### THE OMAHA DAILY BEE: FRIDAY, DECEMBER 4, 1903.

### LINDSAY STAYS IN STATE of the campaign with the county clerk

Emphatically Denics Rumor that He is Going to Wiconsin.

RUMORS ABOUT THE COURT CLERKSHIP

Expense Account of Hastings Insume Asylum Shows that Inmates Are Great Readers - Auditor Rejects Junket Bill.

(From a Staff Correspondent.) LINCOLN, Dec. 3-(Special.)-Chairman Lindsay of the republican state committee declared vehemently today that he did not

intend to shake Nebraska dust from his feet and hie himself to Wisconsin to drag the anti-LaFollette fuctions out of the mire, as was published severpl days ago. "I am going to stay in Nebraska," he said, "and I have had no intention of going to Wisconsin, and neither have I had an offer to go there. I suspect the story got out because some time ago a party was here from Wisconsin looking up our system of carrying on a campaign. At that time one of my assistants went to Wisconsin and remained there a year in the office of the state committee assisting the committee in its work."

It was recently published that Mr. Lindsay had been offered good inducements to go to Witconsin, his native state, and assist the anti-LaFollette faction to get control of the republican end of the voters, the offer being made because Mr. Lindsay had made such a success of his work in this state.

Rumors About Clerkship.

During the last sitting of the supreme court, concluded yesterday, much specula-tion was indulged in as to who would be the next cierk of the court to succeed Lee question is still open. There are well-defined rumors, which, like all such, cannot be confirmed, that each of the republican judges has a candidate for the place, with no likelihood of coming to an agreement anywhere in the near future.

Jetter a year ago leased the property to stood closer to the judge than any young man in the state. It is said also that man in the state. It is said also that Judge Barnes will support N. D. Jackson of Neligh with equal ardor. If this is the case it will result to the advantage of Lee Herdman, because with a disagreement be-therefore the result of the bench Judge Holcomb would just stand pat and Mr. Herdman would continue to hold on ter appealed. until the republican members got together.

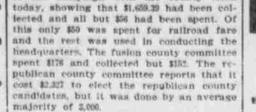
Notwithstanding the rumors, however, there is little chance for the republican members to be at loggerheads for any length of time. Judge Barnes doesn't take his place on the bench until January, and by that time it stands to reason that he and Judge Sedgwick will have agreed upon a man.

### Governor Visits Shops.

Governor Mickey this afternoon went to While in Havelock he took occasion to inspect the Parlington shops and meet the

workmen, upon the invitation of Postmaster Hyers. The rovernor did not make a speech, neither did he drive the first rivet n an engine being constructed in the shop, in a runaway accident, and that Mr. Leavto be called the "Mickey," as stated by a itt had been seriously injured. No details sensational morning paper today. At the office of the master mechanic this were out driving together, when the team afternoon it was stated that no engine to took fright and became unmanageable, be named the "Mickey" was in course of overturning the buggy and throwing the

stated at the office, "the Burlington does not name its engines; they are designated J. E. Bitchie of S.



Sets Aside Divorce.

The supreme court has set aside the divorce the lower court granted to Postmaster Hoover of Blue Hills, from Mrs. Hoover, who was before her marriage a sigar girl in the Millard hotel. The divorce was granted while Mrs. Hoover and her attorney, Lysle Abbott of Omaha, were delayed by a late train ensoure to Blue Hills for the trial of the case.

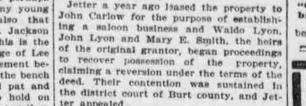
### Dodge County Wins in Big Case.

Dodge county has scored a victory in the second round of the combat over the duty of Saunders county to stand half the cost of bridges over the Flatte fiver b tween Saunders and Dodge countil s. Several years ago suit was instituted in the district court of Saunders county by Dodge county for the purpose of compelling the former to pay half the cost of bridges across the river. The court, in a long withheld optnion written by former Commis sioner Lobingier, states that the bound ary line of the counties is in the river and that the duty to pay for bridges cannot be changed or deviated from because the boundary has been shunted from the

middle to one side, since the river one and indivisible. Can't Violate Anti-Saloon Clause.

## The supreme court has taken a new

stand in support of the clauses in deeds forbidding the use of city lots for saloon business, on penatty of forfeiture to the original granter. In 1880, when Waldo Lyons founded the town named after him in Burt county, he pursued the plan of insert-Herdman, and so far as anyone knows the ing in each deed to priority in the business section of the village a clause forbidding the use of the premises for saloon purposes, and provided that in the event that it was so used by the granton or his assigns the land should revert to the original owner or his heirs. He sold a lot in that year to a person named Ramey, It is said that Judge Sedgwick will give his support to Victor Seymour of this city, to Balthas Jetter.



