HAMILTON IS BOUND OVER

Boy Who Ran Down Elliot Robinson Must Stand Trial.

YOUNG MAN TELLS OWN STORY

Relates Incidents of the Accident as He Now Remembers Them—Bond Placed at $5,000 by Judge Crawford.

Stating that the state's evidence made a strong presumption that the speed of the Hamilton car was more than fifteen miles an hour at the time it ran over and killed Elliot Robinson, and that the question of speed violation was the one which must be decided, Judge Crawford bound Robert Hamilton over to the district court, setting his bond at $5,000, after the preliminary hearing, which lasted until 5 o'clock Friday evening.

The attorneys for the defense tried hard to introduce evidence which would prove that Robert Hamilton was not exceeding fifteen miles an hour, but nothing strong enough to overcome the state witnesses' testimony and gain acquittal was produced yesterday afternoon.

Hamilton's Story.

Robert Hamilton was the last to be placed on the stand, and accounted for several things which had not been brought out before. He said in answer to questions, "I came onto Twentieth street from Binney. At the time I looked at my speedometer and saw I was goin ten miles an hour. After going up the grade there the rate increased to twelve miles an hour at Locust street, and continued at that until the accident. I proceeded along the right side of the street near the outside. When I first noticed Elliot Robinson he was five or six feet to my left and about twenty-five feet ahead of me. At Locust street I had opened the cut-out on my muffler, which was sufficient to warn anyone of my approach. The next that I saw of Elliot he was within four or five feet of my machine and directly in front, going toward the southwest at an angle.

Says He Was Dazed.

"I was dazed. If I turned to the left I would strike him, and I did not have time to turn either way or stop the machine. I set my brakes as I struck him. I seemed paralyzed. In turning the steering wheel my sleeve must have caught on the lever which regulates the oil, for I shot ahead at an increased rate of speed. It all happened so quick that I didn't really know what had happened. My foot must have let the clutch slip back or something; I don't know how it happened. I felt the wheel pass over the boy, and as I got past I realized something had occurred, and turned to see what I had done. I then stopped my machine, left the engine running and ran back to where the boy was. I saw that he was being cared for, so I ran home and told my father what had happened.

"I would have hit the telegraph pole, a house, or anything before I would have struck the boy, but I didn't have time, for I was upon him before I could turn."

When asked why it was he had told his father that he was going twenty miles an hour, as was brought out in the testimony of Joseph Heil in the morning, Hamilton said: "When I came back to where the boy was one man said I was going sixty miles an hour, another said forty and forty-five. I could not realize all of it, and my mind was not settled until the next morning. What I said then was soon after the accident, and before I could think. I told my father the next morning that I had looked at the speedometer, but not until then."

Nearly all of the state's witnesses attempted to estimate the auto's speed at the time it ran over Robinson, but not before.

Those who were on the stand yesterday were: Joseph Heil, Sam Reigleman, E. Morgan, Samuel Robinson, Julius Ranchman, Harry Rachman, Robert Carlson, Charles Morearty, R. P. Hamilton and Robert Hamilton.

Samuel Gompers Commends Burkett

Head of Federation Says Nebraska Senator Has Done Much for Cause of Labor.

In response to a letter of inquiry, a response from Samuel Gompers of the Federation of Labor was received by the Central Labor union last night commending Senator Elmer J. Burkett for re-election. Gompers wrote that Senator Burkett had voted in the interests of good legislation for workingmen at every opportunity and that his record in the senate was without a flaw.

Gompers rehearsed the various bills relating to child labor, safety appliances, anti-trust and injunction evils that Mr. Burkett had stood for. He concluded by advising the local union delegates to bend every energy toward helping along the legislation for better conditions. It was forcefully an endorsement of Senator Burkett for re-election.

Concluding its general business, the Central Labor union discussed plans for the Labor day picnic at Cortland Beach next September. It is expected the outing will be an unusually fine affair.

DIES FROM OLD ACCIDENT

John McElroy Succumbs to Paresis from Being Struck by Falling Stone Years Ago.

John McElroy, a stone mason, for many years a resident of Omaha, died in Lincoln July 14, aged 60 years. His death was caused by paresis, which developed from an injury he received about five years ago when a stone falling from a third story of an Omaha building where he was working struck him on the head.

He is survived by his widow, who resides in Florence. The funeral ceremony will be held Saturday afternoon at 3 o'clock from the Gentleman chapel. Interment will be made in the Holy Sepulchre cemetery.

New Oil Burner a Success.

