### UNDER CHARGE OF PERJURY COLBY AND SUMMERS MEET

Former Adjutant General Comes to Oma h in Reference to His Trouble.

12

NOT POSTED AS TO DETAILS OF CHARGE

is Engaged in Prosecution of Notorious Deweys in Kansas-Does Not Come on Summony.

deneral Leonard W. Colby of Beatrice former adjutant general of Nebraska, and against who it is reported that an indictment was found by the federal grand jury Thursday evening, is in the city. On arriving he proceeded at once to the office of the United States district attorney for & conference with Mr. Summers. To a reporter of The Bee General Colby said:

"I have just returned from Norton county, Kansas, where I am angaged in the prosecution of the Deweys for the sensational murder with which they stand charged in the ranch case. We have just completed the preliminaries for the trial, which will take place in Norton county under a change of venue in February next. The bond of the Deweys was fixed at \$50,000, which they readily gave.

"In reference to my case before the federal grand jury here, I can say nothing just at present, as I do not know what I am charged with. All that I know of it is what has appeared in the papers. The purpose of my visit here is to consult with District Attorney Summers, and ,until I know the full nature of the charges I do not care to say anything. I do not care to get into the papers. I have been out of the state since the proceedings against me have been before the grand tury and know positively but little about them. In reference to the Fremont armory rental story. I have not read the papers today, and having traveled all night in addition to a thirty-mile buggy drive from St. Francis to Benkelman, where I took the train for Omaha Thursday, I am pretty tired. I am not prepared to say what course I shall pursue until I know more of the cases. No. I was not summoned to Omaha. I came of my own volition. I expect to return to Beatrice this evening."

#### Captala Murdock Here.

The presence of Captain C. M. Murdock of Wymore at the federal building, coincident with the appearance of General Colby, gives rise to the presumption that he may have been summoned here in the case against General Colby, Captain Murdcok was formerly commander of the Wymore Nebraska National Guard, and battery. there was a considerable coldness between the two officers during General Colby's term as adjutant general, which finally resuited in the retirement of Captain Murdock from the National Guard through the expiration of Captain Murdock's commission and his failure of reappointment. Cap tain Murdock maintains, however, that his visit to Omaha is a private matter and in the interest of his candidacy for the office of United States district attorney, and that he is here simply to solicit Mr. Summers' endorsement for his candidacy. He holds that as the reappointment of Mr. Summers is impossible and that Mr. Lindsay's chances are also very uncertain, he may apture the plum.

It was stated at the federal building that Elliott Love had given bond and that Judge Munger had passed on its sufficiency. Cite New Witnesses.

William Sheasby, J. T. Steele, W. Johnson, E. N. Hayman and E. A. Francis of Hastings, have been summoned before the federal grand jury to testify in the matter of the cost of the removal of the

Police Officer William Colter Pleads Not Guilty in Judge Berka's Court.

Police Officer William Colter, of South Omaha, who was arrested a week ago by Detective Donahos on complaint of John T. Connolly, was arraigned in police court yesterday to answer to a charge of perjury

and pleaded not guilty. The complainant, Connolly, is the Wyoming cattleman who lately instituted damage proceedings before County Judge Slabaugh to recover \$50,000 from the Union Pacific Railroad company for the loss of both legs below the knee sustained on the mo.ning of August 11, 1902, in the com-

pany's yards at South Omaha. Colter, who was a witness at the trial, testified to a certain conversation he alleged having had with Connolly just after the accident. The words used by Connolly and to which Colter testified in the county court, were in answer to questions put by himself and to which questions Connolly had replied in effect:

"It was my own fault," and "I was trying to climb between the cars while the train was moving."

To both of these alleged statements Connolly, through his attorney, T. J. Mahoney, took exceptions, Connolly asserting that he had had no such conversation with Colter or anyone else, and had made no. such statements either in substance or effect to anyone.

