to Have Charge-His History in Times of War and

After a year's iliness General Calvin H. Frederick died at his home, 621 South Eighteenth street, at eight minutes before 5 o'clock Thursday afternoon. Parenis, combined with the gradual decline of old resulted in the death of General Frederick confined to his bed during that time. Growing daily weaker, he lost all consciousness early in the morning and remained in that

be next Sunday in all probability. The of testimony, is as follows: Loyal Legion, of which the deceased was a member, will be in charge.

Severe on Mrs. Frederick.

The seventy-fourth anniversary of this old soldier's birth had but recently passed, it being most appropriately timed for Memorial day, the 30th of May. Mrs. Frederick is 70 years of age, and the death of her husband after twenty-eight years of wedded life is a crushing blow to her, though she knew it was soon to occur, and is bearing up as well as could be expected. Mrs. Frederick was with the general at the time of his death and also during the last interval of his consciousness. He spoke to her Wednesday night and then lapsed apparently into unconsciousness, being unable to speak again. When she came to his side Thursday morning early he evinced signs of knowing her, but was unable to

#### Relatives Are Few.

Mrs. M. C. Burnham, a niece of Mrs. Frederick, and her daughter, Olive have been living with the aged couple the past few years and are still at the home. sides them there is only Stuart McDearmid, who has been there for three months past taking care of Mr. Frederick. deceased had but few relatives and none are expected for the funeral.

By this death Omaha loses one more of its cherished military figures. General Frederick was a real soldier. He had the erect carriage, the commanding height, the imposing bearing which tradition attributes to the ideal type of military man, and he had more than that-a record that more than bore out his martial appearance. The details of his life as a business man, a soldier and again a citizen form a romance His War Record.

only until of age before hastening west. In comes up at the present time. 1851 he reached St. Louis and there started in the hat trade, learning it in the thorwar found him, but he immediately aban- produce further proof. doned his private interests for the army and raised a regiment, the Ninth Missouri nois, and it was changed at the instance of

### Commands Reserve Corps.

In 1863 Colonel Frederick resigned and was Reserve corps the same year, being in command of the depot camp at Washington, D. C., and organized troops there up to Decem-He later commanded the Fifth regiment Veteran Reserve corps and Burnside barracks, and was a member of the First army corps board of Generals Casey and Hancock for the examination of officers.

In 1865 and 1866 Colonel Frederick com manded a regiment and garrison in Indiana. and during this time was made first brevet colonel of volunteers and then brevet brigadler general of volunteers for conspicts discipline and gallantry at the battle of Pea Ridge. In July, 1866, the general went into the regular army as first lieutenant of the Forty-fifth infantry. He was in turn breveted captain and major of the regular army for his gallantry in the civil war, and then remained with his company at Nashville till September, 1868, when he went to Louisfaville, Ky., with his command for a few

### Omaha Career Begins.

About that time Lieutenant Frederick was transferred to the Fourteenth infantry and went to Fort Thompson, Dakota, remaining until 1870, when he was transferred December, 1870, shortly after coming here, and started in the hat business in this city two menths later. In 1874 he went east to

S'nce that time Mr. Frederick has been constantly in business here. His first home was at Eighteenth and Farnam streets. Myod twenty years.

Intimates Few, but Dear.

Until then he was always at the store in business hours. He was a man of few intimates, but loved those well. Among his Hathaway, Mayor Moores and Hobart Williams, and his favorite pastime of late years with a game of cribbage with one of these. General Frederick was a steadfast patron of The Bee. His advertisement has been prominent in the newspaper ever since it started. In the first issue he had an "ad, and it has been carried through every day

since that time, more than thirty years ago. Shampooing and hairdressing, 25c, at the came to the city of Lincoln, and had a con-Bathery, 216-120 Bee building. Tel. 1716. ference in the governor's office with the