The Success Oil Burner Co. of Omaha has been very successful in promoting a new style oil burner. There have been in the past few years numerous kinds of oil burners for stoves and ranges placed on the market, all of which seemed to be open to some criticism. This new burner, however, seems to be filling the bill in every respect. The principle of the burner is a little different from anything heretofore seen in that it works entirely on a combustion principle, the old dropping on a hot plate forming the basis of combustion. It is the drip proposition, the oil dropping from the end of a pipe running down through the top of the stove onto a plate set on the grate. The oil is regulated on the same principle as the flow of water into a boiler and the supply is carried in a tank set back of the stove, piped under the stove and up to the front. This class of oil has been proven to be as good a heat producer as anything in the way of fuel on the market and much cleaner and more economical than any other fuel.

When you have anything to sell or trade, advertise it in The Bee Want Ad columns and get quick results.

Jimmy Murphy the "Child Soldier"

JIMMY MURPHY, WHEN HE ENLISTED AND WON THE NAME OF "SIS."

Not yet in his teens when he went to the front as a drummer boy with Company I, Nineteenth Iowa regiment, and at present not yet 60 years of age, Jesse B. Murphy, of Leavenworth, Kan., well deserves the title of "child soldier," which has clung to him since the civil war.

With a wealth of curly locks and a picture face as a child, and with blue eyes and fair rosy cheeks, Murphy was frequently taken for a girl and was dubbed "Sis" the unknowing ones often think ing him the colonel's daughter. May were his experience, amusing, serious and pathetic, as a soldier boy, and his story, as told here a few days ago, is of thrilling interest

"I was born in Marion county, Ind., July 11, 1850, and moved to Henry county, Iowa, in 1861. My brother went to the army in the fall of '61. I cried to go with him and take my toy drum, but no, I was only 11 years old. Later my brother-in-law, a soldier, wrote me a form of parents' consent, with my promise to copy it and tell no one. Finding it impossible to get my father and mother to sign their names on a blank sheet, above which I would have written the consent, I just simply could not help doing the whole problem my little self.

"I was working on a farm three miles from town, cutting corn stalks with a hoe for $7 a month. Early Monday morning, May 10, 1863, when but 12 years and 10 months old, I told my mother if nothing happened I would be home Saturday. Little did that poor woman think it would be many long and anxious Saturdays and many sleepless nights before her boy would come home again.

That Monday morning I walked ten miles and knocked at the door of the recruiting officer and asked if he wanted a drummer boy. I handed him the consent blank I had made out myself and he said, 'That is all right, my boy; sign this enlistment paper.' I was sent to Davenport, Ia., and when I had learned to drum was assigned to Company I, Nineteenth Iowa, with which I made my home until mustered out August 25, 1865. I served two years, four months and sixteen days. During all that time I was not sick, never failed to eat if I could get food, or to go on march if I had to—and hundreds of times I had to—wading through swamps and sand, with my feet bleeding, and hungry, thirsty and tired—mother's poor little boy.

"I took the eye of hundreds that chanced to see me. The boys called me 'Sis' and told other soldiers I was the colonel's daughter. While in New Orleans I was standing in front of a saloon and the proprietor asked me to come in, saying he wanted a pretty, curly headed girl like me. I went after the soldiers—with them I was safe, and any of them would fight for me. In 1864, at Pascagoula, I walked over town and a mother and two daughters sat on a porch. They called to me to come in and said, 'You pretty, curly headed girl, you sweet child,' and kissed me.

"At the battle of Spanish Fort, Ala., April 7, 1865, I was shot in the calf of the left leg, and a scar 2¼x2⅝ of an inch is a witness unto this day. When the ball struck me I was assisting a dying soldier

JIMMY MURPHY, AS HE LOOKS TODAY, A HEARTY VETERAN OF THE WAR.

to a cup of water from my canteen and he said to me, 'Comrade, will you tell my mother I died bravely for the flag.'

"I was the youngest soldier in our division—Second division, Thirteenth army corps—Generals Herron, Granger, A. J. Smith and others commanding. I never get to ride on a march, but endured the hardships of a private's life, except to stand guard. I was the curly headed drummer boy and weighed 150 pounds and was five feet, eight inches tall. At the age of 15 years and 1 month I was mustered out at New Orleans, August 25, 1865. I refused $50 in gold for my curly locks and wore them home for mother to see. I soon had them cut off and gave them to my girl friends. I have kept up drumming since the war and still use the identical snare drum that I carried as a 'child soldier.'"

