CUDAHY READY FOR TRIAL

General Cowin Says Client Did Not Make Immunity Plea.

TOLD MOODY HE PREFERRED OPEN TRIAL

maha Attorney Says Garffeld's Course Admitted of No Alternative and

Immunity Was Natural

Sequence of Law.

The packers themselves were cleared,

but the corporations will have to stand trial, and I will say for the Cudahy Pack-

ing company, that it is ready to go to rial," said General J. C. Cowin, coun

or Edward A. Cudahy and the Cudahy Packing company in the celebrated case

instituted by the Department of Justice against the packers. The trial to de-

rmine the question of whether the pack-

ers were immune from prosecution upon evidence of Commissioner Garfield, and

which ended at Chicago Wednesday favorably to the packers, stands unique in his

tory, as the attorney general of the United

States personally appeared to prosecute the

case, this being the first instance of the ind since the days of Aaron Burr.

General Cowin's part in the case was

The investigation by Mr. Garfield seems

be misunderstood by the public," said leneral Cowin. "Under the Martin resolu-

tion of the lower house of congress, and section 8 of the law creating the Depart-

nent of Commerce and Labor, Mr. Garfield was compelled to make the investiga-

on he did make. He had no discretion in the premises. The object and purpose

of the investigation was to get full in-

ormation with respect to the packers'

usiness, how it was conducted, how pur-

hases were made, how sales were iffude he matter of by-products, the matter of

profits, and everything connected with the

Had to Make Visits.

"Mr. Garfield could not comply with the

mand of the Martin resolution and the

law without going to the officers of the lifferent companies and getting access to

heir books. As I say, this he was com-

pelled to do. The packers could not refuse

give the information, for the reason

that their privilege under the fifth amend

ment to the constitution was taken away and immunity given in its stead. But no

law could take the place of the privilege of the constitution without complete im

uestion of guilt or innocence.

nunity from prosecution, regardless of the

"This was decided in the councilman case

and the case of Brown against Walker.

Therefore, when Garfield sought the infor-

of the compulsion of the law, and as a duty

resting upon the citizen called upon, im

munity at once flowed from the law, and

Mr. Garfield had nothing to do with it but

to get the information that congress reuired him to get. The resolution and the

law made it mandatory and Garfield had no

alternative. When a packer was called

upon to give the information, the constitu-

tional privilege of the fifth amendment be-

ing taken away and immunity awarded in

its place, he had no alternative but to answer and furnish the books. In other

information, the packer was compelled to

give that information and necessarily there

flowed therefrom under the law complete

Government Action Unusual.

"It is remarkable to me the importance

amunity to the person furnishing the in-

mation which he was compelled to get, as

Ustinguished one

# Saturday Specials

Below will be found a list of slightly used Sewing Machines which will be placed on sale

## SATURDAY EVENING ONLY.

They have all been overhauled and put in first-class shape.

Wilcox & G. Drop Head,	15.00
New Home Drop Head,	12.00
White Drop Head,	12.00
New Royal Automatic Drop Head, good as	new, 16.00
Household, good as new,	21.00
White, D. H., Shopworn,	22.00
Standard Drop Head,	23.00

Second-hand box-top machines from \$3.00 to \$9.00. All complete with attachments and guaranteed, and while they have been used, yet are in condition to give first-class service.

'Phone Douglas 1663.

Cor. 15th and Harney Sts.

334 Broadway, Co. Bluffs.

## FATHER DEFENDS HIS SON

Chancellor Huntington Expresses Confidence Banker is Guiltless of Charge.

NEVER KNEW HIM TO TELL A

Believe He mitted Subornation of Perjury in Connection with Land Cases in This State.