Commissioner Barnes who wrote the opinion, upholds the condition in the deed as a valid restriction on the freedom of use of the property sold, and says that such a condition subsequent operates at any time there is a viblation, whether in the life of the original grantor or in that of the heirs, whether the property is in the

hands of the original grantee or not, At any such time the interest of the last grantee in the land is, by virtue of his Havelock to attend the conference of the act in violation of the clause of the deed, Methodist church now in session there and absolutely forfeited, and the heirs have the this evening he will address the visitors. right to maintain ejectment proceedings to secure possession.

### Ruth Bryan Leavitt Injured.

Word was received here tonight from Humansville, Mo., to the effect that Ruth Bryan Leavitt and her husband had teen were given beyond the statement that they construction, and the notice in the paper occupants both to the ground. Mr. Leav-was the first that had been heard of the matter. "As a matter of fact," it was juries, but Mrs. Leavitt came off with only

> Sedalla, Mo., supreme scribe of the Royal Tribe of Joseph, and

also field secretary of the Cosmopolitan

ter was put over for the time without set-

Identify Man Found in Creek,



the Civil War, the Oldest Living Veteran, Says DIFFY'S MALT WHIS-KEY Has Kept Him Strong and Healthy Past the Century Mark.

Mr. Noyes, the hero of two wars, a soldier whose life has been written up all over the coutry.

the here of two wars, a soldier whose life has been written up all nites ch 16; years of age, states that he feels as well and strong today as he did 40 years ago, and recently made a trip from Unity Corners, N. H. to Chicago without suffering any hardships. A drummer boy in the war of 1812 and a teamster in the civil war, as he was even then too old to serve in the ranks, Mr. Noves has had a most excutil life. He re-members with great vitidness many of the historical figures of the last century, and gratefully attibutes his marvelous vitality and wondertil old age to



He says:- 'An did man's life can be a happy one if he is well, and i have been just as active and strong up to a few year ago as I was during the war in the South My family and friends are all gone, but I My family and friends are all gone, but I My family and friends are all gone, but I My family and friends are all gone, but I My family and friends are all gone, but I may be any set of the second strong and the south second and set a hearty meal the way I used to but Duffy's keeps me up and not be ally without it.' EDWAKD NOYES, appy when it goes hand in hand with health. Hundreds of mon and possion the centry max are kept ally and well today by the us

ed the century mark are kept alive and well today by the us It was HIS ONLY MEDICINE

of Duffy's Pure Malt Whiskey. It was and so it is theirs. An absolutely pure dis-tine that the program of the

Used exclusively in over 2,000 hospitals. CAUTION-When you ask for Duffy'd Pure Malt Whiskey be sure you get the genuine. Unscrupulous dealers, mindful of the excellence of this prepa-ration, will try to sell you cheap imitations and malt whiskey substitutes, which are put on the market for profit only, and which, far from reliev-ing the sick, are positively harmful. Demand "Duffy's" and be sure you get it. It is the only absolutely pure Malt Whiskey which contains medi-cizal, health-giving qualities. Duffy's Pure Malt Whiskey is sold in sealed bottles only never in flask or bulk. Look for the trade-mark, the "Old Chemist," on the label, and be certain the seal over the cork is un-broken. Beware of refilled hottles. broken. Beware of refilled bottles.

Sold by all druggists and grocers, or direct, \$1.00 a bottle. Interesting medical booklet free to anyone. Duffy Malt Whis key Co., Rochester, New York.

# ANOTHER OPPORTUNITY

On Tuesday, December 8, the Rock. Island System will sell round trip tickets to the South at greatly reduced rates. Embrace this chance to investigate the opportunities in Oklahoma and Texas.

Rates from Council Bluffs or Omaha as follows:

# HER LOSS.

Many a woman with real possibilities of "Style" sacrifices those possibilities on the altar of a bargain counter when she buys cheap shoes,

For just a few cents more she might have had the "Style of a 'Dorothy Dodd'" Shoe!

But to save these few cents she pinches her feet, crowds them, risks corns, endures discomfort, and loses the whole element of style at a most important point in her costume.

### Sincerely yours.



Lodge Elections.

B. Appleget, past chancellor; Samuel Ec-

vice chancellor; W. R. Tripp, prelate; T.

