

LEGALITY OF PICKET LINE

Paramount Question Before the Court in the Injunction Case.

EVIDENCE OF STRIKERS IS GOING IN

All of Testimony Will Be In by Thursday Noon and Then Court Will Pass on Questions of Law.

The attorneys for the respondents in the Union Pacific strike injunction case announced at the conclusion of yesterday's session at 12:30 o'clock that they would conclude their testimony by noon Thursday.

Twenty-six witnesses in all were examined yesterday and of the entire number but one had any trouble on the picket lines. This exception was Charles Popsell, who was held for a time in connection with the killing of Earl Caldwell.

The testimony of the other witness was practically identical. They had been in the employ of the company from three to thirty years; had all served on the picket line; had gone there for the purpose of advising men to cease working for the company, or to refuse employment; none had ever used other than peaceful methods in speaking to the men they stopped.

At the hearing Tuesday afternoon President Smith of the Machinists' union told of the negotiations with the general manager of the company previous to the strike and said that the instructions to the men were to observe the law and maintain order.

Ed P. Smith of counsel for respondents said: "As the case looks to me now, it is to come to the court in the form of a question as to the legality of maintaining pickets per se. If it is right that pickets be maintained, then I do not believe that an injunction will issue. It looks to me as though before one can issue the court will have to hold that the picket line is illegal in itself."

The respondents will not attempt to defend the action of the persons who have been shown guilty of acts against the peace, but will try to prove the general body of strikers not being implicated with the hot headed ones in their ill-advised action.

INCREASES GUARD SERVICE

Union Pacific Strengthens Its Force at All Shops Along the Line.

Notwithstanding the company's disposition to minimize the importance of strike pickets there seems to be a tendency of the Union Pacific to increase its guard service at various points along the line. Reports from Denver indicate that the general body of strikers are being kept in line by a force of guards now being doubled. Only a few days ago the company imported five guards for its Omaha shops.

Despite the diligence of each side to maintain its patrolling force in perfect order seems easily maintained between these factions. Not since the Earl Caldwell tragedy in Omaha has any semblance of disorder come to light here or elsewhere on the road.

Yesterday morning at Labor temple strikers met en masse to discuss the picket proposition and correct certain discrepancies. The local pickets are still under the general supervision of William Richies, with small divisions under the direction of subordinate officers. The men pursue their work with an amount of faithfulness and regularity apparently as they would their old work in the shops.

Not a man comes from or goes to the shops but is approached and asked to leave his position, and thus aid instead of hinder the cause of the strikers. There is no doubt that this patrolling operation is being carried out with a precision and thoroughness which would give credit to any other body of men who have been employed as boiler makers are reported to have left the shops.

A Nervous Woman

Will often feel compelled to stop the clock whose ticking seems unbearable to her. In such nervous condition the woman needs a building up of the entire system. It is useless to attempt the cure of the nerves while the cause of the nervousness remains unremoved. A very common cause of nervousness in women is a diseased condition of the delicate womanly organism.

Dr. Pierce's Favorite Prescription cures womanly diseases and cures female weakness. It is a perfect tonic and nerve, tranquilizing the nerves, promoting the appetite and inducing refreshing sleep.

When I first wrote you I had been to three different doctors and two of them would never get better without going to the hospital for an operation. writes Mrs. Emma Erickson, of 407 Rice Street, St. Paul, Minn. "I was not able to do anything. If I would get up and walk to the kitchen and get a glass of water I would be in bed for a day or sometimes two days. Now I have used six bottles of Dr. Pierce's Favorite Prescription and the result is just wonderful. I was so nervous I had to have some one by my side all the time even in day time, and I could hardly rest anything. I took treatment from a doctor one week, but since I quit all the doctors and began taking your medicine I gained right away. I weighed ten pounds when I began taking your medicine (in August) and now I weigh 125 lbs. I am as well and feel as good as ever."

Dr. Pierce's Common Sense Medical Adviser is sent free on receipt of stamps to pay expense of mailing only. Send at once ten stamps for the book in paper covers, or 11 stamps for cloth-bound volume. Address Dr. R. V. Pierce, Buffalo, N. Y.

