REFUSES TO CASH WARRANTS

State Treasurer Holds On to Money in Permanent School Fund.

LEGISLATURE CANNOT APPROPRIATE IT

Accident Reveals a Pathetic Story of a Woman's Pluck in Adversity—Railroad Agent in the Toils.

(From a Staff Correspondent.)

LINCOLN, July 20.—(Special.)—State Treasurer Mortensen does not propose that the legislature shall hereafter assume that it has any right to make appropriations from either the permanent school fund or the permanent university fund. During the last session the legislature sought to include in H. R. 445 several appropriations for the repayment to county treasurers of several amounts erroneously paid in by them to be credited to the permanent school fund. In the bill the claims against the permanent school fund are as follows: Fred Lehmkuhl, $148.43; P. McGinnie, $16.08; P. D. McCormick, $87.02; C. F. Scharman, $4.37. One claim was allowed against the permanent university fund amounting to $30.50, in favor of M. E. Butterfield. Recently the auditor drew warrants for the above amounts, but Treasurer Mortensen, in a letter received by Auditor Weston today, refused to countersign them, and sets forth the reasons as follows:

In the matter of countersigning these certain warrants I have carefully examined the constitution and laws pertaining to these funds and am of the opinion that the legislature had no authority to pay these claims as provided in H. R. 445, out of the above named trust funds. If the legislature had no lawful authority to make the appropriation to pay these claims out of the permanent trust funds, the warrants cannot be paid if countersigned, but the act of countersigning them would be taken and considered an acknowledgment that the warrants were a legal liability against the state. The serious question therefore is, has the legislature authority to appropriate the permanent school fund? I understand that it is claimed by you, and others, that because certain county treasurers by mistake paid this money into the permanent school fund, the amount so paid by mistake is not permanent school money, and therefore can be taken out by the legislature as a claim against the state by appropriation. It appears to me that by the act of attempting to appropriate the permanent school fund it was admitting that this money, which was erroneously paid into the treasury, and also into this fund, is a part of the permanent school fund. If it is not in the school fund it cannot be taken out, even by appropriation.

The supreme court, in State ex rel. Norfolk Beet Sugar Company against Moore, 50 Neb. 88, says: "An appropriation within the meaning of our constitution is a setting apart by law of a certain sum from the public revenue for a specific purpose, so that the executive officers are authorized to expend that sum, and no more, for that purpose and no other." I do not consider the permanent school fund public revenue within the meaning of the above definition.

The supreme court, in State against Bartley, 39 Neb. 364, after reciting at length section 9 of article viii of the constitution, says: "The foregoing provision prohibits the loaning or investing of any moneys belonging to any of the permanent educational funds of the state, except on United States or state securities, etc." The moneys in these several funds the constitution has impressed with a trust character, and the legislature is powerless to authorize them to be devoted to any purpose not within the scope of the constitutional provision quoted." See also City of Hastings against Thomas, 8 Neb. 163, and Roberts against Reeder, 8 Neb. 206.

In State ex rel. Crounse against Bartley, 40 Neb. 286, the court in syllabus says: "By section 1, article viii, of the state constitution, the sole power to manage, loan and invest the permanent school fund of the state is lodged with a board composed of the governor, secretary of state, treasurer, attorney general and commissioner of public lands and buildings, and said board cannot be deprived of its functions by legislative enactment."

In the body of the opinion, on page 303, the court, after reciting the above constitutional provision, says: "The authority thus conferred upon the board of commissioners, or Board of Educational Lands and Funds, as it is usually called, the legislature is powerless to take away."

The Board of Educational Lands and Funds and not the legislature appears to have "the sole power to manage" these funds. The attempted appropriation out of these funds to pay claims for money overpaid into the treasury was, in my opinion, in violation of section 1, article viii, of the constitution, and therefore null and void, and for this reason I must decline to countersign the warrants, which are herewith returned.

Section 164 of the 1901 revenue law provides:

If any county treasurer shall have paid, or may hereafter pay, into the state treasury, any greater sum or sums of money than are legally and justly due from such collector, after deducting abatements and commissions, the auditor shall issue his warrant for the amount so overpaid, which shall be paid out of the fund or funds so overpaid on said warrant.

