THE OMAHA DAILY BEE

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Forthwith Mr. Howell was produced and make public the papers taken from the there was nothing to do but proceed. After residence of the papal nuncio at Paris fense in calling to the stand Dr. Alien Mcwhen he was expelled. a few preiminary matters the court addressed Mr. Howell, tailing him to stand up. He did so, and Judge Sutton said;

the declaive reply. "Mr. Howell is no bet-for before this court than any other man." French Chamber of I

'Mr. Howell, you have been found guilty by a jury of conspiring in restraint of trade. Have you anything to say why the sentence of the court should not be passed upon you?" Mr. Howell replied that he thought his

attorneys had said everything and done everything possible, but that he still insisted he was not guilty of any wrong act in restraint of trade.

Judge Sutton then proceeded to enter his finding on the docket. The pen scratched for a full five minutes, while silence reigned among the spectators and Mr. Howell stood facing the court and awaiting sentence.

Judge Addresses Defendant. Finally the court addressed him:

'You have been convicted of organizing in restraint of trade. This is as serious a crime as robbery at the point of a revolver. It amounts to the same thing. If the men who supply the necessaries of life are permitted to organize to fix the prices of those necessaries, they commit a orime against the people, against the common people; the widows and orphans, perhaps, more than the moderately well-to-do, but a crime against all.

"If you had been an ordinary man without money or influence, if you had not been president of the Omaha Coal trust, with power behind you and money to hire the National Bank Established at Gregmost powerful lawyers, you would long ago have been serving your sentence. But you have been able to cheat justice so far." Mr. Connell immediately asked for a suspension of sentence. He would be satisfled, he said, with even twenty-four hours. Judge Sutton replied that in all his career on the criminal bench he had no recollec tion of suspending sentence for the men convicted by him and saw no reason why this special favor should be extended to Mr. Howell.

Mr. Howell left the court room with the deputy sheriff. He was taken to the county juil where he spent the morning. Attorney W. P. Thomas left at 1:50 p. m. for Lincoln with the bill of exceptions

Jall and Fine for Howell.

While in the county jail Mr. Howall was locked in a cell, the sheriff refusing to grant him the courtesy of sitting in the the regular jall dinner was served at 2:30 Lulu Spry substitute. o'clock, but he ate nothing.

Action at Lincoln.

LINCOLN, Neb., March 30.-(Special Telegram.)-A supersedeas bond in the sum of \$5,000 was granted by the supreme court at 5 o'clock this afternoon on application | master at Hilldale, Mills county, Iowa, vice | of the attorneys for S. E. Howell, the Omaha R. H. Sharp, resigned. coal dealer sentenced by Judge Sutton for violation of the anti-trust law. The bill exception was brought to Lincoln by W. P. Thomas and the bond approved b this court supermedenaing the sentence until PAPAL RECORDS TO BE PUBLIC final hearing in the supreme court of the appeal Harry Lindsay, clerk of the court. Decuments Seised by French Governimmediately telephoned the action of the court to Sheriff McDonald, who had Howell in custody. The hond was signed by J. A. Sunderland and others.

Stolen Figure is Recovered.

frontide

MILAN, March 20 -- De La Robia's re- 164 votes, adopted the motion presented by Mr. Jerome admitted that they had. The nowned figure in terrs cotts of the Virgin, the Jaures group of socialists calling for which was stolen recently from Count the appointment of a commission to make been adduesd in court, however, and he eral subjects connected with the operation Forsellt's villa has been located and the public the contents of the documents seized could not put it into the hopothetical ques- of the road." Work has not yet con man believed to have stolen it taken into at the papal nunclature after the ex- tion. custody. Several other persons thought pulsion from France of Mgr. Montagnini, to have knowledge of the theft have also who was secretary of the nunciature. been arrested. It is believed the thief was Premier Clemenceau and Foreign Minister been arrested. It is believed the thier was acting on behalf of English or French dealars. He was arrested at Ventimiglia, white trying to get the figure across the papers was amply justified by their conwhile trying to get the figure across the papers was amply justified by their coninnts.