AFFAIRS AT SOUTH OMAHA

Pennant Lodge of A. O. U. W. Will Get Charter.

THIRD ONE OF ORDER IN CITY

Shamrocks Plan State Athletic Tournament—Andrew Hert Gets Into Trouble While Fishing.

A new lodge of the Ancient Order of United Workmen was organized last night at Shamrock hall, which is to be known as Pennant lodge. The number has not yet been fixed because the charter has not yet been granted by the grand lodge. This is the third lodge of this order to be organized in South Omaha, and this order at present is one of the strongest among a number of strong organizations of South Omaha. The charter members of the new lodge will reach about forty members.

The ceremonies were conducted by Grand Master Workman Jacob Jaskalek, and the degree work was put on by Union Pacific lodge No. 17 of Omaha. Many visitors were present and the occasion was one of the most felicitous in the annals of the local societies. The following officers were elected for the first term: Master workman, W. P. Corrigan; past master workman, Fred Fero; overseer, James Marvel; foreman, J. W. Gullion; recorder, Frank Marshall; financier, John Kubat; treasurer, M. J. Rowley; inside watch, John Anderson; outside watch, William Deverese; physicians, Drs. Davis and Beck; directors, A. McGuire, Fred Lind, Louis Kratky.

For the present the lodge will meet at Shamrock hall, but may make arrangements later to meet at the temple.

It will probably require a month or more for the return of the new charter, with the names of the charter members.

Athletic Club Plans Meet.

The Shamrock Athletic association has planned a state amateur tournament in boxing and wrestling which is to be pulled off in the early autumn, the date not yet being fixed definitely. A committee of the club has been appointed to make arrangements and to open correspondence with various cities. It is understood that only amateur boxers and wrestlers will be allowed to compete. The line will be drawn against those who have competed in a regular match with a referee where a purse has been wrestled for or divided. Those who have wrestled in preliminary bouts to main events, but never have been principals in any contest of regular character, will be considered amateurs.

Only boxing and wrestling will be the subject of competition. In connection with the attractions of the tournament there will be a sprinkling of professional bouts by way of exhibition for the edification of the amateurs.

The Tri-City Athletic association has a match between Tommy Bresnahan of South Omaha and Tommy Geary of Chicago for the coming week. This will be at Stanek's hall. These men have twice met and fought a draw.

Andrew Hert's Feelings Hurt.

Andrew Hert and his son John were much hurt in their feelings Friday morning when they attempted to spread their fishing nets in the "Big Muddy." They have a neighbor named Georgiana Strong, and much bad blood and strong language has existed between the families for months. In order to keep track of the big net they have it attached to a large buoy, which floats down the river until the men are ready to draw in the trammel. Mrs. Strong sat in her boat at the water's edge until the buoy was well out in the stream, when she rowed out and cut the net adrift. Mr. Hert's feelings got the better of him and he used loud language which only the big stream of water kept from setting the vegetation on fire. He pulled in the net and took his own boat and rowed after his buoy, which was gaily bobbing toward the sunny clime of St. Joseph. Again he tied the buoy to the net and started his humble vocation, that of supplying the Friday trade with buffalo and channel cat. The 200-foot net was more than half paid out when Mrs. Strong made a second foray and soon the buoy was bobbing down the Missouri like a painted lady doing a tip-toe dance. A big cloud of vapor mingled with ominous silence arose from Hert's boat; but he chased his buoy to land and sought the mighty arm of the law to avenge himself. Mrs. Strong was a shade quicker and while Hert appealed to the police judge she hied to the silver-whiskered judge of South Omaha, P. C. Caldwell, a man of fame. Warrants were issued in each case. The first was against Mrs. Strong for malicious destruction of property, and the other against John Hert, son of Andrew, for the use of loud and profane language. John Hert was fined $10 and costs for elaborating on his emphatic vocabulary. Mrs. Strong will appear in police court this morning to defend her action as a neat clipper of fish cord.

Alleged Failure of Statements.

It is alleged by the city treasurer, J. J. Gillin, that the Nebraska and the Independent Telephone companies of South Omaha have failed to comply with the provisions of the ordinance fixing an occupation tax upon the gross receipts of the company, by neglecting to file with the city clerk the annual statement of receipts before July 1 of each year. Such a report has not been filed, which is taken as an indication that the company will fight the operation of the ordinance in the courts. The city treasurer has fixed the amount of the occupation tax arbitrarily at $2,400 and has notified the companies to that effect. He did this under the provisions of the ordinance. It will be his duty to force collection of the tax by the regular course in such cases. It will be the privilege of the companies to appeal to the courts and attack the ordinance or its provisions in detail.