Reveals Sad Story.

Unusually pathetic is the life story revealed in this city today by the misfortune which befell Mrs. Charles Pierce of 2407 O street, who sustained painful injuries in an endeavor to avoid a conflagration in her home. She had placed upon a gasoline stove a pan of paraffine, which she intended to use in the making of some artificial flowers. While it was melting she had her attention attracted to a dog that appeared to be mad in the hall just outside her rooms, and in the ensuing excitement she forgot the paraffine until she turned to discover a blaze. Flames were reaching almost or quite to the ceiling.

In a frenzy of fear for herself and her two little children Mrs. Pierce grasped the flaming pan and rushed with it to the front window, which opens just above the sidewalk, and to avoid injuring anyone who might be passing, she held to it until she had peered down to see that she might not throw it upon the heads of anyone below. Finding the way clear she threw it into the street, but not until she had suffered painful burns about the hands and face.

Some of her neighbors came at once to her rescue and a physician was summoned, who dressed her wounds. Luckily she was able to keep her face pretty well out of the way of the flames, but her hands were burned to the bone, so that she lay during the forenoon upon a bed of excruciating pain.

The case of Mrs. Pierce is one which must appeal with striking force to those who are given to compassion for the misfortunes of others. Her story of hard luck is calculated to disclose to anyone who hears it some inkling of the amount of pluck that may be wrapped up in one frail human form. She has only been in Lincoln some three weeks, and her recital of the way in which she got here is full of interest.

According to her story she and her husband were living in a farming community near New York city. Her husband was a farm hand, and they had two small children, a boy aged about three and a girl somewhat older. Mrs. Pierce said that she was suffering from consumption and had been advised to come west for relief. She and her husband endeavored to accumulate enough money to enable her to do so, but it was slow and discouraging work. At length, however, they found themselves in possession of $15 and she determined to wait no longer. With $10 of this money and the two children she pulled out of New York for the unknown west in search of better health. It was understood that she should travel by easy stages, going as far as her supply of money would carry her and there endeavoring to secure temporary employment for board of herself and children until her husband could earn and send her more money.

After getting started, however, Mrs. Pierce determined to come on through as rapidly as she could, and in this way she lost track of her husband, who was supposed to be about to follow her.

She was helped from place to place by the authorities, and just before she reached Omaha a collection was taken up on the train for herself and children that netted her a handsome sum.

When she reached Lincoln she had $9, with which she determined to establish a home until she could hear from her husband, from whom she has not heard now for five weeks. She bought such furniture as was absolutely necessary and rented two rooms in the Hughes block. She has made some money since she came here by making artificial flowers and selling them, at which she is proficient, and she has some orders ahead which she was preparing to fill when the misfortunes of this morning came to swell the sum total of her discouragements.

Peace at State House.

The dove of peace once again hovers over the great white dome of the state house. The pure food commission, which has been embattled against the state library commission, has finally perfected an entente cordiale with its antagonist and the rooms on the third floor which have been the bone of controversy will be divided, one part to be used as a food commission laboratory, while the library commission gets the lion's share of the space.

Railroad Agent in the Toils.

For three years the agent of the Burlington railroad at Endicott, Neb., R. A. Karpfetter, has been acting as "fence" for a band of silk thieves in the disposal of the plunder, escaping detection until today. The gang has systematically robbed dry goods stores in southern Nebraska, operating in a territory 300 miles in extent. The thieves stole silk goods only, hiding their plunder in out of the way places and later shipping the stuff to the Endicott agent, who succeeded in disposing of the goods at good round prices. Merchants who purchased the silk from the agent invariably were told that the goods had been slightly damaged in shipment and that he had been ordered by his superiors to sell the balance wherever possible. By this ruse he escaped detection until last week, when a merchant, whose store had been robbed several months ago, visited Endicott and noted the fact that a woman was wearing silk of a pattern which he had imported and which he was quite certain was stolen from his place. Investigation followed and the agent was arrested and confessed.

Girl Clings to Recreant Love.