H. Burke, M. of E.; A. Osborne, M. of F.;

J. H. Inman, K. of R. and S.; K. C. Coons,

M. of A.; H. D. Walden, I. G.; John Witzl,

Herman Spier, chaplin; Robert Griffith,

# an Overcoat and Railroad

ing.

teen, amount \$7,962.50; cancelled, thirteen, amount \$4,730.50. Chattel mortgages filed, fifty-siz, amount \$32,769.10; cancelled, thirty-N. C.; W. B. Carmon, W. A.; George W.

#### Ticket.

Walter Connolly, on his way from Ruskin, sheep and other stock shipped in for feed-Neb., to Oklahoma, made the acquaintance of some strangers at the Fairbury depot and as a result is short \$40 in cash, a good overcoat and a ticket from Fairbury to Enid, Okl. One of the party, who gave the name of A. H. Miller, tried to sell the ticket at the depot and was arrested, but not until he had handed the ticket to one of his cles. chancellor commander; F. E. Kees,

accomplices, who escaped with it and the

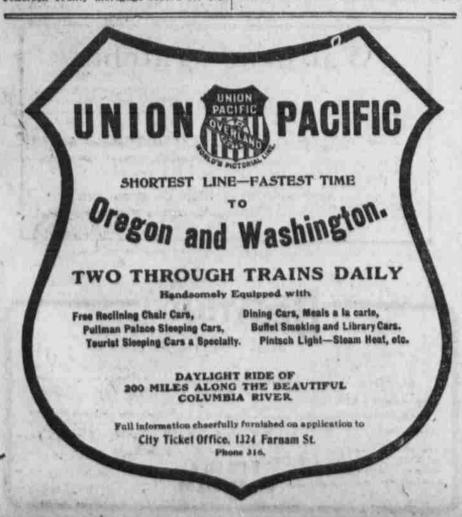
### Worked by Traveling Doctor.

rest of the booty.

O. G.; C. F. Wilber, M. of W.; M. S. Wat-PLATTSMOUTH, Neb., Dec. 3.-(Special.) A person who represented himself to be kins, T. H. Burke and K. C. Coons Dr. F. A. Harper appeared at the home of trustees. Bush, east of Plattsmouth, recently United Workmen, elected the following and offered his professional services to any member of the family who might be all. officers: O. K. Reedy, past master working. It was soon decided that the daughter man: Lars Hanson, master workman; C should be given treatment for a slight all- E. Treadwell, foreman; W. S. McAvoy, ment. On examining her he pronounced his overseer; James A. Baer, recorder; J. A. patient suffering from "milk worm" an McCallum, financier; A. H. Felch, receiver; affliction which is sometimes caused by Poter Droullard, guide; Emanuel Bell, inmilking cows, he said. The treatment given side guard, Warren Dunn, outside guard; her proved to be satisfactory to her father. | Dr. Felch, physician; John Bealer, trustee. said, he would guarantee to cure her of | Delegates from the various hose com The medicine he left for Mrs. Bush, he panies in this city were elected last night rheumatism, of which she had been suffer- to attend the firemen's state convention. ing for some time. Mr. Bush paid the doc- which convenes at Fremont in January tor 540 in cash for the first treatment and next, as follows: Hose company No. 1, G. gave him a check for \$75 for medicine for M. Luberger; hose company No. 3, F. L. his wife. The "doctor," not caring to pre- Meeker; hose company No. 5, M. M. Falk, sent the check to a bank, said that he The Kilpatrick hose company will meet would discount it \$5 if he would get the next Monday night to select its delegate. cash' for him, which the farmer did. Not NEBRASKA CITY, Neb., Dec. 3.-(Spe ong afterward the farmer came to the clai.)-Nebraska City council No. 2061, Royal ity he would have to face a charge of murconclusion that he had been buncoed and Arcanum, has elected the following officers der or manslaughter, he at once sobered at once reported the matter to the officers. for the ensuing year: H. H. Cotton, regent; up and commenced to realize what he had dector's whereabouts are unknown at Joseph H. Slack, vice regent; Percy Slack, this writing. orator; Charles Shannon, secretary; S. F.

Jefferson County Mortgages,

FAIRBURY, Neb., Dec. 3-(Special.)- guide; Robert Aird, warden; Eugene Dobbs Jefferson county mortgage record for No- sentry; O. W. Lane, trustee. W. B. Payne and in a short time both were intoxicated



lifty-six, amount \$32,769.10; cancelled, thirtyhree, amount \$12,653.60. The excess of Hawke, banker; F. C. Nicholson, clerk; FAIRBURY, Neb., Dec. 3 .- (Special.)- chattel mortgages filed over releases is for Ed Wischmeyer, escort; O. A. Johnson, watchman; A. R. Forsdick, sentry; A. L. Timblin, manager; Drs. Claude Watson and

trustee.

charge.

