

CHICAGO COURT SAVES PLAY

Judge Scanlan Restrains Police from Preventing Show.

WAR OF MANAGERS GETS WARM

John Cort Says Domination of the Klaw & Erlanger Syndicate is Ended, and More Klaw Says Very Well.

CHICAGO, May 15.—(Special Telegram.) "Get busy with Emily," the play which caused the police to order the Court today closed, received a new lease of life today and will continue to run as "Have You Anything to Declare?" through the grace of an injunction granted by Judge Scanlan, and the failure of the city to have any evidence to present when the case was called in court today. Monday the oral testimony of club women, police officers and other spectators will be heard. Judge Scanlan was invited by the counsel on both sides to attend a performance. The management of the theater, assured of at least three performances on the biggest theatrical days of a week before Monday, announced that the show will continue next week and thereafter.

The restraining order was granted at an ex-parte hearing without notifying the city or giving it an opportunity to be heard. Adolph Marks, attorney for A. H. Woods, producer of the play, engineered it, and after securing it threatened to sue the city for the loss occasioned through the presence of the police deterring performance from seeing the performance. Mr. Marks declared the performance (levitating in that it depicted situations which should be avoided in real life and that as Mr. Woods is under contract to exhibit it for forty-five consecutive weeks and pay \$10,000 royalties, the court should prevent the police from stopping it.

Trust Not Likely. NEW YORK, May 15.—(Special Telegram.)—The national theatrical war with the Klaw and Erlanger syndicate lined up on one side and the Cort-Cahn-Wells-Shubert coalition on the other has passed beyond the possibility of a truce, although John Cort, head of the new National Theaterers' Association of America, has asked for a truce before the Producing Managers' association. For the present both sides are busily engaged in attempting to weaken each other by depicting the camp of the enemy and from the north-west, the scene of active conflict, has centered for a time in the south.

"Jake" Wells, the newly elected president of the independent Southern Managers' association, sent a telegram to John Cort saying he would arrive in New York before next Tuesday from Atlanta, Ga., bringing glad tidings of the surrender of the theatrical bonds of the south. According to the adherents of the syndicate, Mr. Wells has assumed a role of dictatorship in the south which he cannot very well carry out. The Klaw and Erlanger followers declare that Wells is in no position to turn over the independent southern Leith circuit to the independents. Leith houses are located in Richmond, Norfolk, Roanoke and Lynchburg, Va., and in Atlanta, Ga., and, admittedly, has the situation in hand in Atlanta. Klaw and Erlanger have announced that they will build a new play house there to be opened next fall. Benjamin Stevens, of the Klaw and Erlanger forces, is in Atlanta now arranging for the new house. From Atlanta Mr. Stevens will go to Macon, where the syndicate threatens to open a new theater.

Syndicate Claims Control. Statements have been given out by the "syndicate" that it is in control in Nashville and Mobile, although Mr. Wells has a plan to unfold the same sort of independence which will, he says, oust the "syndicate" from its southern power.

A great deal of opposition developed to the plan to have John Cort confer with the National Association of Contracting Producing Managers, some evidently fearing that Mr. Cort, acting on behalf of the "independents," would enter into some sort of agreement which would work a hardship on the one-night managers and the weaker members of the new national association of "independents." According to Cort this fear is groundless. Today Mr. Cort said: "This action does not mean that the 'independents' have received from the position actually taken. We shall insist upon strict freedom and no interference in the way of bookings by the 'syndicate' will be tolerated. It is our object that all the theaters in the United States shall be kept open to all attractions notwithstanding the ownership or affiliations of the managers. The dominance of Klaw & Erlanger has been ended. A meeting has been arranged for next week. All that the new national theater owners' association wished to present in its side of the case and leave it to the National Producing Managers' association to decide whether they want to do with free men or not."

Attitude of Producers. The board of directors of the National Association of Producing Managers is made up of Henry D. Harris, Charles H. Yale, Joseph Brooks, Sam Serlauer, William A. Brady, Henry W. Savage, Marc Klaw, Irving Murray, W. F. Cannon, E. F. Forester, Harry D. Parker and Hollis Cooley. Of these, Klaw, Brooks and Harris represent the "syndicate," although the directorate is presumed to be a strictly neutral body.

