Sensel Districts Which Have Padded Sensus May Lose Out in Distribution.

RETURNS MUST BE SWORN TO IN FUTURE

Smaller Depository Banks in the State Will Be Called Upon to Furnish the Cash for the Schools.

(From a Staff Correspondent.) LINCOLN, Neb., Nov. 17 .- (Special.)-State Superintendent McBrien indicated today that he will require false enumeration of children of school age to be corrected before making the apportionment and intimated that a failure to do so would incur the penalty of exclusion from the benefits of the December apportionment. Statements have been made to the superintendent to the effect that the Lincoln school district has offered an excessive enumeration and these will be made the basis of a demand for correction.

Mr. McBrien intimated that many dis tricts are left out of the apportionment because of failure to comply with the statutory requirements, and in that connection called attention to the penalty that might be visited for failure to amend the returns so as to show the actual school

The Lancaster county return has been filed in the office of the state superintendant after several months' delay beyond the statutory limit, due to the fact that the Lincoln district figures had not been sent to the office of the county superintendent. It is regarded as significant that the total the county, which includes several colleges Roscoe Pound, Lincoln. outside of the city district, was 12,285 last year, while for 1906 it is reported at 20,892, Harnley, who has immediate charge of hese county returns, said that he has not 1008 North Tenth street, been informed as to the reason for the decrease, but took it for granted that it arises from the fact that the college studerts have been left out of the enumer-

It is possible, Mr. McBrien says, that he will require the various county superintendents to indicate how many of the local district returns have been sworn to. It is explained that the district officials are required to take oath before the county superintendent as to the correctness of the returns, but there is nothing in the showing made to the state educational department to indicate whether the proper authentication has been supplied. During past years several of the larger school district enumerators have failed to take oath as to the correctness of their figures. It is to this violation of the law which the superintendent will direct himself primarlly, since few of the officials will care to swear to their returns if they are false and will thereby be obliged to correct them. McBrien will not go back of the sworn

return in any instance unless he should change his views, since he believes that they should be taken to be correct until

May Delay Apportionment. State Treasurer Mortensen, who is taking an active interest in this matter of forcing correction of the enumerations which have been fulrified to the detriment of the smaller districts, believes that the result of the campaign which McBrien promises to ielaying the apportionment beyond Decemwhen the statute requires it to be completed. He takes the view that the superintendent may delay action until the returns have been corrected and properiy sworn to. McBrien says that he does not have the power to delay action on the apportionment unless some legal action is

tion have not materalized. As an outgrowth of the present controversy, it is now a certainty that the department will issue its mandate next year requiring the rejection of every enumerator's return which is not sworn to before the proper officers. He does not believe that he has the power to require the districts from which false reports have been made to take a new census this year before sharing in the apportionment.

taken, and so far the threats in that direc-

Small Banks to Be Drawn On. State Treasurer Mortensen will draw on the smaller depository banks of the state for the funds with which to pay the De- take his sentence. He will be accommocember apportionment. For all current demands he has been checking out the funds in the larger city banks, until they are at a comparatively low ebb. He has a smaller supply of cash at his command for this apportionment than ever before in recent years, due to the zeal with which he has sought investments for the permanent school fund. The apportionment will range from \$240,000 to \$250,000, it is believed now. and the total balance in depository banks points. One large coon, weighing about at the beginning of business today was thirty pounds, was shot by William Voss. \$236,000, \$100,000 less than the total balance

a year ago. During the eleven months ending November I, however, the treasurer has invested though not in large numbers, as game was in \$445,485 more in warrants and bonds than last year. The excess of warrants was



What McClure's Is Really Worth

Roderick McDonald, of Dawson, Yukon Territory, pays one dollar a copy to get McClure's Magazine, because, as he said, it is worth it. If McClure's is worth one dollar to a man who cannot get it otherwise, is it not worth ten cents to you? A magazine is worth, not what it costs, but what it brings to you. Judge Mc-Clure's by this test. Buy the December number and apply the test. Out next Satur-

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HOLDS UP APPORTIONMENT SEED, THE STATE OF THE PARTY OF TH the depletion in the fund of ready cash. The demand for the payment of the apportionment, should it be made on time, will not begin until the end of the year, and many of the smaller counties will wait even longer before taking the cash, and there is no really urgent demand for ready money If there were, there are several blocks of ounty bonds which the counties are anxfous to take up, but the treasurer is holding back in order to get all the interest possible. At the first of the month, however, he will be obliged to relinquish \$40,000 in Otos county bonds, which are optional.