Mr. Colter was represented in court by Attorneys Jefferis and Lambert, and when put on the stand testified that he had held the conversation specified in complaint and that Mr. Connolly had made such a statement to him and in his presence and in those exact words.

The case was continued until January 6. 1904, when the court will hear arguments from opposing counsel.

## MATERIAL GAINS BEING MADE

Improvement is Realized by Board of Review in Work Over Last Year.

Material gains are being made in personal property assessments by the Board of Review in the cases of wealthy citizens who have come off lightly in the past. The board has asked that the names of the individuals be suppressed, as all this class who have been summoned this year have acted in what the board considers a fair

and generous manner. Yesterday the assessment of a retired real estate dealer was fixed at \$30,000. Last year it was less than \$1,000. Another well known man, a merchant, had his assessment raised from \$3,000 to \$42,070, which was the amount of the voluntary return the

board induced him to give. Hayden Bros. and the Boston store have been increased \$10,000 each over the assessments made upon them last year, the former at \$217,750 and the latter at \$160,000. The American Hand-Sewed Shoe company was raised to \$110,000 from its voluntary return of \$100,000. The Bennett department store is being considered by the board. As it is made up of many departments, each owned and controlled by different partles, the listing is taking time and will not be complete for a day or two.

In the matter of the estate of the late Dean Campbell Fair, R. S. Hall, administrator, the proposed assessment of \$115,000 was not made, because the property was found to be in a somewhat complicated shape, being widely distributed and at present under probate proceedings in several courts. The comparatively small amount was agreed upon.

THE PEOPLE ALL

Hastings postoffice from its old to its In Chorus Cried, Give Us Newbro's

THE OMAHA WAILY BEE: SATURDAY, DECEMBER 12, 1903



Barrios

# Diamonds Confiscated **DECLARED GENUINE** HELD FOR \$275,000.00

Wm. Theobauld, Secret Service Expert of the Treasury Department, arrests representatives of the Barrios Diamond Co. as smugglers.

## A RACE ACROSS THE CONTINENT.

# Read the accompanying clipping.

Barries Diamonds are positively the finest imitation on earth. If they can fool officials who have made the study of diamonds a busizeas for years, you certainly can wear them with perfect assurance. It is a wanten waste of your money to invest it in a gensine diamond which may be lost from its setting at any moment. You can have absolutely the same thing in appearance with a Barries Diamond, for a fraction of the cont.

ag in tion. they the Church of England has son foothold among the Boers. Writ A \$275,000.00 MISTAKE. tion ity e William Theobauld, one of the keen for t est, most successful secret service men si at tion in the Treasury Department, has just in b returned from a flying trip to the Pacific the coast, where he went in quest of two stoo te in supposed diamond amugglers. The men were retained in custody and their fust thre stock of diamonds, valued at \$375,000, confiscated and held by the Department. met poor rigid Experts were called from New York and (tal after several days' work and then only sing yeat by resorting to the microscope and bees weighing each stone separately, were sche they able to pass the whole lot, as any-thing but genuine diamonds. cont trad The gentlemen under arrest, reprewhite a up sentatives of the Barrics Diamond our Co., were at once released and hastened inte ules. with their stock back to San Francisco, styl where they were about to open a store are ghts when seized by the government officials. and "Ky." Mr. Theobauld maintains that every une one. importation of Barrios diamonds that tion sked. comes to his notice must be given these CAD same tests before he will pass them as self other than senuine diamonds. Mr. Theobauld's clever work in cap-Cam hree turing the notorious Lazar will be recalled by this incident. He has recovsum pled then

ered duties amounting to hundreds of tran thousands of dollars and sent the bogus viali anch und the Prince De Mori, together with his or-Bra ganized gang of smuggiers to the penistole tentiary. Mr. Theobauld has an enrept ring His viable reputation as a detective and is d by considered an authority on matters of ..... get visit this kind.