MECHANIC BARNUM OF THE NEBRASKA DIVISION IS NOW AT NORTH PLATTE.

Local strike leaders have received word from St. Paul that the allied unions there are arranging a dance, the proceeds of which are to go to the Union Pacific strikers. Minneapolis and St. Paul unions combined have already contributed over \$1,000 to the funds here.

UNION PACIFIC IMPROVEMENTS

Official Says Double Track and Cheyenne Shop Stories Are Overdrawn.

Persistent reports come from Cheyenne and other western cities that the Union Pacific is preparing to enter upon the construction in the spring of 1903 of a through double track from Omaha to Ogden. Such a statement to this effect a representative of General Manager Dickinson said:

"The report is incorrect. While we are now engaged in double-tracking and have been for a long time, we have no such plans as those, to formally and systematically begin the construction of a through double track from Omaha to Ogden. Gradually all our line will become a double track road, for, as I have said, we are putting in short distances of it all the time, but as for this wholesale construction the originator of that story is a little off in his facts."

OMAHA MAN KILLS HIMSELF

Throws Himself in Front of Moving Locomotive on Burlington Railroad.

Word was received yesterday afternoon that Robert Ashberry, supposed to be an Omaha man, had thrown himself in front of an engine on the Burlington tracks and had been killed at Glenwood, Ia. Inquiry disclosed that Ashberry had stopped at the Oxford hotel from September 16 to 24. The hotel people knew nothing of his business, and is not known whether he has any relatives here. The man had a pocket card in his pocket, also a pawn ticket on an Omaha pawnshop. He was about 55 years of age and five feet seven inches in height.

LOCAL BREVIETIES.

Grant Daugherty of 2528 Lake street was last night taken in charge by the police and will be held pending an investigation of the officers in the city hall.

With only a few exceptions, the offices in the court house closed at noon yesterday in connection with the parade of military and fraternal organizations.

Ira M. Eastman has brought suit in the district court for divorce from William Eastman, to whom she was married October 27, 1900, at Worthington, Minn. The cause of action is cruelty.

In accordance with the resolution of the city council adopted Tuesday evening, most of the offices in the city hall were closed yesterday afternoon to permit the officials and their employees to view the parade.

The police are clearly at sea in the case of the robbery of Mrs. Frank Zulier, at Forty-first and T streets, yesterday morning. The entire vicinity of the robbery has been thoroughly gone over and several suspects arrested, but Mrs. Zulier has been unable to identify any of them as the guilty party.

The police have been notified that an organized gang of filmflammers have taken up quarters in South Omaha, and will stay here at least during the entire carnival week. Several complaints have already been made to the police of filmflammers, and every precaution is now being taken to prevent the work. All suspicious characters are arrested on sight. The numerous cases of petty crimes reported each day are laid at the door of the invisible filmflammers.

Dr. Frank Sibbald has gone to Chicago for a short visit. A daughter has been born to Mr. and Mrs. Josiah Reeves, 2713 E street. There will be a meeting of Upchurch lodge No. 4, Degree of Honor, Ancient Order of United Workmen, Friday morning at 7 o'clock.

The city council met yesterday morning in special session for the purpose of passing an appropriation ordinance for the payment of salaries of city employees for September. Pay rolls aggregating \$62,506 were approved, the only items eliminated from the ordinance as presented being the salaries of the members of the two boards of police commissioners, the amounting in all to \$89 for workmen employed in the electrical work recently done on the city hall. Provision has been made for paying these workmen out of a fund appropriated for the purpose.

The big, shaggy, black dog over which Mrs. Caroline Oleson and Milton Hoch have had considerable controversy for several weeks has reached the courts. Oleson, relieved the dog and yesterday morning Constable King secured possession of it and turned it over to her, giving a \$500 bond to have it in justice Aistad's court October 14. Oleson is now in possession of the dog and has denied that he had alienated the affections of the dog by feeding it milk, but said that Mrs. Oleson had given it to him. Many witnesses have been summoned on both sides.