May Have College in Tent. Principal J. W. Crabtree of the Part Normal, who was conferring with State Superintendent McBrien today, said that he anticipates a phenomenal attendance at the summer school next year because of the requirements of the new certificate law. He is seriously considering plans for the care of the increased attendance, for which the present buildings may prove inadequate, and may accept the suggestion of Superin tendent McBrien that he lease large substantial tents, place floors in them, and use them for assembly rooms.

The attendance at Peru is an average o over 500 daily, an increase of 100 as compared with the same period last year. The faculty is working in harmony and the morale of the institution is being steadily built up. The students, most of whom are teachers, or expect to enter the profession, are working with great enthusiasm.

Governor Goes to Geneva. Governor Mickey will go to Geneva to norrow to visit the Girls' Industrial school at that place.

Delegates to Divorce Congress. Governor Mickey has appointed the folwing delegates to represent Nebraska at the interstate congress for the considera attendance in Lincoln, shown by the 1906 tion of uniform legislation on the subject figures, is only 12.425, as compared with of divorce to be held at Washington. D. 3,869 for 1904, although in the meantime C., February 19, 1906; Ralph W. Breckenthe city has been growing. The total for ridge, Omaha; John L. Webster, Omaha;

New Elevator for Lincoln. A building permit was issued today to E ndicating a decrease in addition to that D. Foster of the Foster Grain company of shown in the city district. Chief Clerk L. this city for the construction of an \$8,000 elevator, with a 75,000 bushel capacity, at

Convicts Do Cement Work. A gang of convicts in charge of a civilian foreman from the state penitentiary is employed in constructing a cement driveway at the executive mansion. There are six men in the gang and they work with the material as though accustomed to it. The old driveway was badly worn and Governor Mickey was determined to have a new one without paying the price demanded by private contractors.

The mansion belongs to the state and the saving effected by the employment of the prisoners is that much gain to the treasury. In recent years none of the convicts has been employed to do work about the capitol building, but it is claimed that where it is a state job they might as well be used, since it results in a saving to the treasury and indirectly to the tax-

Want Letton's Place The vacancy on the supreme court con nission which will occur when Judge Leton assumes the place of Chief Justice Holcomb on the supreme bench is now being sought for by several candidates, the chief of whom are Representative E. B. Perry of Cambridge and Judge Epperson of Clay Center, both of the Fifth congressional district, which is insisting that the appoint-

ment ought to go to that section. Epperson is a brother of State Senator Epperson, who was chairman of the judiciary committee in the last legislature. Perry was also a member of the last legmake for the authentication of the returns islature and was chairman of the house district officers will have the effect of judiciary committee. The Furnas county member made friends and is said to have general support throughout the district with the backing of Congressman Norris.

Cheese is Too Strong Evidence.

FREMONT, Neb., Nov. 17 .- (Special.) -A plece of limburger cheese will be the cause for sending James Urley to the penitentiary for breaking into the Val Blatz Brewing company's vault. He was charged, together with John Collins and Bill Mefford. with breaking into the building and stealing several cases of beer. A piece of limourger, which the driver had laid up for his lunch, was also missing and a somewhat smaller chunk was found in Urley's inside pocket. In police court yesterday he strenuously denied having been at the vault and claimed that he had bought the cheese in Arlington. This morning he sent for County Attorney Graham and told him that the cheese was a "dead cinch" on him whose residence for the last few years has and that he wanted to plead guilty and been at Grand Island, died very suddenly

a jackrabbit. Chickens, quail, jacksnipe, ducks, rabbits, etc., were brought in, alfound to be very scarce. All the participants will enjoy a game supper and dance

at the Modern Woodmen of America hall

Saturday evening, November 18. A blue-

rock shoot is being planned for Thanksgiv-

ing day for geese, ducks and turkeys. Lexington Visits Kearney. KEARNEY, Neb., Nov. 17 .- (Special Tele-Neb., comprising the teachers and pupils of the schools, were in this city today to visit the Kearney schools and also to witschool team and the Kearney boys. This afternoon was spent in an inspection of the State Normal, after which they were invited to partake of a fine dinner given by the faculty at the dormitory. This evening a reception was held for them at the high school. The foot ball game re-

by a score of 8 to 5. Oakdale Man Fatally Shot. NORFOLK, Neb., Nov. 17 .- (Special.) Alva Baker, aged 38, was accidentally shot in the stomach with a shotgun near Oakdale at noon today. He was feeding cattle near that town and in pulling a gun from the wagon the gun was discharged and the charge tore into his stomach. He was brought to Oakdale still alive, but in a critical condition and will die.

