

WOULD GET RIGHT BY MIGHT

Plaintiff in Judge Kennedy's Court Says He Will Use Shotgun.

WILL BE HELD FOR CONTEMPT

Becomes Obstreperous on Witness Stand and is Quoted with Great Difficulty—Insists on Talking.

Beside himself with anger, his eyes flashing fire, his arms waving wildly, James Kvesek, a Bohemian, threatened to enforce his rights in court with a shotgun in Judge Kennedy's law division of the district court Tuesday morning during the course of the trial of Kvesek's \$100 personal injury damage action against Swift & Co. Efforts of Jafferis, Howell & Timmon, his own attorneys, Attorney Breckenridge of Green & Breckenridge, attorneys for Swift & Co., and of Judge Kennedy to subdue Kvesek were unavailing and in desperation Judge Kennedy declared the plaintiff in contempt of court. During the noon recess Judge Kennedy stated that as soon as disposition of Kvesek's case is made the court will see that formal charge of contempt of court is filed and Kvesek is properly punished.

Kvesek, ignorant of American ways, was determined to tell his story of his injury in his own way when he was placed on the witness stand. Much of what he wished to say could not properly be introduced in evidence, but the man went on. Seeing that it was useless to attempt to control the witness' remarks, Mr. Howell said: "That is all."

"That is all," said Mr. Breckenridge. "I want to say one word," said Kvesek. Judge Kennedy: "That is all."

Witness: "That is one thing I stand by my rights."

Judge Kennedy: "Wait a minute."

Witness: "That is all right. I said that for myself. I don't care what he says."

Judge Kennedy: "Mr. Kvesek, you can retire from the witness stand."

Witness: "I stand against it with my right. I stand up to right. A shotgun, I have right. I do it."

Judge Kennedy: "Listen to me."

Witness: "I don't care what you say, judge. I do it. I have right. I have experience."

Judge Kennedy: "Mr. Kvesek, it will be necessary for me to find you in contempt of court."

Kvesek was taken from the stand by his attorneys. They declare that his ignorance and his misfortune in connection with his suit are responsible for his antics. This is the third time he has tried the case. Once he was beaten in the federal court and once he quarreled with an attorney in the middle of the trial and had the case dismissed.

Tries Twice to Rob Store, is Thrown Out

Burglar Ejected and Cuffed for Two Attempts to Loot Automobile Shop.

A burglar twice tried to rob the Omaha Automobile company's establishment at 1910 Farnam street Monday night, and was twice ejected from the building for his pains.

The first time the burglar entered the place, early in the evening, he was caught in his hiding place by employees. After having been divested of a suit stolen from a locker he was kicked out.

Later in the evening he was discovered in the building by the watchman. The safe was wide open, but as all the valuables had been previously taken from it, the burglar was again unsuccessful.

The police got a description of the man through his first attempt. He entered both times by a rear window.

FIRE INTERRUPTS PRAYERS

Seven-Year-Old Boy Burned to Death When Children's Home is Destroyed by Flames.

SPRINGFIELD, Mo., Dec. 12.—While forty three children of the Children's home were saying their prayers just before retiring tonight, fire broke out in the building. Ralph Barnes, 7 years old, was burned to death and the structure was completely destroyed, causing a loss of about \$10,000.

Besides the older children, there were fourteen babies in the building, but these were carried to safety before the fire reached the section of the building in which their ward was located. While the babies and older children were being taken from the building, Ralph Barnes was lying in the sick ward, ill with the mumps. He was not rescued, Matron Alice Markley said tonight.

Citizens living near the scene of the fire furnished shelter for the children and tomorrow the home will be moved into a building which has been offered for the purpose.

Washington Affairs

WASHINGTON, Dec. 12.—(Special Telegram.)—Army orders: Howard, Twenty-first infantry, is relieved from duty in this city and will proceed at the proper time to San Francisco and take the transport to sail about April 5 for the Philippines. Upon arrival at Manila he will proceed to join his regiment.

First Lieutenant Charles C. Denner, medical corps, is relieved from duty at Fort Thomas, Ky., and will proceed with the Second infantry to San Francisco, thence on transport to sail about March 5 to Honolulu, where he will report to commanding officer of Schofield barracks for duty.