The flight of a paroled penitentiary convict to escape punishment for the commission of still another crime has unfolded a romance involving the daughter of a wealthy Nebraska cattleman, in which the young woman clings tenaciously to her erring lover in spite of his sins. The fugitive, L. T. Montgomery, was sent to the penitentiary from Alliance slightly over a year ago for robbing the postoffice. His sentence was six years, but influential friends brought about his parole and secured him employment in a railroad office in Lincoln. In less than two months Montgomery had returned to a career of crime, assigning his pay check and afterward drawing the check, which he converted into cash, and then fled from the city. Montgomery has been traced to his old haunts near Alliance and the authorities expect to soon have him under arrest. Montgomery is betrothed to the daughter of a wealthy Nebraskan named Funk, for whom a town is named. The father has pleaded with his daughter to forsake Montgomery, but in vain. During the time that Montgomery was confined in the penitentiary here the girl wrote him endearingly, urging the convict lover to bear up and she would yet secure his pardon so that they could marry.

Street Railway Litigation.

Before Judge Holmes this morning the application of City Attorney Strode for an injunction restraining the Lincoln Traction company from going ahead with the sale of the company's property under the first lien for paying taxes and for the appointment of a receiver to apply the profits of the company to the payment of existing liens rather than as dividends to stockholders was argued and submitted. City Attorney Strode appeared for the city and Mr. Deweese appeared with C. S. Allen for the company.

Proceeding with Appraisement.

Land Commissioner Follmer is making some progress with the school land reappraisement which the legislature authorized him to proceed with. The work has already been begun in Howard and Valley counties and the commissioner expects to see an increase in the state's income from school lands in these counties.

The next counties in which the work will be begun are Saunders, Thayer, Dixon, Douglas and Sarpy counties. There is not a great deal of school land in some of these counties, but what there is is very much more valuable than it was in 1888, when the last appraisement was made.

Superintendent Fowler echoed the general sentiment among the cohorts which are seeking the normal school, when he said this morning that he hoped for an early appointment of a member of the State Board of Education to succeed Mr. W. L. Stephens. This is also the expressed wish of Treasurer Mortensen, who is in the race as the standard bearer for the capital city of Valley county. Mr. Fowler thought that it would only be right to give the new member of the board time to familiarize himself with the needs of the situation before July 29, when the bids which are being received at the office of the state superintendent will be opened. The impression prevails at the state house that the governor will appoint either Superintendent Snodgrass of Wayne county or Superintendent Daisell of Lexington county.

Session Laws Ready.

Tim Sedgwick delivered today to the secretary of state one or two copies of the session laws, which he was under contract to deliver July 10, on penalty of $10 a day for each day's delay thereafter. He also notified the printing board that a shipment of the books was on the way to the capital. Under his contract he is nineteen days behind, but it is deemed probable that the printing board will exclude the three Sundays from the count and probably the twelve days which Sedgwick contends was due to his inability to get paper because of the floods.

Articles of incorporation have been filed by the Dellone Hotel company of Omaha, with A. L. Reed, Harry D. Reed and Harry G. Jordan as incorporators, and with an authorized capital of $100,000.

"If eyes were made for seeing,
Then beauty is its own excuse for being"
—Emerson

No excuse is needed for the beauty residing in

Gorham Silver

for it is beauty of the very highest order, based as it is on the basic principles of true Decorative Art. Underlying all the Gorham productions is sincerity of purpose, absence of meretricious ornamentation, and soundness of workmanship. That is why for three generations it has held the esteem of people of taste.

STERLING

All responsible jewelers keep it

CHAUTAUQUA A BIG SUCCESS

Large Crowds at David City on Hand for Opening Day.

DAVID CITY, Neb., July 20.—(Special.)—The opening of the third annual session of the David City Chautauqua assembly was all that the management had hoped for. Saturday evening a crowd far larger than on any previous opening was on the ground early. After the usual formal opening exercises Lou J. Beauchamp of Hamilton, O., delivered a lecture, "Take the Sunny Side."

Sunday morning the Union Pacific Railroad company brought two excursion trains, one from Stromsburg and one from Valley, both of which were heavily loaded. It is difficult to even estimate the number who were on the grounds, but it ran into the thousands. The Keebaugh band furnished music at intervals during the day. Miss Maud Marie Hawk and Miss Mable Wright, the talented elocutionist of Monmouth, Ill., rendered solos and readings that were enthusiastically received.

