

GLOBE BONDSMEN TO ANSWER

Supreme Court Holds that Rawson Has Right to Bring Suit.

FIGGITE CASE IS REMANDED FOR TRIAL

State Labor Bureau is Receiving Liberal Responses to Call for Statistics from Merchants and Manufacturers.

(From a Staff Correspondent.) LINCOLN, June 18.—(Special.)—The officials of the Globe Savings bank and the Globe Loan and Trust company, with Cadet Taylor and D. T. Mount, will have to again defend in the district court of Douglas county the suit brought against them by Arthur C. Rawson to recover upon the \$50,000 bond given by them to meet all of the obligations of the bank within three years from the time of its failure.

Where, pending an application for the appointment of a receiver for a bank, under the provisions of chapter 22 of the Compiled Statutes, a bond is given to procure the return of the assets of such bank under the provisions of section 23 of said chapter, and such proceedings are dismissed and the assets returned, it is the duty of the receiver, as a beneficiary of such bond, to maintain an action at law thereon, after the condition is broken to his satisfaction.

Record and evidence examined, and held that in this case the plaintiff can maintain such an action, and that the defendant, appearing that there are other unpaid creditors of the Globe Savings bank not parties hereto and not represented herein, and the law being that this plaintiff cannot maintain this suit if the defendant is not first instructed to find for the defendant, given by the court to the jury is erroneous and the plaintiff is entitled to judgment.

The opinion is written by Commissioner Glanville and Judge Sedgwick submits a supplementary and confirmatory opinion.

Figgitte case Reversed. The troubles of the Figgites must all be fought over again in the courts of Sarpy county if Albert J. Donahoe is to recover in his suit against Sarah C. and Louise Figgitte for alienation of his wife's affections by the ardor of their peculiar religion.

The supreme court today affirmed the action of the district court in Douglas county whereby Alfred Liebscher was convicted and sent to the penitentiary on a charge of assault. The defense, relied for another hearing upon the contention that in such a charge it was necessary to allege that it was done without the consent of the child, who was 12 years old, and who was enticed into a room in a hotel and subjected to indignities.

It also affirmed the verdict and sentence of three years in the case of Frank Edwards, who was sent up from York county for assault, overcoming the contention of the defense that the state had erred in not having said in its complaint that the victim was not his daughter nor his sister.

It also affirmed the conviction and sentence of Charles Williams, known in Omaha as George Jacobs, who got twelve years in this county for holding up Ed Gleister.

In the case of Joseph J. Kellar, convicted in Cheyenne county and sentenced to two years in the penitentiary on a charge of having stolen eight head of horses of the value of \$5, the court refused to accept the contention of the defense that there was error in the verdict, the jury did not fix the value of the property stolen. The case came to the supreme court on an application by Kellar for a writ of habeas corpus, sued out in the Lancaster county district court, and the supreme court held that in a writ of habeas corpus only jurisdiction questions can be raised, while the defect of the verdict was nothing more than error.

Governor Mickey went down to Blue Springs today to talk before an Epworth league gathering, and will return in time to hear the appeal for executive clemency in the case of William Rhea, which will come up tomorrow. Both sides of the contention will be given an opportunity to be heard. An attorney from Mount Vernon, Ind., named Menzies will appear in behalf of the condemned man's father, and his appeal will be supplemented by others from Mayor Adams of this city and Judge Loomis of Fremont.

New Corporations. The North Platte Telephone company has filed articles of incorporation with a capital stock fixed at \$25,000, and with Dick T. Field, Blanche B. Field, Leonard Dick and Charles Temple as incorporators. The Dorchester Farmers' Co-operative Grain and Live Stock company, comprising W. C. Endicott, O. T. Ivenshu, J. W. Carpenter, Franklin Miller and D. T. Buckingham, has filed articles of incorporation with an authorized capital of \$5,000.

