### THE OMAHA DAILY BEE: SUNDAY, MARCH 20, 1904.

# State Beard Insists Law Does Not Provide for Double Taxation.

GRAIN DEALERS IN ERROR bility \$27,354.31. Received from members.

ARBOR DAY PROCLAMATION ISSUES

Insurance Department Turns Down Application to Do Business in Nebrasks of National Masonie Accident Association.

(From a Staff Correspondent.) LINCOLN, March 26.-(Special.)-The charge that section 56 of the new revenue law, providing for the assessment of grain brokers, is double taxation, in the opinion

of the State Board of Equalization, will not be sustained by the courts should an attempt be made to prevent its enforcement. This section provides that grain brokers shall, under oath, at the time required by the act, determine the average amount of capital invested during the year, exclusive wife has stood by him valiantly since he of real estate or other tangible property upon which the broker shall be taxed.

A number of elevator and grain men have for some time contended that this act en- him and the hope that he would be able forced a double taxation, and it has been rumored for some time that it would be again be together. tested in the courts. So many inquiries have been received by Secretary Bennett from county assessors that today he sent out this explanation, which he thinks shows conclusively that the section does not im-

pose double taxation: pose double taxation: For example, the elevator man begins business with: Cnsh, \$5,000; value of ele-vator, \$3,500; the average capital invested during the year, \$5,600. He returns to the assessor his tangible property as follows: Elevator, \$3,500; cash in bank, \$500; grain on hand, \$2,000; total, \$6,000. This last amount returned for the value of the tangi-ble property is \$2,500 less than the average amount of capital invested during the year, therefore the difference must be taxed aside from the tangible property. The dif-ference then added to the tangible property in all cases would make the amount of the average capital invested and does not im-pose double taxation.

### Arbor Day Proclamation.

Governor Mickey this morning issued a proclamation setting aside Friday, April 22. as Arbor day, The proclamation follows:

The most sublime object in the vegetable kingdom is a beautifut tree. It commands our admiration not because of its prac-tical value alone, but because it typines sturdiness, persistency and progress. For many years, perchance, it has defied the fury of the winds, the rush of the tor-rents, the extremes of summer's heat and winter's cold, and it stands as if in con-scious pride of the vigorous battle with the elements which it has fought and won. From the standpoint of sentiment we can all appreciate the thought which a well The most sublime object in the vegetable all appreciate the thought which a well gnown poet has expressed in the following

nown poet has expressed in the second orse: Woodman, spare that tree, Touch not a single bough. In youth it sheltered me, And I'll protect it now. "Twas my forefather's hand That placed it near his cot; There, woodman, let it stand; There, woodman, let it stand; That was shall harm it not. It is a well known fact that our natural forests have been denuded until serious climatic changes are threatened. It is to parrect this evil, us well as to encourage

forests have been denuded until serious slimatic changes are threatened. It is to correct this evil, as well as to encourage the systematic planting of trees in a prairie country, to embellish our public and pri-vate properties and to inculcate a love for both the practical and sentimental fea-tures of forestry, that Arbor day has been established in nearly every state in the union. Nebraska takes more than ordinary pride in the day because the idea originated here, and probably no other state has re-ceived so much benefit from it. In harmony with this honored custom I, John H. Mickey, governor of the state of Nebraska, do hereby appoint and set apart Friday. April 22, 1904, as Arbor day and request that the true spirit of forestry be observed in our public schools by appro-priate exercises and the planting of trees, and that all societies and individuals as-sist in general recognition of the day. Refuses Permit to Insurance Concern.

Refuses Permit to Insurance Concern

Insurance Deputy Pierce this morning turned down the application of the Na-Masonic Accident company of

The Lincoln High school basket ball team left today for Kansas to show the female grasshoppers what a corn fed Nebraska girl can do in the athletic line. The girls will play Topeka tonight, Law rence Monday, and the Kansas City Central High school girls Tuesday evening. The team consists of these girls: Anna Watt and Mabel Hunt, guards; Vera Barger, center; Mosele Kimmel and Mattie Woodworth, forwards; Emily Trigg, Marle The Barr and Katie Field, substitutes. team was accompanied by Mise Enez Everett, referee, Miss Spurke and Miss Win-

Play Basket Ball in Kansas

etta Watt, manager.

Admits His Shortage.