> With plenty of dogs and sleds, remarks 'he Chicago Record-Herald, Lieut. Peary







ent locati The cost of rei reported to be \$746, and the investigation ordered by Fourth Assistant Postmaster General Bristow. One or two other witnesses have alread ytestified in the matter, notable J. S. Williams, a former editor of a Hastings newspaper.

Deputy Marshal James Agin has gone to the Indian reservations to arrest a number of Indiana and others charged with bootlegging, and against whom re-cent indictments were found by the grand jury.

STEALS SWEETHEART'S COAT Man Takes Jacket While Girl

Absent and Latter Has Him Arrested.

"I don't gonsider it stealing to take a gtri's jacket, away with me," said Madsen Johnsen, who was arraigned in police court on complaint of his sweetheart, Nellie Gibson, who alleged that he stole a furedged jacket from her room at the Oxford

hotel while she was down town --"I went out to hunt her up." continued care.

But Miss Gibson did care and appeared in court to testify against the young man. to the north, east, south and west of the shop and restored to its owner, and Johnfor his part in the transaction.

RECTOR OF ST. LUKE'S,

Ashburnham, Ontario, Testifies to the Good Qualities of Chamber-

#### Inin's Cough Remedy.

ASHBURNHAM, Ont., April 18, 1908 -- I grains yield prolifically. think it is only right that I should fell you what a wonderful effect Chamberlain's Cough Remedy has produced. The day before Easter I was so distressed with a cold and cough that I did not think to be able to inke any duties the next day, as my voice was almost choked by the cough, The same day I received an order from you for a bottle of your Cough Remedy. I at once procured a sample bottle, and took about three doses of the medicine. To my great relief the cough and cold had completely disappeared and I was able to preach three times on Easter Day. I know that this rapid and effective cure was due to your Cough Remedy. I make this testimonial without solicitation, being thankfu to have found such a God-sent remedy Respectfully yours,

E. A. LANGFELDT, M. A. Rector of St. Luke's Church,

#### Card of Thanks.

We wish to express our sincere thanks to all those who showed us so much kindness, sympathy and assistance, in our late bereavement, the loss of our beloved husand, son and brother. (Signed.) Mrs. Mary Goldsborough, Andrew Golds-

borough and Family,

#### Cannot Pay Hack Hire.

Fred Stray and Henry Newman of South Omaha, the latter a saloon keeper, were up before Judge Berka charged with refusing to pay Harry Corbett, hack driver, for serv-ices rendered and which, beginning at 5 p. m. Thursday night, lasted until 5 a. m. the following morning. Evidence adduced exonerated Newman, showing that St ay had contracted for the rig and at the end of the ride was not able to pay the 16 re-guired. Stray was fined \$4 and costs.

## Don't Scold

Irritability is a nervous affection. Strengthen the nerves with Dr. Miles' Nervins. Sleep better, eat better, work better, feel better, and be better. Sold on susrantes. Book on perves for postal. DR. Milles MEDICAL CO., Mitharf, Ind.

Herpicide. This word of late has been in everyone's nouth, and many are wondering what the word signifies, though no one has yet been found who will deny that NEWBRO'S HERPICIDE does the work. Well, for the information of thousands of people who like to know all about a good thing, we would say that HERPICIDE means, a destroyer or killer of "Herpes." Now "Herpes" is the family name of a disease caused by various vegetable parasites. A similar microbe causes dandruff, itching scalp and falling hair; this is the microbe that NEWBRO'S HERPICIDE promptly

destroys; after which the hair grows, Sold by leading druggists. Send 10c in stamps for sample to The Herpicide Co., Detfoit, Mich. Sherman & McConnell Drug Co., special agents.

ROCK ISLAND SYSTEM.

