

ENGLISH ON BECKER STORY

County Attorney Says it May Be Vital Link in Chain.

SORRY POLICE DID NOT TELL HIM

His First Knowledge of it Came from The Bee—Insurance Companies Now Get Busy in Court.

County Attorney English Saturday morning investigated the story of Mrs. J. A. Becker, who saw three strange men near her home at Forty-first and Dodge streets, about 2 o'clock on the morning of the shooting of Dr. Fred T. Rustin.

"The story she told me was substantially that printed in The Bee this morning," said Mr. English. "I know nothing of this case possible evidence until I saw it in The Bee. I talked to both Mrs. Becker and her daughter and got a complete statement."

"Do you consider the story important?" "It may be," he said. "Of course there may be no connection between the three men and the Rustin case. On the other hand there may be a close connection between them."

Mr. English expressed surprise and disappointment that the police, since a member of the force went to the Becker house and took Mrs. Becker's statement and that of her daughter the morning of the tragedy, did not see fit to give him the benefit of the information so that he might have made use of it at the inquest and in the early stages of the investigation.

Mr. English said he had heard nothing of the finding of a class structure, a cigar stump on the Rustin front porch the morning of the tragedy except what he had seen in the paper.

Insurance Companies Busy.

Three insurance companies in which Dr. Rustin carried accident policies have gone into district court to secure order "to perpetuate the testimony" of Mrs. Abbie Rice and Charles E. Davis. The application was made by Greene, Breckenridge & Maters, attorneys for all three companies. In order to preserve in such shape that it can be used in case a suit arises over the insurance, the most important parts of the statements given by Mrs. Rice and Mr. Davis.

The companies interested are the Aetna Life Insurance company of Hartford in which he held a policy of \$10,000; the Employers Liability Assurance Corporation of London in which he had a policy for \$5,000 and the Travelers Insurance company of Hartford in which he held an additional \$5,000.

The petition carefully avoids taking any position on the question as to how Dr. Rustin came to his death. It merely states his death occurred under circumstances that lead to a public inquiry and that Mrs. Rice and Mr. Davis were important witnesses. The petition also says the petitioners have reason to believe Mrs. Rustin will begin suit against them on the policies and the evidence of the two witnesses will be important.

The petitioners say they fear both of the witnesses may leave the state or disappear, so that this testimony could not be secured if suits should be filed.

"There is no significance to be attached to the filing of these applications," said Mr. Breckenridge. "We merely desire to preserve the testimony in case we should want to use it in the future. The evidence given before the coroner would be of little use to us in case the witnesses should disappear. This proceeding will enable us to put the evidence in shape to use it in case we cannot find the witnesses when the time comes."

Accompanying the applications was a list of questions to be asked each witness, covering the important points in the testimony before the coroner.

The hearing will be held before Judge Sutton next Saturday morning.

Wealth of Charles E. Davis. To carry out the provisions of the will of Thomas Davis, father of F. H. Davis, Charles E. Davis and Lathrop Davis, a stock company was formed four years after his death, in 1892, to be known as the

Thomas Davis Real Estate company. The capital stock of this incorporation was valued at \$28,000, and by the provisions of the agreement between the heirs each of the sons received one-fourth of the stock. Charles Davis was then entitled to his share of this company's property, which was directed by F. H. Davis, Lathrop Davis and C. T. Kountze. This share of the Davis company would be worth \$4,000 at par, and it is mentioned in the Davis will that from his father, C. E. Davis had received \$5000 in 1892. This makes the known property which has been in the possession of Mr. Davis about \$6,000.

Attorneys Fall on Chief. "We would rather talk about corn and what a fine thing the hot weather is for Nebraska's crop. This weather is great, isn't it?"

In this manner W. F. Gurley and Isaac E. Congdon, attorneys for Charles E. Davis, argued with the murder of Dr. Rustin, wanted off the newspaper men Saturday morning when they called on the chief of police in his office in the city hall. They declined to say if there was anything new in connection with the case and refused to divulge the nature of their call on the chief.

