ATTACKS THE EXISTING JAIL SYSTEM

Lincoln Chief of Police Says the Practice of Confining Innocent and Tough Characters Together is a Disgrace.

BEATRICE, Neb., Feb. 6,-(Special Tele-gram.)-The fifth annual conference of the State Association of Charities and Correcions was begun here this afternoon at the Centenary Methodist church. The meeting was called to order by President E. Beujamin Andrews, chancellor of the State university. Mayor Norcross made an address of welcome on behalf of the city. Rev. W. H. Kearns, paster of the Pirst Presbyterian church, made a short speech on behalf of the churches of the city, and then spoke at some length upon the good being accomplished by the churches and charitable institutions throughout the country.

In the absence of Governor Savage, who was to respond to Mayor Norcross, Chanceller Andrews took advantage of the opportunity to thank the citizens and the church people for the welcome they had received and, explained briefly the good work being accomplished by the charitable institutions of the state. The chancellor was followed by Hop. George A. Murphy of Beatrice, who addressed the conference upon "Administration of County Charities." The speaker dwelt principally upon the legislation that might be accomplished on behalf of charity, and his speech showed he had made a study of his subject. speech will be printed by the association for distribution

Denounce Condition of Jails.

Chief of Police Hongland of Lincoln had for his subject "Jails and Lock-Ups," saying the jails of the state were a disgrace, and with the present system of jails the innocent and the tough characters were confined together, which tends to make criminals of many innocent young men because of there being no preference shown between the worst criminal and the inno cent ones, and said the penitentiaries of

The session tonight consisted of music and an address by Chancellor Andrews upon "The Future of Charities and Correc-The address lasted three-quarters of an hour and was listened to with rapt attention by the large audience present. The speaker said the purposes of the as sociation were fourfold:

"First, to disseminate interest up and

"Second, to rationalize charity as far as and to see that all charity as far as posinstead of separating them.

Third, to rationalize correction that is and alone the public good.

laws, ordinances and administrations

Institute for Feeble Minded and the after- Mrs. P. E. Ruffner, and notwithstanding the to the plaintiff the key to the parsonage

### GRAND ISLAND KNOWS MORSE

Man Too Free with His Checks.

GRAND ISLAND, Neb., Feb. 6 .- (Spe cial.)-F. J. Coates of the Koehler hotel is sending announcements to the officers of various cities stating that one A. Morse, purporting to be from Washington, D. C., and a geodetic surveyor, has been stopping at his hotel and has departed after having secured a checkbook, with "The Koehler" printed on the checks, and is passing checks therefrom. One, in the amount of \$25, arrived here today having been cashed by the First National bank at Fremont. Morse is described as being five feet seven in height, weight about 130 pounds, rather dark complexioned, face looking old beyoud his years, dark hair, stubby mouswrites a pretty, round, fine hand, shading his letters. The checks here were drawn on a bank with which Coaten does not do business, and he is not a loser, but he is willing to make some effort to protect others, hence the postal cards.

York Musicule Repeated.

YORK, Neb., Feb. 6 .- (Special.) - A song ostival was given last evening at the Audiorium by 150 voices, under the direction J. A. Parks, supported by an orchestra of twenty-five pieces, directed by Rollin Bond. The singers were principally from York and York county. The large Audi-



### A Medicine for Old People.

Rev. Geo. Gay, Greenwich, Kas., is past 83 years of age, yet he says: "I am enjoying excellent health for a man of my age, due entirely to the rejevenating influences of Dr. Miles' Nervine. It brings sleep and rest when nothing clse will, and gives strength and vitality even to one of my old age."

"I am an old soldier," writes Mr. Geo. Watson, of Newton, Is, "and I have been a great sufferer from nervousness, vertigo and spinal trouble. Have spent considerable money for medicine and doctors, but with little benefit. I was so bad my mind showed signs of weakness. I began taking Dr. Miles' Nervine, and I know it saved my life."

### Miles Nervine

Saved me from the insane asylum," Mrs. A. M. Heitner, of Jerico Springs, Mo., writes. "I was so nervous that I could scarcely control myself, could not sleep norrest, would even forget the names of my own children at times. I commenced using Dr. Miles' Nervine and it helped me from the first, and now I am perfectly well."