First Lieutenant Donald P. McLeod, medical reserve corps, is relieved from duty at Fort Ward, Wash., upon the expiration of leave and will proceed to Fort Wright, Wash., and report to commanding officer for duty.

Colonel Frank Barker, ordnance department, is relieved from duty at Bridgport, Conn., January 2, and will proceed to South Bethlehem, Pa., for duty.

Captain Henry C. Barnes, coast artillery corps, will report in person to the commanding officer at Walter Reed general hospital for observation and treatment.

Lieutenant Colonel Noel S. Bishop, Fifth cavalry, is relieved from treatment at the Army and Navy general hospital, Hot Springs, Ark., and will return to his proper station.

Leaves of absence: Captain James H. Bryson, Fourth Field artillery, one month and ten days.

First Lieutenant William O. Culliffe, medical reserve corps, two months on surgeon's certificate of disability.

Our Letter Box.

Contributions on Timely Subjects Not Exceeding Two Hundred Words Are Invited from Our Readers.

Initiative and Referendum.

MINDEN, Neb., Dec. 12.—To the Editor of The Bee: It seems that much is written on the initiative and referendum without giving the subject the least thought.

This state has had practical tests of the referendum at various times in its past history and each time it has certainly proven that the people have not taken the interest necessary to qualify them to vote as it is argued they would if permitted through the referendum.

To inform our state constitution the legislature performs the initiative and prepares the amendment which is later published in dailies and weeklies broadcast over the state immediately before the election, when interest in politics is greatest, for three months and voted upon by the people, which is the same function as the referendum.

Amendments were submitted to the people by the legislature which were absolutely non-political in character and which were of financial interest to every taxpayer in Nebraska. During the development of Nebraska and especially during the period it has needed the money for the conservation school fund had to be sent to other states for investment because of limitations imposed by our constitution upon the class of securities the money may be invested in. During this time our own schools had to sell their bonds at the best at an advanced rate while our own money went out at a lower rate. To remedy this the legislature, without being forced to it by any initiative or referendum, proposed to the people an amendment to the constitution which would permit the investment in our own securities the money for the school fund.

Yet this amendment failed for a lack of majority of the votes cast at that election some fifteen years ago.

Later this amendment was carried, however, by a subterfuge whereby the ignorant or uninformed voters were caught voting for the amendment instead of against it. The legislature, full of the much hated politicians, passed a law whereby political conventions could take action favorable to the amendment and such action would bind every straight voter on that party ticket unless he specifically voted against it by voter. Conventions, of course, are always made up of scheming politicians and they devised this scheme to get a necessary majority for the above permanent school fund investment amendment and also for the railway commission amendment which has worked so much good in Nebraska.

In this year of grace, 1910, when the people rule by primary votes and referendum another test again proved a failure. The democratic legislature proposed the wise amendment to limit the qualifications of voters to citizens who have attained full citizenship. This amendment failed of getting a majority vote at the primary of the democratic party, the party most responsible for its proposal and the party and its leader the most clamorous for the referendum. Again it failed at the general election, although it was given the benefit of all the tricks of the party, the republican, prohibition and populist parties, and also all individual votes cast by the democrats.

If referendum works as satisfactorily on general laws as it does on the amending of our constitution it certainly will be a failure. It has always been a failure wherever tried in the past. The fate of Jesus Christ was referred to the people by Pilate and history records his fate.

Think of the people selecting United States supreme judges with the care and attention our most-wise president is now doing.

One hundred and thirty years of republican form of government has brought us the leadership among nations. Our system of government is being copied in whole or modified form the world over. Gladstone declared it the most perfect scheme of popular government that could be devised. All forms of government do not work exact justice. Was there a greater misarrangement of nominations than that of Dalmian? And yet how near was he elected.

This letter has outgrown its permitted limitations and therefore must be cut short. Respectfully, A CITIZEN.

Two Holdups Are Given the Limit

Judge Estelle Sentences the Highwaymen Who Held Up Walnut Hill Pharmacy.