Rev. H. H. Harmon of Columbus, Ind., delivered a masterful sermon in the forenoon. Lou J. Beauchamp delivered a lecture in the afternoon, entitled "The Age of the Young Man," and in the evening, "The Universal Question." Mr. Beauchamp was advertised as the humorist who makes you think; the thinker who makes you laugh. The large multitude that heard him were unanimously of the opinion that the advertisement was not misleading. Mr. Beauchamp is an editor of Hamilton, O., and is one of the ablest men that has ever spoken on the platform of the David City Chautauqua. The platform this afternoon and tonight was occupied by H. M. Sears, the taffy man, and B. B. Burton, the noted California orator.

Tuesday the principal entertainers are: Miss Wright, elocutionist; B. B. Burton, address on "In the Corridors of Antiquity;" Dr. H. G. Hill of Omaha, "The Reign of the Plutocrat;" and in the evening, Frank R. Roberson, illustrated lecture, "Imperial India."

Wednesday—"One-Sided People," Dr. Hill; "The Land of Possibilities," by Father L. J. Vaughn, and an address on "Life" by Dr. F. V. Hoslander, and in the evening Herbert L. Cope, monologist.

Thursday Prof. Cope, Father Vaughn, Miss Wright, one of the best glee clubs in the state and Eugene Laurant, the great magician, will be the entertainers.

Friday is fraternal day. Hon. A. R. Talbot, head consul of the Modern Woodmen of America, will speak. Prof. Laurant and the Dixie Jubilee singers will entertain.

Saturday, July 25, is Grand Army of the Republic day. Judge Lee Estelle, department commander of Nebraska, Miss Wright, ex-Lieutenant Governor James E. Harris, Dixie Jubilee singers and Prof. Roberson, illustrated lecture, "Norway, the Land of the Midnight Sun."

Sunday, July 26, is the closing day of the assembly. The music will be furnished by the David City chorus and the Dixie Jubilee singers. Rev. Reverdy C. Ransom, the Booker T. Washington of the north, will deliver a lecture, "A Black Man in a White Man's Country." Sunday evening, final sacred concert by the Dixie Jubilee singers.

WIFE STAYS BY HIM IN TROUBLE

Man Who Stole Team and Sold It Says He Did It Because He Was Broke.

MINDEN, Neb., July 20.—(Special.)—The sheriff of Cuming county reached Minden last night and this morning started back with George Trexler, the man who hired a team from a West Point liveryman and after getting this far away from home sold the rig and started back to Omaha with the money. He acknowledged his guilt and will so plead when arraigned at West Point. He was accompanied by his wife, a bright, pretty little woman, to whom he was married last September in New York. Both are intelligent, respectable looking people, and the parents of both are well-to-do people, her parents living in New York and his in Pennsylvania. He is a ribbon maker by trade and she is an expert dressmaker. No excuse is given for driving off the team and selling it except that they were out of money and had nothing to do. The woman did not want him to sell the team and tried to persuade him not to do it. The team was sold, including harness and buggy, for $160, just about what either one of the horses was worth. About $78 of the money was recovered. The little wife sticks to him and says if he is sent to prison she will find work to do at dressmaking while he is confined, but that she will not let her people know where she is while he is in prison.

Y. P. S. C. E. Convention.

HARVARD, Neb., July 20.—(Special.)—The Sixth district, Young People's Society, Christian Endeavor closed its eleventh annual session in this city last evening, the Christian church being well filled with an attentive audience, Prof. O. C. Hubbel of Fairfield being the speaker. He spoke ably on the subject "The Twentieth Century, the Harvest Field of the Ages." This session is considered one of the most interesting ever held. A hearty greeting by our citizens, good subjects well presented, good music and perfect harmony among all interests united in making the convention one productive of much good. There were about seventy-five delegates and visitors in attendance from out of town.

Boy Injured by a Horse.

GIBBON, Neb., July 20.—(Special.)—A 5-year-old son of Reuben Poole, living northeast of Gibbon was kicked in the mouth by a horse yesterday afternoon. The point of the hoof struck the little fellow just under the lower lip and severed the entire lip so it hung by one corner. The lower teeth were kicked out and pieces of the jaw bone also. Dr. McRae was phoned for and dressed the wound. The boy was found by his mother lying senseless in the stable with his battered face upturned.