LOCAL S. E. Howell, president of the Omaha Coal exchange, is sentenced to pay a fine of \$1,000 and serve six months in county jail for conspiracy in restraint of trade

and appeals case to the supreme court. Page 1 Abstracters are barred from membership in the Omaha Real Estate exchange upon formal vote of the latter at a regular

Page 1

The

climax

Page 11 meeting. Ignatius J. Dunn's attempt in a bill in the legislature to cheat Omaha and Douglas county out of thousands of dollars of proceeds from scavenger tax sales is effectually exposed. Page 4

The purchase by the Great Western of fourteen lots on the south side is believed to be for the use of the Ziegler Coal company, owned by Joseph Leiter, at Ziegler, Ill. Page 7 President Johnson of the city council insists that city be remunerated by railroads and other corporations for vacation

of streets for use of latter. .Page 7 Leonard Weigand of Knox county, 83 years of age, marries Miss Mattie Douglass of Oakland, Neb., 32 years of age. Page 1I

if I could get the facts before you they WESTERN MATTERS AT CAPITAL would shock and horrify the conscience

ory, S. D .- New Postmusters, Postoffices and Rural Carriers.

(From a Staff Correspondent.) WABHINGTON, March 20.-(Special Telegram.)--Upon recommendation of Congressman Kennedy, Dr. J. M. Casey has been appointed pension examining surgeon at has watched this defendant sitting here at Keokuk, Ia., vice Dr. G. P. Neal.

The First National bank of Gregory, S. D., has been authorized to begin business with £5.000 capital. Henry P. Slaughter is president, Dwight F. Felton and John D. proceedings." Haskell vice-presidents, and Edgar M. Hood cashier.

Rural carriers appointed for Nebraska routes: Arapahoe, route 1, Alfred S. Faris carrier, E. B. Hudson substitute; Brownville, route 1. Joseph Baker carrier, Jimmie Baker substitute; Cushing, route 1, Clyde Sears carrier, George Cochran substitute; office. The matron offered him food when Havelock, route 3, Samuel Spry carrier,

Complete rural free delivery service has er's family, but the defense had falled been ordered established April 6 in Blackto bring out these matters in the testihawk county, Iowa, making the total number of routes twenty-seven. Levi Muncie has been appointed postmony. Says Thaw Has Paranola.

by the state all the facts in my possession."

A postoffice has been established at Van. Banner county, Nebraska, with Thomas Vanpelt postmaster.

delusions; that acting under these insanc delusions he killed Stanford White, but

ment May Be Pub-

and knew the act to be wrong." linhed. today the Chamber of Deputies, by 270 to the long hypothetical question in court.

evidence he submitted to them had not

"Now that they have put Dr. Hamilton on the stand," explained Mr. Jerome, "I have my first opportunity of laying be-

Jury Sent from Room.

was precipitated by the action of the dc-

cluding the defendant's family history

from the room. Then the discussion took

on that broader range which resulted in the

trial is concluded I find that they were in

Bingaman and Deemar, two of the Thaw

cerning epilepsy on both sides of the prison-

the court in strictly legal form.

(Continued on Fourth Page.)

made by his attorney, F. G. Hamer, to secure the commutation to a life sentence by the governor.

it is thought a determined effort will be agent for all who desired privileges from

Fage 1 Lane Hamilton, the alienist, who was first called into the case by Thaw's original BEATRICE MAN HANGS HIMSELF fourteen members of the board of super- I. Crawford of South Dakota obtained poslawyers, Black, Olcott, Gruber and Bon-

ynge, but who was dismissed, together with Body Found by Daughter Who Went chise. them, when he reported Thaw was suffering to Call Him for Breakfast.

from a form of paranola, which might BEATRICE, Neb., March 20 .- (Special Telegram.)-M. L. Firoved, an old and never be cured. It was the intention of Mr. Delmas to interrogate Dr. Hamilton only with reference to four visits he made to an early hour today in his barn. Mr. Firoved was a prominent stock buyer of Thaw in June and July. Mr. Jerome promptly objected, saying if Dr. Hamilton this city, having resided here more than vas to testify at all he must tell everything twenty years. He was about fifty years of he knew in connection with the case, inage, and leaves a wife and three children. He went to the barn to do the chores as The argument which ensued became so pertinent to the question of the present sanity or insanity of the defendant that Reed was immediately notified and will hold Justice Fitzgerald ordered the jury to retire an inquest.