The "independents" claim to have and hold 1,200 theaters, representing the following circuits: The Northwestern Theatrical association of Montana, Idaho, Washington, Oregon, Utah, Arizona, New Mexico, California and British Columbia; Walker's Circuit of Michigan; the Chamberlain, Harrington & Klint circuit of the Crawford, Puller & Zehring circuit, J. J. Coleman's circuit, the Jake Wells and Henry L. De Givie theaters, the Moss Belz circuit, the O. T. Hathaway circuit and the New England circuit of Julia Cain. In addition to the following cities and states: Butte, Spokane, Tacoma, Victoria, Vancouver, Seattle, Portland, San Francisco, Los Angeles, Salt Lake, Denver, North Dakota, South Dakota, Manitoba, Winnipeg, Grand Forks, Fargo, Jamestown, Michigan, Wisconsin, Minnesota, Duluth, St. Paul, Minneapolis, Nebraska, Texas, Lincoln, St. Joseph, Topeka, Wichita, El Paso, Kentucky, Tennessee, Louisiana, Mississippi, Arkansas, Oklahoma, Atlanta, Mobile, New Orleans.

Teachers Elected at Logan. LOGAN, Ia., May 15.—(Special.)—Program of the forty-first annual convention of the Harrison County Sunday School association to be held at Logan in the Methodist church, Wednesday and Thursday, May 18 and 19, is as follows: Devotional exercises, L. D. Willett; "The Authority of the Bible," Rev. H. Kromers; address, Rev. T. M. Clark; address, Rev. Edwin Starbuck; "Problem in the Sunday School," Dr. Armstrong; Bible lessons, with biography, history and literature, Rev. M. M. Galie; "Teaching and Preaching in the Sunday School," C. K. Motter; "Primary Teachers and Teaching," Miss Pauline Hills; address, Dr. Edward D. Starbuck; subject, "Teaching Children Versus Teaching the Bible," "Missionary Work," Thomas P. Nugent; "Sunday School in the Future," J. A. Howard; "Sunday School and Every Day Boy," Mrs. A. B. Hoshorn; "Religious Education," Rev. W. A. Davis; "Devotional Singing services," Rev. A. D. Davis, Rev. J. N. Carey and Rev. W. A. Honer.

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Sues for Big Alimony. MASON CITY, Ia., May 15.—(Special.)—With thousands of dollars to bring comfort to their homes, Mrs. Charles Kaselke has brought suit against her husband demanding \$10,000 alimony and a divorce. She alleges that on several occasions her husband has attempted to kill her in various ways. They are residents of Harding county, and Mr. Kaselke owns 300 acres of land valued at \$100 per acre, beside much other property.

Man Struck by Train Dies. COLLINGS, Ia., May 15.—(Special.)—After being struck by a fast Milwaukee train and carried thirty miles to Madrid, Ia., on the engine pilot, A. W. Hannahan, aged 22, of this place, died today in a Cedar Rapids hospital. Hannahan was struck while driving a team across a highway crossing near Collins, about 2 o'clock this morning. Both horses were killed and the vehicle was demolished.

Old People Figure in Romance. VINTON, Ia., May 15.—(Special.)—Wellington Towns, aged 82, and Mrs. Emily E. Knos, aged 75, were married in the court house here this morning by Justice H. C. Deys. They are residents of the oldest couple who have ever wedded in the court. They were formerly man and wife, but were divorced. Both married again, and Mrs. Brown's husband died and Towns was divorced from his wife.

Call for Rev. James Rayburn. MARSHALLTOWN, Ia., May 15.—(Special.)—A formal call was extended to Rev. James Rayburn, formerly of Omaha, who has been supplying here for the past year, by the First Presbyterian church of this city today.

What Everybody Wants. Everybody desires good health, which is impossible unless the kidneys are sound and healthy. Foley's Kidney Remedy should be taken at the first indication of any irregularity, and a serious illness may be averted. Foley's Kidney Remedy will restore your kidneys and bladder to their normal state and activity. For sale by all druggists.

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TALES OF GRANT AND CROOK

John S. Collins Tells of These Two in His Book of the Plains.

KNEW U. S. GRANT VERY WELL

Father of J. S. Collins Responsible for Grant Being Pressed Into Service for the Civil War.

