THE BEE: OMAHA, SATURDAY, MARCH 26, 1910.



ROCKER

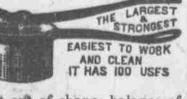
(like cut)-Fumed finish, thoroughly constructed of select quartered oak; large and comfortable; has broad arms, saddle wood seat, sells regularly at, each \$7.50-Saturday only we will sell this rocker, \$4.75

Fancy Madras and Net, from 42 to 45 inches wide; 18 patterns to select from; regular value 45c to 29c

50c-Saturday special, at

Saturday Special in Basement

Combination Potato Ricer and Fruit Press; for mashing potatoes and other vegetables and for pressing fruits; this appliance cannot be equaled. The cup with perforations is



made of heavy tin and will not get out of shape; balance of press made of iron and steel. Sells regularly for



morning which caused him great satisfaction, for it gave an absolute right to the Union Stock Yards company to deliver the packing house products or any other products to the Rock Island over the switch in question. Exact drawings and blue prints accompany the contract, which made the case clear. This contract has been in force for many years.

'Why didn't we read up our contracts before," exclaimed the manager, when the force of the contract dawned upon him. 'Now everything is clear. We can't be headed off."

Mr. Buckingham then called on the Union Pacific to demand that the switch be unocked under the terms of the contract. The Cudahy Packing company is prob-

OLD CONTRACT SAVES RATE

Forgotten Agreement with Union Pa-

cific Forces Albright Delivery.

SWITCH DEAL SAVES THE DAY

Stock Yards Has Document Controll-

ing Situation-Rock Island May Charge as it Pleases to Set-

tle on Schedule.

General Manager E. Buckingham of the

chedule for dressed means, says that the

joker, so-called, had shifted back to the

packers notwithstanding the announced inention of the Rock Island to maintain the

"It doesn't matter what the Rock Island

may charge," said the manager, "when it

omes to settlement the basis will be on

the old, regular, published rate from Al-

Thursday the manager thought the battle

was lost because the Union Pacific appeared to be helping the Rock Island by cutting off the delivery to Albright. Manager Buckingham dug up a contract Friday

ate newly proposed.

bright."

Joion Stock yards, after a careful surrey of the field, regarding the Albright

ably most interested in the rate schedules, and the general manager, Michael Murphy, said: "If the Albright schedule is the legal schedule, as we believe it is, we shall certainly insist on a settlement on that basis. The Rock Island can not refuse to haul the packing house products and can not

charge a rate other than its published schedule. The other packers will deliver to Albright . also if the favorable rate holds good. The omission of Albright from the rate schedule was clearly an oversight; but whether the courts will sustain the railroads in their attempt to enforce a rate different from that published in the old schedule is a point to be tested.

WANT BALLINGER AS LAST WITNESS

(Continued from First Page.) to formulate those charges and to defer

until a later period of the inquiry our suggestions as to what conclusions should be lands. drawn from the facts. "When this inquiry first began Mr. Bal-

linger sent a letter here in which he ex- feis. pressed the desire to leave the committee untrammeled. He did not even desire to have counsel, lest it should hamper the ommittee in its search for the facts. "It is perfectly clear that we should not

be brought to a stop in our inquiry without being able to lay before the committee those facts which Mr. Ballinger alone is aware of and can best enlighten the committee. I know of no proceeding in which we would be denied this opportunity.

"We certainly ought not to be denied it what the nas characterized

not limited by the ordinary rules of evi-

Madison Asks Question.

Live GOLD FISH and GLOEE....

With Every CASH or CREDIT Sale of \$10 or Over in Our Men's Clothing Dep't

Tomorrow, Saturday, March 26th, is your last chance to get a beautiful ornament for your home free. This you can do by buying your Easter Suit, Hat and Shoes, Dress Shirt, Underwear and Furnishing Goods here. This aquarium is a clear gain to you over and above the exceptional values we have priced for tomorrow's selling. Remember-This offer applies only in our Men's Clothing Department. Suit prices range from \$25.00 on down to

Ladies' \$30 Tailored Suits on **Credit Saturday**

Saturday we will place on sale manufacturer's samples of ladies'

\$15.00, \$12.50 and

spring suits. Lot consists of the most approved styles. Shipment contains only 165 suits. Come early if you want first choice. All colors and sizes. These suits should bring \$30.00. We place them on sale tomor- 00075 surplus stock of a New York row morning at 8:00 o'clock at one pricecash or easy payments-for.....

er-lot includes over 100 dozen Terms, \$5 Cash, \$1 Weekly of beautiful lawn, linen and lingerie waists, made in the new



Guggenheim syndicate?" asked Mr. Bran-"Yes, sir."

