

tried for his life for the murder of Steinberg. Pettibone is described as an easy-going, big-hearted fellow who had allowed the creature to crawl to worm his way into his house. It was more important for Pettibone to wait and take the stand in his own behalf than to lay himself open in the trial of Haywood, much as Pettibone would have liked to testify for the prisoner at the bar.

The reason the defense put Moyer on the stand, while he, too, is awaiting trial, Darrow said, is that there is no evidence of any sort for Moyer to explain. He expressed the belief that Moyer never would be tried, for he did not believe that a prosecution even so foolish as the one against Haywood would dare to put a man on trial with such flimsy evidence as could be entered against Moyer.

Mr. Darrow demanded to know why Detectives McPartland and Sterling were not indicted, saying that to the latter especially had been brought home some of the most serious things in the case. He said he referred to the Independence de not explosion, which he charged up directly to the Mine Owners' association. "I don't believe they intended to kill fourteen men or any men, but they wanted to put up a job, as they did in the train wrecking case, so that they might take the law in their own hands and drive out the Western Federation of Miners and all the men, women and children in the district who dared to sympathize with them."

Mr. Darrow picked out the story told by Orchard as to the plans for kidnaping August Paulson's children. Orchard had been lying. "He says Dave Costes suggested, Oh, yes, somebody was always suggesting these things to Orchard. He never did a criminal act of his own volition in his life. But if you men can find a way to believe Orchard in preference to Dave Costes, I don't know how you can ever make peace with your conscience of your Maker. And if you can find no way of believing Orchard in this instance, you must know he has been lying and lying since his conversion."

Plunging vigorously into the Cripple Creek troubles, Mr. Darrow declared that "when some day the people get the right angle of this case and look back upon the Colorado labor struggles, they will have read one of the most important and pregnant chapters in the history of the United States."

"Talk about law and order," he exclaimed, "nowhere in all the world has law and order been trampled in the dust as it was at Cripple Creek by the Mine Owners' association and the cohorts, the respectables—merchants, bankers and the like—and the disreputables—the gun men."

Eulogized all the witnesses introduced in the case by the defense. He said they had all been called murderers, perjurers and assassins by Hawley, but they were all brave men, not sneaking, cringing cowards who would tie a bomb to a man's front door and sneak off into the night. No, they stood in the open and fought fairly when they did their duty.

### DEADLOCK IN NORTH CAROLINA

#### State and Federal Authorities Unable to Agree on Modus Vivendi.

### GOVERNOR GLENN STANDS PAT

#### He Refuses to Consider Any Plan that Does Not Provide for Enforcing Law Pending Litigation.

RALEIGH, N. C., July 25.—Nothing came from the conference today between Assistant United States Attorney General Edward T. Sanford and Governor Glenn concerning a basis of settlement of the pending railway rate question between the state and the Southern railway involving the jurisdiction of state and federal courts. Governor Glenn emphasized the statement that it would be useless for the railways to make any proposition that did not first provide that the state rate law should go into effect pending the result of litigation and that if the railroads refused his offer the state would in a perfectly legal way, continue to execute the law as he sees it. If necessary, he announced, he will call an extra session of the general assembly that it may act as it sees fit on all matters affecting the pending litigation; that as he gets his authority and power through it, that body alone by way of eminent domain, etc., can control and regulate railroads acting in defiance of both the law and the proceedings of the legally constituted state courts.

An extra session seems inevitable as a basis of settlement. The governor suggested to Mr. Sanford the following which he wired to the state solicitor at Asheville:

"That the 2 1/2 cent rate can be put into effect at once by the railroads until a final legal settlement, the state to appeal from the order of Judge Pritchard discharging from the custody the Southern railway ticket agents in Asheville; the Southern railway to appeal to the supreme court of North Carolina to the Wake county case, in which the company was fined \$100,000, if it decided against it, to go by writ of error to the supreme court of the United States; each side to co-operate to have both cases advanced, argued together and speedily determined; the state at its option to indict the Atlantic Coast Line in one case for violation of the rate law; all other indictments to be stopped pending a final determination of the case; the governor to advise all people against bringing pending suits pending final determination, and to ask the people as a whole to acquiesce in these arrangements, the injunction suit pending before Judge Pritchard to be diligently prosecuted without the state waiving any question of jurisdiction."