sulted in a victory for the Lexington boys

Arrested for Wife Desertion. BEATRICE, Neb., Nov. 17 .- (Special Telenear Pickrell, was arrested on a complaint sworn out by his wife today, Mrs. Bertha. Applebee, charging him with descriing her and her children. The case was set for hearing December 4 in the county court and defendant was released on bonds of

Williamson Indicted for Murder. dicted for murder in the first degree by a grand jury. He is accused of administer-

News of Nebruska. TECUMSEH-While buggy riding with Read the little some friends this evening Miss Diancho wille," in page.

Swan, suffered a broken bone in her left

GRETNA-The Sarpy County Teuchers' association will hold convention in Gretna Saturday, December \$ GRETNA-State Superintendent McBrien will give the next lecture of the course in Treckle's hall, December \$. PLATTSMOUTH-J. P. Harris has sold is interest in the drug business in this ity to his partner, A. T. Fried.

GRETNA-J. H. Vick and R. G. Harring-on returned from Aberdeen, S. D., where hey purchased several hundred acres of OAKLAND—C. J. Lindquist of this city, this week, bought the implement business of Johnson & Sandell and takes possession

GRETNA-The base balf boys will give dance in Treckel's hall Thanksgiving vening, November 29. Olsen's music has

been secured.

BEATRICE—Last evening at 8 o'clock occurred the marriage of Mr. Roy Kelley and Miss Lois McKinney, both of this city, Judge Walker officiating.

GRETNA—Street Commissioner Driskell has had the county grader at work on the roads running east of town and the roads are now in fine shape for winter.

GRETNA—Will Rightmyer has traded his livery business to Unris Koch for eighty acres of land lying northwest of Gretna.

Mr. Koch has taken possession.

ALBION—Jacob Long, a student of the State university for the past three years, died of appendicits this morning at the home of his mother, Mrs. Gunderman.

BEATRICE—The students of the Eestrice

BEATRICE-The students of the Beatrice High school gave their first fire drill yes-terday. Drills will be given at unexpected times, the only notice given being the alarm bell. BEATRICE-The Doans foot ball team of

Bhatrice—The Doans foot ball team of Crete stopped over night here, and left today for St. Mary's, Kan., to play the college team at that place. There were seventeen in the party.

BEATRICE—J. T. Wakenight, who lives four miles north of this city, found a stalk of wheat of early sowing that had eleven seeds of the Hessian fly. This is the first report of the fly here this fall.

BEATRICE—Thomas Godfrey of Omaha.

BEATRICE—Thomas Godfrey of Omaha, state boiler inspector for the Hartford Insurance company, visited Beatrice yesterday and inspected the new boiler at the Institution for Feeble Minded Youth. PLATTSMOUTH-V. W. Price and Miss Jennie Johnson, both of Platismouth, were united in marriage at the home of the bride's parents in this city by Rev. D. A. Youtzy, paster of the Christian church. NELSON—One of the best barns in this county was destroyed by fire at 3 o'clock this morning. It was on the farm of H. W. Kinnison, five miles northeast of here. All the contents were consumed, including fifteen head of horses.

GREELEV—The barn of F. J. Bopp was GREELEY-The barn of F. J. Bopp was

completely destroyed by fire last evening. The fire department was unable to render ald owing to the incomplete condition of aid owing to the incomplete condition of water mains in East Greeley. Loss partly covered by insurance.

TABLE ROCK-News has arrived here of the serious injury of Ralph B. McKinney in a railroad wreck near Fort Worth, Tex., where he was a brakeman. He formerly lived in Table Rock and his parents live near Humboldt, Neb.

GRETNA-Mr. and Mrs. A. M. Control of Water and Mrs. A. M. Control of the water forms.

GRETNA-Mr. and Mrs. A. M. Page of Kearney arrived in Gretna last Saturday afternoon with the body of Mrs. Burge's mother. The remains were taken to Spring-field and laid to rest by her husband, who had died a couple of years ago.