Chancellor D. W. C. Huntington of the neeting, and is a guest at the Merchants. Dr. Huntington was asked in reference to the recent arrest of his son. Thomas M. accepted her. Huntington at Gordon on the charge of alleged subornation of perjury with respect later in the season. He has a good tenor to land filings within the Richards and voice and has appeared in vaudeville in Camstock ranch enclosures in Sheridan the east. At present he is in the employ and Cherry counties. He said:

"I first knew of his arrest through the press reports and came here with the expectation of meeting him in Omaha. do not wish to be placed in the attitude of pleading for my son, and hardly know to say I never knew him to tell an untruth, he has been guilty of the grave charge of twenty or more, my son has been engaged in the aurveying business in that of course, located a great many people in that country, being familiar with it. But that does not follow that he would or could do a dishonorable act in connection with the location of homesteads. He is not now engaged in the surveying business.

As to Criticising Government. I do not wish to be put in the attitude of criticising the government or the secret service agents for whatever work they may be called upon to do there, or whether their seal to make a record for efficiency assisted homosoekers in locating their filings in that country that partake of the serious nature of subornation of perjury. That matter will, of course, be thoroughly thrashed out when the cases are to be considered by the grand jury. I have always had unbounded confidence in my son

It is easy to make a charge of that kind,

OMAHA WOMAN ON THE STAGE Mrs. Frank V. Woods Joins Company

Here After Manager Hears Her Sing.

Wesleyan university is an Omaha visitor, with a high soprano voice of excellent called here by the Schoolmasters' club quality, has gone on the road with the 'Gingerbread Man." She sang before Homer Linn, the star, and he immediately

One of the most notable banquets annually held in the city of New York is known him all his life, I am perfectly free serves, and though it is attended by some of the most eminent professional men and and I cannot bring myself to believe that some of the wealthiest financiers in the which he is accused, and, in fact, I know are smoked and the only bottles found that he is not. For a great many years, upon the table are those containing the pure and sparkling Apolimaris. Furthermore, the diners sit down promptly at ountry, having first been connected with 6:15 p. m., and the banquet is adjourned it with the Northwestern road. He has, at 10 o'clock. It is one of the Bappiest, freest, jolliest banquets served in the city of New York, and it celebrates the work of an institution universally admired and the Y. M. C. A. At the twenty-fourth annual dinner, marking the thirty-ninth anof the association recently, the guests included Governor Utter of Rhode Island Lieutenant Governor Bruce of New York. General F. D. Grant, Rear Admiral Coghlan, President Schenck of the Mercantile would lead them into making charges National bank, of New York City; Vice against my son or others who may have President Cannon of the Fourth National bank, James Stokes, Morris K. Jessup, a number of college presidents and clergymen and many gentlemen noted in the field of politics and in literary and artistic circles.-Leslie's Weekly, Nov. 30, 1905.

DIAMONDS-Frenzer, 15th and Dodge.

advertising and our best recommendation to you.

Two Specials in

COVERT COATS SATURDAY

is COVERT COATS-Tailor made, front

and back strapped, button trimmed loop button front, tailor stitched, iniald velvet on neck satin lined with or without collar-very special for Saturday

II COVERT JACKETS-Made of excellent

quality Gilbert Covert Cloth, in snug

fitting style, collarless effect, profusely stitched on shoulder, back and front, lined throughout with heavy satin, Saturday

want and have us CHARGE IT TO YOUR ACCOUNT and

and still have, and believe a full investigation of these charges will prove my confidence is not groundless. As I said at the start, I do not know the full nature of I have stated, and it was given by virtue the charges against my son and can only gather their import from the general statement that it is subornation of perjury.

but to prove it is entirely another matter.

Mrs. Frank V. Woods, an Omaha girl words, Garfield was compelled to get the

Mr. Woods expects to join the company

Justice. That department considered the of the Von Dorn Grain company. a great triumph for the government A Notable Banquet. to the corporations themselves, the decision unique. Though it is one of the most exjust what to say. However, as I have pensive dinners that the Waldorf-Astoria this paraded victory is nothing more than securing an order of the court to compel Hale to answer, while Garfield secured the same victory without any litigation. When country, no wines are served, no cigars Hale shall answer and produce a single book of his concern he will be absolutely immune from any prosecution. You will tice has litigated the Hale case over a long period to compel him to answer, and the argument of the government was that he was compelled to answer because the statute gave him immunity upon answering, and the Department of Justice will give respected. We refer to the banquet of Hale, when he answers, just exactly the immunity that was given by the investigation by Garfield without the expense of niversary of the international committee litigation Cowin's Statement to Jury.

formation.

