

STATE WILL GET ITS SHARE

Nebraska Deposit in Defunct Capital National a Valid Claim.

RECEIVER IS WORSTED IN CIRCUIT COURT

Fusionist Politicians Still Through the State Capital-Abraham Lincoln Republican Club to Give a Notable Banquet.

LINCOLN, March 20.—(Special.)—Attorney General Smyth received notice today of the affirmation by the United States circuit court of appeals of the judgment held by the state against the receiver of the defunct Capital National bank of this city for \$236,000.

The receiver appealed from one court to another until the case finally landed in the United States circuit court at St. Louis. It was argued in that tribunal last fall. The decision of the court means that the state has an equitable right to a share of the dividends or, in other words, that its deposit is considered the same as the deposit of an individual.

Judge Fawcett today filed an answer in the supreme court to the petition for a writ of mandamus compelling him to fix an amount for a supersedeas bond in the case of the state against the German Savings Bank of Omaha.

Political Circles Lively.

The state's delegates to the national democratic convention today appointed a committee consisting of R. L. Metcalf of Omaha, Joe Miles of Falls City and M. C. Harrington of North Platte, to go to Kansas City and arrange for accommodations for the Nebraska delegation trying convention week.

Frank L. Marv of the governor's office is an aspirant for the secretaryship of the populist state central committee, to succeed E. W. Nelson, who has resigned because of his appointment as deputy clerk of the supreme court.

The republican caucus met Saturday night and placed in nomination: Mayor, C. H. Walrath; clerk, C. H. M. Dowling; clerk, Charles Huck; councilmen, J. C. Kautz, Hugh Robertson; second ward, T. J. Kautz.

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The citizens will vote on license or no license. FAIRBURY, Neb., March 20.—(Special.)—The prohibitionists last evening nominated the following municipal ticket: W. H. Beatty, mayor; J. M. King, clerk; L. A. Neary, treasurer; aldermen: John Carter, First ward; E. W. Sumpter, Second ward; M. C. School board, W. H. Barnes and C. M. Taylor.

SHELTON, Neb., March 20.—(Special.)—At the citizens' caucus held at the town hall last night George Smith and L. L. Weaver were nominated for one-year terms and H. C. Hansen, George Mortensen, P. C. Anubus for three-year terms as members of the village board. The license question will be left for voters to decide.

Shaw Will Address Republicans. The speaking program for this occasion is one of unusual attraction. Governor Shaw of Iowa is one of the most incisive and strong republican talkers in the west and his reputation as one of the able governors of the banner republican state in the union gives weight and influence to his utterances.

Lang Has a Hearing. Governor Poynter will go to Beatrice tomorrow to hear the charges that have been preferred against B. F. Lang, superintendent of the Institute for Feeble Minded Youths. He will be accompanied by Secretary Jewell.

Trace of Stolen Cattle. ALBION, Neb., March 20.—(Special.)—In March, 1899, forty-one head of cattle were stolen from the ranches of S. W. Allerton in Boone county. At the time suspicion rested on two young men, Preston Todd and Frank Clark of Cedar Rapids. Clark had been employed on one of the ranches. There was no evidence connecting him with the theft and all trace of the cattle seemed lost. Last week the state authorities received information in regard to the appearance of the stolen cattle. The information seemed reliable and an investigation proved that the guilty parties had been located. The cattle had been driven to Columbus by the Allerton ranches, to one Pat Murray, an old resident of Boone county, who resided at Bloomfield, waived preliminary examination and was bound over to the district court. Robert and Preston Todd were arrested in Abilene Kan., waived preliminary hearing and were bound over to the district court. Robert Todd gave bond and was released.

Another Effort Made to Recover the Vanished Bartley Deposits. LINCOLN, March 20.—(Special.)—The case of the state against the Omaha National bank, to recover \$212,000 of state money lost in that institution, was up again in the supreme court this morning on a motion filed by the attorney general for a mandate directing the district court of Douglas county to give it another hearing. The former decision in the district court was reversed in the supreme court and the case was remanded for further proceedings.