Dies While Alone in Cabin.

HARRISON, Neb., March 20.-(Special.)court's determination before proceeding The lifeless body of Benjamin F. Davenfurther to have presented to him the facts which the district attorney asserted had port, who lived alone, was found yester- United railroads, of which the political boss the proving up time came. been withheld from the jury by the defense day at noon at his home, seventeen miles and which he had been unable to give to southeast of here. Death came as a result amount \$4,000 is said to have been given to

attack of pleurisy. Mr. Davenport came \$10,000 each and one \$15,000. Unprofessional Conduct Charged. here from Chicago about eight months ago. "If the real facts were known," declared Mr. Jerome, "I have no right to be here trying this man for his life. But the knowledge I have cannot be put in legal form

before the jury. It is mostly hearsay. But it was learned that he was a prominent Mason, belonging to Lodge No. 211, Chlcago, been collected for Ruef. In the alleged He had no relatives here, but has a son, deal by which the gas company was given of the court and instantly this case would Fred L. Davenport, a former resident of an iS-cent rate it is charged that \$12,000 was James Kimberlin and His Victim Both Omaha, now of Petoskey, Mich., and other divided among sixteen of the supervisors be stopped. So deeply have I been impressed with this that I have served notice relatives in Chicago. The body was sent in sums of \$750 each, but the amount sup on the counsel of record that if when this to Chicago for burial.

Funds for the Starving Chinese.

possession of facts which I believe to be i AUBURN, Neb., March 30.-(Special.)their possession I shall call the matter to the attention of the appellate division of the supreme court. I feel very bitterly about this matter. There is not a man who this table that does not know that as he sis there he is incapable of advising his to the starving Chinese. It was decided have also taken \$6,000 each from Halsey to counsel. Thus, under the statutes, it being faithfully, keep up their work, as they comes the duty of the court to stop the

Mr. Delmas sought to have Mr. Jerome collecting funds. Mrs. E. Guy Simpson, place himself on record as formally ap- who has the promise of the support of today. plying for a lunacy commission, but the other local musicians, agreed to give a district attorney would only repeat that musical, the proceeds to go into the relief

fund. The fund is to be sent through the day's indictments "was the beginning of he was directing the attention of the court to a matter which might appeal to his Christian Herald. conscience. Mr. Jerome said that Drs.

Cass County Retailers Organize. PLATTSMOUTH, Neb., March 20 .- (Spe

family physicians, had told him facts concial Telegram.)-A large number of enthusiastic retail merchants of Cass county met here this afternoon and organized the Cass County Retailers' association and elected the following officers: President,

C. C. Wescott; vice president, H. E. Weide "I submitted to the alienists summoned man; treasurer, Frank Sheldon of Nehawka; executive committee, W. F. Diers said Mr. Jerome, "and they one and all of Louisville, L. F. Langhorst of Eiminformed me that the defendant is suffer- wood. Edwin Metcalf of Greenwood and ing from a disease called paranoia. the Henry Gering. The speakers were M. A. chief characteristics of which are insane Hostetter, W. J. Pilkingler and Fred Diers.

Northwestern Officials Confer.

that within the legal definition of insanity he knew the nature and quality of his act other points were in town yesterday and in dence in any case with the investigation consultation at headquarters during the Justice Fitzgerald wanted to know if the alienists had informed the district at- morning and afternoon, taking dinner PARIS. March 20.-After a lively debate torney of their opinions before answering gether at noon at the New York hotel. They included all heads of the operating departments in this vicinity. The object of the meeting, they said, was to consider "genon the Northwestern freight depot. It is expected it will be built this spring.

lianker in Prison.