S. S. Wilson, camp physicians. ROSELAND, Neb., Dec. 3.-(Special.)-Roseland lodge No. 189, Ancient Order of BEATRICE, Neb., Dec. 3.-(Special.)-United Workmen, met last night and elected Beatrice lodge No. 30, Knights of Pythlas, the following officers for the coming year: elected the following officers last night: R.

J H. Schmitz, past master workman; W. H. Liston, master workman; A. W. Evans, recorder; O. A. Bentz, financier O. A. Bentz, foreman; S. Davison, overseer; J. H. Walters, receiver; W. E. Coday, guide; Sam Dreibubin, inside watchman; S. Favinger, outside watchman; C. Laskill,

### Beatrice lodge No. 136, Ancient Order of JUST & CASE OF LOCHINVAR Mysterious Disappearance of Brown County Young Woman is Explained.

AINSWORTH, Neb., Dec. 2 .-- (Special Telegram.)-The 16-year-old daughter of William Austin, living some thirty miles northeast of here and who so suddenly disappeared recently on horseback, has finally been traced and it now looks like an elope

### Drunken Row Almost Fatal.

ment in which a prominent young man of

the neighborhood figures conspicuously.

M'COOL JUNCTION, Neb., Dec. 3.-(Special.)-When Thomas Rearden of this place will likely throw some light on the subwas arrested and told that in all probabil- ject. This increase has occasioned the paybeen doing. Reardon and his hired man.

Lawrence Axleson, were hunting near Mc-Shannon, collector; J. Y. Gant, treasurer; Cool and, needing stimulants, one of them Kern. went to McCool, a temperance town, and purchased whisky, Both partook and quarreled. Axleson, for some imaginary offense, assaulted Rearden, who is considerably older, but owing to his condition he was helpless and did not succeed in injuring Rearden badly. Rearden took of-

The claim of Attorney General Prout, a member of the party that took a spin around several states to inspect asylums, whose expense claim for something like \$118 was allowed by the Board of Public Lands and Buildings, has been presented fense at the attimpt and proceeded to heat to the auditor and has been rejected. The and pound Axleson, which he did until his claims of the other members of the party strength gave out, leaving him apparently were also allowed by the board, but they dead, where he lay in the snow for several have so far failed to show up in the audihours before being discovered and then tor's office. This, it is expected, will occahe was thought to be dead. Rearden was sion a suit in the supreme court to see arrested. Axleson began to recover under whether the state has to pay such accounts the care of Dr. Morris of McCool and and from what funds they are to be paid.

### Rearden was released on the most sectous

Returned to Asylum. PAPILLION, Neb., Dec. 1 -(Special.)-Frank Fox of Fort Crook was brought before the insanity board here today and adjudged insane. Sheriff McEvoy took him to the asylum at Lincoln. Fox was sent up from Omaha last summer, but while at the asylum he improved so rapidly that he was released and sent home, but of late has grown worse.

# Sarpy Mortgage Record.

PAPILLION, Neb., Dec. 3.-(Special.)-The following is a list of the mortgages filed and released in Sarpy county for the month of November, 1900: Farm mortgages filed. 13, amount \$25,550; released, 5, amount \$17,510. Town mortgages filed, 8, amount \$2.694; released, 1, amount \$290. Chattel mortgages filed, 19, amount \$10.-135.54: released, 5. amount \$3,317.84.

**Don't Forget It.** Special articles, special reviews, verse,

special correspondence, literary news, etc. will go to make up the First Annual Book Number of The Bee. Out Sunday, December 6. Five /cents a copy. Order in advance and be sure of one.

solely by numbers. Before leaving for Havelock Governor Mickey stated that he was going to attend Life association, and J. C. Wilson, of the the conference and while there would take

Royal Tribe of Joseph, addressed the local advantage of the occasion and his invitalodge of the Royal Tribe tonight on the subject of consolidating with the Cosmopoltion to inspect the shops and become acquainted with the workmen. He had heard itan Life association. Several speeches nothing of the great honor to be conferred were made and George W. Berger, a local upon him by the Burlington. member, objected so strongly that the mat-

Insane Are Great Readers.

a year and the claim was disallowed.

