

CURTAIN THE OUTLAW

Murderer of Policeman One of Most Notorious Desperadoes.
CAPTAIN DUNN KNEW HIM OF OLD
Makes Identification and Secures Admission from the Man.
DEVERESE IS STILL IMPROVING
Wounded Detective Gives Signs of Recovering from Bullets.
CURTAIN IS NOT SO WELL OFF

Murderer Calmly Smokes Cigarettes, Indifferent to His Fate—Over \$400 in Hand for Smith Family.
Patrolman Smith Fund.
Charles Hestis \$150.00
Cash 100.00
Kartman Furniture and Carpet Co. 25.18
See Publishing Company 25.00
World Publishing Company 25.00
Robert Gowell 25.00
Cash 25.00
Charles C. Sorenson 25.00
Henry Hoff and Employees 11.00
Edward W. Barton 10.00
Mr. and Mrs. W. L. Burke 10.00
Billard Langford, M. D. 8.00
Dr. Pierre C. Morley 8.00
Samuel Olson 1.00
Nick Dargawski 1.00
Andrew Larsen .50
Joe Mik. .50
Total \$444.15

PROGRESS IN TRAGEDY.
The slayer of Policeman Smith and assailant of Detective Devese has been identified and admits himself to be the famous outlaw, Jack Curtin.
Curtain prefers death to consequences; calmly smokes cigarettes in his bed, though peritonitis threatens him.
Devese shows improvement and promises to recover, having much better chance than his assailant.

Hugh Jackson, says Chief Donahue, is the real name of the murderer of Patrolman L. A. Smith and the assailant of Detective Devese.
He has been positively identified by the police as Jackson, alias Jack Curtin, and admits that his alias for Nebraska and this part of the country is Jack Curtin. He has a long and desperate police record. "I don't know of a worse criminal," said the chief.

Captain Dunn of the police department is the man who first identified the robber-murderer as Curtin. Thursday night at the hospital Captain Dunn sat and watched Jackson, alias Curtin, alias Albert Clark, as the latter lay on his bed with the most nonchalant air. The officer in an old picture of the outlaw, taken in Lincoln, Neb., when he was arrested in South Omaha and finally sent to the county jail for vagrancy after being acquitted for lack of evidence on the charge of robbing a saloon.

"I know you," calmly announced Captain Dunn after a careful study of "Clarke's" massive jaw, broken nose, murderous eye, wavy hair and the tattoo mark on his right arm.
"You are Jack Curtin."
The man looked startled, but did not speak further and slightly showing his teeth, he kept silent, and Captain Dunn left the room. Although convinced that Clark was really Curtin, or Jackson, Captain Dunn did not have his opinion about the man's identity adopted by the other officers until Friday morning, when another picture of Curtin was resurrected from the rogues' gallery at the police station.

Admits He is Curtin.
The second photograph shows the man without a mustache and is more easily recognized as being a picture of the man Clark at the hospital.
With both pictures, Captain Dunn and Savage, the latter chief of detectives, who was not on duty Thursday night when Captain Dunn made his identification, went to the hospital and confronted the prisoner. "Yes, I'm Jack Curtin," he said, "but I didn't shoot the policeman. You don't think that I would stoop to snatching lockets from women, do you?"
"Why, you would do anything," said the officers.

The murder of Policeman Meyer of St. Paul, Minn., in February, 1904, stage hold-ups in Nebraska and Wyoming, safe blowing in all parts of the country and many minor crimes and offenses are believed to have been committed by the man now in custody for the murder of Policeman Smith. Penitentiary and jail terms without number have been served by him, and it is thought there are many cities and towns where he is wanted for crimes or has at least operated without being identified.

In addition to this it is thought he may be the desperado who killed Patrolman Wilson of Council Bluffs and injured Officer Richardson in a revolver battle that resulted when the policeman attempted to remove a beggar from the streets. Men from Council Bluffs saw the prisoner and tried to determine whether or not he was the man wanted at Council Bluffs, but did not succeed.