Sold by all Druggists on Guarantee.

Dr. Miles Medical Co., Eikhart, Ind.

were made to repeat the entertain that the management has arranged to hold the same entertainment topight.

WORMS ATTACK FALL WHEAT Destroy Many Plants, but Are Checked by Cold-State Entomologist

Examines Them.

FARNAM, Nob., Feb. 6.--(Special.)--A worm attacked the fall wheat which was growing and destroyed considerable quantitles of it last fall. The cold wave of December stopped it for a short time and then it recommenced and was only stopped by the present severe spell. Some of these worms were sent to the University of Nebraska to Prof. Bruner for information.

In reply to your favor of the 34th inst.
will say that the worms which you sent
prove to be a caterpillar somewhat closely
related to the fall army worm. I think,
however, that the severe winter will do
much toward destroying these pests; at any
rate, if you see various kinds of birds in
your field do not disturb them, as they will
no doubt destroy large numbers of these
worms.

no doubt destroy large numbers of these worms.

They are so nearly grown now that very shortly after warm weather they will become fully so and go into the ground before doing much damage to the small grain. No cultivation method can be adopted that will be of much use in destroying them unless soon after the ground thaws in the spring you should go over the field with a roller. In this manner you might crush many of them. Yours very truly,

LAWRENCE BRUNER,

Acting State Entomologist.

HIS BABY BROTHER Seven-Year-Old Son of Hermann Gossman Plays with Father's

Gun.

HUMBOLDT, Neb., Feb. 6 .- (Special.)-A tragedy happened this forencen at the home of Hermann Gossman, a farmer living several miles northwest of the city. The farmer had prepared to drive out into the field to procure some fodder and loaded a shotgun to take along. Being called into head off and killing him instantly.

Funeral services will be held at the house the state were far more preferable to the at noon Friday, conducted by Rev. Mr. tion in equity the supreme court must take

Farmers' Institute at Tekamah. TEKAMAH, Neb., Feb. 6 .- (Special.)-The first day's session of the Farmers' institute opened here today with a large atdown the state on the subject of charity Andy Struthers of Craig with a paper on "Corn Fodder," in which he gave his experience with cutting, shocking, shredding possible to get people to give only when it and feeding corn fodder, and its value as will do good, and not harm; not to dupli- feed. The afternoon was occupied by Prof. cate charities nor to neglect needy cases, E. V. Fonell's address on "Forage Crops." Prof. Burnett gave an address on "Raising sible is administered in a friendly spirit and Feeding Cattle," which was followed by calculated to unite both giver and receiver, an address by Chancellor Andrews of the State university on "Free Land," which he claimed was all gone, calling for more

the infliction of severe penalties of one in- thorough methods in farming. The chanterest and another, getting rid of the idea cellor's lecture drew much favorable comof vengeance or retribution and convincing ment. The farmers manifest much interest, criminals and ourselves that we deal with in the institute work and many questions them in love and not hate, seeking solely and discussions occur after each paper is presented. "Fourth, to reform actual institutions Condemna Plattamouth Council.

throughout the state in accordance with the session tomorrow will be held at th

F. J. Contex Issues Warning Against

making a touching appeal for the salvation of the boys. This resolution was adopted:

Whereas, The Woman's Christian Temperance union stands for the prohibition of evil and against selling the privilige of ruining the characters, souls and bodies of young men, we hold that such things are beyond price; therefore, be it

Resolved, That we as a union express our earnest condemnation of the late action of the city council, granting licenses to houses of ill repute. Jury Acquits Teachers.

> taken to the asylum yesterday. VARIED SKIES IN NEBRASKA

Fair Weather Today, Cloudy Tomor row, with the Thermometer Rising.

WASHINGTON, Feb. 6 .- Forecast: For Nebraska, North Dakota and South Dakota-Fair Friday; Saturday cloudy, with rising temperature; northwest ,winds, beoming variable.