PERSONAL PARAGRAPHS.

J. R. Baird of Spaulding is at the Her Grand. William J. McKenna of Nebraska City is in the city.

George Howard, a cattle dealer of Iowa, is at the Her Grand. W. F. Dobbins and Robert Peterson of Bertrand are attending the carnival.

George H. Mead and O. C. Zimm and wife of Hastings are at the Her Grand. Mrs. Henry Furman and niece of Seattle are the guests of Mrs. Theodore Mayer.

Miss Florence Moore, deputy clerk of the United States district court, has returned from an extended visit to Ohio. Mrs. Charles Buchanan of Sioux City, Ia., is a guest of Mrs. A. J. Ford, member of the State Life, at the Murray hotel.

Colonel M. Pullman, chief quartermaster of the Department of the Missouri, has returned from Lathrop, Mo., where he inspected horses for the cavalry.

Colonel T. G. Chapman, a prominent wholesale merchant of Pueblo, Colo., with his wife and daughter, is visiting Mr. and Mrs. Warren at the Her Grand.

J. S. Dinmore of Sutton, C. D. Agan of Chicago, A. Walcott of Cincinnati, H. O. Churchill of Topeka are in the city to attend the bankers' convention, to begin Thursday.

Mayor and Mrs. W. S. Collins of Basin, Wyo., are in the city. Mr. and Mrs. Collins came to Omaha for the purpose of placing their daughter in Brewster hall and from here Mayor Collins will go to Colorado Springs to attend the bankers' convention as a delegate from his state.

AFFAIRS AT SOUTH OMAHA

Inventory at Cudahy's Revives Talk of Picking House Marger.

ENGINEERS DRAWING PLANS FOR VIADUCT

Rumor Has It that Bridge Will Span Railroad Tracks at Foot of O Street—Magic City Gossip.

Have the packing houses reconsidered their determination to abandon the merger prospect and are they now preparing for such a venture?

This is a question that many in South Omaha would like to have answered. When the rumor started some time ago that the merger would come into effect and all packing houses run under one distinct management, there was a great deal of gossip in South Omaha as to the probable outcome of it. Different theories were naturally advanced as to its effect on the workmen of the city and upon the yards. Then came the news that the project had been abandoned.

In at least one of the packing houses work was again resumed yesterday in the taking of an inventory. This was at the Cudahy plant. A full corps of workmen were yesterday invoicing everything in sight. One gang had charge of the lumber on hand; another looked after the supplies, and yet the loose bricks scattered around the plant were carefully tabulated and a record sent to the main office. But there all information ceased. If a stone wall had been between the inquiring person and the office, no less information would have been received. The office force did not know anything about the inventory; the managers were not talking. But an inventory is being taken.

All of the other packing houses, no more information could be secured. If inventories are being taken, it is being done under strict secrecy, as no one seems to know anything about it, although rumors are plentiful to work all day yesterday drawing out lines and plans in the vicinity of Twenty-sixth and O streets. It is authoritatively stated that the work which they were engaged in was in connection with the construction of the proposed viaduct over the tracks at the foot of O street, thus connecting O or N street with the stock yards. It was further stated that the Union Pacific and the yards company had reached an agreement as to the cost of the construction, and had mutually agreed to go ahead with the work regardless of what the council may think or do concerning it.

PLANNING NEW VIADUCT.

Engineers of the Union Stock Yards company and the Union Pacific Railway company were at work all day yesterday drawing out lines and plans in the vicinity of Twenty-sixth and O streets. It is authoritatively stated that the work which they were engaged in was in connection with the construction of the proposed viaduct over the tracks at the foot of O street, thus connecting O or N street with the stock yards. It was further stated that the Union Pacific and the yards company had reached an agreement as to the cost of the construction, and had mutually agreed to go ahead with the work regardless of what the council may think or do concerning it.

NO CLUE TO ROBBERS.

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WATCHING FOR FILMFLAMMERS.

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MAGIC CITY GOSSIP.

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HYMENEAL.