Only Other Time Here.
The only time Curtin ever was arrested in Omaha before the present occasion was in 1903, when he and a young man named Baird were picked up in South Omaha by Officer Inda on suspicion of being saloon robbers. At the same time three or four other men were arrested on a vagrancy complaint. It was on this occasion that the local police secured a picture of Curtin.
Curtin served five years in the Nebraska penitentiary for holding up a stage near North Platte, terms in prison at Jefferson City, Mo., and Sioux Falls, S. D., and also in Wyoming for stage robbery. In various parts of the country he has been known as Hugh Jackson, John Havin, Thomas Whitmore and Jack Curtin. Whitmore is the alias he gave when arrested here in 1903. Some of his partners within one or two years ago are said to have been named Wright, Haas, Parker and Leo. They were arrested by Omaha officers at the time Curtin and Baird were taken in South Omaha.

For the killing of Officer Meyer in St. Paul the latter two men were arrested in Wyoming.

(Continued on Second Page.)

SUMMARY OF THE BEE

Saturday, January 16, 1909.
1909 JANUARY 1909
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3 4 5 6 7 8 9
10 11 12 13 14 15 16
17 18 19 20 21 22 23
24 25 26 27 28 29 30

THE WEATHER.
FOR OMAHA, COUNCIL BLUFFS AND VICINITY—Possible snow flurries Saturday.
FOR NEBRASKA—Saturday fair; rising temperature.
FOR IOWA—Snow flurries and warmer Saturday.
Temperature at Omaha yesterday:
Hour. Deg.
5 a. m. 14
6 a. m. 14
7 a. m. 14
8 a. m. 14
9 a. m. 14
10 a. m. 14
11 a. m. 14
12 m. 14
1 p. m. 14
2 p. m. 14
3 p. m. 14
4 p. m. 14
5 p. m. 14
6 p. m. 14
7 p. m. 14
8 p. m. 14
9 p. m. 14

DOMESTIC.
Expert road builder promised to Congressmen Hinshaw to do work in the Fourth district. Page 1
Thornton Hains, charged with aiding his brother, Captain Peter Hains, to kill W. E. Annis, is declared not guilty by jury after twenty-two hours' consultation. Page 2
J. B. F. Rinehart is found guilty of wrecking Warrenburg, Pa. bank, and is sentenced at once to fifteen years in the penitentiary. Page 3
The body of I. E. Lambert, who perished in the Topeka hotel fire, has been positively identified by his dentist. Page 3

Orders of hat manufacturers removing labels from all hats in cause of a strike which involves thousands of workers. Page 3
REBRASKA.
State auditor turns down claim of Governor Sheldon and railway commission for time served since January 1. Page 2
Wilson of Polk introduces bank guaranty bill in house, changing it slightly from original form. Page 1

LOCAL.
Euclid Martin, organizer of the implement firm of Parlin, Orendorff & Martin, sells his interests to his former partners and will retire from business for the present at least. Page 1
"Albert Clark," murderer of Patrolman Smith, and assailant of Detective Devese, is identified as Jack Curtin, and has a long list of crimes, covering many years, records against him. Page 1
Seven new men are elected to places on the executive committee of the Commercial club of Omaha, more interest being manifest in the election than in such elections for many years. Page 9
A. L. Reed, president of the Byron Reed company, buys site at Thirty-sixth and Dewey, where he will erect a residence for his mother. Page 7
Few changes will be made in the traffic department of the Colorado & Southern railway because of the new Byron Reed ownership, according to railway officials. Page 9

COMMERCIAL AND INDUSTRIAL.
Live stock markets. Page 15
Grain markets. Page 15
Stocks and bonds. Page 15
MOVEMENTS OF OCEAN STEAMERS.
Arrived. Sailed.
NEW YORK.....Brandsburg.
NEW YORK.....La Bretagne.
LIVERPOOL.....Montclair.
LONDON.....Montclair.
ANTWERP.....Montclair.
BRISTOL.....Montclair.
QUEENSTOWN.....Montclair.
COPENHAGEN.....Montclair.
LONDON.....Montclair.
GIBRALTAR.....Montclair.