tlement. Many of the local members are Based on a statement filed for reading opposed to the swallowing up of their matter for the year beginning December 1, order by the new scheme. 1903, the inmates of the State Hospital for the Chronic Insane at Hastings are the David McCleave of Sioux City arrived most industrious readers of any class of people in the state. The bill is for \$145.65

ionight and identified the remains of James and includes 136 publications, ranging from McCleave, who was found dead in Salt creek yesterday, as his brother. He will the best authority on scientific matter to take the body to Iowa for Interment. Methe Farm and Fireside. Inasmuch as the

state does not furnish the state officers Cleave is supposed to have drowned himself about a week ago upon his release with reading matter and none of the other from jall, where he had served out a fine institutions of the state have in recent date filed a statement for money to pay for being drunk. He was supposed to for reading matter, it is not yet known have been slightly demented. what the board will do about it. Recently

#### Proceedings of Supreme Court. the custodian of affairs at Norfolk sent in

a bill for the payment of a newspaper for The following were admitted to the bar on the recommendation of the bar com-Records show that at this institution mission: Porter J. McNutt, John L. Hay there were 115 employes this month and rington, William A. Nall, George Wilbur, rington, William A. Nall, George Wilbur, Hynti against Anderson, motion for leave to file second motion for rehearing denied; Mose against Marks, conditional order of revivor made absolute, motion to strike briefs denied; Schwingle against Anthes, suggestion of diminution of record for leave to supply record sustained; Beatrice against wright, leave to docket as original applica-tion for injunction; Ford against State, continued to December 16; Pettis against Green River Asphalt Company, continued to January, 5, 1994; City of Lincoln against Bal'ey, continued to January 5, 1994; leave to file briefs; Van Anthrop against Lathrop, leave to file briefs; Coffman against Bal-dridge, leave to file briefs; Boden against Mier, order re briefs; Horst against Lewis, order as per stipulation; Moneke against State, leave to file briefs; Boden against State, leave to file briefs; Bod during August there were 109. The report filed with the governor last May shows the number of employes to have averaged for the year eighty-two. Just what has occastoned the increased number this month is not stated, though the semi-annual report to be filed with the governor this week roll to overreach the appropriation for this purpose for the last several months, this month the deficiency being \$129. Besides the 115 employes there are four officers of the institution, including Superintendent

**Opinions**.

**Dynam Dynam D** 

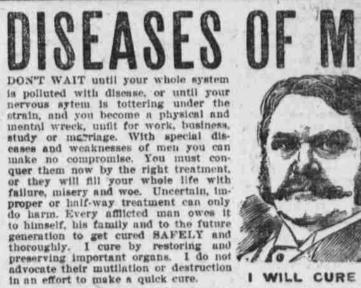
### Unreported Cases.

The following opinions will not be offi

cially reported: Grand Lodge Ancient Order of United Workmen against Scott, former judgment vacated as to reversal and judgment of district court affirmed; Keith County against Rig Springs Land and Cattle Com-pany, reversed with directions; Carstens against Eller, affirmed; Ray against Ten-ney, reversed and dismissed. Oldham, C.; Ayers against Nixon, reversed and new trial granted, Ames, C.; Klimet against Torpin Grain Company, affirmed, Ames, C.; Butler against Hourer, reversed and new trial granted, Duffie, C.; Blank Tea Com-pany against Bee Publishing Company, re

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	Worth and Dallas, Texas, and all points in Okla- homa and Indian Territories
	To all points on Rock Island System—El Paso Division—in Texas and \$23.85 New Mexico
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versed, Duffle, C.; Horton against Simon, affirmed. Ames. C.; Cather against Da-nerol, affirmed, Albert, C.; Estate of De-veries against Joshua Deveries, affirmed, O'dham, C.; Toorer against State, affirmed, O'dham, C.; Gandy against Bissell, af-firmed, Kirkpatrick, C.



Dean, Robert Lafferty, Louis Per cially reported:

ers were received at the prison, one being returned from parole. The census shows

the total count November 1 to be 271. Campaign Expense Statements.

Treasurer Eager of the populists' committee filed his statement of the expenses

Warden Beemer Reports. The convicts at the state penitentiary are by no means in a state of complete subjection, notwithstanding it has been repeatedly reported that the new cells will be in place there some time during the coming year. According to the report of

Rejects Expense Bill.

Warden Beemer, filed today, four convicts were sentenced to serve time in the dungeon for either refusing to obey the orders of the guards or for threatening a guard with violence. Two prisoners were paroled, Evert Buch-

anant, Knox county, sentenced for nine years for attempted criminal assault, and George L. Dow, Boyd county, five years for forgery. The others leaving the institution were: John Tetan, Platte county Werley kins, Thad Lockley and James Hawk Douglas county; Frank Wages, Howard county; Arthur Snowden, Buffelo county; James McCalmant, Ernest Robinson, Hall county; Oscar Eledge, Case county; Albert Wedmark, Knox county. Fourteen prison-