# RAILROAD TAXATION IN COURT

### Full Stenographic Report of Hearing in Mandamus Case by Nebraska Supreme Court -- Part 1.

coln to hear the showing of the relators and respondents in the matter of the ap-Board of Equalization to correct the assessment of the railroads of Nebraska. At the Messrs. E. W. Simeral and John D. Howe, of Omaha, and the corelator, M. F. Harage, was the cause of the demise, which rington, of O'Neill, appeared for himself. was expected. The particular attack which Attorney General Prout appeared for the respondents, while John N. Baldwin reprebegan three weeks ago, and he had been senting the Union Pacific system; Ben T. White representing the Elkhorn; James E. Kelby, representing the Burlington system, and Frank T. Ransom representing the General Frederick leaves his wife and friends of the court. The stenographer's one son, Charles Prederick, who is in Hur- report of the proceedings of the first sesrisburg, Pa. Funeral arrangements have sion of the court, which was largely devotnot been definitely made, but the time will ed to a running argument as to the taking

Chief Justice Sullivan-Have you arranged the order of procedure of this case of the State against the Board of Equaliza-

Attorney General Prout-I think no order has been arranged. I understand, if the court please, that the relators propose taking testimony. I will state if that is done, that I do not know the nature of the testimony they intend taking, and it may be that the board will require time in which the friends of the court are all on file. I them, but yesterday subpoenaes were served of fact. on witnesses, and I presume the intention is to take testimony

Mr. Simeral-If your honors please, the testimony that we purpose to take, principally at least, will be the records of the board itself, so that the court may have before it the same testimony in reference to the facis pertaining to assessment of this property that the board had, and I imagine it will take but a very short time Besides, most of the testimony is record proof, documentary whelly. There may be some annual reports of the various roads offered in evidence, but they also are documentary. I presume there will be no objections though. I don't suppose the roads will object to their own annual reports being put in. There will be a little bit of oral testimony, but not very much. I don't suppose there will be anything that will cause the respondents themselves to request time. I can't tell though. There will be nothing but what is cognizant to themselves as well as ourselves. I will state further that all we want to do is to prove the issues that were made up at the time that the amended answer was filed. Of course, if they had left it as in the beginning, there would be no necessity perhaps Born in Hamilton, Madison county, New of taking this testimony, but that is not York, and reared in Philadelphia, he waited our fault, and we are only meeting it as it

Mr. Prout-I am not finding any fault. wish to suggest, not knowing the nature of ough way. After some years he started in this testimony, that it might be necessary the business for himself. Thus the civil for the respondent to ask time in order to

Mr. Baldwin-May it please the court, as we are sitting here and appearing here as volunteers. He refused to take the a friend, and because of the interest of the colonelcy, letting that go to a regular army | Union Pacific, which I represent, I desire officer, and was soon commissioned lieu- to say that this proceeding is a little bit tenant colonel. He commanded the regi- peculiar. We had understoood that the ment in the campaigns through Missouri, matter was to be submitted at the time the Arkansos, Mississippi, Alabama, Tennesseu order was made by this court at its last through them if we desire, causes me to chises, but the values of the aggregate values of this board of their having any desire river and was wounded at Pea Ridge. About relators and respondents to file briefs. It a day. this time he recruited the regiment in lili- is difficult, therefore, to appreciate or un- desire to introduce proof of the assessments derstand the extent and scope of the intro- in Omaha, South Omaha and Lincoln sug-Governor Yates to the Fifty-ninth Illinois duction of evidence. The briefs have been gests this further, that the board as a prepared upon the state of the record as it is made up to this time and our briefs as lators have been prepared and filed. The appointed Heutenant colonel of the Veteran statement made by Mr. Simeral that the testimony would be brief is from his side, and from his view of the case. It might be not like to have the case submitted upon this testimony being put in, in the submisadvised about it, and it may take some an inconvenience to itself to be here today, and I supposed we would submit the case to the court today, and conclude it, but if this is done, it may take some time. Of course, if this is to be done it ought to be referred to a referee and evidence taken. merely make these suggestions, not that we desire to interfere or are in any way