KERN WILL USE PLAIN TALK
Defeated Senatorial Candidate Says He Will Make "Them" Jump Some.
INDIANAPOLIS, Ind., Jan. 15.—"I shall have something to say tomorrow that will be plain and specific," said John W. Kern today. "When I make my statement I think it will make them jump some."
This was said with reference to the story to the effect that Kern believes he was beaten for the United States senatorship through an elaborate and carefully worked system of deceit and double-crossing on the part of certain persons and elements whom he had seen previously to count as his friends. It is known that Kern has this belief, and that he has evidence which he will make public to establish his charge.

CRUSADE AGAINST MICROBES
Railroad Cars and Public Buildings at New Orleans to Be Famigated.
NEW ORLEANS, La., Jan. 15.—That all railroad cars and public buildings will be fumigated at least once a month and all public buildings every three months was one of a number of stringent regulations adopted by the State Board of Health last night.

TOPICS BEFORE RATE MAKERS
Classification Committee at Mobile Discusses Many and Varied Subjects.
MOBILE, Ala., Jan. 15.—It was learned today that among the topics discussed last night by the Western Freight Classification committee in session here were rates on machinery, roofing, granite, sand, sheet iron caskets, classification of disinfectants, rates on jelly glasses and tumblers, advocating the placing of the weight of the fourth class at a minimum of 24,000 pounds and the fifth class at 20,000 pounds and the rating on pig iron, lead and tin and car load machinery.

MINE HORROR IN HUNGARY
Explosion Results in Unknown Loss of Life in a Coal Pit.
VESPREM, Hungary, Jan. 15.—The explosion of fire-damp in the Acha coal mine here yesterday resulted in the death of fifty-six men. Of 240 men employed 184 were taken out alive.

VETO FOR JAMES RIVER BILL

President Objects to Building Dam Across Missouri Stream.
CONTROL OF WATER POWER
Executive Thinks Coming Generations Should Be Protected from Exorbitant Rates for Power and Lights.

WASHINGTON, Jan. 15.—President Roosevelt sent a special message to the house vetoing the bill to permit the construction of a dam across the James river in Stone county, Missouri.
Urging the need of adopting a course to protect the natural resources, the president declared the belief that the federal government has ample power in granting a license to dam a navigable river to impose such conditions as it saw fit. Continuing, he said:

Exhaustion of Resources.
"Believing that the nation's government has this power, I am convinced that its power ought to be exercised. The people of the country are threatened by a monopoly far more powerful, because in far closer touch with their domestic and industrial life, than anything known to our experience. A single generation will see the exhaustion of our natural resources of oil and gas and such a rise in the price of electricity transmitted water power a controlling factor in transportation, in manufacturing and in household lighting and heating. Our water power alone, if fully developed and wisely used, is probably sufficient for our present transportation, industrial, municipal and domestic needs. Most of it is undeveloped and is still in national or state control.
"To give away, without conditions, this one of the greatest of our resources, would be an act of folly. If we are guilty of it, our children will be forced to pay an annual return upon a capitalization based upon the highest prices which 'traffice' will bear. They will find themselves face to face with powerful interests entrenched behind the doctrines of 'vested rights' and strengthened by every defense which money can buy and the ingenuity of able corporation lawyers can devise. Long before that time they may very probably will have become a consolidated interest, controlled from the great financial centers, dictating the terms upon which the citizen can conduct his business or earn his livelihood, and not amenable to the wholesome check of local opinion.