Important Sale

Ladies' Wash Waists

Tomorrow we place on sale a

ladies' shirtwaist manufactur-

Goods bought this week

will be put on next month's

account if you say so.

PLAIN FIGURES HERE!

98c

spring styles; well

worth from \$1.50 to

\$2.00; special for

Representative Madison called attention to the fact that at the time the agreement to. was dated, several of the Cunningham claims had not gone to entry.

Mr. Brandels read a letter from Clarence Cunningham to Mr. Birch, dated May 1, 1907, in which Cunningham said he had not been able to make any progress, but had called a meeting of the claimants May 15 at Spokane, Wash., when he hoped an

agreement could be reached.

"And Daniel Guggenheim represented the to build from Cordova to the copper fields. turned over to Mr. Vertrees. When Cunningham heard of this change early in 1908 he told Birch that the agreespent \$1,000,000 in an ineffectual attempt to row.

ment had been violated, that it was no construct a harbor at Katalla. This was in longer binding and would not be lived up 1906 and 1907, before there was an option on the Cunningham claims. No Action Under Agreement.

"We wanted to be near the coal fields, The witness said he did not consider the he said. "for we thought that some day change of plans a violation of the agreesomebody would get patents and open the ment as the Cunningham claimants had fields, so we could buy the coal." done nothing on their side of the contract; Mr. Birch said it was in January of they had not formed a company or placed February, 1908, that Cunningham claimed

any deeds in escrow. So from the time of the option agreement had been made void accepting the agreement to the present day, by the action of the Guggenheims in no action has been taken under the agree-ment. The witness was questioned as to the Congregation of the Guggenneuns in changing their railroad base from Katalia

This ended the testimony of Mr. Birch Mr. Birch said the Alaska syndicate had and the committee adjourned until temor-

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Seed Corn Tests.

YORK, Neb., March 25 .- (Special.)-Farmers of York county have been experimenting in testing seed corn. W. H. McElwain, near York, has made several important experimenta . He tested three different lots that had been kept under different conditions. First he took seed from corn that had stood in the shock during the winter; accord from an open slat crib, so situate that moisture and freezing could take place third, corn that had been kept sheltere

in a rain and snow proof covered building.

The corn taken from the first two lots

failed to stand a satisfactory test, and

very little of it germinated. Of the lot

that was kept dry not one kernal falled to

germinate. Mr. McElwain will plant only

the corn that was kept sheltered from

snow and moisture. While a large per

cent of York farmers tested their seed

corn, a larger per cent will do as they have

done for years, select seed corn that looks

good to them and if it happens to be seed

corn that was not kept stored in a dry

place hundreds of acres will have to be

Beatrice Official Court Inquiry.

BEATRICE, March 25.-(Special.)-County, Attorney F. O. McGirr in referring to the

petition filed with the governor by Tona

Darnell of the Anti-saloon league asking

the executive to oust Mayor Rawlings and

papers yesterday to the effect that he did

not fear an investigation. He says that

more persons have been arrested and con-

victed under his administration than for

years before, especially among the boot-

legging element. He states that he is

ready and willing to prosecute all violators



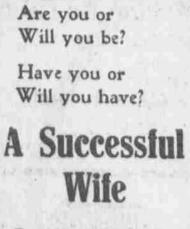
Last Chamberlain Case is Dismissed

Bank Cashier Who Fled to Mexico and Returned for Trial is

Finally Free.

TECUMSEH, Neb., March 25.-(Special.) -The one remaining case against Charles M. Chamberlain, cashier of the failed Chamberlain Banking house of Tecumseh was dismissed in the Gage county district court by Judge L. M. Pemberton Wednesday, the judge acting upon a motion presented by County Attorney Hugh La Master of Johnson county. Following the dismissal a motion to retax costs in the Gage county cases was heard. Mr. La Master objected to the paying of attorneys' fees to A. Hazlett and L. W. Colby for the reason that Chamberlain employed other counsel, contrary to the order of the court in appointing attorneys for him. Objeccounty district court. tions were also made to, certain other

With the dismissal of this case the curtain is probably dropped on the Chamber lain affair, at least as far as the criminal proceedings against the ex-cashier are concerned. This case was similar to one in which Chamberlain was successful, tried by Clarance Edwards, at the depot Thurs- deferred for the time being. in Gage county last December. It was a day afternoon. Earlier in the day Clarence charge of having received money in his Edwards had been bound over in the disbank after he knew it to be insolvent,



Read the tremendous story now running in Everybody's Magazine

A woman lays her soul bare.