Humboldt Woman in Mexico.

HUMBOLDT, Neb., July 20.—(Special.)—Mrs. J. A. Murphy of this city today received a letter advising her of the safe arrival at Manzanillo, Colima, Mexico, of her daughter, Mrs. Joy Van P. McKie, who left San Francisco on July 4 to join her husband, who is a civil engineer and has been assigned to work in that territory. Mrs. McKie spent her childhood days in Humboldt, but has for the last two years been located in different sections of California.

FIREMEN BEGIN TO ARRIVE

Indications Present Will Be Largest Attended Tournament Ever Held.

FREMONT CONFIDENT OF FIRST PRIZE

Has Won the Belt Twice and Success This Year Means It Will Become Their Permanent Property.

NORFOLK, Neb., July 20.—On the eve of the eleventh annual tournament of the Nebraska Volunteer Firemen's association, which will have possession of Norfolk during the next three days, every indication points toward the biggest, most enthusiastic meeting that has ever been seen in the commonwealth. Already many of the fire fighters have begun to arrive and are making preparations to start in the racing events tomorrow. The cash prizes hung up are simply immense and will amount in all to over $1,500.

The Fremont delegation, with its team of speedy prize winners, arrived over the Northwestern at 7:20 this evening and are quartered at the Pacific. Among them were J. L. Johnson, chairman of the board of control, and J. C. Cleland, who will act as Royal Tiger the First in the pageant on the last night. Manager Howe says he has the best team Fremont ever sent out and he will be both surprised and disappointed if his men do not cross the line for the state championship. Winning this, the handsome belt which they have landed twice successively, becomes their permanent property. Frank Hollenbeck, city treasurer, who has been at every meet for years, is on the team, true to his word. "The Squire," as he is known among his friends, is apparently in fine form.

Tomorrow Columbus, with a band, will arrive on special train. Stanton's team is also here, Madison has sent up the entire department with a band, and many others are coming in on every train. There will be many thousands of visitors in the city by tomorrow noon, and Norfolk has been turned over to them completely. There will be five bands in all.

The track is in excellent shape and the weather has been ideal for royal racing.

THIEF SHOT WHILE IN STORE

Man Refuses to Give His Name or Tell Anything Concerning Himself.

AURORA, Neb., July 20.—(Special Telegram.)—For some time past the Hub department store has missed merchandise from its counters and on last Thursday night the management placed an armed guard on watch. At 2 a. m. L. W. Shuman and ex-Sheriff W. W. Shenberger, who were watching inside the store, noticed a light flashed into the store and a few minutes later the door opened and a man entered. As he came close to the watchers he was ordered to halt, but making a suspicious movement was shot by Mr. Shenberger and fell to the floor with a bullet in his groin. When searched a thirty-eight-calibre revolver was found in his pocket. He is badly wounded and refuses to give his name or any information regarding his identity. Sheriff Klumb and Mr. Shenberger followed his confederate to the Grand Island bridge over the Platte river, but there lost the trace.

YOUNG GIRL ATTEMPTS SUICIDE

Fear of Punishment is the Only Known Motive for the Act.

PLATTSMOUTH, Neb., July 20.—(Special Telegram.)—Gertrude, the pretty 13-year-old daughter of Frank Kunsman, attempted to end her life this evening by shooting herself through the left breast with a 32-calibre revolver. The only known motive which the girl may have had for committing the deed was her fear that she would be punished for going to Omaha without the consent of her parents. The bullet passed through her body and lodged in the wall. Her condition is critical, and the attending physician has no hopes of her recovery. The parents are prostrated with grief.

VOTE BONUS FOR THE NORMAL

Ainsworth Prepares to Give $10,000 for the State Institution.

AINSWORTH, Neb., July 20.—(Special Telegram.)—At the special precinct election here today $10,000 in bonds were voted as a bonus for the new state normal school. The vote was practically unanimous, there being only fifteen against the bonds. Ainsworth had made a thorough canvass for the location of the school, and has very strong endorsement from neighboring towns.

Kearney Convention Called.

