

ELECT HASTINGS TRUSTEE

Creditors of W. R. Bennett Company Require Four Ballots For Election—

MOVEMENT ON TO KEEP THE STORE OPEN

W. R. Bennett Appears on Witness Stand and Tells of Loans Made by Mercantile Company to Building Corporation.

At the meeting of the creditors of the W. R. Bennett company, bankrupt, yesterday afternoon, Edgar E. Hastings was elected trustee on the fourth ballot. The contest was between a number of the large creditors and the great majority of those whose claims were comparatively small. On the first ballot this was shown by the fact that W. H. McCord received 64 votes, representing more than \$215,000 of the liabilities, while E. E. Hastings received 272 votes, representing a little more than \$20,000. The second ballot was relatively the same, the support of Mr. McCord coming principally from the banks and the large wholesale houses. On the third ballot a number of the larger creditors broke rank and voted for Mr. Hastings. Then an attempt was made to adjourn the meeting and have the trustee appointed by the referee. This was voted down and on the fourth ballot all came to Mr. Hastings except J. J. O'Connor, who represented Peter Mangold's claim for \$20,000.

After the election of Mr. Hastings his bond was fixed by the creditors at \$50,000, the same amount as he has furnished as receiver pending the creditors' meeting.

Bennett on the Stand.

An interesting phase of the afternoon session was the introduction of W. R. Bennett on the witness stand to lay the foundation for the examination which will be held at an adjourned session. He testified that he was the president of the bankrupt company and told of its organization in 1880 and of the organization of the W. R. Bennett Building company ten years later. He said that the building company had a nominal capital stock of \$400,000 at the beginning, but that it had never had any capital except such as was borrowed. The incorporators were S. F. Bennett, W. R. Bennett, Irving Allison and F. W. Brown. The stock was never delivered and the witnesses did not know how it was divided among the stockholders. He said the building company borrowed \$50,000 from the mercantile company and the money was used to pay part of the purchase price of the site; later the building company borrowed \$75,000 on first mortgage from the Prudential Life insurance company and \$100,000 on a second mortgage from John R. Webster; probably \$30,000 more was borrowed by the building company from the mercantile company, and an evidence of indebtedness for \$50,000 given, aside from these sums all the money required by the building company was borrowed by the mercantile company and paid out on the building, and no separate account kept of the transactions between the two companies.

While these proceedings were taking place before the referee the O'Donohoe-Redmond company filed an application before Judge Munger to require the trustee to keep the business of the bankrupt company in operation. In the application it was said that the applicant had contracted with the W. R. Bennett company to operate a dry goods department in the store and it had leased for a term of years certain space and the right to use windows for display; much of the value of the store and location depended upon the fact that it was in combination with the lives of goods carried by the Bennett company in the store and the failure of the trustee to carry on the business would work irreparable injury to the applicants.

Notice of this application was served upon

Mr. Hastings as soon as he had been elected and at 4 o'clock the matter was called up before the judge. It was then decided that an invoice of the stock on hand should be taken before the hearing upon the application was completed and in order to take this inventory the store must be closed Monday and probably Tuesday. Members of the other firms doing business in the building consented to close the house for this time, as it would give them an opportunity to take stock.

The judge then referred the matter to C. E. Clapp, as special master, with instructions to hear the cause and report immediately by mail to Lincoln, where Judge Munger will be for the next week.

As soon as the invoice is taken Mr. Hastings will file his bond and qualify as trustee, and after that time the question of continuing the business will be decided by the court.

