

CROW TRIAL HAS THE TRACK

Celebrated Kidnaping Case Comes Up In Court After Five Years.

CHARGE ON TWO COUNTS OF ROBBERY

Man Accused of Holding Young Cudaby for Ransom Will Be Defended by Former County Attorney.

All business in the criminal division of the district court has been subordinated this week to the case against Pat Crow growing out of the kidnaping of Edward Cudaby, Jr., December 15, 1900, which will begin before Judge Sutton Wednesday at 9:30 a. m. No cases were begun in this division Tuesday on account of the desire of the county attorney to have nothing in the way to interfere with a prompt beginning of the Crow case.

One reason for the solicitude of the county attorney is the fact he has a list of ninety-seven possible witnesses, of which fifty-seven have been served with subpoenas and will be required to report Wednesday morning. This does not include those who will testify for the defendant, but it is assured that even after the jury is secured the case will occupy four or five days, at least.

County Attorney Salsburg has expressed himself as confident the evidence will produce a conviction. Es-County Attorney English, who will represent the defendant, is just as confident of an acquittal. He declines to state at present just what line of defense he would follow. He said he was ready to begin the case, and as he could be located there is nothing to stand in the way of a prompt beginning.

Two Counts in Complaint.

The complaint against Crow consists of two counts, both charging the robbery of Mr. Cudaby by putting him in fear through the use of threats, the difference between the crimes alleged in each count being purely technical. The state's case will follow largely the same lines as that against James Callahan, an alleged accomplice of Crow's. In that case the state failed to prove that Callahan received any of the \$25,000 ransom, and he was acquitted. The general features of the crime leading to the search of five years, which finally resulted in the arrest of Crow, are still fresh in the minds of the public owing to the renewed interest taken in the case after Crow's arrest in Butte, Mont., last October. The alleged kidnaping took place on the evening of December 15, 1900, and a search by the police failed to disclose the whereabouts of young Cudaby. The next day the letter demanding that a ransom of \$25,000 in gold be placed along the Fremont road west of the city at a point to be designated by a lighted lantern, was picked up in the Cudaby front yard by a servant. Against the advice of the police Mr. Cudaby carried out the directions in the letter and early the following morning his son returned home unharmed.

Young Cudaby's Story.

His story was to the effect that he had been kidnaped by two men, one of whom was taken from his father's home, blindfolded and taken presumably to a vacant house at Thirty-sixth and Grover streets, where he was held until after the receipt of the money. When he was returned still blindfolded, to a point near his home. He afterward identified a photograph of Crow as one of the two men who took part in the kidnaping, the other man being Callahan. The search for Crow was taken up at once and a reward of over \$50,000 offered for his apprehension, but it is believed he took a boat for South Africa before the authorities had learned definitely that he wanted him. About a year ago he returned to this country and the search was resumed. During this time he is said to have visited both Omaha and Lincoln, though he was not apprehended until he reached Butte.

As there was no law on the statute books in Nebraska at that time making the kidnaping of a child over 10 years of age a crime, that charge could not be preferred against him. Accordingly when it was learned he had been caught a complaint charging robbery was filed, and at the preliminary hearing Crow was bound over to the district court. He was arraigned January 8 and held in the city jail, and the case was set for February 7.

Shriver & Bruening, dentists, 47 Barker bldg.

Old Dutch Cleanser

TAKES ALL THE HARD WORK OUT OF KEEPING THINGS CLEAN.

OLD DUTCH CLEANSER will do more cleaning quicker and with less labor than all the soap powders and scouring agents put together. Loosens dirt, absorbs it and carries it away clean. Made from a fine, pure volcanic mineral. No caustic, alkali or acid in it to roughen or reddish the hands and will not scratch.

SOLD IN LARGE SIFTING TOP CANS AT 10 CENTS



OLD DUTCH CLEANSER CLEANS SCOURS SCRUBS POLISHES. For the accommodation of readers of The Bee these patterns, which usually retail at from 25 to 50 cents each, will be furnished at the nominal price of 10 cents. A supply is now kept at our office, so those who wish any pattern can get it either by calling or enclosing 10 cents, addressed "Pattern Department, Bee, Omaha."

Dentistry

"In order to entirely remove the decay from a cavity in a live tooth the patient must be hurt." That is from an old text-book. Today it is not necessary that torture accompany the filling of a tooth. We've all been hurt in the dental chair, that's true, but with my system of painlessness it is no longer necessary, for I can fill the most sensitive cavity without hurting you a bit.