For the first time in his life, Judge Leo S. Estelle of the criminal division of the district court sentenced two men convicted of highway robbery, gave them "the limit," as the police and prosecutors of this city call it. The judge sentenced Charles Morley, alias Craig, and James Evans, alias Smith, robbers of the Walnut Hill pharmacy, to serve fifteen years at hard labor in the state penitentiary.

Morley and Evans perpetrated one of the most daring holdups in recent years when they walked into the Walnut Hill pharmacy and at revolver points compelled the proprietor to fork over all the money in his cash drawer, \$28, the night of October 21. Four small boys were in the store, witnessed the holdup and testified against Morley and Evans at their trial in district court two weeks ago.

When Judge Estelle asked the convicted men what they had to say for themselves they told "ghost" stories, relating their many alleged hardships and declaring that they never had to holdups or starve.

"I never had two more dangerous men before me than you are," said the judge, boring his eyes into Morley and Evans. "I never had two more dangerous men. I have no more doubt that you went out and held up that store than that I am sitting your offenses is three to fifteen years and you fellows are going to get the limit." The court then passed formal sentence. Morley took a step towards the court and started to speak. Sheriff Brailey stepped forward and dragged him away as the judge said: "I don't want to hear any more. I do everything I can for such fellows as you whenever there is a possibility of their being helped."

Morley and Evans have served penitentiary sentences for highway robbery. Morley in Missouri and Evans in Iowa. Judge Estelle was apprised of these facts before the men were brought up for sentence. He also was told that Evans, who on the witness stand claimed to be married to a woman with whom he has associated at Omaha, has a wife and four children in Des Moines.

WASHINGTON BOOSTERS BUSY

Spokane Chamber of Commerce to Exhibit at Land Show.

GOVERNOR HAY IS INTERESTED

Expected to Speak on Day Devoted to Interests of His State at Omaha Exhibition—Inviting Easterners Here.

The state of Washington will be represented at the Omaha Land show by an exhibit of "Inland Empire" products handled by the Spokane Chamber of Commerce. Reservation for the use of an entire section at the show has been made by the Chamber of Commerce.

Plans for a "Washington day" at the show are to be made Wednesday, when Governor William E. Hay and Fred A. Shank, special representatives of the land show management, hold a conference at Olympia. It is expected that the governor will appear at the show on Washington day and deliver an address on the resources and future of his state.

Governor Hay has taken a deep interest in the development of his state and became an important factor in the movements of the western government to the conservation movement and the recent conservation at St. Paul.

The Washington display at the Omaha Land show constitutes a part of the efforts of the Spokane Chamber of Commerce to bring the prospects and possibilities of that section before the people. This body financed the Spokane apple show and also the display made at the First Regiment armory in Chicago, a rival to the Chicago land show.

"As high as the cost has been, something of an expense we must admit," said President Chamberlain of the Spokane Chamber of Commerce, "the results have been highly satisfactory. We will at once set about the collection of another exhibit for the Omaha show."

Louis W. Buckley, a representative of the management of the Omaha Land show, is now in Spokane forming relations for the exhibit to be made by the Chamber of Commerce.

Washington enthusiasts are urging their eastern friends and eastern investors in Washington projects to see the Omaha show.

GOES TO JAIL IN LIEU OF FINE

Leon Levi Gets Ninety Days When He Fails to Pay Fine for Littering.

Upon his failure to pay a \$20 fine which was imposed by Judge Crawford, Leon Levi, who conducts a cigar store at 100 North Sixteenth street, was sentenced to ninety days in jail Tuesday on the charge of selling liquor without a license. Levi was arrested Friday night, when the police raided his place of business and confiscated a quantity of liquor.

When you have a cold get a bottle of Chamberlain's Cough Remedy. It will soon fix you up all right and will ward off any tendency toward pneumonia. This remedy contains no opium or other narcotics and may be given as confidently to a baby as to an adult. Sold by all dealers.

South Dakota Notes

ABERDEEN—Doland Methodists have just dedicated a new parsonage, which is said to be the finest parsonage in Spink county.

PIERRE—The latest candidate for the position of chief clerk of the house for the coming session to get into the limelight is P. A. Countryman of Codington county.

ABERDEEN—A hot coal fell out of a stove on the floor and set fire to the house of William Maska, a farmer, living twelve miles north of Aberdeen. The house was destroyed. It was insured for \$1,000.