Edgar Waugh, in jail charged with appropriating county funds, which as a clerk in the office of the county treasurer he had an opportunity to handle, admitted to detectives today that he was short in his accounts to the amount probably of furnish sufficient evidence that any candi-\$1,000. He told the officers that he had given the money to two women, sisters, with whom he had been associated. Waugh is married and has two children. His left the state and upon him when arrested were several letters he received from her. in which she expressed her great love for to settle up the matter; that they could LICENSE FIGHTS IN YORK COUNTY.

### Bids for Kearney Normal.

The State Normal board formally passed on and adopted the plans and specifications for the construction of the new nor mal school at Kearney, as prepared by George Berlinghof of Beatrice. Alternative bids will be advertised for, to be opened at the office of the state superintendent. April 26. The bids will call for prices on Bedford stone imitation stone and brick. It is probable that the executive committee will make a trip to Denver to nvestigate the imitation stone work before the opening of the bids, it being the belief that if the state refuses to stand for the expense of the trip, that the imitation stone companies will gladly put up the wherewithal.

At the April meeting the board will look nto the matter of teachers for the next year for the Peru normal. These teachers are practically under the civil service system, though some of them may be left out during the next year.

### Object to State Board.

John C. Smith and James Couglan, who were sent up for three years from Douglas county on a charge of holding up and robbing Henry H. Herman of the sum of 25 cents, do not want to serve that long as guests of the state and today filed briefs in the supreme court asking that the lower court be reversed.

'PHONE INJUNCTION. DISSOLVES

**Rights of Fremont City Council Are** Upheld in Court Decision.

FREMONT, Neb., March 35-(Special.)-Judge Hollenbeck gave a decision in the injunction secured by the Fremont Telephone company against the City of Fremont. The company filed a motion for a new trial, which was overruled, and the UNION PACIFIC MAY BUY ROAD. case will be taken to the supreme court as

soon as practicable. The court filed a written opinion holding that the council had a right to establish a condition precedent with which the relator must comply before putting in its plant and that when it put in its plant it South Omaha yesterday conferring with accepted the terms made by the council. The judge did not pass upon the question whether the council had an absolute right to fix telephone rates.

He also held that the action of the coun il granting the charter to the company was legal and within the full scope of its jurisdiction.

The decision practically sustains the con tention of the city on nearly all the points. It is expected that will be given and no further action taken Nebraska University Now in Position in the matter until the final decision of the LINCOLN, March 25-The friends of the supreme court. The motion for a new trial was based Cniversity of Nebraska have raised the on the holding of Judge Reeder striking third of \$100,000 which John D. Rockefeller said must be a condition under which he because the company paid its officers well as the final decree of Judge Hollenwould give the other two-thirds for a unibeck. versity temple. The proposed gift has been

knight; John L. Schiek, esteemed lecturing knight: E M. Carrithers, secretary John L. Anderson, treasurer: J. C. Scott tyler; F. E. Kimball, trustee for three

SIDES OFFER REWARDS BOTH Hastings Law and Order League Makes City Politics Interesting.

HASTINGS, Neb., March 25-(Special.) The contest for mayor has not decreased in spirit and there is some sparring between the Law and Order league and the present mayor, C. J. Miles. The league alleges that the present mayor has not enforced the

years

law regarding certain resorts of the city, while he answers the charge by offering ; reward of \$25 for any one who will furnish

sufficient evidence to convict any person or persons conducting such a resort in the city. Retaliating to this move, the league has deposited \$100 in the bank, which it offers as a reward for any one who will dates for municipal offices are attempting to strengthen themselves through the use

of bribery or the purchase of votes, The democrats and populists have su ceeded in securing the withdrawal of D. H

Wentworth, democrat, from the race for water commissioner, and John Lyman, pop ulist, becomes the fusion candidate.

Saloon Question is the Issue in Elec

tion at Henderson. HENDERSON, Neb., March 26-(Special.) At a meeting of the temperance element of this place last night the following candidates for members of the village board

were nominated: J. J. Kroker, for one year; A. C. Neufeld and Dan Kroker, for two years. There will be a contest in this spring election for and against license. MCOOL JUNCTION, Neb., March 26.

(Special.)-A former saloon keeper of Mc Cool was here last week interviewing citi zens, ascertaining the probability of election of the license board in the spring elec tion. It seems that he has not received much encouragement. Citizens learning that he was there called a mass meeting

took issue. It looks as if McCool will again go dry. DOCTOR WINS MALPRACTICE SUIT.