After they had gone, Chief Donahue gave it out that the attorneys for the defense wanted to freshen their minds some as to the route Dr. Rustin, Mrs. Rice, Charles Davis and any others are supposed to have taken on the night before or on the morning of the tragedy. The chief said he believed the attorneys had in mind a visit to the Rustin home, as they asked about the proceeds, how the house is situated, the direction of the barn from the house and kindred questions.

Chief Donahue says that the revolver with which Dr. Rustin was killed has not as yet been found and declines to say whether or not the detectives have been secured by the police working on the case.

Never Had Heavy Losses.

What disposition Mr. Davis has made of this property since he inherited it is not known, nor can a definite statement be gotten from either of his lawyers, I. E. Congdon and W. F. Gurley. It is known, however, that he has never suffered any heavy losses since he obtained his property and is a man of inexpensive habits. In the property which he has had a share, the whole block between Eighth and Ninth and Howard and Jackson, is included. It was originally held by his mother, Mrs. Elizabeth Davis, who left an estate of more than \$15,000 at her death in 1890, and Charles Davis received a share of this fortune. The block on Howard street is now in the possession of the Thomas Davis Real Estate company.

RUSS BARON VISITS ARMY

Military Attache of Czar's Embassy Comes to See the Signal Corps.

Baron de Bode, a military attache of the Russian embassy at Washington, is making a visit to Omaha for the purpose of watching the operations of the United States Signal Corps at Fort Omaha. The baron takes with every slight foreign accent and exhibits in his manner both his European birth and his diplomatic training. When questioned as to his purpose in visiting Omaha, as he stood in the lobby of the Paxton hotel Saturday morning, he pulled at his long military mustache and replied pleasantly, with a flourish of his cane:

"Oh, I am just here to visit the signal corps at Fort Omaha, where Colonel Glassford is in command. I understand. I am a military attache of the Russian embassy, you know, and I have been at Fort Riley, down in Kansas, watching the maneuvers there."

"I admire very much the American army. This is my first visit to this country and I do not like it around New York and Washington—too thickly settled. But in Kansas there is so much open space, it is like Russia. I can stay here only a short time, but I must go back to Washington, but I like this country; I like the land and open like my own country."

SCHOOL STARTS OFF WELL

First Week is Successful Despite Lack of Room, Says Superintendent Davidson.

"The first week of school has been eminently successful, even though we have been crowded for room and have an exceedingly large enrollment," said Superintendent Davidson of the city schools Saturday morning. "Every room in all the school buildings is crowded, especially in the high schools and the technical building, but we have got along very nicely, and I think we can manage all right until the additions to the several buildings are completed, when the congestion will be relieved somewhat."

The number enrolled for manual training at the high school is double that of last year, and J. E. Wigman, the instructor, says that he and his assistant have no rest hour during the day. There is a continuous stream of classes from the opening of school in the morning until the close in the afternoon, with the exception of twenty minutes during the noon hour.

PIECES OF MONEY ORDERS

Fragments Indicate Theft of Paper and Metal are Looking Into the Case.

Fragments of several partially destroyed postage money orders were found on Dodge street Friday afternoon by one of the letter carriers and turned over to the postoffice authorities for investigation. It was difficult to determine what the amounts of the orders were, but some of them were evidently payable in Omaha and one bore the postmark of Answorth. The orders had been torn into minute fragments as if having been destroyed for purpose and are evidently the proceeds of some robbery.

The impression prevails that the orders were stolen from some concern in Omaha. The only means of locating the destroyed orders will be the comparison of letters of advice from the issuing office when inquiry is made about them.

STREHLOW GETS BIG JOBS

Exposition Contractor Lands Contracts for Alaskan-Yukon-Pacific Show Buildings.

R. C. Strehlow, "exposition contractor," who has just completed the "Twin Majestic" apartments on North Sixteenth street, has secured a large number of contracts for buildings at Seattle for the Alaska-Yukon-Pacific exposition.

