

KRIAL OF BANDITS DELAYED

Announced Hearing Will Go Over Until September 27.

ORDER FOR MARVIN NOT ISSUED

Cannot Arrive Until Monday and Time for Trial Ought to Be Granted, Says United States Attorney Goss.

The trial of the bandits charged with the robbery of the Overland Limited mail train in Omaha, May 21, will be postponed to September 27.

United States Attorney Goss has received a telegram from Boise, Id., stating that Judge Dietrich had returned to Boise, and that the order for the removal of G. W. Marvin, alias Bill Matthews, one of the alleged participants in the robbery, would probably be issued late Saturday afternoon.

Explaining the postponement, Goss said: "We have decided not to press the trial of the mail train robbers next Wednesday, but to ask for a postponement until the first day of the next term of court, which will begin September 27. The probability is that Marvin, who was apprehended in Idaho, will not arrive until Monday. The delay in the hearing on the application for the order of removal at Boise has been due to the absence of Judge Dietrich in Portland, and I do not think it fair to press Marvin's case for trial until he shall have had ample time to prepare his defense. Mr. Macfarland, attorney for the four defendants, has consented to this arrangement."

As a consequence of this agreement, notices are being sent out to members of the special petit jury panel summoned in this case that their presence will not be needed in Omaha July 7, the date originally fixed for the trial.

Club to Test State Tax Law

Commercial Club Notifies Members Not to Pay Occupation or License Tax Ordered by Legislature.

Another law enacted by the last legislature is to be put to legal test. This is the occupation or license tax upon all corporations doing business in the state of Nebraska.

The Commercial club is a prime mover in the fight upon this law, and its judiciary committee is investigating the constitutionality of the statute. Meantime Commission-er Guild has sent the following notice to all members of the club:

"At a meeting of the executive committee, a resolution was introduced and passed unanimously directing that a letter be sent by the commissioner to all members, recommending that they withhold payment of the occupation tax or license, fixed by the last legislature upon corporations doing business in this state, pending an investigation and report by the judiciary committee as to the constitutionality of the law.

"This will be done at once and further notification given you of the course recommended by the executive committee.

Mother Needs Me; Boy Leaves School

Thomas Herbert Flees from Kearney and the Court Says He's All Right.

Because he had heard that his mother was suffering from illness, Thomas Herbert ran away from the industrial home at Kearney and came back to Omaha to work for her. Since he has been in the home his record has been clean and the court has decided to ask to have him released so that he may come home and add his labor to the resources of the family as he wishes to do.

Robert Rula, a boy whose home is at 215 North Tenth street, was before Judge Estelle for taking a horse from a butcher's barn at 2 o'clock in the morning and driving around with it. His mother reported that he had been in the habit of staying out all night, although he is scarcely 8 years of age, and coming home at early morning to sleep in the dog kennel for fear of being whipped. She declared she thought electricity from the moving picture shows had entered her poor child's head and turned it badly.

Saturday was the last day juvenile court will be held at the end of the week, beginning July 12, it will begin every Monday morning at 9:30.

STATE TRIAL FOR CRABTREE

Iowa Courts Probably Will Hear Case of Man Who Shot Army Captain.

Corporal Leslie Crabtree, charged with the murder of Captain John C. Raymond of the Second cavalry, at Fort Des Moines on June 20, will probably be tried by the Iowa state courts.

It is the present rule of the War department to cause all trials for capital offenses in the army to be transferred to the civil courts. Ordinarily Crabtree would be tried by the federal court, but a question has arisen as to whether the state of Iowa has ceded jurisdiction over the Fort Des Moines military reservation to the government. In the event of the state still claiming jurisdiction, Crabtree will be tried in the state court.

OLD MAN'S SANITY IN DOUBT

He Talks with So Much Fervor that His Mental Soundness is Questioned.

Because he quarreled with the children of the neighborhood Thomas Phillips, a resident of Central Park, 65 years old, will have to face an insanity charge.