A motion filed by the defendant for a verdict based on the original trial was sustained and the attorney general contends that this was contrary to the instructions of the supreme court. The court decided this morning to give the attorneys for the bank one week in which to make a showing. The matter will then come before the court at the sitting beginning April 2.

W. Spiering of Dawes county was admitted to practice in the courts of Nebraska this morning.

The following cases were submitted on briefs without oral argument: Medland against Linton, from Douglas county; Butts against Kingman, from Douglas county; Hines against Murray, from Lincoln; British American Insurance company, from Phelps; Routable Building and Loan association against Bidwell, from Dakota; Woolworth against Parker, from Lancaster; and Mackay against State, from Douglas county.

Johnston against Seelye was dismissed. Johnson was also returned against Boring, Boring Building and Loan association, Stubbs against Treaster and Mills against Kilmer were both affirmed. Hawkins against the State and Williams against the State were both passed.

POLITICS KEEP STATE TOWNS BUSY. License or No License the Issue in North Bend. NORTH BEND, Neb., March 20.—(Special.)—The citizens' caucus met last night and nominated candidates for the city officers as follows: Mayor, M. Dowling; clerk, Charles Huck; councilmen, J. C. Kautz, Hugh Robertson; second ward, T. J. Kautz.

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TASK OF SECURING A JURY

Twelve Talemans Are Finally Qualified in the Horlocker Case.

SIX OF THESE WILL DEFINITELY SERVE

Others Are Subject to Challenge, but Jury Box Will Probably Be Filled Today—Insanity is the Indicted Defense.

HASTINGS, Neb., March 20.—(Special Telegram.)—District Judge Adams rapped the district court to order at 9 o'clock this morning and the notorious Horlocker-Morey case was again taken up. Viola Horlocker and her sister, Zera, occupied the same seats they were given yesterday. They were the city women present during the morning, but the court room was crowded with men.

As soon as the accused and her sister were comfortably seated they unweaved themselves and looked more unconcerned than many of the spectators.

The work of trying to secure a jury was continued until 10 o'clock, when the regular panel was exhausted. A recess was taken until 11 o'clock, during which time the sheriff and several deputies were ordered to summon thirty talemans who were qualified to serve as jurors to appear at 11 o'clock.

At 11 o'clock the jury box was again called to order, but not a single talemans materialized and court again adjourned until 1 o'clock.

Court resumed business at 1 o'clock. The clerk reported that five talemans were present who were qualified to serve as jurors. Stevens, attorney for the defendant, objected because the order called for thirty talemans, but the court promptly overruled the objection.

Stevens then had Assistant Clerk Bratten take the witness stand for the purpose of proving that the sheriff had not made any record in the clerk's office as to his progress in securing the talemans as ordered. The defendant also objected to any of the five talemans serving as jurors until the sheriff swore that he had done so.

Attorney Stevens in questioning the qualifications of those summoned to sit as jurors was very rigid and kept them under a constant crossfire of questions, and in nearly every instance he asked if the talemans were prejudiced against a defense of insanity.

All during the questioning of the jurors Miss Horlocker sat with her head resting on her hand, leaning slightly forward in order that she might catch every sentence and word uttered by the attorney. Her ability she understood all legal terms and showed signs of appreciation whenever the occasion required it. Occasionally there was a vein of humor in the questions and replies from attorneys to jurors and this would invariably bring a smile over the countenance of the defendant.

Twelve Competent Men Found. It was 3 o'clock before twelve men were found who were qualified to serve upon the jury. The peremptory challenge of the jury was arranged as follows: State, one; defense, three; state, two; state, one; defense, three; state, two. Out of thirty talemans summoned, all were examined for the jury with the exception of six. The result of the peremptory challenge as it now stands assures that six jurors have been secured. The attorneys concerned feel that the jury will be selected tomorrow morning and the first witness put upon the stand after dinner.