Miss Mattie Campbell, Sioux Falls, S. D., July 25.—(Special.)—Miss Mattie Campbell, who about two years ago assumed the duties of matron of the Sioux Falls penitentiary, is dead as the result of an illness extending over a period of several weeks.

### OMAHA MEN START BANK

OMAHA FALLS, Ia., July 25.—(Special.)—Omaha capital is interested in a new bank just started in this part of Iowa. The institution is located at Rodney, Ia., and the president and cashier are Omaha men. The bank is known as the Rodney Savings bank and is capitalized at \$100,000. Dr. Stewart B. McDermid of Omaha is president and Elks and other city in which the order has ever held a national gathering. The entertainment was superb and directed along the most elaborate lines. The old city was a blaze of glory in honor of its guests.

"I visited Washington, Arlington, Mount Vernon, Baltimore and New York and certainly enjoyed the trip very much."

"I was particularly impressed, as every visitor is, with the gigantic enterprise of the Pennsylvania railroad in building its new terminals in New York. It is constructing a subway entrance under the river and the undertaking is enough to stagger the ordinary comprehension. Union station being built in Washington is an object of profound admiration. Its cost, \$10,000,000 is sufficient to arrest the attention of everybody."

Imbued with the belief it is his duty to do whatever he can for his own race, John B. Bacon will employ only colored laborers in building his new apartment house at the northeast corner of Seventh and Cumming streets. More than that, the building will be for the use of negroes exclusively.

Mr. Bacon was formerly employed as a bookkeeper in Sioux City and a few years ago became a home bootblack. He saved his money and is now comparatively wealthy.

A year ago he bought a piece of ground, sixty-six feet square at Seventeenth and Cumming streets, Omaha. He bought on installment and is now just about to pay off the last of the \$4,000 which the property cost him. In the meantime he has sold some property in Sioux City and now promises to erect a \$10,000 apartment house on his Omaha lot.

J. W. Edinger has bought from W. H. Edinger a house and lot on Franklin street, between Twenty-seventh and Twenty-eighth, for \$2,900.

Mrs. Bessie Campbell, who has recently come to Omaha from San Francisco, has bought C. W. Irwin's residence at 1214 South Twenty-eighth street. She paid \$4,000.

### MEN FOR FIRE AND POLICE

Both Forces Need Increasing and Board Will Examine Applicants Monday.

Monday night the Board of Fire and Police Commissioners will examine applicants for position on the fire and police forces. At present three vacancies exist which must be filled on the police force and about half a dozen or twenty men is desired for the fire department.

About forty men were appointed to the fire department when the new double shift law went into effect, and the chief of the department reports the new men doing comparatively well, although they have had practically no opportunity to show what they can do at a fire. Drills are held every day and the pace has proved too swift for at least two of the "rookies," who surrendered their jobs at the last meeting of the board.

### O'BRIEN PLANS NEW FACTORY

Unable to Release Gahn Building, He May Erect Structure of His Own.

D. J. O'Brien has returned from a visit at the home of his parents at Lewiston, Me. Mr. O'Brien had a talk with the owners of the Gahn block, which is occupied by his candy factory, but he was unable to come to any agreement with them regarding a release of the Gahn building when the present lease expires, which will be two years from this summer. The result is, says Mr. O'Brien, that he will probably erect a new candy factory for next summer.

### DEMOCRATS HAVE TWO SLATES

#### Dahlmanites Endorse Republican District Judges for Re-Election.

### TWO FACTIONS AGREE ON THREE

#### Jacksonians and Their Rival Brethren Are to Meet Tonight to Thresh Over Plans for Peace.

Tonight when the committees of the Dahlman Democracy club and the Jacksonian club meet further to consider the question of candidates they may not find themselves as far apart as supposed, but a number of points of divergence will still be wiped out only with difficulty, as the friends of some men on both sides declare they will not yield, and there are not enough officers for all.