Monopoly of Water Power.
"The total water power now in use by power plants in the United States is estimated by the bureau of the census and the geological survey as \$300,000 horse power. Information collected by the geological survey shows that thirteen large concerns of which the general electric company and the Westinghouse Electric and Manufacturing company are most important, now hold water power installations, and are developing power sites aggregating about 1,000,000 horse power, where the control by these concerns is practically absolute. This is a quantity equal to over 19 per cent of the total now in use. Further evidence of a very strong nature as to the citizen can conduct his business or earn his livelihood, and not amenable to the wholesome check of local opinion.

Miss New England—Huh! "Genius!" He never lived in Concord! Why, there's even doubt of his having been born in Boston!
From the Baltimore Sun.

EXPERT TO WORK ON ROADS
Agricultural Department Makes Promise to Hinshaw.
MIDSHIPMAN'S EYES INJURED
McCumber Bill for National Graduation of Grain is Favorably Reported to Senate by Agricultural Committee.

WASHINGTON, Jan. 15.—(Special Telegram.)—Representative Hinshaw today made a request upon the Agricultural department that one of the expert road builders of the department now operating in Nebraska be assigned to the Fourth congressional district. Representative Hinshaw says good roads power sites aggregating about 1,000,000 horse power, where the control by these concerns is practically absolute. This is a quantity equal to over 19 per cent of the total now in use. Further evidence of a very strong nature as to the citizen can conduct his business or earn his livelihood, and not amenable to the wholesome check of local opinion.

WASHINGTON, Jan. 15.—(Special Telegram.)—The floods resulting from the heavy and continuous rains of the last week, have done considerable damage in the river valleys of the state, and have seriously crippled railroad communication. All the bridges across the American river, including that of the Southern Pacific, near Sacramento, part of which was carried away last night, are out of commission and cannot be repaired for several weeks. Two spans of the new bridge of the Western Pacific have also been washed out, one man being drowned when they went down. No trains are running on the east side of the Sacramento valley, and overland traffic practically is covered with water.

WASHINGTON, Jan. 15.—(Special Telegram.)—The high water at Bakerfield reached its crest during the night and is subsiding. Although portions of Visalia and Porterville were flooded, there was no loss of life, and the property loss was not large. Many families in Porterville were carried from their homes in boats or rafts. Considerable damage was done in Reno by the flood of basements.

RENO, Nev., Jan. 15.—A long distance telephone message from Sacramento says the Southern Pacific railroad bridges along the American river have been washed out by floods, cutting off all overland routes and that it will be two or three days before trains can get through. The only trains coming into Reno are those from the east. Roads north of Oregon and south of Virginia and Truckee are blocked by the washouts. The storm continues.

BAKERSFIELD, Cal., Jan. 15.—The flood here reached its crest before midnight last night and is subsiding. Although there was much anxiety and excitement, the large force of men was able to hold the levees and prevent the flooding of the lower part of the city.

LAW NOT FOR INDIVIDUALS
Corporations Only Can Take Advantage of Sherman Anti-Trust Act, Says Court.
BOSTON, Mass., Jan. 15.—The so-called Sherman anti-trust act was declared to be for the benefit of corporations in suits in equity and not of individuals, in a ruling by Judge Brown in the United States circuit court today, sustaining a demurrer of the defendant in suits by Charles Ames and Francis W. Bred, against the American Telephone and Telegraph company. The plaintiffs sought to recover damages for depreciation in stock of independent telephone companies which they held, as a result of the purchase of those companies by the American company in violation. It was alleged, of the Sherman act.

WHARTON WILL IS ADMITTED
Disposes of Estate Valued at \$25,000, Giving Bulk of it to Widow.
PHILADELPHIA, Jan. 15.—The will of Joseph Wharton, the iron master, was admitted to probate today. It disposes of an estate estimated at \$25,000,000. Mr. Wharton leaves practically his entire fortune to his widow, three daughters and his grandchildren. To Swarthmore college is given \$100,000 for the completion of a dormitory building already endowed by Mr. Wharton. Among the minor bequests is \$1,000, which is to be divided among the Wharton household servants.