ALBION—The weather is all that farmers could ask in the way of gathering the corn crop. The corn is more nearly gathered than usual at this time of the are endeavoring to save the crop before AINSWORTH-Last night there was

quiet wedding in town here at the resi-dence of the bride's parents, Mr. and Mrs. Fred Finney, Miss Mazie Finney was mar-ried to J. W. Lanaley, Rev. O. L. Ram-sey of the Methodist Episcopal church performed the ceremony. rog of the Methodist Episcopal church performed the ceremony.

YORK—Harry Hull is out \$8 which he paid to a sharper who impersonated a clerk in one of the leading stores of that city and the proprietor of the store is out a rug which the sharper sold the customer and started out to deliver, but failed to reach the purchaser's home.

BEATRICE—Lots in Green's addition were sold at scavenger tax sale by the

were sold at scavenger tax sale by the county tregsurer yesterday. The only sale of interest was the Green block, which was disposed of for \$500, the full amount of the taxes. The sale of Lamb's subdivision was taken up today.

FREMONT-Frank Faulks, an engineer on a construction train on the Union Pacific, was seriously bruised in a small wreck near the Union depot last evening. Owing to a misplaced switch the train ran into a string of cars, including a diner. Some smashed couplings and broken dishes

evator, which the Cargell Co. will build a evator, which the Cargell Co. will build a che Creat Northern, west of the Benson ock. The building will be 22x40, forty et high, with a capacity of 40,000 bushels and will be completed as fast as possible. her new duties. She York City this evening.

and that he wanted to plead guilty and take his sentence. He will be accommodated next week. John Collins is wanted in Douglas county and may be taken there for trial.

Hunting Contest Ends.

BENNINGTON, Neb., Nov. 17.—(Special.)
—The much-talked-of hunting contest between two chosen sides of about forty members came off yesterday. The side captained by Dr. C. W. Hickey won out by 250 points. One large coon, weighing about thirty pounds, was shot by William Voss. the painter, Charles F. Gottsch bringing in a tackgaphit. Chickens quality incleasing the painter, Charles F. Gottsch bringing in a tackgaphit. Chickens quality incleases and flowers. The Swanberg orchestra furnished music for the last few years nase been at Grand Island, died very suddenly of heart failure yesterday afternoon while on a professional visit here. He had been at Grand Island, died very suddenly of heart failure yesterday afternoon while on a professional visit here. He had been at Grand Island, died very suddenly of heart failure yesterday afternoon while on a professional visit here. He had been at Grand Island, died very suddenly of heart failure yesterday afternoon while on a professional visit here. He had been at Grand Island, died very suddenly of heart failure yesterday afternoon while on a professional visit here. He had been at Grand Island, died very suddenly of heart failure yesterday afternoon while on a professional visit here. He had been at Grand Island. While on a professional visit here. He had been at Grand Island, died very suddenly of heart failure yesterday afternoon while on a professional visit here. He had been at Grand Island. While on a professional visit here. He had been at Grand Island. While on a professional visit here. He had been at Grand Island of his return complained of sudden liness. A doctor was called, but the sick man very quickly collapsed. Dr. Garfield was about 50 years of age.

OAKLAND—The Oakland Woman's club at the home of Mrs. A. E. Wells in this city Thursday afternoon. The spacing of the p orchestra furnished music for the occasion. Mrs. H. L. Keefe of West Point, district

> MASKED An Enemy Masquerades as Friend.

It seemed almost incredible to the lady who writes from Clintonville, Conn., that coffee caused the physical ailments from which she had so long suffered. In such cases the real cause is often the

one least suspected, and one is loth to begram.)-Over 200 people from Lexington. lieve that the mask of friendship has hidden the face of a relentless foe. "I had suffered much for years from ner-

ness the foot ball game between their high that my whole system was run down, I grew yous troubles which finally so affected me pale and emaciated and had to practically give up domestic duties. The doctor did his best with me, but after two years faithful ministration was compelled to admit that he had done me no good. I almost despaired of ever being any better.

"September, 1900, wil never be forgotten by me, for it was in that month that my emancipation, accomplished through the use of Postum Food Coffee after I had entirely quit the old kind, commenced. I shall always remember the date with gratitude.