A list of the claimants represented yesterday whose claims are \$1,000 or more are as follows:

Table listing claimants and amounts: McCord-Brady company, \$32,67 64; Commercial National bank, \$20,000 00; Merchants National bank, \$2,500 00; First National bank, \$2,500 00; Paxton-Gallagher company, \$1,000 00; G. W. Watters, \$1,000 00; Illinois State company, \$1,000 00; Nebraska National bank, \$1,000 00; Columbia National bank, Lincoln, \$1,000 00; Union National bank, \$1,000 00; Nebraska Planning Mill company, \$482 82; John Ericsson, \$400 00; Farmers bank, Lyons, Neb., \$300 00; Henry Rix, Calhoun, Neb., \$300 00; First National bank, Omaha, \$300 00; Shelby County bank, Harlan, Ia., \$300 00; Hayward Bros. Shoe company, \$254 24; Simons Mfg. Co., St. Louis, \$250 00; Bank of Talmage, \$200 00; Public Brothers, \$200 00; M. Field & Co., \$175 00; Dorothy Dodd Shoe company, \$148 81; Lehigh Manufacturing company, \$148 81; Bee Publishing company, \$143 43; National Biscuit company, \$137 81; Indianapolis Store company, \$125 00; Strass, Warner & Co., \$125 00; Samuel Chapman company, St. Louis, \$125 00; D. J. O'Brien company, \$125 00; World Publishing company, \$125 00; Jennings Bros. Mfg. company, \$125 00; Omaha Packing company, \$124 04; Fancher & B. company, \$121 43; Hector-Wilhelmy company, \$114 18; Simons Hardware company, \$113 82; Thayer & Chandler, \$108 71; Daily News company, \$108 28; Simons Hardware company, \$101 21.

HYMENEAL.

Petermann-Melcher.

WEST PORT, Neb., Jan. 17.—(Special.)—Elmer Petermann and Miss Bertha Melcher were the contracting parties at a pretty wedding at the German Lutheran church on Thursday, Rev. A. R. E. Oelschlaeger, pastor, officiating. The bride is the second daughter of Martin Melcher of St. Charles township. The groom is a well known young business man of this city. The couple will reside in West Port.

Krouel-Fisher.

WAHOO, Neb., Jan. 17.—(Special.)—John F. Krouel of Yukon, Okl., and Miss Mary Fisher of this city were united in marriage at the Catholic church this morning by Father Bor. The bride is the oldest daughter of H. A. Fisher. Mr. and Mrs. Krouel will make their home at Yukon.

Don't Worry.

This is easier said than done, yet it may be of some help to consider the matter. If the cause is something over which you have no control it is obvious that worrying will not help the matter in the least. On the other hand, if within your control you have only to act. When you have a cold and fear an attack of pneumonia, buy a bottle of Chamberlain's Cough Remedy and use it judiciously and all cause for worry as to the outcome will quickly disappear. There is no danger of pneumonia when it is used.

Murder in the First Degree.

MEMPHIS, Tenn., Jan. 17.—Samuel Miller, who came here from Kansas City a few weeks ago with the avowed intention of killing his wife, and who shot her to death in the street on Monday, was today convicted of murder in the first degree. He will be sentenced to hang by Judge Moss on Monday.

ST. LOUIS IS SAFE IN PORT

Passengers on Delayed American Liner Frame Indignant Resolutions.

INSTRUCT LAWYERS TO SUE COMPANY

Damages Will Be Demanded for Delay Which Cost Many Heavy Losses—Food Supplies Cut Down All Around.

NEW YORK, Jan. 17.—The steamship St. Louis arrived at its pier today, after an extremely slow trip, owing to leaky boilers. The time from Cherbourg to the lightship was thirteen days, five hours and twenty minutes, all but the last hour and twenty-five minutes being the ship's best record. There was no accident of any kind and, although heavy weather was encountered, practically all the delay was caused by inability to get up steam in the defective boilers.

Passengers Are Indignant.

The passengers became indignant when they learned of the poor progress the vessel was making and an indignation meeting was held, at which the line was severely censured for permitting passengers to embark on a steamer in a condition of St. Louis.

A statement was drawn up and given to the public on arrival here today by a committee chosen to set forth the grievances of those on board.

After the vessel was sighted off Nantucket last night good time was made to New York and it reached the pier some hours ahead of the time set last night for a large crowd gathered at the pier and charged as the ship came in with its load of human beings, for whose safety grave fears had been entertained for several days.

