

Nebraska TAYLOR'S BOND WAS IGNORED No Effort Ever Made to Collect Money Due State of Nebraska. SURETIES ARE EXECUTION PROOF

(From a Staff Correspondent.) LINCOLN, April 1.—(Special Telegram.)—Governor General Martin reported to the attorney general this morning the opinion in answer to the resolution offered in the house of representatives by Kotovic and Richardson asking why suit has never been brought by the state against the sureties on the bonds of the First National bank of Omaha, the Globe Loan and Trust company, the Globe Savings bank of Omaha, defunct concerns which went out of business owing to the state of Nebraska the aggregate sum of \$5,000.

The attorney general holds that none of these sureties can be reached by execution. In regard to the Globe Savings bank he says: "I find that the Globe Loan and Trust company of Omaha, mentioned in the resolution, was one of the sureties for the Globe Savings bank; that the bond was executed on the 13th day of November, 1904; that the remaining sureties were E. G. Hanson, C. J. Taylor, D. T. Mount, K. W. Devries, C. J. Taylor, D. T. Mount, K. W. Hanson and W. R. Taylor, and that said bond was approved by L. Crouse, governor, John C. Allen, secretary of state, and George M. Hastings, attorney general.

No action to recover. "I am unable to find that any action was ever commenced on this bond. I have gone through the records in the office of the clerk of the district court in Omaha and was advised by those in charge that no such action was ever instituted. A number of actions were instituted in that court against Cadet Taylor, involving the Globe Savings bank, the Globe Loan and Trust company and others, and bonds were given in relation thereto.

"I am also informed that the Globe Savings bank and the Globe Loan and Trust company went out of business sadly insolvent, about two years ago. I am also informed that M. O. Devries and D. T. Mount are deceased, but I have not been able to verify this report.

Taylor a bankrupt. "From an inspection of the court records at Omaha, I find that Cadet Taylor was adjudged a bankrupt on the 13th day of July, 1904; that he listed assets to the value of \$25,000 and liabilities to the amount of \$52,496.70. The records of this bankruptcy proceeding show that he listed his liability upon this bond, that notice was given to all parties and published in the 'Examiner'. The federal courts and a number of the federal courts have held that a discharge in bankruptcy, when regularly pleaded, is a bar to an action against sureties on a bond. (Ex Parte Taylor, fed. cas. 1373; United States against Throckmorton, fed. cas. 1636; Steele against Graves, 68 Ala. 21; Helts against People, 72 Ill. 435; Fowler against Kay, 44 Me. 445; McKinnon against Allen, 57 N. C. 31.)

Sureties Execution Proof. "I have been repeatedly informed that each and all of the sureties on this bond are execution proof, but these are matters which will require further investigation. I make this report that you may apprise the house of representatives of the conditions with regard to these bonds as I find them at this time.

The other two cases he finds have been settled. The Orleans bank sureties were sued and a judgment recovered. The Buffalo county bank paid its share, 22 percent and the state received its share. This report will be returned to the legislature by the governor as an explanation of the facts that no suit has ever been brought against Cadet Taylor, W. R. Taylor and K. W. Hanson for this money entrusted to the Globe Savings bank by the state.

CAPITAL NATIONAL CASE IS DECIDED BY JUDGE

Decision Reached in Seward County by Court in Long-Pending Controversy.

SEWARD, Neb., April 1.—(Special Telegram.)—At a special sitting of the court here today District Judge Good rendered a decision in the Capital National bank case finding generally for the plaintiffs.

TO SUBMIT NO ALTERNATIVE

Movement for Counter Proposition on Lincoln Saloon Question Fails.

(From a Staff Correspondent.) LINCOLN, April 1.—(Special.)—No counter proposition to the referendum on the Business Men's petition for twenty-five high licensed saloons will be put on the election ballots this spring, since the executive board at a meeting Saturday noon declined to present such an alternative. The three members of the board met in the mayor's office for the purpose of adopting a rule drawn by City Attorney Planchard and Mayor Love, which would exclude all saloons. Harpham and Powell voted against, despite the arguments of Mayor Love.

Man Injured at Columbus. COLUMBIA, Neb., April 1.—(Special Telegram.)—Shortly after 4 o'clock this evening, Los Angeles Limited No. 8 eastbound, struck an unidentified man at the mill crossing east of the depot. He endeavored to get on the local freight as it was pulling into the yards and did not notice the passenger train, which struck him and fractured his skull. He was taken to the hospital and his injuries will likely prove fatal.

Official Changes at North Platte. NORTH PLATTE, Neb., April 1.—(Special.)—Today there was quite a change in

Wedded for Fifty Years



MR. AND MRS. J. D. BAILEY OF STRATTON, NEB., WHO CELEBRATED THEIR GOLDEN WEDDING ANNIVERSARY ON MARCH 25, 1911.

the official life of North Platte. E. S. Davis assumed the postmaster's office, succeeding R. D. Thompson, who held the office for the last two terms; Ira L. Clark, editor of the North Platte Tribune, assumed the duties of receiver of the land office, succeeding W. H. C. Woodhurst, who has held the office for the last term, and Will Ott became chief of police instead of C. A. Lowell, who has resigned.