MINDEN, Neb., July 20.—(Special.)—The republican county convention has been called to meet at Minden on Saturday, August 15. There is a difference of opinion as to whether it will be better to hold one convention to choose delegates to the state and judicial conventions, and another one later to nominate candidates for county officers, or to do the business all up at one time. The call is so worded that either horn of the dilemma can be taken hold of or not, just as the majority desires at the time the convention is held. Kearney county is well back into the republican column and the real scrap will be to secure republican nominations.

Woodmen Day at Humboldt.

HUMBOLDT, Neb., July 20.—(Special.)—Yesterday was Woodmen of the World day in Humboldt. Rev. Dr. Schleh of Omaha preached to a large congregation in the Methodist Episcopal church in the morning, and in the afternoon the monument of the late Sovereign Coats was unveiled in the City cemetery. The music was rendered by a double quartet and the cornet band of this place. The oration was given by Dr. Schleh. The exercises were under the auspices of Verdon camp, assisted by the camps from Falls City, Salem and Howe. An exhibition drill was given in the park by Falls City degree staff.

Monster Hail at Nebraska City.

NEBRASKA CITY, Neb., July 20.—(Special Telegram.)—A terrific hailstorm visited this city about 8:30 this evening. The largest hailstones ever seen by residents of this city fell during the storm, which, luckily, was of short duration. Some of the stones measured 12x7½ inches and weighed fully half a pound. The only damage done in this city was to a few skylights.

Big Crop Being Harvested.

MINDEN, Neb., July 20.—(Special.)—The harvest of winter wheat is in full blast, and while the yield in some cases is not so large as last year yet the quality of grain is said to be better. The weather is hot and grain is ripening very fast.

Wheat Harvest Ended.

YORK, Neb., July 20.—(Special.)—York county farmers finished last week cutting and shocking their large winter wheat crop and this week will commence to cut and harvest the oat crop. Farmers predict that the yield of oats will be larger than in past years and some of them are predicting phenomenal yields. Corn is making rapid progress. The recent rains are just what the corn needs. Nearly all of the corn has been laid by and those who were alarmed on account of the excessive moisture as to the corn crop are now saying that York county corn promises to make a large crop.

CHILD MAIMED BY REAPER

Gets in Front of Machine and Has Leg Cut Off Above the Ankle.

BEATRICE, Neb., July 20.—(Special Telegram.)—The little 6-year-old daughter of Martin Spenkler, a farmer living near Adams, this county, met with a terrible accident today. Her father was driving a reaper in the meadow and the girl happened to step in front of the sickle which cut off her leg just above the ankle. It is thought she will recover.

Raising Funds for Monument.

YORK, Neb., July 20.—(Special.)—Members of the Grand Army of the Republic, Woman's Relief corps, Sons and Daughters of Veterans will hold an entertainment Thursday evening in the Grand Army of the Republic hall for the purpose of raising funds toward building and erecting a monument to the old soldiers, which will either be erected in the court house square or in the Greenwood cemetery.

Fifth Elevator for Minden.

MINDEN, Neb., July 20.—(Special.)—The farmers' elevator is nearing completion and it will be the biggest and best elevator in Minden. John D. Jones, an old, experienced grain man, has been employed to handle it for them. Including the mill, which also handles and ships grain, this makes five elevators in Minden.

Firemen Off for Tournament.

YORK, Neb., July 20.—(Special.)—The firemen left York today for Norfolk in a special car provided them by the railroad company. The firemen believe that they have the best hose team in the state and they expect to win some of the prizes.

TROOPS GUARD THE PRISONER

Report Cattlemen Are in Sand Hills Waiting to Rescue Jim McCloud.

CHEYENNE, July 20.—(Special Telegram.)—The Basin Light battery is guarding the city jail at Thermopolis, containing Jim McCloud, the alleged murderer of Ben Minnick. The troops were this evening reinforced by the arrival of fifty deputies from Cody, Meeteetse, Basin City and other towns in the county.

Tomorrow morning Sheriff Fenton will start for Basin with his prisoner, the battery and deputies, accompanied by five United States officers acting as an escort. A party of cattlemen is said to be in the hills north of Thermopolis waiting to attack the sheriff and deliver McCloud if possible. Everything is quiet in Thermopolis and the ranchmen are returning to their homes.