prisonment, was brought here today and placed in the United States panitanties

The indictments against Halsey charge WASHINGTON, March 20 .- Steps are now the agent of the Pacific State Telephone under way in the general land office to and Telegraph company with having bribed

visors to refuse the rival company a fran-

Heavy Bail Required. tary Garfield of the Department of the In-Judge Coffey fixed the ball at \$10,000 on highly respected citizen, hanged himself at each indictment, or a total of \$650,000 for Governor Crawford recently published in Ruef and \$199,000 for Halsey. The latter the Congressional Record by Representative is a brother-in-law of the late John I. Mann of Illinois. The secretary says crim-Sabin, formerly president of the Pacific inal prosecutions are now barred in this the reports these companies are to file are States Telephone and Telegraph company, transaction by the statute of limitation and later at the head of the telephone system all that can be done is to restore the land in Chicago, and a brother-in-law of Louis to the public domain. This action, he pre- Cone proposed, and which Clarke agreed to usual and when his daughter went to call Glass, president of the Philippine Telephone dicts will be taken. him to breakfast found him dead. Coroner company. Halsey has been in Manila in- The charge of Representative Mann is not on the right-of-way, and therefore as-

under surveillance for several days and ploy to make entry to certain land which papers for extradition are being taken out | was fenced in by him as a part of his catand orders for his arrest have been cabled. He ranch; that the entrymen stayed on the In the overhead trolley deal Ruef, accord- land in question but one night when the will be distributed over the state, and thus ing to Burns, was given \$455,000 by the entry was made, and one other night when changes the present law governing the as-Secretary Garfield says:

is alleged to have divided \$91,000. Of this The criminal prosecutions in the case are ow barred by the statute of limitation he commutation proofs, however, upor of heart disease, aggravated by a severe each of fourteen supervisors, two received The commutation proofs, however, upon which the investigation was first started

In the restricting of boxing permits to the settling on a Kinkald homestead, and has big four of the fight trust the indictment lived alone most of the time. He was 59 charges that \$500 was given to each of eightyears old, and from papers on his person een supervisors, or a total of \$9,000, althe matter. though a fund of \$20,000 was said to have MAN KILLS WIFE AND HIMSELF

> posed to have been received by Gallagher is not known. Besides the \$25,000 bid for

its franchise, Ruef is charged with having held at the Christian church last night for Telephone company for the granting of a the purpose of formulating plans for a franchise to install its system in the city. campaign in the town and vicinity for the In this connection it is noteworthy that that the canvamers, who have been work- prevent the granting of the franchise to against Haisey, only ten of which were filed apparently about 30 years old.

Prominent Men Implicated.

Assistant Attorney Heney stated that to the end of Ruef," but merely the beginning of the work of exposing the municipal corruption in San Francisco, and the prosecution of those "high up, who are responsible for such conditions in this city."

District Attorney Langdon said immedistely after the indictments had been filed; "The remarkable organization of this

grafting and corruption in the municipal affairs in San Francisco, its amazing ramiter class of citizens, will appal not only the city, but the entire country when it is fully laid bare."

"This is only the beginning." declared Secret Serevice Agent Burns. "The evi- held today. fence in the indictments filed today and others that have been returned, but for FREMONT, Neb., March 20.-(Bpecial.)- the present will remain secret, is abso-Northwestern officials from Omaha and lutely conclusive and as perfect as the evi-

> of which I have been connected. "Ruef acted as broker and agent," continued, "between the corporations and

the board of supervisors in all matters pertaining to the obtaining of privileges from the city fathers."

Burns denied that he had been ordered back to Washington, as reported, and declared that it might take an entire year yet to complete the work he and Heney had undertaken here. He asserts that

every department in the city will be thoroughly investigated. Consternation seemed to reign in Ruef's

(Continued on Fourth Page.)

One Amendment Adopted.

Cancelled.

Dead When the Police

Arrive

As outlined in The Bee this morning, th measure was amended so that the state board should assess the rolling stock and franchise and distribute the value thereof session of certain public lands in that state. to the various towns and cities, while the This statement was made today by Secre- local assessors should assess only the tangfbie property. This, of course, will remove terior, called forth by the charges against from the provisions of the bill the private car lines and leave them to the tender mercies of the state board, which will distribute the value as it does now, though much more thorough and contain much more detail. Another amendment which accept, provided that all railroad property stalling a telephone system. He has been that Crawford paid young men in his em- seased locally, should be distributed as the right-of-way property is now distributed. This amendment means that the shops in the various towns now assessed locally

fuse to go back on their pledges merely to

drag railroad chestnuts out of the fire.

sessment of this property.