John S. Collins, who died in Omaha Friday, did considerable literary work during his lifetime. In his book "Across the Plains in '64," he presents two fascinating sketches of two distinguished characters who illumine the pages of American history. One of these is General George Crook, the Indian fighter, and the other is General Ulysses S. Grant, the hero of the war. The father of the author, it is a grave question whether Grant would ever have been known to the world at large, despite the destiny which shapes the end of all mankind. It is a fact that the warm friendship which existed between the Collins and the Grant families was responsible for bringing into the light of public notice the retired and modest Grant, who was known to few people in Galena, while in the wild scramble for fat commissions in the service by the politicians at the outbreak of the war, Grant remained in the background, overlooked and forgotten by even the few friends who knew him, excepting Collins.

In referring to General Crook in his book, Mr. Collins recalls the personal friendship which existed between him and Crook and he recounts the names of three scouts who played a prominent part in the campaign directed by General Crook against the Indians. One of the scouts is Buffalo Bill. The other two although not so widely known were men whose daring and knowledge of the plains and the Indians made their services equally valuable. These men were Baptiste Garnier, better known as "Little Bat" and Frank Grouard. Little Bat, who took a prominent part in the battle of Wounded Knee, was killed by the saloon keeper at Crawford. Grouard was killed recently, a scout at Pine Ridge. Little Bat had a record of having killed eighty-three bears. His ability in following a trail is described by the author as simply marvelous. He would trail an animal over the hardest country with sometimes only a turned pebble to guide him.

Marshalltown Saloons Reopen

Attorneys Check Over Petition and Announce it is Insufficient—Big Legal Battle Probable.

MARSHALLTOWN, Ia., May 15.—(Special Telegram.)—When their attorneys who spent ten days checking the revocation petition announced that the petition was insufficient, all saloons of city reopened this afternoon. The opening is the signal for a bitter legal fight. Anti-saloon attorneys declare there are many reasons not based on saloons petition of consent circulated ten years ago on which they can be closed by injunction aside from the petition. Revocation proceedings by injunction will be begun at once.

SUNDAY SCHOOL WORK AT LOGAN

Program of Harrison County Convention This Week. LOGAN, Ia., May 15.—(Special.)—Program of the forty-first annual convention of the Harrison County Sunday School association to be held at Logan in the Methodist church, Wednesday and Thursday, May 18 and 19, is as follows:

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Contract Let to Thompson-Starratt Company for Ornate Refreshment Room in Subway.

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CONCERT RECEIPTS ARE BIG

Mendelssohn Choir Expresses Its Appreciation for Patronage—Plans for Next Season.

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FIVE PERSONS BADLY INJURED

Passengers Inside Await Crash, Unable to Do Thing to Avert It—A. H. Hansen May Die.

In a collision Saturday between a street car and a freight train on the Belt Line at Forty-fifth and Dodge streets the following were injured: A. H. Hansen, motorman, 204 1/2 Broadway, internally may be fatally. J. R. Lucas, conductor, 322 South Fifth street, fractured left ankle and bruised. A. W. Clark, 334 North Forty-first street, bruised. Della Callahan, 253 Caldwell street, bruised. Margaret Ricketts, 299 Franklin street, bruised. The collision occurred about 10:30 o'clock. The street car was returning from Dundee to the city. The freight train was coming to Omaha. The effect of the collision was completely to demolish the front part of the street car and to break the side of the freight car next the engine, laden with meat, and throw it off the track. When this car swung off it carried the engine with it. The train, according to Conductor Flinn, was moving at six miles an hour at the time and was pulled up before it had traveled forty feet after the impact. Three Passengers In Car. There were three passengers on the street car, two of them being employees of the Happy Hollow club. The car was traveling as usual until the hill above Forty-sixth street was reached. After this point, when approaching the railroad crossing, generally the speed is reduced, but last night the car came down the hill at a high rate of speed. The alarm of the passengers increased when they saw the lights of the freight train approaching the crossing. An instant later the crash came and they found themselves flung off the seats. The motorman apparently jumped off the car when he saw the collision inevitable, as he was found lying on the street. The street car was swung completely around by the force of the impact. Hansen was carried to a slant on the tracks where he received first treatment from Dr. P. M. Whitman, who accompanied him to the Wise Memorial hospital. Dr. Whitman said he had sustained bruises on the abdomen and other parts of the body, but that he would not be able to say definitely until morning whether the injuries would prove fatal or not. The conductor was taken to the station where he was attended to by Police Surgeons T. T. Harris, Loveland and Standeven and afterwards taken home. The injuries to the passengers were not such as to require medical attention. Rev. Mr. Clark Talks. Rev. Mr. Clark said he was sitting in the middle of the car when it struck the train. "They never slowed down," he said, "but seemed to be in a hurry. The conductor usually gets out to see if the way is clear, but he neither did this nor did the car slow down. The next thing we experienced was the collision. It was pitched off my seat when the car struck. My right arm is bruised." Conductor Lucas said the only thing he remembered was walking to the door of the car and then finding himself lying in the street. He had been inside the car, he said, looking for the tickets and had started to walk to the vestibule. One of the passengers, it is stated, said that shortly before the accident he had seen the conductor talking to the motorman, but Lucas denied this.