DR. FICKES, Dentist. Phone 537. 338 Bee Bldg.

SPUD FARRISH IS BETTER

Writes from Virginia He Has Improved, Though Is Still Confined to Bed.

Frank Furay, secretary of the local lodge of Elks, has received another letter from "Spud" Farrish, who is staying with a sister and brother at Griffinsburg, Va. Mr. Farrish wrote he is feeling much better, although confined to his bed most of the time. A few months ago Mr. Farrish was severely stricken with locomotor ataxia.

Announcements of the Theaters.

That the theatergoers these days like fun is being well attested at the Orpheum this week, where an excellent bill, embracing for the most part good comedy, is enthralling as well as drawing full houses. Thorne and Carleton are back with a line of wit and humor that keep the audiences in uproarious laughter. They do not alone bear the burden of the fun making, for the show is possessed of much comedy and is entertaining on Thursday the popular price matinee will be given.

"Captain Debonnaire," the new play in which Paul Gilmore is coming to the Boyd theater on Friday evening, is a romantic drama of the seventeenth century, when romances ruled the world. The captain is a gallant soldier of France, who gets into trouble and is forced to come to America. Here in the wilderness of the new world he continues his career, and finally wins the prize for which he has contended. As a gallant soldier of fortune Mr. Gilmore has an opportunity for his capacity as an actor, and if current comments are to be trusted he is more than making good. He is supported by a large and capable company and is outfitted with a fine scenic production. The engagement is for Friday and Saturday evenings and a matinee on Saturday afternoon.

"Charles's Aunt" is doing well at the Burwood this week, if the audiences are to be believed. Each performance so far has drawn the customary capacity attendance and the merit has been unrestrained. The clever farce is being delightfully presented. The next matinee will be on Thursday afternoon.

How to Cure a Cold.

The quickest way to get rid of a troublesome cold is a question in which many are interested just now. If you are one of the unfortunate victims of Mr. B. W. L. Holt of Waverly, Va., is worthy of your consideration. Mr. Holt says: "I have used Chamberlain's Cough Remedy for years and firmly believe it to be absolutely the best preparation on the market for colds. I have recommended it to many of my friends and they all agree with me."

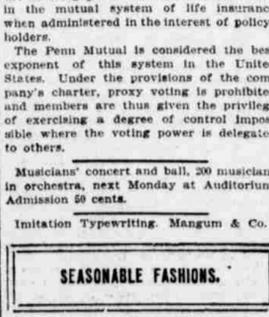
Penn Mutual's Good Year.

The company's annual statement, which is published today, shows conclusively that the insuring public has not lost confidence in the mutual system of life insurance when administered in the interest of policyholders. The Penn Mutual is considered the best exponent of this system in the United States. Under the provisions of the company's charter, proxy voting is prohibited and members are thus given the privilege of exercising a degree of control impossible where the voting power is delegated to others.

Musicians' concert and ball, 200 musicians in orchestra, next Monday at Auditorium. Admission 50 cents.

Imitation Typewriting. Mangum & Co.

SEASONABLE FASHIONS.



NO. 6456-A SMART DESIGN ON TAILORED LINES. Every waist which deserves mention nowadays merits this distinction because of some one or two features which put it beyond the pale of mediocrity. Many a woman is known for the distinction of her frocks and it is because she selects designs that are smart and not too elaborate. Such is the waist portrayed. In construction it is simple, with the three broad tucks on each side of the front and back, but the front plastron is so unique in its fanciful edge and so modish in its rows of tiny buttons that the blouse is at once adorning and chic. The chiffon broadcloth are excellent for a waist of this kind, while moire, tafetas or laces would be excellent. For the medium size 34 yards of 2 1/2-inch material are needed to develop the pattern. Sizes 32 to 34 inches bust measure.

CITY WANTS SUITS MERGED

Asks that Federal Court Try Water Company Cases as One Corporation Opposes.

A motion was filed in the United States circuit court Tuesday morning before Judge Carland of the federal court by the attorney for the city in the hydro-rentals cases, asking that the suits be consolidated and tried as one case. These involve the charge for hydrant rentals as presented by the Omaha Water company for all of 1905, and the last six months of 1904. R. S. Hall, attorney for the water company, will resist the motion for the consolidation of the cases. Judge Carland will take up the question of consolidation of the cases when the case comes up for trial on its merits some time after the middle of the month.

Marriage Licenses.