SWIGART ENTERS HIS PLEA

Accused Doctor at Hastings Will Fight Charges Made Against Him. HASTINGS, Neb., April 1.—(Special Telegram.)—Dr. H. M. Swigart today entered a plea of not guilty to the charge of performing a criminal operation on Miss Grace Baker, who died last Monday and his hearing was set for April 28. He gave bond for \$5,000.

BODY FOUND NEAR NEMAHIA

Corpse of Harry Loveland of Hamburg, La., Recovered from River. SOUTH AUBURN, Neb., April 1.—(Special.)—A floater found Thursday a mile and a half east of Nemahia City in the river proved to be the body of Harry Loveland of Hamburg, La., who was drowned about five and a half months ago. The body was in such a perfect state of preservation that there was no trouble experienced by friends of the deceased in identifying it. Mr. Loveland had been in Omaha consulting a specialist and it is supposed that the diagnosis of his case had preyed on his mind until he employed the river for release. He was a man of 47 years of age and lived with his aged mother in Hamburg. He left some \$4,000 in the bank there, also other property of considerable value. The body was taken back to Hamburg for burial.

Nebraska News Notes.

STELLA—Mr. Harrison and Miss Meta Arzabrit were married at the home of the bride's aunt in Auburn, Neb., last night. BEATRICE—Guy H. Walker of Pawnee City and Miss Josephine Holton of Burdick were married here yesterday by Rev. E. J. Decker. BEATRICE—In one of the fastest basket ball games of the season De Witt won from Tobias last night at De Witt by the score of 25 to 23. BEATRICE—Captain J. W. Starr, a former resident of De Witt, died at the home of his wife, Mrs. Starr, here yesterday. His body will be taken to Richmond, Ind., for interment. FAIRBURY—Louie Nutzman, Jr., who was taken to Nebraska City a few weeks ago for his health, was brought back to the city by his brother and father in a private automobile. AUBURN—Joseph Sayers, living south of Nemahia City, was arrested by Sheriff James Hill, weak on complaint of the father of a young girl, Miss Sayers, charging that Sayers had attempted to assault the girl. BLUE HILLS—The annual county convention of the Modern Woodmen of America will be held in Blue Hill next Wednesday, April 5. The object of this convention is to elect delegates to the state convention.

FAIRBURY—At the home of Mr. and Mrs. J. H. Ginder, their daughter, Miss Myrtle, was united in marriage to Mr. Lester A. Price. The ceremony was performed by Rev. M. A. Gilbert, pastor of the Methodist Episcopal church. CAMBRIDGE—Bessie Lee Allington, daughter of Mrs. Ira Rodgers, residing in this city, died at Cambridge, Mo., 12, died March 29. She was a well known citizen and was a member of the Y. W. C. A. She was buried here yesterday afternoon.

BEATRICE—Following is the mortgage report for De Witt county for the month of March: Number of farm mortgages filed, 7; amount, \$28,781; number of farm mortgages released, 8; amount, \$28,781; number of city mortgages filed, 2; amount, \$2,961; number of city mortgages released, 3; amount, \$4,543.

CAMBRIDGE—Miss Myrtle May Seago and Mr. Earl R. Marshall were united in marriage Thursday at 1 p. m. Rev. George Mishler officiating. The bride is the daughter of Mr. and Mrs. Al Seago of this city and the groom is a prosperous young farmer residing in the vicinity of Afton in Frontier county.

BEATRICE—At a special meeting of the city council last evening a proposition from the Excavator company to construct some new wells for the city was accepted over the protest of the Matthews Construction company of Kansas City, which has the contract for putting in the water works improvements here. STRATA—Mr. and Mrs. Clyde Teare reached here yesterday afternoon, bringing the body of their only child, 2 years old, for burial. They moved to Auburn, California, three years ago, and the child died last Sunday after a short illness of measles. Funeral services were held at the Christian church here this afternoon.

BLUE HILLS—A petition has been circulated for several days past, asking the city council to purchase the Blue Hill property suited to the needs and accommodation of the people at this point. It has been signed by practically all the business men and others, and will be forwarded to the officials of the Burlington at Omaha. AUBURN—The Fairbury Airship company, which was organized in the latter part of February, is no more. A. T. Hill of Fairbury, who was one of the promoters of this company, having dissolved partnership, Mr. Hill has moved to Hastings and has made arrangements with Mr. Brandis, proprietor of a garage there, and they have bought a monoplane instead of a Curtiss biplane. NEBRASKA CITY—County Treasurer Charles Johnson has issued a number of distress warrants against the last two weeks and yesterday issued one against C. E. Hubbard of usage precinct, who has disposed of his property before the officer reached there. The sheriff attached the property and the notes given and will hold them until the amount is paid. This is the manner adopted of collecting delinquent taxes in this city. The clerk is holding that the taxes follow the property.