For Iowa-Fair Friday and Saturday; northwesterly winds. For Missouri-Fair Friday and Saturday; colder Friday in east and south portions; For Kansas-Fair Friday and Saturday. colder Friday in south portion; north

For Wyoming-Fair Friday, warmer in winds.

OFFICE OF THE WEATHER BUREAU, OMAHA, Feb. 6.—Official record of tem-perature and precipitation compared with the corresponding day of the last three

Reports from Stations at 7 p. m.

CONDITION OF THE WEATHER. maha, clear ..... alentine, clear forth Piatte, clear St. I outs, clear

Paul, partly cloudy
Davenport, clear
Kansas City, clear
Havre, clear
Helens, cloudy
Bismarck, cloudy
Galveston, cloudy

Argument in March.

ARGUMENTS IN BARTLEY BOND MATTER

Contention of Bishop Bonseum Af firmed in Controversy Over St. 'Andrew's Church Property

(From a Staff Correspondent.) for the reason that the personnel of the the injured party. court has changed since the case was Sedgwick having become a new member. was asked by John L. Webster to order the

was not officially acted upon. The case is the one which arose from Bartley's transactions with the bank.

Case of Bartley Bondsmen The case of the State against the bondsmen of former Treasurer Bartley was argued and submitted to Commissioners Oldham, Pound and Barnes this morning. Norris Brown appeared for the state, while braska? the interests of the bondsmen were protected by General Cowin, Frank T. Ran-

som and Robert Ryan.

St. Andrew's Church Controversy. In the case of St. Andrew's church of another room for something he left the Tecumseh against Michael Shaughnessy, loaded gun in the kitchen, and during his Michael Murphy and others, an action arisabsence his 7-year-old son picked it up and ing in Johnson county from a controversy playfully pointed it at his 3-year-old over the possession of church property, brother. The trigger was pulled and the the supreme court has affirmed the defirearm exploded right in the face of the cision of the lower court, which was in youngster, blowing the entire top of his favor of the contentions of Bishop Bona-Meyer of the German Methodist church of the evidence as it is in the record and Further, Judge Sedgwick says: "A minority of the members of a corporation organized under the act of 1883, entitled. tendance. The program opened with a 'An act for the incorporation of churches paper on "Agricultural Education," by I. and parishes and religious societies, have L. Young of Oakland, and was followed by no right to retain possession of the corporate property as against the corporation itself for the purpose of compelling the corporation to recognize their rights as

members." The court states the case as follows "This action was begun in the district court of Johnson county by the plaintiff, St. Andrew's church of Tecumseh, to enjoin the defendants from intermeddling with the church property and from hindering the plaintiff church and the members, comprising the plaintiff corporation, in the enjoyment of their rights and franchise and from interfering with the right of the pastor of the church to use and occupy the parsonage and to occupy the pulpit of the church and from excluding the plaintiff and the members of the plaintiff corporation and communicants from the church PLATTSMOUTH, Neb., Feb. 6 .- (Special.) building and from interfering with them in The meeting of the Woman's Christian celebrating divine worship in the church. Temperance union was held at the home of and to require the defendants to surrender noon will be devoted to an inspection of the same.

"What is Our Greatest Need?" was the erty of the plaintiff in their possession. title of a paper read by Mrs. C. E. Wescott, with a general prayer for equitable relief.

GRAND ISLAND KNOWS MORSE making a touching appeal for the salvation

general findings for the plaintiff and decree granting the relief prayed. The defendants appealed to this court and the judgment of the lower court is affirmed."

Concluding the court says: "The property in question belongs to the corporation and is committed to its custody and control. Under the organization of this church corporation the appointment and removal of its local or parish priest is committed to the hishon. The priest is bert, C.

Western Mattrees Co. against Potter. Former judgment adhered to. Found, C. Boyd against Houghton. Affirmed. Kirk-patrick, C. Herdlitchka against Foss. Affirmed. Sedgwick. C. Bourne against O'Connor. Affirmed. Kirk-patrick, C. Bourne against Kohout. Affirmed. Duffic. C. Marferding against Jones. Affirmed. Al-AUBURN, Neb., Feb. 6.—(Special.)—
Judge Caldwell's court was crowded with removal of its local or parish priest is spectators on Monday and Tuesday at the removal of its local or parish priest is committed to the bishop. The priest is committed to the corporation, is the authorited to the corporation and priest is committed to the corporation is the authorited to the corpo erty and its use as contemplated in accordance with the usages of the Roman

Catholic church." Ejectment Case Dismissed.