Jary, However Refuses to Award Pay for Faulty Setting of Limb. YORK, Neb., March 26.-(Special.)-In the suit for malpractice brought by Thomas Reardon the jury, after being out twentyfour hours, brought in a verdict for Dr. F. S. Morris, but allowed him no compensation for his services. Reardon fell and

broke his leg while mowing alfalfa hay on one of the farms of Alfred B. Christian He was taken to McCool and his limb set by Dr. Morris. The bones did not knit together in a satisfactory manner and Mr. Reardon brought suit against Dr. Mor-

ris, claiming \$5,000 damages for malpractice. The case occupied the attention of testimony.

Overland Said to Fear Competition of Omaha & Southwestern. PAPILLION, Neb., March 26 .- (Special.)-It is stated on reliable authority that representatives of the Union Pacific were in officers of the Omaha & Southwestern electric line relative to buying them out.

If this fails, the Union Pacific, it is stated will put on suburban trains enough to form such fierce competition that the electric line cannot live. Whichever way the matter in settled the people are confident that Pa-

to Secure Gift.

Sindents' Strike Ends Happily.

fifty high school students who, on account

supposed grievance arose in one of the

Fixes Value of Wife's Affections.

PLATTSMOUTH, Neb., March 25-(Spe-

collect the sum of \$15,700 from the defend-

ant for the alleged allenation of his wife's

Hunter Shoots Two Toes.

brought to town and two physicians at-

tended him. The two largest toes were

amputated, and the foot will probably be

Receives a Call to Denver.

PLATTSMOUTH, Neb., March 25-(Spe-

(al.)-Rev. A. F. Ploetz, pastor of the Ger-

man Presbyterian church in this city, has

returned from Denver, where he received

a call to accept the pastorate of a church

Broom Factory is Busy.

BEATRICE, Neb., March 26 .- (Special.)-

The Lang broom factory is turning out

County Committee is for Burkett.

BLAIR, Neb., March 26.-(Special Tele-

saved.

The jury soon returned a verdict of

oillion will receive better train service. MEET THE TERMS OF ROCKFELLER.

knight; W. H. Wakefield, esteemed royal county republican central committee was held today at the office of Attorney E. B. Carrigan, who is chairman of the commit tee. The republican primaries were set for Friday, April 22, and the county convenion for April 22. The following resolu

tion was passed by the committee: "Resolved. That we heartily favor the nomination of a United States senator by the re-

publican state convention, to meet in Lincoln. Neb., May 18, and endorse the can didacy of Elmer J. Burkett."

BOYS PLAY WITH GUN: ONE 18 DEAD

Twelve-Year-Old Shoots Himself in the Head Accidentally.

BEATRICE, Neb., March 28 .- (Specia Telegram.)-The 12-year-old son of Mrs Irene Armstrong, who resides five miles southwest of Odell, was shot and instantly killed this afternoon by the accidenta discharge of a shotgun. He had gone to the home of his uncle, Ben Barts, and while the family was away he and several of his cousins secured the gun and were playing with it. The load entered the head just back of the car, causing instant death. No one witnessed the accident ex

cept the other children. FAILS TO PROVE WIFE INSAME

Husband Troubled by Partner's Jeal ousy is Refused Rellef.

HASTINGS, Neb., March 26 -(Special.) F. H. Morris of this city has failed to have his wife adjudged insane. She was examined by the Adams county Insanity board on his complaint. His charge was based entirely on her jealous actions and he cited evidence showing that for six years his life had been made miserable through her jealous suspicion. The board however, found no reason to adjudge Mrs.

Morris insane and rendered a verdict ad cordingly MISSES PSYCHOLOGICAL MOMENT

Friends Think Andrews Announced Candidature at Inopportune Time. HASTINGS, Neb., March 26.-(Special.) The candidacy of W. E. Andrews for seat in the senate is being much discussed and a number of the leading business men in Hastings by those interested in politics. Feeling is evidently divided, many of Mr. Andrews' friends believing the announce ment came at an inopportune moment and

that it has materially damaged the pros pects of his success.

Sarpy's Walking Championship. PAPILLION, Neb., March 26.-(Special.) -Ernest Timme and Rudolph Olderog of Gretna, each claiming to be the champlor walker of western Sarpy, in order to de cide the question, wagered \$10 on a walking match to Millard, a distance of thirteen miles. Timme gave up at Chalco, but Olderog continued to Millard, making the trip in two hours and forty minutes.