The ordinance was passed last year, under the powers granted in the state law covering occupation tax levies.

Magic City Gossip.

The condition of W. B. Van Sant has not materially improved.

W. H. Cressey has returned from a fishing trip to Hackberry lake.

Mr. and Mrs. Thomas J. Parker have returned from their wedding trip.

Miss Doris and Margaret Davis are spending their vacation at Ashton, Ia.

Phil Kearney post of the Grand Army of the Republic will meet Saturday night.

Mrs. Myles E. Welsh and children have gone on a visit of several weeks to Oregon.

Dana Morrill has returned from his summer vacation trip to the lakes of Minnesota.

The Council Bluffs golfing teams will be the guests of the South Omaha Country club Sunday.

The death of the infant daughter of Joseph Basar, Thirty-fifth and U streets, occurred last night. The funeral will be held at 2 p. m., today.

Union Pacific Officials Meet With the Men

Harriman Branch of Employes and Investors' Association Listens to the Officers.

Members of the Union Pacific branch of the American Railroad Employes' and Investors' association to the number of about eighty met last evening at the old Pacific Express building and elected Robert Christy as delegate to the state convention, which meets later in the year.

A. L. Mohler, vice president and general manager of the Union Pacific, addressed the members on the live issues of the day and urged the men to get closer together and to take an interest in the affairs of the road, telling them that what was to the interest of the railroad was to their interest.

Charles Ware, general superintendent, spoke along the same lines, and W. R. Cahill, superintendent of the Nebraska division, and A. Blakely also urged co-operation. G. O. Brophy spoke on the subject of government ownership of railroads.

The meeting was closed to the press and reporters were excluded from the hall.

This association was organized two years ago and has for its purpose the cultivation of a better spirit between the members and such concern on the part of all of them as will help the prosperity of the American railroads.

In the state of Nebraska only the Union Pacific, the Burlington and the Rock Island lines are in this organization, the whole association consisting of members from forty-three railroads of the United States.

WOMEN SOCIALISTS FILE

Two Feminine Candidates Seek Places on School Board—Others Also File.

The first women to file as candidates for the school board were two socialists, Mrs. Mary Morrow and Miss Ida Ginsberg.

Peter J. H. Boland, Frank J. Riha, E. J. McArdle, J. H. Grossman and C. B. Liver, all democrats, have filed for state representative. C. E. Byard of Valley, Neb., republican, is after the same office, and George Stephens, republican, wants to be state senator. Charles R. Deutsmann, socialist, has filed for county attorney.

The Tale of a Shirt

More years ago than I shall name,
I sought to win a good wife's fame,
I knew not how, but all the same—I made a shirt—
At last 'twas done, a work of art,
Complete, I hoped, in every part.
"Come John," I called with quaking heart, try on your shirt.
"Great Scott," he yelled, and language, well,
He uttered things I'll never tell.
I may forget them when I dwell—elsewhere, maybe.

MORAL—

Buy the shirt at BERG'S great sale—all the very best grades of shirts made are represented in this big reduction. Wounded feelings and tired pocket books are soothed to perfect contentment and luxurious ease.

Every good style, color and pattern is to be had, as our windows will show, at a splendid saving.

Shirts that sold to $1.50—now ....85c | Shirts that sold to $2.50—now . $1.35

Straw Hats Marked Down

All $5.00 Straw Hats .....$3.50 | All $3.50 $3 and $2.50 Straw Hats $2.00
All $2.00 and $1.50 Straw Hats...$1.00 | All $1.25 and $1.00 Straw Hats.....75c
Panama Hats, values up to $8.00.....$4.50, $3.50 and $2.00

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Tonic Tablets—Give as a tonic after mange or distemper.....50c
Arecanut Worm Tablets, easy to give.....50c
St. Vitus Dance Tablets—for fits.....50c
Laxative Liver Tablets—easily given.....25c
Cough Tablets for Dogs.....50c
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Corresponding fares to hundreds of other places in Canada and New England. Through the Thousand Islands and Rapids of the St. Lawrence at a slight additional cost. Through trains leave Dearborn Station, Chicago, via Wabash-Canadian Pacific at 2:10 p. m. and 11 p. m.

Tickets for sale by all agents of all railways.

Further information and literature to be had by addressing A. C. Shaw, General Agent, 232 South Clark St., Chicago.

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