attorney, on the benefits and necessities of education.

The next lecture of the series will be given next Tuesday evening.

Mileadache Cured by Dr. Miles' Nervine. Was Wearing My Life Away. Had Suffered for Twenty Years.

The most common ailment among civilized people of today is headache. The reason for this is that nowadays people use their brains more than they formerly did and are also more subject to nervous troubles, which are the direct cause of headache.

Miles' Nervine and began using it. Before the first bottle was gone my headache (disappeared and I have not had them since. I have reason to believe I have been permanently cured and Dr. Miles' Nervine must have the credit.

without getting any relief; in fact, I grew worse all the time, I had to quit my work and for five months I was unable to do anything, and most of the time was confined to my bed. At last I was induced to try Dr. Miles' Restorative Nervine and I found that it helped me a great deal.

April Sale

Denies the Charges Alleged by Ex-Policeman Cox. APPOINTMENT AS CHIEF LEGAL AND PROPER

Closing out all the odd pieces of elegant Flemish Furniture. We bought these goods in complete suits and now offer the odd pieces at a fraction of their value.

Genuine French Flemish Dining Table, one of the imported kind, work and carving all done by hand. \$10

Flemish Dining Table in a pillar extension, 10 feet long, has 48-inch top, elegant "chipmunk" design. \$23

Dining Table, Flemish oak, has rope turned legs, basket brace, a correct Flemish design, extends 10 feet long. \$15.75

A very rich, plain inlaid line Round Top Solid Mahogany Dining Table. \$36.50

A very rich, handsome Flemish 10-foot Table, double rope, turned legs, true Flemish pattern, 48-inch top, oval groove rim. \$26.50

An extra choice 5-foot Mahogany Round Table, pillar extension, very fine wood, carved and handsomely polished. \$62

Elegant Solid Mahogany Round Table, handsomely carved and polished, a very fine choice article, and the April sale price is \$35.50, slightly imperfect and now reduced to \$30.50

A very fine Colonial Mahogany Sideboard, handsomely hand carved and polished, swell front, 5 feet wide. \$56.50

ORCHARD & WILHELM CARPET CO

1414-16-18 DOUGLAS STREET. We are sole agents for the North Star Cork Filled Refrigerator—Best made.

MAWHINNEY & HOLLIDAY, Jewelers and Art Stationers.

Cut Glass. We are making a fine display of the James Hoare blue white cut glass in our cut glass room—this room is open to the public and we urge you to come and enjoy its beauty.

Belt Buckles and Bracelets. Many new novelties that we will show for the first time in silver and gold buckle and silver Netherale and chain bracelets.

Successors to C. S. RAYMOND CO. 15th and Douglas Streets

REV. MR. COOPER'S LECTURE

Talks Entertainingly on "Tennyson, Poet and Preacher," for Benefit of McQuoid Fund.

Dr. Thomas Cooper of Kansas City lectured to an appreciative audience at the First Methodist church last night on "Tennyson, Poet and Preacher."

...AMUSEMENTS...

"Othello," with Louis James in the role of Othello, Frederick Ward as Iago and Kathryn Kidder as Desdemona, concluded the short engagement of the famous trio at Boyd's last night.

Dr. Thomas Cooper of Kansas City lectured to an appreciative audience at the First Methodist church last night on "Tennyson, Poet and Preacher."

In introducing his remarks on Tennyson Dr. Cooper compared genius to the play of a searchlight upon the harbor.

W. W. Baxter yesterday in the idea of compelling the Board of Fire and Police Commissioners to pay him his salary for the period since he was dropped from the police department.

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Table with 3 columns: Name and residence, Age, and Date of license.

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BEEN IN SERVICE ONE YEAR

Glorious Record of the First Nebraska Regiment, and Especially of the Omaha Company.

It was a year ago yesterday that the two regiments of the Nebraska National Guard went into state camp at Lincoln.

But though the record is glorious it is a sad one. When the company left Lincoln it mustered eighty-one enlisted men and three officers.

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