The tugs having gathered around St. Louis, the ship was allowed to drift to the pier and when it came within speaking distance the excitement on the pier was intense. It did not take long for the first and second cabin passengers to cross the gang planks and as they got beyond the rope enclosures they were directed to the arms of their waiting relatives.

Each little group provided a scene, the women in most cases weeping in their joy. Many of the first-class passengers declared their intention to enter suit against the company and their cases were placed in the hands of lawyers.

When the passengers started ashore a quartermaster was placed on guard at every gang plank, with orders from the dock superintendent not to allow anyone to go on board and none of the ship's officers were allowed to come ashore.

Lawyers Are Retained.

The passengers freely expressed their feelings at the delay. A. Bartlett Lloyd of Boston was one of the signers of a resolution of the passengers' resolutions. He said: "The speeches made at the indignation meeting were much more fiery in tone and much more bitter against the management of the company than the resolutions show. We attempted to make the resolutions as dispassionate as possible.

"There was no pleasure or gaiety aboard. Everyone was as depressed and angry as men and women could be. Suspicion began from the moment that we left Southampton. When it first began to be rumored about the ship that the boilers were defective and leaky we sought information from the officers and steward, but could learn nothing. Our fears were either laughed at or jocularly evasive answers made.

"But when the news that we were in deadly earnest and would not be denied, they changed their attitude and told us promptly what we wanted to know, or told us they knew nothing about the cause of the delay.

"All the first-class passengers have put their case into the hands of myself and Mr. Bernal as their lawyers and authorized us to make such claims against the company as we see fit and endeavor to collect damages."

The Hamburg-American line steamship Pennsylvania, from Hamburg, which arrived in this port this morning, reported that on January 15, in latitude 45.35, longitude 49.20, it fell in with St. Louis, proceeding very slowly. Pennsylvania steamed close to St. Louis and reported that the officers of St. Louis reported that its boilers were leaking and sent a boat alongside Pennsylvania in charge of the first officer with letters from the passengers.

Leaky Boilers the Trouble.

The first officer reported that St. Louis boilers were leaking so badly that the ship could only steam five knots per hour in fine weather. They had on board eight days' provisions and water and all were in good health. The steamer required no assistance.

The marine station at Sandy Hook displayed a signal for the word "Welcome" as the overdue steamship came in and St. Louis replied "Thank you." No other signals were displayed by the ship as it passed Sandy Hook.

St. Louis left Cherbourg January 4 at 1:06 a. m. and arrived at Sandy Hook lightship at 6:34 this morning, making the passage in thirteen days, five hours and twenty minutes, all but the last hour and twenty-five minutes being the ship's best record. Its days' runs were 241, 285, 323.5, 312, 290, 196.5, 125, 150, 183, 225, 235.5 and 279.5; total distance, 3,043 knots.

The first three days St. Louis made fairly good progress for its ability in the prevailing weather, which was rough and squally with high cross seas. The speed then became so slow that the passengers began to discuss it and between the rough, stormy weather and the ship's inability to make speed they became so indignant that meetings were held.

Want Ship's Course Changed.

On January 9 the steamship's boilers commenced to leak badly and continued to do so until yesterday. St. Louis encountered unusually stormy weather throughout. On January 11 and 12 the ship was driven northwest to northwest, accompanied by violent squalls and snowstorms. On these two days the ship logged only 125 and 130 knots.

On January 16, when the action passengers learned of the extent of the accident to the steamer's boilers and engines, they held an indignation meeting in the smoking room and adopted resolutions censuring the International Navigation company for sending St. Louis to sea in its dangerous condition.

A copy of the resolutions was handed to Captain Passow, demanding that the ship's course be headed for Halifax or that the passengers be transferred to some passing fast westbound steamer.

Passengers Adopt Resolutions.