In an action in ejectment, arising from the same controversy and begun by the bishop, the judgment of the district court is reversed and the case dismissed, Judge Sedgwick as commissioner writing the opinion. The court holds that an action in sjectment cannot be maintained during the pendency of a prior action in equity bependency of a prior action in equity be-

outheast portion; Saturday fair; variable of mandamus to require Judge Fawcett to p an injunction suit arising from its attempt to extend its system into the city of South Omaha. On an exparts showler South Omaha. On an ex parte showing one of the district judges issued an order restraining the city of South Omaha and its officers from interfering with the plaintiff in the transaction of its business. either by cutting its wires, removing its any other manner. Afterward defendants filed an answer and cross-petition, and the Colby their hearty support in the mo court entered an order allowing a tem- | ment. porary injunction, substantially as prayed in the cross-petition. The plaintiff, prothe injunction first issued would be kept in some time ago with failure to report

plaintiff, who is the relator in this pro-ceeding, is entitled to an order fixing the which he was graduated. mount of the bond required to keep its injunction in full force and effect, pending a final hearing in the district court. and consequently that a peremptory writ arrest of P. Coursey Richards of this city should issue herein. We are unable to see in St. Joseph, Mo. The man is wanted how the second order operates in any de- here on a charge of assaulting his 12-yeargree as a dissolution or modification of old stepdaughter. He attempted to com-the first. The first, as well as the sec-mit suicide on being arrested. Richards is Royse will investigate the charges. ond, is purely probibitive. It gives the well known in Lincoln, having conducted plaintiff no right to do any act it could an employment agency here for many years, not lawfully have done without such or- He disappeared Sunday night and it is beder. Its sole purpose was to restrain the lieved started to join a friend in Oklahoma. defendant from doing the acts therein. A delegation of officials of the Omaha specified. The restraint thereby imposed Building and Loan association called on ice of Loup river. The team belonged to on the defendants has been no less effective Secretary Royse of the state banking board young men named Haggert and Bridge, and

by the first., That being true, the secon order cannot be said to operate as a disolution or modification of the first. It follows that the district court properly Eugrame Court Sats it Dawn for New refused to fix the amount of a supersedeas and that the writ prayed should be de-

> New Trial for James Leo. The court reverses the decision of the rial court by which James Leo was convicted in Douglas county for robbery from the person by putting in fear and intimidating the person rebbed. The opinion is by Judge Holcomb, who, in the syllabus

"While it is the right of the trial judge to interrogate witnesses when essential to the administration of justice, yet the prac-LINCOLN, Feb. 6.—(Special.)—The su-preme court announced this afternoon that necessary, should be discouraged. The at the request of Judge Sedgwick the case common law rule conferring arbitrary power of the State against the Omaha National upon judges has been so far medified by bank will be set down for new argument the code as to greatly limit this power, at the first sitting in March. This action and in case of its abuse a reviewing court is taken upon the court's own motion and would not hesitate to give a new trial to

"Held, as disclosed by the record, there taken under consideration last year, Chief was an abuse of discretion by the trial Justice Norval having retired and Judge court in interrogating different witnesses during the trial of the cause, which was At the last sitting, in January, the court prejudicial to the rights of the defendant. "While a police officer was on the witness case for new argument, but his prayer was stand in behalf of the prosecution the asin the nature of an informal request and sistant prosecutor, after an objection to a question propounded to the witness, stated 'I want to show that he (the witness) has the defalcation of former Treasurer Bart- known him (the accused) a long time, and ley and is to recover \$201,000 lost through had him under observation for other jobs. And also on the cross-examination of the accused, who testified as a witness in his own behalf, asked him: 'Have you ever been arrested before?' 'Have you ever been convicted of a crime?" 'Isn't it a fact, Mr. Leo, that you have served time in the penitentiary in the state of Ne-

"Held, there being no competent evidence of any prior conviction of a felony, that such action is unwarranted and prejudicial to the defendant's substantial rights. for which a new trial should be granted." Opinions Delivered.