The first women to enter the court room, beside Viola Horlocker and sister since the case began were admitted at 2 o'clock this afternoon and took seats in one corner of the room. Shortly after 2 o'clock a large crowd of women ushered in which sat throughout the entire legal proceedings, which were tiresome and monotonous. There were between 300 and 400 people in the audience throughout the day.

The only time Miss Horlocker seemed to be affected in any manner was when a clergyman, at whose church Miss Horlocker used to sing, entered the room and seated himself where he could look her full in the face. It was then that she covered her face with her hand and looked as if she might be weeping, but she soon rallied and took her former position, with her head resting upon her right hand and her jet black eyes riveted upon the men in the jury box.

Court adjourned at 5:30 this afternoon until 9 o'clock tomorrow morning.

ARGUMENTS IN MURDER CASE

Closing Speeches Made in Harris-Blenkiron Trial and Jury Retires.

HARTINGTON, Neb., March 20.—(Special Telegram.)—The testimony in the Harris-Blenkiron murder case was all in at 10:30 this morning and the state, represented by J. C. Robinson of this city, opened with the arguments.

Judge Graves limited each side to three hours and a half to present their case. Robinson made a strong and impassioned argument, setting forth the law and evidence. He was followed by Judge Weed, county attorney, who made a short address.

Millard opened the argument for the defense. His address was both logical and eloquent. Then followed Mel Jay with the closing argument for the defense. He spoke for fully two hours, during all of which time there was breathless attention in the packed court room.

At 7 o'clock the judge delivered his instructions to the jury and they at once repaired to the jury room.

Boom in Boone County.

ALBION, Neb., March 20.—(Special.)—Gunther and Needham and C. E. Drake have now nearly completed their new opera house, which was started on April 6 or 7 the grand opening will occur.

Isaac Letson's new brick store is completed and he has moved in his goods. He will also build on the balance of his lot another brick this spring.

Since the first day of December and up to March 17, 1906, 27,200 acres of land have changed hands in Boone county. The most of this has gone to actual settlers and at prices from \$3 to \$5 per acre advance over those of eighteen months ago.

Benedict Appointed to West Point.

HASTINGS, Neb., March 20.—(Special Telegram.)—Jay Benedict of Hastings received word today from West Point notifying him that he had been appointed to West Point over Ralph Boehue of Hansen. At the preliminary examination held in February Boehue came out first, with Benedict at a close second. They both took the examination for West Point at Leavenworth about two weeks ago and it was through this final examination that Benedict secured the appointment over Boehue.

Gift for Pawnee City Academy.

PAWNEE CITY, Neb., March 20.—(Special Telegram.)—The Pawnee City academy has received from a wealthy friend in Pennsylvania an endowment of \$1,000. The donation was made through the financial agent of the institution, W. A. Campbell, and the name of the donor is withheld from the public.

Republican Committee Meets.

GRAND ISLAND, Neb., March 20.—(Special Telegram.)—The sixth district republican committee met here today and decided to hold a convention to elect delegates to the national convention and to

company and the Plaza Building mill.

Assistant was summoned from Sidney, Troy, Dayton, Lima and Covington and further spread of the fire prevented. The loss on the oil mill will reach \$175,000, well covered by insurance. The mill was the second largest one in the United States. Loss on the flouring mill, \$50,000, probably covered by insurance.

HYMENEAL.

Hansen-Baltenbeck. Peter Hansen and Miss Selma Baltenbeck were married Tuesday, March 20, at noon, at the residence of the bride's parents, 329 North Seventeenth. Rev. Charles W. Savidge officiated. The wedding couple go tonight on a bridal trip into Wyoming.

Shipscrew Crew Rescued.

SAN FRANCISCO, March 20.—Word has been received in this city that the British ship City of Sydney, bound from London for San Francisco with a cargo of nitre, is ashore at Half Moon bay within 20 yards of the shore of the straits of the city. The crew of the ship, which went ashore near Half Moon bay two years ago, is being rescued.