Sine Qua Non



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FLOODS DO HEAVY DAMAGE

Railroad Traffic in California Hindered and Many Lives Are Endangered.

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MARTIN RETIRES FOR REST
Organizer of House of Parlin, Orendorff & Martin Sells Out.

Euclid Martin, incorporated Twenty-Eight Years Ago, and Now Leaves Business with Former Partners.
Euclid Martin has sold his interest in the Parlin, Orendorff & Martin company, and after forty years of continuous service in the implement business will retire from active business and for a year at least will take a complete vacation, leaving in thirty days to spend the remainder of the winter with his family in California.
The deal was concluded Friday afternoon between Mr. Martin and U. G. Orendorff, secretary and treasurer of the Parlin & Orendorff company of Canton, Ill., who own and operate one of the largest and oldest plow factories in the world, with a branch and distributing house at every principal business center in the United States and foreign countries. Mr. Martin sells his entire holdings to William H. Parlin and U. G. Orendorff.

The Parlin, Orendorff & Martin company was organized and incorporated in Omaha in 1880 by Mr. Martin, and maintains in Omaha one of the largest implement concerns in the United States. Mr. Martin has been connected with and managed the business of the company ever since its organization and during all the years the relations between himself and his business associates have been, and still remain, most agreeable.

George M. Durkes of Minneapolis, who is well known in Omaha, will arrive in Omaha Saturday to assume active management of the Omaha house.
Mr. Martin says that the physicians have ordered him to keep away from work and worry completely for a year and that he intends to follow their advice. During his connection with the company he has tended to much of the detail work and thinks he has earned a rest. When Mr. Martin organized the company thirty years ago there was but one employe, and now over fifty are on the payroll the year around.

Mr. Orendorff has been making a round of the houses of his firm and says that he looks for an enormous increase in business during the coming year.
"The automobile business is getting big," said Mr. Orendorff. "The manager of our Kansas City house resigned December 1 to begin the automobile business and he told me yesterday that since then he has sold over 700 machines; quite a record for forty-five days."

WILL OPPOSE SALARY BOOST
Senator Borah Asks that Allowance Bill for President Be Laid Over.
WASHINGTON, Jan. 15.—That the senate amendments to the legislative, executive and judicial appropriation bill increasing the salary of the president to \$50,000, of the vice president and speaker of the house of representatives to \$20,000 each, with an allowance for a carriage of \$5,000 each for the vice president and speaker, are not to be approved without some opposition was shown in the senate today when Senator Borah of Idaho first made a point of order against them as new legislation, and then asked that they be allowed to lie over until the other amendments are disposed of, in order that they may be discussed later.

Mr. Clay of Georgia also asked that all proposed increases of salaries of judges, aggregating \$23,000, be dealt with in the same manner and they would be discussed after other portions of the bill have been disposed of.

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BANK BILL IN HOUSE

Wilson of Polk Introduces Measure for Guaranty of Deposits.
YEAR TO PAY CLAIMS IN FULL
Twenty-Five Per Cent Given Depositors in Sixty Days.
FEATURES BESIDES GUARANTY
Bill Regulates Practically Entire Business of Bank.
NO OVERDRAFTS BY OFFICERS
Bank Commissioner to Have Authority to Fix the Rate of Interest Which Banks May Pay for Deposits.