Utah Man Buys Drug Store.

HASTINGS, Neb., March 26.-(Special.)-The Spicer & Knapp drug store has been purchased by Cooper Altright of Sait Lake City. The present firm will yield possesdistrict court this morning dissolving the the court nearly all the week and over sion to the new proprietor about the middle fifty witness from south York county gave of May. Mr. Spicer retires from business on account of failing health and Mr. Knapp

will engage in business elsewhere.

Stolen Team is Traced to Bridge. PLATTSMOUTH, Neb., March 26 .-- (Special.)-The team of mules, harness and buggy which was stolen from Lois Ingiverson Thursday night have not been found They were traced to Weeping Water, then to the wagon bridge which crosses the Platte river at Louisville. Ingiverson values the team and harness at \$500.

Need Rain and Get Cold Snap. NORTH LOUP, Neb., March 36 .- (Spc cial.)-Sixty degrees is the measure of the fall of temperature during the past forty eight hours. A portion of the time a high north wind was blowing, carrying clouds of dust. There is much need of rain in No moisture has

# **KELLEY, STIGER & COMPANY**

### Gloves.

Easter gloves are as essential as millinery to the well gowned woman of today.

The great business of this department enables us to give you at all times, a new, fresh and otherwise most desirable stock from

which to choose. Our spring importation of the celebrated Trefousse, Perrins, Monarch and Columbia gloves, was of mam moth proportions-the qualities are superb, the colorings ex 

## The New Wash Fabrics.

If you would have your summer gowns or waists a little more exclusive-a little more noticeable than the usual patterns, you will visit our wash goods department. We know you will marvel shown. We do not believe you at the low prices we shall quote.

Dress ginghams, pretty new designs, in plaids, checks and stripes, for children's wear .....

Zephyr ginghams, 32 inches wide, all good shirting designs and fast colors, special, yard .....

Voile melange suiting, this is a very popular sheer novelty suiting, not easily mussed, fast colors, yard

Scotch novelty suitings, in tweed effects, and all the new spring shades, yard .....

Donegal Nub suitings, in shot effects, make up stylish costumes, at, yard.....

Plain oxfords, 32 inches wide, colors viz: black, 30c white, champagne, cadet blue, torquoise blue, vard .

Plain and fancy etamine linen, 36-inch, white, linen and 36-inch colored linen, for suitings, yard ... Figured champagne colored mulls, one of the

latest and most stylish for dresses, at, yard ..... WHITE GOODS, 32 inches Swiss mulls, 48-inch mull, a La Swisse, 48-inch opera batiste, 48-inch

chiffon, at 85c, 65c, 50c, 45c and .....

## The New Easter Suits.

For our Easter showing we have collected together, as beau-latest spring shades, including tiful an array of clever styles and novelties, as it is possible to black. Ranging in price from obtain.

CHIC RUNABOUT SUITS-made in the newest weaves of novelty goods, also plain materials, some in coat styles, others very much blouse, also etons, all the newst 25.00ideas for spring wear, at \$20.00 and .....

DRESSY TAILORED SUITS-made of French voile and novelty voile, deep, military capes, large sleeves, lined 45.00 Suitings, smart and stylish fabwith best quality taffeta silk, at \$40 and ..... HANDSOME TAILORED SUITS-made of broadcloth, plain

and fancy voiles, made with the full skirt and jaunty blouse jackets, and trimmed in the latest style

New Spring Laces.

The season's newest lace ideas-dainty net tops, has dsome Venice Band and Galloons, Paris Novelty Laces, Lyons and Calais effects in Silk Laces

> PLAUEN AND ST. GALL LACES AT VERY REASONABLE PRICES

**Black and Colored Dress** Goods We are showing every modish

style in all the fashion approved weaves and shades. The stamp of tone, individuality and exclusiveness is not conaned to our higher grades, but is characteristic of every piece

will care to look further if you 121/2C come here first, and if you come here last this will be your buy-15c ing place.