He had a number of small boys from his neighborhood taken into juvenile court for annoying him and made such an excited plea that his soundness of mind was questioned. Judge Estelle dismissed the case against the boys and in the afternoon a complaint was issued and Phillips was taken in hand by the sheriff. It is believed that the strain of caring for a small gang with a number of small boys within stone-throwing distance has unbalanced him.

LO'S SMOKE HEAP TOO BAD

Big Injun Pulls Out Pipe that Makes Pale Face at the Depot

A band of six Indians, two of whom were squaws, attracted considerable attention at Union station. They arrived from Oklahoma over the Missouri Pacific on their way to Valentine. They stayed at the depot

TALES TOLD OUT OF COURT

A Bunch of Ancients and Moderns Passed Around by the Profession.

The Bar association of the metropolis of the south tops off each of its meetings with a collation. The collation was hit upon, after much and slow deliberation, by the committee on program, as a means of inducing the attendance of members.

The progress of the meetings may not be electrifying, but when the members surround the choice gastronomic delicacies, which are served in the large marble corridor by the court room where the meetings are held, and get their digests going, they emerge from the oppressive drouth of the session and loosen up.

At a recent meeting some of the younger members got started on country trials, lawyers, judges, juries, etc. A young lawyer who is building up an enviable criminal practice told this:

"A lawyer from New Orleans told me about a jury trial in a little obscure village somewhere in Louisiana. Of course, I don't know just how true the story may be, but he looked to me like a specimen of the eminently truthful sort. Strange as it may seem, the jury in this trial was made up entirely of negroes. It seems that all the available white men were either at work or had gone hunting or fishing. And, anyway, it being a case of one negro charged with stealing from another, the interest of the white people of the place, of whom there was a conspicuous minority, was not sufficiently involved for it to make any difference to them."

"When the evidence was all in and the prosecuting attorney, a white man, of course, had submitted the case without argument, the accused, fortunately, had no counsel—the judge, also a white man, ordered the jury, which could not agree in the box, to retire to an adjoining room and find a verdict.

"The jury retired. An hour passed, and still no verdict. At last the judge could stand it no longer and went in person to the room to see what was delaying the verdict. He found each of the Jurymen crawling around on the floor, peering under chair and tables, and also into corners. The court was amazed. He did not know whether the whole jury had gone crazy or what was the matter.

"Here," he thundered, "what are you niggers doing?"

"The foreman arose, and making humble obeisance, answered:

"Yo' honah, tain't no use; we jes' kaint find no vuddict in dis here case. Fact is, yo' honah, I doan bilib dere's a vuddict in here noweh."

"That," said an attache of a firm of corporation lawyers, "is as bad as the country judge in the southern part of West Virginia. It was his first case, and the prosecuting attorney had to coach him all the way. When the case was finished the prosecuting attorney said:

"Now, your honor, the next thing is for you to charge the jury."

"The judge hesitated for some minutes, and then said:

"Well, gentlemen of the jury, bet'n as this was a short trial and only a hog stealin' case at that, I'll charge you only 50 cents apiece."

The yarn reminded a divorce lawyer of another country judge, who was holding down a bench somewhere in the mountains of eastern Tennessee. It was a shooting case, and when the evidence was all in and the argument over he charged the jury like this:

"Well, gentlemen, if you believe what the prosecuting lawyer has told you you'll decide against the prisoner, and if, on the other hand, you believe what the lawyer for the defense has told you you'll decide for the prisoner, but if you know both ways as well as I do you won't know which way to decide. You'll just have to do the best you can."

Still another country judge was recalled, this one a Kentuckian, who, when the counsel in a case that had been tried before him wanted to argue it, said:

"Oh, all right, boys, go ahead and argue. But I've got to git back to my own plowin', and when you've finished arguin' you'll find my decision writ in the book here."

The telling of these obviously truthful anecdotes was stopped by the young criminal lawyer responsible for the first story.