DEATH RECORD.

Prominent Dakota Physician. DEADWOOD, S. D., March 20.—(Special Telegram.)—Dr. H. A. L. von Wedelstaedt, who died last night, was about 50 years of age, having been the oldest practicing physician in South Dakota, also the oldest Free Mason, having been a member of that order for fifty-five years. He was active up to his death, which came while taking an afternoon nap. He leaves a wife and eight children—Henry and Dr. E. T. of St. Paul, Park of St. Louis, Bismarck, now studying medicine in Chicago; George, practicing medicine in San Mateo, Cal.; Mrs. Haskell of Minneapolis, Mrs. Shaw of St. Paul and Miss Elizabeth, who is at home.

General Z. B. Tower. BOSTON, March 20.—General Zealous B. Tower, United States army (retired), died at Cohasset tonight, aged 81 years. He was graduated from the military academy in 1847 and saw active service in the Mexican and civil wars, serving with distinction in both and being retired in 1882. He was superintendent of the military academy from July 8, 1864, till the following September.

Sudden Death of Conductor.

CHICAGO, Ill., March 20.—(Special Telegram.)—Jack Flinn, who had been the employ of the Union Pacific as conductor for twenty years, dropped dead here tonight. Flinn was discharged a few weeks ago because of a failure to make out his reports. It is said of him that during his long railroad career he never had an accident while on duty.

Aged Nebraskan.

PLAINVIEW, Neb., March 20.—(Special Telegram.)—Daniel Robinson died this morning of old age. He had passed the 95th year of his life and his mind and body were remarkably vigorous for his age. He has two married daughters living in Plainville, Mead, Lucy Hammond and Mrs. A. F. Cass. He was a member of the Baptist church.

Prominent Member of Maccabees.

LEXINGTON, Neb., March 20.—(Special Telegram.)—Mrs. Nettie Hammond, a prominent member of the Ladies of the Maccabees, widow of W. A. Hammond, died here of dysentery at 10 o'clock today.

Dies at 105 Years of Age.

LACONIA, N. H., March 20.—Charlotte P. Mason of Sandwich, N. H., is dead, aged 105.

FIRE RECORD.

Flint Wagon Work. FLINT MICH., March 20.—The Flint wagon works were totally destroyed by fire tonight, causing a loss of over \$200,000. The plant was insured for \$120,000. The origin of the fire is a mystery. Five hundred men are thrown out of work. This is the fourth time the wagon works have suffered by fire and it is not known tonight whether they will be rebuilt.

White Lead Works.

NEW YORK, March 20.—The corrodous house of the National Lead company, with its contents, at Port Richmond, S. L., was destroyed by fire early today. The loss is estimated at \$100,000. The fire is supposed to have been caused by a defective electric light wire.

Monster Oil Mill.

PIQUA, O., March 20.—Fire which broke out about midnight destroyed the W. F. Orr linseed oil mill of the American Linseed

company and the Plaza Building mill. Assistant was summoned from Sidney, Troy, Dayton, Lima and Covington and further spread of the fire prevented. The loss on the oil mill will reach \$175,000, well covered by insurance. The mill was the second largest one in the United States. Loss on the flouring mill, \$50,000, probably covered by insurance.

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Three Fees of Health. Henry Jones, of Zenas, Ind., says: "My sufferings were almost unbearable, and only persons having been afflicted with this rare and dreaded combination of diseases can imagine what they were like. I was confined to my bed almost all the time. My doctor finally acknowledged that neither he nor any one else could cure me. I would not give up, so tried different medicines, and finally began the use of Dr. Williams' Pink Pills for Pale People. The first box of pills helped me some, and I took some more. The second box began to produce the desired result, and before I had finished the fourth box I was at last a cured man. That was last March, and I have not been troubled with these diseases since."