15c

50c

60c

40c

Voiles are the correct material for this season's wear. We 25c show a large assortment of this popular fabric. In the very 30c latest shades, such as tobacco brown, champagne, bluet and black-

# \$1 to \$1.50 Yard

Wool shirt waist suit mate-

rials, correct weaves for spring

wear, such as Panama, Sicil-

ians, Tume cloth, Roxanna

cloth and etamines. In all the

60c, 75c,

85c, \$1.00 Yard

All wool English and Scotch

rics for street suits. In a full

range of colors; 50 inches wide,

-SI to \$1.50 Yard

District NR

Moines to do business in Nebraska by refusing to renew the license of the company. In his letter of refusal Mr. Pierce stated to the company that he believed the best interest of the state would be subserved if the license was refused. It all came about out large portions of relator's petition, as higher than Mr. Pierce thought its business justified. The company does business on

#### Colonel Cody in Lincoln.

the assessment plan.

Colonel W. F. Cody came to Lincoln this afternoon and will leave tomorrow on his return to England to join his wild west This afternoon he spent at the show. Woods farm looking over somee fine horses that he contemplates purchasing to takee to England.

### Insurance Business for Year.

The summary of business done by the insurance companies in Nebraska during the last year, as compiled by Insurance Deputy Pierce, shows a large increase of siness over the year previous. The fire insurance companies received in premiums during the year \$2,178,832, and incurred losses to the amount of \$1,213,751.96. Last year the premiums amounted to \$1,999,012.71. and the lossees to \$738,866.28 The three fire insurance companies, organized under the laws of 1873 in this state received in premiums \$295.950, and incurred losses to the amount of \$61,496.38. For 1902 these companies received in premiums \$240.032.90, and the losses incurred amounted to \$90. 47.9.68

City and village mutual fire and tornado insurance companies organized under the laws of 1873 have total assets of \$61,945.14, and liabilities of \$42,640.27.

City and village mutual fire and tornado companies organized under the laws of 1997 have paid in losses \$34,135.03, and received into the treasuries \$97,760.63.

Farmers' mutual fire and tornado com panies have received a total income during the year of \$229,701.82, and paid out in losses \$122,918.48. The total disbursements during the year were \$226,829.92; risks in force at the end of the year, \$113.322.192

ussets amounting to \$20,319.95 and \$36,021.53. These companies have received during the year \$124,434.12, and paid out \$121,341.40. Miscellaneous mutual comparies have re-

teived during the year \$19,115.54, and paid NUT \$13,246.08.

Fidelity, casualty and surety companies have received in premiums during the year club is getting in shape to do much good 1328.649.53. against \$294.175.68 the previous year. These companies have incurred cases to the amount of \$137,549.66, against 102.225.73 for the previous year.

The life companies received a total intome in premiums of \$2,780,189.76, against 3.372.347.31 of the previous year. The losses said amounted to \$536,063.81, against \$587. 56.94 in 1902. Assessment life companies and associations received in premiums mp 664.07, and paid losses to the amount of 232,152.70. The fraternal beneficiaries paid sut in loss by death \$1,336,520.64, and disa-

COFFEE DOES

Things to some people, perhaps it's contra-indicated in your case.

Try leaving it off 10 days and use POSTUM

### Clay County Boy Kills Brother.

HARVARD, Neb., March 26-(Special.)-Curtis Engen, 10 years of age, son of Mr. and Mrs. C. Engen, living eight miles paign issue. The temple will be built soon orthwest from Harvard, was accidentally on the university campus. killed Thursday afternoon by the discharge of a gun in the hands of his brother, aged 17 years. The two boys were at their home in one of the upper rooms of the house of felonious assault on Eva Rich of Scribsnapping, as they supposed, empty shells, ner and pleaded guilty to the first count when by chance one that had been previously loaded and mixed with the lot and not guilty to the second. After some talk with the court the defendant said he unknown to them went off, the contents wanted a lawyer and J. W. Graham was striking the brother in the forehead, caus appointed to defend him. The court then ing immediate unconsciousness and death within two hours, this being the second unless he changes his mind again his case attempt to snap the same shell, and had will come up at the spring term of court. the first attempt been successful no accident would have occurred, the direction of the gun being unintentionally changed be-YORK, Neb., March 26 .- (Special.) -- The

### fore the second attempt was made. Twelfth Grade for Syracuse.

of a misunderstanding with the principa of the school, stayed out of school one day STRACUSE, Neb., March 26.-(Special.)this week, have all returned and there is At a special meeting of the voters of this now a better understanding between the school district last night it was decided instructors and students than before. to add twelfth grade work to the course of study here and make Syracuse a fully literary societies of the school. The boys accredited school in the state university. have resumed their studies and everything lively discussion took place over the is running along smoothly. proposition to increase the capacity of the present building by furnishing the garret. This plan carried by a bare majority in opposition to the proposed scheme of addcial.)-The sensational damage suit brought ng a north wing to the structure. The by William Smith Hines against John W schools here are seriously handicapped for Connelly, in which the plaintiff sought to noom.