"You don't have to go to the country," he said, "to hear and see things of the limit variety. How's this for right here in town? A young chap—I'm not going to mention his name—who was one of the assisting prosecuting attorneys, was conducting a case where one woman had caused the arrest of another for assaulting her and calling her a lot of unmentionable names. He put the woman on the stand and directed her to tell the judge just what the other woman had called her."

"But I can't do that," she said, with surprise.

"Oh, yes, you can," replied the young prosecutor. "As a matter of fact, you'll have to."

"But I just can't," insisted the woman. "Why, it's not fit for any decent person to hear."

"Well, then," he said, cheerfully, "just step up and whisper it to his honor."—Washington Post.

AFFAIRS AT SOUTH OMAHA

Eight O'clock Closing Law Goes Into Effect Without a Ripple.

NEW BOARD ORGANIZES TODAY

Announcements of Church Services Sunday—Clay Robinson Base Ball Club Defeats Team from Sheep Barns.

The 8 o'clock closing law went into effect in South Omaha yesterday morning with scarcely a ripple to mark the change. In the evening the difference was more marked. Where formerly brilliantly lighted saloons accommodated many patrons during the evening hours, only a dim light showed the bar empty and the screens all down. No saloon man of the seventy-five or eighty doing business in South Omaha attempted to remain open.

The crowds of people on the streets were about the same last night as on any other night in the summer. The hot evening caused a rush at all the soda fountains, but these were the regular customers of the places. The druggists and managers of ice cream parlors said they had few extra customers from the patrons of the saloons.

Church Services Sunday. The Presbyterian church will observe the holy communion at the hour of the Sunday morning service. In the evening Dr. R. L. Wheeler will preach from the theme, "The Significance of the Fourth of July From a Christian's Standpoint."

Rev. F. T. Stauffer of Omaha will preach for Rev. R. W. Livers at the English Lutheran church. The young people will meet as usual in the evening. "The Identification of the Church," is Rev. F. T. Ray's Sunday morning topic. In the evening the service will be evangelistic.

"Christian Patriotism," is Rev. George Van Winkle's Sunday morning sermon. The evening theme is, "The Way of Life."

The usual services are announced at the other Protestant churches. Fire and Police Board. The new Board of Fire and Police Commissioners of South Omaha has met and perfected the permanent organization of the board. J. J. Fitzgerald was elected chairman, F. W. Faulk, secretary, and J. J. Ryan, vice chairman.

The board was in executive session during organization and on coming out of the private room of the city jail office, it was announced that the chiefs of the police and fire departments should instruct their men to file their applications anew for the positions they now hold or desire to hold under the new board. This is a procedure like that of the previous board, when it organized. It is likely there may be some changes in the new organization, but it is not intimated there is to be any general upheaval in either department.

Clay Robinson Team Wins. The Clay Robinson base ball team defeated a team from the sheep barns of the Union Stock Yards yesterday afternoon at the South Omaha Country club grounds. The score stood 5 to 3 at the end of a seven-inning game. The day was so hot that the teams agreed on seven innings.

Charles Holbrook Dismissed. Charles Holbrook, who was arrested on the information of William Perrine, charged to being connected with a charge of petit larceny in which Perrine was involved by the complaint of George Collins. He explained that the case was entirely different and maintained that the accusation of petit larceny by Perrine was an error and that he only took what was his by right. Holbrook was dismissed by Judge Callahan on account of lack of prosecution.

Magic City Gossip. The women of the Presbyterian church will serve ice cream and other refreshments this afternoon at C. E. Neary's drug store, Twenty-fourth and M streets. George McBride and family have gone on a visit to Excelsior Springs. J. M. Tanner is recovering after an operation performed at his home Wednesday.

W. M. Doty entertained a party of friends at the Country Club Friday evening. The 3-year-old baby of Oscar Lundberg, forty-eighth and W streets, died yesterday. The funeral will be held at 10 a. m. today. Mrs. M. A. Frasier leaves today for a visit of two months in Wayne, Mo. She will go to Texas about September 1 to make her home.