(From a Staff Correspondent.)
LINCOLN, Jan. 15.—(Special.)—Victor Wilson's banking bill for guaranty fund to pay losses complete in one year after failure was introduced in the house today. The measure represents the ideas of a number of the more conservative men among the majority in the legislature and then with amendments by the senate. Mr. Wilson suggested when, before the legislature met, a conference was held for the purpose of arriving at some agreement on the guaranty question. Mr. Wilson, who is a member of the house from Polk county, is one of the banking committee and chairman of the judiciary committee, having defeated Representative Shoemaker of Douglas for the latter honor after a hard fight.
The bill provides in brief for a guaranty fund that shall equal eventually 1 per cent of the average daily deposits of the banks of the state. The money shall be raised by semi-annual assessment of one-fourth of 1 per cent for eighteen months and then with assessments of one-eighth of 1 per cent during the same intervals until the sum designated shall have been raised. The fund shall be redeposited by the superintendent of banking in the banks making the payment and they shall give securities to provide for the safety of the fund. A dividend of 3 per cent is paid to holders of receivers' certificates in failed banks within sixty days of the failure, the difference between the amount of the assets and the dividend being made up out of the guaranty fund. The balance of the bank's indebtedness is provided from the guaranty fund and assets within one year of the date of failure.
The governor is made chief superintendent of banks and he is given power to appoint a deputy superintendent at \$1,000 a year, and also he is given power to appoint a banking commission of three members at \$10 a day and expenses when employed.
The bill contains a number of amendments of the general banking law besides the specific provisions relative to bank guaranty.

Conditions Imposed on Banks.
It regulates the business of banking, declaring it to be a public business and subject to the control of the state. In defining the term "bank," Mr. Wilson has provided for a commercial savings bank which shall in addition to the exercise of other powers follow the practice of repaying deposits and making loans both as a commercial bank and a savings bank. It is provided that such a bank shall not contain the words "guaranty" or "insurance" or "fund."
The entire capital stock of a state bank shall be subscribed and at least 50 per cent paid in before it shall be authorized to begin business, but before beginning business the paid-in capital stock shall not be less than \$15,000 in villages having less than 500 inhabitants; not less than \$25,000 for places of less than 1,000; \$50,000 up to 2,500; \$100,000 up to 5,000; \$200,000 up to 10,000; \$500,000 up to 25,000; \$1,000,000 in places of over 25,000 population. National state or municipal bonds shall not constitute in the aggregate more than one-half of the paid-up capital stock and the bank building and lots on which the same is situated shall not constitute more than one-third of the paid-in stock and in no case shall the furniture and fixtures constitute more than 10 per cent.
Each bank before beginning business shall pay into the state guaranty fund an amount equal to 1 per cent of its paid-in capital stock subject to redempt by the superintendent of banks. Assessments against the capital stock of banks by the superintendent subject to adjustment on the basis of its deposits at the end of the calendar period in which such bank commences business. Such 1 per cent payment shall not be required of new banks formed by the reorganization or consolidation of banks that have previously complied with the provisions of the act.
Each bank shall deposit a bond equal to one-third of its paid in capital stock in favor of the bank for the faithful performance of its officers.

Charter May Be Withheld.
Before any bank begins business the superintendent must make an examination into the affairs of the institution and he may withhold a charter whenever in his reason to believe the stockholders of the bank are not persons generally recognized as persons of financial integrity and responsibility. A fee of \$25 is required for the issuance of a charter certificate.
On the failure of any stockholder to pay the installment on his stock when it is required the directors may take it up and sell it. Banks must keep posted in a public place in the bank complete lists of stockholders, their residences and the amount of stock held by them. A penalty of a fine of from \$50 to \$200 is imposed for failure to comply.
Every director must be the owner of at least \$1,000 of paid up capital stock, unencumbered, and two-thirds of the directors must be residents of the county in which the bank is located.
Each director must, under penalty of perjury, subscribe to an oath that he will perform his duties under the law and that he is the owner in good faith of the stock in this name.
Officers of the bank must give a bond to the superintendent of banks to the amount of 25 per cent of the average legal reserve.
Explicit provisions are made against overdrafts. Officers and employees are made personally responsible under heavy penalties against overdrafts.
The superintendent of banks is given authority to limit the rate of interest banks may pay on deposits, the rates to be uniform within any congressional district, but different rates are allowed to be fixed for commercial deposits and for deposits on time and demand and for savings.

(Continued on Fifth Page.)