The demands of Jacksonians, as outlined by a member of the committee who acknowledged there might be trouble in getting all persons mentioned to take a place on the ticket are as follows:

- For County Judge—George W. Shields, former county judge and former county attorney.
- For Police Judge—Omaha—William W. Dodge, a lawyer with offices in the New York Life building.
- For District Court Clerk—A. M. Gallagher of South Omaha, now deputy district clerk.
- For County Clerk—Frank J. Chrisman, former clerk of South Omaha.
- For Sheriff—John C. Drexel, former sheriff and former county clerk.
- For Treasurer—G. Fred Elsasser, former county treasurer.
- For Comptroller—C. W. Lindeman, bookkeeper for Hugh Murphy.
- For Coroner—Dr. Frederick W. Lake.
- For Surveyor—Lewis Bickenseder, a civil engineer, who once sought the republican nomination.
- For Superintendent—A. E. Patton, who runs a new stand and confectionery store at Twentieth and Lake streets.
- For Assessor—George T. Morton, real estate man.
- For County Commissioner—Fourth district, John Power; for South Omaha district, any person agreeable to Magic City democrats.

Line-Up of Dahlmanites. The Dahlman democracy line-up is given out by a man not on the committee, but in a position to tell just what the committee is instructed to do, is as follows:

- For District Judges—Lee S. Estelle, A. L. Sutton, John O. Velez, W. G. Sears, E. C. Page, J. A. C. Kennedy and Clark O'Hanlon of Blair.
- For County Clerk—John Wear, a lawyer with offices with Louis J. Platt.
- For Police Judge—Fred W. Anheuser, a young lawyer.
- For District Court Clerk—A. M. Gallagher.
- For County Clerk—Frank J. Chrisman of South Omaha.
- For Sheriff—John Power, former sheriff.
- For Treasurer—G. Fred Elsasser.
- For Comptroller—Thomas O'Connor, a young lawyer.
- For Coroner—Dr. Jensen, now assistant city physician.
- For Surveyor—Thomas Shaw, who tried to be city engineer.
- For Superintendent of Schools—Miss Hermione Blessing, a kindergarten instructor.
- For Assessor—Adrian Eloup.
- For County Commissioner—Fourth district, Emil Cermack; both Omaha, Richard O'Keefe.

It will be noticed that the Dahlman Democracy has decided that an endorsement of part of the republican judicial ticket might result in "putting the judiciary out of politics" to the extent of helping to put some democrats in office.

The conference promises to be interesting as much from the standpoint of securing winning candidates as from its "harmony" feature, since a number of those mentioned by either club have positively declined to accept any circumstances. The two factions agree on Christian, Page, Elsasser, Gallagher, and O'Hanlon of Blair.

### TAKEN AT HUSBAND'S GRAVE

#### Officers at Muncie, Ind., Find that Speer was Poisoned by His Wife.

MUNCIE, Ind., July 25.—Arnold Crouse, alias Edward Graf, aged 23 years, was arrested last night in connection with the recent mysterious Speer poisoning case at Lima, O. Crouse was a boarder at the Speer home and left after the detention of Mrs. Speer on suspicion of having poisoned her husband. She was taken in charge at the cemetery, where her husband was being buried. An analysis of his stomach showed it contained strychnine. Crouse has been much sought since then. The police found in Crouse's possession a letter addressed to Mrs. Speer, whom he called "sweetheart."

When the case was taken, but on one after selling her household goods and her husband's property. The letter also directed Mrs. Speer to sell some oil property belonging to Crouse and meet him as soon as possible.

### PAY DIVIDENDS QUARTERLY

#### Union Pacific Is to Alter System of Paying Earnings on Its Stock.

NEW YORK, July 25.—At the meeting of the Union Pacific board today no action in regard to dividends was taken, but the executive committee of the Southern Pacific company will recommend to the board of directors advancing the dividend from 5 per cent annually to 1 1/2 per cent quarterly. This recommendation is to be acted upon by the board of directors of the Southern Pacific at its August meeting. This arrangement will give the Union Pacific \$500,000 additional revenue per annum. The statements of earnings of both corporations are such that the proposed dividends of both companies are understood to be very conservative.