Against a Knotty Question. Attorneys for the Western Travelers' Accident association of Omaha argued all day today in Judge Cornish's court a motion to instruct the jury in the case brought against it by Hays B. Tomson, a former traveling man, to return a verdict for defendant. The suit is for \$5,000 on a policy promising to pay that much for permanent disability resulting from accidental injury. The testimony showed that Tomson was riding behind a team over a country road and was badly jolted. He felt a queer sensation in his head as he

Ayer's Hair Vigor

Hair falling? Then you are starving it. You can stop hair-starvation with a hair-food. Ayer's Hair Vigor nourishes, feeds the hair. And the deep, rich color of early life comes back to the gray hair.

FIRE SALE BARGAINS BENNETT'S FIRE SALE CLOTHING FIRE SALE YOUNG MEN'S SUITS. 12 to 20 years—worth up to \$7.50—fire sale price 2.95

MOTHER'S CHOICE MAKE of SUITS 3 to 8 years, 8 to 16 years: Values up to \$3.50—fire sale 1.95 Values up to \$4.50—fire sale 2.45 Values up to \$7.50—fire sale 3.45 Union Made Men's and Young Men's Suits Special make and styles, values up to \$20—fire sale price 10.00

FIRE SALE OF GROCERY Our Big Grocery Section The largest in the city—is a playground of bargains, everybody needs something from it. Everybody can save money in it. Large white granite breakfast plates—best quality—each 5c Haviland & Co's White China Cups and Saucers, Ranson shape, each 25c Large white bowls and pitchers 59c Common tumblers, each 1c

FIRE SALE SHOES! SHOES! SHOES! Ladies' Dongola Strap Sandals, worth \$1.25, at 79c Men's Vici Kid Opera Slippers, brown or black, worth \$1.50, at 75c Girls' nice red Vici Kid Bow Sandals, worth \$1.50, at 48c Ladies' Vici Kid Union Made Lace Shoes, worth \$1.75, at 98c

Pyrography Rafts of "Burnt Wood" on Sale Our Pyrography department is the complete outside Chicago or New York. Our fire sale prices are more like GIVING THAN SELLING. Perfumed Talcum Powder—per box 3c Violet Perfumed Ammonia—per bottle 15c Household Ammonia—strong—per bottle 5c 1-lb. sack Sea Salt—for the bath, per sack 20c Whisk Brooms—a large variety—3c, 2c, 2c, 2c, 1c and 1c An 8-oz. Solid Back Hair Brush, black bristle, only 6c

Fly Nets Friday and Saturday we'll sell a Heavy Cotton Cord Team Net at 1.33 Leather and Cotton Cord Fly Nets, Stable Sheets, Horse Bats, etc., in

Piano Bargains We have about 70 superb pianos—brand new 1903 Colonial styles—a thin wreath of smoke hung over some of them. No heat nor flame got to them—as they were part of our huge stocks, however, the insurance companies made the concessions we demanded—it is our fixed plan throughout THIS GREAT FIRE SALE TO Give You the Benefit. SEVENTY PIANOS AT ALMOST HALF PRICE in oak, mahogany and walnut—all latest 1903 Colonial styles Terms to Suit Come and See them A \$300 PIANO—FIRE SALE \$198 A \$325 PIANO—FIRE SALE \$178 A \$350 PIANO—FIRE SALE \$218 A \$400 PIANO—FIRE SALE \$298 A \$425 PIANO—FIRE SALE \$310 A \$450 PIANO—FIRE SALE \$325 Terms to Suit Calling Cards in Aluminum Case, 100 for 49 cents

Friday Snaps in Drug Dept. Perfumed Talcum Powder—per box 3c Violet Perfumed Ammonia—per bottle 15c Household Ammonia—strong—per bottle 5c 1-lb. sack Sea Salt—for the bath, per sack 20c Whisk Brooms—a large variety—3c, 2c, 2c, 2c, 1c and 1c An 8-oz. Solid Back Hair Brush, black bristle, only 6c

was being jolted and remarked about it to his companion. Three days later he fell ill of a hemorrhage and is no longer able to work. He contends that his injury was accidental, the jolting being the first and sole cause of his trouble.

Benefit for Firemen. YORK, Neb., June 18.—(Special.)—York takes pride in its fire department and whenever opportunity presents itself it always stands ready to assist. The large Auditorium was filled with York citizens last evening who attended the firemen's benefit concert. York's sweetest singers and musicians took part in the program, donating their services and each and every one was encouraged and compelled to return in response.