PIERRE—Articles of incorporation were filed today for the State bank, Butte, in Spink county, with a capital of \$50,000. Incorporators, A. F. Grimm, W. N. Shaw, A. G. Bower, James Stincher, all of Parkston.

WOONSOCKET—When the Woonsocket opera house is again opened to the public it will have undergone a complete renovation, the stage enlarged and improved, new scenery added and new seats in the room.

PIERRE—Reliance, of the Milwaukee extension to the Black Hills, is having an artesian well drilled to a depth of 1,000 feet, and it is expected that an artesian flow will be reached in a short distance.

PIERRE—Governor Vessey has filed a statement with the secretary of state showing that his election expense was \$22,000, little over one-tenth of what his opponent paid out. The democratic state central committee shows an expenditure of \$2,000.

HURON—The center of population of South Dakota is at Alpena, Jerauld county, about fifteen miles southwest of here, according to the last census. In 1900 it was about thirty miles east, at a point three miles west of Carthage, in Miner county.

PIERRE—The city of Pierre sold over 100,000 feet of gas in November, besides having enough natural gas from the artesian wells to supply the city with water and light plant. The wells show an average flow of about 50,000 feet per day.

MITCHELL—Fire destroyed the farm house of Bert Clymer, living in Roberts county near Pierre. The house was getting breakfast when the contents of a stove were spilled on the burning gasoline running over the floor.

LEOLA—Carl Schuchardt, an early settler of McPherson county, dropped dead from heart disease in Leola, S. D., here today as he stepped to the ticket window to purchase a ticket to Aberdeen. He was born in Germany in 1837 and was little over 73 years of age. He moved to McPherson county from Wisconsin in 1882.

PIERRE—According to estimates, Lawrence Bonhomme, Brookings, Clay, Lincoln, Day, Hutchinson, Lincoln, Moody, Roberts, Spink, Turner, Union and Yankton counties will each lose in the representation in the legislative apportionment which the incoming legislature will have to make. Lyman, DeSade, Stanley, Harding and Tripp are certain to each gain, and Perry and probably gain two members in the house.

ABERDEEN—The Methodist ministers of the Aberdeen district have concluded a three days' session at Millbank. Twenty-one ministers and several laymen were in attendance, and the sessions were interesting and profitable. The Rev. Taylor, pastor of the First Methodist Episcopal church of Aberdeen, and the Rev. S. Harkness, district superintendent, delivered lectures during the session, which were largely attended.

MITCHELL—The annual election at Dakota Wesleyan university for officers of the foot ball, base ball, basket ball and track teams was held in the gymnasium of the college. The students for several days and much political campaigning has been going on. For the "base" ball team, the all-star center selection will manage the foot ball eleven; Log Smith, will have charge of the base ball team; Bill Walters of the track team and Louis Livingston of the basket ball team.

MITCHELL—Arrangements are being perfected for the annual exhibition of the South Dakota State Corn show, which will be held in this city January 16-23, in connection with the city show. The first agricultural short course ever held in the state and which have gained such prominence in Iowa and Wisconsin. The local officers to have charge of the exhibition are: W. A. Wheeler, secretary and general manager; L. L. Ross, treasurer; U. S. Foster, manager of live stock; and Mrs. George E. Foster, manager of the domestic science department.

Motion Pictures to Advertise the Red Cross Seals

Private Exhibition is to Be Given on Friday Morning to the City Officials.

The famous "red cross" moving picture film which tells the story of an anti-tuberculosis worker who found happiness and good fortune in the work will be privately exhibited in Omaha Friday morning. All the city council, the county commissioners, the charities and corrections authorities, the superintendent of schools and others have been invited to be at the Elgie moving picture theater, 1213 Farnam street, at 11 o'clock Friday morning and see the picture. Members of the Woman's club, who will receive no formal invitation, are also expected to come and will be admitted on presentation of their membership cards. The public in general is barred, as the purpose of this view is to give these authorities a chance to approve it before it is put on display. The film will be run in all of the theaters operated in Omaha by the Elgie company, then in Council Bluffs and South Omaha, going thence to towns in the state. It was planned by the national anti-tuberculosis society and is being sent all over the country to advertise the sale of the red cross seals.