opposed to competent evidence in this case. Mr. Harrington-I think it is well to have an understanding at the outset as to this testimony. The railway companies have refused to be made parties to this record. As I understand the rule, they have no right to interfere with the course of to Fort Omaha. At this point begins the the trial. They are not responsible for costs here, or entitled in any manner to control the proceedings, unless the sovereign power of the state has been turned over to them Binghamton, N. Y., and returned with his for that purpose, but we concede their right wife, who had been Miss Helen Morgan of to file briefs here, and we do not object, but that place, daughter of Major Augustus Mor- so far as the issues that this court must pass upon, the court must decide this between the relators here and board of equal-Those are the only parties that ization. must be bound by the order here. The where the Davidge block now is. Later he railways here, however, for reasons satmoved to a Capitol avenue residence while isfactory to themselves, have declined to he built the present home where he has be made parties to this record, and are not bound by it. It may be their stockholders may subsequently want this case For the last year General Frederick has the original answer filed here, and you been unable to attend to business duties. will find that the case stands practically confessed on the part of the board of equalization, except as to the issues of law, c osest friends were Judge Lake, Colonel here that \$200,000,000 worth of railroad property in Nebraska had not been assessed taxation at all, which we allege consisted of the franchises and intangible property of those companies. That merely raised a question of law upon which counsel on both sides prepared their briefs. But perhaps within a week thereafter counsel rep-

resenting these railway companies, includ-

SPECIAL NOTICE

DO NOT BE IMPOSED UPON

By Unscrupulous Druggists who offer you a substitute for

There is nothing "Just as good" For the positive cure of CONSTIPATION for Hunyadi James, (full name) and see that you GET it. If you simply ask for Hunyadi set you may for Hunyadi upon. Every boilie of the Genuine has films Label with red centre.

ing some of the gentlemen now present,

testimony here.

Chief Justice Sullivan-I presume the important question at present is whether the taking of this testimony is likely to consume any considerable amount of time. What is your idea about it, Mr. Simeral? Simeral-I think we can get through with our testimony by evening, I would say, if sooner. Mr. Harrington suggests that two sessed. hours will be all it will be necessary for us. Mr. Prout-Do you mean two hours for

the taking of the testimony? Simeral-Yes, perhaps less than that. Judge Sullivan-What is the nature of the oral testimony, if there is no objection

at this time to stating it? Simeral-There is no objection. The first thing will be the records of the returns before the board; that is, as made by the railroads, as showing the amount of physical property they have and such other returns as were before the board at that

time. Judge Sullivan-I asked you to make to meet it. The briefs of the relators and this statement so counsel on the other side may perhaps indicate the time that they had supposed that we would proceed on will probably consume in meeting that issue

Simeral-We desire to introduce whatever vas before the board. Now, what that was they know just as well as we do. Then there will be some testimony with regard to what the members of the board said at the time the argument was had before them as to whether or not they would assees the franchise. Then there may be also the testimony, or rather the records, of the annual reports of the various roads that are in this state that have been assessed by the board. We may also ask that "Poore's Manual" shall be offered in evidence; it was produced before the board, I understand. Then there may be another matter come up that it will be necessary to prove-that is the assessment of the municipalities of Omaha, South Omaha and Lincoln as they are assessed by city assessors and not by the county assessors, but I presume it is well known to all parties here what those assessments are, and we may be able to agree as to that. It is practically conceded, at least by the B. & M road or Mr. Kelby's brief, and there will be no dispute about that. As to the market value of the stock, we have had that computed from the newspaper reports as sent to the newspapers by the Associated Press, and we have the newspapers here for it, if they wish to go through them, so that will not take very long. As I say, it is mostly documentary,

were for two members of the Board of Equalization. Simeral-And one of these, that is the auditor, is undoubtedly the only one that we will wish, and he will be merely for the purpose of proving the record of the

board. Prout-If the court please, the suggestion that they want to introduce the newspapers and their stating that we can go matter of fact in finding the value of these roads took into consideration not only the Lincoln, but the assessments of various counties in the state, using as a basis the result of the action of the Board of Assessors in the respective countles throughvery important for the respondents then to out the state. The meetings of the boards go somewhat at length into the evidence are in pursuance of the law requiring them rom their plane of view or standpoint, and to meet in March before commencing their that may take some time, because I would work. The board has in the office letters from these boards. Now, we are all aware only part of the record. It is not because that in the strict sense of the word that we have any objection whatever to any of is not testimony, no more than the newspapers which they indicate they wish to sion of this case, but the court should be introduce in evidence. In order to get that testimony, and get it in as testimony, it is time. I understand the court came back at | going to take some time. I simply suggest this now that that is one of the things the board desires to show-the assessments of the counties generally, that is, the rate of assessment as agreed upon by the assessors, and then following that up with the assessments as actually made in pursuance of the agreement at those meet-