A copy of these resolutions also was ordered to be sent to the Associated Press. The resolutions follow:

STEAMSHIP ST. LOUIS AT SEA, Jan. 12, 1903.—To the Passengers of the Steamship St. Louis: The undersigned committee unanimously elected by the passengers at an indignation meeting held January 11, 1903, have the honor to report: First—That there is satisfactory evidence that the steamship St. Louis entered Southampton harbor on January 2, after an eastward voyage of over nine days in a stormy sea, in a crippled condition, and that it was sent to sea in that condition, without being repaired or having necessary overhauling and needed repairs.

Second—That your committee has been credibly informed that this condition was known to the management from embarking passengers.

Third—That no accident, so far as your committee are aware, has occurred since

NELLIE PRINCE IS ARRESTED

Chicago Police Hold the Woman for Robbery in Omaha Store.

SHE HAS INTERESTING POLICE RECORD

Chief Donahue Will Make Strong Effort to Convict Her on Charge of Stealing Furs from Kilpatrick's.

Nellie Prince, who is wanted by the Omaha police for the theft of \$200 worth of furs which she is said to have stolen from a store in Chicago, on August 30 last, has been arrested in Chicago and will be brought here for trial. A telegram announcing her arrest has been received by Chief of Police Donahue from Superintendent O'Neill of the Chicago department. Captain Dunn has gone to Chicago to return with the prisoner as soon as the proper requisition papers are sent him.

Mrs. Prince is the widow of Charles Prince, who was charged with the theft of \$15,000 worth of furs from the Shukert store in 1899, and who was killed two years ago in a hotel at Quincy, Ill., by the chief of police of that city, after he had blown a safe, assisted by his pal, Tommy Gooch.

Chief Donahue says that Mrs. Prince is one of the shrewdest shoplifters in the United States and is a specialist in the best of plunder, doing her work among costly silks, satins and sealskins. She is said by the chief to be always accompanied by a female companion, who is her accomplice.

Chief Donahue states that for several years Mrs. Prince has proven all that her name implies among the shoplifters of the country and has completely baffled the best detectives in the larger cities where she has worked in attempting to locate the "fence" where she disposes of her plunder. Where the furs she is alleged to have stolen have been sent is still a mystery.

Three weeks after her husband's sensational death she was arrested charged with the theft of a portion of the furs from the Shukert store, one of the sealskin cloaks having been located in Milwaukee. The case has been pending in length, but destroying the mark of the maker, and the case against her had to be dropped, as the property could not be identified.

The chief is preparing to meet the fight which Mrs. Prince is expected to make in the liberty, and hopes the opportunity to be able to hold her. The woman usually carries a large amount of money on her person, sufficient to meet a \$3,000 bail bond. If the amount of the goods stolen exceeds her bail bond she, it is said, takes advantage of her ready money and disappears.

Young Woman Seriously Injured.

BEATRICE, Neb., Jan. 17.—(Special.)—Miss Florence Bloodgood, residing four miles southeast of this city, sustained a broken arm and severe bruises about the body by being thrown from a buggy near her home. Miss Bloodgood seems to be rather unfortunate, as a similar accident befell her about two months ago.

Ice Harvest at Beatrice.

BEATRICE, Neb., Jan. 17.—(Special.)—The ice harvest is on in earnest here and all the available men and teams have been put to work harvesting the crop. The ice is of an excellent quality and will average about thirteen inches in thickness.

To Revive Roller Skating.

BEATRICE, Neb., Jan. 17.—(Special.)—The roller skating craze is to be revived in this city. A rink will be opened in the Moschel block next Saturday, January 24, by G. H. Johnson and E. D. Wheeler, two well known residents of this city.

FORECAST OF THE WEATHER

Fair Today and Tomorrow in Nearly All Western States is the Prediction.