One More Homescekers' Excursion. Oklahoma is southern in point of geographical position. The people are westerp in their aggressiveness and untiring energy; they are eastern in their educational facilities and lines of thought; they are "but I couldn't find her, so I northern in their methods of farming. 'hocked' the jacket. I didn't think she'd The territory possesses the happy medium in its kindly climate, and the ability to bring forth the products that are native The jacket was recovered from the pawn United States. Cotton, the staple of the south, is a leading product. Tobacco is sen will do thirty days in the county jail raised with as much success as in Kentucy and Tennessee. Wheat and corn, the grain of the north and western states, are raised more extensively than any other commodity. The wheat crop of Okiahoma for 1902 aggregated 20,000,000 bushels. The

corn crop for the same year exceeded 65,-000,000 bushels. Potatoes, fruits and all manner of graines, vegetables and other

The raising of live stock is one of the most profitable pursuits. The pasturage is rich in verdant grasses and wholesome struct of the property to the appraisers, so water, while the mild, dry winters miles It possible to turn the cattle into the growing wheat fields. Horses, mules. Angora goats, sheep and hogs are raised as cheaply as in any other state in the union.

There is much walnut and oak, hickory pine, and the lumber production runs into millions of feet annually.

The taxable valuation of the territorial books show more than \$85,000,000 taxable and \$175,000,000 of real wealth. There are now about 107,000 children attending the public schools of Oklahoma and the population is 96 per cent of American birth and 7 per cent are under the age of \$0. More than 80 per cent of the population owns its own homes and 10 per cent of the settled farms are now endowed with quick assets above the value of the land in the shape of live stock, farming implements, forage

stocks and dairy supplies. One more Homeseekers' excursion via Rock Island System to points in the southwest-December 15.

Full information at this office. F. P. Rutherford, D. P. A., 1333 Farnam street, Omaha, Neb.

## Danish Brotherhood No. 19

will give a masked ball at Washington hall, Eighteenth and Harney, Saturday night, December 12. THE COMMITTEE.

DIED.

MANVILLE-Freeland W. December 3, But aged 10 years, 7 months afted 10 days, The aged 10 years, 7 months afted 10 days, Arrabas church, Nineteenth and Cali arrabas church, Nineteenth and Cali berger and the second of the second to the second second of the second of the to the second second of the second of the to the second of the second of the second invited No flowers. BLINGWOOD-Mrs. Mary, second St years, a feet home, 145 North Seventeenth at second to the second of the s



urday

MAYOR CONSIDERS IT A HOLDUP Omaha and talk the matter over,

A bines of brilliancy. Exact outy of a Tiffany design costing 1876. Set with magnificently beautiful, pure white and brilliant stones. Heavy gold filled mountings, war-ranted to wear for 18 \$4.50 years. Actually worth \$4.50

\$10 or \$12. Our price ...

After Investigation He Begards Locust Street Deal an Attempt to Fleece City.

"There is now no question in my mind but that the Locust street deal is more or of a holdup game against the city,' said Mayor Moores. "The city abstracter has been instructed not to deliver the abthat no further progress will be made until the council has had time to sot. "I think the latter body should repeal

the ordinance passed, now that protests by January 1. have been made and the affair has been so thoroughly exposed by The Bee."

An attorney who has been concerned in much land litigation says that the theory that the strip of ground on Locust street

has merely a nominal value should win in the courts. "Some years ago," he asserted, "the city had a similar case on Leavenworth street between Twentieth and Twenty-first. The city attorney took the ground that the re-

port of the appraisers for a nominal amount, something like \$250, was correct, because the strip, lying in the street, was worthless as a real estate proposition. The city won the case before a jury and the report of the appraisers was approved. I see no reason why the Locust street deal should not come under the same head."

A. H. MERCHANT IS SECRETARY Former Railroad Man Unantmou

Choice of the Omaha Grain Exchange.