The following opinions were delivered at the adjournment of court this afternoon: over the possession of church property, the supreme court has affirmed the decision of the lower court, which was in favor of the contentions of Bishop Bonacum of Lincoin. Judge Sedgwick, in the opinion, holds that upon appeal in an action in equity the supreme court must take the evidence as it is in the record and determine whether the decree appealed from can be supported upon the pleadings and evidence as taken in the lower court. Further, Judge Sedgwick says: "A McNaughton against Burke. Affirmed. McNaughton against Burke. Affirmed illivan, C. J Hesselgrave against State. Reversed. Duffie, C. Williams against Parks. Reversed. Hast-

Williams against Parks. Reversed. Hastings, C.
Bradbury against Kinney. Reversed, with directions to enter decree in favor of plaintiff for the amount of mortgage and interest from August 1, 1833. Hastings, C.
Lincoln against Janesch. Affirmed. Sullivan, C. J. Holcomb, J., concurring in judgment of affirmance. Lincoln against Janesch. Affirmed. Sulvan, C. J. Holcomb, J., concurring in udgment of affirmance. Hobbs against Warman. Affirmed. Per Williams against Taylor. Affirmed. Hol-Raymond against Shriever Bros. Af-rmed. Holcomb, J. firmed. Holcomb, J.
Thomssen against Hall County. Affirmed.
Kirkpatrick, C.
Shaughnessey against St. Andrew's
Church. Reversed and cause dismissed.
Sedgwick, C.
County of Hall against Thomssen. Affirmed. Kirkpatrick, C.
Cass County against Sarpy County. Reversed, Ames, C.
Leo against State. Reversed. Holcomb,
J.

J.
Providence Washington Insurance Company against Weston. Affirmed. Day, C. Iowa Savings Bank against Frink. Former judgment adhered to. Albert, C. Pratt against Gallaway. Former judgment adhered to. Oldhem, C. Pound, C., concurring in separate opinion.

Magruder against Kittle. Affirmed. Duffie. C. fie, C. Stull against Stull. Former judgment adhered to. Oldham, C. Pound, C., concurring in result, files separate opinion. Winterringer against Warder, Bushnell & Glessner Co. Former judgment adwith a general prayer for equitable that the defendants hold the property and exclude plaintiff therefrom and attempts to justify so doing. There was a trial by the court and ing. There was a trial by the court and western Mattress Co. against Bloomfield State Bank. Former judgment adhered to. Pound, C., concurring in a separate opinion. Western Mattress Co. against Potter.

People's Building, Loan and Savings As-octation against Welton. Affirmed. Pound, People's Building, Loan and Savings Association against Backus. Affirmed, Pound, C. Oldham, C., concurring in separate

tween the same parties, in which plaintiff alleges that defendant wrongfully with-holds possession of the same property from the plaintiff, and asks to enjoin the defendaut from excluding the plaintiff therefrom.

Telephone Company Loses.

The court denies the application of the Platismouth Telephone company for a writ of mandamus to require Judge Fawcett to fix the amount of a supersedeas bond in

Plans for Third Regiment. Brigadier General Barry and Colonel Hayward and Archer, were in Lincoln today considering matters " l'tive to the Nebrasks National guard. Plans for the orinstruments, arresting its employes or in ganization for a third regiment were discussed and all decided to give General

Certificates for Physicians.

The secretaries of the State Board of ceeding on the theory that the second or- Health touight concluded their monthly der was a dissolution or a modification of meetings. Certificates were issued to aix the first, then asked the court to fix the physicians and three osteopaths. Dr. T. amount of a supersedeas bond, whereby E. Fairall of Tecumseb, who was charged full force and effect until the final hear-ing of the cause. The request was denied dence showing that the physician did not attend the case after the eruptions ap-The court says: "It is conceded that if peared. Dr. C. W. Abel of Fullerton, whose the injunction granted on the prayer of the application for a license was held up at defendant dissolves or modifies that the last meeting, was given a certificate, granted on the prayer of the plaintiff, the

For Assaulting Stepdaughter

The police were notified tonight of the

ine energeneers and the second

That constant backachel Strikes you any time-'Tis the first symptom of Kidney Ills -comes in many forms-Sudden twinges of pain-Slow exhaustive aches-Kidneys out of order, require relief.