"My improvement was a cause of wondering-almost incredulous rejoicing-to not only myself, but my friends as well, so rapid and so great was it. I positively feared it would not last. My nerves quieted down and became steady and firm, the old headaches that used to follow any extra exertion ceused to trouble me, my weight increased and soon became greater gram.)-Walter Applebee, a farmer living than ever before, my mental powers grew more active and accurate and the fresh glow came back to my cheeks, renewing the complexion of healthy girlhood,

"I cannot tell you how glad I was at the splendid change that Postum wrought in my condition, nor how I prize it for the good it continues to do me. We, were out of it a week or so not long ago and used the old kind of coffee instead for like an old friend back again when I found the cop of Postum once more smoking strychnine to his father-in-inw, I. L. ing and fragrant on the board. It is food long, a prominent resident of this place. | and crink to me." Name given by Postum Co., Bettle Creek, Mich.

Read the ibile book, "The Road to Well-

Considera-

of Style, Cut, Materials, Workmanship, Finish and Fit with

the finest tailored-to-order creations, will convince you be-

yond question that we can "deliver the goods" to suit your

price needs, and satisfactorily meet every requirement of

your most exacting taste. We offer, without exception, the

largest varieties of exclusive patterns shown in the State.

Single and Double Breasted Suits and Overcoats in Every Proportion

Young Men's Dept. \$750 \$10

Furnishings Specials for Saturday

Offerings introduced as Saturday leaders.

All Silk Mufflers, reefer or Oxford, \$1 All Wool Sweaters, \$1, \$1.25, \$1.50 up Suit Cases, all sizes, \$1.75, \$2, \$3 up Blue Flan'l Shirts, \$2.25 quality, \$1.75 Merino Shirts and Drawers, \$1

value..... 75c Stiff Bosom Shirts, newest designs, 50c up Golf Gloves, all wool 50c and 75c



Children's Section **Opportunities**

Boys' Suits, new Buster Browns, Buddy Tuckers, Etons, Russian blouse, double breasted and Norfolks, all sizes, \$3.50, \$4.00, \$4.50, \$5.03, \$6.00, 16.50, \$7.50 to \$8.50. Boys' Overcoats, 21 to 10 years, srlendid specimens of high art in boys clothes making, \$3.50, \$5.00, \$7.50,

Special Boys' Suit Values, \$1.95. 50c Knee Pants, 25c. \$1.00 Knee Pants, 50c.

Men's Head Wear

Soft and stiff hats in prevailing shapes and shades, \$1.50, \$2.00, \$2.50 and \$3.00.

All foremost cap shapes, Brighton, Yacht, Golf, Auto, Russian Yacht -inside fur lined bands, and regular "pull down" style for menat 50c and up. Complete stocks boys' and chil-

dren's caps, 35c and up. J. B. Stetson ever famous hats \$3.50 to \$5.00



Saturday Trousers Specials

The entire overproductions of The Paragon Pants Co., Sternberg Bros. and Sol Newman, all exclusive pants makers of New York-a lot comprising over 3,800 pairs bought at 25 to 30 per cent less than the usual wholesale price, and sold to you at the same reduction. Offerings that will create a sensational stir in our Pants section.

\$5.50 Pants \$5 Pants \$7.50 Pants

vice president, was present as the guest TECUMSEH-The Tecumseh Commercial lub sent an investigation committee out nto the state to look into the independent

of service the Nebraska Telophone company is giving at other points. The committee was composed of Messrs. A. O. Shaw, George Warren and O. L. Brown, and visited Genevi. Exceter, Seward, Fairmount and other cities. They were accompanied by representatives of the Independent and Bell companies. The gentlemen have returned and will make a report to the club tomorrow evening. Tecumseh has the Bell system at present, and it is an assured fact that the independent plant will also be installed here.

JORDAN IS STILL MISSING

(Continued from First Page.)

ance departments by the Equitable society, more especially in California. He replied that he was, and on this matter said that the trouble in California began in 1897, when look after the interests, of policyholders Andrew J. Clunie, who was then insurance commissioner of California, complained to the attorney general of that state that the OAKLAND-Eight car loads of material Equitable society was not entitled to do business in that state because its capital stock was too small. The attorney general did not sustain him. Mr. McCurdy said that the commissioner then requested the and will be completed as fast as possible. It is generally understood that the Samson-Swanson Co. of this city will also erect an elevator on the Great Northern road.