### CROPS NOT SERIOUSLY DAMAGED.

#### MITCHELL S. D., July 25.—(Special.)—After the various storms which have swept over this county in the last ten days there was some apprehension that the crop situation was bad on account of the damage done by wind and hail. Reports that have come from the sections that were hit the hardest show a much better condition than was supposed to prevail. Corn which was believed to be damaged over 50 per cent shows that it was not injured beyond 30 per cent and the wheat will be larger because of the heavy rains which prevailed at the time. Many fields of oats which were laid low it is believed can be saved to a great extent and the damage will be slight in comparison.

### STAMP MILL ON COPPER MOUNTAIN.

SHOSHONI, Wyo., July 25.—(Special.)—The first stamp mill on Copper Mountain has just been started up at the Gold Nugget mine. Just about two years ago the discovery was made and there is now enough ore blocked out to keep the mill running steadily for two years to come. A gravity system of handling has been adopted and

### TABLES TURN IN MOMENT

#### Watchman Unconsciously Arresting Two Detectives Seeking Bribe and Gets Caught.

D. A. Smith, armed with a deputy sheriff's badge and a large revolver made a wolfish attempt Thursday morning to arrest two plain clothes policemen, Officers Starr and Miller.

Smith met the two officers and in his capacity as watchman for the Union Pacific, declared they were too inquisitive and must follow him to jail. This they said they were willing to do. The trio started for the station with Smith as the arresting officer. On the way he balked and offered to let them go for a slight consideration. For that inducement he found himself arriving at the station as the prisoner. He was wanted for stealing ten dollars from the Hansen hotel at Seventh and Leavenworth.

### LINCOLN BOY IS PROSTRATED

#### Twice Overcome by Heat Watching Circus Parade—Deaths in St. Louis.

LINCOLN, Neb., July 25.—Louis Vandekok, 12 years old, was twice overcome by heat while watching a circus parade this morning. His condition is serious.

ST. LOUIS, July 25.—During the past twenty-four hours two deaths and eighteen prostrations have been reported due to the excessive heat. At noon the temperature registered 93 degrees.

### DEATH RECORD.

E. J. H. Tamsen. NEW YORK, July 25.—E. J. H. Tamsen, ex-sheriff of New York county, is dead at his home here following a stroke of paralysis. He was 58 years old and for years was a well known figure in German-American circles. It was while he was sheriff from 1894 to 1897 that an incident occurred that made Sheriff Tamsen famous the country over. Three notorious postoffice thieves were confined in Ludlow street jail at that time. They succeeded in getting away from the German-American keeper, Mr. Tamsen had put in charge of the jail. When one of the keepers discovered the escape he rushed excitedly into the streets, crying "Der chail is out, der chail is out." The cry went all over the country and the incident was seized upon as typical of Sheriff Tamsen's administration, which it was by no means.

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### LOOKING UP COLE'S RECORD.

ST. LOUIS, July 25.—Kolly Cole, aged 23, who was arrested here yesterday on the charges of having passed bogus bank notes, is being held by the federal authorities. A counterfeit half dollar was found in his room. Cole who is somewhat of a writer and has hundreds of manuscripts, some of which he did not counterfeit any money, but said his roommate had made considerable spurious money. The man is being searched for and Cole will be given a hearing before United States Commissioner Morrey.

### TURNER WILL FACE COURT.

BOSTON, July 25.—Charles B. Turner, who was arrested in Nantucket, Friday on the charge of embezzling \$700 from the post-office at Oakland, Cal., where he was formerly a clerk, will appear in court this morning before United States Commissioner Morrey.

### AGED DEFENDER IN PRISON.

ST. PAUL, Minn., July 25.—Thomas B. Clement, former president of the First National bank of St. Paul, was taken to prison yesterday afternoon and went to the penitentiary hospital. His condition is regarded as critical. He is 75 years of age.

### FIX DATE OF FINAL DEBATE.

ATLANTA, Ga., July 25.—Prohibition members of the house today agreed with the opponents of the prohibition bill on Monday as the date of the final debate and vote on the measure. The agreement was made a special order of the house.