Boy Burglar Given Liberty and Sermon

Jess Parsons, State's Witness Against Members of Robber Syndicate, is Discharged.

Jess Parsons, a former member of the boy burglars' syndicate, who gave testimony against Harry Johnson, another member of the syndicate, in district court a month ago, was freed in district court Tuesday morning by Judge Estelle. The charge was dismissed on motion of County Attorney English. Johnson has been sent to the penitentiary.

Judge Estelle advised young Parsons to keep away from evil associates. "I will," he answered. Judge Estelle called to the court room Moby, chief juvenile officer, introduced him to Parsons and secured his promise to help the lad secure employment.

"You can be a good boy if you try hard," said the judge, "and I want you to do it." Henry Carter, another of the boy burglars, has not yet been tried. He probably will be given a trial early in January.

HERO MEDAL GIVEN TO SNYDER

Electrician Who Rescued Bluejacket from Drowning Remembered by the President.

WASHINGTON, Dec. 12.—President Taft today personally presented Chief Electrician William E. Snyder, attached to the scout cruiser Birmingham, a medal of honor for heroism and courage in saving the life of a blue jacket who fell overboard from the warship, while at anchor in Hampton Roads last January.

Snyder appeared at the White House in uniform just prior to the meeting of the cabinet and received the medal.

A Serious Breakdown  
Resulted from chronic constipation. Dr. King's New Life Pills cure headache, stomach, liver and bowel trouble. 50c. For sale by Besten Drug Co.

Persistent Advertising is the Road to Big Returns.

OMAHA CLUB IS REMODELED

Reception Thursday Evening to Members of the Club.

EVERYTHING HAS BEEN CHANGED

Kitchen Enlarged, Windows Lowered, Stairs Changed, Rooms Made Different and Many Other Alterations for Comfort.

Members of the Omaha club who attend the opening reception Thursday evening will find a beautifully rehabilitated club house. Joseph S. Sturdy, the Chicago expert on interior decorating, has been at work for several months with his staff of workmen and the rooms and woodwork as well as the furniture have all been made over. In every design a harmony of color and form has been sought for and there is a prevailing softness of tone that is carried out even in the leaded glass of the windows. The woodwork is an antique oak finish all the rooms on all three floors and the Irish tuft rugs are in smooth light green and brown. The walls and ceilings are changed even to the chandeliers and doorways.

All of the rooms, although simple and subdued, are distinctly masculine in tone except for the ladies' suite. The larger dining room of this suite is a charming combination of silver and green, the curtains under green overhangings are the finest lace and the electrolite and brackets are of crystal.

The important changes in the general layout of the rooms are the lowering of the windows that overlook the street, the throwing together into one large reception room the two rooms to the right of the entrance hall, the building of a special entrance to the ladies' cafe and to the office without passing through the lounge rooms, the new arrangement of the stairway which makes it more graceful and convenient and the extension of the kitchen. The kitchen has been not only extended, but fitted with more commodious ice boxes and ranges.

The work done by Mr. Sturdy has been very satisfactory to the committee and members are now convinced that the new comforts and beauties were worth the months of homelessness and the \$40,000 that they cost.

POSTOFFICE FORCES PLAN A SOCIAL EVENT

Clerks and Carriers Join Forces to Give a Big Dance at the Home.

Omaha postoffice employees, both clerks and carriers will join hands in their first annual social event Saturday evening, January 14, at the Home hotel. Heretofore the two forces have held separate social functions, but this year it has been decided to have a joint event in the shape of a dance. The following officers were elected at the last meeting: Sam Crozier, president; George Fowler, secretary; George Marshall, treasurer. The entertainment committee consists of E. Betlach, Philip Kelly, John Haves, Sam Crozier, P. McGovern and E. Munson.

The quicker a cold is gotten rid of the less the danger from influenza and other serious diseases. Dr. W. L. Hall of Waverly, Va., says: "I firmly believe Chamberlain's Cough Remedy to be absolutely the best preparation on the market for colds. I have recommended it to my friends and they all agree with me. For sale by all dealers."