"In my opening statement to the court and jury I took the position that, as above stated, Garfield was compelled to get the information and that the packer was com pelled to answer; the duty of Garfield was to get the information, the duty of the packer to give it, and that upon giving it immunity flowed from the law. My contention was fully sustained by Judge

"Mr. Cudahy did not interpose the pleaof immunity from fear of a trial on the merits; in fact, I made a proposition to

Come in and select what you

Two Specials in

LADIES' SPRING SUITS SATURDAY

24 TAILOR MADE ETON JACKET SUITS -In serge, finned and light weight ladler

NOBBY ETON SUITS-All are remark-

ably pretty suits—in many different models. Made of lustrous Panama cloth, smooth-finished broadcloths and English suitings. All the fashionable colors. Splendid shaping and tailoring. Equal to the regular 120.00 suits, Saturday.

cioth. Carefully lined, with or collars Skirt is an effective flared model. These are mighty good values. Saturday

# Special Sales Saturday at Kilpatrick's

NO. 1-At Ribbon Section, 125 pieces of elegant silk ribbons, suitable for fancy work and pillow makingworth 30 cents per yard-Saturday, 15c at 10 a. m., per yard .....

NO. 2-At Handkerchief Section, 135 dozen of pure linen handkerchiefs, for ladies- plain linen and initialworth 15c and 18c each-Saturday. 

NO. 3-A remarkable purchase of ladies' fine shopping bags, late styles-walrus, buffer alligator, seal, etc.made to sell up to \$5.00 each, Saturday, at 10 a. m., each .....

NO. 4—An excellent assortment of turnover collars, in linen and scrim, worth 25c each, on Saturday all day if stock holds out, each .....

NO. 5-At the new Toilet Department, 2,000 cakes of fine, milled toilet soap, in the following odors: Rose, lilac, violet, carnation, sandal wood and clematis, worth 10c cake, on Saturday from 8 a. m., will sell 

NO. 6-At the Hosiery Section, two different numbers of women's split feet, black stockings-very desirablesplendid value for 25 cents, all day Saturday, at, per pair .....

NO. 7-A regular half a dollar stocking, Hermsdorf dye, imported, 50c value, remember, will go on Saturday at, per pair ......

NO. 8-We have received a large assortment of lace lisle hose-and if you do not buy now, we feel safe in tell-

NO. 9-To draw you to the basement salesroom we mention one bargain-you'll find the others-15c madras 71 32 in. wide, neat styles, for Saturday only, yd... 12C

On the Second Floor-Some very great attractionsstarting promptly at 8 a. m.

DRAPERY SECTION-A lot of curtains, embracing real cluny, Arabian, Brussels net, etc., choice new styles-and 

254 pairs Lace Curtains-Scotch Nets, Batterberg, also Rufprice on Saturday, per pair ...... 98c

## In the New Department

Two very special bargains in Rugs

First—An Axminster 30x60 inches, assorted styles, 1.98 worth \$2.75-on Saturday, each .....

Second-A lot of Navajo Rugs, worth \$5 each-

Some remarkable values in Undermuslins-take a look when on this floor.

A very excellent black mercerized sateen petticoat-numerous styles to choose from, will be offered 98c on Saturday, at, each .....

We present a complete assortment of Redfern Corsets, ranging in price from \$3.50 to \$10.50.

We have excellent facilities for fitting-rooms conveniently situated and experts at your service. It is no easy matter to convey to you in an advertisement the full beauty of a Redfern model.

The lady of small waist, or those with tendency to embonpoint, will be equally well pleased if she places herself in the hands of our corsetiere. The prices will not be considered high in the light of re-

suits, for not only is each corset made as carefully as Custom made-but the materials are the very best-thus giving you style, finish, durability and ease in wear.