These marriage licenses have been issued: Name and Residence. Age. Arthur R. Keeline, Council Bluffs, Ia., 25. June C. Orvitt, Omaha, 23. Harold Elliott, Omaha, 23. Nellie Thomas, Omaha, 18. Joseph M. Steinberg, Omaha, 22. Ida Kujbinesky, Omaha, 19. Henry P. Hottel, Omaha, 21. Annie F. Thomas, Omaha, 21. James Anson, Springfield, Neb., 21. Stella Wilson, South Omaha, 16.

CICERO WEST WALLS PROTEST

Wins His Spurs in Oratorical and Forensic Combat Before Council.

ALSO SECURES ADDITION TO BEMIS PARK

Proves by Overpowering Argument for Proposed Assessment Plan He Made Mistake in Quitting Race for Mayor.

Residents of Bemis Park addition who were particularly alarmed by the addition of several lots at the southeast corner, won out before the special Board of Equalization at the city hall yesterday afternoon and secured the approval of the assessment plan to pay for the property.

The plan was opposed by about 100 interested property owners who thought the taxes proposed too high in proportion to the benefits to be derived and that the city at large should stand the cost of the improvement. The side of the affirmative, managed by C. C. Belden, with George F. West as the chief spokesman, put the enemy to rout in a session lasting half the afternoon.

About 150 persons went to the council chamber to participate in the controversy, which had nothing bitter in it. An assessment plan had been rejected once before and the more enthusiastic Bemis Parkites did not want to see it rejected a second time. If it did their hopes would be settled for good.

Puts Opponent on First.

Mr. Belden cleverly induced the other side to present its case first. E. F. Gurke, Robert Lively, Fred Sullivan, J. H. Bennett and R. L. Bailey spoke against the plan. The first speaker called upon Mr. West and the latter made a speech that caused his friends to tell him he made a great mistake in throwing up his majority boom. Mr. West used oratory, wit, humor, logic, fact, fancy, poetry, the law and other things and the council succumbed and succeeding speakers rose to endorse what he said. Those who assisted were I. W. Carpenter, C. W. Eckerman, Mrs. I. R. Andrews, W. Ernest Johnson and G. S. Benava.

Park Commissioner Gordon said the Park board proposed to do considerable things in Bemis park, including the conversion of the present mud hole into a real lake.

Protest against the plan for the paving district for Twenty-fifth street from Dodge to California was overruled.

The board rejected the proposed plan of assessment for the paving of Twenty-fifth street from California to Chicago streets, this being the second time this has occurred. An adjournment was taken to 10 o'clock this morning. Many other protests have yet to be acted upon.

EAGLES EIGHT YEARS OF AGE

Local Aerie Celebrates the Anniversary in a Most Fitting Manner.

The eighth anniversary of the organization of the Fraternal Order of Eagles was observed in regal style by aerie No. 35 of Omaha last night at their hall, 107 South Fourteenth street. Members of the order from surrounding aeries had been invited, and so many accepted the invitation, attracted by the excellent program which had been arranged, that the hall was thoroughly crowded, nearly as many being obliged to stand as could find seats.

The evening's entertainment was opened with an address of welcome by Judge McFarland, in which the speaker took opportunity to review the work of the lodge and to make predictions for the future.

Three boxing matches and a wrestling match between Coleman and Kennedy had been arranged, but the latter was unable to hold the audience in the closest attention. Strayer and May went through a most interesting bout, later Greenman and Le Roy and then Jensen and Campbell. The set-toes were fast and of a kind to satisfy the onlookers. The wrestling match came last and was the biggest event of the evening. It was not of long duration, however, Coleman securing the first two falls. Because of the length of the program and consequent lateness of the hour the third fall was not attempted. Another number receiving much applause was the gymnastic feats of the Koplin brothers. Vocal and instrumental music was sandwiched between the athletic exhibitions.

Through the evening refreshments were served to the gathering. The committee which arranged the entertainment for the celebration was composed of Dr. Ford, James Warn, Jule Altshouse, William Silk and Lee Greer. Much of the credit for the success of the event is due to the efforts of Dr. Ford and Mr. Warn, who gave up much of their time to make it a success. The former presided over the program during the evening, while the latter superintended the distribution of the refreshments.

WABASH RATES ARE IGNORED

Grain Tariff Will Be Passed Up by Trunk Line Freight Agents.