Something strange that the value of Cream of Barley as an all-powerful health food was not known until this last year.

Workman Killed and Another Injured by a Falling Derrick

Moses Redman Crushed to Death Under Heavy Boom While Working in Excavation at Light Plant.

Moses Redman, a workman employed on the construction of the new plant of the electric light company at Fourth and Jones streets, was crushed to death by a boom falling from a broken derrick Tuesday morning. The body was taken in charge by Coroner Crosby, who will hold an inquest Wednesday morning.

Redman's home is at Sixteenth and M streets, South Omaha. He leaves a widow and five children.

William Cooper, a fellow workman, was slightly injured in the same accident which caused the death of Redman. The breaking of the derrick resulted from a weak pin supporting part of the structure below. The men were working in the excavation where the derrick was wrecked.

The dead man was employed by the Witherpoon-Engler company of Chicago, which has the contract for the enlargement of the plant.

Two Women Burned in Gasoline Explosion

Housewife Fills Stove and Forgets to Turn Off Burner—Two Others Badly Injured.

ST. LOUIS, Dec. 12.—Two women are dead and a young girl and a man probably fatally injured as the result of a gasoline explosion in the home of Frank Waser here today. The dead are: MISS TENNIE HARRIS, 18 years old, sister of Mrs. Waser.

Waser and his wife's other sister, Miss Mary Harris, 16 years old, are in a hospital badly burned.

Mrs. Waser was filling a gasoline stove and had neglected to turn off one of the burners, when the explosion occurred. The husband, despite his burns, rushed to a nearby store for help, his clothing blazing as he ran. The women were indistinguishable from one another, when taken to the hospital.

Read This if You Want the Benefit. J. W. Greer, Greenwood, La., suffered with a severe case of lumbago. "The pains were so intense I was forced to hypodermic injections for relief. These attacks started with pain in the small of my back which gradually became fairly paralyzing. My attention was attracted to Foley's Kidney Remedy and I am glad to say after using this wonderful medicine I am no longer bothered in any way by my old enemy lumbago." Sold by all druggists.

Deaths—Joseph Rios, 13, thirteenth street; Paul Stephen, 51, 1212 Jackson street; Edwin Heston, infant, 3312 North Twenty-first street; Harvey Cox, 20, 1240 South Tenth street; Archie L. Cass, 22, Louisville; Valclair R. Koutsky, infant, 1223 South Fifteenth street; Maria August, 70, 112 Boulevard; Carl E. Swenberg, 21, 2277 Arbor street; Sarah O'Neil, 66, 2010 North Eighteenth street; Joseph Lubajada, infant, 1201 Izard street.

Births and Deaths.  
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Famous "Pit of Cough Syrup" Receipt

No Better Remedy at Any Price. Fully Guaranteed.

Make a plain syrup by mixing one pint of granulated sugar and two pints of warm water and stir for two hours (fifty cents worth) in a pint bottle. This gives you a family supply of the best cough syrup, at a saving of 12. It never spoils. Take a teaspoonful every one, two or three hours.

The effectiveness of this simple remedy is surprising. It seems to take hold instantly, and will usually stop the most obstinate cough in 24 hours. It is just what you need for a cold, a cough, and has a pleasing taste. Also, it is a good remedy for whooping cough, croup, sore throat, and asthma, and is unequalled for making cough remedy with Pinex and Sugar Syrup (see instructions for making cough remedy with Pinex and Sugar Syrup) in thousands of homes in the United States and Canada. The Pinex has been initiated, though never successfully, as a substitute for the most valuable white pine extract and Norway spruce extract and all the natural healing elements of other preparations will not work in this receipt.

A guarantee of absolute satisfaction, or money promptly refunded, goes with this receipt. Your druggist has Pinex, or we will get it for you. If not, send to The Pinex Co., St. Wayne, Ind.

20% Off

Good News for Santa

Leather goods of all kinds—Pocket Books, Card Cases, Planners, Covers, Hand Bags, Grips, Traveling Sets and Suit Cases; all appropriate Christmas articles at twenty per cent discount.

OMAHA TRUNK FACTORY

1209 and 1517 Farnam St.

A Swell Affair

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