A Thrilling Story. A Rare Soul Inspiring.

Helpful

Absorbing.

and C. H. Dennis was the complaining witness The Chamberlain bank failed on August 29, 1902, four days after Chamberlain, as cashier, disappeared. Chamberlain spent

out his family is still in Tecumsch.

Villow county jail.

him here.

Indifferent Heir Finally Found.

portion of the estate. The man is about

20 years old and a typical westerner of

the cowboy genus. While here he declared

that he did not particularly care for the

money, as he had all that he would ever

need or wanted, and that the other rela-

tives might just as well gone ahead and

settled the estate and disposed of his por-

tion-about \$1,500-without bothering to get

License Issue at Alma,

ALMA, Neb., March 2.-(Special.)-The

icense issue will be the only one at the

election here this spring. The citizens

ticket is the only one in the field. It fol-

lows: Mayor, R. S. Keerlin; treasurer, Rob-

ert Porter; police judge, J. H. Billinger;

councilmen, First ward, P. M. Everson;

Second ward, Earnest Altu; Third ward

(two-year term), Frank Werner; Third

ward (to fill vacancy), August Haure-

an; city engineer, George C. Reed.

Edwards Shoots Edwards.

Representative Madison asked Mr. Branmany months in Cuba, Mexico, the Pacific dels if he regarded him as a witness to northwest and Chicago before coming facts and the attorney declared he did. home and surrendering himself, which was "And you intend to examine him on all April 15, 1905.

points that you consider material?" in-Upon his return home, Chamberlain quired Representative McCall. faced eighteen separate indictments. Later "Yes, sir." It was found expedient for the state to

"In other words, what you mean is that bunch" some of them, as the evidence you desire your cross-examination of the in several of them was quite simiwitness to precede the direct examination?" lar. However, during the criminal litisuggested Senator Sutherland. gation against him Chamberlain faced "I wouldn't put it just that way." re-

dunce."

seven or eight separate juries. In a case plied Mr. Brandeis. "Mr. Ballinger has tain half the stock in that companyon an embezzlement charge, taken to already had full opportunity to make his the other 50 per cent of the stock to be Nemaha county on a change of venue, statement. He has had the advantage of sold to the Guygenheims for a sum suf-Chamberlain was found guilty and was being able to confer with the president ficient to equip the mines, estimated at sentenced to five years in the penitentiary. and has made two statements to the presi- \$200,000. The Guggenheims were to mine The case was taken to the supreme court, dent." was sent back for retrial and upon the re-

trial the jury disagreed. Later this and in this proceeding?" asked Representative was the man who had made the proposi other cases in the Nemaha county court Denby were dismissed. A number of civil cases

"No. My client, Mr. Glavis, has not grew out of the bank failure, some of an equal opportunity." which are still pending in the Johnson Mr. Brandels admitted that he desired

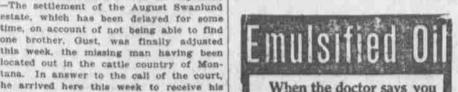
Chamberiain is now at Pullman, Wash, the opportunity first to make his statement to the court in his own way. Mr. BENKELMAN, Neb., March 25 .- (Spe-

shoulder and hand and seriously wounded other witnesses, the Bailinger matter being Guggenheim Director Called.

trict court on the charge of attacking two of the Morgan-Guggenheim syndicate in saying he would sail within two hours little girls. Austin Edwards, who is a Alaska, then was sworn. He said the syn- with a representative of the syndicate to brother of a former wife of Clarence Ed- dicate was composed of J. P. Morgan & inspect and examine the coal property, wards, is related to one of the girls Clar- Co., and some members of the firm of M. ence Edwards is accused of attacking. The Guggenheim Sons. Mr. Birch recently apmen met at the depot, just before the ar- peared before the senate committee on not to purchase the claims in their incom rival of the afternoon train, when Clar- territories and gave the testimony which pleted state and had requested that the nce pulled a pistol and fired at Austin, he repeated today. He said he first saw patents be hurried. In reply Mr. Cunningone shot taking effect in the right shoul- Clarence Cunningham in connection with der and the other in his right hand. his claim in Seattle early in April, 1907,