After the house had finished bills on third reading Clarke of Douglas moved that it go into committee of the whole to consider S. F. 261, the terminal tax bill. Hamer at the new under suspension, and those can be cancelled. Steps are now under way in the general land office to take that action. This appears to be all that can be done in make the motion believing the action of the house on the measure will be unfavorable. I make it so the house can dispose of the bill and begin consideration of other meas.

Clarke Defends Bill.

"This measure has been hafore the legislature for the last four years," suld Clarke in answer. "The people are becoming so In a little dingy room at 1304 Dodge street divided among thirteen of the city father's there occurred a double tragedy last night well educated on the question that it formed A mass meeting of citizens of Auburn was the sum of \$2,000 received from the Home at 9:15 o'clock which ended the lives of part of the platform of one party and James Kimberlin and his wife, Visie, came very near getting into the platform There were no witnesses to the tragedy, of another party. As I made clear to you but the man and woman were found dead, the other day, only a few small towns on purpose of raising a relief fund to be sent fourteen of the supervisors are alleged to he with a bullet hole just behind the left the main line of the Union Pacific will loss ear and still grasping a 32-caliber pistol a cent. Even the governor, the secretary in his hand and she with a bullet hole in of state and the secretary of the State the Home company and it is understood both her breasts and one behind her left Board of Assessment say all of the towns have been accomplishing a great deal in that fourteen indictments were returned car. Both parties are colored, and both will gain under this bill. This bill is a question of right. The railronds come in

Mrs. Maggle Mitchell, who has a room and take our property and pay no city back of the one they occupied, and of whom taxes. They tell you the bill will take they rented, heard several platol shots in from the farmers. It won't do it. It won't their room and telephoned the police. When even take from the towns. The railroads the pelice broke in the door they were met get fire and police protection and all the with a ghastly sight. The two corpses advantages of the towns and cities and they were lying on the floor, the man's head rest- should pay for it. The railroads have ing in the woman's lap, both their faces taken some of you up to the top of a high powder-burned and splattered with blood, mountain and pointed to Omaha and Lin-Every appearance indicates that the man coin and told you if you will not compel murdered the woman and then turned his them to pay a tax on their city property, platol on himself. they will give you one-tenth of the prop-

ures."

Little is known of the couple in Omaha, erty located there. While they talk to you they having come here from Peoria, III., they have their hands in your side pockets. fications, involving millionaires and the bet- about three months ago. Papers in his If Omaha were to be destroyed by a big pockets indicate that his mother, Louisa fire you would gladly come to our assist-Kimberlin, lives at 314 Commercial avenue, ance. From the farm and towns you would Peoria. The bodies were taken charge of pour in help. Now give us justice. We by Coroner Brailey and an inquest will be ask not for charity. If the railroads of-

fered you a bribe you would spurn it, yet they tell you if you let them escape taxes FORECAST OF THE WEATHER they will help your town. Along the Burlington, \$4,000 m mile is distributed, or \$800 for assessment purposes. How much does that amount to in your towns? IS and \$16, all according to your levy. We are abaolutely square on this proposition and prom. ine you, you will not lose. There was a question of the local assessor placing a value on the franchise. We have stricken For Nebraska-Cloudy Thursday, rain and that out and left it to the state board to colder in northwest portion in afternoon or assess the franchise and distribute the value. Former Chief Justice Bullivan saya For Iswa-Partly cloudy and warmer this is legal. Let us try this bill for one Thursday, showers at night or Friday, year. If it don't do as we say, we will help you repeal it."

For South Dakota-Rain and coider E. P. Brown of Lancastor spoke against Thursday afternoon or night; Friday, fair the Hamer motion. He wanted the bill discussed in committee of the whole.

Quackenbush came out squarely for the] and Friday, with showers in west portion. [bill as a matter of justice after discover-

Cloudy in Nebraska Today-Rain and Colder in Northwest Portion in Afternoon or Night. WASHINGTON, March 20 .- Forecast of the weather for Thursday and Friday:

night; Friday, partly cloudy and colder. colder Friday.

camp today. Following a long conference and colder.

For Wyoming-Generally cloudy Thursday