Tim Sedgwick Builds Higher. YORK, Neb., June 18.—(Special.)—Tim Sedgwick, editor of the York Times, started to build a three-story building for his newspaper and book binding, and before completion he has decided to add another story, making a four-story business building and one of the finest and largest newspaper plants in the state.

Crops Not Flourishing. FREMONT, Neb., June 18.—(Special.)—Corn is all in, and while the prospects on the Platte bottoms are not the best, that which was planted early on the uplands is doing well, but is weedy. On the bottom the ground is badly caked by the rains and some fields will not be planted at all. Rust is reported in many wheat fields and the heads are not filling even. The Standard Beet Sugar company was obliged to replant most of the beets it had in before the rains and the acreage this year will be small. Those first planted after the rains are coming up well.

Rural Routes for Adams County. HASTINGS, Neb., June 18.—(Special.)—Inspector Llewellyn of the rural delivery department of the post-office has arrived from Lincoln and is looking over Adams county, where an extensive system of rural routes is to be inaugurated at once.

York Talks Paving. YORK, Neb., June 18.—(Special.)—The street paving committee met last evening and the different committees reported on progress made since the last meeting. Mr. Sayre of Des Moines, Ia., a native of York, appeared before the committee and gave them information as to the different kinds of paving used, the manner of putting it in and style and kind of curbing and the cost. Members of the committee stated that they found a few of the property owners who are working against paving and that they believed they would find considerable opposition, especially if the weather continued dry as now, as the streets are in much better condition. Another heavy rain and they all would be in favor of paving. The opinion is that York will pave at least around the square and between the two depots.

Statistical Reports Coming In. Labor Commissioner Bush is receiving liberal responses to his request for returns from merchants and manufacturers. These will be compiled into a bulletin which will be published late in the year. The figures received up to date show that industry is in a good condition throughout the state.

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MASONS LAY CORNERSTONE Impressive Ceremony Marks Construction of New Federal Building at Norfolk. NORFOLK, Neb., June 18.—(Special.)—At 2:30 o'clock this afternoon the cornerstone of the new \$100,000 United States federal court building and postoffice in this city was laid under the auspices of the Masonic fraternity. The ceremony was performed by the grand master, Frank Bullard, in person, and the oration, an impressive discourse, was delivered by the grand lecturer, Rev. Luther Kuhns of Omaha.

Inspect Oil and Coal Prospect. LOUISVILLE, Neb., June 18.—(Special Telegram.)—The Commercial club, citizens of this place and the farmers in this vicinity entertained a delegation of forty-seven business men of Omaha and Council Bluffs today, nearly all of whom were stockholders in the Omaha Petroleum, Gas and Coal company, arriving by special train at 10:30 a. m. They were escorted to the hotel, where carriages were waiting, and soon the delegation was on its way to the places where coal and oil had been found, going first to the farm of J. K. Lee, where coal was found while digging a well last fall; second to an old stone quarry on Captain Hoover's farm, and third to a point in the creek where oil was seeping out of the bank, and fourth to the farm of George Jackson, three and one-half miles west of town, where coal was cropping out, and then returned to the hotel, where several speeches were made by Omaha, Council Bluffs and Louisville parties on the possibilities of developing the resources which were here.

Monument to Soldiers. YORK, Neb., June 18.—(Special.)—The members of the Grand Army of the Republic post of this city petitioned the county board for privilege to erect in the corner of the court house square a soldiers' and sailors' monument. At the meeting of the county board this week request was granted and the old soldiers will make arrangements to erect a monument.

Well Diggers Strike. BEATRICE, Neb., June 18.—(Special Telegram.)—Twelve men employed in cleaning the well at the water works station went out on a strike today. They have been drawing 30 cents per hour and ask for an increase to 40. Late this afternoon they returned to work with the understanding that they were to receive the increase demanded.

New Route for Gage County. BEATRICE, Neb., June 18.—(Special.)—M. M. Steele of the free rural delivery service visited Holmerville, this county, yesterday and decided to establish a rural route to run east from that town. The route will be twenty-five miles in length and will enter one of the most densely populated farming districts in Gage county.