Mr. Strehlow, accompanied by Mrs. Strehlow, will leave Sunday for Seattle, where they will spend three weeks, and then go to California for about the same time. While in Seattle Mr. Strehlow will attend to business in connection with the buildings he will erect for the big exposition of the Pacific coast.

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GIRL DEFIES STILL HUNTERS. Kentucky's Maid of the Moonshine Outwits Government Officials. MIGHTY HANDY WITH A GUN. Asserts and Maintains Her Sovereign Right to Make Her Own Brand of Booze from Her Own Corn. Down behind a natural fortress of huge boulders in eastern Kentucky a woman who has not yet seen her thirtieth birthday is calmly, intrepidly and successfully defying the mighty government of the United States. A few days ago, single-handed, she bested back a posse of the best revenue officers Uncle Sam could muster. Her aim is true and her belief in her sovereign right to make her own brand of whisky from her own corn is supreme and immovable. Mary Fouts, aged 27, is America's only moonshine maid, and she is a moonshiner by birth, tradition and training. Her father was a moonshiner before her, and the several ramifications of her family hold records for battle with revenue officers that any moonshiner might envy. For forty years the Honover Creek district on the Knott-Floyd-Letcher border, has been a moonshine stronghold, the scene of many a pitched battle between moonshiner and government officials. Blood of both sides has stained its narrow ravines and picturesque mountain paths. If a record of lives sold for the mountain brew had been kept, doubtless the greater number of notches would have been cut by Uncle Sam. But when it came to this woman, this tall, stalwart, calm-eyed, sure-footed young woman, on her native death, Uncle Sam was baffled. Chivalry died hard, even when backed by law and justice, and to send his picked shots against a woman was more than even Uncle Sam wanted to do. In time the clash had to come, yet the woman won against the law and its armed officers.

Mary Fouts was born in the rude home where she now dwells, what is said to be the best brand of whisky obtainable in all Kentucky. Her baby eyes studied the still and her baby ears learned to catch quick, ominous whistles. Just as the child of the proverbial whistler accepts poverty as the price of parental genius, so the child of the king believes that royalty can do no wrong, so this child of the mountains believed that making whisky without government consent was the inalienable right of hill people. Faith in Mountain Traditions. Her parents were ambitious for the little Mary, however, and sent her to school, where she proved exceptionally bright and acquired an amount of "book learning" which dazzled her humble relatives. But she never forgot her love of the mountain life and never lost her grip on mountain traditions. When other girls were writing notes to their sweethearts in school or making paper dolls, Mary Fouts was drawing pictures of stills, and finally she succeeded in her

astonishing teacher a perfect reproduction of a still, including the "worm" which she had evolved from some odd bits of copper that came her way. During her 13th year, when home on her vacation, she made a "run" of very fair moonlight whisky in an old coffee boiler in her mother's kitchen. At 16, her education finished, Mary Fouts declared against music, frocks and cross-roads dances. She wanted the free, if hazardous, life of the moonshiner. A woman "shiner" Even bold Kentucky respect. Women there were who had protected their "men," and fought for their "men," and even died for their "men"—but a woman who wanted to be a leader of men in moonshining, well, that was going some. A few years later Mary Fouts came into her own. Her father died, and she became the head of her household and the manipulator of his famous still. And what was more, Mary Fouts made a whisky of no mean reputation. She raised her own crop of corn and coaxed it as only a farmer who loves his growing things can coax. And then she made it into the right sort of whisky, pure and unadulterated. Straight Goods, This. "I would not adulterate my whisky for any price, nor for the whole world," said Miss Fouts in a recent interview—and she meant it. No head of a great food factory ever regarded the output of his establishment with greater reverence and pride and affection than does Mary Fouts the produce of her illicit still. And down there in Kentucky when a man wants the real thing in whiskey he demands Mary Fouts' whisky, willingly paying the higher price asked for her brand. Now, of course, the United States government, with its mighty system of officers and spies, was a problem even for a great government. If Mary Fouts would kindly sneak out of her stronghold and murder a man in cold blood, then the law might take its course. But Mary Fouts was chivalrously peaceable and industrious. She attended strictly to her own business. Mary Fouts did not come to town nor hunt highways. But she certainly did know how to guard her property, particularly her still. This had a natural barricade of rocks, and behind this barricade Mary Fouts kept a collection of Winchester and ammunition which meant a fight to the finish—and it is a sorry thing for a posse of men to find themselves fighting against one intrepid woman who had been gully of no greater offense than turning the product of her own land into cash according to the methods followed by her ancestors for generations. And of these ancestors she was as proud as the sons of English nobility of the conquerors who fought under William the Conqueror. A Bold Defy. But something had to be done. There were seven counties against Miss Fouts. The government felt that patience, even with a fair woman, had ceased to be a