The town of Basin, the scene of a double lynching and the murder of an officer yesterday morning, is quieting down and no further trouble is anticipated.

Governor Chatterton today declared he would call on the prosecuting attorney of Big Horn county to take active steps toward bringing to justice the men concerned in the lynching at Basin yesterday.

"A stop must be put to such lawlessness in this state," he said.

The people are arranging to bury Walters and Gorman, the murderers, in the potter's field, and the body of Deputy Price, who was killed by the mob, will be sent away for burial.

Sturgis Mills Change Hands.

STURGIS, S. D., July 20.—(Special.)—A deal has been consummated whereby George F. Early of this city sells the Sturgis roller mills to Van Wickle & Metzger. The new firm is one that has a line of elevators and mills all along down the Northwestern road in Nebraska, and will immediately build an elevator here, having secured permission and a site from the company. This naturally means that Sturgis will be the best grain market in the Black Hills. The firm of Van Wickle & Metzger is a wealthy one and handles a vast quantity of grain annually. They have been buying Meade county wheat at Sturgis for several years to ship into Nebraska, and now, having an elevator here, can pay a better price.

Sturgis as a Wool Market.

STURGIS, S. D., July 20.—(Special.)—J. E. Hammon arrived in Sturgis this week from his sheep ranch on Grand river with 4,600 pounds of wool, a part of the clip from his flock of 2,600 head. The wool was placed in storage here and will not be sold till the entire clip is brought in. There are many thousands of tons up north that will reach this point within the next month and find lodgment in the free storage house provided by the merchants of this city.

Challenged by a Nebraska Man.

SIOUX FALLS, S. D., July 20.—(Special.)—Ray H. Chase of Alexandria, S. D., who has won considerable fame for his excellent marksmanship has been challenged by A. H. Hardy of Hyannis, Neb., to a contest. Hardy wishes to meet Chase in a 500-ball contest against time, using rifles, for any purse from $300 to $1,000. He offers to meet Chase in Deadwood, and states that he will place a forfeit as soon as articles are agreed upon.

Medal for an Athlete.

STURGIS, S. D., July 20.—(Special.)—Allyn R. Cooper of Sturgis has received his gold medal from the Black Hills Athletic association for being the best all-round athlete.

Heals as by Magic.

If a pain, sore, wound, burn, scald, cut or piles distress you, Bucklen's Arnica Salve will cure it, or no pay. 25c. For sale by Kuhn & Co.

Venezuelan Minister Arrives.

NEW YORK, July 20.—General Jose Hernandez (El Mocho), the new Venezuelan minister to the United States, arrived today from La Guayra.

DROWNED AT LAKE MANAWA

D. W. Annis of Omaha Loses His Life by Capsizing of Sail Boat.

THREE OTHERS IN THE BOAT ARE SAVED

Heavy Wind Comes Suddenly When Boat Has Sails Set Full and Overturns the Craft Without Warning.

Through the overturning of a sailboat on Lake Manawa at 5:40 yesterday afternoon D. W. Annis, who resided at the home of O. J. Cooley, 1248 South Tenth street, Omaha, was drowned.

Annis, with Miss Clabaugh, Miss Bessie Cooley and B. K. King, had gone out in the boat during the afternoon. When the storm came up during the evening it seems they were unprepared for it, for the wind caught the sails and overturned the boat. The two young women and King fell out into the water when the boat capsized, but in some way Annis managed to retain his hold on the boat. He held onto the rail for a brief time and rested his feet on the centerboard. He was seen to release his hold and drop into the water, striking out toward the Kursaal. After he had swam a short distance he disappeared and was seen no more. A professional diver was sent for, but up to a late hour last night the body had not been recovered.

Comes from Illinois.

Up to about five months ago Annis was a resident of Aurora, Ill. At that time he moved to this city to take charge of the interests of the Dominion Publishing company of Chicago. At the time of his death he held the position of state agent for that concern. His mother and sister live in Aurora at the present time, but his father is dead. Annis attended the University of Wisconsin. He was admitted to membership in the Council Bluffs Boat club Monday night a week ago.