The death of Solomon Rothholz, father of Henry Rothholz of this city, occurred Thursday in Omaha. The funeral will be held from the residence at 224 Webster street Sunday at 2 p. m. The burial is at Pleasant Hill cemetery. The Highland Improvement club elected officers Thursday evening as follows: Wiley H. Becker, president; J. Keegan and F. Roberts, vice presidents; Robert Hanson, secretary; Joseph Moran, treasurer; F. G.

LITTLE QUEEN OF KERRY PATCH

Recollections of Mme. Ruiz, the London Suicide, When a Girl in St. Louis.

"Kerry Patch," a section of St. Louis stretching along Cass avenue and O'Fallon street, in former years famous for its abundance of kids and goss, is dragged from its obscurity by reason of being the birthplace of Mrs. Mary Agnes Ruiz, whose suicide in London recently excited the gossips on both sides of the Atlantic.

As Mary Agnes O'Brien, daughter of a boiler maker, Mrs. Ruiz spent her girlhood years in the Patch, and was the petted belle of the region. St. Louis papers relate that little Mary Agnes attended the Everett school, on Eighth street, between Cass avenue and O'Fallon street. Her escapades while a girl, coupled with her extraordinary beauty, made her famous in St. Louis. When she was 12 years old she ran away from home, was gone for some time and returned from New Orleans in a box car.

She left St. Louis some ten or twelve years ago. Not long after that she married a New Yorker named Hilton, from whom she received a large fortune at his death, shortly after the marriage. Her money and her beauty combined to make a place for her in the exclusive society of New York.

Rumors floated back now and then to the Patch during the social conquests of the "little queen." Little heed was paid to these, however. Word came, finally, that she had married Senor Ruiz, an attache of the Cuban legation at Washington, a man of great wealth. It was not until the summer of 1908, during the Louisiana Purchase exposition, that the Patch saw her again, and was able to believe how their favorite had risen in the world.

Dr. Willard B. Shep, a dentist in the Carleton building, was able to recall her reappearance in St. Louis at that time and to contrast it with her former position. "About fifteen or sixteen years ago," said Dr. Shep, "one of the most beautiful brunettes that I have ever seen came to me. She told me her name was Agnes O'Brien and that she was poor, but wanted some work done. She asked me to make the fee nominal if I could, and do the work for her. She had well high perfect teeth, and I consented. The fee I charged was small.

"One day during the summer of the world's fair a stunning woman, tall, slender and dressed in the quiet richness of detail that characterizes women of wealth and taste, appeared in my reception room and asked if I remembered her. I was obliged to confess that I did not. 'I am Mme. Ruiz,' she said. 'That meant nothing to me.

"Do you remember a little girl coming in here some ten years ago—Mary Agnes O'Brien—for whom you did some work for nothing almost? And then I remembered her. She told me that she was stopping with her husband at the Buckingham club and that she had her brother, Frank, with them."