WASHINGTON, Jan. 17.—Forecast: For Nebraska, North and South Dakota and Kansas—Fair Sunday and Monday. For Iowa and Missouri—Fair Sunday and Monday. For Illinois—Fair Sunday and Monday; colder Sunday in north portion; fresh northwest winds.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Jan. 17.—Official record of temperature and precipitation compared with the corresponding day of the last three years:

Table with columns for Year (1902, 1901, 1900) and rows for Maximum temperature, Minimum temperature, Mean temperature, Precipitation, and Deficiency for the day.

Normal temperature... 18
Excess for the day... 23
Total excess since March 1... 270
Deficiency for the day... 2.62 inches
Total rainfall since March 1... 2.85 inches
Deficiency for cor. period, 1902... 6.53 inches
Deficiency for cor. period, 1901... 29.39 inches
Deficiency for cor. period, A. WEISS, Local Forecast Official.

THE VALUE OF CHARCOAL

Few People Know How Useful it is in Preserving Health and Beauty.

Nearly everybody knows that charcoal is the safest and most efficient disinfectant and purifier in nature, but few realize its value when taken into the human system for the same cleansing purpose.

Charcoal is a remedy that the more you use the better it is. It is not a drug at all, but simply absorbs the gases and impurities always present in the stomach and intestines and carries them out of the system.

Charcoal sweetens the breath after smoking or drinking or after eating onions and other odorous vegetables. It is also useful in cases of indigestion and improves the complexion, it whitens the teeth and further acts as a natural and eminently safe cathartic.

It absorbs the injurious gases which collect in the stomach and bowels; it disinfects the mouth and throat from the poison of catarrh.

All druggists sell charcoal in one form or another, but probably the best charcoal and the most for the money is Stuart's Absorbent Lozenges; they are composed of the finest powdered willow charcoal and other harmless antiseptics in tablet form, or rather, in the form of large, pleasant tasting lozenges, the charcoal being mixed with honey.

The daily use of these lozenges will soon tell in a much improved condition of the general health, better complexion, sweeter breath and purer blood, and the beauty of it is, that no possible harm can result from their continued use, but, on the contrary, great benefit.

A Buffalo physician, in speaking of the benefits of charcoal, says: "I advise Stuart's Absorbent Lozenges to all patients suffering from gas in the stomach and bowels, and to clear the complexion and purify the breath, mouth and throat; I also believe the user is greatly benefited by the daily use of them; they cost but twenty-five cents a box at drug stores, and although in some sense a patent preparation, yet I believe I get more and better charcoal in Stuart's Absorbent Lozenges than in any of the other charcoal tablets."

SPLIT, BRITTLE, DULL HAIR.

All Come from Dandruff, Which is Caused by a Germ.

Split hair, harsh hair, lusterless hair, brittle hair, falling hair, all owe their origin to dandruff, which is caused by a meanly little microbe that burrows into the scalp, throwing up the cuticle into dandruff scales and sapping the vitality of the hair at the root, causing the several diseased conditions of the hair, if it is finally left out. Mr. L. S. Allen has discovered a remedy to destroy the dandruff microbe, which is combined in Newbro's Herpicide and may be had of any druggist. Always itching instantly and makes hair soft as silk. Take no substitute; nothing "just as good."

NOT RECOMMENDED FOR EVERYTHING

But if You Have Kidney, Liver or Bladder Trouble, You Will Find the Great Remedy, Swamp-Root, Just What You Need.

Doctors Prescribe Swamp-Root.

Gentlemen—I have prescribed that wonderful remedy for kidney and bladder complaints, Dr. Kilmer's Swamp-Root, with most beneficial effect and know of many cures by its use. These patients had kidney trouble, as diagnosed by other physicians, and treated with the best of medicine. Dr. Kilmer's Swamp-Root effected a cure. I am a liberal man and accept a specific wherever I find it, in an accepted school of medicine. For desperate cases of kidney or bladder complaint under treatment with unsatisfactory results I turn to Dr. Kilmer's Swamp-Root with most flattering results. I shall continue to prescribe it and from personal observation state that Swamp-Root has great curative properties.

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