### ARGUE PRESBYTERIAN CASE.

NASHVILLE, Tenn., July 25.—The noted Cumberland case was argued today at the Presbyterian church in the United States, it being argued here today.

### DAWES SPEAKS AT MILWAUKEE.

MILWAUKEE, Wis., July 25.—Charles G. Dawes addressed the Wisconsin "Defectors" association today on "The Defects of the Sherman Anti-Trust Law."

### TAKE A RECORD.

See How Many Friends Are Hurt by Coffee.

It would be just as reasonable for a temperance advocate to drink a little diluted whiskey as to drink coffee, for one is as truly an intoxicant as the other, and persistence in the use of coffee brings on a variety of chronic diseases, notorious among which are dyspepsia, heart palpitation (ultimately heart failure), frequently constipation, kidney troubles, many cases of weak eyes and trembling condition of the nerves.

These are only a few of the great variety of diseases which come from an unbalanced nervous system, caused by the persistent daily use of the drug, caffeine, which is the active principle of coffee. Another bit of prima facie evidence about coffee is that the victims of the habit find great difficulty in giving it up.

They will solemnly pledge to themselves day after day that they will abandon the use of it when they have the opportunity of shortening their days, but morning after morning they fall, until they grow to despise themselves for their lack of self control.

### ONLY TWO MORE DAYS OF

# JOS. F. BILZ FIRE SALE!

We find in locking over our stock that goods were but slightly damaged by water and smoke on our main floor, but we have decided to sell our entire stock this week, and for tomorrow for the first time we place on sale

## ALL GOODS FROM OUR ART NEEDLE DEPARTMENT AT LESS THAN HALF PRICE

- Pillow Cords, 25c kind ..... 10c
- Pillow Cords, 50c kind ..... 25c
- Pillow Ribbon, 25c kind ..... 10c
- Stamped Linens, 10c, 5c, 3c, 2c ..... 1c

## ALL OTHER GOODS IN PROPORTION

- All our own make, knit Jackets for men, \$3, \$4 and \$5 kind go for \$2.50 and \$2
- Our own make Sweaters, 50c, 75c and \$1
- 50c Neckwear, 10c and ..... 5c
- Infants' Vests, 10c and ..... 5c
- Madras Shirts, \$1 kind for ..... 35c

## FIRE SALE AT O'DONAHOE-REDMOND-NORMILE CO. BUILDING

# JOS. F. BILZ

Our Store at 322 South 16th St. Is Open for Business

the ore can be handled at a minimum of expense. Several mill runs were made before the installation of the mill and the lowest result was in the neighborhood of 25 per ton free milling gold.

### SOUTH DAKOTA PUBLIC INSTITUTIONS.

MITCHELL, S. D., July 25.—(Special.)—Through the courtesy of W. E. Tipton of this city, secretary of the Board of Charities and Corrections, some interesting facts and figures have been gleaned from the records of his office relative to the conditions of the various penal and charitable institutions of the state. At the close of the fiscal year, June 30, 1907, the population of the several institutions of the state contained the following: Training school, Plankinton, 71; Feeble Minded, Redfield, 153; School for Blind, Gary, 42; School for Deaf Mutes, Sioux Falls, 70; Penitentiary, Sioux Falls, 182; Hospital for Insane, Yankton, 67. This makes a total of 1,133 people of the feeble and defective classes in the state out of a population of less than 500,000 people, and it is an exceedingly low ratio as compared with other states. There are something over 200 of the feeble minded and blind and deaf classes in the state who are not in the institutions.

### MR. P. LEONARD.

He is cured, but Bright's disease, which always follows neglect of them, cannot. Go and get a bottle of Cooper's New Discovery and Cooper's Quick Relief and use them faithfully. Your backache will disappear because your kidney trouble is corrected—not for a day but for good. When your kidneys are in "ship-shape" there will be nothing more to cause it.

### FIREFMAN SERIOUSLY INJURED.

HURON, S. D., July 25.—(Special.)—Tuesday morning Fireman Luckow of this city was struck on the head with a slash bar while on his engine with Engineer Williams at Lake Preston. He was severely injured and it was several hours after being brought to his home in this city before he recovered consciousness. Mr. Luckow is married and has one child. It is thought he will recover.