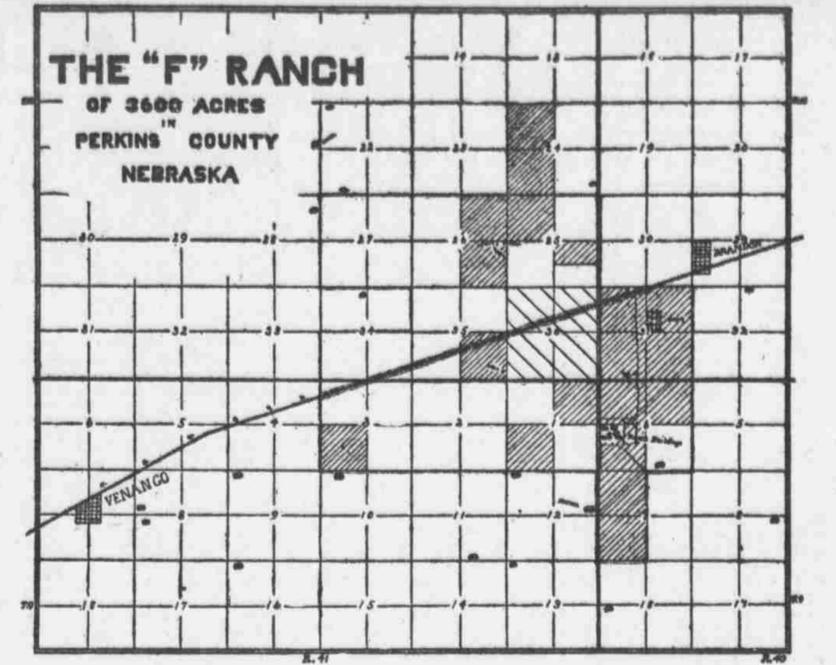
"I want you to fix my teeth and my brother's, and you can make the price what you like. I don't forget what you did for me before," she said.

"Well, I did the work for her and her brother, she coming down each day in her automobile. On the day her brother's teeth were finished I heard some conversation between them in the room about the 'tickets.' When they left, Mme. Ruiz assured me that I should send out my bill the next day and it would be paid. I did so, and was informed at the Buckingham that Mme. Ruiz, Senor Ruiz and Mr. O'Brien had departed suddenly the night before. It was the nearest double-cross I ever encountered."

TAFT GOES TO BEVERLY

President Will Take His Family to Summer Home and Remain a Week.

WASHINGTON, July 4.—President Taft today disposed of as much business as possible in anticipation of his absence from Washington for nearly a week. He will leave here at 5:30 o'clock this afternoon for his summer home near Beverly, Mass., taking with him Mrs. Taft, Charlie Taft and Mrs. Lewis T. Moore of Cincinnati, Mrs. Taft's sister. The president will remain at Beverly only long enough to see that Mrs. Taft is pleasantly established, and after filling a number of engagements will return to Washington next Friday afternoon to remain until congress adjourns. The president will travel in a private car, reaching Beverly Sunday morning.



IT WAS only a few days ago that we announced our purchase of the well known "F" horse ranch of 3,600 acres in Perkins county, Neb. The ranch fence encloses about 12 square miles. Not all the land inside the fence belongs to the "F" ranch, a part of it being held by non-resident owners. Before announcing our purchase of the ranch, we had purchased or secured option on a great deal of this land, so that our total holdings embrace nearly 6,000 acres.

The main body of this land was purchased at a very low price, and within three days after the announcement of purchase we had sold 1,250 acres to men in Kearney who are our regular clients. The price at which we sold them (and at which we are offering the land to all comers as long as it lasts) will enable the purchasers to sell again, if they so desire, at a price lower than the price which owners place on land surrounding it and yet make a good profit on the investment. This being a good sized deal and a quick turn, we are satisfied with a small profit per acre, as we can sell much of the land a second time and thus make two commissions.

If this proposition interests you, see us or write to us. The land described is all level or gently rolling, and the soil is good. The map shows two railway stations close by, one of which is a live little town. Consult the map for location of neighbors and of schools nearby. The squares filled in represent the ranch lands.

Improvements on the ranch, including five wells, three windmills, buildings and fencing, are worth \$6,000.00. Depth to water is only about 140 feet, the water supply being first class and unfailing. We will sell this land in quarters, halves or whole sections, and assist buyers to investigate our prices to their satisfaction. Remember that this is farm land. Write us, phone us or see us for full descriptions, prices and terms. DO IT NOW, for the land is selling rapidly.

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Suggestions for Summer Trips

To the lakes of Winconsin and Michigan; a trip over the Great Lakes; down the St. Lawrence River; to the Adirondacks; or to the resorts of Eastern Canada, New England and New Jersey seashore. Hundreds of places to select from, all best reached via the

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BEST IN THE WEST