TECUMSEH—A new teaching position will be installed in the State Normal at Peru next year. It will be a critic teacher. Miss Nellie Schlee of Tecumseb, who last week resigned a position in the Lincoln schools, will have the new position. Miss Schlee resigned her work that she might go to New York City and take work at Columbia college which will fit her for her new duties. She departed for New York City this evening. company to furnish him with a statement resent it at a hearing in San Francisco and the subject dragged along for three years. In 1900 Commissioner Clunie demanded that the society make a list of all its out

standing policies, so that he could estimate the value of those held in California. The commissioner's fees for this, Mr. McCurdy said, would have been \$33,000 and it would have cost the Equitable society \$40,000 to get the information together. Finally the ommissioner became satisfied by sending former Governor Budd of California to make an examination and the society got a renewal of its license. Mr. Budd visited the New York Life Insurance company and the the following appeared: Mutual Life Pasurance company also. Mr. 1 McCurdy said that \$250 a month had been paid to special counsel to represent the Equitable society before the commission at this some one is?" the suggestion of E. S. Pilisbury, the sowitness it was paid to a brother of the the letter: insurance commissioner. The total amount paid in that way was \$9,000. The witness rambunctious of late and wants to know, said also that approximately \$17,500 was you know." paid to W. H. Chickering of California. counsel for the Mutual Life Insurance company. At the close of 1899, when the Equitable society filed its annual statement with the California insurance department. the commissioner asked forty additional lature and he thought he had nothing to do questions, the witness said, which the comnissioner knew it was practically impossible for the society to answer, because its books were not kept so as to do this.

Payments to Californian. This, the witness said, was practically a rehash of the demands the commissioner of his death," said the senator. had made previously. Witness said the the insurance department of any other state to his personal knowledge and that like proceedings against the New York Life and the Mutual Life were terminated about the same time as those against the Equitable society. There were a dozen hearings on the interpretation of one of

month was paid. appointed Mr. Clunie, as commissioner. He did not think the man to whom the \$250 to what service the letters related, but that a month was paid did anything for the he knew at the time he received them and Equitable society.

"Do you Know how much of these moneys was paid to Governor Budd? asked the counsel for the committee Mr. McCurdy said he did not know and that to his knowledge no account of disbursements was made by Mr. Chickering. Mr. McCurdy said he went to California, but did not see Mr. Clunie to whom the \$250 was paid in all the six weeks he was there. The New York Life and the Mutual OSCEOLA, Neb., Nov. 17.—(Special Teleseveral days, All my bad symptoms begrams)—Clark Williamson was today in- gan to return to trouble me, and it seemed man for the same service rendered the Equitable, said the witness.

> Another demand which the witness said set of the Equitable society's books be kept at the offices of the San Francisco He said: agency, which would have cost the society about \$75,000. He also said that under the law of California the commissioner

could have collected his \$33,000 fee from the Equitable society upon making bis proposal valuations of its policies.

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The states generally do not make inde pendent valuation of the New York companies, Mr. McCurdy said. Missouri once demanded it, but at the request of the society had accepted the New York valuation. Minnesota made such valuation four or five years ago. Tarbell on Stand.

Gage E. Tarbell, second vice president of the Equitable society, was called when Mr. McCurdy had finished. He told of his connection with the Equitable which has continued twenty-six years. Mr. Tarbell said he knew nothing of the memoranda given by Mr. Jordan to A. C. Fields. He did not know Fields and only knew that he looked after the legislation in New York for the Mutual. He had conferences with repre sentatives of other compagies relative to legislative matters and endeavored in 1903 to have a committee of one appointed to that would be affected by any bills in th legislature that would indirectly that Andraw Hamilton had been employed. He was of the opinion that no company should have an expense in connection with legislative matters. He never knew of a dollar being expended in that way. He took the position that if improper legislation could not be defeated by remedial means the company should refuse to do business in the state. Mr. McCall of the New York Life agreed with him and the Mutual Life Insurance company was approached to come to some agreement on the subject, but the Mutual would not go

into such a combination on the ground that it was not practicable. While Mr. Tarbell was testifying Senator Chauncey M. Depew was recalled and asked about vouchers of John A. Nichols for \$1,000 for legal services to the Equitable. Senator Depew could throw no light on the matter beyond the fact that Nichols was retained by the Equitable. Nichols was at one time quarantine commissioner, and

Senator Depew said, was active in politics. Senator Depew's Poor Memory. Mr. Hughes, counsel for the committee, read an extract from the letter which was written by Nichols to the senator, in which

"That this is to remind you that some one gets round this time of the year." "Do you recall," asked Mr. Hughes, "who