> Harrington-I am satisfied if there are no captious objections that an hour will take the testimony here an hour and a half, any way. Now, as to this newspaper evidence, counsel need not be annoyed by that at all. All we want to prove is the market values of these stocks. No man can assess a railroad unless he knows what the railroads are worth per mile. He must ascertain the gross value of the property, its funded debt and the value of the stocks. Of course, under our constitution, the stock would be worth par if we did not have anything else, but lice from the start that they were charged think we better prove it. Now, as far with fraud. Now, there is no need of as these city assessments go, all we mean is this, and it is conceded as far as the Burlington is concerned as to Omaha: We prove that they totally disregarded their propose to show simply by one witness duties and exercised gross favoritism in that the assessment in Omaha is 40 per cent, and by another that the rate in Lincoln is from 80 to 100 per cent. And we not think it will take long, but this is the

> this is unconstitutional. Baldwin-I want to suggest this, that the assessment as already made by the as these transportation companies, are board and returned cannot be reviewed entitled to have this question fully and by this court unless actual fraud is shown. That is a power delegated to this board by the constitution and laws of the state, that they exercise their discretion in a matter of this kind, and I do not understand that not, or whether we get through in two this court, in a mandamus proceeding at least, can review their action or control in any way that judgment. As I understand the proposition before the court, it is this: Can the franchise or intangible property of these corporations be assessed separately and apart from their tangible do not understand that they are to go ours to introduce this testimony.

Sullivan-You ought to know whether the issue of fraud is presented.

commented upon. I deny the statement of It appears to me personally as though the ounsel that we declined to be impleaded court may do away with all its other duties in this case. We have our right to be for quite a period of time if it takes up We have the permission of this this. court to appear as its friend, because of fair and just and right. For counsel to ing of testimony is simply a scarecrow. state they can put in this evidence in an We are confronted here by very powerful

On Tuesday morning, July 8, the supreme state board, and as a result of that con- is no issue of fraud here at all in this prerogative writ of the state called mancourt convened in special session at Lin- ference an answer was prepared then and case. It is not a question to be consid- damus. In this case it concerns the pubthere upon the very day on which they con- ered in this case. I desire to say proferred. And the state board of equaliza- fessionally to the court, as its friend, that counties of the state. Its importance should plication of The Bee Building company, of tion denied it had exempted \$200,000,000 It will be some time taking the testimony demand and the nature of the writ entitles Omaha, for a mandamus to compel the State worth of property and put in issue the if this matter is gone into and fairly sub- it to an early hearing. That is what the question whether they had or had not as- mitted, and we know your honors will see writ is for. Now let us examine for a sessed all of the railroad property in this the matter fairly submitted if it is gone moment the grounds and probabilities of its hearing the relator was represented by state, and it is for that reason that it into. So far as these records are con- taking a great long time. All we shall put may be necessary for us to take some oral cerned, they will be offered in a very short in on our side is simply the records that time, perhaps, and I assure the court that the board had before it. That should be as far as I am concerned there will be no brought in here and laid on the table and captious objections, and it is not our pur- that ought almost end that. The record pose to interfere with a fair submission

of this case to the court. Judge Sullivan-You allege in your application that the roads have not been allegation of fraud. We cannot be restrained assessed properly, and you add to it that to a shewing simply of fraud in law, Pullman Palace Car company, appeared as we start in at a reasonable time, if not the board knew they had not been as-

Harrington-Yes, sir, grossly and know- a right here to show actual fraud by three

Howe-We say that they grossly and ably four on our side whose testimony will knowingly omitted to assess property val- be very brief. We will put in such testiued at \$200,000,000, though required so to mony as we have, be it much or little, tenddo by the constitution and laws. The ing to support the allegation of fraud. whole issue is fraud.