While King and the two young women in the party were clinging to the overturned boat an electric launch in charge of Lewis Peterson passed. King is said to have hailed the launch and asked if the occupants were not going to make an effort to rescue them, but no attention was paid to the summons and the launch passed on. Harry Dyer and O. G. Butts were out in a boat at the Kursaal and they immediately headed for the wrecked craft and succeeded in rescuing the two girls and King.

Annis is said to have been an athlete and a good swimmer and why he did not succeed in reaching the shore is a matter of conjecture.

AN EDITOR

Found That It Pays to Take His Wife's Advice.

Mr. A. U. Grouby, editor of the Abbeville, Ala., News, has the following kind words for Chamberlain's Colic, Cholera and Diarrhoea Remedy: "Several days ago I was taken with something like bilious dysentery in a malignant form. I took medicines for two or three days, but got worse all the time. We had a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy in the house and my wife prevailed upon me to take a dose. The one dose relieved me within an hour and I have not been troubled with it since. I consider this the most wonderful bowel remedy I have ever seen."

Soldiers Escort a Witness.

LEXINGTON, Ky., July 20.—Owing to Captain Ewen's declaration that he expected to be killed when he went to Jackson today to testify, soldiers were sent here to escort him to Jackson.

FORECAST OF THE WEATHER

Fair Today, with Warmer Tomorrow, in Iowa and Eastern Nebraska.

WASHINGTON, July 20.—Forecast:

Nebraska—Fair Tuesday and Wednesday; warmer Tuesday in east portion.

Iowa—Fair and warmer Tuesday; Wednesday fair.

Illinois—Fair Tuesday and Wednesday; light variable winds.

Colorado and Wyoming—Fair Tuesday and Wednesday, except showers in mountain districts.

South Dakota, Missouri and Montana—Fair Tuesday and Wednesday.

Kansas—Fair and not so warm Tuesday; Wednesday fair.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, July 20.—Official record of temperature and precipitation compared with the corresponding day of the past three years:

	1903.	1902.	1901.	1900.
Maximum temperature	92	75	102	76
Minimum temperature	66	60	78	56
Mean temperature	79	68	90	66
Precipitation	.00	.01	.00	.26

Record of temperature and precipitation at Omaha for this day and since March 1, 1903:

Normal temperature	75
Excess for the day	4
Total excess since March 1	100
Normal precipitation	.15 inch
Deficiency for the day	.15 inch
Precipitation since March 1	13.20 inches
Deficiency since March 1	4.72 inches
Deficiency for cor. period, 1902	.10 inch
Deficiency for cor. period, 1901	5.76 inches

Reports from Stations at 7 P. M.

CONDITION OF THE WEATHER.	Temperature at 7 p. m.	Maximum temperature	Precipitation
Omaha, cloudy	73	92	.00
Valentine, clear	88	92	.00
North Platte, clear	[illegible]	88	.00
Cheyenne, partly cloudy	80	86	.00
Salt Lake City, cloudy	86	92	.00
Rapid City, clear	84	88	.00
Huron, clear	82	94	.00
Williston, clear	72	76	.00
Chicago, partly cloudy	68	72	.00
St. Louis, cloudy	84	86	.00
St. Paul, clear	72	72	.00
Davenport, cloudy	78	82	.00
Kansas City, clear	90	94	.00
Havre, clear	84	84	.00
Helena, partly cloudy	86	88	.00
Bismarck, clear	78	80	.00
Galveston, partly cloudy	84	90	.00

L. A. WELSH, Local Forecaster.

BABY'S VOICE

Is the joy of the household, for without it no happiness can be complete. How sweet the picture of mother and babe, angels smile at and commend the thoughts and aspirations of the mother bending over the cradle. The ordeal through which the expectant mother must pass, however, is so full of danger and suffering that she looks forward to the hour when she shall feel the exquisite thrill of motherhood with indescribable dread and fear. Every woman should know that the danger, pain and horror of child-birth can be entirely avoided by the use of **Mother's Friend**, a scientific liniment for external use only, which toughens and renders pliable all the parts, and assists nature in its sublime work. By its aid thousands of women have passed this great crisis in perfect safety and without pain. Sold at $1.00 per bottle by druggists. Our book of priceless value to all women sent free. Address

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A special soap which energizes the whole body, starts the circulation and leaves an exhilarating glow. *All grocers and druggists.*

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