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MEN ARE BLOWN TO ATOMS At Least Fourteen Are Killed in an English Arsenal. High Explosive Wipes Them Out in the Twinkling of an Eye, Besides Wrecking Buildings of the Factory. LONDON, June 18.—Fourteen men were killed and thirteen injured by an explosion in the Lyddite factory at the Woolwich arsenal this morning. Several of the victims were literally blown to pieces. The building was completely wrecked. The roof was blown off and the interior collapsed.

TENNIS AT THE FIELD CLUB James Brown Defeats E. M. Martin and C. N. Young Beats J. C. McIntyre. Two of the three matches to have been played off last night in the Field club tennis handicap were finished when the rain interfered and the third was postponed until Friday night, leaving only the semi-finals and finals for Saturday. The two matches in the semi-finals will be played Saturday afternoon at 2 o'clock and the finals at 5 o'clock.

Wassaw's Man Wonderful Shot. ST. LOUIS, June 18.—The fourth annual tournament of the Central Marksmen's union opened today at the Fourmile range. The results of the three days' shooting were announced at the Fourmile range last night. The feature of today's shooting was the marksmanship of C. R. Kopp of the St. Louis club, who shot a bull's-eye with a one and one-half inch center. Out of fifty-two contestants, Mr. Kopp was the only one who hit the center, but fifty-one shot being allowed each man, while fifty-two were allowed each woman, it is not surprising that in which no re-entry was allowed in one day, J. E. Schmidt of St. Louis made the best score, his record being 217 points out of a possible 260. In the rifle target match the high score today was made by Otto Mathe of Wassaw, Wis., 72 points out of a possible 100. The best score was a lengthy list of contestants and re-entries were frequent. The best score was made by J. E. Schmidt of St. Louis, 95 out of 100, and H. M. Pope, Hartford, Conn., 92.

Denver Man Shoots Straight. DENVER, June 18.—The Grand Western handicap shooting tournament closed this evening. The last event, the Grand Western handicap, was won by W. Garrett of Colorado Springs, who made 84 out of a possible 100. Tolman was second, with 80; Miller third, with 80, and Hirsch, Frank

and Plummer tied for fourth with 80. Besides the handicap there were five events of twenty birds each. F. Miller of Berwin, Neb., made the highest score, 88; Dan Timberlake of Salina, Kan., second, 82; Hirschy of Minneapolis, third, 82; George Timberlake fourth, 81; J. W. Garrett of Colorado Springs fifth, 80.

Jack Henry Goes to Butte. Jack Henry, who has been playing amateur ball in Omaha for the last five years, catching with the Uniques, and later with the Crescents, has just signed with the Butte team in the Pacific National league. He started out the season in professional ball with the Leavenworth-Missouri Valley league and headed the league in batting. Then Walter Wilms heard of him and bought him release and he has now gone to join the team at Butte.

Guard at McKinley Tomb Changed. CANTON, O., June 18.—The detachment of Company M, Eighth regiment, U. S. A., on guard at the temporary tomb of the late President McKinley since last fall, has been ordered to return to Fort Thomas, Ky., and a detachment from the First infantry, now at Fort Wayne, Mich., will be sent here to take the place of the man ordered to leave. The present force doing guard consists of thirty-eight men, under command of Lieutenant William A. Liebert. It is expected that the Eighth regiment will be ordered to the Philippines about December 1.

What They Demand. Headaches, liver complaints, bowel disorders demand Dr. King's New Life Pills. They are gentle, but cure or no pay. For sale by Kuhn & Co. Automobile Runs Into Driveway. MARIETTA, Ind., June 18.—R. R. Tuttle and J. Morgan of Van Wert ran into a ravine last night with their automobile, which was demolished. Today both of the doctors are reported at the hospital in a serious condition.

You Can Drink Glass After Glass of Hires Rootbeer It will do you good, and by mail 25 cents. A package makes five gallons. Beware of imitations. CHAS. E. HIRSH CO., Malvern, Pa.