Simeral-We think, as a matter of law, honors, how can they bring in testimony that they have neglected to assess \$200,- upon their side to rebut, for instance, the 100,000 of property, and that this writ will record proof that will consume any large issue from that fact slone. Now, that amount of time. All we can show is what may be legal fraud, as stated by the su- was before this board, presumably it is all preme court of Illinois in the Goggins in writing. Now all of the testimony that will be introduced here is that of three or

Baldwin-Now, is it your contention that four persons who were present, and those order to make a case you have to estab- are to be found around this state house. lish bad faith on the part of the board, or And two or three hours-what is that in a do you intend to make a case by the actual case of this magnitude, urgent as it is, and

Simeral-The actual value to assess, or rather undervaluation, so grossly under- of the gentlemen that all the testimony valued that it amounts in law to fraud. Judge Sullivan-That is proceeding on that board. Now, as I understand this the assumption that they have assessed the franchise, but undervalued it?

Simeral-No, we do not proceed upon that assumption at all. Now, taking their last answer, they say they assessed the property as a unit and as a going conern. Now, if that includes franchise, it is a question of law, of course as well as of fact, but we claim that, as a matter of fact, they did not have before them sufficlent data by which they could assess the franchise at all, or arrive at any value of it, and therefore it was not assessed. Now, that is a question, not of fraud, but

ternative writ, I supposed that at the in-

ception of these proceedings it was the

contention of these parties that the fran-

chises of the railroad companies have not

been assessed separately and apart from

Howe-We claim the right to show actual fraud, also legal fraud. White-As I understood and read the al-

the tangible property, and that it was their contention that as a matter of law, the board was required to consider and separately assess the value of these franchises. Now, when we read the alternative writ through we find they have taken another position, and that their position Mr. Howe-The only subpoenas sent out is that the railroad property in the aggregate has not been assessed high enough In other words, that there has been an error of judgment on the respondents, not that there has been any fraud upon their part. Now, what do we have to bear out this proposition? Why, these gentlemen come up here and say they propose to prove what the valuations of these properties are not with reference to the franthis from the newspapers. Now, then, we all know from the experience we have had in the past, and from the knowledge that we have of these rate cases and these tax cases, that in proving the value of railfriends of the court and those of the re- assessments of Omaha, South Omaha and road properties you cannot resort to one item of evidence alone. We know there are many elements of evidence that must be taken into consideration in order to ascertain the value of railroad property. Now, they submit in these newspapers just one item of evidence, the values of the stocks and bonds. That may make a prima facle case upon their part. Then what has the board got to do? And what is the duty of the respondents in order to protect themselves in regard to that valuation? They have got to go into the evidence and produce the different elements that entered into their consideration in fixing the value of this property. So your honors can see it is not simply a question of fraud here, but the real issues presented by these gentlemen is not a question of fraud, but a question of the valuation of this property. Now, if you are going into the valuation of this property,

the court can see plainly that the field is

wide open for the purpose of fixing this

value. So we mention that when they

make their prima facie case, or when they

attempt to make a prima facie case, this

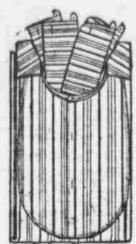
board ought to be permitted, as the attor-

ney general has said, to produce evidence from all sources and bring before the court all the different elements that enter into the valuation of ratiroad property, and let this court say whether or not they performed their duty. Harrington-I am sure that this writ here charges fraud, and charges it abundantly, and these gentlemen have had nomincing words. We charge actual fraud and expect to prove fraud. We expect to assessing the property of these transportation companies. We have said we do ntend to try and have the court say that most important case ever submitted to this tribunal and the people who sustain the courts, the plain taxpayers, as well fairly determined if it does take a little time to get at it. I do not think it will take long to get at the whole matter. This is not a rate case, but whether it is or

importance to the people of the common wealth that they are entitled to have it heard, and fully heard, without any idea of a continuance or sending it to referees Judge Holcomb-We are not probably in position to devote very much time to it. property? That is the question I under- and it might be just as well to have it stand is before this court for settlement. sifted through a referee as to be heard in open court if it is a question of getting into the question of the assessment, as al- the evidence, and getting that phase of the ready made by the board, as to the tangible case disposed of. It is possible it may be property. If that is true, it certainly is of such magnitude that the court will not toing to take a good deal more than two feel justified with all the other work pressing upon it, to take the time to enter into a long inquiry here, and it seems, from the remarks of counsel, that the field is opening up as though there might be a very Harrington-There is no question about large amount of testimony submitted which Baldwin-I want to say that I am here as of course we would necessarily have to confriend of the court and by its permis- sider in arriving at a conclusion. Of course sion, and at an appropriate time this mat- I am only speaking for myself and without ter will be referred to and probably be consulting with other members of the court.