Sheriff Kimsey was soon on hand and arrived at the depot in time to arrest Clarseveral times in Seattle. ence, but considered that public feeling was copy of the memorandum agreement (Mr. Ballinger) had intimated that the matrunning too high for him to take him from the train and keep him at Benkelman, so entered into July 20, 1907, by Clarence Cun- ter would be "cleaned up" in ninety days. he stayed on the train with his prisoner ningham, Miles C. Moore, A. B. Campbell and will probably lodge him in the Red and other Cunningham claimants as vendors to Daniel Guggenheim, as vendee,

stating terms under which the claimants HOLDREGE, Neb., March 35.-(Special.)



When the doctor says you must take Cod Liver Oll he means Emulsified Oil and not the crude oil which is very heavy and hard to digest. Scott's Emulsion is the world's standard prepa-

ration of Cod Liver Oil; it is very easily digested and immediately absorbed, and will not upset the stomach like the crude or plain oil. ALL DRUGGISTS

Send Ho., name of paper and this ad, for our momiful Savings Bank and Child's Sketch-Book, Sech back contains Could's Sketch-SCOTT & BOWNE, 409 Pearl St., N. Y.

"When I saw Cunningham in Seattle ! this, as a 'free, full and open mquiry,' and June,'' continued the witness, "ha said he had been unable to get his people together. I went to Alaska and remained there all summer." the coal fields.

Contract with Guggenheim. There was next introduced in evidence i not have gone," said Mr. Birch. copy of the minutes of the Spokane meeting, which was attended by eighteen of

the thirty-three Cunningham claimants. At this meeting Cunningham stated that agreement had been forfeited. He declared he had been approached by a representathere had not. tive of the Guggenheims who desired coal

for the operation of their railroads and smelters. The proposition which Cunningham outlined was for the claimants to

deed their property to a company and repurpose to build a road as binding and the luncheon recess was taken.

the coal and pay a royalty of 15 cents a "Doesn't that apply to all the witnesses ton. S. W. Eccles, Mr. Cunningham said,

tion to him. A committee was appointed by the claimants to look into the matter. Mr. Brandels next read a copy of the minutes of a meeting of the claimants o have the right to examine Mr. Ballinger held in July 16, 1907, at which Clarence in his own way. Representative Oimstead Cunningham, Miles C. Moore and A. B. said he thought Mr. Ballinger should have Campbell were appointed a committee to

negotiate with the representative of the Guggenheims, all of the other claimants cial)-Austin Edwards was shot in the Brandels was directed to proceed with his present agroeing to ratify the action of the committee Under date of August 17, 1907, Clarence

Cunningham wrote to Daniel Guggenheim, thanking him for the promptness with Stephen D. Birch, manager and director which he had taken the matter up and

> The Guggenheims had notified Cunning ham that they had been advised by counse ham wrote that the issuance of patents was a matter which rested with the cor

The witness said he saw Cunningham venience of the government and could not be hurried, although he had been informed Mr. Brandels then read into the record a that the commissioner of the land office

Guggenheim Attorney Sworn. John N. Steele, attorney of the Morgan Guggenheim syndicate, had been called upon from time to time by Mr. Brandels for statements and letters while Mr. Birch was on the stand. It was suggested that Mr. Steele be sworn. Chairman Nelson caused a ripple of laughter in swearing the witness by pledging him to the truth of testimony aircady given and to be given." ollowing this ceremony Mr. Brandeis read telegram from Daniel Guggenheim to Clarence Cunningham dated December 7.

1907, "finally accepting the proposition made in the memorandum agreement of July 20" by Messers. Cunningham, Moore and Campbell on behalf of themselves and their associates. A letter from Cunningham acknowledging receipt of the telegram was also put in evidence.

Mr. Birch said that in none of his conversations with Cunningham was Ballinger's name mentioned or any promise recited as to the action of the commissioner of the land office.