Grant Is Discovers. Washburn promised to look him up and at the next meeting for the enlisting of troops. Grant was called out of the audience and invited to the platform. At the close of the meeting Grant was appointed to the position of drill master of newly-recruited men. This was the beginning of Grant's career in the war of the rebellion and it was astonishing, says the author, to note the alacrity with which hundreds of people suddenly came to know the man whose illustrious career is interwoven with American history. Grant was elected president he wrote a personal letter in which he said that he had promised to make Washburn secretary of war, but that Collins could name the man for the second office.

Two Fathers Partners. In 1841, Eli A. Collins, father of the author, and Jesse R. Grant, father of General Grant, opened at Galena, Ill., the first leather and saddlery store west of Buffalo. Jesse R. Grant operated a small tannery at Bethel, O., and tanned the hides bought at Galena. They were shipped from one point to the other by stern wheel steamers. Chicago was the chief market. The other two although not so widely known were men whose daring and knowledge of the plains and the Indians made their services equally valuable. These men were Baptiste Garnier, better known as "Little Bat" and Frank Grouard. Little Bat, who took a prominent part in the battle of Wounded Knee, was killed by the saloon keeper at Crawford. Grouard was killed recently, a scout at Pine Ridge. Little Bat had a record of having killed eighty-three bears. His ability in following a trail is described by the author as simply marvelous. He would trail an animal over the hardest country with sometimes only a turned pebble to guide him.

Pompeian Room at the Brandeis

Contract Let to Thompson-Starratt Company for Ornate Refreshment Room in Subway.

A "Pompeian" room, to cost \$75,000, is to be built in connection with the Brandeis theater in the subway running between the Boston store and the theater. Saturday afternoon the contract for its construction by the Thompson-Starratt company, general contractors for the theater, was signed. The Pompeian room is to be completed by seventy-five days, and will be thrown open to the public at the Bi-Sar-Ben week in September. The ornamental design for the establishment is unusually elaborate and rich. A remarkable range of harmonic colors is to be employed. A lotus design is to be a conspicuous feature. A fountain of marble playing a cascade of water colored by a play of colored electric lights, will form the center of the color scheme.

CONCERT RECEIPTS ARE BIG

Mendelssohn Choir Expresses Its Appreciation for Patronage—Plans for Next Season.

The Mendelssohn choir wishes to publicly express its gratitude to the newspapers and public for the splendid support given its first concert on Tuesday evening last at the Brandeis theater. The receipts of this concert were \$1,000, and plans are now being laid for some elaborate work next year. The secretary has secured numerous applications for membership, all of which will be considered before Mr. Thomas J. Kelly leaves for a summer abroad. The choir will hold its next rehearsal in the assembly room of the Edward Creighton institute, on Monday evening.

EX-CANADIANS TO CELEBRATE

Empire Day is the Date Set for the Annual Banquet in Omaha.

The executive committee of the Canadian club has held several meetings during the last week and is perfecting arrangements for the annual banquet of the club, which, as usual, will be held on Empire day, May 21. All ex-Canadians are welcomed at these banquets, whether members of the club or not, and the chairman, Dr. R. S. Anglin, would be glad to hear