### W. C. PORTER REAPPOINTED.

SIOUX FALLS, S. D., July 25.—(Special.)—William C. Porter of this city, who was recommended for reappointment to his position of assistant United States attorney for South Dakota by E. E. Warner of Alexandria when the latter on July 1 assumed the duties of United States attorney for South Dakota, has been appointed to the place by the attorney general of the United States.

### NEW FRATERNAL LODGE ORGANIZED.

HURON, S. D., July 25.—(Special.)—A new fraternal lodge has been organized here, to be known as Silver Leaf camp, Modern

Woodmen of the World. It starts out with a large list of charter members.

### DIPLOMATIC APPOINTMENTS.

OSTER RAY, Top 2 President Roosevelt today made the following appointments: James G. Bailey of Kentucky, to be secretary of legation at Copenhagen, Denmark, and Norman Hutchinson of California, to be secretary of legation and consul general of Roumania and Servia.

### SHORT TALKS BY L. T. COOPER.

BACKACHE. I can sympathize with a sufferer from this awful symptom of weak kidneys.

That soreness and pain in the small of the back tell too plainly of serious trouble behind it. It's not a hot water bottle or a plaster you need. That won't cure diseased kidneys. It may relieve you for a time, but why mask the real cause and allow the trouble to grow? Don't do it.

Weak kidneys can be cured, but Bright's disease, which always follows neglect of them, cannot. Go and get a bottle of Cooper's New Discovery and Cooper's Quick Relief and use them faithfully. Your backache will disappear because your kidney trouble is corrected—not for a day but for good. When your kidneys are in "ship-shape" there will be nothing more to cause it.

Here's a letter from a man who suffered for years in this way and took my advice.

"I have been in such bad health for some years that I finally had to give up work. I suffered from kidney trouble. My back was so sore and lame that I could scarcely get up and down. My stomach was also out of order, my nervous system broken down. I have been using the Cooper medicines for one week and actually feel like a new man. My food digests perfectly. The soreness and pain has entirely gone from my back and my kidneys are in fine shape. The medicine has strengthened me wonderfully and I cheerfully give you this testimonial for publication." Mr. F. Leonard, 49 School St., Allegheny, Pa.

We have heard a number of favorable comments on the Cooper preparations from people who have purchased them from us.

### BEATON DRUG CO.

15th and Farnam Sts.

## 40c BOX STATIONERY

## At Beaton's 15c

See display in our Farnam Street Window. We have just fifteen hundred boxes, so come early—if only to see the greatest bargain ever offered in Omaha, in box paper.

## Remember Only 15c a Box. Beaton Drug Co. AND HIS BAND

15th and Farnam. PATENTS NOT PROTECTED.

# Jetter's GOLD TOP

## THE PERFECT BEER

COOL, HEALTHFUL AND REFRESHING. Phone and we will deliver a case to your home.

JETTER BREWING CO. TELEPHONE NO. 3, SO. OMAHA. Omaha Headquarters, HUGO F. BILZ, 14th and Douglas, Tel. Doug. LEE MITCHELL, 1013 Main St., Telephone 80.

# Heyn

## Open Sundays

FROM 10 A. M. TO 4 P. M. for the convenience of busy people who wish portraits, family groups, etc.

Heyn's for High Quality. 313-317 So. 15th St. Granite Block.

# HEIDER

3, 4 and 5-Horse Eversors For SULKY, GANG and DISC PLOWS. Ask Your Dealer for "Heider" Eversors, or Write Us.

HEIDER MFG. CO., Mfrs. of all kinds of Eversors, Ladders, Etc. DEPT. 8. CARROLL, IOWA.

# DIAMONDS

## FRENZER 15 & DODGE

## AMUSEMENTS. KRUG PARK

## TO-DAY DUSS

THE FREELESS CONDUCTOR. SPECIAL PROGRAM. FRIDAY NIGHT—Wagner and American Composites. SATURDAY NIGHT—Beecher Nield.