Mr. Brandels was about to question the witness concerning the report of the expert sent by the Guggenheims to examine the Cunningham claims when Mr. Steele protested against making the document public. He said it was a private matter, and had nothing to do with any question at issue before the committee. He was willing, he said, to let the committee have the report in confidence. Further questions regarding the report were deferred. Mr. Birch testified the Guggenheims had

the cost and amount of railroad construct "Did not he state further that it had also tion done by the Alaska syndicate. He been voided by the fact that few if any said it always was the plan to build a road of his principals had ratified the agreewhich would tap both the copper mine and

ment?" asked Mr. Vertrees. "He did." "If the coal had not been there, we would The Option Agreement.

"And from that day to this has any mem-Mr. Steele here was asked whether or ber of your syndicate, by writing or othernot there had been a formal notification by Cunningham to the syndicate that the wise, indicated to Cunningham that they still considered the option agreement

effect?" "No, sir."

Throughout the giving of testimony as Mr. Birch said he went to see Mr. Garto the Guggenheims, Messrs. Birch and field when he was secretary of the in-Steele acted as sort of joint witnesses. Mr. erior, asking if some practical legislation Steele said he did not regard the syndicate's ould not be secured for Alaska

"But I didn't get much satisfaction," therefore indicated that he did not conadded the witness. "Subsequently, howsider the agreement violated. At this point ever, a law was passed in 1908. I told Herert Parsons (a member of congress from

Benefit from Coal Fields.

During the afternoon session Mr. Bran-frotten and unconstitutional. I thought the himself, published a statement in the local bill robbed a man of his inherent rights. iels drew from Manager Birch the fact that the development of Alaska depended Mr. Parsons asked me to write him a letalmost wholly upon the opening of the ter and to enclose copies for Mr. Garfield coal fields. When he had done this he and for Mr. Roosevelt." turned fiercely upon the witness and de-The witness produced the letter and

was read in evidence. The objections to manded to know that in view of this fact why the Guggenheims had sat quietly for the bill were largely technical in charac two years and made no exertion to have ter and set out in great detail. patents granted in the Cunningham group.

> of Alaska as it had been designed. When Mr. Vertrees concluded his brief cross-examination, Attorney Brandels re-

the Guggenheims in this country they made no efforts in this direction except your demanded to know if the Guggenheims had war paint and paraphernalia. They constant feeble efforts; is that what you wish this tried to control all of the wharfage at of thirty bucks, seven squaws and three mmittee to understand?"

"It is." "All this influence and power went for othing?"

"What could we do? We had nothing to

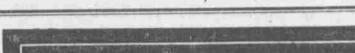
of the law when evidence is produced to In effect the letter protested that the warrant the filing of complaints. new law would not encourage development Stoux Go to Belgium. RUSHVILLE, Neb., March 25 .- (Special.) -Forty members of the Sioux tribe wer turned once more to the attack and shipped from here last night in all their Cordova. He asked particularly if Jack children and they are destined for Belgium,

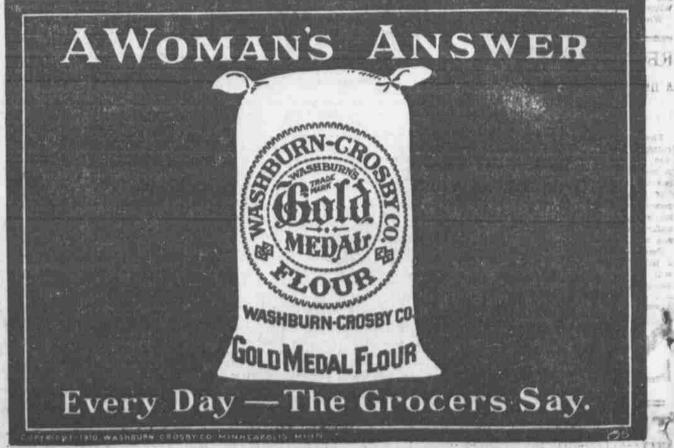
replanted.

Two Importers Arrested.

Dalton of Dalton trail fame had not tried where they will contribute to the exhibit to erect a wharf near the company's propof western tribal life. erty and been thrown in jall as a conse-"What could we do? We had nothing to to with the patents, did we?" "Mr. Birch, I think you are better able to answer that than I," remarked the at-corney, dramatically. When the committee and Mr. Brandeis

New York) that I thought this law was





"All we did was to tell Cunningham to urry up with his patents." "Do you mean to say that with all the nfluence and power of the Morgans and