N. B.—We have just received a line of 12 and 16 inch gloves—in glace and suede, kid and lamb—and a full line of black and white silk gloves in the different lengths-and almost every color as well Fitted and Guaranteed.

Mr. Moody, the attorney general, to go to trial on the merits without the intervention of any dilatory plea, if he would give me a separate trial for the Cudahy given to this case by the Department of interests."

decision in the Hale case (the tobacco case) ANDREWS ENTERS A DENIAL Now, outside of the decision with respect Pool Room Man Says Miner Did Not Play in His Place of

Business.

"The charge made by Probation Officer Bernstein that a 13-year-old child was found playing pool in my place is entirely untrue," said T. F. Andrews, who conducts a pool room at 313 North Fifteenth "No minor was caught playing see, therefore, that the Department of Jus- pool there and no minor plays pool there "The implication that I offered a bribe to Bernstein to escape arrest also, is un-

true. I never thought of doing anything of the kind. I have lived and done business in Omaha for a good many years and don't have to violate the law to make a living. "The statement that I was locked up in the county jail to await trial also is wn-

true. I was detained for about fifteen minutes in the sheriff's office." Mr. Andrews, with some show of feeling, insists he is an innocent victim of circumstances. The only part of the report he admits is that he was arrested.

Announcements of the Theaters. A matinee this afternoon and this even

ing, when the curtain will rise at 8:15 sharp, will be the last two performances of the bill on for this week at the Orpheum. Valerie Bergere will be the bright particular star at the head of the bill for next week, starting matinee Sunday. Miss Bergere & Co. promise the most ambitious one-act drama in a condensed version of "Carmen" that has ever been put on in vaudeville. Special scenery and properties for the production are carried and every detail of the staging is given that careful attention that distinguish this popular star's work. Other contributions are: Charles R. Sweet, tramp comedian and planist; Madam Eminy's dogs; Paul Kleist, the musical clown; Bonnie Gaylord, a "Sis Hopkins" girl; the Le Pages, novelty jumpers; Bert and Bertha Grant, singing and dancing comedians, and new kinodrome pictures.

Patrons of the opera at the Boyd theater are reminded that the performance of "Faust" begins at 2:15 this afternoon, and the prelude to "The Vafkyrle" will be played at 7:30 this evening. The length of the performance makes this early beginning essential, and all are urged to be on hand promptly in order that the performance may not be disturbed.

On Sunday afternoon and evening Joseph Jefferson, jr., will be seen at the Boyd in a role made famous by his father, the late Joseph Jefferson, that of "Fighting Bob" Acres, in Sheridan's famous old omedy of "The Rivals." William W. Jefferson, who is starring with his brother, will have the role of Captain Absolute.

The closing performances of "The Second in Command" at the Burwood are drawing good crowds and seem to be fully enloyed by all. "My Friend from India" is in rehearsal for next week.

On account of other bookings the Van Dyke Stock company will close their eneagement at the Lyric on Sunday night. March 25. The company has met with a very good success and the management of the theater are convinced that there is room for another theater in Omaha. However, the remainder of this season will be given over to some of the most celebrated of musical attractions, among them being Henri Murteuw, the world-fumed violinist, who will be at the Lyric Tuesday. April 2: Bishman, the noted planfet. April M: Mandorin Opera company, April of and the greatest of all 'celloists, Jean Gerardy on Mov 1.

## GAS, ENGINE OF THE FUTURE

Economical Motive Power, Says City Engineer, After St. Joseph Visit.

THE PARKER EXAMINES PRODUCER

Will Report to Commercial Club His Findings as to Production of Gas at Three

Cents.