Backache is a Kidney warning-neglect the warning other troubles follow.

Sick Kidneys cause bad backs-Bad back are weak and lame and aching.

Sick Kidneys cause weariness-headaches-dizziness-Rheumatic pains and

nu merous other aches.

Cure every ill of the Kidneys and Bladder-

Relieve the aching back and cure it. Doan's Kidney Pills cure dangerous Urinary disorders-Infrequent and too frequent Urinary discharges-Not a symptom in the Kidney calendar they do not reach, down to the borderland of Diabetes, Dropsy, Bright's disease-The evidence is home testimony.

# Omaha Proof:

## Oak Street

Mrs. Alex Long. of 1913 Oak street says: "I had kidney trouble for many years, suffered severely, was annoyed a great deal nights from too frequent action of the kidney secretions and had other aliments often little understood but which are caused by disordered kidneys. I saw Doan's Kidney Pills advertised and had my husband get them for me at Kuhn & Co's drug store. They did me so much good that I continued the treatment and after finishing two boxes I felt like a different woman even at my advanced age. I recommend Doan's Kidney Pills to every one at every opportunity for they are a reliable kidney remedy."

No. 24th St

Mr. George McKenzie of 1804 N. 24th street, says: "My back ached and symptoms of some disturbance of the kidney secretions existed. Procuring Doan's Kidnoy Pills at Kuhn & Co.'s drug store, corner 15th and Douglas streets, I took a of the treatment. A dose or two relieved me, and finally the annoyance. When Doan's Kidney Pills helped a man of my age, they certainly can be depended upon to bring speedy assistance to those more susceptible to he action of

## Get What You Ask For. Get DOAN'S

Don't accept something "just as good." Most druggists sell Doan's Kidney Pills and will give you what you call for. Some may endeavor to substitute an article they make more profit

on. Insist on having the genuine. Price 50c. Manufactured by Foster-Milburn Co., Buffalo, N.Y.

pusiness in this state. It was contended in St. Paul and had broke through the ice residence of W. W. Welcett in this city by the visitors that the Home Purchasing in crossing the river. company is issuing a form of investment policy which is contrary to law. Secretary Charged with Hiegal Sale of Liquor.

Team of Horses Frozen. GRAND ISLAND, Neb., Feb. 6 .- (Spe- without a license. He was admitted to ball term in the reform school on the charge of cial.)-Two horses, hitched to a wagon; have been found frozen and dead in the

PAWNEE CITY, Neb., Feb. 6 .- (Special Telegram.)-Fred Stucke was arrested here today in \$300 and his preliminary hearing incorrigibility.

Celebrate Golden Wedding.

since the issuance of the second order tonight and asked him to take steps to than it was before. The second order in prevent the Home Purchasing company of drowned. It appears, however, that their —Mr. and Mrs. O. S. Wolcott celebrated to the prevent the Home Purchasing company of drowned. It appears, however, that their —Mr. and Mrs. O. S. Wolcott celebrated to the prevent the restrain imposed to the restrain imposed to the restrain imposed to the prevent the transaction of the second order in prevent the Home Purchasing company or the second order in prevent the Home Purchasing company or the second order in prevent the second order i

Tuesday night.

Boy Sentenced to Reform School. PAWNEE CITY, Neb., Feb. 5 -- (Special Telegram.)-Walter Pentz, aged 15 years, last night on a charge of selling liquor was tried here today and sentenced to a

Dates for Auburn Chautauqua.

AUBURN, Neb., Feb. 6 .- (Special.)-Manager Dundas announces August 16 to -Mr. and Mrs. O. S. Wolcott celebrated 24 as the dates for the Auburn Chautauqua