New Secretary for Club.

affections, was given to the jury last even-BEATRICE, Neb., March 26 .- (Special.)-The board of directors of the Beatrice \$700 damages for the plaintiff. The parties Commercial club met last night and elected connected with the suit reside near Mur-H. V. Riesen secretary to succeed A. L. TRY. Mutual hall and tornado companies have Green, resigned. It was decided to hold another banquet next Thursday evening and definite arrangements were made for HAVELOCK, Neb., March 36-(Special the trade carnival to be held in this city Telegram.)-Elmer Jackson, a boiler maker the first week in May. The president aptook his two small sons out hunting this pointed a finance committee comprising the afternoon, west of Havelock, and sucfollowing named gentlemen: Hon. M. E. ceeded in shooting two of his own toes Shultz, H. H. Waite, Henry Fishback, The He was sitting on a bank walting for ducks when the gun went off. He was promptly

for the city in the very near future. Fire Company at Franklin,

FRANKLIN, Neb., March 26.-(Specifil.) -A volunteer fire company of over thirty members has been organized and officers elected as follows: Chief, J. S. McCourtney; treasurer, C. Hildreth; secretary, John A. Barker, the latter two and J. W. Robinson, executive committee. A. A. Hadden, E. N. Fager and J. W. Robinson were appointed a committee to draft a of the same denomination there. He has constitution and by-laws which will be not fully decided to accept, submitted to the next meeting, Wednesday

tirely of a social nature. City Improvement at York. YORK, Neb., March 28.-(Special.)-The

about seventeen dozen brooms per day at City Improvement society has called a present. These are all made by hand, but mass meeting to be held in the high school as soon as the new machinery arrives the building next Tuesday evening. There will output will be increased to over 100 dozen he an excellent program of short speeches per day. by prominent citizens and a number of musical numbers furnished by Mr. Parks, Otoe County Teachers Hold Session The society is organized to awaken re-NEBRASKA CITY, Neb. March 26-

newed interest in the beautifying of York. (Special.)--The Otoe county teachers' in-Beatrice Elks Elect Officers. BEATRICE, Neb., March 26 -(Special.)-At a meeting of the Benevolent and Program was rendered. lective Order of Eiks No. 615 of this city last night the following officers were Charles T. Peavey, exalted ruler; Charles T. Fowbie, esteemed leading gram.)-A meeting of the Washington

speak of since last October. Woodhauler Breaks Ribs

BEATRICE, Neb., March 16. - (Special.)-While engaged in hauling wood for William Foreman, a farmer living northeast of town, John Rhinehart fell from his wagon which passed over him, breaking three ribs and bruising his body badly. The atopposed by many Nebraskans, who did not ending physician thinks he will get along want to accept Rockefeller's money, and all right.

the matter threatened to become a cam-Charged with Wife Desertion. BEATRICE, Neb., March 26. -(Special.) Charged with wife desertion, Alexander Pleads Guilty and Withdraws Plea Smith, a tesident of this city, was yester-FREMONT, Neb., March 25 - (Special.)day bound over to the next term of district Fred Harvey was arraigned on the charge court at his preliminary hearing before

The

of \$200 for his appearance at the May term of court.

Ten trips a week to the St. Louis exposition will be voted to the most deserving permitted him to withdraw his plea, and by Bee readers. Save your coupons.

> Woman Takes Sick Man from Burn ing House and Carries Him Far.

(Copyright, by New York Herald Co., 1904) NEW YORK, March 26 .- (New York Herald Service-Special to The Bee.)-Miss Ida Frederick of Philadelphia dragged her paralytic brother, Louis Frederick, out of a second-story window of their home late

this week, across a roof into the house of a neighbor, to save him from death by fire. The man, who is a Christian Scientist, kept I am burned to death it is the Lord's way. But Miss Frederick pald no heed to his family cat. They crawled on their hands and knees to the window in order to keep from being suffocated.

Incendiarism is suspected for the fire that destroyed part of the house.

week. See coupon on page 3

FORECAST OF THE WEATHER

Warm Wave Will Succeed Cold Spell of Past Few Days in the Middle West.