At a meeting of the trunk line freight agents held in New York it was agreed to ignore the rate on grain which the Wabash road put in between Omaha and the Atlantic ports. D. O. Ives has been bringing the Wabash into prominence since he was appointed freight agent for the road and the incoming business to Omaha has more than doubled in the last two months.

All packing house rates will expire March 14, and the packers are making a hustle to get all the stuff to the seaboard before a rate is made. After that date all the roads have again promised to be good.

Some of the eastern trunk lines are trying hard to get packing house products for their roads at 35 cents when it is common knowledge here that rates are being made as low as 20 cents to Newport News.

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AT THE PLAYHOUSES

"The Lighthouse by the Sea" at the Krug.

Interest in this play centers chiefly around the spectacular scene in the third act, where the heroine walks the clothesline from the shore to the lighthouse and lights the lamp, just in time to prevent an ocean liner from being dashed on the rocks. The villains are thus foiled, and the truth is brought to light. Considerable ingenuity has been expended in the arrangement of the scenery and accessories for this act, the representation of a sudden storm of terrible fury being quite thrilling, while the gymnastic feat accomplished by the young woman is so done as to greatly heighten the effect. The play deals with the factors of love and jealousy, of crime and contrition and ends with all made right. Miss Wilhelmina Francis, the young woman who achieves the stunt, is possessed of some power as an actress, and makes the role interesting for her personality. Miss Eliza Mason, the soubrette of the company, is a cute little trick, and if she ever learns to dance there will be no holding her. As it is she cackles with much vigor and graceful abandon, and sings effectively enough to set the gallery whooping. A matinee this afternoon and a performance this evening close the engagement.

CONCERT FILLS THE CHURCH

Jackson-Sammis Company Delights Large Audience with an Excellent Program.

The second number of the entertainment course of the People's Institute of the First Congregational church Tuesday evening comprised an instrumental and vocal concert by the Leonora Jackson-Sibyl Sanniss company. The church was filled to its capacity with an interested audience. The opening number was Chopin's "Nocturne in C Minor," followed with "Hungarian Rhapsody No. 12" from Liszt, on the piano by Mr. Alex McFayden, the pianist and accompanist of the company. His performance brought forth an encore. Charles E. Clarke, baritone, sang effectively "The Hindu Lament" and "Robin Goodfellow," and responded to an encore.

Miss Jackson was greeted by a veritable ovation. Her rendition of a "Capriccio," by Nils Gade, on the violin was one of the artistic gems of the evening and was greeted with a genuine outburst of appreciation. She kindly responded to an encore that was given in sincere appreciation of her skill.

Miss Sibyl Sanniss sang with charming effect a "Cavatina" from Gounod's "Queen of Sheba." Miss Sanniss has a soprano voice of wide range and her intonation is fluent, facile and smooth and her articulation perfect. Mr. Clark again sang, giving Pesselt's "Belouin Love Song," and was followed with violin rendition by Miss Jackson, a "Romance," by Ambrosio; a "Humoresque," by Tschalkowsky; "Beethoven's A. Opus," by Sanniss; and "Zeno Hubay. Miss Sanniss then gave two vocal numbers, "Absent," by Metcalf, and "May Time," by Selter. Miss Jackson's final appearance was a rarely beautiful rendition of Sarasate's "Gypsy Fantasia."

In this number she gave a remarkable exhibition of her skill in the higher registers of registers of the violin which drew forth applause before the completion of the number.

The concert closed with a vocal duet, "Now Thou Art Mine Forever," from Hilgard, by Miss Sanniss and Mr. Clarke, which was one of the high points of the evening and beautiful numbers of the evening and elicited the sincerest applause.

The next number of the People's Institute course will be given Monday evening, February 12, which will be a lecture by Miss Sanniss on "The History of Settlement, Chicago, an 'A Human View of the Labor Struggle.'"

LOCAL BREVITIES.

A green boat was stolen Monday evening from the Omaha Water company at Florence.

Shortly after midnight this morning fire and water did \$200 worth of damage to the residence of Mrs. M. Ball, 231 St. Mary's avenue. It started from a defective fuse.

A decree of divorce from Joseph W. Scott was given Mrs. Margaret M. Scott Tuesday by Judge Sears. There was no contest, the defendant failing to appear to defend. The only charge was abandonment.

Glifford Todd of 218 Hickory street has asked the police to locate a 12-year-old boy to whom he gave a gold piece Monday evening in mistake for a nickel. Mr. Todd said the boy asked for a nickel and in his haste handed the lad the gold coin.