Grandest Scenic Trip in the World. THE THROUGH FIRST-CLASS PULLMAN SLEEPERS. Between Chicago and San Francisco. NOW IN SERVICE VIA THE Great Rock Island Route. Cross the ROCKY MOUNTAINS and the SIERRA NEVADA BY DAYLIGHT IN BOTH DIRECTIONS. These Sleepers are Broad Vestibuled and are carried on the Limited Trains of the Great Rock Island Route, Denver and Rio Grande (Scenic Route) Rio Grande Western and Southern Pacific—Dining Car Service Through—Buffet Library Cars.

POMMERY. THE STANDARD OF CHAMPAGNE QUALITY IS POMMERY. In clubs, hotels, and restaurants, if you order POMMERY, you get, at the same price per bottle, a champagne which is sold at wholesale at a considerably higher figure.

Masterpieces of Art. "THE BALLOON" and "DEFENSE OF CHAMPIGNY". The Niagara Lithograph Co. recently succeeded in making arrangements for the reproduction of these master pieces in the finest photogravure process. These photogravures represent paintings that have been sold for thousands of dollars. These reproductions would sell rapidly at any store at \$2.00 each, but they cannot be purchased except directly from us, as we absolutely control the copyrights.

A Great Premium Offer. Our Special Proposition. You can have either or both of these famous paintings for 10c each and 5 consecutive coupons cut from this advertisement in The Daily Bee. These beautiful pictures have never been sold for less than \$1.00 each. The Bee has purchased several thousand as a special subscription feature, thus making the price very low for Bee readers only. Ten cents extra when sent by mail for postage and tabe.

3 COUPONS ONLY 10c.— THIS IS IT— CUT IT OUT. "The Defense of Champigny" "THE BALLOON". COUPON FOR MARCH 21. This coupon with two others of consecutive dates and 10 cents, presented at the Bee office entitles any reader of the Bee to this beautiful picture, 22x30 inches. If you want it mailed, send 10 cents extra for tube, postage, etc.



A confidential chat. Heart Failure, Paralysis, Nervous Tremors, Shortness of Breath and All Diseases Due to Poor Circulation of Blood Are Cured by a Short Use of Dr. Dix' Tonic Tablets.

There is a remarkable remedy called Dr. Dix' Tonic Tablets that has a marvelous effect upon the nerves and blood. It will give quick relief in all cases where the nerve pressure causes pain and constriction of the blood vessels. It has the effect of causing the various excretory organs such as the skin, liver, lungs, bowels and kidneys to separate the poisonous salts and acids from the blood and cast them out of the body. Any one who is sick or ailing should try this wonderful remedy. It is a palatable, agreeable and effective remedy, perfectly harmless, and combining only those elements from the garden of nature which the human body can utilize in its up-building processes. A great many prominent men and women have used this wonderful medicine, and they are so satisfied with its absolute compatibility with bodily conditions, no one who has ever used it, unless he has failed to observe its marked influence, and many a stubborn ailment has been overcome in a surprising short time. If you have any of the above symptoms try Dr. Dix' Tonic Tablets today. They give life to the nerves, tone to the blood, cure rheumatism, kidney disease and all blood and

ADDS HIS EVIDENCE

Story Is the Same as From Other Sources. Lots of Money Spent but No Returns Have Been Received.

The people in Omaha willingly add their evidence to that which has already been given in favor of Morrow's Kid-ne-oids, the best remedy that has ever been sold in this city for backache, kidney and urinary disorders, sleeplessness and nervousness. Our druggists report wonderful cures and state that Kid-ne-oids are daily increasing in the opinion of our people. Kid-ne-oids act directly upon the kidneys and nerves and restores them to their natural condition. Good kidneys make good blood, good blood makes strong nerves. Kid-ne-oids make good kidneys and strong nerves.

Morrow's Kid-ne-oids are not pills, but Yellow Tablets and sell at fifty cents a box at all drug stores and at Myers-Dillon drug store.

Mailed on receipt of price. Manufactured by John Morrow & Co., Chemists, Springfield, Ohio.

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