Amos H. Merchant is the secretary of the Omaha Grain exchange. Mr. Merchant was formerly assistant general freight agent of the Fremont, Elkhorn & Missouri with the executive committee of the ex- wide circle of friends. change at the regular weekly meeting at

December 15. He was the unanimous regent of this council a few days before choice of the committee some time his death. He was also worthy patron of ago and a telegram and a letter of Harmony chapter. Order of the Eistern

Merchant replied that he would come to clent, Free and Accepted Masons, and of Bellevue chapter No. 7, Royal Arch Masons, The new secretary is well known in both of Omaha. The funeral service will be held on Sunthis city, having been in the general offices of the Elkhorn here for eleven years. At day at Masonic temple, 1608 Capitol avenue.

the consolidation of the line with the Interment will be at Forest Lawn cometery. Northwestern last winter the position he held was abolished. He then became in-CAUGHT IN RAILROAD YARDS terested in mining operations at Lusk. Mr. Merchant has been identified with the One Prisoner Confesses to Theft

Northwestern for thifty years. If possible the office of the exchange secretary will be located in the Board

of Trade building, but nothing has been done about it yet. It is thought now that John White, alias John Sullivan, were arthe exchange will not be ready for trading raigned in police court for the larceny of four boxes of rubbers from the B. & M.

MAYNARD FUNERAL SUNDAY Late Ploneer of Iowa and Nebraska

Will Be Burled Under Masonic Auspices,

In making his rounds Lake took note of Merwin Maynard, assistant ticket agent the boxes of rubbers plied on the platat the Union Transfer depot in Council form and counted them. On the second round two boxes were missing, so he de-Bluffs, who died this week, will be buried Sunday. MA Maynard was born June 17, cided to conceal himself and await develop-1843, at New London, Is. At the age of ments. Presently Elmore and White re-18 he enlisted in the Fourth Iowa cavalry turned and each shouldering a box were and served during the civil war. He came about to flee when Lake sprang out in to Nebraska in 1877 and was employed as front of them, covered them with a gun conductor by the Pullman company for and marched them into the depot, where several years. In 1887 Mr. Maynard behe telephoned to the police station. came assistant to his brother, J. W. May-

MANY PERMITS FOR BUILDING nard, at the transfer station and remained in this position until the time of his death, He was taken ill Thursday, December 8, Much Work is Contemplated, Despite and was unable to remain at work. He was worse the next day and went to the home of his brother in Omaha. Monday

the sickness developed into pneumonia and Mrs. Maynard was summoned home Tues. day, but by the time she arrived her husband had passed away Wednesday. The deceased leaves only his wife, his two Valley road in this city. He came to chi dren having died some years ago. Mr Omaha Friday from Lusk, Wyo., to confer Maynard was a man who had an unusually

ing, 2030 Maple street, \$2,550; Shimer & He was a member of Fidelity council Chase, 2013 Larimore avenue, frame dwellthe Omaha club. Mutual satisfaction fol- No. 156 of the Royal Arcanum, located in lowed and Mr. Merchant will return to Council Bluffs, in which city he had of late Omaha and open up an office about made his home. He had just been elected was the unanimous regent of this council a few days before dwelling, \$1,500.

partioulars was sent to ask him Star, in Council Bluffs. He was also a orders. Stonecypher, photographer, 182' if he would accept the situation. Mr. member of St. John's lodge No. 25, An- Farnam streat.



3. C. PETERS & CO., Rental Agenta Ground Floor.

price per month .....

The Bee Building

Permits issued were as follows: William Rocheford, brick flats at 2120-22-24-26 Doug-

ing. \$1,000; 2309 Larimore avenue, frame THE dwelling, \$1,000; 4228 Farnam, frame dwelling, \$1,500; 4521 North Twentleth, fram: SUPERINTENDENT

Photo calendars free with Christma

While His Pal Pleads

Not Guilty.

Marion Elmore, alias John Smith, and

freight depot Thursday night. Elmore

pleaded not guilty, but White admitted tak-

ing three pairs. Hearing was set for Sat

The theft occurred about 10 o'clock Thurs-

day night and Elmore and White were de

tected by Night Watchman Henry Lake.

the Presence of the Cold

Weather.

Winter appears to have no effect what-

ever upon the building boom, and the rec

ords of the city building department show

that it continues despite the cold weather

ins street, \$15,000; John Olsen, frame dwell-