hours or two days, this case is of sufficient

Mr. Howe-This contention that a good the interests we represent, and it is only deal of time may be consumed in the takhour and a half is from their standpoint interests, and what they want is postentirely. We contend and insist that there ponement and delay. Now here is the great W. R. BENNETT CO



lic revenues and the revenues of ninety.

testimony, the railroad reports are here;

nobody can object to those. That is the

main body of the proof under this great

be true and wholly indisputable. We have

or four or half a dozen witnesses, prob-

That ought not to frighten the court. Your

White-In reply to the last proposition

that will be needed will be found before

court, you have held in the Karr case that

It is not so much a matter of the method

in which they arrived at their result, but

the result itself, and if the result is jus-

tifled under all the circumstances, then it

makes little difference what considerations

were received or considered by the board

So that, notwithstanding there may not

have been sufficient testimony before the

board, or they may have taken into con-

sideration testimony that they ought not

to have considered, or they may have taken

into consideration or failed to take into

consideration testimony they should have

considered, if the result that they arrived

that they needed any oral proof. Every

scintilla of testimony which they cite, and

to say one word in reply to what Mr. Howe

the importance of it fully as much as do

the relators. There is not the slightest

desire on their part to delay, but the court

can readily see from the statements made

by the counsel for the relators, as well as

others, that it is going to take consider-

able time to take the testimony. As has

been suggested from the bench, that can be

heard as easily, or more easily rather, by

a referee than it can be by the court. So

far as we are concerned we would prefer,

necessary, for the court to hear it, but that

is a matter for the court to determine. So

far as time is concerned, it is very evi-

for these respondents deny absolutely any

idea of fraud; they resent it, and they will

ineist, as I think they have a right to in-

sist, upon an opportunity to put in proof to

frauds which these gentlemen in their

briefs and statements to the court say they

Chief Justice Sullivan-We will take

the meantime we will determine whether

the court will hear the evidence or send the

Mr. Baldwin-I want to say for all coun-

sel, friends of the court, that we do not

want any delay at all; that we are ready

to proceed this afternoon, or at any time.

before a referee or the court, to the taking

pose to delay this case whatever, but we

peditiously with this case as its impor-

Mr. Simeral-So far as sending this case

of testimony at once, and there is no pur-

recess until 1:30 this afternoon, and in

are guilty of.

tance demands.

teaue of facts to a referee.

if the court can devote the time that is

righteous as it is.

Shirt Sale Friday

Wilson Bros | Colored \$1.00 and \$1.25 Shirts at

Wilson Bros. |Colored| \$2 and \$2.25 Shirts for

Wilson Bros. Colored \$1.50 and \$1.75 Shirts at

In the whole world of good shirt makers none stand higher than Wilson Bros. Our buyer secured an immense supply-they are unpacked and ready for sale. Enough of them to SHIRTISE

## Attend Bennett's Big Shirt Sale

at was a proper and just result, then the testimony that was considered by them in taking it. If you send it to a referee it into a play. As Yetive, queen of Graustark will not amount to anything before this would be some time before we would get she has a splendid character study-one in court. But in order to ascertain whether one perhaps; and then there would be meet- which there is ample room for the display that result is a just one, this board ought ings before him, and it would require a of artistic ability. Mr. Ferris finds the part to have the opportunity of producing the long time before this matter could be final of Granfell Lorry quite to his hand, and altestimony to show it is a just one, and not ly determined by this court, and what we though he lacks some inches of the stature be confined merely to the matters that were want is a speedy determination. As has of the book hero, he falls in nothing of the been said by counsel, this case is of such aggressiveness of that young man, who fel-Mr. Howe-One thing I overlooked. Under importance that we feel we should have a lowed Miss Grahenstock half way round the the order that was made with reference trial at once, and to the tribunal which to briefs, counsel have appeared and must ultimately determine it. And, as sugbrought in elaborate arguments. Now, in gested by Mr. Howe, that before a referee the brief of two of those gentlemen repre- | there will be barrels of testimony put in senting two great companies, that of the that the court will not look at for a mo-Union Pacific and the Burlington, they ment.

have put in all through them statistics, and | Court here took a recess as indicated by they have not made one single suggestion Judge Sullivan, and at the convening of court in the afternoon announced that the court had decided to hear the testimony itthe statistics upon which they rely, are self.