At 7:30 o'clock last evening, at All Saints' church, was solemnized the marriage of Miss Marie Antonette Tschuck, daughter of Mr. and Mrs. Bruno Tschuck, and Mr. Carl Henry Gerber. The pretentious feast which so frequently characterizes the large church weddings were entirely lacking and the service rendered the more impressive for its simplicity. Aside from a few guests about the chancel the church was unadorned. While the guests were assembling an organ program was rendered, the bridal party entering immediately at its close to the bridal chorus from "Lohengrin."

The usher, Messrs. George Tschuck, Otto Blanchard of Council Bluffs, Arthur Hoffmeyer and Dr. Porter, came first, Misses Irma and Vera Linkey of Council Bluffs, as bridesmaids, following, gowned alike in white organdy. Miss Julia Hoffmeyer of Council Bluffs, a niece of the bride, served

AS MAID OF HONOR.

Her gown was of white batiste, inset with lace, over blue silk. The bride, with her father, came last. Her gown was an exquisitely embroidered cream chiffon, over cream silk and a long tulle veil hung to the foot of the skirt. She carried an armful of bride's roses.

Mr. Gerber, accompanied by his groomsmen, Mr. Frank Smith, met the bride at the foot of the chancel steps, where the betrothal was read, they then advancing to the altar, where the vows were taken, Rev. T. J. Mackay, rector of All Saints' church, officiating.

A large reception followed the wedding from 8 until 9:30, at the home of the bride's parents, 119 South Twenty-fifth street. The gathering included representatives of the older families of Omaha and Council Bluffs, among whom Mr. and Mrs. Tschuck have been prominent members since the early settlement of the two cities. Both the young people are prominent in the younger set and will make their home in the city, being at home to their friends after November 10 at 217 South Twenty-fifth street.

McDONALD-KORTY.

One of the largest home weddings of the fall was that of Miss Augusta Louise Kory, daughter of Mr. and Mrs. L. H. Kory, and Mr. John McDonald, which occurred at 8 o'clock last evening at the home of Mr. and Mrs. Kory at 2566 Poppleton avenue in the presence of about 275 guests.

The spacious rooms were handsomely trimmed, the color scheme of green and white being carried out in detail, with palms, ferns, amilax and white roses. The flowers were arranged in bunches and combined in heart-shaped designs.

The marriage service was read in the front parlor, Rev. T. J. Mackay officiating, the bride being attended by Miss Rheem of Minneapolis, and Mr. John Clark acting as groomsmen. The bride's gown was of white crepe-de-chene inset with lace and elaborately trimmed with Parisian medallions. Her tulle veil was long, and she carried a shower bunch of violets. Miss Rheem's gown was of cream chiffon, and she carried a basket of pink bridesmaid roses.

A reception followed from 8 until 11 o'clock, Mr. and Mrs. McDonald leaving later in the evening for an extended wedding trip to be at home after November 1 at the Bernard.

ASHTON-GOODRICH.

At the home of Mr. and Mrs. H. N. Wood, 1034 South Twenty-ninth street, at 8:30 o'clock last evening occurred the wedding of Miss Gertrude Goodrich, daughter of Mrs. D. H. Goodrich, and Mr. Joseph W. Ashton of Pueblo, Colo. It was a green and white wedding, ferns and white blossoms being effectively arranged through the room, and the library, where the marriage service was read, being banked with palms. The bride was gowned in a handsome creation of German point lace over white silk, and was attended by Miss Edith Dumont as maid of honor, whose gown was of white mousseline. Misses Etouise and Doris Wood and Helen Sholes acted as ribbon girls. Miss Adelyn Wood carried the wedding ring. Mr. Ashton was unattended.

An informal reception followed from 9 until 11 o'clock, and during the evening Mr. and Mrs. Wood and Mrs. Goodrich were assisted by Mesdames J. H. Dumont, G. W. Holdrege, John S. Knox and L. V. Sholes. Mr. and Mrs. Ashton left last evening for the west and will be at home after November 1 in Pueblo. The bride, who is the only daughter of Mrs. Goodrich, was one of last season's debutantes and will be meted from the younger set, of which she was a popular member.