virtue. The dignity of the law must be maintained, without doubt, but it is possible, with blooded if necessary. But first a revenue officer sent to Miss Fouts by a trusted friend of the moonshiner this message in writing: "Meet us at the school house on Beaver Creek Thursday and promise you will never violate the law, never moonshine any more, and we will see to it that you are fully pardoned for all." "I will never meet you," was her curt reply, and to her mother she said: "There's no use talking. I will keep this still going in spite of all the government. It is a duty to you I mean to fulfill. Father stillled all his life and stillled good whisky. There is no reason why we shouldn't keep up the family reputation. They will never take me alive," she is said to have added. For you see, Mary Fouts, for all her contempt of government and the law, is no rude mountain woman of uncouth bearing and rougher speech. She is the embodiment of the twentieth century business woman—a bloom in Kentucky hills. So the quaint old Fouts homestead was put in a state of siege. The Winchester were cleaned, loaded and made ready. The revenue men were sure to come after that bold defiance. And come they did, headed by United States Marshal F. M. Blair, one of the most determined and successful men in the revenue service. With him was a picked posse, and before him, well harried by a natural bravado of impetuous rock, was Mary Fouts, the moonshine maid, with Winchester and ammunition enough to stand off an army. According to the officers' story they pressed forward and then Mary Fouts fired. She deliberately, say the revenue men, opened the fight and made it possible for the revenue men to do their duty. They returned the fire, to a man, but Mary Fouts was safe behind the bowlers. Onward they pressed, and for half an hour the mimic, one-sided battle raged; then Deputy Marshal Hiram Day fell, sorely wounded, and was carried away on a stretcher by his luffed companions. What will happen to Mary Fouts depends upon the outcome of Day's wound. If it proves fatal, as the doctors predict, Mary Fouts will have to face a charge of murder without the mitigating plea of self-defense, and Uncle Sam's sense of chivalry will not be violated. But at the time of writing, Mary Fouts, the moonshine maid, ranges undisturbed in the Kentucky hills, calmly "stilling" the corn-colored brew that is the pride and the joy of Kentucky connoisseurs.—New York World.

Music Translated. The crabled banjoist and the aged spinster sat suffering in the concert hall. The selections were apparently entirely unfamiliar to the gentleman, but when the "Wedding March" of Mendelssohn was begun he picked up his cane. "That sounds familiar," he said. "I'm not strong on these classical pieces, but there's a good 'un! What is it?" The spinster cast down her eyes. "That," she told him, demurely, "is the 'Maiden's Prayer'."—Judge. He could swallow claims faster than any man could open them, and he had Everett panting when he had reached the second hundred. But the opener had a reputation to sustain, and he manfully kept at his task. He struggled through the third hundred, then took another knife and began again. The man who had made the bet that his friend could not do the trick finally announced "600" and calmly paid over the \$10. "Why, that's nothing," said Little Neck Silas. "I could go 300 more without turning a hair." "Ten dollars more that you can't," said the friend. "You're on. Begin opening," answered the champion. On the contest went, and a 150 more claims went without a gasp. Then there appeared to be trouble, but the claims kept on disappearing. The 25 mark passed, and the end was in sight. At number 175 there was a gasp and it was all over. "Little Neck Silas," however, entered a protest. He had some claims larger than 100, and these had been used when the smaller ones were all gone. This was not allowed, however, and he had to give back the \$10 he had got for the first 400.—New York American.

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