Mr. Prout-If the court please, I just want HONOR SUPREME OFFICERS has said, and that is in relation to delay. Mayflower Garden No. 1 of Gardener Gives Reception at Bee Building Hall.

Mayfield garden No. 1 of the Gardeners entertained last night in honor of the supreme officers of the organization, giving Arcanum hall in the Bee building. Some 300 persons attended and after an exfloor was cleared for dancing, while refreshments were served in an adjoining room. Mrs. Adams, president, and S. Molle, secretary, of Mayflower garden No. 1, were in charge of the affair, and every one of the supreme officers was present. Each of these made a brief speech. They dent it is going to take considerable time, are: Frank Rosewater, supreme president O. P. Thompson, supreme vice president and treasurer; E. C. Wolcott, supreme secretary; Charles Rosewater, supreme physician; T. Z. Magarrell, supreme organshow that they are not guilty of the gross zer, and Charles A. Tracy, Robert W. Dyball, E. E. Snygg of Magnet, Neb., F. H. Jackson and H. E. Hubermann, members of the supreme judiclary board.

Amusements.

At the Boyd.

Miss Hayward's own dramatization of Mc Cutcheon's interesting story, "Graustark," was given its first Omaha presentation to a crowded house at the Boyd last night. In ppeparing the story for the stage Miss Hayward has preserved as far as possible the are ready and willing to proceed as ex- incidents of the book, the modifications being only those absolutely necessary to the adaptation. In this way the interest is maintained for one who has read the tale, to a referee is concerned, I do not think while one who is not familiar with it does this is a matter for a referee; this court not get the impression that he is watching would save no time, it might be merely merely a series of pictures from a popular the matter of the physical inconvenience of novel. Its continuity and sequence of diabeing here and hearing the testimony, but logue and incident is unbroken, while the it would certainly save no time, because the main features of the story are thrown int testimony would have to be read again, and high relief. Miss Hayward has succeeded that would require quite as much time as remarkably well in making over this book

world to find she was a princess and not a butcher's daughter. His inborn contempt of regal folderol aids him much in the portrayal of the character, and he makes love eloquently, as though he were accustomed to, in fact. Miss Malzie Cecil-whose patronymic is suggestive of Graustark or some other out-of-the-way place, finds in Countoss Dogmar, the lady-in-waiting, a role that suits her immensely. Others in the lengthy cast do much to contribute to the success of the piece, which was warmly reelved last night.

ARREST ON ROBBERY CHARGE Detective Reelan of Omaha Brings Woman Prisoner from Plattamouth.

Detective Heelan returned yesterday afternoon from Plattsmouth, bringing with an elaborate reception for them at Royal him Jessie McCullough, charged with being one of two women who stole \$200 from Robert Hall, of Fairbury, Is., at the Klontended literary and musical program the dike hotel in this city May 21. Belle Crowl, who is supposed to have been the second woman in the case, has not yet been apprehended. E. E. Grate, charged with being an accomplice of the woman, and who left the city immediately after the robbery, was arrested here Wednesday evening and is now in jail. Hall came to Omaha to see the sights and

fell in with the Crowl and McCullough The three were together at the Klondike hotel on the night of May 21. When Hall sobered up the next morning the women and his \$200 were gone. The women were traced to Iowa and a couple of days ago the McCullough woman called at the Klondike hotel and got possession of her trunk and two grips. These she had sent to the Burlington station, and later sent an expressman to take them to Council Bluffs. The expressman did not take the grips. Wednesday Grate called at the station for the grips and was arrested. The officers then got trace of the trunk and when the McCullough woman called for it at Plattsmouth she was arrested by the local authorities and Detective Heelan was sent for her. She denied the charge against At the time Grate left the city his mother

missed money and papers to the value of \$500 and it is thought Grate was responsi ble, though the officers have no direct proc against him.

Onty

\$14.55 Dakota Hot Springs and return. \$16.50 Deadwood and return. THE NORTHWESTERN LINE, 1401-1403 Farnam St.