The home of Mr. and Mrs. Frank Crandall at 2433 Manderson street was the scene of a very pretty wedding yesterday afternoon, the contracting parties being their daughter, Miss Grace Crandall, and Mr. James M. Richardson, Jr. The rooms were handsomely trimmed with green and pink roses and filled with nearly 200 guests.

The marriage occurred in the rear parlor before an improvised altar of palms and ferns. Rev. Findall officiating, the bride being attended by her sister, Miss Crandall, and Mr. Harry Crandall acting as best man.

An informal reception followed the wedding, Mr. and Mrs. Richardson leaving later for an extended trip through the west, to be at home after November 1 at 2433 Manderson street.

DALE-ELLISWORTH.

The marriage of Miss Lena Adelaide Ellisworth, daughter of Mr. and Mrs. Frederick Washington Ellisworth, and Mr. Walter Hamilton Dale was solemnized at Hanscom Park Methodist church last evening at 8:30 o'clock in the presence of a large company of friends. Mr. Fred Dale, a brother of the groom, acted as best man, and Miss Laura Dale attended the bride as maid of honor.

It was one of the prettiest of the larger church weddings scheduled for the fall, and of especial interest to the musical people and the older families of the city, among whom both the young people are widely known. The bride is one of Omaha's most gifted singers and one of its musical favorites. Mr. Dale is a son of Mr. and Mrs. John Dale, and has been a popular member of the city's musical circles for many years.

THE PROPER TREATMENT FOR A SPRAINED ANKLE.

As a rule a man will feel well satisfied if he can hobble around on crutches two or three weeks after spraining his ankle, and it is usually two or three months before he has fully recovered. This is an unnecessary loss of time, for in many cases in which Chamberlain's Pain Balm has been promptly and freely applied a complete cure has been effected in less than one week's time and in some cases within three days.

MATINEE TODAY.

Bargain matinee of "Under Two Flags," 25c and 50c, at the Boyd.

STOLEN RIDE IN DISASTROUS.

As a result of a stolen ride 3-year-old Clio Briggs was bruised all over her little body, especially as to her right kneecap and left leg. The child was found on Eighteenth street at its intersection with St. Mary's avenue, and sent to the police station, where her injuries were attended to. As the police did not know where she belonged, they gave her in charge of the matron. Later in the evening Mrs. Martin, who lives in the rear of 1713 Jackson street, and with whom the child has been living, traced her home. The bruises are not serious, but painful. C. B. Nichols, of 232 North Twenty-ninth street, had his horse near Bennett's store early yesterday evening. As he walked away he noticed a little boy and girl getting the horse. The children, as soon as he was out of sight, untied the horse, which was hitched to a two-wheeled surrey, and started for a ride. The horse soon got beyond their control and ran along Eighteenth street. The little girl either jumped out or was thrown from the vehicle, but the boy remained in until the horse stopped at the fence on the carnival grounds. The horse was taken later to Jones' livery barn, where the owner later found it and the small boy, who was Lloyd, the 6-year-old son of Mrs. Martin. He was taken care of at the station until called for.

MORALITY STATISTICS.

The following birth and deaths were reported at the office of the Board of Health for the twenty-four hours ending at noon Wednesday: Birth—Frank Dyson, 297 South Twenty-fourth street, girl. Deaths—Ross Cramer, 3234 Lake street, aged 19 days; Mrs. Johanna Domene Douglia county hospital, aged 71 years.

Advertisement for CERO-FRUTO The All-Day Food. 100 Per Cent. Nutrition. Aids Digestion. Different From Others. For Young and Old. A Blend of Wheat and Fruit. Includes an illustration of a man and a woman holding a box of CERO-FRUTO.

Large advertisement for Diamond C Soap. Features the text 'Diamond C Soap' in large stylized letters, 'TRADE MARK' in a diamond shape, and 'Omaha Premium Store, 304 S. 16th Street'. Below the main text, it says 'AK-SAR-BEN VISITORS WELCOME.' and 'A PURE TALLOW SOAP OF EXCEPTIONAL MERIT. A neB-raS-kA product. (Read Backwards.)'