AUBURN—Earl and Harlan Matthews, are in the Nemahia county jail as a result of passing successfully two forged checks, one upon Thomson & Peary and the other upon Graham Bros. & McKnight, two leading clothing stores in this city. The checks each have the signature of Ed Ely and the forger was so well executed that in each case the check passed by the merchant and the banker to Mr. Ely himself before it was detected. They entered the store of E. E.

POSSES AFTER THE KIDNAPERS

Ranchmen Are Pursuing Three Heavily Armed Men. EXCITEMENT IS AT FEVER HEAT

Detectives from Kansas City, Denver and El Paso Working on Las Vegas Case—At Least Six Persons Concerned.

EAST LAS VEGAS, N. M., April 1.—Reports began coming in by telephone today from posses in search of the abductors of Waldo Rogers, the two year old boy for whom his parents paid \$12,000 ransom yesterday.

Clues are being run down in this city. It is now believed that as many as six were concerned in the kidnaping.

DIAZ SAYS THIS IS HIS LAST TERM

Parents to Rescue. Mr. and Mrs. C. H. Converse of Glendora, Cal., father and mother of young Converse, are here doing all in their power to free the lads. Mr. Converse is an attorney. He lived formerly in Avoca, Ia., where he was city attorney for four terms and president of the Board of Education three terms. Lawrence Converse, the lad who is causing the State department of two nations to act, was born in Oakland, Ia., twenty-one years ago.

ASSASSIN IS SHOT TO DEATH

Albanian Who Murdered German Army Officer in Constantinople Is Executed.

CONSTANTINOPLE, April 1.—The Albanian soldier, who last Tuesday assassinated Colonel Von Schlichting, a German instructor in the Turkish army, who had repudiated him, was executed this morning. Von Schlichting's widow had asked that the assassin be pardoned, and reports were current that the government was afraid to execute him lest the action result in a mutiny in the Albanian army. However, the penalty was inflicted openly and without trouble. The Albanian was killed by a firing party from his own battalion and in the presence of the others of the battalion, accompanied with band and colors, the divisional commander and two German officers.

SIXTY-SEVEN FOR KENYON

Iowa Legislature Takes Another Joint Ballot for United States Senator.

DEATH RECORD. Louis Rothschild, for five years an employe in the city engineering department, died at his home, 348 St. Mary's avenue, Saturday morning of pneumonia. Mr. Rothschild, who was 71 years old, was taken sick Tuesday afternoon, when he was forced to leave his desk. He was chief inspector of the street cut department.

Rebuilding Railroads. A work train from Pearson, Mexico, has been rebuilding the destroyed bridges of the Mexico Northwestern railroad and the line is now open for traffic as far south as Guzman, with only three more bridges

Special Announcement!

On account of the storm Friday and Saturday, which prevented hundreds of customers from attending this great sale, the management has decided to continue for THREE DAYS MORE—MONDAY, TUESDAY, WEDNESDAY. This will positively be the final three days of this great sale.

Raphael-Pred Co., Whole sale and Retail Dealers. Cor. 15th and Farnam Sts. Only 2 Minutes Walk From 16th Street.

EXTRA 75c Black Petticoats, 12 dozen only 25c Come Early. Ladies' and Misses' Coats specially priced for this sale. Alterations Guaranteed and Free.

Three Hundred Killed with Machine Guns. Expedition into French Guiana Has Fierce Fight with Natives at Goumbra.

HELPED MURDER HUSBAND TO GET LIFE INSURANCE. Mrs. John D. Powell of San Francisco Makes Confession and Implicates Dr. Chisholm.

BOY THIEF IS UNDER ARREST. Messenger Who Stole Thirteen Hundred in Union Hill, N. J., Captured in Indiana.

GEORGE B. COX IS MISSING. Detective Unable to Find Leader to Arrest Him Under New Indictment.

REBUILDING RAILROADS. A work train from Pearson, Mexico, has been rebuilding the destroyed bridges of the Mexico Northwestern railroad and the line is now open for traffic as far south as Guzman, with only three more bridges

Truth Is Mighty and Must Prevail! My Constant Medicine Thirty Years! On the advice of his family doctor, a well known commercial traveler started using Duffy's Pure Malt Whiskey. He found it did him so much good that it has been his only medicine for thirty years. Unsolicited letters of praise like the one from Mr. Geo. T. Lytell are indeed gratifying and have a tendency to spur us on to do better things for suffering humanity.

Brighten Up for Easter A Phone Call Cleans and Presses Our wagons get old clothes in the morning. Our wagons bring new clothes at night. Our bills charge only for cleaning. We Ask for ONLY ONE CHANCE. The Wardrobe EXPERT CLEANERS & DYERS. Phons: Doug. 1729; A-1729 2016 Farnam St.

Green Gables SANATORIUM Located in Lincoln, Neb. This institution is the only one in the central west with separate buildings situated in their own ample grounds, yet entirely distinct and rendering it possible to classify cases. The one building being fitted for and devoted to the treatment of noncontagious and venereal diseases, no others being admitted. The other, Rest Cottage, being designed for and devoted to the exclusive treatment of mental cases, requiring for a time watchful care and special nursing.