The Omaha Hotel Clerks' association met Monday evening at the Bachelors hotel with a big attendance. The general topic for discussion were the growing dearth of rooming houses and the methods of overcoming this baneful of hotels in this and other cities.

Miss Etain Minet of a traveling theatrical company lost a valuable ivory brooch in Omaha Monday. The woman reported the matter to the police. Miss Minet valued the article highly, as it was a keepsake having been carved in India. The brooch was in the form of a lover's knot.

PERSONAL PARAGRAPHS:

Miss Beatrice Oliver is visiting friends in Omaha.

E. G. Taylor of Loup City was in the city Tuesday.

E. J. Herring of Hastings was in Omaha on business Tuesday.

The membership of Tom Worrall on the Omaha Grain exchange has been transferred to N. A. Duff.

Mrs. C. D. Hutchinson has returned from Trip West show passed on to her old home in Shepherdstown, W. Va.

William McCune of the Buffalo Bill Wild West show passed through Missouri Valley Monday with sixty-five Indians for the show in Europe.

B. S. Gregory and T. E. Winegar were elected members of the Commercial club yesterday and Rev. L. O. Baird was elected to honorary membership.

YOUNG MAN BEGS IN VAIN

Alleged Forger Weeps and Pleads for Mercy from Commissioner Anderson.

BOUND OVER TO FEDERAL GRAND JURY

W. R. Cunningham Is Accused of Forging Postoffice Money Order for Small Sum of Ten Dollars.

"If you will give me just one more chance, Judge, I will make a man of myself. Please give me that chance. I will make any and every amend for my wrong doing. I was drunk when I did it and did not realize the enormity of the crime of forgery. I will doubly make good the amount of the order, and want just one more chance to make a man of myself. Please have mercy on me. This is the first crime I have ever committed."

Two years streaming down his face W. R. Cunningham, charged with forging a postoffice money order of \$10 and appropriating the proceeds to his own use, thus pleaded for mercy when arraigned before United States Commissioner Anderson at the federal building Tuesday morning.

The order was made payable to G. R. Baker and came from Hawthorn, Nev., bearing date of August 2, 1906. The letter containing the order was received at the army of the Omaha Guards August 25, and Cunningham secured possession of it during the absence of the company, of which both he and Baker were members, at the annual National Guards encampment that month, but which Cunningham did not attend. He had incidentally learned, it is alleged, that Baker was expecting the letter with a remittance, and in the absence of Baker appropriated it.

Must Plead to Grand Jury. Commissioner Anderson told Cunningham it was beyond his power or authority to discharge him and admonished him that the crime of forgery was a very serious one.

"All I can do is to bind you over to the federal grand jury and it will have to pass upon the merits of your case," said Commissioner Anderson.

Cunningham was placed under \$500 bonds for his appearance before the grand jury. A number of the young man's friends were present in the court room and an effort will be made to secure bail for him.

The police authorities are a little skeptical regarding Cunningham's contrition and think it comes at a late date. The accused was formerly a member of the Omaha Guards, and it is alleged several articles missed from the armory of the company were traced to him. It is further alleged he was dismissed from the company because of his habits in this line.

It was discovered through the investigations of the police that Cunningham and a young woman named Maude Kirk had a falling out at the Vienna hotel sometime last week and that she charged Cunningham with getting away with a couple of diamond rings belonging to her, valued at \$100. The rings were subsequently recovered by the aid of the police.

CHANGES IN ARMY BILLETS

Chaplain Silver Goes to Leavenworth and Major Cecil to Porto Rico.

Orders have been issued from army headquarters transferring Chaplain H. Percy Silver from Fort Crook to the position of chaplain of the military prison at Fort Leavenworth. The change will go into effect March 1. Captain Silver has been chaplain at Fort Crook for several years, coming with the Thirtieth Infantry from the Philippines, where he had served with the regiment. Chaplain Silver was rector of the Church of the Good Shepherd in Omaha prior to entering the army, and both he and his wife have a wide circle of acquaintances in the city.

Major George R. Cecil of the Thirtieth Infantry, stationed at Fort Crook for two or more years past, has been relieved from further duty with that regiment and is transferred to the provisional regiment of Infantry at San Juan, Porto Rico, relieving Major Robert F. Ames of that command.

By the promotion of Brigadier General A. W. Greely to major general several promotions in the signal service will follow. Among them will be the promotion of Captain McK. Salzman, formerly chief signal officer of the Department of the Missouri, who becomes a major.

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