"I don't recall his name." said Senator ciety's regular attorney, who had told the Depew. Here Mr. Hughes again read from "Our friend up the river has been very

> Mr. Hughes asked if that referred to the ame man. "I believe so, but I don't recall his name," said the senator. He added that the man was not connected with the legis-

with politics, but was an insurance man. "Did you know Thomas D. Husted?" asked Mr. Hughes. "I did, very well. He is now dead. He was the son of General Husted and he was retained by the Equitable up to the time

The letters concerning which Mr. Hughes company had had no like experience with questioned Senator Depew were as follows: NEW YORK, Dec. 19, 1886.—My Dear Depew: My friend, who usually gets around at this time of the year, has written me several letters, to which I have not replied. He now writes me that he will be here Monday or Tuesday and desires to have me help him as usual. What shall I do? Faithfully yours. JOHN A. NICHOLS. the Equitable society. There were a dozen hgarings on the interpretation of one of California's laws and it was for representation in these hearings that the \$250 a month was paid.

Mr. Budd, while in New York consulted almost entirely with Mr. Chickering Witness said he thought Governor Budd

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The senator said that he did not know that he turned them over to Mr. Alexander or Mr. Hyde of the Equitable so-

Senator Armstrong announced that a subommittee had been appointed to take the deposition of George H. Squire, the former financial manager of the Equitable society. The session was then adjourned until Tuesday next.

M. E. Ingulia Talks. CINCINNATI. O., Nov. 17 .- Melville E. Ingalls, chairman of the Big Four board, and a director of the Equitable Life Insurance company, said in an interview today that he had begged Hyde and Alexander to Mr. Clunic made was that a complete get out long before the sensational disclosures in the New York investigation.

grace of these disclosures. The investigation had only been on a few days when I piainly saw how things must terminate.

The Frick report was the fatal gun. It sounded the knell of the old regime. Now what we should do is to secure the enactment of laws which would put an end to this form of gambling insurance. I can call it by no more polite name. We must wipe out this system of deferred payments, which create a large surplus. The line between a mutual insurance company and an insurance company run for the benefit of the stockholders should be clearly defined by law and the law should be enforced. An insurance company should not be allowed to work the hocus pocus of running its affairs ostensibly for the policy holder and then twisting the business around to the advantage of the stockholders. I cannot say too emphatically that we must do away with gambling insurance, the large surplus and the quasi mutual stock company.

WOMAN KILLS DRUNKEN MAN Mrs. Thomas Acquitted of Charge of

Murder for Shooting

"Shorty" Nolan. PINEDALE, Wyo., Nov. 17 .- (Special.) All of the details of the Nolan tragedy, on Horse creek have been received here. "Shorty" Nolan rode up to the ranchhouse of Mr. and Mrs. W. T. Thomas and called them out, saying that all would eat breakfast in hell that morning. Nolan was crazed with drink. Pulling a gun he snapped it at the Thomases, but the cartridge was not exploded. Before he could put in another cartridge, and while her husband was attempting to quiet

Nolan, Mrs. Thomas stepped into the

careful aim put three bullets through Nolan's body. Nolan fell from his horse groaning. The Phomases went to a neighbor and gave themselves up. The neighbor returned, moved Nolan into the Thomas home where

he expired in a few minutes. The affair

was witnessed by Forest Ranger Dick Smith. No inquest was held, and at the reliminary hearing before Justice Enos. Mrs. Thomas was acquitted.

Mayor Resigns and Reconsiders. MEETEETSE, Wyo., Nov. 17 .- (Special.) -Angered at what he terms "a slap in the face" by the appointment of A. C. Thomas as a member of the town council, Angus J. McDonald resigned as mayor of Meeteetse and W. T. Benbrooks, a member of the council, followed suit. Later they reconsidered the matter and secured their resignations from the clerk and declare now that they will not resign and will not recognize the newly appointed member of the town's municipal body. The affair has engendered a factional fight, all the more to be regretted on account of its affecting

the sale of water bonds almost ready for delivery.

Suit Settled Out of Court. The \$50,000 damage suit of Levi L. Hanna against the Chicago, St. Paul, Minneapolis & Omaha Railway company for personal injuries has been settled out of court and stricken from the federal docket. Suit was brought by the plaintiff for injuries received while riding in the caboose of a stock train through an engine bumping into the caboose and inflicting injuries which have caused him to become a permanent cripple. house, secured a 30-30 rifle and taking manent cripple.

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