WASHINGTON, March 26 .- Forecast: For Nebraska, Iowa, South Dakota, North Dakota and Kansas-Fair and warmer Sunday; Monday, fair. For Colorado and Wyoming-Fair warmer Sunday; Monday, fair. For Missourl-Fair Sunday, warmer in the west portion; Monday, fair and warmer

quashed.

For Indiana and Illinois-Fair Sunday and Monday; warmer Monday in the south portion; fresh northwest winds, becoming variable.

### Local Record.

in east portion.

OFFICE OF THE WEATHER BUREAU, OMAHA, March 26.—Official record of tem-perature and precipitation compared with the corresponding day of the past three Fears. 1904, 1908, 1902, 1901

Maximum temperature. 131146 59 49 54 15 1188 nimum temperature.

stitute was held in this city today, About seventy-five teachers from over the county were present and a very instructive pro-

Normal pr			**********	.06 inch
Deficiency				.06 inch
Precipitatio	on since	March :		.91 tuch
Deficiency	since Ma	arch 1.		.minch
Deficiency	for cor.	period.	1908	.79 inch
Deficiency	for cor.	period.	1902	.45 inch
		THE WELL	all Warne	

Latest Fashions in Women's Neckwear-Include charming new stocks Turnovers wide Lace Collars, Collar and Cuff Sets, and a choice selection of tailor-made and "mannish" Neckwear, suitable for golfing, riding and walking-all priced extremely low.