At the request of the Commercial club City Engineer Rosewater went to St Joseph and made a critical examination of the Parker gas producer, which has been represented to the club as capable of making power gas for 3 cents per thousand cubic feet. The engineer took City Chemist Kirschbraun along with him to study the process from a purely technical stand-The report and conclusions have not been formulated entirely, but will be given to the club as soon as possible. "The inventor of the producer is a

Rochester man," said Engineer Rosewater. "A company has been formed to make the nachines and a complete plant equipped and used for demonstration at St. Joseph There is no doubt in my mind that the gas engine is the economical engine of the The gas as produced by this process is used in gas engines direct, and not to generate steam, as some persons evidently suppose. While I think it can be made at the bare cost of 3 cents per thousand cubic feet, this refers solely to the coal consumed and not to the labor, interest on plant or deterioriation. Gas producers are not new. They have been experimenting with them fifteen years. The Parker process apparently is a success. The gas made can be used for illu minating purposes by using a small quantity of crude petroleum. "The main principle of the producer lies

in the utilization of every particle of energy possessed by coal. Screenings from the Cherokee district mines, costing about Sunday afternoon at Zion Baptist church, \$1.90 a ton, are used.

"So far as I can see there is no reason"

ARE THE BEST IN THE WORLD

We show the most complete line of Spring and Summer Novelties in Suitings ever shown in Omaha. We make those stylish, nobby suits you always admire.

The Only Popular Priced Tailors who make all their clothes in

F. R. ROBINSON, Manager.

Gabe Rasgorshek., Cutter.

why a central plant cannot be established Dodge streets, and will be led by Abbott's and a city or town supplied through pipes. This has not been done anywhere with Bingaman will preach the annual sermon

the Parker process to date to my knowl- at 3 o'clock. edge. I believe the present company simply limits itself to making and exploiting the machinery. "When I was at the University of Michi-

gan decturing two years ago I was told they were making experiments in high pressure steam and that this was the only avenue left open in power development except by gas, which the professors agreed reached a point far ahead of anvthing else at that time."

ANNUAL MEMORIAL SERVICES Solemn Celebration Sunday Afternoon by Colored Pythians at Zion Baptist Church.

The annual memorial service of the colored Pythian lodges of the city will be held 2215 Grant street. The members will meet

band to the church, where Rev. J. A. Starving.

indigestion-Dr. King's New Life Pills will relieve and cure. 25 cents. For sale by Sherman & McConnell Drug Co.

When your body is starving-robbed by

Wife and Child Destitute, Mrs. Anna Dickson filed a complaint against her husband in police court Friday morning, charging the man with wife abandorment. The woman, who is being cared for by the Associated Charities, stated her husband left her and the 8-months-old baby without a penny. Dickson was employed here as an expressman, it was reported he went to Council Bluffs and left his wife and child destitute,

THE 20TH CENTURY LIMITED.

Chiengo to New York Over Night. Leaves Chicago 2:30 p. m. Arrives New York (Grand Central Station) 9:30 next morning. Warren J. Lynch, Pass. Traffic at 2 o'clock at the hall, Fourteenth and Manager, Chicago.



More brains than hammers used in building this range. An absolutely high grade range at a moderate price. Its construction is unique; no rivet heads to pull off, no putty joints to dry out. All joints lapped and locked.

THE ONLY RANGE ABSOLUTELY AIRTIGHT. IT CUTS THE FUEL BILL IN TWO.

IT BAKES BISCUITS IN THREE MINUTES BY THE WATCH.

We show the largest variety of Ranges in Omaha. Prices, \$25.00

## Jewel Gas Range

Made in Chicago

Most people have reached the conclusion that a cheap Gas Stove means a hig gas bill. Save the price of the stove within a year. Have a large, comfortable oven, and a stove that requires no blacking. The Jewel-made in Chicago-has these advantages and more. See the high broilers and ovens. Prices, \$15.00 up, delivered and connected.



# Milton Rogers &

Fourteenth and Farnam Streets

We operate 20 large credit stores and onbig factory.

YOUR CREDIT IS GOOD AT

Come in and open an account with us. We carry a complete line of clothing for mes, women and children. You can pay on your account at your convenience.

Way of Giving Credit

is a vast improvement over all the ordinary installment stores.

has none of the objectionable conditions. You will like our plain charge account plan. Our patrons come back and send their friends, which is the best kind of

convenience. Come in Saturday and see our display of FASHIONABLE SPRING CLOTHING for women and children, all the latest fads and fashions.

We undersell most of the local stores