# **Corner Farnam and Fifteenth Streets, Omaha.**

#### BURTON CASE GOES TO JURY triet attorney, opened the arguments for THE CRY "ON TO ST. LOUIS" the government. No limit was placed on the time for argument by either side. Judge Krum attacked the specific charge Attorneys Fin'sh Arguments and Judge alleged in the indictment. He declared that Lively Bace in Sight for the Ten Vacation the government had failed to prove that Adams Delivers Charge-Trips. Senator Burton had attempted to use his influence with any officer of the Postoffice Judge Inman. He gave bond in the sum JUDGE KRUM MAKES CLOSING ADDRESS department to prevent the issue of a fraud SECOND DAY'S VOTE GIVES GOOD START order against the Rialto Grain and Securities company. He asserted that 'not one Devotes Time to Facts in the Case Already Nearly as Many Votes Have iota of evidence had been introduced in as Deduced by the Defense which a projected fraud order was men-Heen Cast as on Day Before tioned. Before the Federal the Finish Last Colonel D. P. Dyer, United States district Jury. Week. attorney, delivered the closing argument. SAVES BROTHER AGAINST WILL He asked the jury to put aside the fact ST. LOUIS, March 26 .- The case of United that the defendant is a senator of the The interest in The Bee's series of cots States Senator Joseph Ralph Burton of United States in considering the evidence. tests for a free trip to the St. Louis exposi-Kansas, who has been on trial in the United He referred to the execution of Collins at tion is beginning to be shown in the re-States district court here since Tuesday Union, Mo., by saying that the law could suits of the voting, which at the end of not consider whether the hanging of Colon a charge of having illegally accepted the second day this week is very nearly fees from the Rialto Grain and Securities lins brought tears to those who loved him. as large as on the day previous to the company of St. Louis was given to the The law, Colonel Dyer said, is the imporfinish last week. jury tonight. Judge Elmer B. Adams imtant factor; it must be obeyed, notwith-The vote at 5 o'clock p. m. Saturday was: K. Mann, Omaha Friedman, Omaha na Wakehouse, Co mediately declared an indefinite recess and standing who or what the person may be. announced that the court would be in The closing argument for the defense session for twenty-four hours. was made by Judge Chester H. Krum. He alph A. Newell, Omaha The entire day had been occupied with alph A. called the jury's attention to the provision arguments by both sides. Following the enrs Campbell, Omaha of section 1782 of the revised statutes, under close of United States Attorney Dyer's ar-C. Brown, Omaha Aly Ring, Omaha Sthel Sheets, Omaha Dive English, Counci da Hess, Omaha Seter X. Kennedy, O which the indictment was found, that, 29k saying: "Don't bother with me, sister. If guments, the court delivered its charge to should the defendant be convicted, he will the jury. Judge Adams referred to the be forever prevented from holding any Council Bluffs importance of the case, about the fact office under the government of the United protests. Her parents, her sister and her that the defendant is a United States sena-Goldsmith, Omaha States. He cited this, he said, so that the sister's husband were awakened by the tor and that it involves laws tending to Walter Goldsmith, Omaha Lee Elsworth, Omaha Gertrude Moon, Omaha W. J. Capune, Omaha Bill McElravey, Rising City, Neb. Ora J. Bruce, South Omaha jury in considering the evidence, would screaming of a parrot and the cries of the secure the public welfare. The section of carefully weigh the fact whether a senator the statutes under which the indictment | of the United States, a lawyer and a faragainst Senator Burton was returned was sighted man, would render himself liable to read by the court. be forever debarred from holding a federal LIST OF DEAD REACHES ELEVEN Judge Adams commented upon the secoffice for the consideration which he retion, pointing out to the jury the influence celved from the Rialto company, of a senator of the United States which Two More Negues Put to Death Near Judge Krum did not review the evidence Ten free trips to the World's Fair each is necessarily exerted by his presence in in detail, but devoted his time for argu-St. Charles as Result of an executive department of the government, to placing the facts in the case, as Race Riots. ment and explained in detail the functions deducted by the defense, before the jury. DE WITT, Ark., March 26-Two more of the Postoffice department. In reference to the counts of the indict negroes have been put to death near St. LATE MEAL CAUSE OF TRAGEDY Charles, making eleven negroes that have ment. Judge Adams said that the first five counts relate practically to the same seen killed as the result of the rioting which began last Monday. Kellis Johnson charge. The first count alleges, declared Scenie Artist Shoots Second Wife and the court, that on March 26, 1905, Senator the last of the hand of negroes that caused Then Himself Because Luncheon the trouble, was shot to death' today. Burton, who was at that time a senato is Not Ready. Perry Carter was found dead in the woods. of the United States, accepted \$500 from near where the five negroes were slain the Rialto company for his services ren Thursday night by citizens. All is re-BOSTON, March 26-Frank Brown, dered in favor of that concern before the ported quiet tonight at St. Charles. It is Postoffice department in a matter in which scenic artist, 45 years old, today shot and believed that the most objectionable negilled his second wife, Dora, aged 47, at the government was directly interested. That matter, explained the court, was their home in Roslindale. Brown then shot groes have been slain and no further trouble is looked for. whether the postmaster general was warhimself behind the right ear and is in : The difficulty arose over a quarrel ut ranted in issuing a fraud order against the critical condition. Brown came to Boston St. Charles between two white men by the a year ago from Minneapolis. Previously Rialto company. name of Searcy and two negroes, Henry he was employed by Chicago newspapers. Counts Explained in Detail. and Walter Griffin. One of the negroes His son declares that the shooting was the "If you should find that the evidence in result of a quarrel over the fact that his struck both of the Searcy's over the head this case," said Judge Adams, "substantiwith a table log, rendering them unconluncheon was not ready when he came ates the government's contention, then you acious. Deputy Sheriff Eirkpatrick stiwill return a verdict of guilty, otherwise home. tempted to arrest the Griffins and he was

that it is alleged that the government was indirectly, interested in the matter. As the Action Brought by Rose Coghlan, the third count makes identically the same al-Actress, Summarily Disposed of legations, you need not consider that one. Without Explanation. The fourth and fifth counts had been

Judge Adams then explained the sixtl ount in detail, in which if is alleged that Senator Burton accepted a check from the Rialto Grain and Securities company, or against John T. Sullivan, was dismissed DETHLEFS-John, Murch 24, 1974, aged 58 its officers, for his influence in a matter which the government was either directly or indirectly interested. H. L. Dyer, assistant United States dis- given for the dismissal.

and count is practically the same, except DIVORCE SUIT IS DISMISSED

you will acquit the defendant. The sec

M'GRATH-Michael aged 67 years. Friday morning, at family residence, 2812 Frank-lin street. HELENA, Mont., March 26 .- The divorce Funeral Sunday, March 27, at 1:30 p. m. from the family residence. Interment at Holy Sepulcher. ult of Rosamond Sullivan, or as she is better known, Rose Coghian, the actress,

in the district court of Lewis and Clark years il months 25 days. county today and the costs charged to the plaintiff. Miss Cognish. No reason is given for the dismissal.

knocked down. The negroes then gathered

and defied the officers, declaring that "no

DIED.

white man could arrest them."